



AGENDA ITEM
3.1

CTM BOARD

ADOPTION OF MODEL STANDING ORDERS
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Date of meeting	28 November 2019
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FOI Status	Open/Public
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If closed please indicate reason	Not Applicable - Public Report
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Prepared by	Wendy Penrhyn-Jones, Head of Administration
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Presented by	Georgina Galletly, Director of Corporate Governance/ Board Secretary
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Approving Executive Sponsor	Director of Corporate Governance
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Report purpose	FOR APPROVAL
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Engagement (internal/external) undertaken to date (including receipt/consideration at Committee/group)		
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Committee/Group/Individuals	Date	Outcome
Audit Committee	(28/10/19)	ENDORSED FOR APPROVAL

ACRONYMS	
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(CTM)	Cwm Taf Morgannwg
(SO)	Standing Orders
(LHB)	Local Health Board
(WHSSC)	Welsh Health Specialised Services Committee
(EASC)	Emergency Ambulance Services Committee



(WAO) (SSPC)	Wales Audit Office Shared Services Partnership Committee
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1. **SITUATION / BACKGROUND**

- 1.1 The purpose of this report is to seek the health board's endorsement for the adoption of Welsh Government's Model Standing Orders for Health Boards, prior to onward submission to the Health Board at its meeting in November for formal approval. For ease of reference, all changes have been highlighted in **RED** font. The proposed Standing Orders based on the model SOs are attached at **Appendix 1**.
- 1.2 The Schedules are as follows:
- Schedule 1 Model Scheme of Reservation and Delegation of Powers
 - Schedule 2 Key guidance, instructions and other related documents (which will include Standing Financial Instructions)
 - Schedule 3 Board Committee arrangements (All Terms of Reference)
 - Schedule 4 Joint Committee arrangements (WHSSC and EASC)
 - Schedule 5 Advisory groups (All Terms of Reference).
- 1.3 Periodically, the Welsh Government review and issue Model Standing Orders (SOs), Reservation and Delegation of Powers for health bodies to adopt and implement. The Model Standing Orders were last reviewed in 2014 and consideration has been given nationally to ministerial directions and legislative requirements. The other schedules within the Standing Orders are local to the health board and remain unchanged.
- 1.4 It is necessary to ensure that Local Health Board (LHB), Trust, Welsh Health Specialised Services (WHSCC) and Emergency Ambulance Services Committee (EASC) Model Standing Orders are kept up to date and take account of any developments. Whilst individual organisations are responsible for review of their respective documents they are informed by Model SOs issued using the Ministers power of direction in accordance with Sections 12(3) and 19(1) of the National Health Service (Wales) Act 2006. In September 2019, the Welsh Government issued revised Model Standing Orders for LHBs, Trusts and the WHSCC via a Welsh Health Circular; model SOs for the EASC were issued for the first time <https://gov.wales/sites/default/files/publications/2019-09/model-standing-orders-reservation-and-delegation-of-powers-whc-027-2019.pdf>



2. SPECIFIC MATTERS FOR CONSIDERATION BY THIS MEETING (ASSESSMENT)

- 2.1 Following receipt of the Model SOs the Health Board has reviewed the organisations SOs. The changes made by the Welsh Government to the model Standing Orders for LHBs are attached at **Appendix 2**. The majority of the changes are applicable to Cwm Taf Morgannwg. However in paragraph (i) section A and para 1.0.1 of Section B as a result of the Bridgend Boundary Change an additional section relating to the Establishment Order for Cwm Taf Morgannwg University Health Board has been added.
- 2.2 Paragraph 7.4.3 of Section B states *that Board Members shall be sent and agenda and a complete set of supporting papers at least 10 calendar days before a formal board meeting*. The proposed amendment to this section is the addition of the word 'calendar' and it does not take into account the change made by most health boards in May 2016 to reduce the number of days to 7 as it has used the text of the original model standing orders. The timetable was amended to reflect that the board now uses digital methods to distribute agenda and reports and no longer needs the extra 3 days relating to printing and posting. It is recommended therefore that we maintain the 7 day requirement.
- 2.3 The Standing Orders and supporting schedules include the Terms of Reference for all Committees and the Board is asked to approve all. **Appendix 3** contains Schedule 3 – All of the Terms of Reference for the Board's Committees.
- 2.4 WHSSC and EASC have also considered the SO for the respective Committees and the Model SO are incorporated as Schedules 4.1 and 4.2 of the LHB SOs at **Appendix 4**.
- 2.5 It is worth noting that within the new SOs for EASC, there is a role for a dedicated Committee Secretariat. CTM uHB is working with EASC to action this as a priority.
- 2.6 The WHSSC Governance and Accountability Framework, which comprises the WHSSC Standing Orders and certain associated documents, have been reviewed in the context of the new Model Standing Orders issued by Welsh Government under Welsh Health Circular 2019 027 in September 2019. These were endorsed by the Joint Committee at its meeting on 12 November 2019 for Board approval and are included as part of the appendices to this report.



2.7 The EASC Standing Orders have been reviewed in the context of the new Model Standing Orders issued by Welsh Government under Welsh Health Circular 2019 027 in September 2019. These were endorsed by the Joint Committee at its meeting on 12 November 2019 for Board approval and are included as part of the appendices to this report.

2.8 Schedule 5 at **Appendix 5** contains all of the Terms of Reference for the Board Advisory Groups and the Board is asked to approve all.

3. KEY RISKS/MATTERS FOR ESCALATION TO BOARD/COMMITTEE

3.1 Model SO's and Reservation and Delegation of Powers for Local Health Boards, Trusts and the WHSSC were issued in 2009 in accordance with the Welsh Ministers powers of Direction. Revised model documents were subsequently issued in 2012 and 2014.

3.2 Model SO's have not previously been issued for the EASC and the Committee have worked to SO's adapted from the WHSSC SO's. The SOs for WHSSC and EASC form a schedule of all LHB SOs.

3.3 NHS organisations in Wales are required to review their SOs annually. Some organisations have held-off undertaking a review in expectation of issue of updated Model SOs. This has been highlighted within a number of Structured Assessments undertaken by the Wales Audit Office (WAO).

3.4 There have been a number of changes to legislation which require a change in the governance arrangements within NHS organisations such as the Social Services and Well-being (Wales) Act 2014 and the Well-being of Future Generations (Wales) Act 2015. It is necessary for the Model SOs to reflect these changes.

3.5 In November 2018, the Minister issued a direction to LHBS regarding changes to the voting arrangements for WHSSC, EASC and the NHS Wales Shared Services Partnership Committee (SSPC.) This latest review incorporates these changes. (Note: Model SOs are not issued for the SSPC as these form a Schedule within the Velindre NHS University Trust SOs).

3.6 Welsh Government also issues Model Standing Financial Instructions (SFIs). The SFIs are incorporated within Schedule 2 of the SOs and will have effect as if incorporated directly into the SOs. The timing of their review traditionally has coincided with the review of the Model SOs. On



this occasion the Model SFIs are being reviewed on a different timeline. A Task and Finish Group has been established to take this work forward with the involvement of a representative of the Board Secretaries and Director of Finance Networks.

3.7 The Board is asked to approve the Terms of Reference as follows:

- New Committee Terms of Reference
 - **'NEW' Information Communication and Technology / Information Governance Committee** which will meet early in the new year and will review the Terms of Reference over the first 6-12 months
 - **'NEW' Charitable Funds Committee** which will also meet early in the new year and will review the Terms of Reference over the first 6-12 months
- Changes to
 - **Audit and Risk Committee** which includes the Charitable Funds element until the first meeting of the Charitable Funds Committee takes place endorsed by the Committee on 28 October 2019
 - **Quality and Safety Committee** endorsed by the Committee on 5 November 2019
 - **Remuneration and Terms of Service Committee** last approved in June 2018 amended to change the name and the titles of staff and adding the Deputy Director of Workforce and Organisational Development to those in attendance for discussion at the Committee meeting on 28 November 2019
 - The **Mental Health Act Monitoring Committee** endorsed by the Committee on 21 November 2019 minor amendments
 - The **Primary, Community, Population Health and Partnerships Committee** endorsed the TOR at the meeting on 24 July 2019; it has now been updated to incorporate the new title and additional requirements although the Committee are still working on the scope of the Committee over the next 12 months
 - The **Finance, Performance and Workforce Committee** endorsed by the Committee in June 2019 has also been slightly amended
- Note
 - that the future of the **Integrated Governance Committee** is currently under consideration and the Committee has not met since December 2018.



4. IMPACT ASSESSMENT

Quality/Safety/Patient Experience implications	Ensuring that the Board and its Committee(s) make fully informed decisions is dependent on the quality and accuracy of the information presented and considered by those making decisions.
Related Health and Care standard(s)	The 22 Health & Care Standards for NHS Wales are mapped into the 7 Quality Themes but within a Governance Framework. This report focuses mainly on Governance & Accountability but also spans many of the 7 quality themes.
Equality impact assessment completed	There are no equality and diversity implications of this report.
Legal implications / impact	There are no legal implications contained within this report.
Resource (Capital/Revenue £/Workforce) implications / Impact	There are no specific implications.
Link to Main Strategic Objective	To provide strong governance and assurance
Link to Main WBFG Act Objective	Commitment to corporate social responsibility and improving health & social equity, work with our staff, partners and communities to build strong local relationships and solid foundations of the past

5. RECOMMENDATION

The Board is asked to:

- **APPROVE** the adoption of the revised Model Standing Orders and supporting Schedules noting that the Standing Financial Instructions are being updated on a different timescale
- **APPROVE** the Terms of Reference for all Committees; specifically the new committees
- **APPROVE** the Terms of Reference for all Board Advisory Groups
- **NOTE** that the future of the Integrated Governance Committee is currently under consideration.