



GIG
CYMRU
NHS
WALES

Pwyllgor Gwasanaethau Iechyd
Arbenigol Cymru (PGIAC)
Welsh Health Specialised
Services Committee (WHSSC)

		Agenda Item	3.1.10
Meeting Title	Health Board Meeting	Meeting Date	30/09/2021
Report Title	WHSSC Governance and Accountability Framework		
Author (Job title)	Corporate Governance Manager		
Executive Lead (Job title)	Committee Secretary & Head of Corporate Services	Public/In Committee	Public

Purpose	The purpose of this report is to provide an update on the WHSSC Governance and Accountability Framework.			
RATIFY <input type="checkbox"/>	APPROVE <input checked="" type="checkbox"/>	SUPPORT <input type="checkbox"/>	ASSURE <input type="checkbox"/>	INFORM <input type="checkbox"/>

Sub Group /Committee	Joint Committee	Meeting Date	13/07/2021
Recommendation(s)	<p>Members are asked to:</p> <ul style="list-style-type: none"> • Note that the WHSSC Joint Committee approved updates to its Governance and accountability framework on the 13 July 2021, • Note that the final versions of the Standing Orders (SO's), Standing Financial Instructions (SFI's), Memorandum of Agreement and the Hosting arrangement appendices have been distributed to Health Boards for inclusion as schedule 4.1 within their own SO's. 		

Considerations within the report (tick as appropriate)								
Strategic Objective(s)	YES	NO	Link to Integrated Commissioning Plan	YES	NO	Health and Care Standards	YES	NO
		✓						
Principles of Prudent Healthcare	YES	NO	IHI Triple Aim	YES	NO	Quality, Safety & Patient Experience	YES	NO
Resources Implications	YES	NO	Risk and Assurance	YES	NO	Evidence Base	YES	NO
Equality and Diversity	YES	NO	Population Health	YES	NO	Legal Implications	YES	NO

Commissioner Health Board affected



Aneurin Bevan	✓	Betsi Cadwaladr	✓	Cardiff and Vale	✓	Cwm Taf Morgannwg	✓	Hywel Dda	✓	Powys	✓	Swansea Bay	✓
------------------	---	--------------------	---	---------------------	---	----------------------	---	-----------	---	-------	---	----------------	---

Provider Health Board affected (please state below)

--

WHSSC GOVERNANCE AND ACCOUNTABILITY FRAMEWORK

1.0 SITUATION

The purpose of this report is to provide an update on the WHSSC Governance and Accountability Framework.

2.0 BACKGROUND

Model Standing Orders and Standing Financial Instructions

In accordance with the WHSSC Regulations 2009, each Local Health Board (LHB) in Wales must agree Standing Orders (SOs) for the regulation of the Joint Committee proceedings and business. These Joint Committee standing orders form a schedule to each LHB's own standing orders, and have effect as if incorporated within them. Together with the adoption of the Scheme of Decisions Reserved to the Joint Committee; the Scheme of Delegations to Officers and Others; and the Standing Financial Instructions (SFIs), they provide the regulatory framework for the business conduct of the Joint Committee.

These documents, together with the Memorandum of Agreement setting out the governance arrangements for the seven LHBs and a Hosting Agreement between the Joint Committee and Cwm Taf Morgannwg University Health Board (as the Host LHB), form the basis upon which the Joint Committee's Governance and Accountability Framework is developed.

It is necessary to ensure that the WHSSC SOs are kept up to date and take account of any developments. Updated Model Standing Orders and Model Standing Financial Instructions were issued by the Minister for Health and Social Services in correspondence received on the 7 April 2021.

3.0 CHANGES TO THE GOVERNANCE & ACCOUNTABILITY FRAMEWORK

At the Joint Committee meeting in May 2021, it was proposed that the revised Governance and Accountability Framework documents, including the SOs and SFIs, for WHSSC would be approved via Chair's Action outside of the meeting to facilitate expediency.

On the 21 June 2021 the Chair acting in conjunction with Dr Sian Lewis, Managing Director of WHSSC, and Professor Ceri Phillips, Independent Member of WHSSC, took Chair's Action to vary elements of the Governance and Accountability Framework and to recommend that the amended WHSSC SOs and SFIs be taken forward for approval by the seven LHBs for inclusion as schedule 4.1 within their respective LHB SOs.

The Joint Committee ratified the Chairs action taken and approved the updated WHSSC SOs, Memorandum of Agreement, Hosting Agreement, and SFIs at its

meeting on the 13 July 2021. The updated documents are presented as **Appendix 3 within Agenda Item 3.1.7 CTMUHB Amendment to Standing Orders report and Appendix 1 to this report** for information.

For assurance, a summary of the updates made is outlined in the table below:

Standing Orders
See Agenda Item 3.1.7 Appendix 3.
Miscellaneous General grammatical updates, updates to web links and references to Welsh Government.
Paragraph 6.1.1, Page 22 Putting Citizens First Second bullet point amended to reflect that Joint Committee meetings are being held virtually.
Paragraph 6.5.7, Page 24 Notifying the Public and Others Removed the need for the public part of the agenda to be displayed on principal sites as this is no longer a requirement of the Public Bodies (Admission to Meetings) Act.
Schedule of Matters Reserved to the Joint Committee
Page 45 The list of matters reserved for the Joint Committee has been re-ordered and renumbered.
Terms of Reference – Sub Committees The Terms of Reference for the Joint Sub-committees, Expert Panels and Advisory Groups have been updated, and a web link given to access the documents.
Memorandum of Agreement and Hosting Agreement The Memorandum of Agreement and the Hosting Agreement were last signed on behalf of the seven LHBs on 12 November 2019. The documents have been updated for accuracy, and to reflect changes in process. The updated documents are presented. See Appendix 1.
Standing Financial Instructions (SFI's) Document re-drafted and re-ordered with miscellaneous updates with the most notable described below. See Agenda Item 3.1.7 Appendix 3.
Paragraph 6.4 - <i>The host LHB's annual accounts must be audited by the Auditor General for Wales. The host LHB's audited annual accounts must be adopted by the Joint Committee at a public meeting and made available to the public.</i> The second sentence of this Clause is a nonsense, there is no logical reason to do it. Deleted.
Paragraph 11.1.2 - <i>In particular, and where appropriate, the Joint Committee should follow the host LHB's SFIs with regards to obtaining consent to enter into contracts exceeding £1m and the monitoring arrangements for contracts below £1m.</i> This is shown as Schedule 1 in the LHB SFI's. This is too restrictive for WHSSC. We have been promised a letter from Welsh Government giving us coverage that the requirement to

seek approval for all contracts >£1m does not apply to inter NHS healthcare commissioning contracts, as such we do not propose amending the text, rather relying on the side letter from Welsh Government.

4.0 GOVERNANCE & RISK

To ensure effective governance the WHSSC Governance and Accountability Framework is reviewed annually, and the proposed changes to the Framework were considered and endorsed by the Integrated Governance Committee (IGC) on the 9 June 2021 and approved by the Joint Committee on 13 July 2021.

5.0 RECOMMENDATIONS

Members are asked to:

- **Note** that the WHSSC Joint Committee approved updates to its Governance and accountability framework on the 13 July 2021,
- **Note** that the final versions of the Standing Orders (SO's), Standing Financial Instructions (SFI's), Memorandum of Agreement and the Hosting arrangement appendices have been distributed to Health Boards for inclusion as schedule 4.1 within their own SO's.

6.0 APPENDICES / ANNEXES

Appendix 1 – Final Memorandum of Agreement and appendices

Link to Healthcare Objectives	
Strategic Objective(s)	Governance and Assurance Choose an item. Choose an item.
Link to Integrated Commissioning Plan	Implementation of the agreed ICP
Health and Care Standards	Safe Care Effective Care Governance, Leadership and Accountability
Principles of Prudent Healthcare	Only do what is needed Reduce inappropriate variation Choose an item.
Institute for HealthCare Improvement Triple Aim	Improving Patient Experience (including quality and Satisfaction) Choose an item. Choose an item.
Organisational Implications	

Quality, Safety & Patient Experience	Robust risk management arrangements are a requisite to the assurance of quality of care, patient safety and the patient experience.	
Resources Implications	Some improvement actions may require the application of additional resources.	
Risk and Assurance	To ensure effective governance the WHSSC Governance and Accountability Framework is reviewed annually, and the proposed changes to the framework were considered and endorsed by the Integrated Governance Committee (IGC) on the 9 June 2021.	
Evidence Base	-	
Equality and Diversity	There are no adverse equality and diversity implications.	
Population Health	There are no immediate population health implications.	
Legal Implications	The Model Standing Orders, Reservations and Delegation of Powers (SO's) were last issued by Welsh Government in September 2019 for Local Health Boards, Trusts, the Welsh Health Specialised Services Committee (WHSSC) and the Emergency Ambulance Services Committee (EASC). They were reviewed by officials in association with representatives of the NHS Wales Board Secretaries and the NHS Wales Directors of Finance group. The revised model documents are issued in accordance the Ministerial direction contained within sections 12(3) (for Local Health Boards) and 19(1) (for NHS Trusts) and 23(1) (Special Health Authorities) of the National Health Service (Wales) Act 2006.	
Report History:		
Presented at:	Date	Brief Summary of Outcome
Joint Committee	13/7/21	Ratified Chairs action and approved the updated governance and accountability framework
Integrated Governance Committee	9/6/21	Endorsed the approach.