



## ***Mission Statement***

*“The Pre-Hospital Emergency Care Council protects the public by independently specifying, reviewing, maintaining and monitoring standards of excellence for the safe provision of quality pre-hospital emergency care”*

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Published by:

***Pre-Hospital Emergency Care Council***  
***September 2017***

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### **Version History**

(Please visit the [PHECC website](http://www.phecc.ie) to confirm current version.)

<b>Name:</b> LEG012_ Standing Orders relating to the Council and Council meetings of the PHECC		
<b>Version</b>	<b>Date</b>	<b>Details</b>
1	Mar 2002	Initial
2	31 Jan 2013	Revised
3	July 2017	Reviewed and revised by C&AC
4	21 Sept 2017	Approved by Council with final amendments

# Standing Orders relating to the Council and Council Meetings of the Pre-Hospital Emergency Care Council (PHECC)

## 1. Introduction

- 1.1 These standing orders have been compiled to clearly outline the proceedings of all meetings conducted by the Council and to ensure that the procedural workings of the Council, its Committees and other groups established by the Council, are consistent with best practice.
- 1.2 Paragraph 21 of S.1. No. 109 of 2000, The Pre-Hospital Emergency Care Council (Establishment) Order, 2000 provides:
- 1.3 *"Save as is otherwise provided for by any order, including this Order, the Council may make standing orders for the regulation of its proceedings and may amend or revoke such standing orders."*
- 1.4 The Council can change, or in exceptional circumstances suspend, its standing orders at any properly quorate meeting of the Council. As a matter of best practice, the Council should review its standing orders from time to time as necessary, but at least once at the beginning of every four-year term of office. Any amendments must be agreed and recorded at a properly quorate meeting of the Council. An updated version of the standing orders should be signed and dated by the Chairperson.
- 1.5 No provision of the standing orders may be suspended unless two thirds of the members of the Council, present and voting, are in favour of such suspension. In the event of an equality of votes, the Chairperson of Council shall have a second or casting vote.
- 1.6 The definitions associated with these standing orders are;
  - "The Council" means the appointed Council, from time to time, of the Pre-Hospital Emergency Care Council.
  - "Chairperson" means the Chairperson for the time being of the Council.
  - "Director" means the Chief Officer of the Council.
  - "Disqualified" as defined in S.36 (3) in the Establishment Order (SI 109 of 2000) "Establishment Order" means the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (SI 109 of 2000).
  - "Minister" means the Minister for Health.
  - "Special Meetings" means all meetings of the Council, where Special Motions are to be considered.
  - "Special Motions" means those motions specified in Paragraph 5.
- 1.7 These standing orders are drawn up so as also to comply with the Guidelines for Governance for State Bodies (Department of Public Expenditure & Reform, August 2016).

## 2. Council Tenure of Office

Subject to the provisions of paragraph 8 of the Establishment Order in relation to the filling of casual vacancies every member of the Council shall hold office, unless the member sooner dies, resigns or becomes disqualified, for a period not exceeding four years, and no person shall hold office as a member of the Council for more than two consecutive terms of four years.

### **3. Council Member Attendance Requirements**

In accordance with paragraph 10 of the Establishment Order the Council shall hold at least six meetings in every year and may hold such other meetings as may be necessary for the performance of its duties.

### **4. Attendance requirements and Council meetings**

The Code of Practice for Governance for State Bodies (DPER, Aug 2016) states that 100% attendance of members is to be expected. The Council directs that the minimum number of meetings which the members are required to attend each year is six. Should a member fail to meet the minimum requirement of 6 meetings per annum the Chairperson shall notify the Minister of the unsatisfactory attendance record of that member.

At the invitation of the Chairperson, the following may attend Council meetings;

- The Chairperson of the Compliance and Audit Committee
- A representative from the Office of the Comptroller and Auditor General
- The Internal Auditor
- Members of the Executive from time to time

### **5. Termination of Council Membership**

5.1 Pursuant to paragraph 7 of the Establishment Order;

5.2 "The Minister may at any time terminate the appointment of a member of the Council who was appointed by him."

### **6. Resignation of Council Membership**

A member of the Council may resign his or her membership by giving notice in writing signed by him/her to the Council, but the resignation shall not become effective until the meeting of the Council next held after receipt of the notice of resignation.

### **7. Casual Vacancies**

Pursuant to paragraph 8 of the Establishment Order whenever a casual vacancy occurs among the members of the Council, the Council shall forthwith notify the Minister who, following consultations as he or she considers suitable to advise him or her, shall, as soon as is convenient, appoint a person to fill such vacancy and any person so appointed shall serve as a member of the Council for such period as is unexpired of the term of office of the person whom he or she replaces.

### **8. Meetings**

8.1 The Council shall hold at least six meetings in every year and may hold such other meetings as may be necessary for the performance of its duties. Meeting papers may be circulated in advance.

8.2 Participation by teleconference, video link or such other technologies as appropriate may also take place.

- 8.3 Participation by electronic means (teleconference, video or other technologies) is not permitted when reports of the Fitness to Practice Committee of Inquiry are being considered. In addition, any other factors which the Council considers relevant should be taken into account when considering participation by electronic or other means and a decision made appropriate to the particular circumstances of the proceedings.
- 8.4 A member of the Council or Committee given a notice in writing shall take all necessary steps to comply with such notice.
- 8.5 The Council should from time to time meet without members of the Executive present to discuss any matters deemed relevant.
- 8.6 Where an Executive is invited to join the Council meeting, a notice inviting said Executive to join the Council Meeting shall be issued not less than 7 days before the Council Meeting together with a description of the item to be discussed and any other matters relevant to same, if such matter is not on the Agenda for that meeting.

## **9. Order of Business**

The Order of Business, at all but Special Meetings, shall be as follows:

1. Chairperson's Business
2. Confirmation of Minutes
3. Director's Report
4. Reports from Chairs of Council Sub-Committees
5. Items for consideration by or information of Council
6. Any other business

## **10. Quorum and Voting Rights**

- 10.1 Section 9 of the Establishment Order sets the quorum for a meeting of the Council at five persons. Best practice is that, in the case of a meeting of the Council where the matter of the imposition of a sanction on a PHECC registered practitioner is on the agenda, the quorum for that meeting should be nine.
- 10.2 Subject to articles 9 and 11(4) of the Establishment Order, all acts of the Council and all questions coming or arising before the Council may be done and decided by a majority of such members of the Council as are present and vote in relation to the act or matter at a meeting of the Council duly convened according to law.
- 10.3 In the case of an equality of votes on any question arising at a meeting of the Council (other than the election of the Vice-Chairperson) the Chairperson of that meeting shall have a second or casting vote.

## **11. Chairperson and Vice-Chairperson**

- 11.1 Pursuant to the provisions of the Establishment Order, the Chairperson of the Council shall be appointed by the Minister from among the membership of that Council.

11.2 Pursuant to the provisions of the Establishment Order the Council shall, from time to time, elect one of its members to be Vice-Chairperson of the Council. A Vice-Chairperson of the Council shall hold office for such term as may be specified by the Council at the time of his or her appointment unless-

11.2.1 he or she ceases to be, or becomes disqualified from being, a member of the Council,

11.2.2 he or she resigns the office of Vice-Chairperson and his or her resignation becomes effective under this paragraph,

11.2.3 the Council by a resolution for which not less than two thirds of the members of the Council vote, and of the intention to propose which not less than seven days' notice is given to every member of the Council, terminates his or her appointment as Vice-Chairperson.

## **12. Procedure for Election of Vice-Chairperson**

The procedure for the election of Vice-Chairperson shall be as follows:

12.1 A member, or members, of the Council may be proposed by another member of Council for the role of Vice-Chairperson. If the proposed member is seconded by a different member of the Council the proposed member shall be a candidate;

12.2 where there is only one candidate, such candidate shall be elected;

12.3 where there are two or more than two candidates, a poll shall be taken; two tellers who are not Council members shall be appointed to conduct the poll;

12.4 if at such a poll, a majority of the members present vote for any particular candidate, such candidate shall be elected;

12.5 if at such poll no candidate receives the votes of a majority of the members present, the candidate receiving the least number of votes shall be eliminated and, subject to the provision of sub-paragraph (12.7) and (12.8), one or more further polls (as may be necessary) shall be taken;

12.6 Sub-paragraphs (12.4) and (12.5) shall apply in relation to such further poll or polls;

12.7 where there are only two candidates or where, as a result of one or more polls, all the candidates except two have been eliminated, the members may vote for either candidate and whichever of such candidates receives the greater number of votes on such question shall be elected;

12.8 in the event of a vote in respect of two candidates where both receive the same number of votes, the candidate whose name is drawn first by lot shall be elected.

12.9 Council shall, at the time of the election, specify the term of office of the Vice-Chairperson.

## **13. Proceedings at Council Meetings**

13.1 The proceedings of the Council shall not be invalidated by any vacancy or vacancies among its members or by any defect in the appointments to the Council or in the qualifications of any member thereof.

13.2 The Chairperson, or in her/his absence, the Vice-Chairperson of the Council may make a decision

to convene a meeting of the Council or, shall convene a meeting of the Council when requested to do so 19 by a requisition signed by not less than ten members of the Council.

- 13.3 Where the Chairperson, or in her/his absence the Vice-Chairperson, of the Council refuses to convene a meeting of the Council after a requisition for that purpose signed by not less than ten members of the Council has been presented to her/him, any five members of the Council may forthwith convene a meeting of the Council.
- 13.4 If the Chairperson, or in her/his absence the Vice-Chairperson, of the Council, without so refusing, does not, within seven days after the presentation of a requisition for that purpose signed by not less than ten members of the Council, convene a meeting of the Council, any five members of the Council may, on the expiration of those seven days, convene a meeting of the Council.
- 13.5 At least three days before every meeting of the Council, a notice in writing, signed by the Chairperson or Vice-Chairperson of the Council, as the case may be or, if the meeting is convened by members of the Council, by such members, of the time and place of the meeting shall be sent to every member of the Council. If the meeting is convened by members of the Council, the notice convening the meeting shall specify the business to be transacted there at.
- 13.6 At any meeting of the Council, the Chairperson of Council shall, if she or he is present be Chairperson and if and for so long as the Chairperson of the Council is not present, or if the office of Chairperson is vacant, the Vice-Chairperson of the Council shall, if he or she is present, be the Chairperson, if and so long as the Chairperson of the Council is not present or the office of the Chairperson is vacant and the Vice-Chairperson of the Council is not present or the office of Vice-Chairperson is vacant the members of the Council who are present shall elect one of their number to be Chairperson of that meeting.
- 13.7 For all meetings of the Council, the Director, where necessary, in consultation with the Chairperson, or in her/his absence the Vice-Chairperson, shall post or otherwise deliver the agenda and all relevant documentation to each member at least seven days in advance of the meeting. The Director shall also circulate at the meeting, all further relevant documentation which may come into his possession subsequent to the agenda being sent out.
- 13.8 Unless otherwise decided by the Council at its meeting, only items included in the agenda shall be considered at the meeting. Additional items which may arise shall be deferred until the following meeting unless they are regarded by the Chairperson or in her/his absence the Vice-Chairperson as being of sufficient urgency to warrant consideration at the meeting.
- 13.9 The Secretary to the Council shall ensure that Draft minutes of each meeting of the Council are prepared and circulated within ten days after a Council Meeting. These shall also be submitted for confirmation as an accurate record at the next meeting of the Council. When confirmed with, or without amendment, the minutes of the meeting shall be signed by the Chairperson. The names of the members present at a meeting of the Council shall be recorded in the minutes of the proceedings of the meeting. The minutes shall also include the items discussed and the decisions reached. Specific members should not normally be identified in the minutes as having expressed a particular viewpoint.
- 13.10 The dates of meetings and a list of agenda items to be considered by the Council's Sub-Committees shall be circulated to all Council Members at least seven days in advance of all such meetings.

## 14. Notice of Motion

- 14.1 A notice of motion affords Council members the facility to propose exceptional matters to the Council for consideration. A written copy of the terms of every notice of motion, dated and signed by the member giving it, shall be delivered to the Council Director and must be delivered at least fifteen days before the date of such meeting.
- 14.2 When a notice of motion is deemed unacceptable by the Chairperson, the proposer of the motion should be afforded the opportunity to review/revise the wording for resubmission in so far as possible to the same or subsequent meeting.
- 14.3 The Council agenda shall not contain more than three notices of motion, to include adjourned motions, for consideration at any Council meeting.

## 15. In Council consideration of a notice of motion:

- 15.1 A motion or an amendment when not seconded is dropped.
- 15.2 A motion, or an amendment, may be withdrawn on leave obtained from the Council by the member in whose name it stands or if she/he be absent, by any member authorised by her/him in writing to so do.
- 15.3 A motion may be proposed either by the member in whose name it stands, or if she/he be absent, by any member authorised by her/him in writing to propose it on her/his behalf, but unless so proposed it shall be dropped.
- 15.4 When a motion and an amendment remain before the meeting, the amendment shall be first put to the Council.
- 15.5 When an amendment is agreed, the original motion disappears.
- 15.6 When an amendment is lost another amendment to the original motion may be proposed.
- 15.7 No amendment which is equivalent to a direct negative shall be accepted.
- 15.8 A motion to rescind or amend a resolution of the Council can only be made on notice, and such notice shall specify the resolution to be rescinded or amended, and furnish the terms of the motion to be made. No motion to rescind any resolution of the Council within six months of the date of its adoption shall be allowed, except with the written assent of not less than ten members of the Council.

## 16. During Council consideration of a notice of motion:

- 16.1 Except with the permission of the Chairperson, or in her/his absence the Vice-Chairperson, the proposer of a motion shall not address the Council for more than ten minutes and the seconder and other speakers shall be limited to five minutes.
- 16.2 A member may speak once upon any motion (except a motion which is to be put without debate).



- 16.3 The proposer of a motion has the right to speak for a period not exceeding five minutes in reply to the debate and when she/he replies the debate on the motion is closed. After a debate has continued for not less than half an hour, a member may ask leave to move "that the question be now put", and if such leave be given by the assent of not fewer than five members the proposer of the original motion may speak for not more than five minutes and then the motion shall be forthwith put to the Council. A motion "That the question be now put" shall not be moved a second time during the debate on any question unless that debate has continued for at least one hour.
- 16.4 Provision for a motion in the form of an emergency motion may be presented up to one day prior to a Council meeting and allowed to be discussed if presented with written assent of not less than five members of the Council and if accepted by a majority vote of the Council.

## 17. Special Motions

17.1 Special Motions will include any proposal to;

- Remove the Director from his/her post or
- Pass a vote of no confidence in the Chairperson or
- Revoke, amend (at any time other than a formal review) or replace these standing orders.

## 18. Decisions of the Council

- 18.1 If, in the opinion of the Chairperson or in her/his absence the Vice-Chairperson, a consensus decision has emerged from discussion on any particular item, the Chairperson or in her/his absence the Vice-Chairperson shall indicate this to the meeting. If any member disagrees or is doubtful as to the existence of a consensus she/he shall have the right to request the Chairperson or in her/his absence the Vice-Chairperson to ask for a show of hands on the matter.
- 18.2 The Chairperson or in her/his absence the Vice-Chairperson on her/his own initiative or if requested by any member may hold a formal vote on any matter under discussion.
- 18.3 Any member who disagrees with a decision reached by the Council shall have the right, if she/he so wishes to have her/his dissent recorded in the minutes of the meeting.
- 18.4 Decisions of the Council shall be reached only at meetings of the Council which all members are entitled to attend.
- 18.5 The Director shall convey, in writing, decisions of the Council to interested parties as soon as possible after the meeting of the Council at which the decisions were reached unless otherwise decided by the Council.
- 18.6 The Chairperson or, in her/his absence, the Vice-Chairperson shall decide when an issue is of a sufficiently urgent nature to warrant the taking of a decision by the Council by written procedure in the interval between scheduled meetings of Council. The Council may also decide that an issue is of a sufficiently urgent nature to warrant the taking of a decision by the Council by written procedure in the interval between scheduled meetings of Council.
- 18.7 The above procedures for taking decisions between meetings of the Council do not interfere with the rights of the Chairperson or, in her/his absence, the Vice-Chairperson, or Council members to call a meeting of the Council as set out under paragraph 15 of the Establishment Order.

## 19. Confidentiality of Council Business

- 19.1 All meetings of the Council, shall be held in private and only Council members and designated staff of the Council shall be entitled to attend Council meetings.
- 19.2 Save as otherwise provided for in these standing orders, all proceedings of the Council and all documentation relating to such proceedings shall be confidential and may not be divulged to any person who is not a member of the Council or its staff, who have been designated to attend Council meetings, except to such extent as may be expressly indicated by the Council.
- 19.3 Each member of the Council shall be responsible for the safe custody of the confidential documentation which she/he may receive as a member. Each member shall be expected to ensure that no unauthorised person has access to such Council documents as may be in her/his possession.
- 19.4 All of the above will be subject to the provisions for the time being of the Freedom of Information Act 2014.

## 20. Conflict of Interest

- 20.1 The Council Conflict of Interest Policy will govern the procedures in the event of a conflict of interest. A Council member shall leave the meeting during Council consideration of the matter to which the conflict relates. The Council member concerned shall not vote on the issue or take part in any discussion on the topic.
- 20.2 Wherever a Council member enters or exits the meeting as a result of a conflict, this should also be recorded in the minutes at the point in the proceedings where the Council member exited and entered the meeting.
- 20.3 Council Members will be asked to submit an Annual Declaration of Interests to the Council Secretary.

## 21. Relations with the Media

- 21.1 The Director, in consultation with the Chairperson, or in her/his absence the Vice-Chairperson, shall be responsible for dealing with all media enquiries related to the activity of the Council. Members who may be approached by persons connected with the media for information related to the activities of the Council shall refer all such enquiries to the Director.
- 21.2 Whenever a request is received from the media for a representative of the Council to participate on a radio or television programme the Chairperson, or in her/his absence the Vice-Chairperson, with the Director, shall decide whether to accede to such request and if so, to identify who will represent the Council.

## 22. MISCELLANEOUS

In the computation of time for the purposes of any of these standing orders, Sundays and holidays shall be reckoned as included - i.e. all notice periods shall be interpreted as calendar days.

### 23. Reviewing the Council's Performance

The Council will review its own performance and that of its Committees from time to time and normally at yearly intervals as per the DPER Code of Practice for Governance of State Bodies (Aug 2016). A summary of its findings will be included in the Council's annual report and accounts.

Approved by the Council on 21 Sept 2017

  
Dr. J. Burke  
Chairperson



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