



Integration Joint Board
Audit, Risk and Governance Committee

2nd June 2026

This Report relates to
Item 5 on the Agenda

IJB Policies

Paper presented by Kirsty Bell

For Approval

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Paper Approved for Submission By:	Gareth Marr, Chief Officer
List of Background Papers:	IJB Register of Policies and Procedures
Appendices:	Appendix 1 – Standing Orders Appendix 2 – Complaints Handling Procedure Appendix 3 – Records Management Policy Appendix 4 – Expenses Procedure Appendix 5 – Code of Conduct Appendix 6 – Register of Members Interest Appendix 7 – Freedom of Information Policy Appendix 7 – Gifts and Hospitality Declaration Form and Register

<p>1.</p> <p>1.1</p>	<p>Introduction</p> <p>The policies and procedures presented today are in the main legally binding documents which the Integration Joint Board (IJB) is required to have in place where the IJB Audit, Risk and Governance Committee have reviewed and give recommendation for IJB approval – this was tabled at the IJB Committee on 23rd June 2024.</p>
<p>2.</p> <p>2.1</p>	<p>Recommendations</p> <p>The IJB Audit and Risk Committee to recommend approval of the governance documents outlined below to the IJB:</p> <ol style="list-style-type: none"> 1. Standing Orders 2. Complaints Handling Procedure 3. Records Management Policy 4. Expenses Procedure 5. Code of Conduct 6. Register of Members Interest 7. Freedom of Information Policy
<p>3.</p> <p>3.1</p> <p>3.2</p>	<p>Background and Main Report</p> <p>A review has been undertaken of the IJBs policies and procedures to ensure robust governance is in place.</p> <p>Based on the review of these documents the following changes were made to policies / procedures:</p> <ul style="list-style-type: none"> • Standing Orders (Appendix 1) – There are no fundamental changes from the last iteration approved in 2024, however reference made to the reduction in voting members together with Voting Rights for lived experience members (service users, unpaid carers and third sector representatives) – <i>only reference at this time as this is pending implementation / guidance nationally.</i> • Complaints Handling Procedure (Appendix 2) – (Based on the The Model Complaints Handling Procedures SPSO) There are no fundamental changes from the last iteration approved in 2024 . • Records Management Policy (RMP) (Appendix 3) – this was shared with the NHS D&G Information Governance team. The public records of the IJB are held on NHS D&G systems and an update on mandatory training has been included in Section 3 of the Policy. • Gifts and Hospitality (Appendix 4) – the IJB does not require a Gifts and Hospitality Policy as these are covered within the Code of Conduct, however, following review of other IJBs process, a Declaration Form for all members who are not covered by their constituent authorities processes, should be designed and that a Register is kept of all such declarations. The declaration form is attached. • Code of Conduct (Appendix 5) – (Based on Members of devolved public bodies: model code of conduct - December 2021 - gov.scot (www.gov.scot)) Two minor revisions to replace Health and Social Care Senior Management

Team with Health and Social Care Leadership Group and the removal of the section which members were previously asked to sign.

The Standards Commission of Scotland recently completed a review around declarations of interest but no changes are required to their Model Code of Conduct at this time.

- **Register of Members Interest (Appendix 6)** – this requires to be reviewed on an annual basis (or earlier if Members require to update their Register of Interest form). Members should be aware that they have a statutory obligation to complete an entry under the Ethical Standards in Public Life etc. (Scotland) Act 2000 any non-compliance will be reported to the Standards Commission of Scotland and to the constituent authority. At the time of writing this report 5 members have not returned their declarations, this is seen by the Standards Commission of Scotland and is a breach of membership.
- **Freedom of Information Policy (FOI) (Appendix 7)** – this was changed in line with NHS Dumfries and Galloway's FOI Policy as due to the low level of requests received, the IJBs FOI requests are dealt with by the NHS FOI team.

4. Conclusions

- 4.1 An in-depth review of the policies / procedures has been undertaken for IJB Audit, Risk and Governance Committee to approve making this recommendation into the IJB for final approval.

5. Resource Implications

- 5.1 There are no resource implications as a result of this report.

6. Impact on Integration Joint Board Outcomes, Priorities and Policy

- 6.1 These reports are statutory and therefore are required to provide a governance framework to which the IJB operates to ensure that it meets the 9 National Health and Wellbeing Outcomes and the tactical priorities laid out within the Strategic Commissioning Plan.

7. Legal and Risk Implications

- 7.1 The IJB and its members have a number of statutory obligations to adhere too in relation to the documents presented, including
- [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(legislation.gov.uk\)](http://legislation.gov.uk)
 - [The Public Bodies \(Joint Working\) \(Integration Joint Boards\) \(Scotland\) Order 2014 \(legislation.gov.uk\)](http://legislation.gov.uk)
 - [Ethical Standards in Public Life etc. \(Scotland\) Act 2000 \(legislation.gov.uk\)](http://legislation.gov.uk)
 - [Public Records \(Scotland\) Act 2011 \(legislation.gov.uk\)](http://legislation.gov.uk)

8. Consultation

- 8.1 To date these reports have been shared with the:

- Chief Officer
- Health and Social Care Leadership Group

9. Equality Impact Assessment

9.1 Not required

10. Consumer Duty

10.1 If appropriate mitigations are not implemented, the Integration Joint Board faces a heightened risk of failing to meet the Consumer Scotland Duty, as financial instability, workforce shortages, and rising unmet need can directly compromise fairness, accessibility, and the quality of services delivered to consumers.

10.2 Ongoing financial pressures and depleted reserves increase the likelihood of reduced service levels and longer waiting times, disproportionately harming vulnerable groups whom the Duty requires public bodies to protect.

10.3 Additionally, inadequate data and weak governance arrangements mean the IJB may be unable to evidence that strategic decisions properly considered consumer impact—an explicit expectation of the Duty introduced under the Consumer Scotland Act 2020. Without mitigations, this exposes the IJB to compliance risk, weakens transparency, and increases the potential for consumer harm in the delivery of health and social care services

11. Glossary

D&G	Dumfries and Galloway
EQIA	Equalities Impact Assessment
FOI	Freedom of Information
IJB	Integration Joint Board
PUR	Progress Update Review
RMP	Records Management Plan



Standing Orders for the Proceedings and Business of the Dumfries and Galloway Integration Joint Board

Document Control		Policy No:	IJB2
Policy Group	IJB Governance Documents		
Author	Kirsty Bell	Version No:	5.5
Reviewer	Chief Officer Governance Officer	Implementation Date:	On approval (June 2026)
Status	Draft	Review Date:	September 2023
Approved By		Last Review Date:	May 2026
Impact Assessed	Not Required	Data Impact Assessed	
Version Control	Date	Summary of Changes	Name
5.1	14/11/2023	Review of current document to include information on virtual meetings	Alison Warrick
5.2	29/11/2023	Expansion of Membership section	Alison Warrick
5.3	15/12/2023	Introduction of Contents page	Alison Warrick

5.4	26/01/2024	11.4 Suggested amendment for discussion	Alison Warrick
5.5	19/05/2026	2.2 – amendment from 5 to 4 members for each party	Kirsty Bell
5.5	19/05/2026	2.3 – addition of Voting Rights for lived experience members (pending implementation)	Kirsty Bell

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1. Introduction

- 1.1 These Standing Orders regulate the conduct and proceedings of the Dumfries and Galloway Integration Joint Board. These Standing Orders are made in accordance with the Public Bodies (Joint Working) (Scotland) Act 2014, (the Act) and the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014, (the Order).

2. Membership

- 2.1 The Dumfries and Galloway Integration Joint Board shall consist of 2 categories of Members:

- 1) Voting
- 2) Advisory

- 2.2 Dumfries and Galloway Council and Dumfries and Galloway NHS Board have elected to nominate 4 members each to the Integration Joint Board, who shall be the Voting Members – this is following the review of integration scheme and final approval by ministers.

- 2.3 In accordance with the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Amendment Order 2025, voting rights are extended to include representatives of service users, unpaid carers and the third sector (lived experience members). These members shall have equal voting status to other voting members of the Integration Joint Board and shall be included within quorum and decision-making arrangements as defined within these Standing Orders (***pending implementation***).

- 2.4 The Order prescribes a list of Advisory Members who are to be included in the membership:

- The Chief Social Work Officer of the local authority
- The Chief Officer of the Integration Joint Board
- The Proper Officer of the Integration Joint Board appointed under Section 95 of the Local Government (Scotland) Act 1973
- A registered medical practitioner whose name is included in the list of primary medical services prepared by the Health Board in accordance with Regulations made under section 17P of National Health Services (Scotland) Act 1978
- A registered nurse who is employed by the Health Board or by a person or body with which the Health Board has entered into a general medical services contract
- A registered medical practitioner employed by the Health Board and not providing primary medical services
- Staff of the constituent authorities engaged in the provision of services provided under integration functions
- Third sector bodies carrying out activities related to health or social care in the area of the local authority
- Service user(s) residing in the area of the local authority
- Person(s) providing unpaid care in the area of the local authority

The Integration Joint Board may appoint additional Advisory members if required.

- 2.5 Should an issue arise in relation to the potential resignation, removal or disqualification of Members in line with the Standing Orders, it is the responsibility of the Integration

Joint Board to apply to Dumfries and Galloway Council or NHS Dumfries and Galloway to review the information presented and decide on the appropriate course of action. If and when a Voting Member ceases to be an Elected Member of Dumfries and Galloway Council or a Non-Executive Board Member of Dumfries and Galloway NHS Board for any reason, either on a permanent or temporary basis, then that individual ceases to be a Member of the Integration Joint Board.

- 2.6 If a Voting member is unable to attend a meeting of the Integration Joint Board then the Health and Social Care Business Support Team should be notified as soon as possible in order that a substitute member can be sought, who is either an Elected Member or a Non-Executive Board Member. The substitute may vote on decisions put to that meeting, but may not preside over the meeting.
- 2.7 If an Advisory Member is unable to attend a meeting of the Integration Joint Board that Member may arrange for a suitably experienced substitute to attend the meeting.
- 2.8 If a member has not attended three consecutive meetings of the Integration Joint Board, and their absence was not due to illness, the IJB may remove the member from office by providing the member with one month's notice in writing. (Section 10 Order)
- 2.9 A Member of the Integration Joint Board will be appointed for an initial period of 3 years, at the end of the term of office a member may be reappointed for a further term of office. (Section 7 Order)

3. Varying, Revoking or Suspending Standing Orders

- 3.1 Any statutory provision, regulation or direction to the Scottish Ministers shall have precedence if they are in conflict with these Standing Orders.
- 3.2 Any one or more of these Standing Orders may be varied, suspended or revoked at a meeting of the Integration Joint Board following a motion moved and seconded and with the consent of the majority of the Voting members present, provided the notice of the meeting at which the proposal is to be considered clearly indicates that there is a proposal to amend the Standing Orders and the proposal itself does not result in the Integration Joint Board not complying with any statutory provision or regulation.

4. Chair and Vice Chair

- 4.1 The positions of Chair and Vice Chair of the Integration Joint Board will be appointed in line with the terms agreed within the Integration Scheme and the Order and will hold this position for 2 years, thereafter the position of Chair/Vice Chair will fall to the other constituent authority who will elect either Chair or Vice Chair.
- 4.2 The Chair will preside at every meeting of the Integration Joint Board that he or she attends. In their absence the Vice Chair will preside at each meeting.
- 4.3 If both the Chair and the Vice Chair are absent, the Voting Members present at the meeting shall choose a Voting Integration Joint Board member to preside over the meeting.

5. Authority of the Chair at Meetings of the IJB and its Committees

- 5.1 The duty of the person presiding is to ensure that the Standing Orders or the Committees Terms of Reference are observed, to preserve order, to ensure fairness between members and to determine all questions of order and competence. The ruling of the person presiding shall be final and shall not be open to question or discussion.
- 5.2 Any Member who disregards the authority of the Chair, obstructs the Meeting or conducts themselves offensively, shall be suspended for the remainder of the meeting, if a motion (which shall be determined without discussion) for their suspension is carried. Any person so suspended shall leave the meeting immediately and shall not return without the consent of the meeting.
- 5.3 The Chair has the right to adjourn a meeting in the event of disorderly conduct or other misbehaviour at the meeting.
- 5.4 No business shall be transacted at any Meeting of the Integration Joint Board other than that specified in the notice of the Meeting except on grounds of urgency. Any request for the consideration of an additional item of business must be made to the Chair in advance of the start of the meeting and the majority of Voting members must agree to the item being included on the Agenda.

6. Calling Notice of Integration Joint Boards

- 6.1 The first meeting of the Integration Joint Board is to be convened at a time and place determined by the Chair.
- 6.2 The Chair may call a meeting of the Integration Joint Board at any time. The Integration Joint Board will annually approve a forward schedule of meeting dates.
- 6.3 Before each meeting of the Integration Joint Board, a notice of the meeting (in the form of an Agenda), specifying the date, time, place and business to be transacted and approved by the Chair, or by a Member authorised by the Chair to approve on that persons behalf, shall be delivered electronically to every member (eg sent by email) or sent by post to the members usual place of residence so as to be available to them at least 5 clear working days before the meeting. The notice shall be distributed along with any papers for the Meeting that are available at that point.
- 6.4 A request for an Integration Joint Board meeting to be called may be made in the form of a requisition specifying the business to be transacted and signed by at least two thirds of the number of Voting Members and presented to the Chair. If the Chair refuses to call a meeting, or does not do so within 7 days of receiving the requisition, the Members who signed the requisition may call a meeting. However no business shall be transacted at the meeting other than that specified in the requisition.
- 6.5 With regard to calculating clear days for the purpose of the notice, days excluded from the calculation of clear days are the day the notice is sent, the day of the meeting, weekends and public holidays.
- 6.6 Lack of serving of the notice on any member shall not affect the validity of a meeting.
- 6.7 Integration Joint Boards shall be held in public or be held in a manner which will allow people to attend (including virtually) or view the Board meeting.

- 6.8 While the Meeting is in public the Integration Joint Board may not exclude members of the public and the press (for the purpose of reporting the proceedings) from attending the meeting.
- 6.9 The Integration Joint Board may pass a resolution to meet in private in order to consider certain items of business and may decide to do so for the following reasons:
- i. The business relates to the commercial interests of any person and confidentiality is required e.g. when there is an ongoing tendering process or contract negotiation.
 - ii. The business necessarily involves reference to personal information, and required to be discussed in private in order to uphold the Data Protection Principles.
 - iii. The business necessarily involves reference to exempt information, as determined by Schedule 7A of the Local Government (Scotland) Act 1973.
 - iv. The Integration Joint Board is otherwise legally obliged to respect the confidentiality of the information being discussed.
 - v. The Integration Joint Board is still in the process of developing proposals or its positions on certain matters and needs time for private evaluation
- 6.10 The Minutes of the Meeting will reflect the reason(s) why the Integration Joint Board resolved to meet in private.
- 6.11 A Member may be regarded as being present at a meeting of the Integration Joint Board if he or she is able to participate from a remote location by Microsoft Teams or other communication link. A member participating in a meeting in this way will be counted for the purposes of deciding if a quorum is present. Members should allow reasonable notice of 5 working days if they wish to attend a Meeting via this method.
- 6.12 All Meetings of the Integration Joint Board shall be recorded and the recording subsequently made available for public access via the Dumfries and Galloway Health and Social Care Partnership website (www.dghscp.co.uk)

7. Quorum

- 7.1 No business shall be transacted at a Meeting of the Integration Joint Board unless there are at least one half of the Voting members present.
- 7.2 If a quorum is not present, the meeting will stand adjourned to such a date and time as may be fixed by the Chair.

8. Adjournment

- 8.1 If it is necessary or expedient to do so for any reason, a meeting may be adjourned to another day, time and place. A meeting of the Integration Joint Board, or of a Committee of the Integration Joint board, may be adjourned by a motion, which shall be moved and seconded and be put to the meeting without discussion. If such

a motion is carried, the meeting shall be adjourned to such day, time and place as may be specified by the motion.

9. Voting

- 9.1 The Board may reach consensus on an item of business without taking a formal vote and for the formal Voting process would not need to be used.
- 9.2 Where a vote is taken, every question at a meeting shall be determined by a majority of votes of the members present and Voting on the question. A vote may be taken by members by roll call. In the case of an equality of votes, the person presiding at the meeting does not have a second or casting vote.
- 9.3 Any Voting Member may have a motion or an amendment to a motion. Every motion or amendment is required to be moved and seconded.
- 9.4 Any Voting Member may second the motion or amendment.
- 9.5 A motion to adjourn any debate on any question or for the closure of a debate shall be moved and seconded and put to the meeting without discussion.
- 9.6 Where there is a temporary vacancy in the Voting membership of the Integration Joint Board, the vote which would be exercisable by a Member appointed to that vacancy may be exercised jointly by the other members nominated by the relevant constituent authority.
- 9.7 Where there is an equality of votes on matters concerning the appointment of Members to offices or committees then a decision will be reached by the drawing of lots.
- 9.8 Where there has been an equality of votes, excluding those matters at 9.6, the Chair of the Integration Joint Board on reflection of the discussion, will bring consideration of the matter to a close for that meeting and give direction to the Chief Officer on how the matter should be taken forward. The Chief Officer will then be obliged to review the matter with the aim of addressing any concerns and developing a proposal which the Integration Joint Board can reach a decision upon in line with Standing Order 9.
- 9.9 Where the matter remains unresolved and the Chair concludes that the equality of votes is effectively a representation of a dispute between the two constituent parties then the dispute resolution process which is set out in the Integration Scheme shall take effect.
- 9.10 Where either of the Parties fails to agree with the other on any issue related to the Integration Scheme, then they will follow the process as set out below:
 - a) The Chief Executives of both Parties will meet to resolve the issue;
 - b) If unresolved, the Parties will each prepare a written note of their position on the issue and exchange it with the other within 21 calendar days of the meeting in (a),
 - c) In the event that the issue remains unresolved, representatives of the Parties will proceed to mediation with a view to resolving the issue;
 - d) A representative of each of the Parties will meet with a view to appointing a suitable independent person to act as mediator. If agreement cannot be reached

a referral will be made to the President of the Law Society Scotland inviting the President to appoint a person to act as mediator. The mediation process will commence within 28 calendar days of the meeting in (c); and

- e) Where the issue remains unresolved after following the processes outlined in (a) (d) above, and if mediation does not allow an agreement to be reached within 6 months from the date of its commencement or any other such time as the Parties may agree, either Party may notify Scottish Ministers that agreement cannot be reached.

10. Matters Reserved for the Integration Joint Board

Standing Orders

- 10.1 The Integration Joint Board shall approve its Standing Orders.
- 10.2 The Integration Joint Board shall approve the establishment of and Terms of Reference of all its Committees
- 10.3 The Integration Joint Board shall appoint all Committee Members as well as the Chair of any Committees

Strategic Planning

- 10.4 The Integration Joint Board shall establish a Strategic Planning Group (Section 32 of the Public Bodies (Joint Working) (Scotland) Act 2014) and appoint its Membership (except for those Members nominated by each constituent party).
- 10.5 The Integration Joint Board shall approve its Strategic Plan (Section 33 of the Public Bodies (Joint Working) (Scotland) Act 2014) and any other strategies that it may need to develop for all the functions which have been delegated to it. The Integration Joint Board will also review the effectiveness of its Strategic Plan (Section 37 of the Public Bodies (Joint Working) (Scotland) Act 2014).
- 10.6 The Integration Joint Board shall review and approve its contribution to the Community Planning Partnership for the local authority area. The Integration Joint Board shall also appoint its representative(s) to appropriate Community Planning forums.

Risk Management

- 10.7 The Integration Joint Board shall approve its Risk Management Strategy.
- 10.8 The Integration Joint Board shall define its risk appetite and associated risk tolerance levels.

Health and Safety

- 10.9 In the event that the Integration Joint Board employs 5 or more people it shall approve its Health and Safety Policy.

Finance

- 10.10 The Integration Joint Board shall approve its annual financial statement (Section 39 of the Public Bodies (Joint Working)(Scotland) Act 2014).
- 10.11 The Integration Joint Board shall approve its Standing Financial Instructions and Scheme of Delegation.
- 10.12 The Integration Joint Board shall approve its audited annual accounts.
- 10.13 The Integration Joint Board shall approve the total payments to the constituent bodies on an annual basis to implement its agreed Strategic Plan.

Performance Management

- 10.14 The Integration Joint Board shall approve the content, format and frequency of performance reporting.
- 10.15 The Integration Joint Board shall approve its Performance Report (Section 43 of the Public Bodies (Joint Working)(Scotland) Act 2014) for the reporting year.

11. Ethical Conduct

- 11.1 Voting and Advisory members of the Integration Joint Board are required to subscribe to and comply with the Code of Conduct which is made under the Ethical Standards in Public Life etc (Scotland) Act 2000. The Commissioner for Public Standards can investigate complaints about Members who are alleged to have breached their Code of Conduct. The Chief Officer (or his/her nominee) shall maintain the Integration Joint Board's Register of Interests.
- 11.2 The Chief Officer (or his/her authorised nominee) shall ensure the Register is available on line for public inspection.
- 11.3 Members must always consider the relevance of any interests they may have to any business presented to the Integration Joint Board or one of its Committees and disclose any direct or indirect pecuniary and non pecuniary interests which the Member considers should be disclosed, in relation to such business, before taking part in any discussion on the matter
- 11.4 The Member will not remain in the meeting nor participate in any way in those parts of meetings where they have declared an interest (this information is based on the Model Code of Conduct from Scottish Government).
- 11.5 Members shall make a declaration of any gifts or hospitality received in their capacity as Members of the Integration Joint Board. Such declarations shall be made to the Chief Officer (or his/her authorised nominee) who shall make them available for public inspection.

12. Committees

- 12.1 The Integration Joint Board shall appoint such Committees and working groups as it thinks fit. The Integration Joint Board shall appoint the Chairs of these Committees. The Board shall approve the Terms of Reference and Membership of the Committees and shall review these as and when required.
- 12.2 The Committee must include Voting Members and must include an equal number of Voting Members from those appointed by the Health Board and Local Authority.
- 12.3 The Integration Joint Board shall appoint Committee Members to fill any vacancy in the Membership as and when required.
- 12.4 Any Integration Joint Board Member may substitute for a Committee Member who is also an Integration Joint Board Member.
- 12.5 The Standing Orders relating to the calling and notice of meetings, conduct at meetings and conduct of Members shall also apply to Committees but not working groups.
- 12.6 The Integration Joint Board shall approve a calendar of meeting dates for its Committees. The Committee Chair may call a meeting any time, and shall call a meeting when requested to do so by the Integration Joint Board.
- 12.7 A Member may be regarded as being present at a meeting of a Committee if he or she is able to participate from a remote location by a video link or other communication link. A Member participating in a meeting in this way will be counted for the purposes of deciding if a quorum is present. Members should allow reasonable notice of 5 working days if they wish to attend a Meeting via this method.

13. Other Decisions and Urgent Business

- 13.1 The Integration Joint Board shall have the power to delegate matters other than those set out in Standing Order 12, to a Committee or the Chief Officer, subject to such conditions as it may determine, and such a delegation shall be recorded in the Minute of the Meeting.
- 13.2 The Chief Officer, in consultation with the Chief Executives of NHS Dumfries and Galloway and Dumfries and Galloway Council, is authorised to take any necessary action where a matter arises of such urgency that it cannot await a decision of the Board.
- 13.3 Prior to using this delegated authority, the Chief Officer shall consult with the Chair and the Vice Chair and shall not proceed until this consultation has taken place.
- 13.4 All action taken by the Chief Officer under this delegated authority shall be reported to the next meeting of the Board.

14. The Business Agenda

- 14.1 Responsibility of the preparation of Agendas and Papers for a Meeting rests with the Chief Officer.

14.2 Any Integration Joint Board Member may request the Chief Officer to arrange for a report on a policy issue to be submitted to the Integration Joint Board or one of its Committees. Such Reports will only be submitted after due consideration and consultation. In the event that the Chief Officer determined that such a report is inappropriate, then the final decision as to the need or otherwise for the Report shall rest with the Board.

15. Minutes

15.1 The names of Members present at a meeting of the Integration Joint Board, or of a Committee of the Integration Joint Board, shall be recorded. The names of any officers in attendance shall also be recorded.

15.2 Minutes of the proceeding of each meeting of the Integration Joint Board or a Committee, including any decision at that meeting, are to be drawn up and submitted to the next ensuing meeting of the Integration Joint Board or the Committee for agreement. Following approval at the appropriate Committee, Committee Minutes will be forwarded for inclusion on the next Integration Joint Board Agenda for Noting.

16. Changing a Decision

16.1 A decision of the Integration Joint Board cannot be changed by the Board within 6 months unless the Chair rules that there has been a material change of circumstance.



Dumfries and Galloway Integration Joint Board

Complaints Handling Procedure

Document Control		Policy No:	IJB04
Policy Group	IJB Governance Documents		
Author	Kirsty Bell	Version No:	2.4
Reviewer	Chief Officer Governance Officer	Implementation Date:	Once approved June 2026
Status	Draft	Review Date:	September 2026
Approved By		Last Review Date:	September 2024
Impact Assessed	Not required	Data Impact Assessed	Not Required

Version Control	Date	Summary of Changes	Name
2.1	15/11/2023	Factual accuracy check, inclusion of Public Facing Complaints Handling Procedure to main document	Alison Warrick
2.2	05/12/2023	Revision following email discussion with NHS Dumfries and Galloway Patient Services of Part 5	Alison Warrick
2.3	29/01/2024	Amendments to bring staff and public facing procedures into line	Alison Warrick
2.4	19/05/2026	Factual Accuracy checking	Kirsty Bell

IJB Complaints Handling Procedure

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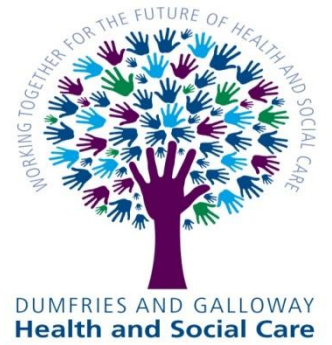
Part 1 – Introduction and Overview

Part 2 – How to use this Procedure

Part 3 – Complaints Handling Procedure for Staff

Part 4 – Governance

Part 5 – IJB Complaints Handling Procedure



Part 1: Introduction and Overview

Contents

Foreword

Structure of the Complaints Handling Procedure

Overview of the CHP

Expected behaviours

Maintaining confidentiality and data protection

Foreword

Dumfries and Galloway Integration Joint Boards' Complaints Handling Procedure reflects our commitment to valuing complaints. It seeks to conduct thorough, impartial and fair investigation of complaints so that, where appropriate, we can make evidence based decisions on the facts of the case.

The procedure was first developed by the Scottish Public Services Ombudsman (SPSO) in consultation with relevant stakeholders and all Integration Joint Boards were advised to adopt the [Model Complaints Handling Procedure for Scottish Government, Scottish Parliament and associated public bodies](#) which was revised in 2019 in consultation across all relevant sectors. This procedure aims to help us 'get it right first time'. We want quicker, simpler and more streamlined complaints handling with local, early responses by capable, well trained staff.

All staff associated with the Integration Joint Board must cover this procedure as part of their induction and must be provided with refresher training as required to ensure they are confident in identifying complaints, empowered to resolve simple complaints and familiar with how to apply this procedure.

Handled well, complaints can give those who are not satisfied by the decisions of the IJB a form of redress when things go wrong and can also help us continuously improve our processes.

Nicole Hamlet
Interim Chief Officer
Dumfries and Galloway Integration Joint Board

Structure of the Complaints Handling Procedure

1. This Complaints Handling Procedure (CHP) explains how we handle complaints. The CHP consists of:
 - Part 1 – Overview and Structure (this document)
 - Part 2 – When to use the procedure (guidance on identifying what is and what is not a complaint, handling complex or unusual complaint circumstances, the interaction of complaints and other processes, and what to do if the CHP does not apply)
 - Part 3 – The complaints handling process (guidance on handling a complaint through Stages 1 and 2, and dealing with post closure contact)
 - Part 4 – Governance of the procedure (staff roles and responsibilities and guidance on recording, reporting, publicising and learning from complaints)
 - Part 5 – The front facing CHP (information for complainants on how we handle complaints)
2. When using the CHO, please also refer to the SPSO Statement of Complaints Handling Principles' and good practice guidance on complaints handling from the SPSO. Please refer to www.spsso.org.uk

Overview of the CHP

3. Anyone can make a complaint, either verbally or in writing, including face-to-face, by phone, letter or email.
4. We will try to resolve complaints to the satisfaction of the complainant wherever this is possible. Where this isn't possible, we will give the complainant a clear response to each of the points of the complaints. We will always try to respond as quickly as we can (and on the spot where possible).
5. Our complaints procedure has two stages. We expect the majority of complaints will be handled at stage 1. If the complainant remains dissatisfied after stage 1 they can request that we look at it again, at stage 2. If the complaint is complex enough to require an investigation we will put the complaint into stage 2 straight away and skip stage 1.

Stage 1: Frontline response	Stage 2: Investigation	Independent external review (SPSO or other)
<p>For issues that are straightforward and simple, requiring little or no investigation</p> <p>'On-the-spot' apology, explanation, or other action to put the matter right</p> <p>Complaint resolved or a response provided in five working days or less (unless there are exceptional circumstances)</p> <p>Complaints addressed by any member of staff, or alternatively referred to the appropriate point for frontline response</p> <p>Response normally face-to-face or by telephone (though sometimes we will need to put the decision in writing)</p> <p>We will tell the complainant how to escalate their complaint to stage 2</p>	<p>Where the complainant is not satisfied with the frontline response, or refuses to engage at the frontline, or where the complaint is complex, serious or 'high-risk'</p> <p>Complaint acknowledged within three working days</p> <p>We will contact the complainant to clarify the points of complaint and outcome sought (where these are already clear, we will confirm them in the acknowledgement)</p> <p>Complaint resolved or a definitive response provided within 20 working days following a thorough investigation of the points raised</p>	<p>Where the complainant is not satisfied with the stage 2 response from the service provider</p> <p>The SPSO will assess whether there is evidence of service failure or maladministration not identified by the service provider</p>

6. For detailed guidance on the process, see Part 3 – The complaints handling process

Expected behaviours

7. We expect all representatives of the Integration Joint Board to behave in a professional manner and treat complainants with courtesy, respect and dignity. We also ask complainants to treat our representatives with respect. We ask complainants to engage actively with the complaint handling process by:
 - Telling us their key issues of concern and organising any supporting information they want to give us (we understand that some people will require support to do this)
 - Working with us to agree the key points of the complaint when an investigation is required
 - Responding to reasonable requests for information.
8. We recognise that people may act out of character in times of trouble or distress. Sometimes a health condition or a disability can affect how a person expresses themselves. The circumstances leading to a complaint may also result in the complainant acting in an unacceptable way.
9. Complainants who have a history of challenging or inappropriate actions, or have difficulty expressing themselves, may still have a legitimate grievance, and we will treat all complaints seriously. However, we also recognise that the actions of some complainants may result in unreasonable demands on time and resources or unacceptable behaviour towards our representatives. We will, therefore, refer to the SPSO document [guidance on promoting positive behaviour and managing unacceptable actions](#)

Maintaining confidentiality and data protection

10. Confidentiality is important in complaints handling. This includes maintaining the complainants confidentially and confidentiality in relation to information about those involved in the complaint.
11. This should not prevent us from being open and transparent, as far as possible, in how we handle complaints. This includes sharing as much information with the complainant (and any staff members) as we can. When sharing information, we should be clear about why the information is being shared and our expectations on how the recipient will use the information.
12. Consideration must be given to legal requirements, for example data protection legislation as well as any other policies and procedures which may cover the use of information.



Part 2: When to use this procedure

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What is a complaint?

1. The Integration Joint Boards definition of a complaint is: 'an expression of dissatisfaction by one or more members of the public about the IJB's action or lack of action, or about the standard of service provided by or on behalf of the IJB.
2. The use of the term 'service' in the above definition refers to the work carried out on by the IJB on the public's behalf in planning and monitoring the delivery of Health and Social Care Services in Dumfries and Galloway. In this region services are delivered by the Health and Social Care Partnership which consists of some, but not all, aspects of Dumfries and Galloway Council and NHS Dumfries and Galloway. If you have a complaint regarding services you can get more information on how to raise it by visiting <https://www.nhs.uk/health/how-did-we-do/> or <https://www.dumgal.gov.uk/complaints>
3. A complaint may relate to the following but is not restricted to this list:
 - Failure or refusal to provide a service
 - Inadequate quality or standard of service, or an unreasonable delay in providing a service
 - Dissatisfaction with one of our policies or its impact on the individual
 - Failure to properly apply law, procedure or guidance when delivering services
 - Failure to follow the appropriate administrative process
 - Conduct, treatment by or attitude of a member or staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves); or
 - Disagreement with a decision (except where there is a statutory procedure for challenging the decision, or an established process followed throughout the sector).

Your complaint may involve more than one organisation or service or be about someone working on our behalf.

4. A complaint is not:
 - A routine first time request for a service
 - A request for compensation only
 - Issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
 - Disagreement with a decision where there is a statutory procedure for challenging that decision (such as freedom of information and subject access requests), or an established appeals process followed throughout the sector.
 - A request for information under the Data Protection or Freedom of Information (Scotland) Acts
 - A grievance by a staff member or a grievance relating to employment or staff recruitment
 - A concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
 - A concern about a child or adult's safety

- An attempt to reopen a previously concluded complaint or to have a complaint considered where we have already given our final decision
 - Abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by their employing authorities; or a concern
 - A concern about the actions or service of a different organisation, where we have no involvement
5. We will not treat these issues as complaints, and will instead direct complainants to use the appropriate procedures. Some situations can involve a combination of issues, where some are complaints and others are not, and each situation should be assessed on a case-by-case basis.
 6. If a matter is not a complaint, or not suitable to be handled under the CHP, we will explain this to the complainant, and tell them what (if any) action we will take, and why.

Who can make a complaint?

7. Anyone who receives, requests, or is affected by the decisions made by the IJB

Supporting the complainants

8. All members of the community have the right to equal access to our complaints procedure. It is important to recognise the barriers that some complainants may face complaining. These may be physical, sensory, communication or language barriers, but can also include their anxieties and concerns. Complainants may need support to overcome these barriers.
9. We have legal duties to make our complaints accessible under equalities and mental health legislation. For example:
 - The Equality Act 2010 – this gives people with a protected characteristic the right to reasonable adjustments to access our services (such as large print or BSL translations of information)
 - Mental Health (Care and Treatment) (Scotland) Act 2003 – this gives everyone with a ‘mental disorder’ (including mental health issues, learning difficulties, dementia and autism) a right to access independent advocacy. This must be delivered by independent organisation that only provide advocacy. The help people to know and understand their rights, make informed decisions and have a voice.
10. Examples of how we will meet our legal duties are:
 - Proactively checking whether members of the public who contact us require additional support to access our services
 - Providing interpretation and/or translation services for British Sign Language users
 - Helping complainants access independent advocacy by signposting them to local support
11. In addition to our legal duties, we will seek to ensure that we support vulnerable groups in accessing our complaints procedure. Actions that we may take include:
 - Helping complainants access independent support or advocacy to help them understand their rights and communicate their complaints (for example via Citizens Advice Scotland)
 - Providing a neutral point of contact for complaints
12. These lists are not exhaustive, and we must always take into account our commitment and responsibilities regarding equality and accessibility.

How complaints may be made

13. Complaints may be made verbally or in writing, including face-to-face, by phone, letter or email.
14. Where a complaint is made verbally we will make a record of the key points of complaint raised. Where it is clear that a complex complaint will be immediately considered at stage 2 (investigation), it may be helpful to complete a complaint form with the complainants input to ensure full details of the complaint are documented. However, there is no requirement for the person to complete a complaint form, and it is important that the completion of a complaint form does not present a barrier to people complaining.
15. Complaints may also be raised on digital platforms (including social media). Where a complaint issue is raised via a digital channel which is managed and controlled by the Integration Joint Board (for example a twitter or Facebook page) we will explain that we do not take complaints on social media, but will tell the person how they can complain.
16. We must always be mindful of our data protection obligations when responding to issues online or in a public forum.

Time limit for making complaints

17. The complainant must raise their complaint within six months of when they first knew of the problem, unless there are special circumstances for considering complaints beyond this time (for example, where a person was not able to complain due to a serious illness or recent bereavement).
18. Where a complainant has received a stage 1 response, and wishes to escalate to stage 2, unless there are special circumstances the must request this either:
 - Within six months of when they first knew of the problem
 - Within two months of receiving their stage 1 response (if this is later)
19. We will apply these time limits with discretion, taking into account the seriousness of the issue, the availability of relevant records and staff involved; how long ago the events occurred, and the likelihood that an investigation will lead to a practical benefit for the complainant or useful learning for the organisation.
20. We will also take account of the time limit within which a member of the public can ask the SPSO to consider complaints (normally one year). The SPSO have discretion to waive the time limit in special circumstances (and may consider doing so in cases where we have waived our own time limit).

Complaints by (or about a third party)

21. Sometimes a complainant may be unable or reluctant to make a complaint on their own. We will accept complaints from third parties, which may include relatives, friends, advocates and advisors. Where a complaint is made on behalf of a complainant, we must ensure that the complainant has authorised the person to act on their behalf. It is good practice to ensure that the complainant understands their personal information may be shared as part of the complaints handling process (particularly where this includes sensitive personal information). This can include complaints brought by parents on behalf of their child, if their child is considered to have capacity to make decisions for themselves.
22. The provision of a signed mandate from the complainant will normally be sufficient for us to investigate a complaint. If we consider it appropriate we can take verbal consent direct from the complainant to deal with a third part and would follow this up in writing to confirm this.
23. In certain circumstances, a complainant may raise a complaint involving another person's personal data, without receiving consent. The complaint should still be investigated where possible, but the investigation and response may be limited by considerations of confidentiality. The person who

submitted the complaint should be made aware of these limitations and the effect this will have on the scope of the response.

Serious, high-risk or high-profile complaints

24. We will take particular care to identify complaints that might be considered serious, high-risk or high-profile, as these may require particular action or raise critical issues that need senior manager's direct input. Serious, high-risk or high-profile complaints should normally be handled immediately at stage 2
25. We define potential high-risk or high-profile complaints as those that may:
 - Involve a death or terminal illness
 - Involve serious service failure, for example major delays in providing, or repeated failures to provide, a service
 - Generate significant and ongoing press interest
 - Pose a serious risk to an organisation's operations
 - Present issues of a highly sensitive nature, for example concerning:
 - A particularly vulnerable person
 - Child protection

Anonymous complaints

26. We value all complaints, including anonymous complaints, and will take action to consider them further wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. Any decision not to pursue an anonymous complaint must be authorised by the Chief Officer or their nominated deputy.
27. If we pursue an anonymous complaint further, we will record it as an anonymous complaint together with any learning from the complaint and action taken.
28. If an anonymous complaint makes serious allegations, these should be dealt with in a timely manner under relevant procedures. This may not be the complaints procedure and could instead be relevant child protection, adult protection or disciplinary procedures and will be forwarded to the appropriate constituent authority.

What if the person raising concern does not want to complain?

29. If a complainant has expressed dissatisfaction in line with our definition of a complaint but does not want to complain, we will explain that complaints offer us the opportunity to improve procedures where things have gone wrong. We will encourage the complainant to submit their complaint and allow us to handle it through the CHP. This will ensure that the complainant is updated on the action taken and gets a response to their complaint.
30. If the complainant insists they do not wish to complain, we are not required to progress the complaint under this procedure. However, we should record the complaint as an anonymous complaint (including minimal information about the complaint, without any identifying information) to enable us to track trends and themes in complaints. Where the complaint is serious, or there is evidence of a problem with our services, we should also look into the matter to remedy this (and record any outcome).

Complaints involving more than one area or organisation

31. If a complainant complains to us about the service of another organisation or public service provider, but we have no involvement in the issue, the complainant should be advised to contact the appropriate organisation directly.

32. If a complaint relates to a service on behalf of the Integration Joint Board and the service of another organisation or public service provider, and we have a direct interest in the issue, we will handle the complaint relating to the Integration Joint Board through the CHP. If we need to contact an outside body about the complaint, we will ensure data protection is adhered to.

33. Such complaints may include:

- NHS Dumfries and Galloway
- Dumfries and Galloway Council
- A third sector organisation

Complaints regarding Staff

34. Complaints about staff are handled via their employing organisations procedures and policies.

Complaints and disciplinary or whistle-blowing processes

35. If the issues raised in a complaint overlap with issues raised under a disciplinary or whistle-blowing process, we still need to respond to the part of the complaint which does not affect staff.

36. Complaints such as these should focus on whether the Integration Joint Board failed to meet our expected service standards and what we have done to improve things, in general terms.

37. Staff investigating such complaints will need to take extra care to ensure that:

- We comply with all requirements of the CHP in relation to the complaint (as well as meeting the requirements of the process)
- All complaint issues are addressed
- Records are kept of any investigation that can be made available to the SPSO if required. This can be problematic when the other process is confidential, because SPSO will normally require documentation of any correspondence and interviews to show how conclusions were reached.

Complaints and compensation claims

38. Where a complainant is seeking financial compensation only, this is not a complaint. However, in some cases the complainant may want to complain about the matter leading to their financial claim, and they may seek additional outcomes, such as an apology or an explanation. Where appropriate, we may consider that matter as a complaint, but deal with the financial claim separately. It may be appropriate to extend the timeframes for responding to the complaint, to consider the financial claim first.

Complaints and legal action

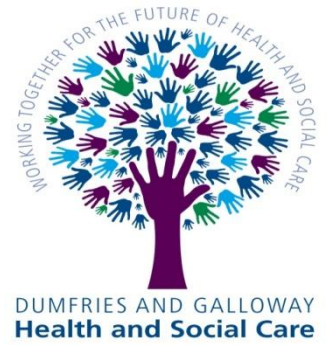
39. Where a complainant expresses that legal action is being actively pursued, this is not a complaint.

40. Where a complainant indicates that they are thinking about legal action, but have not yet commenced this, they should be informed that if they take such action, they should notify the person handling their complaint and that the complaints process, in relation to matters that will be considered through the legal process will be closed. Any outstanding complaints must still be addressed through the CHP.

41. If an issue has been, or is being, considered by a court, we must not consider the same issue under the CHP.

What to do if the CHP does not apply

42. If the issue does not meet the definition of a complaint or if it is not appropriate to handle it under the procedure (for example, due to time limits), we will explain to the complainant why we have made this decision. We will also tell them what action (if any) we will take and advise them of their right to contact the SPSO if they disagree with our decision not to respond to the issue as a complaint.
43. Where a complainant continues to contact us about the same issue, we will explain that we have already given them our final response on the matter and signpost them to the SPSO.
44. The SPSO has issued a [template letter for explaining when the CHP does not apply](#).



Part 3: The complaints handling procedure for staff

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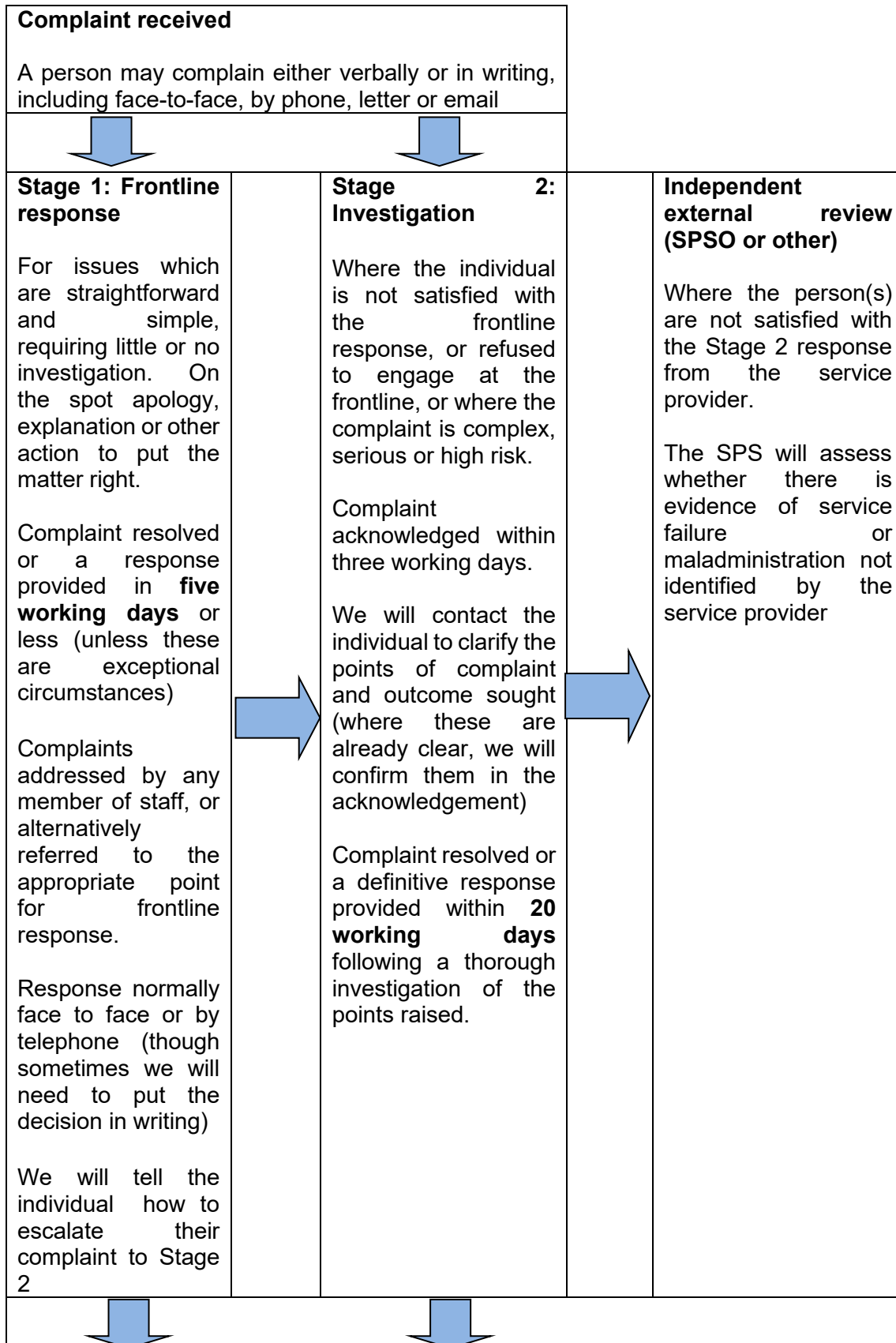
Post closure contact

Appendix 1 Timelines

Appendix 2 The complaint handling process (flowchart for staff)

The Complaints Handling Process

- Our Complaints Handling Procedure (CHP) aims to provide a quick, simple and streamlined process for responding to complaints early and locally by capable, well trained staff. Where possible, we will **resolve** the complaint to the complainants' satisfaction. Where this is not possible, we will provide the complainant a clear and reasoned response to their complaint.



Resolution

The complainant and organisation agree what action will be taken to resolve the complaint.

Where a complaint is resolved, it is not usually necessary to continue investigating, although an organisation may choose to do so, for example to identify learning.

We must signpost the complainant to Stage 2 (for Stage 2 complaints) or to the SPSO as usual.

Reporting, recording and learning

Action is taken to improve services on the basis of the complaint findings, where appropriate.

We record details of all complaints, the outcome and any action taken, and use this data to analyse themes and trends.

Senior management have an active interest in complaints and use complaints data and analysis to improve services.

Learning is shared throughout the organisation.

Resolving the Complaint

2. A complaint is resolved when both the Integration Joint Board and the complainant agree what action (if any) will be taken to provide full and final resolution for the complainant, without making a decision about whether the complaint is upheld or not upheld.
3. We will try to resolve complaints wherever possible, although we accept this will not be possible in all cases.
4. A complaint may be resolved at any point in the complaint handling process, including during the investigation stage. It is particularly important to try to resolve complaints where there is an ongoing relationship with the complainant or where the complaint relates to an ongoing issue that may give rise to future complaints if the matter is not fully resolved.
5. It may be helpful to use alternative complaint resolution approaches when trying to resolve a complaint. See Alternative complaint resolution approaches
6. Where a complaint is resolved, we do not normally need to continue looking into it or provide a response on all points of complaint. There must be a clear record of how the complaint was resolved, what action was agreed, and the complainant's agreement to this as a final outcome. In some cases it may still be appropriate to continue looking into the issue, for example where there is evidence of a wider problem or potential for useful learning. We will use our professional judgement in deciding whether it is appropriate to continue looking into a complaint that is resolved.
7. In all cases, we must record the complaint outcome (resolved) and any action taken, and signpost the complainant to Stage 2 (for Stage 1 complaints) or to the SPSO as usual (**see Signposting for the SPSO**).
8. If the complainant and the Integration Joint Board are not able to agree a resolution, we must follow this CHP to provide a clear and reasoned response to each of the issues raised.

What to do when you receive a Complaint

9. Members of staff receiving a complaint should consider four key questions. This will help to either to respond to the complaint quickly (at Stage 1) or determine whether the complaint is more suitable for Stage 2.

What exactly is the complaint (or complaints)?

It is important to be clear about exactly what the individual is complaining about. We may need to ask the individual for more information and probe further to get a full understanding.

We will need to decide whether the issue can be defined as a complaint and whether there are circumstances that may limit our ability to respond to the complaint (such as the time limit for making complaints, confidentiality, anonymity or the need for consent). We should also consider whether the complaint is serious, high risk or high profile.

If the matter is not suitable for handling as a complaint, we will explain this to the individual (and signpost them to SPSO). There is detailed guidance on this step in [Part 2: When to use this procedure](#)

In most cases, this step will be straightforward. If it is not, the complaint may need to be handled immediately at Stage 2 (see **Stage 2: Investigation**).

What does the complainant want to achieve by complaining?

At the outset, we will clarify the outcome the complainant wants. Of course, the complainant may not be clear about this, and we may need to probe further to find out what they expect, and whether they can be satisfied.

Can I achieve this, or explain why not?

If a staff member handling a complaint can achieve the expected outcome, for example by providing an on the spot apology or explain why they cannot achieve it, they should do so.

The complainant may expect more than we can provide. If so, we will tell them as soon as possible.

Complaints, which can be resolved or responding to quickly should be managed at Stage 1 (see **Stage 1: Frontline Response**)

If I cannot respond, who can help?

If the complaint is single and straightforward, but the staff member receiving the complaint cannot deal with it because, for example, they are unfamiliar with the issues or area of service involved, they should pass the complaint to someone who can respond quickly.

If it is not a simple and straightforward complaint that can realistically be closed within 5 working days (or ten, if an extension is appropriate), it should be handled immediately at Stage 2. If the complainant refuses to engage at Stage 1, insisting that they want their complaint investigated, it should be handled immediately at Stage 2. **See Stage 2: Investigation.**

Any complaints which are dealt with at Stage 2 should be addressed to:

**Integration Joint Board
Health and Social Care Business Support Team
c/o Dumfries and Galloway Royal Infirmary
Cargenbridge
DUMFRIES**

DG1 4TG

Or by emailing dq.hslog@nhs.scot or telephone 01387241346

Our preferred method of initial communication would be via telephone to the above number or via email.

Stage 1 – Frontline response

10. Frontline response aims to respond quickly (within five working days) to straightforward complaints that require little or no investigation.
11. Any member of staff may deal with complaints at this stage (including the staff member complained about, for example with explanation or apology). The main principle is to respond to complaints at the earliest opportunity and as close to the point of service delivery as possible.
12. We may respond to the complaint by providing an on the spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. We may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future. If we consider an apology is appropriate, we may wish to follow the [SPSO guidance on apology](#).
13. **Part 2, Appendix 1** gives examples of the types of complaints we may consider at this stage, with suggestions on how to handle them.
14. Complaints which are not suitable for frontline response should be identified early, and handled immediate at **Stage 2: Investigation**.

Timelines:

15. Frontline response must be completed within five working days, although in practice we would often expect to respond to the complaint much sooner. 'Day one' is always the date of receipt of the complaint (or the next working day if the complaint was received on a weekend or on a public holiday).

Extension to the timeline:

16. In exceptional circumstances, a short extension of time may be necessary due to unforeseen circumstances (such as the availability of a key member of staff). Extensions must be agreed with an appropriate manager. We will tell the complainant about the reasons for the extension, and when they can expect a response. The maximum extension that can be granted is five working days (that is, no more than **ten working days** in total from the date of the receipt).
17. If a complaint will take more than five working days to look into, it should be handled at Stage 2 immediately. The only exception to this is where the complaint is simple and could normally be handled within five working days, but it is not possible to begin immediately (for example, due to the absence of a key staff member). In such cases, the complaint may still be handled at Stage 1 if it is clear that it can be handled within the extended timeframe of up to ten working days.
18. If a complaint has not been closed within ten working days, it should be assigned to Stage 2 for a final response.
19. **Appendix 1** provides further information on timelines.

Closing the complaint at the frontline response stage:

20. If we convey the decision face to face or on the telephone, we are not required to write to the complainant (although we may choose to). We must:
- Tell the complainant the outcome of the complaint (whether it is resolved, upheld, partially upheld or not upheld)
 - Explain the reasons for our decision (or the agreed action taken to resolve the complaint (see **Resolving the complaint**); and
 - Explain that the complainant can escalate the complaint to Stage 2 if they remain dissatisfied and how to do so (we should not signpost to the SPSO) until the complainant has completed Stage 2)
21. We will keep a full and accurate record of the decision given to the complainant. If we are not able to contact the complainant by phone, or speak to them in person, we will provide a written response to the complaint where an email or postal address is provided; covering the points above.
22. If the complaint is about the actions of a particular staff/Board member/s, we will share them with any part of the complaint response which relates to them, (unless there are compelling reasons not to).
23. The complaint should then be closed and the complaints system updated accordingly.
24. At the earliest opportunity after the closure of the complaint, the staff member handling the complaint should consider whether any learning has been identified. See [Part 4: Learning from complaints](#)

Stage 2 – Investigation

25. Not all complaints are suitable for frontline response and not all complaints will be satisfactorily addressed at that stage. Stage 2 is appropriate where:
- The complainant is dissatisfied with the frontline response or refuses to engage at the frontline stage, insisting they wish their complaint to be investigated. Unless exceptional circumstances apply, the complainant must escalate the complaint within six months of when they first knew of the problem or within two months of the Stage 1 response, whichever is later (see [Part 2: Time limits for making a complaint](#))
 - The complaint is not simple and straightforward (for example where the complainant has raised a number of issues, or where information from several sources is needed before we can establish what happened and/or what should have happened)
 - The complaint relates to serious, high risk or high profile issues (see [Part 2: Serious, high-risk or high-profile complaints](#)).
26. An investigation aims to explore the complaint in more depth and establish all the relevant facts. The aim is to resolve the complaint where possible, or to give the complainant a full, objective and proportionate response that represents our final position. Wherever possible, complaints should be investigated by someone not involved in the complaint (for example, a line manager or manager from a different area)
27. Details of the complaint must be recorded on the complaints system. Where appropriate, this will be done as a continuation of frontline response. If the investigation stage follows a frontline response for the investigation should have access to all case notes and associated information.
28. The beginning of Stage 2 is a good time to consider whether complaint resolution approaches other than in investigation may be helpful (see **Alternative complaint resolution approaches**).

Acknowledging the complaint

29. Complaints must be acknowledged within three working days of receipt at Stage 2
30. We must issue the acknowledgement in a format which is accessible to the complainant, taking into account their preferred method of contact.
31. Where the points of complaint and expected outcomes are clear from the complaint, we must set these out in the acknowledgment and ask the complainant to get in touch with us immediately if they agree. See **Agreeing the points of complaint and outcome sought**.
32. Where the points of complaint and expected outcomes are not clear, we must tell the complainant we will contact them to discuss this.

Agreeing the points of complaint and outcome sought

33. It is important to be clear from the start of Stage 2 about the points of complaint to be investigated and what outcomes the complainant is seeking. We may also need to manage the complainant's expectations about the scope of our investigation.
34. Where the points of complaint and outcome sought are clear, we can confirm our understanding of these with the complainant when acknowledging the complaint (see **Acknowledging the complaint**).
35. Where the points of complaint and outcome sought are not clear, we must contact the complainant to confirm these. We will normally need to speak to the complainant (by phone or face to face) to do this effectively. In some cases it may be possible to clarify complaints in writing. The key point is that we need to be sure we and the complainant have a shared understanding of the complaint. When contacting the complainant we will be respectful of their stated preferred method of contact. We should keep a clear record of any discussion with the complainant.
36. In all cases, we must have a clear shared understanding of:

- **What are the points of complaint to be investigated?**

While the complaint may appear to be clear, agreeing the points of complaint at the outset ensures there is a shared understanding and avoids the complaint changing or confusion arising at a later stage. The points of complaint should be specific enough to direct the investigation, but broad enough to include any multiple and specific points of concern about the same issue.

We will make every effort to agree the points of complaint with the complainant (alternative complaint resolution approaches may be helpful at this stage). In very rare cases, it may not be possible to agree the points of complaint (for example, if the complainant insists on an unreasonably large number of complaints being separately investigated, or on framing their complaint in an abusive way). We will manage any such cases in accordance with our (name of policy) bearing in mind that we should continue to investigate the complaint (as we understand it) wherever possible.

- **Is there anything we can't consider under the CHP?**

We must explain if there are any points that are not suitable for handling under the CHP (see [Part 2: What to do if the CHP does not apply](#)).

- **What outcome does the complainant want to achieve by complaining?**

Asking what outcome the complainant is seeking helps direct the investigation and enables us to focus on resolving the complaint where possible.

- **Are the complainant's expectations realistic and achievable?**

It may be that the complainant expects more than we can provide or has unrealistic expectations about the scope of the investigation. If so, we should make this clear to them as soon as possible.

Notifying staff/Board members involved

37. If the complaint is about the actions of a particular staff/Board member/s, we will notify those involved (including where the staff/Board member is not named, but can be identified from the complaint). We will:
- share the complaint information with the member/s (unless there are compelling reasons not to)
 - advise them how the complaint will be handled, how they will be kept updated and how we will share the complaint response with them
 - discuss their willingness to engage with alternative complaint resolution approaches (where applicable); and
 - signpost the staff member/s to a contact person who can provide support and information on what to expect from the complaint process (this must not be the person investigating or signing off the complaint response).
38. If it is likely that internal disciplinary processes may be involved, as the Integration Joint Board is not an employer this will be handled by the constituent authority/organisation to whom the member belongs, the requirements of that process should also be met. [Part 2: Complaints and disciplinary or whistleblowing processes](#).

Investigating the complaint

39. It is important to plan the investigation before beginning. The staff member investigating the complaint should consider what information they have and what they need about:
- What happened? (This could include, for example, records of phone calls or meetings, work requests, recollections of staff members or internal emails)
 - What should have happened? (This should include any relevant policies or procedures that apply); and
 - Is there a difference between what happened and what should have happened, and is (the organisation) responsible?
40. In some cases, information may not be readily available. We will balance the need for the information against the resources required to obtain it, taking into account the seriousness of the issue (for example, it may be appropriate to contact a former employee, if possible, where they hold key information about a serious complaint).
41. If we need to share information within or outwith the organisation, we will be mindful of our obligations under data protection legislation. See [Part 1: Maintaining confidentiality and data protection](#).
42. The SPSO has resources for conducting investigations, including:
- [Investigation plan template](#)
 - [Decision-making tool for complaint investigators](#)

Alternative complaint resolution approaches

43. Some complex complaints, or complaints where complainants and other interested parties have become entrenched in their position, may require a different approach to resolving the matter. Where we think it is appropriate, we may use alternative approaches such as complaint resolution discussions, mediation or conciliation to try to resolve the matter and to reduce the risk of the complaint escalating further. If mediation is attempted, a suitable trained and qualified mediator should be used. Alternative complaint resolution approaches may help both parties to understand what has caused the complaint, and so are more likely to lead to mutually satisfactory solutions.

44. Alternative complaint resolution approaches may be used to resolve the complaint entirely, or to support one part of the complaint process, such as understanding the complaint, or exploring the complainant's desired outcome.
45. The SPSO has [guidance on alternative complaint resolution approaches](#)
46. If the Integration Joint Board and the complainant (and any staff members involved) agree to using alternative resolution approaches, it is likely that an extension to the timeline will need to be agreed. This should not discourage the use of these approaches.

Meeting with the complainant during the investigation

47. To effectively investigate the complaint, it may be necessary to arrange a meeting with the complainant. Where a meeting takes place, we will always be mindful of the requirement to investigate complaints (including holding any meetings) within 20 working days wherever possible. Where there are difficulties arranging a meeting, this may provide grounds for extending the timeframe.
48. As a matter of good practice, a written record of the meeting should be completed and provided to the complainant. Alternatively, and by agreement with the person making the complaint, we may provide a record of the meeting in another format. We will notify the person making the complaint of the timescale within which we expect to provide the record of the meeting.

Timelines

49. The following deadlines are appropriate to cases at the investigation stage (counting day one as the day of receipt, or the next working day if the complaint was received on a weekend or public holiday):
 - Complaints must be acknowledged within three working days (unless in exceptional circumstances where staff must work remotely and a written complaint is received)
 - A full response to the complaint should be provided as soon as possible but not later than 20 working days from the time the complaint was received for investigation.

Extension to the timeline

50. Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20 working day timeline. It is important to be realistic and clear with complainant about timeframes, and to advise them early if we think it will not be possible to meet the 20 day timeframe, and why. We should bear in mind that extended delays may have a detrimental effect on the complainant.
51. Any extension must be approved by an appropriate manager. We will keep the complainant and any member/s of staff complained about updated on the reason for the delay and give them a revised timescale for completion. We will contact the complainant and any members of staff complained about at least once every 20 working days to update them on the progress of the investigation.
52. The reasons for an extension might include the following:
 - Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, complainants or others but the person is not available because of long term sickness or leave
 - We cannot obtain further essential information within normal timescales; or
 - The complainant has agreed to alternative complaint resolution approaches as a potential route for resolution.
53. **Appendix 1** provides further information on timelines.

54. The response to the complaint should be in writing (or by the complainant's preferred method of contact) and must be signed off by a manager or officer who is empowered to provide the final response on behalf of the Integration Joint Board. All complaints relating to the IJB should be coordinated via the office of the Chief Officer.
55. We will tell the complainant of the outcome of the complaint (whether it is resolved, upheld, partially upheld or not upheld). The quality of the complaint response is very important and in terms of good practice should:
- Be clear and easy to understand, written in a way that is person centred and non confrontational
 - Avoid technical terms, but where these must be used, an explanation of the term should be provided
 - Address all the issues raised and demonstrate that each element has been fully and fairly investigated
 - Include an apology where things have gone wrong (this is different to an expression of empathy: see [the SPSO's guidance on apology](#))
 - Highlight any area of disagreement and explain why no further action can be taken
 - Indicate that a named member of staff is available to clarify any aspect of the letter; and
 - Indicate that if they are not satisfied with the outcome of the local process, they may seek a review by the SPSO (see signposting to the SPSO).
56. Where a complaint has been resolved, the response does not need to provide a decision on all points of complaint, but should instead confirm the resolution agreed. See **Resolving the complaint**.
57. If the complaint is about the actions of a particular member/s, we will share with them any part of the complaint response which relates to them, (unless there are compelling reasons not to).
58. We will record the decision, and details of how it was communicated to the complainant, on the complaints system.
59. The SPSO has guidance on responding to a complaint:
- [Template decision letter](#)
 - [Apology guidance](#)
60. At the earliest opportunity after the closure of the complaint, the staff member handling the complaint should consider whether any learning has been identified. See [Part 4: Learning from complaints](#).

Signposting to the SPSO

61. Once the investigation stage has been completed, the complainant has the right to approach the SPSO if they remain dissatisfied. We must make clear to the complainant:
- Their right to ask the SPSO to consider the complaint
 - The time limit for doing so; and
 - How to contact the SPSO
62. The SPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. The SPSO looks at issues such as service failure and maladministration (administrative fault), and the way we have handled the complaint. There are some subject areas that are outwith the SPSO's jurisdiction, but it is the SPSO's role to determine whether an individual complaint is one that they can consider (and to what extent). All investigation responses must signpost to the SPSO.

63. The SPSO recommends that we use the wording below to inform complainants of their right to ask the SPSO to consider the complaint. This information should only be included on the Integration Joint Board's final response to the complainant.

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about the Integration Joint Board. The SPSO is an independent organisation that investigates complaints. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have had a final response from the Integration Joint Board you can ask the SPSO to look at your complaint. You can ask the SPSO to look at your complaint if:

- you have gone all the way through the Integration Joint Board Complaints Handling Procedure
- it is less than 12 months after you became aware of the matter you want to complain about, and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of this letter (our final response to your complaint). You can do this online at www.spsso.org.uk/complain or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. Organisations who may be able to assist you are:

- Citizens Advice Bureau
- Scottish Independent Advocacy Alliance

The SPSO's contact details are:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
(if you would like to visit in person, you must make an appointment first)

Their freepost address is:

FREEPOST SPSO

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website www.spsso.org.uk

Post closure contact

64. If a complainant contacts us for clarification when they have received our final response, we may have further discussion with the complainant to clarify our response and answer their questions. However, if the complainant is dissatisfied with our response or does not accept our findings, we will explain that we have already given them our final response on the matter and signpost them to the SPSO.

Appendix 1 – Timeline

References to timelines throughout the CHP relate to working days. We do not count non working days, for example weekends, public holidays and days of industrial action where our service has been interrupted.

Timelines at Frontline Response (Stage 1)

We will aim to achieve frontline response within 5 working days. The date of receipt is **day one**, and the response should be provided (or the complaint escalated) on **day five**, at the latest.

Please remember that if a written response is received during a time where staff must work remotely there may have to be some flexibility around the timeline.

If we have extended the timeline at the frontline response stage in line with the CHP, the response should be provided (or the complaint escalated) on **day ten**, at the latest.

Transferring cases from frontline response to investigation

If the complainant wants to escalate the complaint to the investigation stage, the case must be passed for investigation without delay. In practice this will mean on the same day that the complainant is told this will happen.

Timeline at Investigations (Stage 2)

For complaints at the investigation stage, **day one** is:

- The day the case is transferred from the frontline stage to the investigation
- The day the complainant asks for an investigation or expresses dissatisfaction after a decision at the frontline response stage; or
- The date we receive the complaint, if it is handled immediately at Stage 2

We must acknowledge the complaint within three working days of receipt at Stage 2 i.e. by day three.

We should respond in full to the complaint by day 20, at the latest. We have 20 working days to investigate the complaint, regardless of any time taken to consider it at the frontline response stage.

Exceptionally, we may need longer than the 20 working day limit for a full response. If so, we will explain the reasons to the complainant, and update them (and any staff involved) at least once every 20 working days.

Frequently asked questions

Q: What happens if an extension is granted at Stage 1, but then the complaint is escalated?

A: The extension at Stage 1 does not affect the timeframes at Stage 2. The Stage 2 timeframes apply from the day the complaint was escalated (we have 20 working days from this date, unless an extension is granted).













Q: What happens if we cannot meet an extended timeframe?

A: If we cannot meet the extended timeframe at Stage 1, the complaint should be escalated to Stage 2. The maximum timeframe allowed for a Stage 1 response is 10 working days. If we cannot meet the extended timeframe at Stage 2, a further extension may be approved by an appropriate Manager if there are clear reasons for this. This should only occur in exceptional circumstances (the original extension should allow sufficient time to realistically investigate and respond to the complaint. Where a further extension is agreed, we should explain the situation to the complainant and give them a revised timeframe for completion. We must update them and any staff involved in the investigation at least once every 20 days.

Q: What happens when a complainant asks for Stage 2 consideration a long time after receiving a frontline response?

A: Unless exceptional circumstances exist, complainants should bring a Stage 2 complaint within six months of learning about the problem, or within two months of receiving the Stage 1 response (whichever is latest). See Part 2: Time limits for making a complaint.

Appendix 2 – The Complaint Handling Process (flowchart for staff)

<p>A complainant may complain verbally or in writing, including face to face, by phone, letter or email.</p> <p>Your first consideration is whether the complaint should be dealt with at Stage 1 (frontline response) or Stage 2 (investigation).</p>	
	
<p>Stage 1: Frontline Response</p> <p>Always try to respond quickly, wherever we can</p>	<p>Stage 2: Investigation</p> <p>Investigate where:</p> <ul style="list-style-type: none"> • The complainant is dissatisfied with the frontline response or refuses to engage with attempts to handle the complaint at Stage 1 • It is clear that the complaint requires investigation from the outset
	
<p>Record the complaint and notify any staff complained</p>	<p>Record the complaint and notify any staff complained about.</p> <p>Acknowledge the complaint within three working days</p> <p>Contact the complainant to agree:</p> <ul style="list-style-type: none"> • Points of complaint • Outcome sought • Manage expectations (where required) <p>(these can be confirmed in the acknowledgement where the complaint is straightforward)</p>
	
<p>Respond to the complaint within five working days unless there are exceptional circumstances</p>	<p>Respond to the complaint as soon as possible, but within 20 working days unless there is a clear reason for extending the timescale</p>
	
<p>Is the complainant satisfied?</p> <p>You must always tell the complainant how to escalate to Stage 2</p>	<p>Communicate the decision, normally in writing.</p> <p>Signpost the complainant to SPSO and advise of time limits</p>
	
<p>(Yes) Record outcome and learning, and close complaint</p> <p>(No) → to Stage 2</p>	<p>Record outcome and learning, and close complaint</p>
	
<p>Follow up on agreed actions flowing from the complaint</p> <p>Share any learning points</p>	



Part 4: Governance

Contents

Roles and Responsibilities

Recording, reporting, learning from and publicising complaints

- Recording complaints
- Learning from complaints
- Reporting of complaints
- Publicising complaints information

Roles and responsibilities

1. All staff, working with the Integration Joint Board will be aware of:
 - The Complaints Handling Procedure (CHP)
 - How to handle and record complaints at the frontline stage
 - Who they can refer a complaint to, in case they are not able to handle the matter
 - The need to try and resolve complaints early and as close to the point of service delivery as possible; and
 - Their clear authority to attempt to resolve any complaints that they may be called upon to deal with.
2. Training on this procedure will be part of the localised induction for all new members of the Health and Social Care Business Support team who work on behalf of the Integration Joint Board. Refresher training will be provided for current staff on a regular basis.
3. Management will ensure that:
 - The Integration Joint Boards final position on a complaint investigation is signed off by an appropriate lead officer in order to provide assurance that this is the definitive position of the Integration Joint Board and that the complainant's concerns have been taken seriously.
 - It maintains overall responsibility and accountability for the management and governance of complaints handling (including complaints about contracted services)
 - It has an active role in, and understanding of, the CHP (although not necessarily involved in the decision making process of complaint handling)
 - Mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored and reviewed by the Integration Joint Board or one of its Committees
 - Complaints information is used to improve services and this is evident from regular publications.
4. The Chief Officer of the Integration Joint Board provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective CHP, with a robust investigation process that demonstrates how we learn from the

complaints we receive. The Chief Officer may take a personal interest in all or some of the complaints, or may delegate responsibility for the CHP to a senior staff member.

5. The Chief Officer is also responsible for ensuring that there are governance and accountability arrangements in place in relation to complaints about contractors. This includes:
 - Ensuring performance monitoring for complaints is a feature of the service/management agreements between the Integration Joint Board and contractors
 - Setting clear objectives in relation to the complaints procedure and putting appropriate monitoring system in place to provide the Integration Joint Board with an overview of how the contractor meets its objectives
6. The Chief Officer may delegate responsibility to other senior officers of the Integration Joint Board to:
 - Manage complaints and the way we learn from them
 - Overseeing the implementation of actions required as result of the complain
 - Investigating complaints; and
 - Deputising for the Chief Officer on occasion.
7. They may also be responsible for preparing and signing off decisions to complainants, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint. As part of this process all responses to complaints will be made the Health and Social Care Business Support Team who work in the office of the Chief Officer.
8. Heads of service may be involved in any operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters to complainants, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.
9. The complaints investigator is responsible and accountable for the management of the investigation. They may work in a service delivery team and will be involved in the investigation and in coordinating all aspects of the response to the customer. This may include preparing a comprehensive written report, including details of any procedural change in service delivery and identifying wider opportunities for learning across the organisation.
10. The training officer is responsible for ensuring all staff and members of the Integration Joint Board receive training on the CHP s part of the induction process, and that refresher training is provided for current staff on a regular basis.
11. The SPSO's liaison officer role may include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to the SPSO reports and confirming and verifying that recommendations have been implemented.

Recording, reporting, learning from and publicising complaints

12. Complaints provide valuable feedback. One of the aims of the CHP is to identify opportunities to improve service delivery. By recording and analysing complaints data, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.
13. We also have arrangements in place to ensure complaints about contractors are recorded, reported on and publicised in line with the CHP.

Recording complaints

14. It is important to record suitable data to enable us to fully investigate and respond to the complaint, as well as using our complaint information to track themes and trends. As a minimum, we should record:

- The complainants name and contact details
- The date the complaint was received
- The nature of the complaint
- The service the complaint refers to
- Staff member responsible for handling the complaint
- Action taken and outcome at frontline response stage
- Date the complaint was closed at the frontline response stage
- Date the investigation stage was initiated (if applicable)
- Action taken and outcome at investigation stage (if applicable)
- Date the complaint was closed at the investigation stage (if applicable)
- The underlying cause of the complaint and any remedial action taken.
- If the complaint is sent to the SPSO the outcome of their investigation

15. If the complainant does not want to provide any of this information, we will reassure them that it will be managed appropriately, and record what we can.

16. Individual complaint files will be stored electronically in line with the Integration Joint Board Records Management Policy and Plan.

Learning from complaints

17. We must have clear systems in place to act on issues identified in complaints. As a minimum, we must:

- Seek to identify the root cause of complaints
- Take action to reduce the risk of occurrence
- Systematically review complaints performance reports to improve service delivery

18. Learning may be identified from individual complaints (regardless of whether the complaint is upheld or not) and from analysis of complaints data

19. Where we have identified the need for service improvement in response to an individual complaint, we will take appropriate action.

- The action needed to improve services must be authorised by an appropriate manager
- An officer or team should be designated as owner of the issue, with responsibility for ensuring the action is taken
- A target date must be set out for the action to be taken
- The designated individual must follow up to ensure that the action is taken within the agreed timescale
- Where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved
- Any learning points should be shared with staff

20. SPSO has guidance on Learning from complaints

21. Senior managers will review the information reported on complaints regularly to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where we identify the need for service improvement, we will take appropriate action. Where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved.

Reporting of complaints

22. We have a process for the internal reporting of complaints information, including analysis of complaints trends which is dealt with through the Health and Social Care Governance and

Performance Operational Group. Regularly reporting the analysis of complaints information helps to inform the management of where services need to improve.

23. We will report at least quarterly to the Integration Joint Board or one of its Committees on:

- Performance statistics, in line with the complaints performance indicators published by SPSO
- Analysis of the trends and outcomes of complaints (this should include highlighting where there are areas where few or no complaints are received, which may indicate either good practice or that there are barriers to complaining in that area)

Publicising complaints information

24. We publish on a quarterly basis information on complaints outcomes and actions taken to improve services.

25. This demonstrates the improvements resulting from complaints and shows that complaints can help us improve our services. It also helps ensure transparency in our complaints handling service and will help to show complainants that we value their complaints.

26. We will publish an annual complaints performance report on our website in line with the SPSO requirements, and provide this to the SPSO on request. This summarises and builds on the quarterly reports we produce about our services. It includes:

- Performance statistics, in line with the complaints performance indicators published by the SPSO
- Complaint trends and the actions that have been taken or will be taken to improve services as a result

27. These reports must be easily accessible to members of the public and available in alternative formats as requested



Part 5: Dumfries and Galloway Integration Joint Board Complaints Handling Procedure

Contents

Overview

We value complaints and use information from them to help us improve our services.

What is a complaint?

What can I complain about?

What can't I complain about?

Who can complain?

How do I complain?

How long do I have to complain?

What happens when I have complained?

What if I am still dissatisfied?

Quick Guide to our Complaints Handling Procedure

Overview

This procedure has been written to assist you in raising a complaint relating to the Integration Joint Board only, for any complaints regarding services provided by NHS Dumfries and Galloway or Dumfries and Galloway Council please see the body of this document which will signpost you to the correct organisation.

We are committed to making our service easy to use for all members of the community in line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font or Braille, please tell us in person, contact us on 01387 241346, or via email on dg.hslog@nhs.scot

British Sign Language users can get assistance via [Contact Scotland \(contactscotland-bsl.org\)](http://contactscotland-bsl.org) the on-line British Sign Language interpreting video relay service

We can also give you this information in other languages and formats (such as large print, audio and Braille).

We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance on 01315109410 or via their website on www.siaa.org.uk

You can find out about advisors in your area through Citizens Advice Scotland:

Visit www.cas.org.uk or by checking your local telephone directory for your local Citizens Advice Bureau.

Dumfries and Galloway Integration Joint Board's definition of a complaint is 'an expression of dissatisfaction by one or more members of the public about the IJB's action, (or lack of action) or about the standard of services the IJB has provided in fulfilling its responsibilities as set out in our Integration Scheme.

If your complaint is directly in relation to Dumfries and Galloway Integration Joint Boards (IJB):

- The IJB's policies
- The IJB's decisions
- The administrative or decision making process followed by the IJB in coming to a decision

Please contact us: Integration Joint Board
 c/o Dumfries and Galloway Royal Infirmary
 Cargenbridge
 DUMFRIES
 DG2 8RX

Email: dq.hslog@nhs.scot

Telephone: 01387 241346

Website: www.dghscp.co.uk

If your complaint is in relation to services provided by NHS Dumfries and Galloway:

- Your care/and or treatment
- Delays
- Failure to provide a service

You should contact: Patient Services Team
 NHS Dumfries and Galloway
 Mountainhall Treatment Centre
 Bankend Road
 DUMFRIES
 DG1 4AP

Email: dq.patientservices@nhs.scot

Telephone: 01387 272733

Website: <https://www.nhsdg.co.uk/how-did-we-do/>

If you feel you would benefit from assistance in raising a complaint in relation to health services, help is provided by The Patients' Advocacy Service, they can be contacted via <https://patientsadvocacyservice.scot/> or by telephone on 01555 842078

If your complaint is in relation to services provided by Dumfries and Galloway Council:

You should contact: Freepost RTHK-RAGT-KTHT
Information Governance Team
Council Headquarters
English Street
DUMFRIES
DG1 2DD

Email: commentsandcomplaints@dumgal.gov.uk

Telephone: 01387 260467

Website: <https://www.dumgal.gov.uk/complaints>

We value complaints and use information from them to help us improve our services.

1. If something goes wrong or you are dissatisfied with a decision that has been taken by our Integration Joint Board, please tell us. This document describes our complaints handling procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

2. We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

3. You can complain about things like:
 - Failure or refusal to provide a service
 - Inadequate quality or standard of service, or an unreasonable delay in providing a service
 - Dissatisfaction with one of our policies or its impact on the individual
 - Failure to properly apply law, procedure or guidance when delivering services
 - Failure to follow the appropriate administrative process
 - Conduct, treatment by or attitude of a member or staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves); or
 - Disagreement with a decision (except where there is a statutory procedure for challenging the decision, or an established process followed throughout the sector).
4. Your complaint may involve more than one organisation or service or be about someone working on our behalf.

What can't I complain about?

5. There are some things we can't deal with through our Complaints Handling Procedure. These include:
 - A routine first time request for a service
 - A request for compensation only
 - Issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
 - Disagreement with a decision where there is a statutory procedure for challenging that decision (such as freedom of information and subject access requests), or an established appeals process followed throughout the sector.
 - A request for information under the Data Protection or Freedom of Information (Scotland) Acts
 - A grievance by a staff member or a grievance relating to employment or staff recruitment

- A concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
 - A concern about a child or adult's safety
 - An attempt to reopen a previously concluded complaint or to have a complaint considered where we have already given our final decision
 - Abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by their employing authorities; or a concern
 - A concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf)
6. If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

7. Anyone who is affected by the decisions, policies or the administrative or decision making process followed by the IJB in reaching a decision can make a complaint to us. This includes the representative of someone who is dissatisfied (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent.

How do I complain?

8. You can complain in person at our office, by phone, in writing or by email.
9. It is easier for us to address complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.
10. When complaining please tell us:
- Your full name and contact details
 - As much as you can about the complaint
 - What has gone wrong; and
 - What outcome you are seeking

How long do I have to make a complaint?

11. Normally you must make your complaint within six months of:
- The event you want to complain about; or
 - Finding out that you have a reason to complain
12. In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

13. We will always tell you who is dealing with your complaint. Our complaints procedure has two stages.

Stage 1: Frontline response:

- We aim to respond to complaints quickly (where possible, when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong; or immediate action to resolve the problem.
- We will give you our decision at Stage 1 in five working days or less, unless there are exceptional circumstances.
- If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to Stage 2. You must normally ask us to consider your complaint at Stage 2 either:
 - Within six months of the event you want to complain about or finding out that you have a reason to complain; or
 - Within two months of receiving your Stage 1 response (if this is later).

14. In exceptional circumstances, we may be able to accept a Stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2: Investigation

15. Stage 2 deals with two types of complaint; where the customer remains dissatisfied after Stage 1 and those that clearly require investigation, and so are handled directly at this stage. If you do not wish your complaint to be handled at Stage 1, you can ask us to handle it at Stage 2 instead.

16. When using Stage 2:

- We will acknowledge receipt of your complaint within three working days
- We will confirm our understanding of the complaint we will investigate and what outcome you are looking for.
- We will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
- Where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days

If our investigation will take longer than 20 working days, we will inform you. We will tell you of our revised time limits and keep you updated on progress.

What if I'm still dissatisfied – Contact the Scottish Public Services Ombudsman

17. After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO are an independent organisation that investigates complaints. They are not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

You can ask the SPSO to look at your complaint if:

- you have gone all the way through the Integration Joint Boards complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about; and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at www.spsso.org.uk/complain/form or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on **Getting help to make your complaint** below.

The SPSO's contact details are:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
(if you would like to visit in person, you must make an appointment first)

Their freepost address is:

FREEPOST SPSO

Freephone: 0800 377 7330
Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk

Quick guide to our complaints procedure

Complaints procedure

You can make your complaint in person, by phone, by email or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need investigation, we will tell you and keep you updated on our progress.

Stage 1: Frontline response

We will always try to respond to your complaint quickly, within **five working days** if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at stage 2.

Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they need investigation.

We will acknowledge your complaint within **three working days**.

We will confirm the points of complaint to be investigated and what you want to achieve.

We will investigate the complaint and give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.

Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final decision.

We will tell you how to do this when we send you our final decision.



Dumfries and Galloway Integration Joint Board

Records Management Policy

Document Control		Policy No:	IJB05
Policy Group	IJB Governance Documents		
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Approved By	XXXX	Last Review Date:	December 2024
Impact Assessed		Data Impact Assessed	

Version Control	Date	Summary of Changes	Name
2.1	22/11/2023	Factual Accuracy Check inc. Section 6 Monitoring of Compliance to change from IJB to Audit, Risk and Governance Committee Check of all Policies named in document (inc NHS)	Alison Warrick
2.2	05/01/2024	Changes made to Section 3 following communication with NHS Dumfries and Galloway's Head of Information Governance	Alison Warrick
2.3	17/01/2024	Change in terminology made following discussion with Director of Strategic Planning and Transformation	Alison Warrick
2.4	19/05/2026	Accuracy check to national policy	Kirsty Bell

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Appendix 1 Definitions

Section 1 – Introduction

Records Management is the corporate and professional function of managing records to meet the needs of the Dumfries and Galloway Integration Joint Board (IJB), to promote business efficiency and provide legal and financial accountability.

The Dumfries and Galloway Integration Joint Board recognises that the effective management of its corporate records, regardless of format is essential to support the functions of the IJB, to comply with legal, statutory and regulatory obligations and to demonstrate transparency and accountability to all its stakeholders.

This Policy covers the corporate documents of the Integration Joint Board which include, but are not limited to, all Agendas and Reports for the IJB, its Committees and Strategic Planning Group and Strategies, Policies and Procedures, all of which are published on the Health and Social Care Partnership website at www.dghscp.co.uk

Any other records including staff, service users, patients and internal policies and procedures will remain with the constituent authorities; Dumfries and Galloway Council and NHS Dumfries and Galloway (NHSD&G) and do not impact on the IJB's Records Management Policy.

All corporate records of the IJB are held on NHSD&G Information Technology systems, therefore the corporate records of the IJB are covered by many of the policies and procedures of NHSDG.

This Policy along with associated guidance provides the foundation for good records management across the IJB and aims to ensure that:

- Records Management is recognised as a corporate function
- Records created are fit for purpose and support the delivery of efficient services and provide evidence of the activities, business, actions and decisions of the IJB;
- The IJB provides continuity in the event of a disaster;
- The IJB complies with legal requirements;
- The right information is created and kept for as long as it is required;
- Information is stored, used and protected in accordance with the many requirements of its creators, users of the IJB, and statutory and regulatory authorities;
- Information is held in a form and manner that helps people access it easily and efficiently;
- Information sharing is managed appropriately;
- Records are stored and maintained in a cost effective manner;
- Better working environments and the identification of opportunities for office rationalisation and increased agile working.

Section 2 Policy Statement and Commitment

The IJB Corporate Records Management Policy is reflective of the recordkeeping arrangements of the IJB and makes reference to the policy statement of NHSD&G Records Management Policy – *'NHS Dumfries and Galloway is committed to a systematic and planned approach to the management of records within the organisation, from their creation to their ultimate disposal'*.

It is the policy of the IJB to maintain authentic, reliable and useable records, which are capable of supporting business function and activities for as long as they are required. This will be achieved through the establishment of effective records management policies and procedures and by:

- The development of a business classification scheme to reflect the functions, activities and transactions of the IJB;
- Formal adoption of NHSD&G processes as they relate to the Integration Joint Board
- The adoption of the Scottish Council on Archives Records Retention and Disposal Schedules to provide clear guidance regarding the retention and disposal of the IJB records
- The review and consolidation of destruction arrangements to detail the correct procedures to follow when disposing of business information;
- The development of archive transfer arrangements to detail the procedure for identifying and transferring relative records to the IJB's Archive;
- The provision of appropriate training to all staff to ensure that the aims outlined in Section 1 are achieved.

Section 3 Policy

The IJB will manage its corporate records efficiently and systematically, in a consistent manner to support IJB operations and to meet legislative, regulatory, funding and ethical requirements.

Records will be retained in order to provide information about, and evidence of, the IJB's transactions and activities. Retention schedules will govern the period of time that records will be retained and will be in line with the [Records Management Health and Social Care Code of Practice \(Scotland\) 2020](#)

A small percentage of the IJB's corporate records will be selected by an appraisal process for permanent preservation. The appraisal process is currently defined in the NHS's Health and Administration Records Management Policy. These records will become part of the IJB's Archive and provide an enduring record of the conduct of Dumfries and Galloway IJB's functions and business.

All staff who manage the corporate records of the IJB are employed by NHSD&G and will be required to complete the Safe Information Handling and Cyber Security modules as part of their core mandatory training on commencement of employment and every two years thereafter for the duration of their service with NHSD&G.

Section 4 Scope

This Policy applies to all records (regardless of format or technology used to create and store them) that are maintained by the IJB. All corporate records of the IJB are held electronically.

This Policy applies to records throughout their lifecycle, from planning and creation through to disposal.

This Policy is binding on all those who create records on behalf of the IJB.

Section 5 Responsibilities

All information users are responsible for creating, maintaining and preserving records to which they have access in accordance with this Policy.

The Chief Officer in their role as Senior Information Risk Owner is responsible for ensuring that records management practises and procedures are established in line with legal obligations and professional standards for the IJB.

The Corporate Governance Officer in their role as Records Manager is responsible for developing and disseminating policy and guidance and assisting in local implementation.

Anyone acting in breach of this policy, or who do not act to implement it, may be subject to disciplinary procedures or other appropriate sanctions.

Section 6 Monitoring of Compliance

The Audit, Risk and Governance Committee of the IJB is responsible for the approval of the Records Management Policy and for overseeing policy implementation and review.

The Policy will be reviewed at least every two years in order to take account of any new or amended legislation, regulations or business practices.

Section 7 Implementation

This document forms part of the IJB's overall records management framework, together with the following policies and guidance:

- Dumfries and Galloway Integration Joint Boards Records Management Plan
- Dumfries and Galloway Integration Joint Boards Business Classification Scheme

In respect of records covered by this policy the following NHSD&G policies and guidance also form part of the IJBs overall records management framework:

- Records Management Plan
- Health and Administration Records Management Policy
- Business Classification Scheme Framework

- Information Security Policy
- Confidentiality and Data Protection Policy
- Fair Warning Guide for Staff
- Fair Warning Guide for Managers
- Data Protection Registration
- Business Continuity Management Overview and Framework
- Recruitment and Selection Policy

This Policy along with the policies and guidance listed above will be available to all NHS staff acting on behalf of the IJB via the intranet system.

Appendix 1 Definitions

Document:

A document is any piece of written information in any form, produced or received by an organisation or person. It can include databases, website, email messages, word and excel files, letters and memos. Some of these documents will be short lived or of very short term value and should not be kept in a records management system.

Record:

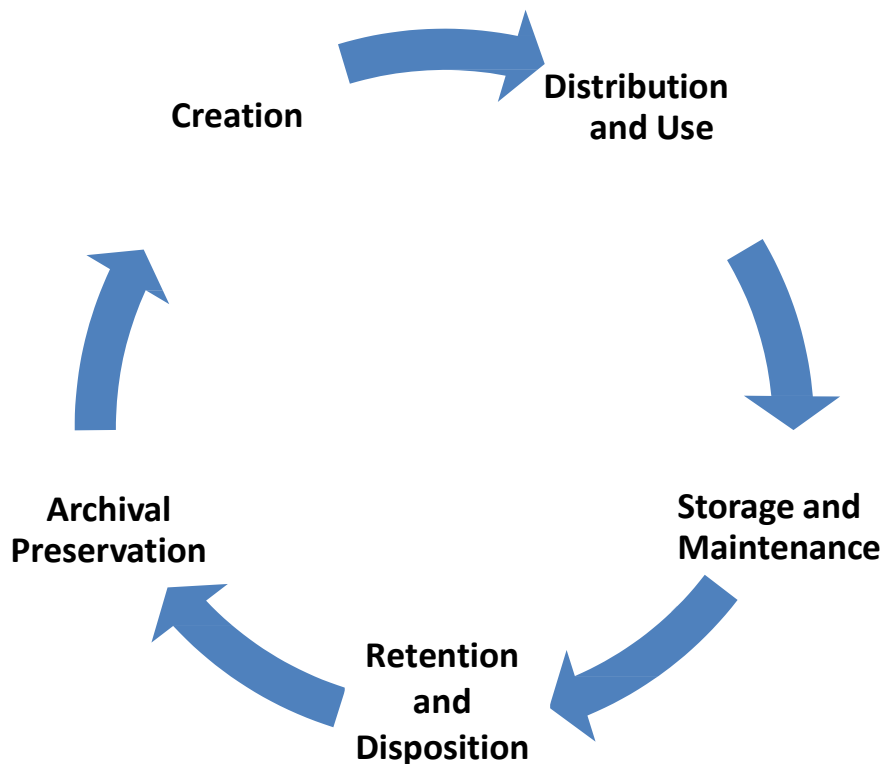
Documents, regardless of format, which need to be kept as evidence of business transactions, routine activities or as a result of legal obligations and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These should be placed into an official filing system and at this point they become official records. In other words all records start off as documents but not all documents will ultimately become records.

Records Management:

Records management is defined as the field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use, distribution, storage and disposal of records.

Records Lifecycle:

This term describes the life of a record from its creation through the period of active use, then in to a period of inactive retention and finally disposal or archival presentation. The following diagram shows the lifecycle of the records we create:



Staff:

As the IJB does not directly employ anyone, when staff are mentioned in this document it relates to members of staff from NHSD&G who are working on behalf of the IJB.



Dumfries and Galloway Integration Joint Board

Expenses Procedure for Representative Members

Document Control		Policy No:	IJB12
Policy Group	IJB Governance Documents		
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Version Control	Date	Summary of Changes	Name
0.1	20/12/2023	Initial Draft	Alison Warrick
0.2	05/01/2024	Policy refinement	Alison Warrick
0.3	18/01/2024	Amendments made to Section 2 following discussion with David Rowland, Director of Strategic Planning and Infrastructure	Alison Warrick

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2. Re-imburement of Expenses
3. Claiming Expenses
4. Monitoring

Appendices

Appendix 1 NHS Dumfries and Galloway Claim for Volunteering Expenses

Background Information:

[Volunteering for All: national framework - gov.scot \(www.gov.scot\)](http://www.gov.scot)

[Guidance on Reimbursement of 'Out of Pocket' Expenses for Volunteers within NHS Scotland](#)

1. Introduction and Policy Aims

This policy aims to support Unpaid Carer and Service User representatives who are members of the Integration Joint Board (as defined in the Public Bodies (Joint Working) Scotland Act 2014), members of the Integration Joint Board's Strategic Planning Group and any other members from voluntary organisations who may be asked to attend meetings/workshops of the Integration Joint Board.

This document aims to assist these members and provide clarity on the process for determining what can and cannot be claimed as a reasonable expense and the process for doing so.

2. Reimbursement of Expenses

(a) These are examples of costs which may be reimbursed under this policy:

- Travel expenses to include:
 - Bus/Rail/Taxi at cost (excluding first class) (receipts required)
 - Car Mileage (**45p per mile** for the first 10,000 miles and **25p** thereafter)
 - Motorcycle Mileage (**24p per mile**)
 - Bicycle Mileage (**20p per mile**)
 - Parking at cost (receipts required)
- Subsistence:
 - Lunch allowance (more than five hours away from base, including the lunchtime period between 12:00 pm to 2:00 pm) Not payable if meals are provided. **£5.00**
 - Evening meal allowance (more than ten hours away from base and return after 7:00 pm) Not payable if meals are provided. **£15.00**
 - Overnight accommodation should be approved by the Chief Officer and booked via the Health and Social Care Business Support Team. There is a limit of **£55.00**
- Equipment:
 - If required, IT equipment will be provided, with consent of the Chief Officer, via the Health and Social Care Business Support Team
- Cover of any dependent caring responsibilities to allow members to attend IJB/Strategic Planning Group meetings:
 - Travel to and from meetings as outlined above
 - Reimbursement of receipted childcare expenses (subject to ceiling equivalent to the current hourly childminding rate paid by the local authority) or other carer expenses
- Loss of income:
 - Where appropriate, loss of earnings to attend meetings may be considered with prior consent

If Members are required to travel out-with the area, any courses (including course fees), travel and accommodation can be booked via the Health and Social Care Business Support Team in advance.

(b) Members will not be reimbursed for:

- Any fines or fees eg. parking/speeding fines
- Expenses which should be appropriately paid to someone else eg. mileage claims where another member has provided you with transport and incurred the expense
- Non-essential additional costs which a member chooses to pay (e.g. tipping of taxi drivers or restaurant staff)
- The purchase of alcohol or tobacco

3. Claiming Expenses

All expense claims must be submitted within 3 months from the date of the expense for approval and payment.

The cost of covering independent caring responsibilities loss of income and travel out-with the local authority area must be approved in advance by the Chief Officer or their representative.

The form will be signed by or on behalf of the Chief Officer and processed on your behalf via NHS Dumfries and Galloway's Finance Department by the Health and Social Care Business Support Team.

Payment will be made via BACS transfer where possible. Please ensure that all bank details are provided to enable payment. Where BACS payment is unsuitable payment by cheque can be arranged.

Members should complete an expenses form (attached at Appendix 1) and submit this in either hard or electronic copy including all receipts to:

Health and Social Care Business Support Team
Admin Suite
2nd Floor
Dumfries and Galloway Royal Infirmary
Cargenbridge
Dumfries
DG2 8RX

Or via email to dg.hslog@nhs.net

4. Monitoring

Oversight of all claims will be by the Health and Social Care Business Support Team on behalf of the Chief Officer.

This Policy will be reviewed every 3 years from the date of approval.

CLAIM FORM FOR VOLUNTEERING EXPENSES

NHS DUMFRIES & GALLOWAY

PLEASE COMPLETE IN BLOCK CAPITALS. FOR REIMBURSEMENT ALL EXPENDITURE MUST BE AGREED IN ADVANCE. RECEIPTS MUST BE PROVIDED AND BE ATTACHED TO THIS FORM, WHERE APPLICABLE.

Name _____ Address _____

Postcode _____ Telephone No. _____

NHS Contact Details

Name Julie White Telephone No. 01387 241346

Date	Details of Volunteering activity	Car Mileage Rate	Travel Fares	Other Expenses (please specify)
		45p per mile	£	
			£	
			£	
	Sub-totals		£	

I declare that the above travelling and subsistence expenses claimed have been incurred by me. I further declare that no other claim for reimbursement from public or charitable funds has been nor will be made in respect of this claim.

Signature of volunteer: _____ Date: _____

Please send this completed form to: Creditor Department, Mountainhall Treatment Centre, Bankend Road, Dumfries, DG1 4AP

FOR OFFICIAL USE ONLY

By NHS D&G Authoriser: Verified by _____ Payment agreed _____

By Finance Department: Claim checked by finance: _____ Date approved: _____



Dumfries and Galloway Integration Joint Board Code of Conduct

(based on the Model Code of Conduct for Devolved Public Bodies, December 2021)

Document Control		Policy No:	IJB03
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Version Control	Date	Summary of Changes	By Whom
5.1	14/01/2024	Proof Read and check with the Standards Commission of Scotland	Alison Warrick
5.2	18/01/2024	3.7 Revision to replace Health and Social Care Senior Management Team with Health and Social Care Leadership Group. Removal of signature at the end of the document	Alison Warrick
5.3	19/05/2026	Factual accuracy check – aligned to national standards	Kirsty Bell

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Section 1: Introduction To The Model Code Of Conduct

1.1 This Code has been issued by the Scottish Ministers, with the approval of the Scottish Parliament, as required by the [Ethical Standards in Public Life etc. \(Scotland\) Act 2000 \(the “Act”\)](#).

1.2 The purpose of the Code is to set out the conduct expected of those who serve on the boards of public bodies in Scotland.

1.3 The Code has been developed in line with the nine key principles of public life in Scotland. The principles are listed in [Section 2](#) and set out how the provisions of the Code should be interpreted and applied in practice.

My Responsibilities

1.4 I understand that the public has a high expectation of those who serve on the boards of public bodies and the way in which they should conduct themselves in undertaking their duties. I will always seek to meet those expectations by ensuring that I conduct myself in accordance with the Code.

1.5 I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all situations and at all times where I am acting as a board member of the Integration Joint Board (IJB), have referred to myself as a board member or could objectively be considered to be acting as a board member.

1.6 I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all my dealings with the public, employees and fellow board members, whether formal or informal.

1.7 I understand that it is my personal responsibility to be familiar with the provisions of this Code and that I must also comply with the law and the Integration Joint Boards rules, standing orders and regulations. I will also ensure that I am familiar with any guidance or advice notes issued by the Standards Commission for Scotland (“Standards Commission”) and the IJB, and endeavour to take part in any training offered on the Code.

1.8 I will not, at any time, advocate or encourage any action contrary to this Code.

1.9 I understand that no written information, whether in the Code itself or the associated Guidance or Advice Notes issued by the Standards Commission, can provide for all circumstances. If I am uncertain about how the Code applies, I will seek advice from the Standards Officer of the IJB, failing whom the Chair or Chief Officer of the IJB. I note that I may also choose to seek external legal advice on how to interpret the provisions of the Code.

Enforcement

1.10 [Part 2 of the Act](#) sets out the provisions for dealing with alleged breaches of the Code, including the sanctions that can be applied if the Standards Commission finds that there has been a breach of the Code. More information on how complaints are dealt with and the sanctions available can be found at [Annex A](#).

Section 2: Key Principles Of The Model Code Of Conduct

2.1 The Code has been based on the following key principles of public life. I will behave in accordance with these principles and understand that they should be used for guidance and interpreting the provisions in the Code.

2.2 I note that a breach of one or more of the key principles does not in itself amount to a breach of the Code. I note that, for a breach of the Code to be found, there must also be a contravention of one or more of the provisions in sections 3 to 6 inclusive of the Code.

The key principles are:

Duty

I have a duty to uphold the law and act in accordance with the law and the public trust placed in me. I have a duty to act in the interests of the public body of which I am a member and in accordance with the core functions and duties of that body.

Selflessness

I have a duty to take decisions solely in terms of public interest. I must not act in order to gain financial or other material benefit for myself, family or friends.

Integrity

I must not place myself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence me in the performance of my duties.

Objectivity

I must make decisions solely on merit and in a way that is consistent with the functions of my public body when carrying out public business including making appointments, awarding contracts or recommending individuals for rewards and benefits.

Accountability and Stewardship

I am accountable to the public for my decisions and actions. I have a duty to consider issues on their merits, taking account of the views of others and I must ensure that my public body uses its resources prudently and in accordance with the law.

Openness

I have a duty to be as open as possible about my decisions and actions, giving reasons for my decisions and restricting information only when the wider public interest clearly demands.

Honesty

I have a duty to act honestly. I must declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

I have a duty to promote and support these principles by leadership and example, and to maintain and strengthen the public's trust and confidence in the integrity of my public body and its members in conducting public business.

Respect

I must respect all other board members and all employees of my public body and the role they play, treating them with courtesy at all times. Similarly, I must respect members of the public when performing my duties as a board member.

Section 3: General Conduct

Respect and Courtesy

3.1 I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am online and when I am using social media.

3.2 I will not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity; I will advance equality of opportunity and seek to foster good relations between different people.

3.3 I will not engage in any conduct that could amount to bullying or harassment (which includes sexual harassment). I accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.

3.4 I accept that disrespect, bullying and harassment can be:

- a) a one-off incident,
- b) part of a cumulative course of conduct; or
- c) a pattern of behaviour.

3.5 I understand that how, and in what context, I exhibit certain behaviours can be as important as what I communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal conduct.

3.6 I accept that it is my responsibility to understand what constitutes bullying and harassment and I will utilise resources, including the Standards Commission's guidance and advice notes, the IJBs policies and training material (where appropriate) to ensure that my knowledge and understanding is up to date.

3.7 Except where it is written into my role as Board member, and / or at the invitation of the Chief Officer, I will not become involved in operational management of the IJB. I acknowledge and understand that operational management is the responsibility of the Chief Officer and the Health and Social Care Leadership Group.

3.8 I will not undermine any individual employee or group of employees, or raise concerns about their performance, conduct or capability in public. I will raise any concerns I have on such matters in private with senior management as appropriate.

3.9 I will not take, or seek to take, unfair advantage of my position in my dealings with employees of the constituent authorities working on behalf of the IJB or bring any undue influence to bear on employees to take a certain action. I will not ask or direct employees to do something which I know, or should reasonably know, could compromise them or prevent them from undertaking their duties properly and appropriately.

3.10 I will respect and comply with rulings from the Chair during meetings of:

- a) The IJB, its committees; and
- b) any outside organisations that I have been appointed or nominated to by the IJB or on which I represent the IJB.

3.11 I will respect the principle of collective decision-making and corporate responsibility. This means that once the Board has made a decision, I will support that decision, even if I did not agree with it or vote for it.

Remuneration, Allowances and Expenses

3.12 I will comply with the rules, and the policies of the IJB, on the payment of remuneration, allowances and expenses.

Gifts and Hospitality

3.13 I understand that I may be offered gifts (including money raised via crowdfunding or sponsorship), hospitality, material benefits or services (“gift or hospitality”) that may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing me under an improper obligation or being capable of influencing my judgement.

3.14 I will never **ask for** or **seek** any gift or hospitality.

3.15 I will refuse any gift or hospitality, unless it is:

- a) a minor item or token of modest intrinsic value offered on an infrequent basis;
- b) a gift being offered to the IJB;
- c) hospitality which would reasonably be associated with my duties as a board member; or
- d) hospitality which has been approved in advance by the IJB.

3.16 I will consider whether there could be a reasonable perception that any gift or hospitality received by a person or body connected to me could or would influence my judgement.

3.17 I will not allow the promise of money or other financial advantage to induce me to act improperly in my role as a board member. I accept that the money or advantage (including any gift or hospitality) does not have to be given to me directly. The offer of monies or advantages to others, including community groups, may amount to bribery, if the intention is to induce me to improperly perform a function.

3.18 I will never accept any gift or hospitality from any individual or applicant who is awaiting a decision from, or seeking to do business with, the IJB.

3.19 If I consider that declining an offer of a gift would cause offence, I will accept it and hand it over to the IJB at the earliest possible opportunity and ask for it to be registered.

3.20 I will promptly advise the IJB’s Standards Officer if I am offered (but refuse) any gift or hospitality of any significant value and / or if I am offered any gift or hospitality from the same source on a repeated basis, so that the IJB can monitor this.

3.21 I will familiarise myself with the terms of the [Bribery Act 2010](#), which provides for offences of bribing another person and offences relating to being bribed.

Confidentiality

3.22 I will not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, without the express consent of a person or body authorised to give such consent, or unless required to do so by law. I note that if I cannot obtain such express consent, I should assume it is not given.

3.23 I accept that confidential information can include discussions, documents, and information which is not yet public or never intended to be public, and information deemed confidential by statute.

3.24 I will only use confidential information to undertake my duties as a board member. I will not use it in any way for personal advantage or to discredit the IJB (even if my personal view is that the information should be publicly available).

3.25 I note that these confidentiality requirements do not apply to protected whistleblowing disclosures made to the prescribed persons and bodies as identified in statute.

Use of Public Body Resources

3.26 I will only use the IJBs resources, including employee assistance, facilities, stationery and IT equipment, for carrying out duties on behalf of the IJB, in accordance with its relevant policies.

3.27 I will not use, or in any way enable others to use, the IJBs resources:

- a) imprudently (without thinking about the implications or consequences);
- b) unlawfully;
- c) for any political activities or matters relating to these; or
- d) improperly.

Dealing with my Public Body and Preferential Treatment

3.28 I will not use, or attempt to use, my position or influence as a board member to:

- a) improperly confer on or secure for myself, or others, an advantage;
- b) avoid a disadvantage for myself, or create a disadvantage for others or
- c) improperly seek preferential treatment or access for myself or others.

3.29 I will avoid any action which could lead members of the public to believe that preferential treatment or access is being sought.

3.30 I will advise employees of any connection, as defined at [Section 5](#), I may have to a matter, when seeking information or advice or responding to a request for information or advice from them.

Appointments to Outside Organisations

3.31 If I am appointed, or nominated by the IJB, as a member of another body or organisation, I will abide by the rules of conduct and will act in the best interests of that body or organisation while acting as a member of it. I will also continue to observe the rules of this Code when carrying out the duties of that body or organisation.

3.32 I accept that if I am a director or trustee (or equivalent) of a company or a charity, I will be responsible for identifying, and taking advice on, any conflicts of interest that may arise between the company or charity and the IJB.

Section 4: Registration Of Interests

4.1 The following paragraphs set out what I have to register when I am appointed and whenever my circumstances change. The register covers my current term of appointment.

4.2 I understand that regulations made by the Scottish Ministers describe the detail and timescale for registering interests; including a requirement that a board member must register their registrable interests within one month of becoming a board member, and register any changes to those interests within one month of those changes having occurred.

4.3 The interests which I am required to register are those set out in the following paragraphs. Other than as required by paragraph 4.23, I understand it is not necessary to register the interests of my spouse or cohabitee.

Category One: Remuneration

4.4 I will register any work for which I receive, or expect to receive, payment. I have a registrable interest where I receive remuneration by virtue of being:

- a) employed;
- b) self-employed;
- c) the holder of an office;
- d) a director of an undertaking;
- e) a partner in a firm;
- f) appointed or nominated by the IJB to another body; or
- g) engaged in a trade, profession or vocation or any other work.

4.5 I understand that in relation to 4.4 above, the amount of remuneration does not require to be registered. I understand that any remuneration received as a board member of the IJB does not have to be registered.

4.6 I understand that if a position is not remunerated it does not need to be registered under this category. However, unremunerated directorships may need to be registered under Category Two, "Other Roles".

4.7 I must register any allowances I receive in relation to membership of any organisation under Category One.

4.8 When registering employment as an employee, I must give the full name of the employer, the nature of its business, and the nature of the post I hold in the organisation.

4.9 When registering remuneration from the categories listed in paragraph 4.4 (b) to (g) above, I must provide the full name and give details of the nature of the business, organisation, undertaking, partnership or other body, as appropriate. I recognise that some other employments may be incompatible with my role as board member of the IJB in terms of paragraph [6.8](#) of this Code.

4.10 Where I otherwise undertake a trade, profession or vocation, or any other work, the detail to be given is the nature of the work and how often it is undertaken.

4.11 When registering a directorship, it is necessary to provide the registered name and registered number of the undertaking in which the directorship is held and provide information about the nature of its business.

4.12 I understand that registration of a pension is not required as this falls outside the scope of the category.

Category Two: Other Roles

4.13 I will register any unremunerated directorships where the body in question is a subsidiary or parent company of an undertaking in which I hold a remunerated directorship.

4.14 I will register the registered name and registered number of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which I am a director and from which I receive remuneration.

Category Three: Contracts

4.15 I have a registerable interest where I (or a firm in which I am a partner, or an undertaking in which I am a director or in which I have shares of a value as described in paragraph 4.19 below) have made a contract with or on behalf of the IJB:

- a) under which goods or services are to be provided, or works are to be executed; and
- b) which has not been fully discharged.

4.16 I will register a description of the contract, including its duration, but excluding the value.

Category Four: Election Expenses

4.17 If I have been elected to the IJB, then I will register a description of, and any statement of, any assistance towards election expenses relating to election to the IJB.

Category Five: Houses, Land and Buildings

4.18 I have a registrable interest where I own or have any other right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of the IJB.

4.19 I accept that, when deciding whether or not I need to register any interest I have in houses, land or buildings, the test to be applied is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as being so significant that it could potentially affect my responsibilities to the IJB and to the public, or could influence my actions, speeches or decision- making.

Category Six: Interest in Shares and Securities

4.20 I have a registerable interest where:

- a) I own or have an interest in more than 1% of the issued share capital of the company or other body; or
- b) Where, at the relevant date, the market value of any shares and securities (in any one specific company or body) that I own or have an interest in is greater than £25,000.

Category Seven: Gifts and Hospitality

4.21 I understand the requirements of paragraphs [3.13 to 3.21](#) regarding gifts and hospitality. As I will not accept any gifts or hospitality, other than under the limited circumstances allowed, I understand there is no longer the need to register any.

Category Eight: Non-Financial Interests

4.22 I may also have other interests and I understand it is equally important that relevant interests such as membership or holding office in other public bodies, companies, clubs, societies and organisations such as trades unions and voluntary organisations, are registered and described. In this context, I understand non-financial interests are those which members of the public with knowledge of the relevant facts might reasonably think could influence my actions, speeches, votes or decision-making in the IJB (this includes its Committees and memberships of other organisations to which I have been appointed or nominated by the IJB).

Category Nine: Close Family Members

4.23 I will register the interests of any close family member who has transactions with the IJB or is likely to have transactions or do business with it.

Section 5: Declaration Of Interests

Stage 1: Connection

5.1 For each particular matter I am involved in as a board member, I will first consider whether I have a connection to that matter.

5.2 I understand that a connection is any link between the matter being considered and me, or a person or body I am associated with. This could be a family relationship or a social or professional contact.

5.3 A connection includes anything that I have registered as an interest.

5.4 A connection does not include being a member of a body to which I have been appointed or nominated by the IJB as a representative of the IJB, unless:

- a) The matter being considered by the IJB is quasi-judicial or regulatory; or
- b) I have a personal conflict by reason of my actions, my connections or my legal obligations.

Stage 2: Interest

5.5 I understand my connection is an interest that requires to be declared where the objective test is met – that is where a member of the public with knowledge of the relevant facts would reasonably regard my connection to a particular matter as being so significant that it would be considered as being likely to influence the discussion or decision-making.

Stage 3: Participation

5.6 I will declare my interest as early as possible in meetings. I will not remain in the meeting nor participate in any way in those parts of meetings where I have declared an interest.

5.7 I will consider whether it is appropriate for transparency reasons to state publicly where I have a connection, which I do not consider amounts to an interest.

5.8 I note that I can apply to the Standards Commission and ask it to grant a dispensation to allow me to take part in the discussion and decision-making on a matter where I would otherwise have to declare an interest and withdraw (as a result of having a connection to the matter that would fall within the objective test). I note that such an application must be made in advance of any meetings where the dispensation is sought and that I cannot take part in any discussion or decision-making on the matter in question unless, and until, the application is granted.

5.9 I note that public confidence in a public body is damaged by the perception that decisions taken by that body are substantially influenced by factors other than the public interest. I will not accept a role or appointment if doing so means I will have to declare interests frequently at meetings in respect of my role as a board member. Similarly, if any appointment or nomination to another body would give rise to objective concern because of my existing personal involvement or affiliations, I will not accept the appointment or nomination.

Section 6: Lobbying And Access

6.1 I understand that a wide range of people will seek access to me as a board member and will try to lobby me, including individuals, organisations and companies. I must distinguish between:

- a) any role I have in dealing with enquiries from the public;
- b) any community engagement where I am working with individuals and organisations to encourage their participation and involvement, and;
- c) lobbying, which is where I am approached by any individual or organisation who is seeking to influence me for financial gain or advantage, particularly those who are seeking to do business with the IJB (for example contracts/procurement).

6.2 In deciding whether, and if so how, to respond to such lobbying, I will always have regard to the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard my conduct as being likely to influence my, or the IJBs, decision-making role.

6.3 I will not, in relation to contact with any person or organisation that lobbies, do anything which contravenes this Code or any other relevant rule of the IJB or any statutory provision.

6.4 I will not, in relation to contact with any person or organisation that lobbies, act in any way which could bring discredit upon the IJB.

6.5 If I have concerns about the approach or methods used by any person or organisation in their contacts with me, I will seek the guidance of the Chair, Chief Officer or Standards Officer of the IJB.

6.6 The public must be assured that no person or organisation will gain better access to, or treatment by, me as a result of employing a company or individual to lobby on a fee basis on their behalf. I will not, therefore, offer or accord any preferential access or treatment to those lobbying on a fee basis on behalf of clients compared with that which I accord any other person or organisation who lobbies or approaches me. I will ensure that those lobbying on a fee basis on behalf of clients are not given to understand that preferential access or treatment, compared to that accorded to any other person or organisation, might be forthcoming.

6.7 Before taking any action as a result of being lobbied, I will seek to satisfy myself about the identity of the person or organisation that is lobbying and the motive for lobbying. I understand I may choose to act in response to a person or organisation lobbying on a fee basis on behalf of clients but it is important that I understand the basis on which I am being lobbied in order to ensure that any action taken in connection with the lobbyist complies with the standards set out in this Code and the [Lobbying \(Scotland\) Act 2016](#).

6.8 I will not accept any paid work:

- a) which would involve me lobbying on behalf of any person or organisation or any clients of a person or organisation.
- b) to provide services as a strategist, adviser or consultant, for example, advising on how to influence the IJB and its members. This does not prohibit me from being remunerated for activity which may arise because of, or relate to, membership of the IJB such as journalism or broadcasting, or involvement in representative or presentational work, such as participation in delegations, conferences or other events.

Annex A: Breaches Of The Code Introduction

1. [The Ethical Standards in Public Life etc. \(Scotland\) Act 2000](#) (“the Act”) provided for a framework to encourage and, where necessary, enforce high ethical standards in public life.
2. The Act provided for the introduction of new codes of conduct for local authority councillors and members of relevant public bodies, imposing on councils and relevant public bodies a duty to help their members comply with the relevant code.
3. The Act and the subsequent Scottish Parliamentary Commissions and Commissioners etc. Act 2010 established the [Standards Commission for Scotland](#) (“Standards Commission”) and the post of [Commissioner for Ethical Standards in Public Life in Scotland](#) (ESC).
4. The Standards Commission and ESC are separate and independent, each with distinct functions. Complaints of breaches of a public body’s Code of Conduct are investigated by the ESC and adjudicated upon by the Standards Commission.
5. The first Model Code of Conduct came into force in 2002. The Code has since been reviewed and re-issued in 2014. The 2021 Code has been issued by the Scottish Ministers following consultation, and with the approval of the Scottish Parliament, as required by the Act.

Investigation of Complaints

6. The ESC is responsible for investigating complaints about members of devolved public bodies. It is not, however, mandatory to report a complaint about a potential breach of the Code to the ESC. It may be more appropriate in some circumstances for attempts to be made to resolve the matter informally at a local level.
7. On conclusion of the investigation, the ESC will send a report to the Standards Commission.

Hearings

8. On receipt of a report from the ESC, the Standards Commission can choose to:
 - Do nothing;
 - Direct the ESC to carry out further investigations; or
 - Hold a Hearing.
9. Hearings are held (usually in public) to determine whether the member concerned has breached their public body’s Code of Conduct. The Hearing Panel comprises of three members of the Standards Commission. The ESC will present evidence and/or make submissions at the Hearing about the investigation and any conclusions as to whether the member has contravened the Code. The member is entitled to attend or be represented at the Hearing and can also present evidence and make

submissions. Both parties can call witnesses. Once it has heard all the evidence and submissions, the Hearing Panel will make a determination about whether or not it is satisfied, on the balance of probabilities, that there has been a contravention of the Code by the member. If the Hearing Panel decides that a member has breached their public body's Code, it is obliged to impose a sanction.

Sanctions

10. The sanctions that can be imposed following a finding of a breach of the Code are as follows:

- **Censure:** A censure is a formal record of the Standards Commission's severe and public disapproval of the member concerned.
- **Suspension:** This can be a full or partial suspension (for up to one year). A full suspension means that the member is suspended from attending all meetings of the public body. Partial suspension means that the member is suspended from attending some of the meetings of the public body. The Commission can direct that any remuneration or allowance the member receives as a result of their membership of the public body be reduced or not paid during a period of suspension.
- **Disqualification:** Disqualification means that the member is removed from membership of the body and disqualified (for a period not exceeding five years), from membership of the body. Where a member is also a member of another devolved public body (as defined in the Act), the Commission may also remove or disqualify that person in respect of that membership. Full details of the sanctions are set out in section 19 of the Act.

Interim Suspensions

11. Section 21 of the Act provides the Standards Commission with the power to impose an interim suspension on a member on receipt of an interim report from the ESC about an ongoing investigation. In making a decision about whether or not to impose an interim suspension, a Panel comprising of three Members of the Standards Commission will review the interim report and any representations received from the member and will consider whether it is satisfied:

- That the further conduct of the ESC's investigation is likely to be prejudiced if such an action is not taken (for example if there are concerns that the member may try to interfere with evidence or witnesses); or
- That it is otherwise in the public interest to take such a measure. A policy outlining how the Standards Commission makes any decision under Section 21 and the procedures it will follow in doing so, should any such a report be received from the ESC can be found [here](#).

12. The decision to impose an interim suspension is not, and should not be seen as, a finding on the merits of any complaint or the validity of any allegations against a member of a devolved public body, nor should it be viewed as a disciplinary measure.

Annex B: Definitions

“Bullying” is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated or insulted.

"Chair" includes Board Convener or any other individual discharging a similar function to that of a Chair or Convener under alternative decision-making structures.

“Code” is the code of conduct for members of your devolved public body, which is based on the Model Code of Conduct for members of devolved public bodies in Scotland.

"Cohabitee" includes any person who is living with you in a relationship similar to that of a partner, civil partner, or spouse.

“Confidential Information” includes:

- any information passed on to the public body by a Government department (even if it is not clearly marked as confidential) which does not allow the disclosure of that information to the public;
- information of which the law prohibits disclosure (under statute or by the order of a Court);
- any legal advice provided to the public body; or
- any other information which would reasonably be considered a breach of confidence should it be made public.

“Employee” includes individuals employed:

- to work directly on behalf of the public body;
- as contractors by the public body, or
- by a contractor to work on the public body’s premises.

“Gifts” a gift can include any item or service received free of charge, or which may be offered or promised at a discounted rate or on terms not available to the general public. Gifts include benefits such as relief from indebtedness, loan concessions, or provision of property, services or facilities at a cost below that generally charged to members of the public. It can also include gifts received directly or gifts received by any company in which the recipient holds a controlling interest in, or by a partnership of which the recipient is a partner.

“Harassment” is any unwelcome behaviour or conduct which makes someone feel offended, humiliated, intimidated, frightened and / or uncomfortable. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

“Hospitality” includes the offer or promise of food, drink, accommodation, entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public.

“Relevant Date” Where a board member had an interest in shares at the date on which the member was appointed as a member, the relevant date is – (a) that date; and (b) the 5th April immediately following that date and in each succeeding year, where the interest is retained on that 5th April.

“Public body” means a devolved public body listed in Schedule 3 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, as amended.

“Remuneration” includes any salary, wage, share of profits, fee, other monetary benefit or benefit in kind.

“Securities” a security is a certificate or other financial instrument that has monetary value and can be traded. Securities includes equity and debt securities, such as stocks bonds and debentures.

“Undertaking” means:

- a) a body corporate or partnership; or
- b) an unincorporated association carrying on a trade or business, with or without a view to a profit

Appendix 6



**DUMFRIES AND GALLOWAY INTEGRATION JOINT BOARD
REGISTER OF MEMBERS INTERESTS 2025**

Register Entries: 25/31

Name	Position	Membership Category	Date of ROI
Greycy Bell	Registered Medical Practitioner (Primary Medical Services)	Advisory Member	Received 30.06.2025
Greg Black	Non-Executive Director NHS Dumfries and Galloway	Voting Member	Received 04.03.2025
Richard Brodie	Elected Member Dumfries and Galloway Council	Voting Member	Received 30.06.2025
Ian Carruthers	Elected Member Dumfries and Galloway Council	IJB Vice Chair/Voting Member	Received 07.07.2025
Debbie Cochrane	Scottish Care Representative	Advisory Member	Received 01.07.2025
Kim Dams	Non-Executive Director NHS Dumfries and Galloway	IJB Chair/Voting Member	Received 24.06.2025
Lynne Davis	Elected Member Dumfries and Galloway Council	Voting Member (Substitute)	Received 08.07.2025
Ken Donaldson	Reg Medical Practitioner (Not Primary Care Services)	Advisory Member	Received 24.06.2025
Linda Dorward	Elected Member Dumfries and Galloway Council	Voting Member	Received 30.06.2025
Ann Farrell	Local Authority Staff Representative	Advisory Member	Received 01.07.2025
Andy Ferguson	Elected Member Dumfries and Galloway Council	Voting Member (Substitute)	Received 07.07.2025
Gwilym Gibbons	Non-Executive Director NHS	Voting Member	Received 24.06.2025

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	Dumfries and Galloway		
Nicole Hamlet	Interim Chief Officer	Advisory Member	Received 24.06.2025
Pamela Jamieson	Workforce Director NHS Dumfries and Galloway	Advisory Member	Received 24.06.2025
Emma Jordan	Elected Member Dumfries and Galloway Council	Voting Member (Substitute)	Received 24.06.2025
Fiona Kane	Scottish Care Representative	Advisory Member (Substitute)	Received 16.06.2025
Vicky Keir	Non-Executive Director NHS Dumfries and Galloway	Voting Member	
Mark Kelly	Director of Nursing NHS Dumfries and Galloway	Advisory Member	Received 25.06.2025
Katy Kerr	Chief Finance Officer Director of Finance NHS Dumfries and Galloway	Advisory Member	Received 16.06.2025
Gail Macgregor	Elected Member Dumfries and Galloway Council	Voting Member	Received 24.06.2025
Callum MacColl	NHS Staff Side Representative	Advisory Member	
Andy McFarlane	Elected Member Dumfries and Galloway Council	Voting Member	Received 24.06.2025
Stephen Morgan	Chief Social Work Officer	Advisory Member	Received 30.06.2025
Jim Parker	Unpaid Carers Representative	Advisory Member	04.11.2025
David Rowland	Director of Strategic Planning and Transformation	Advisory Member	Received 24.06.2025
David Slater	Elected Member Dumfries and Galloway Council	Voting Member (Substitute)	
Allan Webb	Chief Executive – Third Sector Dumfries and Galloway	Advisory Member	Received 24.06.2025
Valerie White	Director of Public Health - Advisory Member	Advisory Member	Received 24.06.2025
Vacancy	Voting Member - NHS	Voting Member	
Vacancy	Service Users Representative	Advisory Member	

INTEGRATION JOINT BOARD PUBLIC

Members Name	Dr Greycy Bell
Category of Membership	Advisory Member - Registered Medical Practitioner (Primary Medical Services)
Date of Declaration	30/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	NHS Dumfries and Galloway – Deputy Medical Director
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Nothing to declare
8. Close Family Members	Nothing to declare

Members Name	Greg Black
Category of Membership	Voting Member
Date of Declaration	04/03/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Environment Agency – Senior Advisor
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Member – Prospect Union Member – Institute of Physics Committee Member – Environment Agency Pensions Fund Associate Member – Sanquhar Community Council Chair – Sanquhar Primary Parent Council
8. Close Family Members	Nothing to declare

Members Name	Richard Brodie
Category of Membership	Voting Member
Date of Declaration	30/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	

INTEGRATION JOINT BOARD PUBLIC

2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • Eastriggs and Gretna Heritage Group • Annan Harbour Action Group • Annan the History Town Group
8. Close Family Members	Daughter - Works for Dumfries and Galloway NHS Trust

Members Name	Ian Carruthers
Category of Membership	Voting Member
Date of Declaration	07/07/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	<ul style="list-style-type: none"> • Dumfries and Galloway Utility Company Ltd • South of Scotland Development Company Ltd • Carruthers Brothers Annan Ltd
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • The Melbourne Park Playing Field Trust • Eastriggs & Dornock Community Council (1961 Trust)
8. Close Family Members	Nothing to declare

Members Name	Debbie Cochrane
Category of Membership	Advisory Member
Date of Declaration	01/07/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Stewartry Care Ltd – Managing Director
2. Related Undertakings	Aspire Ltd - Trustee
3. Contracts	Scotland Excel Framework (4 Years)
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • Scottish Care Branch Chair • EOA Membership

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8. Close Family Members	Nothing to declare
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Members Name	Kim Dams
Category of Membership	Voting Member
Date of Declaration	24/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
9. Remuneration	DG Voice – Chief Executive
10. Related Undertakings	<ul style="list-style-type: none"> • Inclusion Scotland • Scottish Rural Action • Real Inclusion Ltd • Poverty Alliance
11. Contracts	Nothing to declare
12. Houses, Land and Buildings	Nothing to declare
13. Shares and Securities	Nothing to declare
14. Gifts and Hospitality	Nothing to declare
15. Non Financial Interests	<ul style="list-style-type: none"> • Inclusion Scotland – Director of the Board, Treasurer • Third Sector Dumfries and Galloway – Board Member • Scottish Rural Action – Board Member • Scottish National Party – Member • Real Inclusion Ltd – Board Member • Poverty Alliance – Board Member
16. Close Family Members	Nothing to declare

Members Name	Lynne Davis
Category of Membership	Voting Member
Date of Declaration	08/07/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
9. Remuneration	Rt Hon David Mundell MP – Member Parliament
10. Related Undertakings	Nothing to declare
11. Contracts	Nothing to declare
12. Houses, Land and Buildings	Nothing to declare
13. Shares and Securities	Nothing to declare
14. Gifts and Hospitality	Nothing to declare
15. Non Financial Interests	Nothing to declare
16. Close Family Members	Nothing to declare

Members Name	Dr Ken Donaldson
Category of Membership	Advisory Member - Registered Medical Practitioner (Not Primary Care Services)
Date of Declaration	24/06/2026
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest

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1. Remuneration	NHS Dumfries and Galloway – Executive Board Medical Director
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Nothing to declare
8. Close Family Members	Nothing to declare

Members Name	Linda Dorward
Category of Membership	Voting Member
Date of Declaration	30/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	<ul style="list-style-type: none"> • Trustee - Robert Burns Ellisland Museum & Farm - November 2023 to date • Board Member - Dumfries and Galloway Alcohol and Drugs Partnership – June 2023 to date • Board Member - Alcohol and Drugs Support SWS – Sept 2022 to date • Non- Executive Director Sleeping Giants – April 2024
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • Member UNISON • Member Scottish Labour Party • Member Scottish Co-operative Party • Member Scottish Fabians
8. Close Family Members	Nothing to declare

Members Name	Ann Farrell
Category of Membership	Advisory Member – Staff Side Dumfries and Galloway Council
Date of Declaration	01/07/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest

INTEGRATION JOINT BOARD PUBLIC

1. Remuneration	Dumfries and Galloway Council – Unite Branch Convenor
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Nothing to declare
8. Close Family Members	Nothing to declare

Members Name	Andy Ferguson
Category of Membership	Voting Member (Substitute)
Date of Declaration	07/07/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Dumfries and Galloway Council – Councillor
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Dumfries and Galloway Council - Councillor Dumfries Rugby Club – Member Solway Sharks Ice Hockey Club – Sponsor Unison – Retired Member
8. Close Family Members	Nothing to declare

Members Name	Gwilym Gibbons
Category of Membership	Voting Member
Date of Declaration	24/06/2025
Member's Signature	Held with Governance Officer
Registerable Interest	Description of Interest
1. Remuneration	<ul style="list-style-type: none"> • The Crichton Trust – Chief Executive • Dumfries and Galloway Health Board – Non Executive Board Member • Creative Help Ltd (Consultancy) - Director
2. Related Undertakings	<ul style="list-style-type: none"> • Crichton Development Company (wholly owned subsidiary of the Crichton Trust) • Safe Nav Ltd (Special Purpose Vehicle (SPV) of Creative Help Ltd
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	<ul style="list-style-type: none"> • Creative Help Ltd • Safenav Ltd
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • SCDI (Chair South of Scotland Committee) SCDI Board Member

INTEGRATION JOINT BOARD PUBLIC

	<ul style="list-style-type: none"> • Creative Entrepreneurs Club Ltd, Chair and Non Executive Director • Visiting Lecturer, University of Glasgow • Tourbook CIC, Chair and Non Executive Director • Nith Inshore Rescue, Treasurer and Trustee • Dumfries and Galloway Events Partnership, Member • Crichton Campus Leadership Group, Member • Royal Society Arts, Fellow • Chartered Management Institute, Member and Chartered Fellow
8. Close Family Members	Nothing to declare

Members Name	Nicole Hamlet
Category of Membership	Advisory Voting Member – Interim Chief Officer
Date of Declaration	24/06/2025
Member’s Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	NHS Dumfries and Galloway – Interim Chief Operating Officer/Chief Officer
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Owner of a property which is rented out to tenant
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Nothing to declare
8. Close Family Members	Nothing to declare

Members Name	Pam Jamieson
Category of Membership	Advisory Member
Date of Declaration	24/06/2026
Member’s Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	NHS Dumfries and Galloway – Workforce Director
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Member of Chartered Institute of Personnel and Development
8. Close Family Members	Nothing to declare

Members Name	Emma Jordan
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Category of Membership	Voting Member (Substitute)
Date of Declaration	24/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Voluntary Co-Director, Dumfries Samaritans.
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Member - Scottish Labour Party
8. Close Family Members	Nothing to declare

Members Name	Fiona Kane
Category of Membership	Advisory Member – Scottish Care Rep
Date of Declaration	16/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Scottish Care - Independent Sector Lead
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Member of Unite Trade Union
8. Close Family Members	Nothing to declare

Members Name	Vicky Keir
Category of Membership	Voting Member
Date of Declaration	
Member's Signature	
Registerable Interest	Description of Interest
1. Remuneration	
2. Related Undertakings	
3. Contracts	
4. Houses, Land and Buildings	
5. Shares and Securities	
6. Gifts and Hospitality	
7. Non Financial Interests	
8. Close Family Members	

Members Name	Mark Kelly
Category of Membership	Advisory Member – Director of Nursing
Date of Declaration	25/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Executive Director of Nursing – NHS Dumfries and Galloway
2. Related Undertakings	Nothing to declare

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3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> Nursing and Midwifery Council – (UK Professional Body that registers Nurses – member) Royal College of Nursing (Nursing Trade Union body - Member)
8. Close Family Members	Nothing to declare

Members Name	Katy Kerr
Category of Membership	Advisory Member – Chief Finance Officer
Date of Declaration	16/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Director of Finance – NHS Dumfries and Galloway
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> NHS Dumfries and Galloway Director of Finance Dumfries and Galloway NHS Board – Endowment Trustee Associate Member of the Chartered Institute of Management Accountant
8. Close Family Members	Nothing to declare

Members Name	Gail MacGregor
Category of Membership	Voting Member (Substitute)
Date of Declaration	24/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	<ul style="list-style-type: none"> Dumfries and Galloway Council – Councillor and Convention of Scottish Local Authorities – Spokesperson for Environment and Economy A J Macgregor – Partner in the business Director – Local Authority Mutual Investment Trust and Co Spokesperson United Nations Sustainable Development Goals – The Council of European Municipalities and Regions
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare

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4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Nothing to declare
8. Close Family Members	Nothing to declare

Members Name	Callum MacColl
Category of Membership	Advisory Member - NHS Staff Side Representative
Date of Declaration	
Member's Signature	
Registerable Interest	Description of Interest
1. Remuneration	
2. Related Undertakings	
3. Contracts	
4. Houses, Land and Buildings	
5. Shares and Securities	
6. Gifts and Hospitality	
7. Non Financial Interests	
8. Close Family Members	

Members Name	Andy McFarlane
Category of Membership	Voting Member
Date of Declaration	24/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Dumfries and Galloway Council – Elected Member
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Nothing to declare
8. Close Family Members	Nothing to declare

Members Name	Stephen Morgan
Category of Membership	Advisory Member
Date of Declaration	30/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Chief Social Work Officer – Dumfries and Galloway Council
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare

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6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	Nothing to declare
8. Close Family Members	Nothing to declare

Members Name	Jim Parker
Category of Membership	Advisory Member – Unpaid Carer Rep
Date of Declaration	04/11/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Nothing to declare
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • Previously Chairman at D&G Carers Centre – Resigned Sept 2024
8. Close Family Members	Nothing to declare

Members Name	David Rowland
Category of Membership	Advisory Member
Date of Declaration	24/06/2025
Member's Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	Nothing to declare
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • Member of Unite the Union • Member of the Institute of Health and Social Care Management
8. Close Family Members	Nothing to declare

Members Name	David Slater
Category of Membership	Voting Member (Substitute)
Date of Declaration	
Member's Signature	
Registerable Interest	Description of Interest
1. Remuneration	
2. Related Undertakings	
3. Contracts	
4. Houses, Land and Buildings	
5. Shares and Securities	
6. Gifts and Hospitality	
7. Non Financial Interests	
8. Close Family Members	

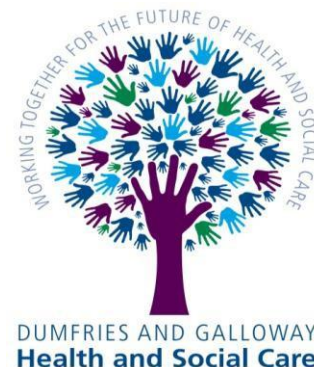
Members Name	Alan Webb
Category of Membership	Advisory Member – Third Sector
Date of Declaration	24/06/2025
Member’s Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	<ul style="list-style-type: none"> • Chief Executive Third Sector Dumfries and Galloway • NHS 24 Vice Chair – Non Executive Board Member
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • Fellow – RSA (FRSA) • Fellow – Institute of Leadership (FIoL) • Member – Chartered Institute of Personnel & Development (CIPD) • Member – Association of Chief Officers of Scottish Voluntary Organisations (ACOSVO)
8. Close Family Members	Nothing to declare

Members Name	Valerie White
Category of Membership	Advisory Member
Date of Declaration	24/06/2025
Member’s Signature	Held with Standards Officer
Registerable Interest	Description of Interest
1. Remuneration	<ul style="list-style-type: none"> • Director of Public Health, NHS Dumfries and Galloway
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	<ul style="list-style-type: none"> • Member of Dalbeattie Running Club • Committee Chair, Dalbeattie Primary School Parent Council. • Member of the British Dental Association • Member of the British Association for the Study of Community Dentistry • Fellow of the Faculty of Public Health • Fellow of the Royal College of Surgeons of Edinburgh • <u>Occasional Volunteer for Parkrun</u>
8. Close Family Members	<ul style="list-style-type: none"> • Husband is independent dental contractor working in NHS Dumfries and Galloway

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Members Name	Vacancy
Category of Membership	Advisory Member – Service User Representative
Date of Declaration	
Member's Signature	
Registerable Interest	Description of Interest
1. Remuneration	
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	
8. Close Family Members	

Members Name	Vacancy
Category of Membership	Voting Member NHS
Date of Declaration	
Member's Signature	
Registerable Interest	Description of Interest
1. Remuneration	
2. Related Undertakings	Nothing to declare
3. Contracts	Nothing to declare
4. Houses, Land and Buildings	Nothing to declare
5. Shares and Securities	Nothing to declare
6. Gifts and Hospitality	Nothing to declare
7. Non Financial Interests	
8. Close Family Members	



Dumfries and Galloway Integration Joint Board

Freedom of Information Policy

Document Control		Policy No:	IJB04
Policy Group	IJB Governance Documents		
Author	Kirsty Bell (revision only)	Version No:	4.5
Reviewer	Integration Joint Board	Implementation Date:	January 2024
Status	Draft	Review Date:	January 2026
Approved By		Last Review Date:	January 2022
Impact Assessed		Data Impact Assessed	

Version Control	Date	Summary of Changes	Name
4.1	14/12/2023	Factual accuracy check completed	Alison Warrick
4.2	13/02/2024	Update of details of Impact Assessment	Alison Warrick
4.3	15/05/2024	Changes made in line with the NHS Dumfries and Galloway Freedom of Information Policy	Alison Warrick
4.4	10/06/2024	Changes made following feedback from NHS D&G FOI Lead	Alison Warrick
4.5	19/05/26	Factual accuracy check completed	Kirsty Bell

Information:

The Integration Joint Board are committed to making our service easy to use for all members of the community in line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you access and use our services. If you need any assistance in writing your request, or want this information in another language or format, such as large font or Braille, please tell us in person, contact us on 01387 241346, or via email on dg.hslog@nhs.scot

British Sign Language users can get assistance via [Contact Scotland \(contactscotland-bsl.org\)](http://contactscotland-bsl.org) the on-line British Sign Language interpreting video relay service

We can also give you this information in other languages and formats (such as large print, audio and Braille).

We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance on 01315109410 or via their website on www.siaa.org.uk

You can find out about advisors in your area through Citizens Advice Scotland:

Visit www.cas.org.uk or by checking your local telephone directory for your local Citizens Advice Bureau

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APPENDICES

Appendix 1 Procedure for dealing with FOI requests

Appendix 2 Review Procedure

Appendix 3 Definition of Environmental Information Regulations (Scotland) 2004

1. Purpose and Rationale

- 1.1 **Purpose** – This Policy sets out the roles, responsibilities and process for the development, review and management of Freedom of Information requests received on behalf of the Integration Joint Board by NHS Dumfries and Galloway.
- 1.2 **Rationale** - The Freedom of Information (Scotland) Act 2002 is a legal requirement for the disclosure of information held by Scottish Public Authorities or by a third party providing services for them. The “applicant” who requests information from the public authority which holds that information is entitled to be given it by the authority.

2. Policy Aims

- 2.1 The Integration Joint Board is committed to transparency in the way that it works. This commitment is supported by Freedom of Information (Scotland) Act 2002, and aims to:
 - Increase accountability across the public sector and in government by ensuring that people have the right to access information.
 - Enable members of the public to review information held by the Integration Joint Board, whilst maintaining compliance with Freedom of Information (Scotland) Act 2002.

3. Policy Scope

The Freedom of Information (Scotland) Act 2002 allows for two types of information requests to be submitted to a public body. The first is the Freedom of Information requests, which is the most common type of request. The other is the Environmental Information requests. Definitions of the different types of requests are detailed below:

3.1 Freedom of Information

The Freedom of Information (Scotland) Act 2002 applies to almost all public bodies in Scotland, including Integration Joint Boards. It can also apply to third Party suppliers such as contractors who provide a service to any Scottish Public Authority.

Freedom of Information (Scotland) Act 2002 states that Scottish Public Authorities have a legal obligation to respond to any request for information held by the public body within 20 working days of receipt.

Members of the public can ask for a variety of information through a Freedom of Information request, such as financial data, performance data, workforce information etc. The exception would be any environmental requests.

3.2 Environmental Information

Under Section 62 of the Freedom of Information (Scotland) Act 2002 the Scottish Ministers have made the Environmental Information (Scotland) Regulations 2004. This makes provision in Scottish Law of the Aarhus Convention of June 1998 on “Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters”. They also implement the European Commission Directive 2003/4/EC. The Convention is based on the principle that every person has the right to live in an environment adequate to their health and wellbeing.

Through the Environmental Information Regulations there is a provision similar, but not identical to, Freedom of Information legislation, which conveys a “right to access

environmental information”. Environmental information has a wide definition. The definition of Environmental Information Requests is available in Appendix 3 of this Policy. It is not an exclusive definition and may include information on the IJB’s policies, plans and activities likely to affect the state of human health and safety.

There are differences in the obligations on the IJB under the Environmental Information (Scotland) Regulations 2004 as compared with Freedom of Information Act. The most notable difference are:-

- Requests for information under the Environmental Information (Scotland) Regulations 2004, may be made orally – there is no requirement to put them in writing or other permanent form.
- The timescale for responding to an environmental Information request may, in certain circumstances, extend to 40 working days.
- The charging arrangements under environmental information requests allow for flexibility of the IJB to recover the costs of providing info.

- 3.3 General Data Protection Regulations and the Re-use of Public Sector Information Regulations 2015 The General Data Protection Regulations protects information that is held about individuals by public authorities. Individuals can ask for, and receive, a description of the personal data held about them, which is known as a Subject Access Request.
- 3.4 Information is exempt from the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 if it is a request for information from an individual about personal data we hold about them. Requests for information about other living individuals should be dealt with under Freedom of Information (Scotland) Act 2002, but can be refused on the basis that they breach the principles of the General Data Protection Regulations.
- 3.5 Requests for information about other living individuals should be dealt with under Freedom of Information (Scotland) Act 2002, but can be refused on the basis that they breach the principles of the General Data Protection Regulations.
- 3.6 Applicants can request to re-use public sector information subject to certain conditions, exemptions and charges. Requests must be in writing, state the information required and intended use. The IJB has 20 working days to respond whether by accepting the request, refusing the request or notifying of a charge for the information.

4. Definitions

Document Type	Definitions
Freedom of Information Requests	A non-routine request for information already held by the public body that will enable the public to have a greater understanding of the role of the public body, the decisions they make and how they spend public money.
Environmental Information Requests	A non-routine request for information that will provide public access to environmental information already held by the public body.
General Data Protection Regulations	Legislation that controls how personal information can be used and your rights to ask for information about yourself.
Subject Access Requests	A written, signed request from an individual to see information held on them. The Data Controller must

	provide all such information in a readable form within 30 days of receipt of the request.
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5. Duties and Responsibilities

- 5.1 **Scottish Information Commissioner** is an independent public official responsible for promoting and enforcing Scotland's Freedom of Information law. The Commissioner's Office undertakes a variety of roles, including:
- Investigating Freedom of Information appeals
 - Promoting the public's right to know
 - Promoting good Freedom of Information practice to public authorities
 - Intervening when public authority practice is not compliant with the Freedom of Information law
- 5.2 The Chief Officer is ultimately responsible for the Integration Joint Boards compliance with relevant statutory provisions and shall provide strategic direction on the operation of the Freedom of Information Policy.
- 5.3 Freedom of Information requests for the Integration Joint Board are dealt with by NHS Dumfries and Galloway's Freedom of Information team, this is due to the relatively low number of requests that are received. The Integration Joint Board maintains responsibility for oversight of its Freedom of Information requests.

The Freedom of Information Lead has responsibility for advising the Chief Officer on the application of the Freedom of Information (Scotland) Act 2002 and for the legislation to be read as reference to both Freedom of Information and Environmental Information requests, ensuring that the Integration Joint Boards complies under the legislation.

The Freedom of Information Lead is assisted in this by a Freedom of Information Officer. The Freedom of Information Lead has overall responsibility to respond to the Scottish Information Commissioner on any applications received where the requester did not agree with the response provided to them by the Integration Joint Board.

The Freedom of Information Officer manages all requests received, liaises with the Directorates to obtain the information being requested or advice on why it cannot be provided, before issuing a response within the 20 working days timeline. The Officer also liaises with the Freedom of Information Lead to ensure all Review requests received are recorded and responded to within the 20 working days with sign off from the Accountable Officer.

Directorate Freedom of Information Lead: is responsible for approving all of the raw data and other information collated for a Freedom of Information or Environmental Information request, prior to submission to the Freedom of Information Officer for the formal response. The Lead would be expected to highlight to the Freedom of Information Officer any concerns they have around the release of all or part of the data submitted to allow to appropriate exemption to be applied, if applicable. It is essential that all of the information being requested is provided to the Freedom of Information Officer, even if an exemption is being applied as the Scottish Information Commissioner requires sight of the information should the applicant submit a request for further review in relation to the Board's handling of their request. The Directorate Lead is also responsible for ensuring awareness of this policy, procedures and guidance to ensure compliance with the legislation when the department is handling Freedom of Information requests.

This role should be allocated to a senior manager within the Directorate, such as a Director, Deputy Director, General Manager or Deputy General Manager.

Directorate Freedom of Information Administrator: is the key contact for the Directorate with the Freedom of Information Officer. The Administrator reviews the information request received from the Officer and forwards it to the most appropriate person(s) in their Directorate to pull the required information together. The Administrator will chase their Directorate colleagues to ensure the information is available for collation and approval by the Directorate Lead within the agreed timeframe before submitting to the Freedom of Information Officer for the response.

6. Processes and Procedures

- 6.1 Dumfries and Galloway Integration Joint Board have a statutory responsibility to make information available in accordance with Freedom of Information legislation.

It is essential that all staff are aware of, and take seriously their responsibilities under the legislation. As an organisation we are committed to meeting statutory timescales under Freedom of Information legislation and in supporting staff to achieve the requirements of the legislation. Any member of staff who is unable to respond effectively to the principles set out in this Policy should advise their line manager or more senior member of staff.

The process set out in **Appendix 1** should be followed when handling Freedom of Information or Environmental Information requests.

6.2 What constitutes a Freedom of Information request?

Any request for information or data that appears complex (not a routine enquiry) should be treated as Freedom of Information. Unless applicable to Environment Information Regulations or Data Protection / Subject access.

It is important to make a distinction between requests for information and routine correspondence. Requests for information that can be provided without any question – i.e. press releases, routine enquiries, or leaflets - should be treated as business as usual. A valid request must:

- Be in writing or in another permanent form (letter, email, voicemail message), with the exception of Environmental Information Request, which can be provided orally.
- State the full name (or include a surname) of the applicant and provide an address for correspondence (this can be an email address)
- Describe the information requested. Requests for information do not need to mention the Act or to explain why information is being requested.

All staff should have a general understanding of Freedom of Information legislation and know where to refer any issues on which they require guidance.

Any information requests received for the Integration Joint Board, which fall within the above criteria should be forwarded to the NHS Dumfries and Galloway Freedom of Information Officer as a matter of urgency via dg.feedback2@nhs.scot as the 20 working days timeline starts from the moment the request is received.

Requests for information regarding the Health and Social Care Partnership should be made to the constituent authorities:

- NHS Dumfries and Galloway for health requests these should be addressed to:

dg.feedback2@nhs.scot or to Freedom of Information Officer, Mountainhall Treatment Centre, Dumfries, DG1 4AP

- Adult Social Work Services these should be addressed too: foi@dumgal.gov.uk or write to Information Governance Team, Council Headquarters, English Street, Dumfries, DG1 2DD.

6.3 Legal Compliance

The Integration Joint Board:

- Regards all identifiable personal information relating to patients as confidential; compliance with legal and regulatory framework will be achieved, monitored and maintained.
- Regards all identifiable personal information relating to staff and members as confidential except where national policy on accountability and openness (public interest) requires otherwise.
- Will monitor compliance with legal requirements and undertake independent assessments and audits from time to time.
- Will establish and maintain policies and procedures to ensure compliance with the General Data Protection Regulations, Human Rights Act 1998, the common law duty of confidentiality. To ensure the organisation can effectively comply with its obligations, staff will be provided with appropriate Information Governance training commensurate with their role.

6.4 Records Management

Managing records effectively is essential for making access to information possible. 'Records management' covers all aspects of a record's life, from creating it to maintaining it, and then its disposal (either by storing it in an archive or destroying it). A record is information that is held as part of a system, on paper, in an electronic format, or on video or audio tape. Good records should be:

- Factual, consistent and accurate
- Relevant and useful
- Clear and concise
- Up to date
- Complete

The Integration Joint Board will ensure it has systems in place to manage its corporate records in both electronic and paper format in order to respond effectively to requests for information.

The Integration Joint Board hosts all its corporate information on NHS Dumfries and Galloway systems and therefore must comply with its policies and procedures in relation to the management, archive and disposal of its corporate records.

The Integration Joint Board complies with the Scottish Government's policy on the Management, Retention and Disposal of Personal Health Records, under Section 61 of the Freedom of Information (Scotland) Act 2002. Staff must ensure that all records comply with the policy and follow NHS Dumfries and Galloway's systems and procedures for record keeping.

It is a criminal offence for a public authority to alter, damage, erase, destroy or conceal any record they hold once someone has made a request for information. This offence can be committed by the authority or its employees. Such cases will be dealt with in the Sheriff Court and the offence carries a fine.

6.5 The Publication Scheme

The Integration Joint Board's Guide to Information Available through the Model Publication Scheme details the information that the organisation makes routinely available to the general public without them having to make specific requests. It details the format in which the information is held and whether there is a charge for its provision. The publication scheme has been approved by the Scottish Information Commissioner and is available on the partnerships website www.dhscp.co.uk and in hard copy on request by emailing dg.hslog@nhs.scot or by telephoning 01387 241346.

6.6 General rights of access

Section 1 of the Act gives a general right of access from 1 January 2005 to recorded information held by the Integration Joint Board, subject to certain conditions and exemptions contained in the Act.

Any person making a request for information to the organisation is entitled:

- To be informed in writing whether the organisation holds the information specified in the request; and
- If the organisation holds the information, to have that information provided to them (or a clear response setting out why the information has been withheld).

For the purposes of general rights of access, a request is valid if made in writing, transmitted by electronic means, is received in legible form and is capable of being used for subsequent reference such as letter or e-mail.

The only exception to this would be an Environmental Information request, which can also be submitted orally.

6.7 Duty to provide advice and assistance

The Integration Joint Board has a duty under Section 15 of the Freedom of Information (Scotland) Act 2002, to provide advice and assistance to persons who have made, or wish to make, requests for information. It is the responsibility of the Integration Joint Board to ensure that systems and procedures are in place to meet this duty.

The systems and procedures will conform to the Code of Practice issued under Section 60 of the Act.

If an individual would like to request information, but is unable to submit the request in written form, support can be provided through the Citizen's Advice Service or the Scottish Independent Advocacy Service, who will be able to submit the request on behalf of the individual and explain the response and information that has been provided by the Board.

6.8 Timescales

The Act obliges the Integration Joint Board to respond:

- Promptly; and
- In any event not later than 20 working days after the date on which the request was received.

The request is considered as being received by the Integration Joint Board when it is delivered. If submitted over the weekend, the delivery date would be on the first working day after it was sent.

Any member of staff receiving a request must pass on the request immediately to NHS Dumfries and Galloway's Freedom of Information Officer at dg.ijb-foi@nhs.scot to ensure that the time limit can be complied with. The deadline for the reply is calculated from the time the request was received in any part of NHS Dumfries and Galloway. The obligation is to reply promptly and not more than 20 working days following receipt. A response should not be delayed until the end of the 20-day period if there is no reason why the information cannot be provided earlier. The only current version of this policy is on the intranet

NHS Dumfries and Galloway on behalf of the Integration Joint Board will acknowledge receipt of Freedom of Information requests within two working days.

A flowchart specifying how NHS Dumfries and Galloway will deal with Freedom of Information requests on behalf of the Integration Joint Board is detailed in **Appendix 1**

6.9 Handling a Request for Information

If the applicant has not provided enough information to identify and locate the information sought, or where the request is unclear, The Freedom of Information team will request further information / clarification from the applicant, asking them to describe more clearly and to be specific on the information they require. This should not be an attempt to determine the applicant's aims or motivation.

Where more information is needed to clarify the request, it is important that the applicant is contacted as soon as possible.

In such situations the clock for the 20 working day timescale for a reply stops ticking. The clock re-starts from the point it is stopped at once the Freedom of Information team has received the required clarification or information, for example if the clarification is sought on day 5, the clock stops, once the clarification is received the clock restarts at day 5

Requesting clarification / rewording of the request must never be used as a delaying tactic. Appropriate help could include:

- providing an outline of different kinds of information which might meet the terms of the request;
- providing a general response to the request setting out options for further information which could be provided on request; or
- an indication of what information could be provided within the cost ceiling, in instances where a request would be refused on cost grounds.

This list is not exhaustive and the Freedom of Information team will be flexible in offering advice and assistance taking in to account the circumstances of each individual request.

If reasonable assistance has been given and the applicant is still unable to describe the information being requested in a way which enables the Integration Joint Board to identify and locate it, then NHS Dumfries and Galloway, on their behalf, will provide a response based on the initial request and the information able to be sourced. This approach will likely result in exemptions or refusal notices being applied.

6.10 Charging

The information described in our Publication Scheme is available free of charge where it can be downloaded from our website or where it can be sent electronically by e-mail unless a specific charge is stated in the Scheme.

The Integration Joint Board reserves the right to impose charges for providing information in paper copy. Charges will reflect the actual costs of production and postage to us, as set out in the Publication Scheme.

In the event that a charge is to be made, the Freedom of Information team will specify the charge and how it has been calculated. Information will not be provided until payment has been received.

It may be appropriate to charge a fee for dealing with a specific request for information not listed in the Publication Scheme. This charge will be calculated according to the statutory “fees regulations.”

There are strict rules on what can and cannot be charged for, how much an authority can charge and an upper limit (currently £600) beyond which an authority does not have to comply with a request. For more information on charging, please follow this link to the Scottish Information Commissioners website:

[What might it cost? | Scottish Information Commissioner \(itspublicknowledge.info\)](https://itspublicknowledge.info)

Examples of where you might be charged:

- Staff time to gather the information, up to a maximum of £15 per hour;
- Reasonable costs for photocopying or providing it in another format if you want a copy of the information

The Integration Joint Board is entitled to charge for the direct and indirect costs incurred in locating, retrieving and providing information. However, it is not entitled to charge for any costs incurred in determining whether it actually holds the information.

In line with the Section 60 Code, charges for a person’s time should not be rounded up to the hour, but expressed as a fraction of the hour if only a fraction is expected to be worked.

The Integration Joint Board is not entitled to recoup costs in full. The Fees Regulations limit the chargeable amount to a proportion of the actual cost incurred. Where the cost to the Integration Joint Board of responding to the information request:

- is less than £100 then no charge can be made
- is above £100, then the Integration Joint Board is allowed to make a charge of 10% of those costs up to £600, with £50 the maximum charge.
- exceeds £600, the Integration Joint Board does not have to provide the information

6.11 Transferring Requests

Where the Integration Joint Board receives a request for information, which it does not hold, we will inform the applicant promptly that under Section 17 of the Act we do not hold the information requested.

Where the Integration Joint Board does not hold the requested information but is aware that it is held by another public authority, consideration should be given to supplying the applicant with contact details of the authority that may hold the information and suggest that the applicant re-applies to that authority, if appropriate.

6.12 Consultation with Third Parties

The Integration Joint Board may undertake consultation with third parties where their views will assist them in assessing exemptions and the public interest.

The Integration Joint Board will make reasonable efforts to contact third parties where necessary, but may consider that consulting the third party is not appropriate if there are cost implications in doing so. In all cases, it is for the Integration Joint Board (not the third party) to determine whether information should be disclosed under the Act. Non-response or refusal to consent to disclosure by a third party does not, in itself provide sufficient reason for information to be withheld.

6.13 Exempt information and refusal of requests

The Integration Joint Board does not have to comply with information requests where the information requested is exempt under the provisions made in Part II of the Act, Sections 25 to 41. Most exemptions are not designed to be applied on a blanket basis.

- **Absolute exemptions:** If an absolute exemption applies, the Integration Joint Board will not release the information. Some absolute exemptions apply to areas such as national security or confidential material. Other absolute exemptions apply to information which is available via another route, for example if information is contained in the Publication Scheme.
- **Non-absolute exemptions:** If a non-absolute exemption applies then the Integration Joint Board will have to apply a "public interest" test to determine whether the public interest in disclosing the information outweighs the public interest in maintaining its confidentiality.

There are 17 categories of exempt information covering areas such as government interests and relations, public sector administration, national security and defence, law enforcement and commercial interests.

The Integration Joint Board

- Will favour disclosure wherever possible and this is where the balance will lie. If an exemption applies, we will provide the applicant with a written refusal notice which explains why the request is being refused. The notice will also inform the applicant of their right to apply for a review of the decision.
- Will not comply with a request for information when a fees notice has been issued to an applicant and the fee has not been paid within three months.
- Will not comply with a request for information if it estimates that the cost of compliance with the request would exceed the appropriate limit established in statutory Fees Regulations;
- Will work with applicants to keep compliance costs to a minimum but reserves the right to either refuse to disclose the information or charge for disclosure in line with the Fees Regulation. Where charges are raised, the applicant will be issued with a fees notice.

The Integration Joint Board is not obliged to comply with a request for information if the request is deemed vexatious or repeated as defined by the Act. A log of all requests for information is held for monitoring and reporting purposes, so it is possible to identify repeated or vexatious requests.

The Scottish Information Commissioner's general approach is that a request (which may be the latest in a series of requests) is vexatious where it would impose a 'significant burden' on the public authority as it:

- does not have a serious purpose or value;
- is designed to cause disruption or annoyance to the public authority;
- has the effect of harassing the public authority; and / or
- it would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.

Further details on vexatious requests are defined by the Scottish Information Commissioner on their website [Briefings and guidance | Scottish Information Commissioner \(itspublicknowledge.info\)](https://www.scot.nhs.uk/itspublicknowledge/info)

Where a request is refused, the Freedom of Information team will notify the applicant, within 20 working days of receiving the request, explaining why the request is being refused and stating what exemption is being applied.

Similarly, where the public interest test has been applied and the request is still being refused, the Freedom of Information team will state the reasons why the public interest in maintaining the exemption outweighs the public interest in disclosure.

Any notice issued by the team to the effect that it is refusing to comply with a request for information will inform the applicant of their right to review by the Integration Joint Board and of their right to apply to the Scottish Information Commissioner. The Freedom of Information team will keep a record of all applications where some or all of the requested information is withheld.

6.14 Informing Stakeholders of Freedom of Information (Scotland) Act 2002 requirements

Staff are encouraged to include a standard disclaimer at the bottom of all external e-mails indicating that correspondence between them and other stakeholders may be disclosed under the Freedom of Information (Scotland) Act 2002

6.15 Review

Where an applicant is unhappy with the manner in which their request has been handled then they have 40 working days in which to seek a 'review' of their request. The review procedure is outlined in **Appendix 2**.

If, upon receipt of the response to the Review Request, the applicant is still unhappy with the information or response provided they have the right to request a further review from the Scottish Information Commissioner on the way their request for information was handled. Applicants have 6 months from the date of the review response letter to submit their application into the Scottish Information Commissioner for a decision.

7. Training and Support

A training module has been developed nationally in relation to the implementation of the Freedom of Information (Scotland) Act 2002. The module can be accessed through Learnpro, under the Information Governance category within the eLearning section. All staff are encouraged to undertake the training to raise awareness of the act and the requirement that is placed on all staff around information requests received.

In addition to the Learnpro training, one-to-one training can also be provided by the Freedom of Information Officer and Freedom of Information Lead.

8. Monitoring

The Chief Officer has ultimate responsibility for compliance with the Freedom of Information (Scotland) Act 2002 for the Integration Joint Board.

The Integration Joint Board is responsible for approving its Freedom of Information Policy.

The FOI Officer has day to day responsibility for implementing and monitoring compliance with the Freedom of Information (Scotland) Act 2002 and will maintain a log of all requests made for information under the Act and details relating to response times.

The Corporate Governance Officer of the IJB will ensure that all policies and procedures concerning compliance with the Act are produced, approved, implemented and monitored.

Updates will be presented to the IJB's Audit, Risk and Governance Committee, concerning numbers, types of request received and any non-compliance issues on an annual basis.

The IJB will receive an annual report on the number of information requests received under the Act and the timeliness on responses to these.

9. Key Contacts

Scottish Information Commissioner:

Kinburn Castle ST
ANDREWS
Fife
KY16 9DS
Tel: 01334464610
Email: enquiries@itspublicknowledge.info

Freedom of Information Officer

NHS Dumfries and Galloway Mountainhall
Treatment Centre Bankend Road
DUMFRIES DG1
4AP
Tel: 01387272752
Email: dq.ijb-foi@nhs.scot

Freedom of Information Lead

NHS Corporate Business Manager
Mountainhall Treatment Centre Bankend
Road
DUMFRIES DG1
4AP
Tel: 01387272752
Email: laurageddes2@nhs.scot

10. Equality Impact Assessment

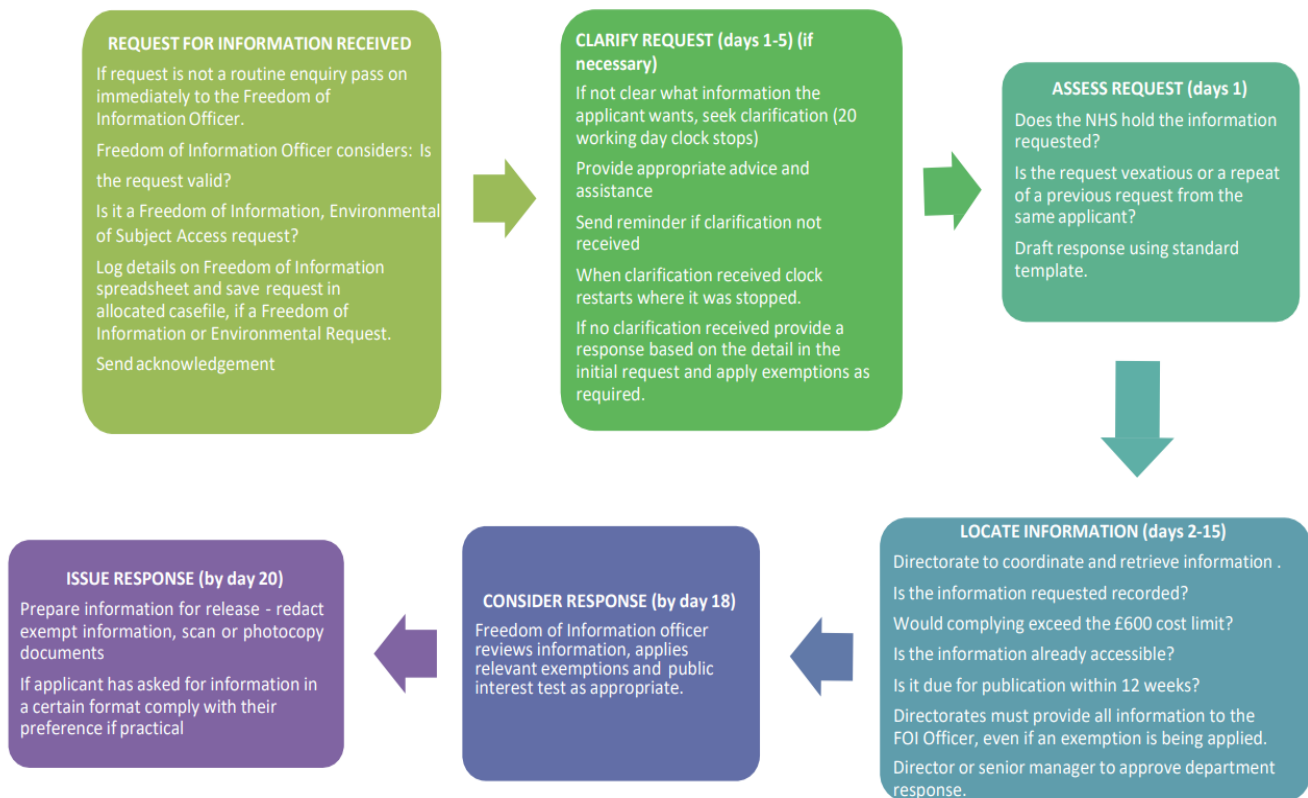
As part of the process for developing and reviewing this Policy an Equality Impact Assessment was undertaken, which did not highlight any issues or actions which had to be progressed.

All our Equality Impact Assessments are available to view on www.dghscp.co.uk

11. Data Protection Impact Assessment

A Data Protection Impact Assessment was not undertaken when reviewing this Policy as the document does not review or handle any confidential or personal information.

APPENDIX 1 - Procedure for dealing with Freedom of Information requests



Appendix 2 - Review Procedure

The aim of this procedure is to ensure that, where the Integration Joint Board has refused an applicant information under the Freedom of Information (Scotland) Act 2002, and the applicant has requested that the organisation reviews its decision not to supply the requested information, that a fair and thorough means of reviewing the decisions taken by the Integration Joint Board is carried out. This includes decisions taken in relation to where the public interest lies in respect of exempt information, in accordance with the provisions of the Scottish Ministers Code of Practice issued under Section 60 of the Act.

Any applicant who is dissatisfied with the way the request has been dealt with is entitled to require the Integration Joint Board to review its decision.

This procedure must be followed upon receipt of an application to review the decision not to supply information.

A request for a review must be made no later than 40 working days following:

- The expiry of the period for responding to a request for information. Authorities may comply with a request for review after this time period if it considers it appropriate to do so
- From the date on which the authority complied with the request, sent a fees or refusal notice
- A notice that the information is not held

Log the request for review and open a file

The Freedom of Information Officer will immediately log the review request and notify the Freedom of Information Lead and the Chief Officer.

Acknowledge the request

The Freedom of Information Officer will acknowledge the request for a review in writing to the applicant, confirming it has been passed over to the Freedom of Information Lead and Chief Officer to respond. This will indicate that a comprehensive reply will be sent to them within 20 working days of the date of receipt of the request.

Conducting the review

Following receipt of the request for a review, the Freedom of Information Lead will liaise with the Freedom of Information Officer to determine why exemptions were applied and the facts around the reason for the review request.

Part III, paragraph 66 of the Scottish Ministers Code of Practice provides 'Where the complaint concerns a request for information under the general right of access, the review should be handled by staff who were not involved in the original decision, where this is reasonably practicable'.

All reasonably practicable steps shall accordingly be taken to arrange for all reviews to involve a senior officer who was not a party to the original decision, but has an understanding and awareness of the information being requested.

It is important that the review procedure enables the matter to be considered afresh, taking into consideration all the factors relevant to the issue and taking into account the matters raised by the review.

It is possible to reverse or amend any decision, which has already been taken prior to this procedure being engaged. In the event of decisions being reversed or amended, all necessary steps must be taken promptly to implement the reversed or amended decision within the 20 working day period permitted for the review.

All steps will be taken to ensure that the Chief Officer is aware of any requests and is kept informed of the process.

Notification of Review Decision

Following the review, the Freedom of Information Lead will prepare a response and discuss the findings with the Chief Officer of the Integration Joint Board, seeking approval of the response to be issued to the applicant detailing the Integration Joint Board's decision.

The notice must include the following:

- If the decision is to uphold the detail in the initial response - form or manner of access and any fees payable
- If access is refused, the reasons for refusal, quoting the relevant section of the Act
- Details of rights of appeal and contact details for the Scottish Information Commissioner

Where the outcome of the review is that information shall be disclosed which was previously withheld, the information should either be sent with the decision or the applicant must be notified in the decision letter or email how soon it will be disclosed.

If the outcome is that procedures have not been properly followed either in the handling of the original request or in compliance with the Integration Joint Board's Publication Scheme, the decision shall contain an apology and an undertaking given that the organisation will take appropriate steps to prevent similar errors occurring in the future.

Appendix 3 – Definition of Environment Information Regulations (Scotland) 2004

'Environmental information' has the same meaning as in Article 2 (1) of the Directive, namely any information in written, visual, aural, electronic or any other material form on –

- a) The state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetland, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;
- b) Factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases in to the environment, affecting or likely to affect the elements of the environment referred to in paragraph (a);
- c) Measures (including administrative measures), such as policies, legislation, plans, programmes, environmental arrangements, and activities affecting or likely to affect the elements and factors referred to in paragraphs (a) and (b) as well as measures or activities designed to protect these elements;
- d) Reports on the implementation of environmental legislation;
- e) Costs benefit and other economic analysis and assumptions used within the framework of the measures and activities referred to in paragraph (c); and

The state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures in as much as they are or may be affected by the state of the elements of the environment referred to in paragraph (a) or, through those elements, by any of the matters re