

Standing Orders

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1. Status of Standing Orders

The Community Justice Authorities (Establishment, Constitution and Proceedings) (Scotland) Order 2006 article (8) provides that Lothian & Borders Community Justice Authority (hereafter known as CJA) may make and revise standing orders regulating the procedures and business of the authority.

2. Ordinary and special meetings of Lothian & Borders Community Justice Authority

- 2.1 The first meeting of the Lothian & Borders Community Justice Authority after the appointment of members by the relevant councils will be held on 21st June 2007 at Newbattle Abbey College, Dalkeith. At that meeting the CJA will appoint the Convener and Deputy Convener. These appointments will continue until the first meeting of the CJA following the next local authority election.
- 2.2 The CJA may agree to alter its Convener, at any time, by a majority of members voting.
- 2.3 The CJA will meet quarterly. At these meetings the CJA will deal with all competent business, which has taken place in the preceding quarter. The Convener, or in his/her absence the Deputy Convener, may in exceptional circumstances alter these arrangements or authorise special meetings to be called. A special meeting may be called at any time on a written request, signed by a majority of members of the CJA, being received by the Chief Officer who will arrange for a special meeting to be held within fourteen days.
- 2.4 The Statutory Partners of the CJA are expected to attend, or be represented, at a CJA meeting. The following may attend, or be represented, at a CJA meeting.
- The Chief Social Work Officer/Director/ of each local authority
 - Others as specified in the CJA's approved standing orders
- They may participate in discussions but do not have the power to vote on any formal matter which the Convenor deems to require such a vote.
- 2.5 Meetings of the CJA should be open to the public unless the CJA resolves that any meeting, or part of the meeting, should be held in private. In passing such a resolution the CJA may also resolve to exclude any or all of those listed in paragraph 2.4 who would otherwise be entitled to attend.

Such exclusion from meetings should only be resolved by members of the CJA when considering matters which relate to: confidential and personal information, commercially sensitive information. In these cases a Members only discussion should be notified in advance of the meeting in the posted notice of meetings. Under exceptional circumstances, the Convenor may move to exclude those normally entitled to attend the CJA **by a vote of** members at the meeting and seek to take (a) specific agenda item(s) in private. Any decision of the CJA when this power of exclusion has been exercised cannot be deemed to supercede the proper discharge of any powers or responsibilities set out in statute or regulations applying to any excluded party.

3. Calling of Meetings

3.1 Meetings will be called by the Chief Officer at least 7 working days before an ordinary meeting. The notice will contain the agenda of business to be dealt with at the meeting. If the meeting is called as a result of a request by members of the CJA, the signed request and the agenda of business will be published.

3.2 A notice to attend the meeting containing the agenda of business will be sent to:

- Each member of the CJA at least 7 clear days before the meeting.
- Notice of the meeting containing the agenda of business shall also be issued to those entitled to attend, under the provisions of standing order 2.4.

3.3 Public notice of the meeting will be posted on the CJA website www.cjalb.co.uk

3.4 When a special meeting has been called, a minimum of 5 days notice will be given to elected members and those organisations entitled to attend.

4. Quorum

4.1 The quorum of the CJA is three members. If fewer than three members are available for the start of the meeting, notice of adjournment will be given by the Chief Officer and this will be recorded in the minutes.

4.2 After a meeting has started, if the number of members presents falls below the quorum the Chair can choose to adjourn the meeting or continue the meeting on the basis that no further business can be decided. This will be recorded in the minutes.

5. Business to be dealt with at meeting

5.1 At a meeting of the CJA no business other than that specified in the agenda will be considered, except business which requires to be dealt with by law or by these Standing Orders, or by direction of the Scottish Ministers. Business which has not been specified in the notice of meeting may be intimated by the Chief Officer at the start of the meeting and considered at the end of the meeting, provided that in the opinion of the Convener it is relevant, competent and urgent.

6. Order of business

The order of business will be as follows –

- a) The Convener or in his/her absence the Deputy Convener, whom failing another member of the CJA chosen by the members present, will take the chair.
- b) Apologies will be recorded.
- c) Minutes of the previous meeting and of any special meeting, having been circulated prior to the meeting, will be submitted, held as read, corrected if necessary and signed by the Convener.
- d) Minutes or paragraphs of minutes previously objected to or continued will be resubmitted and dealt with in their original order.
- e) Items of business.

- f) Where an item of correspondence is not included in the agenda it may be considered at any relevant place on the agenda, provided that it is submitted in writing to the Chief Officer before the start of the meeting and that in the opinion of the Convener it is relevant, competent and urgent.
- g) Questions concerning any competent and relevant subject will be dealt with in terms of Standing Order 11.1.
- h) Items of business that the Convener has accepted for consideration as matters of urgency.

7. Power to vary order of business

7.1 The CJA may agree to vary the order of business at any meeting to give precedence to any item on the agenda.

8. Convener

8.1 Deference will at all times be paid to the authority of the Convener. The Convener will maintain order and ensure all members obtain a fair hearing. He/she will decide all matters of order, competence and relevance.

8.2 The Convener will also decide between two or more members wishing to speak by calling on the member whom he/she first observes. He/she will be entitled in the event of disorder arising to adjourn the meeting to a time he/she chooses.

8.3 Where a vote is tied the Convener will have a second or casting vote.

9. Question of order

9.1 A member who is addressing the CJA when a question of order is raised will give way until the question has been decided by the Convener.

10. Member disregarding authority of Convener etc.

10.1 If any member of the CJA disregards the authority of the Convener or is guilty of obstructive or offensive conduct and the Convener calls this to the attention of the meeting, it will be the duty of the Deputy Convener to move the suspension of that member. If the Deputy Convener is absent or refuses the duty, any other member may move the suspension. The motion to suspend, having been duly seconded, will be put by the Convener and voted on by a show of hands. If it is supported by a majority of the members voting, the CJA will suspend that member for the remainder of the meeting. The Convener will direct the member to leave the meeting.

11. Deputations, correspondence etc.

11.1 The CJA may receive deputations on any relevant matter.

11.2 Representations from deputations and by correspondence which are not considered at the meeting at which they are first submitted will be placed on the agenda for consideration at the next ordinary meeting of the CJA. If they require a more urgent response they will be considered out-with the meeting arrangements by the Convener with support from the Chief Officer who will liaise with the elected members as required.

12. Method of voting

12.1 A vote will be taken by a show of hands. Each member will have one vote.

12.2 When an agenda item and/or an amendment are before the CJA, it will be declared the decision of the CJA if it has the support of the majority of members present and voting.

12.3 If an agenda item does not receive the support of the majority, the CJA will consider if the proposer should be asked to review their proposal and resubmit to the next CJA meeting.

13. Filling of CJA vacancies

13.1 If there is a vacancy, due to the member no longer being able to continue in his/her post, the CJA will inform the relevant local authority of the resulting vacancy and request that authority to appoint a new member. The new member shall remain in place until the current term of office of the CJA expires. (ref: Scottish Statutory Instrument 2006 No. 182 paragraph 3.4)

13.2 No member of the CJA may be nominated for any post in the CJA, except membership of a committee of the CJA, or in any outside body unless the consent of the person nominated has been previously obtained or is given at the time of nomination.

14. Decisions of CJA

14.1 No decision made by the CJA will be subject to review by any joint committee of which the CJA is a member unless such review is specifically authorised by the CJA.

15. Suspension of Standing Orders

15.1 The CJA may on a motion duly moved and seconded, and with the consent of two thirds of the members voting, suspend or dispense with any Standing Order to be specified in the motion. Any such motion may be submitted without previous Notice and will be voted on by a show of hands without discussion.

16. Annual estimates

16.1 The CJA will review the six monthly estimates of income and expenditure and receive a quarterly update from the Finance Manager. The CJA will authorise the expenditure included in the estimates and fix the funding required to finance the approved estimates.

17. Annual accounts – Procedure for consideration

17.1 The annual accounts of the CJA as prepared by the Chief Officer will be submitted for the CJA's consideration.

18. Declaration of interest

18.1 If any member of the CJA has a financial or non-financial interest in any contract or other matter, as defined by section 5 of the Councillors' Code of Conduct and is present at any meeting at which that matter is to be considered, he/she must disclose that he/she has an interest and is precluded from taking part in consideration of that matter and he/she must leave the meeting while that matter is under discussion.

18.2 Where a member declares an interest and leaves the meeting in terms of 18.1 the fact will be recorded in the minutes of the meeting.

18.3 All members must observe the Councillors' Code of Conduct as issued by the Standards Commission for Scotland.

19. Standing Orders etc to be observed

19.1 It will be the duty of the Conveners and the Chief Officer to see that the Standing Orders and other rules approved by the CJA are observed.

20. Variation and revocation of Standing Orders

20.1 Any motion to vary or revoke these Standing Orders will, when voted on, be approved by a majority of the members present and voting.