

**1. Name: Moray Learning Disability Partnership Board**

**2. Aims**

This section sets out the aims of the Board.

These are basically to:

- Make sure people with learning disabilities in Moray get good services
- Make sure people work well together
- Share everyone's knowledge and ideas

The Board must make sure that this happens.

**3. Duties**

This section sets out main duties of the Board including:

- Checking that services are planned properly
- Making sure there is a choice of services
- Making sure that people get the right local service
- Make sure Budgets (health and social care money) are spent properly
- Making sure services are provided and are good enough

**4. Structure of the Board**

Members will be from all the people and agencies who need to be involved. They must make sure that the people who come can make decisions for their organisation.

This section states who the Board members will be.

This includes people from:

Community Care	Executive Member
NHS	Executive Member
Education	
Housing	
Leisure	
Community Development	
Supported Employment Service	
Self Advocates	
Carers	
Providers of Services	
Voluntary Organisations	
Children's Services	

Elected Local Authority Members

Executive Member

Other people might be invited to come sometimes and will be invited to be members of smaller groups who do some of the work.

### **Running the business of the Board**

The Board will be chaired by a councillor. The Vice Chair should be either a user or carer representative.

The Board will meet at least every 2 months.

The Board will use the Ground Rules for involving people with learning disabilities in meetings<sup>1</sup>.

Members will have at least one month's notice of meetings.

At least 9 members must be present before a meeting goes ahead – this must include:

- The Chair and vice chair (or their stand ins)
- The Head of Community Care (or their stand in)
- The Service Manager for Learning Disability (NHS Grampian)
- At least five other members, one of whom is not working for Moray Council or NHS Grampian.

### **5. How the meetings will be run**

- Papers will go out at least 2 weeks (10 working days) ahead
- No late reports, unless very urgent, and everyone in attendance will be involved in the decision whether to consider the report.
- Notes of meeting and reports will be in type size 16 and will be available on tape, in Braille, or in any other form, on request.
- The ground rules help everyone present to make the meetings a good experience for people with a learning disability.

### **6. How the Board will behave**

The Board will be clear about its aims and purpose and will stick to the point. Everyone will be listened to and have the chance to be involved in decisions.

The Board will not break the law or other legal rules.

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<sup>1</sup> The ground rules help everyone present to make the meetings a good experience for people with a learning disability.

## **7. Conflict of Interest**

A conflict of interest is when a Board Member has one duty to the Board and another duty to their employer or agency or to themselves.

All members will come from organisations or groups who have an interest in the Board's decisions.

Everyone will say who they represent and their interest in Learning Disability services. A register of members will be kept and updated at each meeting.

### **Organisations having a conflict of interest**

If the Board is making a decision about a contract to go on an organisation, the person from the organisation will declare an interest and leave the room while the decision is made.

### **Individual members having a conflict of interest**

There are two sorts of interest, called 'pecuniary' and 'non-pecuniary'.

- Pecuniary Interest – this means a financial interest – for example a Board decision means someone will benefit or lose out financially themselves (e.g. a decision about the policy on charging for services will have an effect on service users and/or carers)
- Non-pecuniary Interest – this means the person will benefit or lose out personally on services because of the decision.

If a Board Member has a pecuniary interest in a decision they must say so as soon as they realise.

The person will leave the meeting while that item is discussed.

If a Board Member has a personal interest, but this is not financial, they will tell the Board.

This will be noted and the Chair, in consultation with other members, will decide if that member should be asked to leave the room.

Councillors have to work to their own Code of Conduct.

## **8. Decision making by the board**

The Executive Members have to keep to their own legal rules as statutory organisations.

The Board will try not to make decisions by voting but will discuss things to reach agreement.

Decisions that cost money from Budgets have to be agreed by the Executive Members.

**9. Dealing with disagreements**

All advisory sub groups will consult with or involve service users, carers, staff and others to reduce the risk of disagreements.

However, if there is a disagreement this section says how it will be sorted out.

When the Board makes a decision the Chair will ask for everyone's views – anyone who disagrees with the decision can have the reasons written down.

The decision and the disagreement will be reported to the NHS Health Board and the relevant Council.

**10. Referring a disagreement**

The Chair and /or Vice Chair will refer to both the Council and Health Board about the disagreement. There will be a report written for the NHS Health Board and Council which includes the choices for resolving it. After the report has been looked at, and a decision taken, the Chair will then write to all Board members to tell them the final decision.

**11. Reports from the Board**

Reports will be sent to the Social Care Committee, NHS Health Board and Civic Partnership every year.

After every meeting, the written record will be sent to the relevant Council and NHS Health Board.

**12. Insurance**

Nothing the Board does replaces the legal duties of Health and Social Care and they still need their usual insurance.

**13. Variations**

The Board can change some of these rules by agreement as long as they don't break the Partnership Agreement for the Budgets.