

orkney alcohol and drugs

partnership

A red stylized human figure with arms raised, positioned over the 'i' in 'partnership'.

**Terms of Reference
August 2009**

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Contents

Page

4	Preamble
	<u>Section A – Functions of Orkney ADP</u>
5	A1 Terms of Reference
6	A2 Membership
7	A3 Orkney Alcohol & Drug Partnerships Authority
8	A4 Professional Support
8	A5 Orkney Alcohol & Drugs Partnerships Finances
	<u>Section B – Regulation of Meetings and Proceedings of Orkney ADP</u>
10	B1 Calling & Notice of Meetings
10	B2 Appointment of Chair & Vice-Chair
11	B3 Duties of Chair & Vice Chair
11	B4 Quorum
12	B5 Remote Participation at Orkney ADP Meetings
12	B6 Order of Business
12	B7 Debate, Notice of Motion and Voting Procedures
13	B8 Principles of Public Life
13	B9 Conflict of Interest
14	B10 Submission of Reports to Orkney ADP
14	B11 Right to attend meetings and / or place items on agenda
14	B12 Suspension of Standing Orders
14	B13 Admission of Public and Press
14	B14 Minutes
15	B15 Communications
15	B16 Complaints
	<u>Section C – Scheme of Administration</u>
16	C1 Appointment of Sub Groups
16	C2 Sub-Groups and function
16	C3 Membership of Sub Groups
16	C4 Minutes of meetings of Orkney ADP Sub-Groups
17	C5 Scheme of Delegation to Sub Groups
	<u>Section D – Services Sub Group</u>
18	D1 Terms of Reference
18	D2 Composition
18	D3 Meetings
19	D4 Remit
19	D5 Reporting Arrangements
	<u>Section E – Monitoring Substance Misuse Deaths Sub-Group</u>
20	E1 Terms of Reference
20	E2 Composition
20	E3 Meetings
21	E4 Remit
21	E5 Reporting Arrangements

Section F – Commissioning Sub Group

22	F1	Terms of Reference
22	F2	Composition
22	F3	Meetings
22	F4	Remit
23	F5	Authority
23	F6	Reporting Arrangements
24		Glossary
25		Appendix – Conflict of Interest Guidance Note

Preamble

These Terms of Reference have been developed for regulating the business and procedures of Orkney Alcohol and Drugs Partnership, which sets out that:

- A. The function of Orkney Alcohol and Drugs Partnership and its sub-groups.
- B. The regulation of meetings and proceedings of Orkney Alcohol and Drugs Partnership committees and groups.
- C. The scheme of administration.
- D. Terms of reference, role and membership of Strategic, and Sub-Groups.

It is recognised that Alcohol and Drugs Partnerships are not legally incorporated bodies. They have no foundation in statute and no formal powers of authority. The Alcohol and Drugs Partnership has an expanding role in influencing, commissioning and prioritising the allocation of resources from the Scottish Government, therefore it is timely to review current Terms of Reference and standing orders to demonstrate transparency. Issues of governance will be clarified in order to ensure that the many checks and balances that exist elsewhere in the public sector are complied with.

Section A

Functions of Orkney Alcohol and Drugs Partnership

A1. Terms of Reference

Orkney Alcohol and Drugs Partnership is a strategic partnership established to:

- Set strategic direction to tackle substance misuse in line with national and local priorities.
- Influence public policy and national strategy.
- Commission, lead and co-ordinate the joint planning and development of substance misuse services.
- Assess and monitor needs and implement and evaluate actions to address identified needs.
- Oversee the delivery of the strategic objectives through the annual action plans and make recommendations in regard to priority funding through commissioning services.

The Alcohol and Drugs Partnership's ability to function across a range of Public, Private and Third Sector bodies is dependent upon partner agencies working together to co-ordinate the planning, delivery and evaluation of their substance misuse services.

The process of reaching an agreement within a partnership arrangement can be complex and at times complicated both for members of the partnership and those services/individuals influenced by the Alcohol and Drugs Partnership work.

Orkney's Alcohol and Drugs Partnership Terms of Reference are to:

- ❑ Implement the key actions contained within national substance misuse strategies for drugs and alcohol.
- ❑ Implement Orkney's Alcohol and Drugs Partnership Strategy and the annual Local Action Plan.
- ❑ Use strategic action planning to identify specific agencies or partnerships or sub-groups responsible for carrying out particular tasks as detailed in the strategy.
- ❑ Lead and co-ordinate joint planning and development of services and facilitate effective joint working between the partner agencies of the Orkney Alcohol and Drugs Partnership in order to create effective integrated care.
- ❑ Assess and monitor local needs for treatment and rehabilitation services, and identify gaps in existing services.
- ❑ Promote, facilitate and maximise the use of inter-agency resources in the development of prevention, treatment, rehabilitation and employability services.
- ❑ Ensure good governance arrangements to assess local performance and progress and monitor outcomes of prevention, treatment and rehabilitation services.
- ❑ Ensure at all times, the highest standards of financial governance and probity.
- ❑ Encourage the implementation of National Quality Standards for local services.
- ❑ Carry out evidence based assessments of local needs and ensure that up to date information is collected and shared and informs the decision making process.
- ❑ Consult widely, as appropriate, including with service users and other partnership groups.
- ❑ The work of Alcohol and Drugs Partnership will be viewed in the context of the framework of the overall community planning performance reporting.

On an annual basis, a Local Action Plan will be devised based on national priorities, local strategy and Orkney's needs. This process will be achieved by following a full consultation with the wider Alcohol and Drugs Partnership structure, including service users. The local Action Plan must take into account the Single Outcome Agreements.

Funding is allocated to NHS Orkney by the Scottish Government along with allocation letters with the purpose of the funding specified. Orkney's Alcohol and Drugs Partnership will establish a number of working groups to assist in achieving its objectives and priorities set out in the Local Strategy and Action Plan. Orkney's Alcohol and Drugs Partnership will make recommendations to Scottish Government, NHS Orkney, Orkney Islands Council, the third sector and other bodies on the most appropriate use of available funds and resources based on the needs of the population. Services will be commissioned, managed and monitored through Service Level Agreements, proportionate to the grant given.

A2. Membership

Partners should be provided with guidance about what membership of Orkney Alcohol and Drugs Partnership requires of them. This guidance should be prepared and issued by Orkney's Alcohol and Drugs Partnership Support Team this should take place at the induction period and also as a refresher every two years with the change in Chair.

A range of representation from key partners should be encouraged on Orkney Alcohol and Drugs Partnership, however bearing in mind the importance of limiting the size of the strategic team to maintain effectiveness.

The Scottish Government carried out a review of the Alcohol and Drugs Teams membership in 2007, and recommended that partnership should be at a very senior level and be representative of all the agencies involved in substance misuse issues.

Orkney Alcohol and Drugs Partnership membership at a strategic level will include representatives from the following:

OIC	Elected representative Director of Education, Leisure & Housing Environmental Health Manager
NHS	Non-Executive Board Member Chief Executive Director of Public Health Director of Finance GP Representative
OHAC	Head of Community Health & Care Service Manager for Mental Health & All Age Disabilities Representative of the Northern Community Justice Authority
Police Scotland	Chief Inspector
Third Sector Representation	Three representatives decided by the Board of Voluntary Action Orkney one of which has to be independent from any service / project in receipt of funding from OADP.
Service User	In person or by virtual forum on request via the Support Team.
Employability Strategic Group	A representative from the Group through internal agreement
Scottish Fire & Rescue Service	Senior Officer Group Manager

In attendance

Support Team

NHS Orkney Health Promotion Manager (line management for SMDO)
Alcohol & Drugs Partnership Substance Misuse Development Officer
NHS Orkney Administration Support (for minutes only)

Representatives on Orkney Alcohol and Drugs Partnership will be chosen by their host organisation and should be at, or just below Chief Officer level¹ or nominated senior deputy. Deputies with sufficient authority may attend in exception providing they have the authority to represent their own organisation. It is expected all members of Alcohol and Drugs Partnership will feedback to their own agencies through their own reporting structure.

The Chair must ensure that the strategic group maintains a focus on strategy and performance and not to be distracted by detail. They must promote the highest of standards of corporate governance and seeks to compliance with the provisions of the Code of Conduct for Board Members, upholding the highest ethical standards of integrity and probity. They must also ensure effective implementation of the Partnership decisions.

Members are expected to represent the interest of Orkney Alcohol and Drugs Partnership within their organisations and on multi-agency groups (unless a specific Drugs and Alcohol Partnerships representative has been nominated), to ensure that activity is synchronised according to strategic priorities.

A3. Orkney Alcohol and Drugs Partnership Strategic Group Authority

Orkney Alcohol and Drugs Partnership strategic group powers are to:

- ❑ Set strategic direction for efforts to tackle substance misuse.
- ❑ Direct work that provides evidence of need to inform the strategic direction.
- ❑ Commission work which meets local needs based on strategic direction.
- ❑ Establish subgroups to support Orkney Alcohol and Drugs Partnership functions
- ❑ Alter the structure and membership of subgroups to meet the changing demands and emerging needs within Orkney.
- ❑ Engage in the selection process to appoint Support Team Staff.
- ❑ Make recommendations to Scottish Government, national bodies and local organisations on the allocation of resources to tackle/address substance misuse in respect of prevention, treatment and rehabilitation services based on the need.
- ❑ Be represented on other appropriate groups both nationally and locally.
- ❑ Work in partnership and collaboration with other partners to form effective links to other local co-ordinated structures, such as:-
 - Orkney Community Planning Partnership
 - Orkney Health & Care

The Alcohol and Drugs Partnership will be bought into community planning process for each local authority, including decision-making and accountability systems such as Single Outcome Agreements and NHS performance management. Each Alcohol and Drugs Partnership is expected to develop and implement a local alcohol and drugs strategy. The strategies will ensure all relevant partners play their part, better identify local needs and ensure investment is focused on achieving agreed outcomes.

Orkney Alcohol and Drugs Partnership delivery is accountable to Orkney Community Planning Partnership and to the Scottish Government. The Alcohol and Drugs Partnership must identify key outcomes relating to drugs and alcohol within the wider framework of

¹ "Drugs in Scotland: Meeting the Challenge". Report of Ministerial Drugs Task Force, 1994.

priority outcomes contained within the Single Outcome Agreement, and how their achievement will be measured.

Through Alcohol and Drugs Partnership improved interagency working is expected, having a clear focus on achieving real outcomes for individuals, and robust accountability through NHS performance management arrangements – including HEAT targets on drugs and alcohol and the local Annual Delivery Plan and through reporting via the Single Outcome Agreement.

The Alcohol and Drugs Partnership will also link into Orkney Health & Care.

A4. Professional Support

The Alcohol and Drugs Partnership Support Team will provide support to all the Partnership agencies and co-ordinate the work of the meetings.

A.5 Orkney Alcohol and Drugs Partnership Finances

Funding is allocated by the Scottish Government to NHS Boards. Each revenue source comes with an allocation letter stating specific purposes for financial allocation. These letters are sent to the Chief Executives of NHS Boards and Chairs of Alcohol and Drugs Partnerships who have the joint responsibility and accountability to ensure the Government Allocation letters are followed.

The budget holder within NHS Orkney is the Director of Public Health.

There must be commitment from the Alcohol and Drugs Partnership to take forward and fund key initiatives which will support the overall strategic purpose and vision of Alcohol and Drugs Partnership strategy, through core services and local projects. The Alcohol and Drugs Partnership must provide a clear assessment of local needs and circumstances, including both met and unmet needs. The Strategic Group would set and outline services to be provided and/or commissioned, reflecting the local assessment of need and the targets to be met across agencies.

Each initiative or project is commissioned and managed via a Service Level Agreement with the Alcohol and Drugs Partnership and the funding is administered by NHS Orkney on behalf of the Partnership. The Alcohol and Drugs Partnership must use NHS Orkney Financial Governance procedures and framework for commissioning services.

During commissioning, the Alcohol and Drugs Partnership should be prepared to consider all service providers however the Partnership must ensure all services commissioned will meet the strategic objectives and be delivered to a high standard. When commissioning the delivery of services, including preventive interventions, the desired outcome must be agreed at the outset. The responsibility for this commissioning of services will sit with the Alcohol and Drugs Partnerships strategic group taking recommendations from the Commissioning Group.

Every strategic meeting of the Alcohol and Drugs Partnership will have an update on service level activities from the Services Sub Group via the Support Team.

Funding for each initiative is agreed on the proviso that outcomes for the initiative or project directly relates to the objectives, goals and desired outcomes for Orkney Alcohol and Drugs Partnership through local and national strategies and drivers. Each initiative will be required to provide evidence of delivery of projects and services through the accountability forms.

The Alcohol and Drugs Partnership can terminate a Service Level Agreement and funding if services or projects are not meeting the agreed targets.

High level financial statements will be prepared and signed off by NHS Orkney Director of Finance for each strategy meeting (quarterly), this will ensure systems and controls for financial planning, budget management, control, monitoring and allocation of resources. Alcohol and Drugs Partnership must abide by the Standing Financial Instructions of NHS Orkney.

Section B

Regulation of Meetings and Proceedings of Orkney Alcohol and Drugs Partnership

Meetings and proceedings of Orkney Alcohol and Drugs Partnership and its sub-groups shall at all times be conducted in accordance with these Standing Orders.

B1. Calling and Notice of Meetings

The Chair (or vice chair in their absence) may call a meeting of the Orkney Alcohol and Drugs Partnership at any time and the Chair of a sub-group may call a meeting of that sub-group at any time or/and shall call a meeting when required to do so by the Strategic group.

Ordinary meetings of the Orkney Alcohol and Drugs Partnership or of its sub-groups shall be held in accordance with the timetable approved by Orkney Alcohol and Drugs Partnership. Meetings of the Strategic Group of the Alcohol and Drugs Partnership will, unless the Partnership resolves otherwise, be held on at least four occasions in the financial year. In any event, Orkney Alcohol and Drugs Partnership meetings shall be held at least once in every period of four months.

It shall be within the discretion of the Chair of any Committee or Group to advance or postpone an ordinary meeting if, in his/her opinion; there is good reason for doing so, these reasons will be communicated to members.

Orkney Alcohol and Drugs Partnership will seek to achieve a standard of delivering the notice of the meeting, including the agenda, minutes and reports to each member, at least 5 working days before the date of meeting, other than in exceptional circumstances. The Orkney Alcohol and Drugs Partnership meetings are serviced by the Support Team.

Any member may request for an extraordinary meeting to be convened by submitting a statement of the matter to be raised to the Chair, Vice Chair or the Support Team with the support of two thirds of the group. The Chair will then convene a meeting within 3 weeks.

Special meetings of sub-groups shall be held on such dates and times as the respective Chair of those sub-groups shall determine in agreement with the membership of the sub groups.

Verbal reports will not be accepted and Video Conference facilities should be made available.

B2. Appointment of Chair and Vice-Chair

Nominations for the position of Chair and Vice-Chair will be sought by members of the Orkney Alcohol and Drugs Partnership. Expressions of interest and nominations can be given to the Support Team in advance of the meeting. Where only one nomination has been received a show of hands in support of the candidate shall occur. When more than one nomination is received a private ballot shall take place at the meeting. No proxy votes shall be accepted for those not in attendance at the meeting. Those appointed shall normally hold office for two years, provided that the individual's membership of the Orkney Alcohol and Drugs Partnership continues throughout that period.

If the nominee(s) is (are) agreeable to undertaking the role, then where necessary, a vote will be taken. The retiring post holders shall be eligible for re-election as long as the individual remains a member of Orkney Alcohol and Drugs Partnership.

Any member of Orkney Alcohol and Drugs Partnership, of appropriate seniority, is eligible to stand for election as Chair and Vice Chair. Appropriate seniority is defined as – involved in the operation of the Community Planning Partnership at a strategic level. The Chair must

have the skills needed to lead the ADP and give strategic direction, and should be able to give the time and commitment that the role requires.

In the event of pre-term resignation, a temporary office bearer may be elected for the remainder of the term.

B3. Duties of Chair and Vice-Chair

The duties of the Chair and Vice-chair are to provide strong and focused leadership to the Orkney Alcohol and Drugs Partnership.

At every meeting of the strategic group of Orkney Alcohol and Drugs Partnership, the Chair, if present, shall preside. If the Chair is absent from any meeting, the Vice-Chair, if present, shall preside. If the Chair and Vice-Chair are both absent, the members present shall elect a member to act as Chair, for that meeting.

It is the duty of the Chair and the Chair of sub-groups:

- To ensure that Terms and Reference and NHS Orkney code of corporate governance are observed, and in doing so, to facilitate a culture of transparency, consensus and compromise.
- Sets the agenda, style and tone of the meetings discussions to promote effective decision-making and constructive debate.
- To preserve order and ensure that any member wishing to speak is given due opportunity to do so and a fair hearing.
- To call members to speak according to the order in which they caught his/her eye.
- To decide all matters of order, competency and relevancy.
- Develop and maintain positive relationships with all the partners.
- The Strategic Chair will liaise regularly with the Chair of the Partnership Sub-Groups and the Support Team.

The chair or nominated deputy will be expected to represent Orkney at national meetings such as with the Scottish Government.

Any person attending national meetings on behalf of the Partnership is eligible to expenses of travel and accommodation whilst on the Partnerships business. These must be funded from the Alcohol and Drugs Partnership allocation. NHS Orkney policies and procedures must be followed before re-imburement.

B4. Quorum

A minimum of one third of the members and at least one member from Orkney Islands Council, one member from NHS Orkney and another member shall constitute a quorum at meetings of the strategic group of Orkney Alcohol and Drugs Partnership. No business shall be transacted at a meeting of the Orkney Alcohol and Drugs Partnership unless the meeting is quorate.

The quorum of sub-groups is set out in their Terms of Reference (Sections D to F).

If after a reasonable time (10 minutes) specified for the start of a meeting of the Orkney Alcohol and Drugs Partnership or its sub-groups, a quorum is not present, no business shall be transacted and the meeting shall be adjourned until such date and time as the Chair shall determine.

If during the meeting of the Orkney Alcohol and Drugs Partnership or of its sub-groups, the Chair finds that the meeting is no longer quorate, the meeting shall be suspended. The meeting shall be adjourned until such other date as the Chair shall determine.

B5. Remote Participation in Orkney Drugs and Alcohol Partnerships

Meetings of the Orkney Alcohol and Drugs Partnership, or any of its sub-groups, may be conducted in any other way in which each member is enabled to participate although not present with other members in a pre-determined place (e.g. through use of video conferencing or telephone). A member taking part in the meeting through remote participation will have the same voting rights as member who is present.

B6. Order of Business

At an ordinary meeting of the strategic group the Partnership business will be shown on the agenda to (unless otherwise agreed at the meeting) proceed in the following order:

- Welcome from Chair, Apologies & Declaration of interest
- Minutes of the previous meeting shall be submitted for approval
- Matters arising from above and Action log
- Items for Discussion, including:
 - (a) General matters, of which due notice (3 weeks) has been given
 - (b) Reports, including financial reports
- Items for Information, including:
 - (a) Minutes of sub-groups (Strategic meeting only)
 - (b) National Meeting Feedback

No other items of business shall be transacted at a meeting of Orkney Alcohol and Drugs Partnerships unless notification has been given to the Chair prior to the meeting and the Chair is of the view that the item should be considered as a matter of urgency.

The addition of items to the agenda/presentation of papers on the day of the Alcohol and Drugs Partnership meeting will not be acceptable except in very particular circumstances.

B7. Debate, Notice of Motion and Voting Procedures

Agreement on issues under debate shall normally be reached by consensus. Any member present may, however, ask for a vote to be taken. In such cases, the issue will be considered by motion and amendment duly moved and seconded, and by voting on the issue.

In relation to debates, motions and voting the ruling of the Chair of the meeting, based on all points of order and on the order of debate shall be final.

A motion of adjournment of any meeting of the Orkney Alcohol and Drugs Partnership, or adjournment of any debate on any question, or the closure of debate shall be put to the meeting after being seconded, without discussion. Unless the time and place are specified in the motion for adjournment, the adjournment shall be until the next ordinary meeting of the Orkney Alcohol and Drugs Partnership.

All acts of, and all questions coming or arising before, a meeting of the Orkney Alcohol and Drugs Partnership shall be done and decided by a simple majority of the members present and voting at the meeting. In the case of an equality of votes, the Chair presiding at the meeting shall, in addition to his/her deliberate vote, have a casting vote.

The number of votes cast for and against motions and amendments shall be recorded in the minutes.

All questions put to the vote shall, at the discretion of the Chair of the meeting, be determined by oral expression or by a show of hands. If at least one third of the Orkney

Alcohol and Drugs Partnership members present so request, the voting on any question may be recorded to show how each Orkney Alcohol and Drugs Partnership member voted or abstained.

B8. Principles of Public Life

All members and agents of the Orkney Alcohol and Drugs Partnerships will follow the Key Principles of Public Life (Committee on Standards in Public Life 1995). The Code of Conduct of partner organisations and providers should incorporate these principles.

- ❑ **Selflessness.** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- ❑ **Integrity.** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- ❑ **Objectivity.** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- ❑ **Accountability.** Holders of public office are accountable for their decisions and actions to the public, and must submit themselves to whatever scrutiny is appropriate to their office.
- ❑ **Openness.** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions, and restrict information only when the wider public interest clearly demands.
- ❑ **Honesty.** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- ❑ **Leadership.** Holders of public office should promote and support these principles by leadership and example

B9. Conflict of Interest

The Key Principles, especially those in relation to integrity, honesty and openness, are given further practical effect by the requirement for individual people to declare their own interests. This ensures transparency of all interests which might influence, or thought to influence actions. The appearance of a conflict on interest in terms of public perception can be every bit as damaging as an actual conflict – both should be avoided.

In deciding whether to declare an interest, the key test is whether ‘a member of the public, acting reasonably, might think that a particular interest could influence you’ (Model Code of Conduct for Board Members)

All members of Orkney Alcohol and Drugs Partnership should recognise that conflict of interest may arise and they should advise other members of this through a declaration of interest at the start of the meeting this should be noted in the minutes. Such conflict may arise from both financial and non-financial matters.

Depending on the nature of the conflict the individual or Committee may decide that they will not be involved in further discussion the said member should withdraw from the meeting completely while the particular issue is dealt with.

In the event of a particularly contentious or difficult matter, there may need to be a pre-meeting to discuss how a particular conflict of interest should be handled.

A guidance note for members and Chairs is attached for information in the appendix on page 25.

B10. Submission of Reports to the Orkney Alcohol and Drugs Partnership

All reports requiring decisions by the Orkney Alcohol and Drugs Partnership or any sub-group will be submitted in writing. Verbal reports will not be accepted and facilities for Video Conferencing must be made available.

Reports should follow the format of:-

- a) Name of Report
- b) Purpose of Report
- c) Recommendations
- d) Background
- e) Proposals and discussions
- f) Options
- g) Conclusion
- h) Name of author/Job Title/Date

Reports which are deemed appropriate for public interest shall be put on the ADP website for viewing. This must be done adhering to the current data protection guidelines and also with the permission of the author.

B11. Right to Attend Meetings and/or Place Items on an Agenda

Any member of the Orkney Alcohol and Drugs Partnership Strategy Group shall be entitled to attend any meeting of any sub-groups, and shall with the consent of the sub-group concerned, be entitled to speak but not to propose or second any motion or to vote.

A member of the Orkney Alcohol and Drugs Strategy Group who is not a member of a particular sub-group and wishes that sub-group to consider an item of business which is within its remit, shall give written notice of the item and its general import to the Orkney Alcohol and Drugs Partnership Support Team, who shall arrange for it to be placed on the agenda of the sub-group. The member shall be entitled to attend the meeting and speak in relation to the item, but shall not be entitled to propose or second any motion or to vote.

A member of a Sub-Group, who wishes to raise any item of business which is within the remit of that Sub-Group, shall give written notice of the item and its general importance to the Support Team, who shall arrange for it to be placed on the agenda of the Sub-Group.

B12. Suspension of Standing Orders

Any one or more of the Standing Orders may be suspended at any meeting, but so far as only as regards the business at such meeting, provided that two-thirds of the members present and voting so decide. This should be written in the minutes of the meeting.

B13. Admission of Public and Press

Members of the public and representatives of the Press may attend by prior agreement, but will not be permitted to take part in discussion. Any request for attendance will be conducted and approved through the Chair or Vice-Chair.

Members of the public and representatives of the press admitted to meetings shall not be permitted to make use of photographic or recording apparatus of any kind unless agreed by Orkney Alcohol and Drugs Partnership.

B14. Minutes

The Support Team, acting on behalf of the Partnership Chair, shall be responsible for ensuring that minutes of the proceedings of a meeting of the Partnership (including sub-groups), will include any decision or actions or resolution made at that meeting, shall be drawn up via the Administration Support.

The Chair and Vice Chair are responsible for checking minutes before they are issued in draft form. The draft minutes will be circulated within two weeks of the meeting so that actions can be addressed.

The names of members present at any meeting of the Partnership shall be recorded in the minute, together with the apologies for absence from any member. Where a member is not present for the whole meeting this shall also be recorded.

The names of support staff attending any meetings shall be recorded separately and noted as 'in attendance'.

The minutes shall record the subject matter of the item(s) taken, the issues involved and reasons for the decisions. In the case of complex decisions these can be indicated by reference to a written report which has been submitted in respect of the agenda item.

The minutes shall record decisions of the Orkney Alcohol and Drugs Partnership in relation to any item(s) taken in private session, in such a way that the specific confidential content of the item is not disclosed to the public.

The draft minutes will be submitted to the next meeting of the Orkney Alcohol and Drugs Partnership, or relevant sub-group, for approval by members as a record of the meeting subject to any amendments proposed by members and shall be signed off by the person presiding at that meeting.

Copies of the approved minutes of every meeting of the Orkney Alcohol and Drugs Partnership shall be made available to the public and posted on the Orkney Drugs and Alcohol Partnership webpage in line with current data protection guidelines and with approval from the members.

All sub-group minutes are presented to the Strategic Group.

B15. Communication

Members will be expected to disseminate and communicate the business and activity of the Alcohol and Drugs Partnership throughout their own agencies.

Any communication to the media with respect to Orkney Alcohol and Drugs Partnership activity should be approved by the Partnership strategic Chair, Vice Chair and Support Team.

All media releases will be agreed with the Chair, Vice Chair and Support Team and will be issued by the Communication Team (NHS Grampian).

B16. Complaints

Complaints arising from either the provision of services or of the actions of Orkney Alcohol and Drugs Partnership shall fall within the appropriate complaint procedure of the appropriate authority or employing body. The Strategic Chair will be informed of the progress of the complaint at all stages.

Grievances arising from staff will fall within the appropriate employing body procedure.

The individual's employing body will conduct investigations and any disciplinary procedures as appropriate.

Section C

Scheme of Administration

C1. Appointment of Sub-Groups

Orkney Alcohol and Drugs Partnership shall identify such sub-groups as it determines are necessary for the economical, efficient and effective governance of its business.

Orkney Alcohol and Drugs Partnership Strategic Groups shall delegate or refer to such sub-groups such matters as it may from time to time consider appropriate. The matters so delegated or referred shall be those set out in the Terms of Reference of these sub-groups detailed in Sections D to F.

If both the Chair and Vice-Chair (if any) of a sub-group are absent from a meeting of that sub-group, a member of the sub-group chosen at the meeting by other members present shall preside.

C2. Sub-Groups and Functions

Orkney Alcohol and Drugs Partnership sub-groups (based on local and national need) are:

- Services Group
- Commissioning Group
- Substance Misuse Deaths Group

Orkney Alcohol and Drugs Partnership (strategic group or other sub-group) shall appoint such sub-groups or working groups as it determines are necessary for the economical, efficient and effective governance of its business or as directed by the Scottish Government and recommended the membership.

During intervals between meetings of the Orkney Alcohol and Drugs Partnership strategic group or its sub-groups, the Chair in conjunction with the Vice-Chair shall have powers to deal with matters of urgency which fall within the terms of reference of the Orkney Alcohol and Drugs Partnership and require a decision, which would normally be taken by the Partnership. All decisions so taken should be reported to the next full meeting of the relevant sub-group.

C3. Membership of Sub-Groups

The Orkney Alcohol and Drugs Partnership shall recommend Chairs and Vice-Chairs (if appropriate) of sub-groups and ask that the subgroup to ratify or make alternative recommendation(s) with clear rationale. The Support Team will support the functioning of each sub-group.

It shall be competent for the Orkney Alcohol and Drugs Partnership to vary the membership of sub-groups at any time through consultation and agreement.

Casual vacancies occurring in any sub-group shall be filled at their next ordinary meeting following a vacancy occurring.

Any member of the Partnership shall have the right of attendance at all sub-groups. This must be requested to the Chair of each sub-group.

C4. Minutes of Meetings of Orkney Alcohol and Drugs Partnership Sub-Groups

Draft minutes should be circulated within two weeks of the meeting so actions can be addressed.

The minutes of each sub-group of the Orkney Alcohol and Drugs Partnership shall be submitted as soon as is practicable to an ordinary meeting of the Strategy group for information, and for any recommendations having been made by the sub-group to be noted. Where minutes are unapproved, this should be clearly documented.

The Minute of each Strategic Group meeting shall be submitted as soon as practicable to an ordinary meeting of the Services Sub Group for information and all sub-group minutes should be circulated electronically to all members of the Partnership .

All minutes shall be made available to members of the public via the Partnership's website.

C5. Scheme of Delegation to Sub-Groups

The sub-groups shall have terms of reference and specific delegated authority specified in the Terms of Reference section hereof (Sections D to F).

Sub-groups shall conduct their business within their terms of reference, and in exercising authority delegated to them, shall do so always in accordance with the policies and strategies of the Orkney Alcohol and Drugs Partnership. However, in relation to any matter either not specifically referred to on the Terms of Reference, or in this Terms of Reference, it shall be competent for the sub-group, whose remit the matter most closely resembles, to consider such matter and to make any appropriate recommendations to the Orkney Alcohol and Drugs Partnership.

If a matter is of common or joint interest to a number of sub-groups and is a delegated matter, no action shall be taken until all sub-groups have considered the matter.

In the event of a disagreement between sub-groups in respect of any proposal or recommendation which falls within the delegated authority of one sub-group, the decision of that sub-group shall prevail. If the matter is referred but not delegated to any sub-group, a report summarising the views of the various sub-groups shall be prepared by the appropriate officer and shall appear as an item of business on the agenda of the next convenient meeting of Orkney Alcohol and Drugs Partnership. In such cases, the Orkney Strategic group will be responsible for making final decisions on the issues in question.

Section D
Services Sub Group

D1. Terms of Reference

Orkney Alcohol and Drugs Partnership shall appoint a Services Sub-group to ensure opportunities for developing appropriate services for those misusing substances in Orkney.

The Services Sub Group will comprise of representatives from any agencies/department who have a part to play in the provision of services for those individual's and their families who misuse substances.

D2. Composition

The members of the Services sub-group:

- Will represent the specialist nature of their respective services
- Will include front-line service deliverers
- May include a list of key agencies/services
- May co-opt

The Services sub group will elect a chair and vice-chair annually. This group will be serviced by the Support Team.

Service membership may include representatives from the following:

OIC	Representative from Education Department Housing Social Worker Service Manager, Criminal Justice
NHS	ABI Co-ordinator Lead GP for Needle Exchange Service Pharmacist (by invite only) School Nurse Representative
NHS/OIC	Community Psychiatric Nurse – Substance Misuse
Third Sector –	Advocacy Orkney Representative Orkney Blide Trust Representative SACRO Representative OACAS Representative (Adult & Youth Services) Women's Aid Representative Relationships Scotland Orkney Representative Orkney Youth Cafe Representative
Service User Interests Representation	In person or by virtual network as required via the Support Team.
Other	Employment Representative Police Scotland – Community Liaison Officer Scottish Fire & Rescue Service – Community Safety Officer
Support Team -	Substance Misuse Development Officer

It is expected all members will feedback and discuss within their own agencies

D3. Meetings

Comprises of service providers, practitioners and service users (by virtual network as required) and meets at least 4 times per year to support the Partnership.

The agenda/working papers will be circulated no less than 5 working days before the meeting. Any items for the agenda must be notified to the Support Team with good time prior to the meeting.

Minutes will be prepared by the Support Team and will be approved at the next meeting of the Services Group. The minutes are presented at the Strategy group; they must state the approval status.

D4. Remit

The Services sub-Group shall:-

- Provide networking for services involved in the provision of treatment and support for those misusing substances, family and friends.
- Share good practice and monitor the National Quality Standards for all services.
- Implement the Orkney Drugs and Alcohol Partnership Action Plan.
- Identify emerging trends, take into account research and what is known of effective practice, and assist in the planning and development of service provision.
- Submit reports to the Partnership on best practice and priority area for actions
- Identify unmet needs
- Provide a framework to consult service users.
- Evaluate the local training needs and look into training provision from service providers.

D5. Reporting Arrangements

Minutes or a report of the minutes shall be submitted to the Strategy Group on a quarterly basis by the Support Team and feedback and / or necessary actions shall be requested by the Strategy Group via the Support Team.

Section E
Substance Misuse Deaths Group

E1. Terms of Reference

Orkney Drugs and Alcohol Partnership shall appoint a Substance Misuse Deaths group (*2005 Taking Action to Reduce Scotland's Drug Related Deaths – Scottish Executive*) as this is a statutory requirement from the Scottish Government.

- To work on a multi-agency basis to monitor the levels of alcohol/drug related deaths and near death occurrences and to better inform service planning including enforcement.
- To conduct appropriate levels of inquiry into substance misuse deaths using local investigative groups.
- To ensure that all investigations undertaken do not compromise other inquiry systems.
- To develop a system of notification of alcohol/drug related deaths as supported by relevant clinical governance mechanisms and contracting process.
- To ensure immediacy of response in alcohol/drug related deaths or near death situations where a clear and present threat to the wider public exists.
- To support appropriate levels of public information in relation to the life threatening risks associated with substance misuse in a congruent balanced way.
- To ensure risks within the prison population are given due weighting alongside those of the community.
- To ensure that deaths relating to Hepatitis B and C are scoped in the work of the Group and the review process.

E2. Composition

The members of the Substance Misuse Death Sub-group:

- Will represent the practitioners who are involved in substance misuse deaths, however depending on the circumstances surround the death will depend on the members involved.

Sub-group membership will include representatives from the following:

OIC	Head of Homelessness Service Criminal Justice Service Manager
NHS	GP with Substance Misuse Remit Pharmacist Representative from Acute Receiving
Police Scotland	Community Liaison Officer
Voluntary Sector	An appropriate representative
Other	Procurator Fiscal Representative from Scottish Ambulance Service
Support Team	Orkney Drugs and Alcohol Partnership SMDO

E3. Meetings

One meeting per annum and thereafter as required.

The agenda/working papers will be circulated at least 5 working days before the meeting. Any items for the agenda must be notified to the Support Team prior to the meeting.

Minutes will be prepared by the Support Team and will be approved at the next meeting.

E4. Remit

The overall aims of the Substance Misuse Deaths Group are:

- To develop pro-active approaches to risk reduction thereby reducing the potential for substance misuse related deaths;
- To inform the improvement of services for substance misusers locally thereby reducing the number of substance misuse related deaths;
- To ensure that a balanced focus is kept on pro-active preventative work and reactive interventions;
- To act as a Critical Incident Group to identify the factors contributing to each specific substance misuse related death.

E5. Reporting Arrangements

Minutes of each meeting shall be submitted as soon as is practicable to an ordinary meeting of the Orkney Strategy group meeting for information, and for any recommendations having been made by the Strategy group to be noted.

Section F

Commissioning Group

F1. Terms of Reference

Orkney Alcohol and Drugs Partnership shall appoint a Commissioning Group to oversee the allocation of funds to local agencies and projects, in line with national and local priorities aligned with local need. The Commissioning Group will monitor and evaluate the accountability arrangements with funded agencies/projects and will inform the Strategic group of potential areas of concern should they arise.

F2. Composition

The Commissioning Group will elect a Chair in line with the Terms of Reference and the group will comprise of those individuals listed below as per the recommendations of the Strategic Group. The group may co-opt additional expertise should it be necessary.

Group membership will include:

OIC	Procurement & Commissioning Officer (or equivalent senior representative)
NHS	Director of Finance Director of Public Health
Police Scotland	Chief Inspector
Third Sector Representation	A representative elected by the Third Sector Forum. (The elected individual shall represent the Third Sector as a whole rather than their own individual organisation.).
Support Team	Substance Misuse Development Officer Health Promotion Manager

F3. Meetings

The Commissioning Group shall meet as and when required, but a minimum of twice annually.

The agenda/working papers will be circulated 5 working days before the meeting.

Minutes will be prepared by the Support Team and will be approved via electronic circulation to members.

F4. Remit

The Commissioning Group shall:-

- Oversee the allocation of Partnership funds in line with the strategic objectives set out in the Partnerships Strategy document, taking account of national and local priorities as well as local need.
- Allocation of money to appropriate recipient within the tendering arrangement.
- Monitor and evaluate the Partnership's accountability arrangements with funded agencies/projects
- Inform the Strategic group of potential areas of concern regarding the provision of services and use of funds, should they arise.

F5. Authority

The Strategy Group shall allocate the Scottish Government's funding to appropriate areas of need which the Alcohol and Drugs Partnership has identified.

The Commissioning Group have authority to make recommendations on those services / projects tendering and how much the allocation should be.

The Commissioning Group have authority to oversee the Accountability reports of those Commissioned Services and provide updates and recommendations to the Strategy Group as necessary.

F6. Reporting Arrangements

Minutes of each Commissioning Group shall be submitted as soon as is practicable to an ordinary meeting of the Orkney Alcohol and Drugs Partnership strategic group for information, and for any recommendations having been made by the Commissioning Group to be noted. Where minutes are unapproved, this should be clearly documented.

GLOSSARY

<u>HEAT Targets</u>	Health Improvement, Effectiveness, Access, Treatment Targets are a core set of ministerial objectives, targets and measures for the NHS.
<u>NHS</u>	National Health Service
<u>National Quality Standards</u>	A set of underpinning statements for developing a robust monitoring and evaluation framework which supports providers to evidence assess and improve the quality of their service provision.
<u>OCPP</u>	Orkney Community Planning Partnership
<u>OHAC</u>	Orkney Health and Care
<u>OIC</u>	Orkney Islands Council
<u>Single Outcome Agreement</u>	Agreements between the Scottish Government and local Community Planning Partnership's which set out how each will work towards improving outcomes for the local people in a way that reflects local circumstances and priorities.

APPENDIX

Conflict of Interest Guidance Note

1. Introduction

This Guidance Note is intended to provide further guidance in relation to Standing Orders, Item B9, "Conflict of Interest".

2. Why Highlight Conflicts of Interest?

Orkney Alcohol and Drugs Partnership feel strongly that the communities they serve must have full confidence that all decisions and actions taken are as objective as possible. Orkney Alcohol and Drugs Partnership believes that adherence to the Terms of Reference is one way to help instil public confidence in the work that the partnership carries out and being clear about conflict of interest. The appearance of a conflict of interest in terms of public perception can be every bit as damaging as an actual conflict – both should be avoided.

It is not always easy to be truly objective because so many factors influence the way we see things. However, one way to help us achieve objectivity is to be *aware of those factors which may affect our judgement*. This is why the Terms of Reference contains a section on conflicts of interest (B9).

3. What Interests Should I Declare?

Public confidence in the drugs and Alcohol Partnership and its members depends on it being clearly understood that decisions are taken in the public interest and not for any other reason. In deciding whether to declare an interest, the key test is whether '*a member of the public, acting reasonably, might think that a particular interest could influence you*' (Model Code of Conduct for Board Members)

All members of Orkney Alcohol and Drugs Partnership should recognise that conflict of interest may arise and they should advise other members of this through a declaration of interest at the start of the meeting this should be noted in the minutes. Such conflict may arise from both financial and non-financial matters. This applies to personal interests but it would clearly be appropriate to declare any relevant financial or non-financial interests of your spouse, relatives or close friends.

3.1 Financial Conflicts

Financial interest you MUST declare your interest at the meeting and withdraw thereby avoiding any participation in either the discussion or the voting process.

3.2. Non-Financial Interest

If you have a non-financial interest, you must consider whether the conflict is material in the context of the issue under consideration and also, in terms of public perception, whether '*a member of the public, acting reasonably, would consider that you might be influenced by the interest in your role as member of a public body and that it would therefore be wrong to take part in any discussion or decision-making*'.

If your non-financial interest would be deemed to be prejudicial under this test, you should declare your interest and leave until the discussion and voting in relation to that item are completed. If you believe that your presence would not fall foul of this objective test, than you should declare your interest and participate in the discussion

and voting. In circumstances where you are unsure as to whether or not a prejudicial conflict of interest exists, you should discuss the matter with the Chair prior to the meeting. **If still in doubt, you should err on the side of caution, declare the interest and leave the room during consideration of and voting on the relevant item.**

Some examples of potentially prejudicial conflicts on interest:-

- You are a director of a firm which the board is entering into a procurement exercise with.
- The board is meeting to discuss the possible closure of a facility/service where a member of your family is employed.
- You are a manager in a voluntary body that has submitted a grant application to the organisation and it is due to be considered by the Board.
- In an employment interview, where one of the post applicants is a relative or close friend

4. Guiding Principles

The fundamental principle is that no-one should use, or give the appearance of using, their public position to further their private interests. This area of particular importance as it receives considerable media attention and even an innocent action can be misinterpreted.

In the event of a particularly contentious or difficult matter, there may need to be a pre-meeting to discuss how a particular conflict of interest should be handled.

In deciding whether to declare an interest, the key test is whether '*a member of the public, acting reasonably, might think that a particular interest could influence you*' (Model Code of Conduct for Board Members) **If in doubt, you should err on the side of caution, declare the interest and leave the room during consideration of and voting on the relevant item.**

If you have declared an interest to the Chair or any Sub-Group Chair, it remains your duty to decide whether your interest is sufficiently great that you should be excluded totally from the decision making process.

Depending on the nature of the conflict the individual may decide that they will not be involved in further discussion the said member should withdraw from the meeting completely while the particular issue is dealt with.

A declaration of interest must be made as early as possible and certainly well before the particular item on the agenda is discussed. Ideally, the declaration should be made at the beginning of the meeting and provide enough information to allow those present to understand the nature of your interest. You do not need to provide a detailed description of the interest.

Where a prejudicial conflict on interest exists and a Board member does not declare their interest and withdraw, the chair should take appropriate action to ensure that the Board (and the Board member concerned) is not compromised. In the event that a Board member refuses to leave the room when asked by the Chair to do so, the Chair should suspend the meeting and reconvene without the Board member concerned being present.

In certain situations, handling a conflict of interest properly may require much more than simply leaving the room while the matter is being discussed and voted upon. In particular, Board members who have a prejudicial interest in respect of a grant, licence or a planning application or a tender should not:-

- Get involved in the setting of criteria for the assessment of the grant, tender
- Get involved in the actual preparation of the grant, tender, licence application if at all possible.
- Receive any relevant papers relating to the subject in advance of the meeting.
- Be present for the discussion or voting or receive any minutes relating to that part of the meeting.

Never to use their position as a Board member to try and improperly influence a decision by lobbying any other Board member(s) or by contacting another Board member to represent your interest at the meeting.

It is extremely important that there should be a level playing field with no advantage (real or perceived) given to Board members or to individuals or organisations with Board connections or representation.

*On Board – A Guide for Board Members of Public Bodies in Scotland
Scottish Executive 2006*