

**Review of NHS Wales Local Health Board Model Standing Orders – Summer 2023**  
**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body**

\* = The Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
2			Forward	No amendments made - Refer to legislation before making amendments	*Part 3, Regulation 15(6)	✓	
<b>8</b>	<b>Section A</b>						
8	i)	i)	Statutory Framework	No amendments made - Refer to legislation before making amendments	The Local Health Boards (Establishment and Dissolution) (Wales) Order 2003	✓	
8		ii)	Statutory Framework	Numbering added to paragraph - HBs to ensure final numbering correct depending on paragraphs to be inserted	The Local Health Boards (Establishment and Dissolution) (Wales) Order 2003	✓	
8		iii) - iv)	Statutory Framework	Insertion of new paragraphs in relation to Swansea Bay & Cwm Taf Morgannwg. HBs to ensure final numbering correct depending on paragraphs to be inserted	The Local Health Boards (Establishment and Dissolution) (Wales) Order 2003 and Local Health Boards (Establishment and Dissolution) (Wales) Miscellaneous Amendments Order 2019	✓	
8	ii) - iii)	v) - vii)	Statutory Framework	Paragraph numbers changed due to Insertion of new paragraphs in Section A. HBs to ensure final numbering correct depending on paragraphs to be inserted			
8	iv)	viii)	Statutory Framework	Paragraph number changed due to Insertion of new paragraphs in Section A. HBs to ensure final numbering correct depending on paragraphs to be inserted	NHS (Wales) Act 2006 and NHS Act 2006.	✓	
9. Previously 8	v)	ix)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	NHS (Wales) Act 2006, para 4 of Schedule 2	✓	
9. Previously 8	vi)	x)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	NHS (Wales) Act 2006, Sections 12 and 13/Local Health Boards (Directed Functions) (Wales) Regulations 2009	✓	
9	vii)	xi)	Statutory Framework	Paragraph number changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	The Welsh Health Specialised Services Committee (Wales) Directions 2009	✓	
9	viii)	xii)	Statutory Framework	Paragraph number changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	The Emergency Ambulance Services Committee (Wales) Directions 2014	✓	
9	ix)	xiii)	Statutory Framework	Paragraph renumbered - no other amendments made			

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9 & 10. Previously 9	x)	xiv)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	NHS (Wales) Act 2006, Sections 194 and 195		
10. Previously 9	xi)	xv)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000/NHS (Wales) Act 2006/Social Services and Well-being (Wales) Act 2014		
10	xii)	xvi)	Statutory Framework	Paragraph number changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	NHS Act 2006, Section 72	✓	
10	xiii)	xvii)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	Section 82 of the NHS Act 2006	✓	
	xiv)	xviii)	Statutory Framework	Paragraph number changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	Social Services and Well-being (Wales) Act 2014/The Partnership Arrangements (Wales) Regulations 2015	✓	
10 & 11		xix)	Statutory Framework	Insertion of paragraph in relation to the Health and Social Care (Quality and Engagement) (Wales) Act including the duties of quality and candour. The creation of a new Citizens Voice Body for Health and Social Care, Wales (to be known as Llais). Refer to legislation before making amendments	The Health and Social Care (Quality and Engagement) (Wales) Act 2020	✓	
11. Previously 10	xv)	xx)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments	Well-being of Future Generations (Wales) Act 2015	✓	
11. Previously 10	xvi)	xxi)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments.	Welsh Language (Wales) Measure 2011 and The Welsh Language Standards (No 7) Regulations 2018	✓	
11. Previously 10	xvii)	xxii)	Statutory Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments.		✓	
11 & 12. Previously 11	xviii)	xxiii)	NHS Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments.		✓	

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12. Previously 11	xix)	xxiv)	NHS Framework	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments.			
12. Previously 11	xx)	xxv)	NHS Framework	Paragraph and page numbers amended. Insertion of reference to Health and Care Quality Standards 2023. Health Board to ensure final numbering correct depending on paragraphs to be inserted.	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)	✓	
12. Previously 11	xxi)	xxvi)	NHS Framework	Paragraph and page number amended. HB to ensure final numbering correct depending on paragraphs inserted. No other amendments made.	Well-being of Future Generations (Wales) Act 2015		
12. Previously 11	xxii)	xxvii)	NHS Framework	Paragraph and page number amended. HB to ensure final numbering correct depending on paragraphs inserted. No other amendments made.			
12 & 13. Previously 11 & 12	xxiii) - xxvi)	xxviii) - xxxi)	Local Health Board Framework	Paragraphs page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made.		✓	
13. Previously 12	xxvii) - xxix)	xxxii) - xxxiv)	Applying Standing Orders	Paragraphs number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments.	*Part 3, Regulation 15(5)	✓	
13 & 14. Previously 13	xxx)	xxxv)	Variation and Amendment of Standing Orders	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made. Refer to legislation before making any amendments.		✓	
14. Previously 13	xxxi) - xxxii)	xxxvi) - xxxvii)	Interpretation	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to legislation before making amendments.		✓	
14 & 15. Previously 13 & 14	xxxiii) & xxxiv)	xxxviii) & xxxix)	The Role of the Board Secretary	Paragraph number and page numbers changed. HBs to ensure final numbering correct depending on paragraphs to be inserted. No other amendments made - Refer to Welsh Government before making amendments.			
16. Previously 15	<b>Section B : Standing Orders</b>						
16. Previously 15	1.0.2	1.0.2	The Local Health Board	Page number change. No other amendments made - Refer to legislation before making amendments	The Local Health Boards (Establishment and Dissolution) (Wales) Order 2003	✓	
16. Previously 15	1.1.1	1.1.1	Membership of Local Health Boards	Page number change. No other amendments made - Refer to legislation before making amendments	*Part 2, Regulation 4	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
16. Previously 15	1.1.2	1.1.2	Membership of Local Health Boards	Page number change. No other amendments made - Refer to legislation before making amendments	*Part 2, Regulation 4 and Part 3, Regulation 16	✓	
17. Previously 16	1.1.3	1.1.3	Membership of Local Health Boards	Page number change. <u>Officer Members [to be known as Executive Directors]</u> - No other amendments - refer to legislation before making any amendments	*Part 2, Regulation 3(2)	✓	
17. Previously 16	1.1.4	1.1.4	Membership of Local Health Boards	Page number change. <u>Non Officer Members [to be known as Independent Members]</u> - No other amendments - refer to Welsh Government before making any amendments			✓
17. Previously 16	1.1.5	1.1.5	Membership of Local Health Boards	Page number change. No other amendments made. Paragraph to reflect view of Minister that it is not normally appropriate for a Non Officer Member to serve on the Board of more than one NHS body in Wales.			✓
17. Previously 16	1.1.6	1.1.6	Membership of Local Health Boards	Page number change. No other amendments made - Refer to legislation before making amendments	*Part 2, Regulations 4(3) and 4(4)	✓	
17. Previously 16	1.1.7	1.1.7	Membership of Local Health Boards	Page number change. No other amendments made. Regulations are not specific re post holders but current arrangements have previously been determined.	*Part 2, Regulation 4(4)	✓	
				To remain current until directed otherwise by the Minister.			
				Paragraph renumbered - refer to legislation before making any amendments			
17. Previously 16	1.1.8	1.1.8	Membership of Local Health Boards	Page number change. No other amendments. Refer to legislation before making any amendments.	*Part 2, Regulation 4(4) and 4(5)	✓	
17. Previously 16	1.1.9	1.1.9	Membership of Local Health Boards	Page number change. No other amendments - refer to Welsh Government before making any amendments			✓
18. Previously 17	1.2, 1.2.1	1.2, 1.2.1	Joint Directors	Page number change. No other amendments. Refer to legislation before making any amendments.	Schedule 2, Part 1, 4(3) of the NHS (Wales) Act 2006 makes provision for Regulations to be made with regard to joint appointments. Reference is not made within Regulations but arrangements are captured in SO's. Arrangements are captured in Regulations for Trusts and PHW.		✓
18. Previously 17	1.3.1	1.3.1	Tenure of Board Members	Page number change. No other amendments. Refer to legislation before making any amendments.	*Part 2, Regulation 6 (5)	✓	
18. Previously 17	1.3.2	1.3.2	Tenure of Board Members	Page number change. No other amendments - previously amended to re-enforce that some functions cannot be delegated as issued under direction.	*Part 2, Regulations 4(4) and 7(5)	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
21. Previously 20	2.2.1	2.2.1	Delegation of Board functions	Page number change. No other amendments. Refer to legislation before making any amendments.	'Schedule of Matters Reserved for the Board' within the Model Standing Orders (see paragraph 2.0.2.(i))	✓	
22. Previously 21	3	3	Committees	Page number change. No other amendments. Refer to legislation before making any amendments.	*Part 3, Regulation 14		
23. Previously 22	3.2	3.2	Joint Committees	Page number change. No other amendments. Refer to legislation before making any amendments.	The Welsh Health Specialised Services Committee (Wales) Directions 2009 and The Emergency Ambulance Services Committee (Wales) Directions 2014, *Part 3, Regulation 15(5)		
24. Previously 23	3.3	3.3	Sub-Committees	Page number change. No other amendments - refer to legislation and Welsh Government before making any amendments	*Part 3, Regulation 14(a), Regulation 15(4)	✓	
24 & 25. Previously 23 & 24	3.4	3.4	Committees established by the LHB	Page number change. No other amendments. Refer to legislation before making any amendments.	*Part 3, Regulation 14(a), Regulation 15(4), Schedule 3	✓	✓ regarding committees to be established as a minimum in 3.4.1
25 & 26. Previously 24 & 25	4	4	NHS Wales Shared Services Partnership	Page number change. No other amendments made. Refer to legislation before making any amendments to this section	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	✓	
25 & 26. Previously 24 & 25	4.0.2	4.0.2	NHS Wales Shared Services Partnership	Page number change. No other amendments - refer to legislation and Welsh Government before making any amendments to this section	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	✓	
26. Previously 25	5	5	Advisory Groups	Page number change. No other amendments - refer to legislation before making any amendments			✓ - requirement for 3 Advisory Groups
26. Previously 25	5.0.1	5.0.1	Advisory Groups	Page number change. No other amendments - refers to requirement to meet in public	*Schedule 3, 4(2)		
26. Previously 25	5.0.3	5.0.3	Advisory Groups	Page number change. No amendments - refer to legislation before making any amendments	*Schedule 3, 8(1)		
29. Previously 28	5.6.3	5.6.3	Stakeholder Reference Group	Page number and insertion of reference to Llais			
30. Previously 29	5.9, 5.9.1 & 5.9.2	5.9, 5.9.1 & 5.9.2	Working with Llais	Insertion of references to Llais			
32 & 33. Previously 31 & 32	6.0.3	6.0.3	Working in Partnership	Page number change. No other amendments - refer to legislation before making any amendments	Social Services and Wellbeing (Wales) Act 2014, the Wellbeing of Future Generations (Wales) Act 2015 and duties to co-operate under the NHS Act 2006 and the NHS (Wales) Act 2006		

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
33 & 34. Previously 32 & 33	6.1	6.1	The Citizen Voice Body for Health and Social Care, Wales (to be known as Liai)	Amendments to reflect the establishment of Liai and duties under Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1). Reference to statutory guidance; the code of practice; discharging duties and relationship with the Board.	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
34 & 35 . Previously 33	7.1.1	7.1.1	Putting Citizens First	Page number change. No amendments - refer to legislation before making any amendments	Section 44, Welsh Language (Wales) Measure 2011	✓	
35. Previously 36	7.1.2	7.1.2	Putting Citizens First	Page number change and Reference to Liai inserted			
35. Previously 36	7.2.5	7.2.5	Annual General Meeting	Page number change and Insertion of text 'The LHB must hold an AGM in public no later than the 31 July each year [Note: no later than 30 September 2023 for year 2022/2023].' refer to legislation before making any amendments.			
36. Previously 34	7.3	7.3	Calling Meetings	Page number change. No other amendments made - previously amended to refer to 'calendar' days to clarify number of days for advance publication of papers. Regulations specify 'clear' days but Board Secretaries preferred term 'calendar'	*Schedule 3, 2(1)	✓	
37. Previously 35	7.4.3	7.4.3	Notifying and Equipping Board members	Page number change. No other amendments made - refer to legislation before making any amendments	*Schedule 3, 2(3)	✓	
37. Previously 35 & 36	7.4.6	7.4.6	Notifying and Equipping Board members	Page number change. No other amendments made. 'See above re reference to 'calendar' days. Removed need for public part of agenda to be displayed on principal sites as no longer a requirement of the Public Bodies (Admission to Meetings) Act.	*Schedule 3, 2(5)	✓	
37. Previously 36	7.4.7	7.4.7	Notifying the public and others	Page number change. No other amendments made - refer to legislation before making any amendments	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4 (a) and (b)	✓	
38. Previously 36	7.5.1	7.5.1	Admission of the public, press and observers	Page number change. No other amendments made - refer to legislation before making any amendments  Note: Letter issued in November 2009 advising that Audit Committees should 'operate in private'	Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
38. Previously 36	7.5.2	7.5.2	Admission of the public, press and observers	Page number change. No other amendments made - refer to legislation before making any amendments	* Schedule 3, 8 & Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
38 & 39. Previously 37	7.5.7	7.5.7	Addressing the Board, its Committees and Advisory Groups	Page number change and insertion of reference to Liai			

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
39. Previously 38	7.5.10	7.5.10	Quorum	Page number change. No other amendments made - refer to legislation before making any amendments	*Schedule 3, 6	✓	
41. Previously 40	7.5.24	7.5.24	Voting	Page number change and reference to Liais inserted. Refer to legislation before making any amendments.	*Schedule 3, 4(2)	✓	
41. Previously 40	7.5.25	7.5.25	Voting	Page number change. No other amendments made - refer to legislation before making any amendments	*Schedule 3, 4(1)	✓	
42. Previously 40	7.6	7.6	Record of Proceedings	Page number change. No other amendments made - refer to legislation before making any amendments	*Schedule 3, 5 and 7	✓	
45. Previously 43	8.2.8	8.2.8	Members with pecuniary (financial) interests	Page number change. No other amendments made - refer to legislation before making any amendments	*Regulation 17	✓	
48. Previously 46	9.0.1	9.0.1	Signing and Sealing of Documents	Page number change. No other amendments made - refer to Welsh Government before making any amendments	Schedule 3, Part 4, Para 33 of NHS (Wales) Act 2006 re Trusts. Does not appear to be a corresponding requirement for LHBs	✓	
48. Previously 46	9.0.2	9.0.2	Signing and Sealing of Documents	Page number change. No other amendments made - refer to Welsh Government before making any amendments	Schedule 3, Part 4, Para 33(1) of NHS (Wales) Act 2006 re Trusts	Reflects requirement for Trusts	
73. Previously 71	Schedule 5.1. 1.1.3	Schedule 5.1. 1.1.3	The Stakeholder Reference Group	Insertion of the reference to Liais			
74. Previously 72	Schedule 5.1. 1.2.4	Schedule 5.1. 1.2.4	Membership	Insertion of the reference to Liais			
77. Previously 76	1.8, 1.8.1 & 1.8.2	1.8, 1.8.1 & 1.8.2	Working with Liais	Insertion of the references to Liais			

# Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

## Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

### Local Health Board - Schedule 1 - Schedule of Matters Reserved for the Board

**No amendments were made to the scheme of delegation in Summer 2023 review period - Table retained for purposes of cross referencing to legislation and page numbers**

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
Footnote 5	Footnote 5	n/a	n/a	n/a	n/a	
1	1	General	Board may determine any matter for which it has statutory or delegated authority in accordance with SOs (except for those decisions delegated to the Welsh Health Specialised Services Committee (WHSSC) or Emergency Ambulance Services Committee (EASC)).	Y		
2	2	General	The Board must determine any matter that will be reserved for the whole Board. These are:  [LHB to insert details]	Y		
NEW	3	General	Approve the LHB's Governance Framework	Y		
4	4	Operating arrangements	Approve, vary and amend - SOs; - SFIs; - Scheme of matters reserved to the LHB; - Scheme of delegation to Committees and others; and - Scheme of delegation to officers.  In accordance with any directions set by Welsh Ministers.	Y		Regulation 15 - the Local Health Board (Constitution, Membership and Procedures) (Wales) Regulations 2009



## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
8	5	Operating arrangements	Ratify any urgent decision taken by the Chair and the Chief Executive in accordance with SO requirements	Y		Section B, Paragraph 2.1 - Chair's action on urgent matters, page 21 - Model Standing Orders
NEW	6	Operating arrangements	Formal consideration of report of Board Secretary on any non-compliance with Standing Orders, making proposals to the Board on any action to be taken.	N	Audit Committee	Section A, paragraph xxxii), Applying Standing Orders, page 13 - Model Standing Orders
9	7	Operating arrangements	Receive report and proposals regarding any non-compliance with Standing Orders, and where required ratify in public session any action required in response to failure to comply with SOs.	Y		Section A, paragraph xxxii), Applying Standing Orders, page 13 - Model Standing Orders
15	8	Operating arrangements	Authorise use of the LHB's official seal	Y		Section B, paragraph 9, page 48 - Signing and Sealing of Documents - Model Standing Orders
5	9	Operating arrangements	Approve the LHB's Values and Standards of Behaviour Framework [LHB to insert title of the relevant policy]	Y		Regulation 17 - the Local Health Board (Constitution, Membership and Procedures) (Wales) Regulations 2009  Section B, Paragraph 8 - Values and Standards of Behaviour, Pages 42-48 of Model Standing Orders

## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
18	10	Organisation Structure & Staffing	Require, receive and determine action in response to the declaration of Board members' interests, in accordance with advice received e.g. from Audit Committee <b>or Board Secretary</b>	N	Chair on behalf of Board/Vice-Chair on behalf of Board if Chair is declaring interest	Regulation 17 - the Local Health Board (Constitution, Membership and Procedures) (Wales) Regulations 2009  Section B, Paragraph 8 - Values and Standards of Behaviour, Pages <b>42-48</b> of Model Standing Orders
25	11	Strategy and Planning	Determine the LHB's strategic aims, objectives and priorities	Y		Section B, Paragraph 1.4, the Role of the Board, page <b>19</b> of Model Standing Orders
30	12	Strategy and Planning	Approve the LHB's key strategies and programmes related to:  - Population Health Needs Assessment and Commissioning Plan - The development and delivery of patient <b>and population</b> centred <b>health and care</b> /clinical services - Improving quality and patient safety outcomes - Workforce and organisational development - Infrastructure, including IM&T, Estates and Capital (including major capital investment and disposal plans)	Y		Clinical Services Strategy to be approved by Board (p 13) NHS Wales Planning Framework 2020-2023

## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
NEW	13	Strategy and Planning	Approval of Joint Area Plan prepared under the direction of the Regional Partnership Board and in response to the population assessment	Y		Population assessment required by Section 14 of the Social Services and Well-being (Wales) Act 2014 Section 14A of the Social Services and Well-being (Wales) Act as inserted by the Well-being of Future Generations (Wales) Act 2015
NEW	14	Strategy and Planning	Agreement of Well-being objectives in accordance with the requirements of the Well-being and Future Generations (Wales) Act 2015	Y		Section 9 of the Well-being and Future Generations (Wales) Act 2015
NEW	15	Strategy and Planning	Approval of Well-being Plan prepared and agreed by the Public Service Board	Y		Section 39 of the Well-being of Future Generations (Wales) Act 2015
26	16	Strategy and Planning	Approve the LHB's Integrated Medium Term Plan, including the balanced Medium Term Financial Plan	Y		Section 175(2) of the NHS (Wales) Act 2006 and NHS Finance (Wales) Act 2014 regarding requirement to produce balanced plan.
31	17	Strategy and Planning	Approve the LHB's budget and financial framework (including overall distribution of the financial allocation and unbudgeted expenditure)	Y		Para 5.1.1, Financial Management and Budgetary Control, page 22, Schedule 2.1, Standing Financial Instructions

## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

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Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
6	18	Operating arrangements	Approve the LHB's framework <b>and strategy</b> for performance management.	Y		Section B, Paragraph 1.4.1, the Role of the Board, <b>page 19</b> of Model Standing Orders
27	19	Strategy and Planning	<b>Approve the LHBs framework and strategy for risk and assurance</b>	Y		Section B, Paragraph 1.4.1, the Role of the Board, <b>page 19</b> of Model Standing Orders
11	20	Operating arrangements	<b>Ratify</b> policies for dealing with <b>raising concerns</b> , complaints and incidents <b>in accordance with the Putting Things Right and health and safety requirements.</b>	Y	Committee of the Board may approve policies for formal ratification by Board	The NHS Redress (Wales) Measure 2008, The NHS Redress (Wales) Measure 2008 (Commencement) Order 2011
3	21	Operating arrangements	<b>Agree the arrangements for ensuring the adoption of standards of governance and performance (including the quality and safety of healthcare, and the patient experience) to be met by the LHB, including standards/ requirements determined by Welsh Government, regulators, professional bodies/others, e.g. National Institute of Health and Care Excellence (NICE).</b>	Y		

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Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
28/29	22	Strategy and Planning	Approve the LHB's patient, public, staff, partnership and stakeholder engagement and co-production strategies.	Y		Also refer to Regulation 27 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010, Guidance for Engagement and Consultation on Changes to Health Services, and Section 183 (duty of LHBs) of the NHS (Wales) Act 2006 and Section 242 of NHS (Wales) Act 2006 (for Trusts) Well-being of Future Generations (Wales) Act 2015 Social Services and Wellbeing (Wales) Act 2014

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Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
7	23	Operating arrangements	Approve the introduction or discontinuance of any significant activity or operation. Any activity or operation shall be regarded as significant if the Board determines it so based upon its contribution/impact on the achievement of the LHB's aims, objectives and priorities	Y		Also refer to Regulation 27 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010, Guidance for Engagement and Consultation on Changes to Health Services, and Section 183 (duty of LHBs) of the NHS (Wales) Act 2006 and Section 242 of NHS (Wales) Act 2006 (for Trusts)
16/17	24	Organisation Structure & Staffing	Appointment of officer members of the Board (Chief Executive and Directors) <b>in accordance with the provisions of the Regulations and in accordance with Ministerial Instructions</b>	Y		Regulation 4(2) of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regs 2009
16/17	25	Organisation Structure & Staffing	<b>Termination of appointment and suspension officer members in accordance with the provisions of the Regulations and in accordance with Ministerial instructions</b>	N	Remuneration and Terms of Service Committee	Regulation 8 and 9 of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regs 2009
16/17	26	Organisation Structure & Staffing	<b>Consider appraisal of officer members of the Board (Chief Executive and Directors)</b>	N	Remuneration and Terms of Service Committee	

## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
17	27	Organisation Structure & Staffing	Approve the appointment, appraisal, discipline and dismissal of any other Board level appointments <b>and other senior employees, in accordance with Ministerial Instructions</b> e.g. the Board Secretary	N	Remuneration and Terms of Service Committee  * NOTE; Welsh Ministers approval will be required in the exceptional event that remuneration needs to be above the maximum of the salary band range (Ref 14.1.4 SFI's)	Para 14.1.4, Pay and Expenditure, page 60, Schedule 2.1, Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts
NEW	28	Organisation Structure & Staffing	<b>Consider and approve redundancy and Early Release Applications, noting that where the settlement is £50,000 or above subsequent agreement of Welsh Government is required.</b>	N	Remuneration and Terms of Service Committee	Para 14.1.5, Pay and Expenditure, page 60, Schedule 2.1, Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts
19	29	Organisation Structure & Staffing	Approve, arrange the review, and revise the LHB's top level organisation structure and corporate policies	Y		
20	30	Organisation Structure & Staffing	Appoint, arrange the review, revise and dismiss LHB Committees, including any joint-Committees directly accountable to the Board.	Y		Regulation 14 of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regs 2009  Section B, Paragraph 3, <b>Pages 22-25</b> - Model Standing Orders
21	31	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the Chair and members of any Committee, joint-Committee or group set up by the Board	Y		As above

## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
22	32	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the individuals appointed to represent the Board on outside bodies and groups.	Y		
23	33	Organisation Structure & Staffing	Approve the <b>standing orders and</b> terms of reference and reporting arrangements of all Committees, joint-Committees and groups established by the Board	Y		Regulation 15(4) and (5) of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009  Section B, Paragraph 3, <b>Pages 22-25</b> - Model Standing Orders
10	34	Operating arrangements	Approve arrangements relating to the discharge of the LHB's responsibility as a Bailee for patients' property	N	Audit Committee	Para 19.1.1, LHB Responsibility, page 77, Schedule 2.1, Standing Financial Instructions. Responsibility delegated to Director of Finance
12	35	Operating arrangements	Approve individual compensation payments in line with <b>the provisions of Annex 4 to Chapter 6 of the Welsh Government Manual for Accounts</b>	Y - except where Chapter 6 specifies appropriate to delegate to a committee, Chief Executive or Officers.		Annex 4, Chapter 6 of the Welsh Government Manual for Accounts



## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
13	36	Operating arrangements	Approve individual cases for the write off of losses or making of special payments above the limits delegated to the Chief Executive and Officers	Y - except where Chapter 6 specifies appropriate to delegate to a committee, Chief Executive or Officers.		Para 17 - Disposal, Condemnations, Losses and Special Payments, Schedule 2.1, Model Standing Financial Instructions Annex 4, Chapter 6 of the Welsh Government Manual for Accounts
14	37	Operating arrangements	Approve proposals for action on litigation on behalf of the LHB	Y		
24	38	Organisation Structure & Staffing	Approve the arrangements relating to the discharge of the LHB's responsibilities as a corporate trustee of funds held on trust <b>in accordance with the provision of Paragraph 20 of the Standing Financial Instructions.</b>	Y		Para 20, Funds Held on Trust (Charitable Funds), pages 79 - 80, Schedule 2.1, Model Standing Financial Instructions
32	39	Strategy and Planning	Approve new contracts for the LHB to provide, or to secure provision from providers for Personal Medical; Dental; Pharmacy; Optometry services to some or all of the LHB's population <del>Services</del> <b>where the value exceeds the delegated limit of the Chief Executive</b>	Y		Para 12, Health Care Agreements and Contracts for Health Care Services, pages <b>53 - 55</b> , Schedule 2.1, Model Standing Financial Instructions
33	40	Strategy and Planning	Approve individual contracts (other than NHS contracts) above the limit delegated to the Chief Executive set out in the Standing Financial Instructions	Y		Para 12, Health Care Agreements and Contracts for Health Care Services, pages <b>53 - 55</b> , Schedule 2.1, Model Standing Financial Instructions

## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
34	41	Performance and Assurance	Approve the LHB's audit and assurance arrangements.	Y		Section B, Paragraph 10, pages <b>49-50</b> - Model Standing Orders
35	42	Performance and Assurance	Receive reports from the LHB's Executive on progress and performance in the delivery of the LHB's strategic aims, objectives and priorities and approve action required, including improvement plans <b>as appropriate</b> .	Y		Section B, Paragraph 11, <b>page 51</b> , Model Standing Orders
36	43	Performance and Assurance	Receive reports from the LHB's Committees, groups and other internal sources on the LHB's performance and approve action required, including improvement plans <b>as appropriate</b> .	Y		Section B, Paragraph 3.7 page <b>25</b> and Paragraph 10.2.3, page <b>50</b> - Model Standing Orders
37	44	Performance and Assurance	Receive reports on the LHB's performance produced by external regulators and inspectors (including, e.g. <b>Audit Wales</b> , HIW, etc.) that <i>raise <b>significant</b> issue or concerns impacting on the LHB's ability to achieve its aims and objectives</i> and approve action required, including improvement plans, taking account of the advice of Board Committees (as appropriate).	Y		Section B, Paragraph 11, <b>page 51</b> , Model Standing Orders
38	45	Performance and Assurance	Receive the annual opinion of the LHB's Chief Internal Auditor and approve action required, including improvement plans	Y		Section B, Paragraph 10.1, page <b>49</b> , Model Standing Orders

## Review of NHS Wales Local Health Board Model Reservation and Delegation of Duties

**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\***

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
39	46	Performance and Assurance	Receive the annual management report from the Auditor General for Wales and approve action required, including improvement plans.	Y		Section B, Paragraph 10.3, <a href="#">page 50</a> , Model Standing Orders
40	47	Performance and Assurance	Receive <a href="#">assurance regarding</a> the LHB's performance against <a href="#">the Health and Care Standards for Wales</a> and <a href="#">the arrangements for</a> approving required action, including improvement plans.	Y		Section B, Paragraph 11, <a href="#">page 51</a> , Model Standing Orders
41	48	Performance and Assurance	Approve the LHB's Reporting Arrangements, including reports on activity and performance locally, to citizens, partners and stakeholders and nationally to the <a href="#">Welsh Government</a> <a href="#">where required</a> .	Y		Section B, Paragraph 11, <a href="#">page 51</a> , Model Standing Orders
42	49	Performance and Assurance	Receive, approve and ensure the publication of LHB reports, including its Annual Report and annual financial accounts <a href="#">in accordance with directions and guidance issued</a>	Y		Section B, Paragraph 11, <a href="#">page 51</a> , Model Standing Orders
	*Note: Any decision to reserve a matter, and the manner in which that retained responsibility is carried out will be in accordance with any regulatory and/or Welsh Governme					

**Review of NHS Wales Trust Model Standing Orders – Summer 2023**  
**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body**

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
2			Forward	No amendments made - Refer to legislation before making amendments  Trusts to amend as appropriate for their organisation					
7	<b>Section A - Introduction</b>								
7	i)	i)	Statutory Framework	No amendments made.  Refer to legislation before making any further amendments.	Velindre National Health Service Trust (Establishment) Order 1993	Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998	The Public Health Wales National Health Service Trust (Establishment) Order 2009	✓	
7	iv)	iv)	Statutory Framework	No amendments made - Refer to legislation before making amendments	NHS Act 2006 and NHS (Wales) Act 2006	NHS Act 2006 and NHS (Wales) Act 2006	NHS Act 2006 and NHS (Wales) Act 2006	✓	
8	v)	v)	Statutory Framework	No amendments made - Refer to legislation before making amendments  Trusts to amend as appropriate for their organisation	The National Health Service Trusts (Membership and Procedure) Regulations 1990 as amended	The National Health Service Trusts (Membership and Procedure) Regulations 1990 as amended	The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 as amended	✓	
8	vi)	vi)	Statutory Framework	No amendments made - Refer to legislation before making amendments	Sections 18 & 19 & Schedule 3 of the NHS (Wales) Act 2006	Sections 18 & 19 & Schedule 3 of the NHS (Wales) Act 2006	Sections 18 & 19 & Schedule 3 of the NHS (Wales) Act 2006	✓	
8		vii)	Statutory Framework	Insertion of new paragraph in relation to The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1). Encompassing the duties of quality and candour, the creations of the Citizens Voice Body for Health and Social Care, Wales and the appointment of a statutory vice-chair to Trusts.	The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
Page 9. Previously page 8	vii)	viii)	Statutory Framework	Paragraph and page number amended. No other amendments made - Refer to legislation before making amendments	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	✓	
9. Previously page 8	viii) & ix)	ix & x)	Statutory Framework	Paragraph and page number amended. No other amendments made.					

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
9. Previously page 8	x)	xi)	Statutory Framework	Paragraph and page number amended. No other amendments made - Refer to legislation before making amendments	The Welsh Health Specialised Services Committee (Wales) Directions 2009 & The Emergency Ambulance Services Committee (Wales) Directions 2014	The Welsh Health Specialised Services Committee (Wales) Directions 2009 & The Emergency Ambulance Services Committee (Wales) Directions 2014	The Welsh Health Specialised Services Committee (Wales) Directions 2009 & The Emergency Ambulance Services Committee (Wales) Directions 2014	✓	
9	xi)	xii)	Statutory Framework	Paragraph number amended. No other amendments made - Refer to legislation before making amendments	The Welsh Health Specialised Services Committee (Wales) Directions 2009	The Welsh Health Specialised Services Committee (Wales) Directions 2009	The Welsh Health Specialised Services Committee (Wales) Directions 2009	✓	
9	xii)	xiii)	Statutory Framework	Paragraph number amended. No other amendments made - Refer to legislation before making amendments	The Emergency Ambulance Services Committee (Wales) Directions 2014	The Emergency Ambulance Services Committee (Wales) Directions 2014	The Emergency Ambulance Services Committee (Wales) Directions 2014	✓	
10. Previously page 9	xiii)	xiv)	Statutory Framework	Paragraph and page number amended. No other amendments made - Refer to legislation before making amendments	The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012	The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012	The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012	✓	
10. Previously page 9	xiv)	xv)	Statutory Framework	Paragraph and page number amended. No other amendments made - Refer to legislation before making amendments	National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000/NHS (Wales) Act 2006	National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000/NHS (Wales) Act 2006	National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000/NHS (Wales) Act 2006	✓	
10. Previously page 9	xv)	xvi)	Statutory Framework	Paragraph and page number amended. No other amendments made - Refer to legislation before making amendments	NHS Act 2006, Section 72	NHS Act 2006, Section 72	NHS Act 2006, Section 72	✓	
10	xvi)	xvii)	Statutory Framework	Paragraph number amended. No other amendments made - Refer to legislation before making amendments	NHS Act 2006, Section 82	NHS Act 2006, Section 82	NHS Act 2006, Section 82	✓	
10	xvii)	xviii)	Statutory Framework	Paragraph number amended. No other amendments made - Refer to legislation before making amendments	The Welsh Language Standards (No.7) Regulations 2018	The Welsh Language Standards (No.7) Regulations 2018	The Welsh Language Standards (No.7) Regulations 2018	✓	
10	xviii)	xix)	Statutory Framework	Paragraph number amended. No other amendments made - Refer to legislation before making amendments	NHS (Wales) Act 2006	NHS (Wales) Act 2006	NHS (Wales) Act 2006	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
11, previously page 10	xix)	xx)	Statutory Framework	Paragraph and page number amended. No other amendments made.					
11, previously page 10	xx) & xxi)	xxi) & xxii)	NHS Framework	Paragraph and page number amended. No other amendments made.					
11	xxii)	xxiii)	NHS Framework	Paragraph number amended and reference to Health and Care Quality Standards updated to Insertion of the line 'Health and Care Quality Standards 2023.' - Refer to guidance before making amendments.	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)	✓	
11	xxiii)	xxiv)	NHS Framework	Paragraph number amended. No other amendments made - Refer to legislation before making amendments	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	✓	
12, previously page 11	xxiv)	xxv)	NHS Framework	Paragraph and page number amended. No other amendments made.					
12	xxv) - xxviii)	xxvi) - xxix)	NHS Trust Framework	Paragraph number amended. No other amendments made.					
12	xxix)	xxx)	Applying Standing Orders	Paragraph number amended. No other amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
13. Previously page 12	xxx)	xxxi)	Applying Standing Orders	Paragraph and page number amended. No other amendments made - Trust to insert add title of their Audit Committee					
13. Previously page 12	xxxi)	xxxii)	Applying Standing Orders	Paragraph number amended. No other amendments made.					
13	xxxii)	xxxiii)	Applying Standing Orders	Paragraph number amended. No amendments made - Bullet 1 - Trust to insert appropriate Regulations, Bullet 2 - Trust to insert add title of their Audit Committee	The National Health Service Trusts (Membership and Procedure) Regulations 1990 as amended, Regulation 19	The National Health Service Trusts (Membership and Procedure) Regulations 1990 as amended, Regulation 19	The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 as amended, Regulation 23	✓	
13	xxxiii)	xxxiv)	Interpretation	Paragraph number amended. No other amendments made.					
14. Previously page 13	xxxiv)	xxxv)	Interpretation	Paragraph and page number amended. No other amendments made.					

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
14. Previously page13	xxxv)	xxxvi)	The Role of the Board Secretary	Paragraph and page renumbered. No other amendments made - contact details for Board Secretary to be added					
15	<b>Section B : Standing Orders</b>								
15	1.0.1	1.0.1	The Trust	No amendments made - refer to legislation before making amendments.	Velindre NHS Trust (Establishment) Amendment Order 1999, Article 3 (2)(a) & (b), amended 2002 and Article 3(2) ( c ) added, amended 2012, and Article 3(2)(d) & ( e ) added, amended 2017 and Article 3(2)(f) added			✓	
15	1.0.1	1.0.1	The Trust	WAST - addresses of headquarters updated - Refer to legislation before making		WAST (Establishment) Order 1998 (as amended)		✓	
16	1.0.1	1.0.1	The Trust	PHW - No amendments made - Refer to legislation before making amendments			Public Health Wales (Establishment Order) 2009	✓	
16 & 17	1.0.2	1.0.2	The Trust	No amendments made - Refer to legislation before making amendments - Trusts to insert paragraph as appropriate	Velindre NHS Trust (Establishment) Amendment Order 1999 (as amended)	WAST (Establishment) Order 1998 (as amended)	Public Health Wales (Establishment Order) 2009	✓	
17	1.1.1	1.1.1	Membership of the Trust	Updates made for PHW, WAST & Velindre. Membership of the Trust should include a vice- chair, 6 non-executive directors and 6 executive directors. Refer to legislation before making any amendments.	The National Health Service Trusts (Membership and Procedure) Regulations 1990, amended Velindre National Health Service Trust (Establishment) Order 1993, Amendment Order 2002, Amendment (No. 2) Order 2002 and Amendment) Order 2018 and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	The National Health Service Trusts (Membership and Procedure) Regulations 1990, amended by Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998 and (Amendment) Order 2009 and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, as amended in 2011 and 2016 and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
17	1.1.3	1.1.3	Membership of the Trust	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure) Regulations 1990, Reg 3(2)	NHS Trust (Membership and Procedure) Regulations 1990, Reg 3(2)	PHW Public Health Wales Membership Regs 2009, Regulation 3(1)	✓	
17	1.1.4	1.1.4	Membership of the Trust	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 3(2) and 17	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 3(2) and 17	PHW Public Health Wales Membership Regs 2009, Regulation 3(1) and 21	✓	
17, previously page 18	1.1.5	1.1.5	Membership of the Trust	Page number amended. No other amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 3(2) and 18	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 3(2) and 18	PHW Public Health Wales Membership Regs 2009, Regulation 3(1) and 22	✓	
18	1.1.6	1.1.6	Membership of the Trust	<u>Executive Directors Amendments made.</u> Velindre - A total of 6 and 2 others. For WAST- a total of 6 and 4 others. For PHW- a total of 6 and 4 others. Refer to legislation before making amendments  Trusts to insert paragraphs as appropriate	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 4(1) and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 4(1) and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	PHW Public Health Wales Membership Regs 2009, Regulation 4 and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	✓	
18	1.1.7	1.1.7	Membership of the Trust	<u>Non-Executive Directors (to be known as Independent Members)</u> - For Velindre, WAST and PHW, the requirement for a Vice-Chair has been inserted. Refer to legislation before making amendments  Trusts to insert paragraphs as appropriate	Velindre NHS Trust (Establishment) Order, Article 4, as amended in 2002 and 2018 and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998, Article 4, as amended in 2009 and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, as amended in 2011 and 2016 and The National Health Service Trusts (Membership and Procedure) (Amendment) (Wales) Regulations 2022	✓	
18	1.1.8	1.1.8	Membership of the Trust	No amendments made - Refer to legislation before making amendments					✓
19	1.1.9	1.1.9	Membership of the Trust	<u>Use of Term Independent Member</u> - No amendments made. Refer to legislation before making amendments					✓



Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
19	1.2 & 1.2.1	1.2 & 1.2.1	Joint Directors	No amendments made - Refer to legislation before making amendments	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 2, Regulation 7	✓	
19	1.3.1	1.3.1	Tenure of Board Members	No amendments made - Refer to legislation before making amendments  Trusts to insert paragraphs as appropriate  <b>Note:</b> Limitation of 8 years does not apply under the NHS (Membership and Procedure Regulations 1990, therefore no limitation for Velindre and WAST	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 2, Regulation 8(1) and 14(3)	✓	
20	1.3.2 & 1.3.3	1.3.2 & 1.3.3	Tenure of Board Members	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 7(2)	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 7(2)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 2, Regulation 8(2)	✓	
21	1.4.8	1.4.8	Responsibilities of Board Members	<b>The Vice-Chair</b> - no amendments made - Refer to legislation before making any changes.	NHS Trust (Membership and Procedure) Regulations 1990	NHS Trust (Membership and Procedure) Regulations 1990	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009		
23	2.2.1	2.2.1	Delegation of Board functions	No amendments made - Refer to legislation before making amendments  Trusts to insert paragraphs as appropriate	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 16	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 16	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 20		
24 - 26	3	3	Committees	Refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 19	✓	
25	3.3.1	3.3.1	Committees	No amendments - refer to legislation and Welsh Government before making any amendments					✓ regarding committees to be established as a minimum in 3.3.1

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
25	3.3.3 - 3.3.5	3.3.3 - 3.3.5	Committees	No amendments - refer to legislation and Welsh Government before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 19	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 19	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 23	✓	
26	3.3.6	3.3.6	Committees	No amendments - refer to legislation and Welsh Government before making any amendments					
26	3.4.1	3.4.1	Other Committees	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 19	✓	
27 & 28	4	4	NHS Wales Shared Services Partnership	Refer to legislation before making any amendments	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	✓	
27 & 28	4.0.2	4.0.2	NHS Wales Shared Services Partnership	No amendments made - Refer to legislation before making amendments	As above	As above	As above	✓	
27	4.04	4.04	NHS Wales Shared Services Partnership	Special Health Authorities added	As above	As above	As above	✓	
27 - 30	5	5	Advisory Groups	No amendments - refer to legislation and Welsh Government before making any amendments					✓ - requirement for Local Partnership Forum
27	5.1.1	5.1.1	Advisory Groups	no amendments made - Trusts to insert details as appropriate					✓ - requirement for Local Partnership Forum
31	6.0.3	6.0.3	Working in Partnership	No amendments made - Refer to legislation before making amendments	Social Services and Wellbeing (Wales) Act 2014 and Wellbeing of Future Generations (Wales) Act 2015	Social Services and Wellbeing (Wales) Act 2014 and Wellbeing of Future Generations (Wales) Act 2015	Social Services and Wellbeing (Wales) Act 2014 and Wellbeing of Future Generations (Wales) Act 2015	✓	
31	6.1. 6.1.1	6.1. 6.1.1	The Citizen Voice Body for Health and Social Care, Wales (known as Llais)	Heading and paragraph amended to reflect establishment of Citizen Voice Body for Health and Social Care (to be known as Llais) to replace the Community Health Councils.	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
31	-	6.1.2 & 6.1.3	The Citizen Voice Body for Health and Social Care, Wales (known as Llais)	New paragraphs added to reflect the functions of Llais	As above	As above	As above	✓	
32, previously 31	6.1.2 & 6.1.3	6.1.4 & 6.15	The Citizen Voice Body for Health and Social Care, Wales (known as Llais)	Paragraphs amended to the establishment of Llais and their functions.	As above	As above	As above	✓	
32	6.16 - 6.18	6.16 - 6.18	The Citizen Voice Body for Health and Social Care, Wales (known as Llais)	Insertion of 'The Board may determine that a designated Llais representative (s) shall be invited to attend Board meetings'. 'The Board shall ensure arrangements are in place for regular meetings between Trust officers and representatives of Llais.' And 'The Board's Chair shall put in place arrangements to meet with the Chair or Deputy Chair and/or representatives of Llais on a regular basis to discuss matters of common interest.'	As above	As above	As above	✓	
33	7.1.1	7.1.1	Putting the Citizen First	No amendments made - Refer to legislation before making amendments	Section 44, Welsh Language (Wales) Measure 2011	Section 44, Welsh Language (Wales) Measure 2011	Section 44, Welsh Language (Wales) Measure 2011	✓	
33	7.1.2	7.1.2	Putting the Citizen First	Insertion of reference to Llais in the paragraph. Refer to legislation before making amendments				✓	
34	7.2.5	7.2.5	Annual General Meeting (AGM)	Insertion of note in the paragraph - The Trust must hold an AGM in public no later than the 31 July each year. [Note : this will be no later than 30 September in 2023 to take account of the timetable for audit and laying of the Accounts by Audit Wales.] Refer to legislation and Financial Reporting Manual before making amendments.				✓	
34	7.3	7.3	Calling Meetings	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Schedule	NHS Trust (Membership and Procedure) Regulations 1990, Schedule	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 2(1)	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
35. Previously page 34	7.4.3	7.4.3	Notifying and Equipping Board members	Page number amended and also timescale for publication of agenda a papers changed to at least least 7 [WAST and Velindre] days (Note PHW remain at 10 days) days before a formal Board meeting. Refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 2(3)	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 2(3)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 2(3)	✓	
36. Previously page 35	7.4.6	7.4.6	Notifying and Equipping Board members	Page number amended. No other amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 2(5)	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 2(5)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 2(5)	✓	
36. Previously page 35	7.4.7	7.4.7	Notifying the public and others	Page number amended. No other amendments made - refer to legislation before making any amendments	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4	✓	
36	7.5.1	7.5.1	Admission of the public, press and observers	No amendments made - refer to legislation before making any amendments	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
36	7.5.2	7.5.2	Admission of the public, press and observers	No amendments made - refer to legislation before making any amendments  <b>Note:</b> Letter issued in November 2009 advising that Audit Committees should 'operate in private'	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
38. Previously 37	7.5.10	7.5.10	Quorum	Page number amended. No other amendments made - refer to legislation before making any amendments  Trust to insert appropriate paragraph	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 3(5)	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 3(5)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 3(5)	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
40. Previously page 39	7.5.24	7.5.24	Voting	Page number amended and insertion of reference to Llais replacing Community Health Councils. Refer to Welsh Government before making any amendments  <b>Note:</b> Legislation does not require Trusts to take account of views				✓	
40	7.5.25	7.5.25	Voting	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 3(3)	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 3(3)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 3(3)	✓	
40	7.6	7.6	Record of Proceedings	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 3(4) and 3(6)	NHS Trust (Membership and Procedure) Regulations 1990, Schedule, 3(4) and 3(6)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 3(4) and 3(6)		
41. Previously 40	7.7.1	7.7.1	Confidentiality	Page number amended. No other amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
41	8.0.1	8.0.1	Values and Standards of Behaviour	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
41	8.1.1	8.1.1	Declaration of Interests	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
44. Was page 43	8.2.8	8.2.8	Members with pecuniary (financial) interests	Page number amended. No other amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 20	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 20	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Regulation 24	✓	
44	8.5.1	8.5.1	Dealing with offers of gifts, hospitality and sponsorship	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
46	8.6.2	8.6.2	Sponsorship	Values and Standards of Behaviour Framework - insertion of ['Trust'] to insert title of relevant policy] to correct previous typographical error.				✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
47. Previously page 46	9.0.1	9.0.1	Signing and Sealing of Documents	Page number amended. No other amendments made - refer to legislation before making any amendments	Schedule 3, Part 4, Para 33 of NHS (Wales) Act 2006 re Trusts. Does not appear to be a corresponding requirement for LHBs	Schedule 3, Part 4, Para 33 of NHS (Wales) Act 2006 re Trusts. Does not appear to be a corresponding requirement for LHBs	Schedule 3, Part 4, Para 33 of NHS (Wales) Act 2006 re Trusts. Does not appear to be a corresponding requirement for LHBs	✓	
47	9.0.2	9.0.2	Signing and Sealing of Documents	No amendments made - refer to legislation before making any amendments	Schedule 3, Part 4, Para 33(1) of NHS (Wales) Act 2006 re Trusts	Schedule 3, Part 4, Para 33(1) of NHS (Wales) Act 2006 re Trusts	Schedule 3, Part 4, Para 33(1) of NHS (Wales) Act 2006 re Trusts	✓	
50. Previously page 49	10.3.3	10.3.3	External Assurance	Page number amended only. No other amendments made.					
56. Previously page 55	n/a	n/a	Individuals who have powers delegated to them	Page number amended only. No other amendments made.					
57. Previously page 56	Schedule 1	Schedule 1	Schedule of Matters Referred to Board	Page number amended only. No other amendments made. Refer to legislation before making future amendments.					
63	Schedule 1	Schedule 1	Schedule of Matters Referred to Board	At point 36. Insertion of word 'Trusts' added to correct previous typographical error.					
69. Previously 67		Schedule 3	Board Committee Arrangements	Page number amended only. No other amendments made.					
70 - 78. Previously 68 - 76		Schedule 4	Advisory Groups	Page numbers changed and Trust added to correct previous typographical error on page 75. Refer to Welsh Government before making any amendments					✓ - requirement for Local Partnership Forum

# NHS Trust - Schedule 1 - Schedule of Matters Reserved for the Board

No amendments were made to the scheme of delegation in Summer 2023 review period - Table retained for purposes of cross referencing to legislation and page numbers

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Reason for Amendment (if applicable) - none made in this round.	Cross reference to legislation/Model SO's/Guidance
Footnote 5	Footnote 5	n/a	n/a	n/a	n/a	Assembly changed to Welsh Government	
1	1	General	Board may determine any matter for which it has statutory or delegated authority in accordance with SOs.	Y			
2	2	General	The Board must determine any matter that will be reserved for the whole Board. These are:  [Trust to insert details]	Y			
n/a	3	General	Approve the Trusts Governance Framework	Y		New requirement. The need for an overarching Governance Framework not previously recognised.  The Governance Framework will provide a broad overview, outline, or skeleton of interlinked items/principles/concepts which supports the approach ensuring standards of governance are maintained within the Trust. More detailed policies and procedures will underpin the Framework as appropriate.	
4	4	Operating arrangements	Approve, vary and amend - SOs; - SFIs; - Scheme of matters reserved to the Trust; - Scheme of delegation to Committees and others; and - Scheme of delegation to officers.  In accordance with any directions set by Welsh Ministers.	Y		Note : agreed with Board Secretaries that Scheme of Delegation should remain high level.	Regulation 23 - The Public Health Wales National Health Service (Membership and Procedure) Regulations 2009 and Regulation 19 - The National Health Service Trusts (Membership and Procedure) Regulations 1990
8	5	Operating arrangements	Ratify any urgent decision taken by the Chair and the Chief Executive in accordance with SO requirements	Y		No amendments  Note : agreed with Board Secretaries that Scheme of Delegation should remain high level.	Section B, Paragraph 2.1 - Chair's action on urgent matters, page 21 - Model Standing Orders
NEW	6	Operating arrangements	Formal consideration of report of Board Secretary on any non-compliance with Standing Orders, making proposals to the Board on any action to be taken.	N	Audit Committee	Wording not consistent with SOs which under xxx) which state non-compliance should be reported to the BS, who will ask the Audit Committee to formally consider the matter and make proposals to the Board on any action to be taken.	Section A, paragraph xxxi), Applying Standing Orders, page 12 - Model Standing Orders
9	8	Operating arrangements	Receive report and proposals regarding any non-compliance with Standing Orders, and where required ratify in public session any action required in response to failure to comply with SOs.	Y		As above and section moved to improve flow of the Scheme of Delegation	Section A, paragraph xxxi), Applying Standing Orders, page 12- Model Standing Orders
15	9	Operating arrangements	Authorise use of the Trusts official seal	Y		Section moved to improve flow of Scheme of Delegation	Section B, Paragraph 9, page 46-47 - Signing and Sealing of Documents - Model Standing Orders

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Reason for Amendment (if applicable) - <b>none made in this round.</b>	Cross reference to legislation/Model SO's/Guidance
5	10	Operating arrangements	Approve the Trust's Values and Standards of Behaviour Framework <b>[Trust to insert title of the relevant policy]</b>	Y		A Framework is a broad overview, outline, or skeleton of interlinked items/principles/concepts which supports a particular approach to a specific objective, and serves as a structure that provides guidance which can be modified as required.  Note: The Board cannot delegate the approval of the 'Framework' but they can delegate approval of policies which fall out of this e.g. the Declarations of Interest Policy and Procedure  Section moved to improve flow of Scheme of Delegation	Regulation 24 - The Public Health Wales National Health Service (Membership and Procedure) Regulations 2009 and Regulation 20 - The National Health Service Trusts (Membership and Procedure) Regulations 1990  Section B, Paragraph 8 - Values and Standards of Behaviour, Pages <b>40-46</b> of Model Standing Orders
18	11	Organisation Structure & Staffing	Require, receive and determine action in response to the declaration of Board members' interests, in accordance with advice received e.g. from Audit Committee or Board Secretary	N	Chair on behalf of Board/Vice-Chair on behalf of Board if Chair is declaring interest	Amended to reflect the wording within the SO's and moved to improve flow of Scheme of Delegation	Section B, para 8.2.7 - Dealing with Members' interests during Board meetings, <b>page 42</b> of Model Standing Orders
25	12	Strategy and Planning	Determine the Trusts strategic aims, objectives and priorities	Y		Section moved to improve flow of Scheme of Delegation	Section B, para .4, <b>Page 25</b> of Model Standing Orders
30	13	Strategy and Planning	Approve the Trusts key strategies and programmes related to:  - The development and delivery of patient and population centred health and care/clinical services - Improving quality and patient safety outcomes - Workforce and organisational development - Infrastructure, including IM&T, Estates and Capital (including major capital investment and disposal plans)	Y		Language modernised to refer to health and care and section moved to improve flow of Scheme of Delegation  Note: Trusts are not required to develop a population needs assessment.	Clinical Services Strategy to be approved by Board (p 13) NHS Wales Planning Framework 2020-2023
NEW	14	Strategy and Planning	Agreement of Well-being objectives in accordance with the requirements of the Well-being and Future Generations (Wales) Act 2015	Y	TRUSTS BUT EXCLUDING WAST	Added to reflect introduction of legislation  Note: Applicable to Trusts excluding Welsh Ambulance Services NHS Trust	Section 9 of the Well-being and Future Generations (Wales) Act 2015
26	15	Strategy and Planning	Approve the Trusts Integrated Medium Term Plan, including the balanced Medium Term Financial Plan	Y		Section moved to improve flow of Scheme of Delegation	Schedule 4 of the NHS (Wales) Act 2006 and NHS Finance (Wales) Act 2014 regarding requirement to produce balanced plan.
31	16	Strategy and Planning	Approve the Trusts budget and financial framework (including overall distribution of the financial allocation and unbudgeted expenditure)	Y		Section moved to improve flow of Scheme of Delegation	Approve Trust Framework - Para 5.1.1, Schedule 2, Standing Financial Instructions
6	17	Operating arrangements	Approve the Trusts framework and strategy for performance management.	Y		Combined Framework and Strategy for Performance and risk and assurance but have in separate sections for performance and risk and assurance  Section moved to improve flow of Scheme of Delegation	Section B, para 1.4.1 - <b>Role</b> page <b>19</b> of Model Standing Orders



Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Reason for Amendment (if applicable) - <b>none made in this round.</b>	Cross reference to legislation/Model SO's/Guidance
27	18	Strategy and Planning	Approve the Trusts framework and strategy for risk and assurance	Y		See above, also previously read 'risk management strategy and plans' . Reworded for consistency and section moved to improve flow of Scheme of Delegation	
11	19	Operating arrangements	Ratify policies for dealing with raising concerns, complaints and incidents in accordance with the Putting Things Right and health and safety requirements.	Y	Committee of the Board may approve policies for formal ratification by Board	Need to be clear re definition of 'policy' - A written statement of intent, describing the broad approach or course of action that the organisation is taking with a particular issue. Policies are underpinned by evidenced based procedures and guidelines and are mandatory. The formulation of policies allows the organisation to produce formal agreements, which clearly defines the commitment of the organisation and the obligations of individual staff.  Reference made to the Putting Things Right requirements and to allow delegation of policies to an appropriate committee. Section also moved to improve flow within Scheme of Delegation	The NHS Redress (Wales) Measure 2008, The NHS Redress (Wales) Measure 2008 (Commencement) Order 2011
3	20	Operating arrangements	Agree the arrangements for ensuring the adoption of standards of governance and performance (including the quality and safety of healthcare, and the patient experience) to be met by the Trust, including standards/ requirements determined by Welsh Government, regulators, professional bodies/others, e.g. National Institute of Health and Care Excellence (NICE)	Y		Amended to allow the Board to consider the various standards and determine delegation arrangements. Not all standards will be adopted in their entirety but it is important for decision making regarding this to be clear. Practical example = the arrangements for organisations to consider Royal College Guidance during the COVID-19 pandemic and reflect provisions where/if appropriate.  Section moved to improve flow of Scheme of Delegation.	
28	21	Strategy and Planning	Approve the Trusts patient, public, staff, partnership and stakeholder engagement and co-production strategies.	Y		Language modernised and merged into single area for delegation.  Section moved to improve flow of Scheme of Delegation	Also refer to Regulation 27 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010, Guidance for Engagement and Consultation on Changes to Health Services, and Section 183 (duty of LHBs) of the NHS (Wales) Act 2006 and Section 242 of NHS (Wales) Act 2006 (for Trusts) Well-being of Future Generations (Wales) Act 2015 Social Services and Wellbeing (Wales) Act 2014

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Reason for Amendment (if applicable) - <b>none made in this round.</b>	Cross reference to legislation/Model SO's/Guidance
7	22	Operating arrangements	Approve the introduction or discontinuance of any significant activity or operation. Any activity or operation shall be regarded as significant if the Board determines it so based upon its contribution/impact on the achievement of the LHB's aims, objectives and priorities	Y		No amendment required. Reference to legislation and guidance provided.  Section moved to improve flow of Scheme of Delegation.	Also refer to Regulation 27 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010, Guidance for Engagement and Consultation on Changes to Health Services, and Section 183 (duty of LHBs) of the NHS (Wales) Act 2006 and Section 242 of NHS (Wales) Act 2006 (for Trusts)
17	23	Organisation Structure & Staffing	Approve the appointment, appraisal, discipline and dismissal of any other Board level appointments and other senior employees, in accordance with Ministerial Instructions e.g. the Board Secretary	N	Remuneration and Terms of Service Committee  * NOTE; Welsh Ministers approval will be required in the exceptional event that remuneration needs to be above the maximum of the salary band range	Previously part of former paragraph 17  Section moved to improve flow of Scheme of Delegation	Para 14.1.4, Pay Expenditure, page 58, Schedule 2.1, Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts
16/17	24	Organisation Structure & Staffing	Appointment of the Chief Executive, Executive Directors and any other Board level appointments , e.g., the Board Secretary	N	Remuneration and Terms of Service Committee  For Chief Executive Committee to consist of Chair and non-officer members and for executive directors Committee to also include the chief executive.	Previously part of former paragraph 16/17  Amended to reflect provisions within Regulations.  Section moved to improve flow of Scheme of Delegation	Regulation 3(2), 21 & 22, The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009/Regulation 3(3), 17 & 18 The National Health Service Trusts (Membership and Procedure) Regulations 1990 Section B, Paragraph 1.1.6, <b>page 17</b> , Appointment of Executive Directors - Model Standing Orders
16/17	25	Organisation Structure & Staffing	Termination of appointment and suspension officer members in accordance with the provisions of Regulations	N	Remuneration and Terms of Service Committee	Previously part of former paragraph 16/17  Amended to reflect provisions within Regulations.  Section moved to improve flow of Scheme of Delegation	Regulation 9, The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009/Regulation 8 The National Health Service Trusts (Membership and Procedure) Regulations 1990
16/17	26	Organisation Structure & Staffing	Consider appraisal of officer members of the Board (Chief Executive and Directors)	N	Remuneration and Terms of Service Committee	See above - sections split to reflect regulations and clarify arrangements.  Previously part of former paragraph 16/17  Section moved to improve flow of Scheme of Delegation	
n/a	27	Organisation Structure & Staffing	Consider and approve redundancy and Early Release Applications, noting that where the settlement is £50,000 or above subsequent agreement of Welsh Government is required.	N	Remuneration and Terms of Service Committee	Inserted to ensure clarity regarding redundancy and Early Release Applications.	Chapter 6, Annex 2, NHS Manual for Accounts
19	28	Organisation Structure & Staffing	Approve, arrange the review, and revise the LHB's top level organisation structure and corporate policies	Y		Section moved to improve flow of Scheme of Delegation	

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Reason for Amendment (if applicable) - <b>none made in this round.</b>	Cross reference to legislation/Model SO's/Guidance
20	29	Organisation Structure & Staffing	Appoint, arrange the review, revise and dismiss Trust Committees directly accountable to the Board.	Y		Section moved to improve flow of Scheme of Delegation	Regulation 19 & 20, The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009/Regulation 15 & 16 The National Health Service Trusts (Membership and Procedure) Regulations 1990
21	30	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the Chair and members of any Committee or group set up by the Board	Y		Section moved to improve flow of Scheme of Delegation	As above
22	31	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the individuals appointed to represent the Board on outside bodies and groups.	Y		Section moved to improve flow of Scheme of Delegation	As above

**Review of Welsh Health Specialised Services Standing Orders, Schedule 4.1, Local Health Board Model Standing Orders – Summer 2023**  
**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body**

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
2	1	1	Forward	No amendments made - Refer to legislation before making amendments	WHSSC (Wales) Regulations, Part 3, Regulation 12 and The LHB (Constitution, Membership and Procedures) Regulations, Regulation 14(b) and 15(5)	✓	
6	<b>Section A - Introduction</b>						
6	i)	i)	Statutory Framework	Insertion of reference to Local Health Board (LHB). Refer to legislation before making amendments	Welsh Health Specialised Services Committee (Wales) (Amendment) Directions 2014	✓	
6	iv) & v)	iv) & v)	Statutory Framework	No amendments made - Refer to legislation before making amendments	NHS (Wales) Act 2006, para 4 of Schedule 2	✓	
7	viii)	viii)	Statutory Framework	No amendments made - Refer to legislation before making amendments	Welsh Health Specialised Services Committee (Wales) Regulations 2009 and Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009		

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
7		x)	Statutory Framework	Insertion of paragraph in relation to the Health and Social Care (Quality and Engagement) (Wales) Act including the duties of quality and candour. The creation of a new Citizens Voice Body for Health and Social Care, Wales (to be known as Llais). Refer to legislation before making amendments	The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
8, previously 7	xi) & xii)	xii) & xiii)	NHS Framework	Paragraph and page renumbered due to above change. No other amendments made.			
8, previously 7	xiii)	xiv	NHS Framework	Paragraph renumbered and amended to include new Health and Care Quality Standards 2023	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)	✓	
8, previously 7	xiv) & xv)	xv) & xvi)	NHS Framework	Paragraph and page renumbered due to above change. No other amendments made. Refer to legislation before making any amendments.	Well-being of Future Generations (Wales) Act 2015	✓	
8	xvi) & xvii)	xvii) & xviii)	NHS Framework	Paragraph renumbered due to above change. No other amendments made.			
9, previously 8	xvii) - xx)	xix) - xxi)	Joint Committee Framework	Paragraph and page renumbered due to above change. No other amendments made.			
9	xxi) & xxii)	xxii) & xxiii)	Applying WHSSC Standing Orders	Paragraph renumbered due to above change. No other amendments made.			

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
10, previously 9	xxiii)	xxiv)	Variation and Amendment	Paragraph and page renumbered due to above change. No other amendments made.			
10, previously 9	xxiv) & xxv)	xxv) & xxvi)	Interpretation	Paragraph and page renumbered due to above change. No other amendments made.			
10	xxvi)	xxvii)	Relationship with LHB Standing Orders	Paragraph renumbered due to above change. No other amendments made.			
10 & 11, previously 10	xxvii) & xxviii)	xxviii) & xix)	The role of the Committee Secretary	Paragraph and page renumbered due to above change. No other amendments made.			✓
12, previously 11	<b>Section B : WHSSC Standing Orders</b>						
12, previously 11	1.1	1.1	Purpose and Delegated Functions	Page renumbered, no other amendments made - Refer to legislation before making amendments	The WHSSC (Wales) Directions 2009 and The WHSSC (Wales) Regulations 2009	✓	
13, previously 12	1.1.5	1.1.5	Purpose and Delegated Functions	Page renumbered, no other amendments made - 2021 update specified need to ensure paragraph is consistent with Ministerial Direction issued re no-longer a requirement to ensure unanimous decision for funding decisions			✓ MA-P /VG/3794/18 - 121118
13, previously 12	1.2	1.2	Membership of Joint Committee	Page renumbered, no other amendments made - Refer to legislation before making amendments	The WHSSC (Wales) Directions 2009, 5.1 and The WHSSC (Wales) Regulations 2009, Part 2	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
13, previously 12	1.2.1	1.2.1	Membership of Joint Committee	Page renumbered, no other amendments made - Refer to legislation before making amendments	The WHSSC (Wales) Regulations 2009 Regulation 4(1) & 4(2)	✓	
13, previously 12	1.2.2	1.2.2	Membership of Joint Committee	<u>Non Officer Members</u> [to be known as Independent Members] - Page renumbered, no other amendments made, refer to legislation before making amendments	The WHSSC (Wales) Regulations 2009 Regulation 4(3)	✓	
13, previously 12	1.2.3	1.2.3	Membership of Joint Committee	<u>Chief Executives</u> - Page renumbered, no other amendments made, refer to legislation before making amendments	The WHSSC (Wales) Regulations 2009 Regulation 3(1)	✓	
13 & 14, previously 12 & 13	1.2.4 & 1.2.5	1.2.4 & 1.2.5	Membership of Joint Committee	<u>Officer Members</u> - Page renumbered, no other amendments made, refer to legislation before making amendments	The WHSSC (Wales) Regulations 2009 Regulation 3(1)(d) & 3(2)	✓	
14, previously 13	1.2.6	1.2.6	Membership of Joint Committee	<u>Associate Members</u> - Page renumbered, no other amendments made, refer to legislation before making amendments	The WHSSC (Wales) Regulations 2009 Regulation 3(3)	✓	
14, previously 13	1.2.7	1.2.7	Membership of Joint Committee	<u>In Attendance</u> - Page renumbered, no other amendments made, refer to legislation before making any amendments			
15, previously 14	1.3.7 & 1.3.8	1.3.7 & 1.3.8	Membership responsibilities and accountabilities	<u>Vice-Chair</u> - Page renumbered, no other amendments made, refer to legislation before making any amendments	The WHSSC (Wales) Regulations 2009 Regulation 13	✓	
16, previously 15	1.4.1	1.4.1	Appointment and Tenure of Joint Committee Members	<u>Chair</u> - Page renumbered, no other amendments made, refer to legislation before making any amendments	The WHSSC (Wales) Regulations 2009 Regulation 6	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
16, previously 15	1.4.2	1.4.2	Appointment and Tenure of Joint Committee Members	<u>Vice Chair and Independent Members</u> - Page renumbered, no other amendments made, refer to legislation before making any amendments	The WHSSC (Wales) Regulations 2009 Regulation 7	✓	
17, previously 16	1.4.4 & 1.4.5	1.4.4 & 1.4.5	Appointment and Tenure of Joint Committee Members	<u>WHSSC Directors</u> - Page renumbered, no other amendments made, refer to legislation before making any amendments	The WHSSC (Wales) Regulations 2009 Regulation 4 (3)	✓	
17, previously 16	1.4.6	1.4.6	Tenure of Board Members	Page renumbered, no other amendments made, refer to legislation before making amendments	The WHSSC (Wales) Regulations 2009, Regulations 6, 7, 8 & 11	✓	
17, previously 16	2	2	Responsibilities and Relationships with each LHB Board and the Host LHB and Others	Page renumbered, no other amendments made - Refer to legislation before making amendments	The WHSSC (Wales) Directions 2009, 3		
19. Previously 18	4.0.3	4.0.3	Joint Committee Sub-Committees and Sub-Groups	Page renumbered, no other amendments made - specifies minimum number of Committees. To discuss with Welsh Government Officials before making any amendments with regard to the minimum Committee requirements.		✓	
22 & 23, previously 21 22	6.1.1	6.1.1	Putting the Citizen First	Page renumbered, no other amendments made - Refer to legislation before making amendments	Section 44, Welsh Language (Wales) Measure 2011	✓	



Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
23 & 24		6.2, 6.2.1 - 6.2.6	Working with Laais	Insertion of paragraphs in relation to obligations under Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1) and the range of duties placed on LHBs and Trusts in relation to engagement and involvement of Laais in their operations.	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
24, previously 22	6.2.1	6.2.7	Working with Laais	Paragraph amended to reflect the need to make arrangements to work with Laais	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
25. Previously page 23	6.5.3	6.5.3	Notifying and Equipping Board members	Page renumbered, no other amendments made - Publication or papers 10 days in accordance with Regulations. 'calendar' previously added in September 2019 to clarify number of days for advance publication of papers. Regulations specify 'clear' days but Board Secretaries preferred term 'calendar'	The LHB (Constitution, Membership and Procedures) Regulations 2009, Schedule 3, 2(3)	✓	
26. Previously page 25	6.5.7	6.5.7	Notifying the public and others	Page renumbered, no other amendments made - 'See above reference to 'calendar' days. Removed need for public part of agenda to be displayed on principal sites as no-longer a requirement of the Public Bodies (Admission to Meetings) Act.	Public Bodies (Admission to Meetings) Act 1960, Section 1, subparagraph 4	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
26. Previously page 25	6.6.2	6.6.2	Admission of the public, press and observers	Page renumbered, no other amendments made - Refer to legislation before making amendments	The LHB (Constitution, Membership and Procedures) Regulations 2009, Schedule 3, 8	✓	
28. Previously page 26	6.6.10 - 6.6.13	6.6.10 - 6.6.13	Quorum	Page renumbered, no other amendments made - Refer to legislation and Ministerial Direction before making amendments			✓ MA-P /VG/3794/18 - 121118
28 - 30, previously 27 & 28	6.6.14-6.6.23	6.6.14-6.6.23	Dealing with Motions	Pages renumbered, no other amendments made - Refer to Ministerial Direction before making amendments			✓ MA-P /VG/3794/18 - 121118
30 & 31, previously 28 & 29	6.6.24 - 6.6.27	6.6.24 - 6.6.27	Voting	Pages renumbered, no other amendments made - Refer to Ministerial Direction before making amendments			✓ MA-P /VG/3794/18 - 121118
31, previously 29	6.7	6.7	Record of Proceedings	Page renumbered, no other amendments made - refer to legislation before making any amendments	The LHB (Constitution, Membership and Procedures) Regulations 2009, Schedule 3, 5 & 7	✓	
34, previously 32 & 33	7.2.8	7.2.8	Dealing with members interests during Joint Committee meetings	Page renumbered, no other amendments made - refer to legislation before making any amendments	The LHB (Constitution, Membership and Procedures) Regulations 2009, Part 3, Regulation 17	✓	
41, previously 39	Annex 1	Annex 1	Audit Committee	Page renumbered, no other amendments made. Joint Committee to insert details of the Audit Committee			
55, previously 54	n/a	n/a	Annex 3	Page renumbered, no other amendments made. Insert details of sub-Committees			

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
56, previously 55	n/a	n/a	Annex 4	Page renumbered, no other amendments made. Insert details of Advisory Groups and Expert Panels			

# Review of Welsh Health Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

## WHSSC - Annex 1 - Schedule of Matters Reserved for the Joint Committee

No amendments were made to the scheme of delegation in Summer 2023 review period - Table retained for purposes of cross referencing to legislation and page numbers

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
Footnote 4	Footnote 4	n/a	n/a	n/a	n/a	
1	1	General	The Joint Committee may determine any matter for which it has statutory or delegated authority in accordance with WHSSC SOs	Y		Part 3, Regulation 12(1), Welsh Health Specialised Services Committee (Wales) Regulations
2	2	General	The Joint Committee must determine any matter that will be reserved for the whole Joint Committee. These are:  [Joint Committee to insert details]	Y		
n/a	3	General	Approve the Joint Committee's Governance Framework	Y		
4	4	Operating arrangements	Vary and amend and recommend for approval of the Boards of the Local Health Boards; - WHSSC SOs; - WHSSC SFIs; - Schedule of matters reserved to the Joint Committee; - Scheme of delegation to sub-Committees and others; and - Scheme of delegation to officers.  In accordance with any directions set by Welsh Ministers.	Y		Part 3, Regulation 12(1), Welsh Health Specialised Services Committee (Wales) Regulations
8	5	Operating arrangements	Ratify any urgent decision taken by the Chair and the Lead Director in accordance with WHSSC SO requirements	Y		Section B, Paragraph 3.1 - Chair's action on urgent matters, page 18 - Model Standing Orders
NEW	6	Operating arrangements	Formal consideration of report of Committee Secretary on any non-compliance with WHSSC Standing Orders, making proposals to the Joint Committee on any action to be taken.	N	Audit Committee	Section A, paragraph xxiii), Applying Standing Orders, page 9 - Model Standing Orders

# Review of Welsh Health Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
9	7	Operating arrangements	Receive report and proposals regarding any non-compliance with WHSSC Standing Orders, and where required ratify in public session any action required in response to failure to comply with SOs.	Y		Section A, paragraph xxiii), Applying Standing Orders, page 9 - Model Standing Orders
5	8	Operating arrangements	Approve the Joint Committee's Values and Standards of Behaviour Framework <b>[WHSSC to insert title of the relevant policy]</b>	Y		Section B, Paragraph 7 - Values and Standards of Behaviour, Pages 30-36 of Model Standing Orders
15	9	Organisation Structure & Staffing	Require, receive and determine action in response to the declaration of Joint Committee members' interests, in accordance with advice received e.g. from Audit Committee or Committee Secretary	N	Chair on behalf of Joint Committee Vice-chair on behalf of Joint Committee if Chair is declaring interest	Section B, Paragraph 7 - Values and Standards of Behaviour, Pages <b>31-37</b> of Model Standing Orders
21	10	Strategy and Planning	Determine the a long term strategic plan for the development of specialised services and tertiary services in Wales, in conjunction with the Welsh Ministers	Y		Section B, Paragraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders
26	11	Strategy and Planning	Approve the Joint Committee's key strategies and programmes related to:  - Population Health Needs Assessment and Commissioning Plan - The development and delivery of patient and population centred specialised and tertiary services for the population of Wales - Improving quality and patient safety outcomes - Workforce and organisational development - Infrastructure, including IM&T, Estates and Capital (including major capital investment and disposal plans)	Y		Clinical Services Strategy to be approved by Board (p 13) NHS Wales Planning Framework 2020-2023  Section B, Paragraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders

Review of Welsh Health Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
22	12	Strategy and Planning	Approve the Joint Committee's Integrated Medium Term Plan, including the balanced Medium Term Financial Plan	Y		Section 175(2) of the NHS (Wales) Act 2006 and NHS Finance (Wales) Act 2014 regarding requirement to produce balanced plan.  Section B, Paragraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders
27	13	Strategy and Planning	Approve the Joint Committee's budget and financial framework (including overall distribution of the financial allocation and unbudgeted expenditure)	Y		Para 5.1.1, Budget Setting, page 19, Annex 2.1, Standing Financial Instructions
6	14	Operating arrangements	Approve the Joint Committee's framework and strategy for performance management.	Y		Section B, Paragraph 1.1.4, the Role of the Joint Committee, pages 12 of Model Standing Orders
6	15	Strategy and Planning	Approve the LHBs framework and strategy for risk and assurance	Y		Section B, Paragraph 1.1.4, the Role of the Joint Committee, pages 12 of Model Standing Orders
10	16	Operating arrangements	Ratify policies for dealing with raising concerns, complaints and incidents in accordance with the Putting Things Right and health and safety requirements.	Y		The NHS Redress (Wales) Measure 2008, The NHS Redress (Wales) Measure 2008 (Commencement) Order 2011  Section B, Paragraph 1.1.4, the Role of the Joint Committee, pages 12 of Model Standing Orders
3	17	Operating arrangements	Agree the arrangements for ensuring the adoption of standards of governance and performance (including the quality and safety of healthcare, and the patient experience) to be met by the Joint Committee, including standards/ requirements determined by Welsh Government, regulators, professional bodies/others, e.g. National Institute of Health and Care Excellence (NICE)	Y		Section B, Paragraph 1.1.4, the Role of the Joint Committee, pages 12 of Model Standing Orders

Review of Welsh Health Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
24/25	18	Strategy and Planning	Approve the Joint Committee's patient, public, staff, partnership and stakeholder engagement and co-production strategies.	Y		Also refer to Regulation 27 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010, Guidance for Engagement and Consultation on Changes to Health Services, and Section 183 (duty of LHBs) of the NHS (Wales) Act 2006 and Section 242 of NHS (Wales) Act 2006 (for Trusts) Well-being of Future Generations (Wales) Act 2015 Social Services and Wellbeing (Wales) Act 2014
7	19	Operating arrangements	Approve the introduction or discontinuance of any significant activity or operation. Any activity or operation shall be regarded as significant if the Joint Committee determines it so based upon its contribution/impact on the achievement of the Joint Committee's aims, objectives and priorities	Y		Also refer to Regulation 27 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010, Guidance for Engagement and Consultation on Changes to Health Services, and Section 183 (duty of LHBs) of the NHS (Wales) Act 2006 and Section 242 of NHS (Wales) Act 2006 (for Trusts)
14	20	Organisation Structure & Staffing	Appointment, appraisal, discipline and dismissal of the officer members of the Joint Committee (Directors) in accordance with the provisions of the Regulations and in accordance with Ministerial Instructions	Y		Regulation 3(2) The Welsh Health Specialised Services Committee (Wales) Regulations 2009  Section B, Paragraph 1.4.4 & 1.4.5, page 17 of Model Standing Orders

# Review of Welsh Health Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
14	21	Organisation Structure & Staffing	Approve the appointment, appraisal, discipline and dismissal of any other Joint Committee level appointments and other senior employees, in accordance with Ministerial Instructions e.g. the Committee Secretary	Y		Para 14.1.2, Appointment and Remuneration, page 38, Annex 2.1, Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts{Still need to cross reference}
NEW	22	Organisation Structure & Staffing	Consider and approve redundancy and Early Release Applications, noting that where the settlement is £50,000 or above subsequent agreement of Welsh Government is required.	Y		Chapter 6, Annex 2, NHS Manual for Accounts
16	23	Organisation Structure & Staffing	Approve, [arrange the review], and revise the Joint Committee's top level organisation structure and corporate policies	Y		
17	24	Organisation Structure & Staffing	Appoint, arrange the review, revise and dismiss Joint Committee sub-Committees, including any joint sub-Committees directly accountable to the Joint Committee	Y		Regulation 14 of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regs 2009  Section B, Paragraph 3, Pages 18-19 of Model Standing Orders
18	25	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the Chair and members of any sub-Committee, joint sub-Committee or group set up by the Joint Committee	Y		As above
19	26	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the individuals appointed to represent the Joint Committee on outside bodies and groups.	Y		



Review of Welsh Health Services Committee Model Reservation and Delegation of Duties  
Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
20	27	Organisation Structure & Staffing	Approve the standing orders and terms of reference and reporting arrangements of all Committees, joint-Committees and groups established by the Joint Committee	Y		Regulation 15(4) and (5) of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009  Section B, Paragraph 3, Pages 18-19 - Model Standing Orders
11	28	Operating arrangements	Approve individual compensation payments in line with the provisions of Annex 4 to Chapter 6 of the Welsh Government Manual for Accounts	Y - except where Chapter 6 specifies appropriate to delegate to Officers.		Annex 4, Chapter 6 of the Welsh Government Manual for Accounts
12	29	Operating arrangements	Approve individual cases for the write off of losses or making of special payments above the limits delegated to the Lead Directors and Officers	Y - except where Chapter 6 specifies appropriate to delegate to Officers.		Para 16, Losses and Special Payments, pages 40 - 41, Annex 2.1 Model Standing Financial Instructions and Annex 4, Chapter 6 of the Welsh Government Manual for Accounts
13	30	Operating arrangements	Approve proposals for action on litigation on behalf of the Joint Committee	Y		
28	31	Strategy and Planning	Approve individual contracts (other than NHS contracts) above the limit delegated to the Lead Director as set out in the WHSSC SFI's	Y		Paragraph 10, Non Pay Expenditure, pages 28 - 31, Annex 2.1, Model Standing Financial Instructions
29	32	Performance and Assurance	Approve the Joint Committee's audit and assurance arrangements.	Y		Section B, Paragraph 8, pages 37 - 39 - Model Standing Orders
30	33	Performance and Assurance	Receive reports from the Joint Committee WHSST Directors on progress and performance in the delivery of the Joint Committee's strategic aims, objectives and priorities and approve action required, including improvement plans	Y		Section B, Paragraph 8.2, pages 37 - 39, Model Standing Orders

# Review of Welsh Health Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
31	34	Performance and Assurance	Receive assurance reports from the Joint Committee's sub-Committees, groups and other internal sources on the Joint Committee's performance and approve action required, including improvement plans.	Y		Section B, Paragraph 4.2, page 20 and Paragraph 8.2, pages 37 - 39 - Model Standing Orders
32	35	Performance and Assurance	Receive reports on the Joint Committee's performance produced by external regulators and inspectors (including, e.g. AW, HIW, etc.) that <i>raise issue or concerns impacting on the Joint Committee's ability to achieve its aims and objectives</i> and approve action required, including improvement plans, taking account of the advice of Joint Committee sub-Committees (as appropriate).	Y		Section B, Paragraph 8.3, page 38, Model Standing Orders
33	36	Performance and Assurance	Receive the annual opinion of the Joint Committee's Chief Internal Auditor and approve action required, including improvement plans	Y		Section B, Paragraph 8.1, page 38, Model Standing Orders
34	37	Performance and Assurance	Receive the annual management report from the Auditor General for Wales and approve action required, including improvement plans.	Y		Section B, Paragraph 8.3.1, page 39, Model Standing Orders
35	38	Performance and Assurance	Receive assurance regarding the Joint Committee's performance against the Health and Care Standards for Wales and the arrangements for approving required action, including improvement plans.	Y		Section B, Paragraph 8.2, pages 38, Model Standing Orders
36	39	Performance and Assurance	Approve the Joint Committee's Reporting Arrangements, including reports on activity and performance locally, to citizens, partners and stakeholders and nationally to the Welsh Government where required.	Y		Section B, Paragraph 9, pages 39-40, Model Standing Orders

# Review of Welsh Health Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
37	40	Performance and Assurance	Receive, approve and ensure the publication of Joint Committee's reports, including its Annual Report and annual financial accounts in accordance with directions and guidance issued	Y		Section B, Paragraph 9, pages <b>39-40</b> , Model Standing Orders
	*Note: Any decision to reserve a matter, and the manner in which that retained responsibility is carried out will be in accordance with any regulatory and/or Welsh Government requirements					

**Review of Emergency Ambulance Services Committee Standing Orders, Schedule 4.2, Local Health Board Model Standing Orders – Summer 2023**  
**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body**

Page Number	*Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
2	n/a	n/a	Forward	No amendments made - Refer to legislation before making amendments	EASC (Wales) Regulations, Part 3, Regulation 10 and The LHB (Constitution, Membership and Procedures) Regulations, Regulation 14(b) and 15(5)	✓	
6	<b>Section A - Introduction</b>						
6	i)	i)	Statutory Framework	Insertion of reference to Local Health Boards. Refer to legislation before making amendments	EASC (Wales) Directions 2014, EASC (Wales) (Amendment) Directions 2016 and EASC (Wales) Regulations 2014	✓	
6	iv) & v)	iv) & v)	Statutory Framework	No amendments made - Refer to legislation before making amendments	NHS (Wales) Act 2006, para 4 of Schedule 2	✓	
7	viii)	viii)	Statutory Framework	No amendments made - Refer to legislation before making amendments	EASC (Wales) Regulations 2014 and The LHB (Constitution, Membership and Procedures) Regulation 2009	✓	
7		x)	Statutory Framework	Insertion of paragraph in relation to the Health and Social Care (Quality and Engagement) (Wales) Act including the duties of quality and candour. The creation of a new Citizens Voice Body for Health and Social Care, Wales (to be known as Llais). Refer to legislation before making amendments	The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
8, previously 7	xi) & xii)	xii) & xiii)	NHS Framework	Paragraph and page renumbered due to above change. No other amendments made.			

Page Number	*Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
8, previously 7	xiii)	xiv)	NHS Framework	Paragraph renumbered and amended to include new Health and Care Quality Standards 2023	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)	✓	
8, previously 7	xiv)	xv)	NHS Framework	Paragraph and page renumbered due to above change. No other amendments made. Refer to legislation before making any amendments.	Well-being of Future Generations (Wales) Act 2015	✓	
8	xv)	xvi)	NHS Framework	Paragraph renumbered due to above change. No other amendments made. Refer to legislation before making any amendments.			
8	xvi) & xvii)	xvii) & xviii)	NHS Framework	Paragraph renumbered due to above change. No other amendments made.			
9, previously 8	xvii) - xx)	xix) - xxi)	Joint Committee Framework	Paragraph and page renumbered due to above change. No other amendments made.			
9	xxi) & xxii)	xxii) & xxiii)	Applying EASC Standing Orders	Paragraph renumbered due to above change. No other amendments made.			
10, previously 9	xxiii)	xxiv)	Variation and Amendment	Paragraph and page renumbered due to above change. No other amendments made.			
10, previously 9	xxiv) & xxv)	xxv) & xxvi)	Interpretation	Paragraph and page renumbered due to above change. No other amendments made.			
10	xxvi)	xxvii)	Relationship with LHB Standing Orders	Paragraph renumbered due to above change. No other amendments made.			
10 & 11, previously 10	xxvii) & xxviii)	xxviii) & xix)	The role of the Committee Secretary	Paragraph and page renumbered due to above change. No other amendments made.			✓

Page Number	*Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
12, previously 11	Section B : EASC Standing Orders						
12, previously 11	1.1	1.1	Purpose and Delegated Functions	Page renumbered, no other amendments made - Refer to legislation before making amendments	EASC (Wales) Directions 2014, EASC (Wales) (Amendment) Directions 2016 and EASC (Wales) Regulations 2014	✓	
13, previously 12	1.1.5	1.1.5	Purpose and Delegated Functions	Page renumbered, no other amendments made - 2021 update specified need to ensure paragraph is consistent with Ministerial Direction issued re no-longer a requirement to ensure unanimous decision for funding decisions			✓ MA-P /VG/3794/18 - 121118
13, previously 12	1.2	1.2	Membership of Joint Committee	Page renumbered, no other amendments made - Refer to legislation before making amendments	EASC (Wales) Directions 2014, 5(1), EASC (Wales) (Amendment) Directions 2016 and EASC (Wales) Regulations 2014, Part 2, Regulation 3	✓	
13, previously 12	1.2.1	1.2.1	Membership of Joint Committee	Page renumbered, no other amendments made - Refer to legislation before making amendments	EASC (Wales) Regulations 2014, Regulation 3(1)	✓	
13, previously 12	1.2.2	1.2.2	Membership of Joint Committee	Page renumbered, no other amendments made - Refer to legislation and Ministerial Direction before making amendments	The EASC (Wales) Regulations 2014, Regulation 3(1)(a) and 3(4)	✓	✓ MA-P /VG/3794/18 - 121118
13, previously 12	1.2.3	1.2.3	Membership of Joint Committee	Page renumbered, no other amendments made - Name of host body to be inserted			
13, previously 12	1.2.4	1.2.4	Membership of Joint Committee	Page renumbered, no other amendments made - New paragraph added in Sept 2019 to ensure consistency with LHB arrangements and equality legislation			

Page Number	*Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
14, previously 13	1.2.5	1.2.5	Membership of Joint Committee	Page renumbered, no other amendments made - Refer to legislation before making amendments	The EASC (Wales) Regulations 2014, Regulation 3(3)	✓	
14, previously 13	1.3.1 - 1.3.5	1.3.1 - 1.3.5	Membership responsibilities and accountabilities	Page renumbered, no other amendments made - Refer to legislation before making amendments	The EASC (Wales) Regulations 2014, Regulation 4(1)	✓	
15, previously 14	1.3.6 & 1.3.7	1.3.6 & 1.3.7	Membership responsibilities and accountabilities	Page renumbered, no other amendments made - Refer to legislation before making amendments	The EASC (Wales) Regulations 2014, Regulation 4(2)	✓	
15, previously 14	1.4.1	1.4.1	Appointment and Tenure of Joint Committee Members	Page renumbered, no other amendments made - Refer to legislation before making amendments	The EASC (Wales) Regulations 2014, Regulation 4(1)	✓	
15, previously 14	1.4.2	1.4.2	Appointment and Tenure of Joint Committee Members	Page renumbered, no other amendments made - Refer to legislation before making amendments	The EASC (Wales) Regulations 2014, Regulation 4(2) and 7	✓	
15, previously 14	1.4.3	1.4.3	Appointment and Tenure of Joint Committee Members	Page renumbered, no other amendments made - Refer to legislation before making amendments	The EASC (Wales) Regulations 2014, Regulation 7(5)	✓	
15, previously 14	1.4.4	1.4.4	Appointment and Tenure of Joint Committee Members	Page renumbered, no other amendments made.			
16, previously 15	1.4.5	1.4.5	Appointment and Tenure of Joint Committee Members	Page renumbered, no other amendments made - Refer to legislation before making amendments	The WHSSC (Wales) Regulations 2009, Regulation 5	✓	

Page Number	*Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
16, previously 15	2	2	Responsibilities and Relationships with each LHB Board and the Host LHB and Others	Page renumbered, no other amendments made - Refer to legislation before making amendments	EASC (Wales) Directions 2014, EASC (Wales) (Amendment) Directions 2016 and EASC (Wales) Regulations 2014	✓	
18, previously 17	4.0.3	4.0.3	Joint Committee Sub-Committees and Sub-Groups	Page renumbered, no other amendments made - specifies minimum number of Committees. To discuss with Welsh Government Officials before making any amendments with regard to the minimum Committee requirements.			
21, previously 20	6.1.1	6.1.1	Putting the Citizen First	Page renumbered, no other amendments made - Refer to legislation before making amendments	Section 44, Welsh Language (Wales) Measure 2011	✓	
22		6.2, 6.2.1 - 6.2.7	Working with Llais	Insertion of paragraphs in relation to obligations under Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1) and the range of duties placed on LHBs and Trusts in relation to engagement and involvement of Llais in their operations.	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
23, previously 21	6.2	6.3	Annual Plan of Committee Business	Paragraph and page renumbered, no other amendments made.			
23 - 25, previously 21 - 23	6.4	6.5	Preparing for meetings	Paragraphs and pages renumbered, no other amendments made.			



Page Number	*Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
24, previously page 22	6.4.3	6.5.3	Notifying and Equipping Joint Committee members	Paragraph and page renumbered, no other amendments made - Publication or papers 10 days in accordance with Regulations. 'calendar' previously added in September 2019 to clarify number of days for advance publication of papers. Regulations specify 'clear' days but Board Secretaries preferred term 'calendar'	The LHB (Constitution, Membership and Procedures) Regulations 2009, Schedule 3, 2(3)	✓	
24 & 25, previously page 23	6.4.7	6.5.7	Notifying the public and others	Paragraph and page renumbered, no other amendments made - See above re reference to 'calendar' days. Removed need for public part of agenda to be displayed on principal sites as no-longer a requirement of the Public Bodies (Admission to Meetings) Act.	Public Bodies (Admission to Meetings) Act 1960, Section 1, subparagraph 4	✓	
25 - 29, previously 23 - 27	6.5	6.6	Conducting Joint Committee Meetings	Paragraphs and pages renumbered, no other amendments made.			
25 & 26, previously pages 23 & 24	6.5.2 - 6.5.6	6.6.1 - 6.6.6	Admission of the public, press and observers	Paragraphs and pages renumbered, no other amendments made - Refer to legislation before making amendments	The LHB (Constitution, Membership and Procedures) Regulations 2009, Schedule 3, 8	✓	
26, previously 24	6.5.7	6.6.7	Addressing the Joint Committee, its Joint Committee Sub-Groups, Expert Panel or Advisory Groups	Paragraph and page renumbered. Reference to Llais inserted.			
26 & 27, previously 25	6.5.10	6.6.10	Quorum	Paragraph and pages renumbered, no other amendments made. No amendments to be made without agreement of Welsh Government.			

Page Number	*Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
27, previously pages 25	6.5.11 - 6.5.13	6.6.10 - 6.6.13	Quorum	Paragraphs and pages renumbered, no other amendments made - Refer to legislation and Ministerial Direction before making amendments			✓ MA-P /VG/3794/18 - 121118
27 - 29, previously pages 25 - 27	6.5.14 - 6.5.23	6.6.14 - 6.6.23	Dealing with Motions	Paragraphs and pages renumbered, no other amendments made - Refer to Ministerial Direction before making amendments			✓ MA-P /VG/3794/18 - 121118
29, previously page 27	6.5.24 - 6.5.27	6.6.24 - 6.6.27	Voting	Paragraphs and pages renumbered, no other amendments made - Refer to Ministerial Direction before making amendments			✓ MA-P /VG/3794/18 - 121118
29 & 30, previously page 27 & 28	6.6	6.7	Record of Proceedings	Paragraphs and pages renumbered, no other amendments made - refer to legislation before making any amendments	The LHB (Constitution, Membership and Procedures) Regulations 2009, Schedule 3, 5 & 7	✓	
33, previously page 31	7.2.8	7.2.8	Dealing with members interests during Joint Committee meetings	Page renumbered, no other amendments made - refer to legislation before making any amendments	The LHB (Constitution, Membership and Procedures) Regulations 2009, Part 3, Regulation 17	✓	
44, previously 42	Annex 1	Annex 1	Audit Committee	Page renumbered, no other amendments made - Joint Committee to insert details of the Audit Committee			
44 & 45, previously 42 & 43	Annex 1	Annex 1	Quality and Safety Committee	Pages renumbered, no other amendments made - Joint Committee to insert details of the Quality and Safety Committee			

# Review of Emergency Ambulance Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

## EASC - Annex 1 - Schedule of Matters Reserved for the Joint Committee

No amendments were made to the scheme of delegation in Summer 2023 review period - Table retained for purposes of cross referencing to legislation and page numbers

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
Footnote 4	Footnote 4	n/a	n/a	n/a	n/a	
1	1	General	The Joint Committee may determine any matter for which it has statutory or delegated authority in accordance with EASC SOs	Y		Part 3, Regulation 10(1) of the Emergency Ambulance Services Committee (Wales) Regulations 2014
2	2	General	The Joint Committee must determine any matter that will be reserved for the whole Joint Committee. These are:  Collaborative Commissioning Framework Agreement(s) EAS Integrated Medium Term Plan	Y		
NEW	3	General	Approve the Joint Committee's Governance Framework	Y		
4	4	Operating arrangements	Vary and amend and recommend for approval of the Boards of the Local Health Boards; - EASC SOs; - EASC SFIs; - Schedule of matters reserved to the Joint Committee; - Scheme of delegation to sub-Committees and others; and - Scheme of delegation to officers.  In accordance with any directions set by Welsh Ministers.	Y		Part 3, Regulation 10(1) of the Emergency Ambulance Services Committee (Wales) Regulations 2014
8	5	Operating arrangements	Ratify any urgent decision taken by the Chair and the Chief Ambulance Services Commissioner in accordance with EASC SO requirements	Y		Section B, Paragraph 3.1 - Chair's action on urgent matters, page 17 - Model Standing Orders
NEW	6	Operating arrangements	Formal consideration of report of Committee Secretary on any non-compliance with EASC Standing Orders, making proposals to the Joint Committee on any action to be taken.	N	Audit Committee	Section A, paragraph xxii), Applying Standing Orders, page 9 - Model Standing Orders

Review of Emergency Ambulance Services Committee Model Reservation and Delegation of Duties  
Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
9	7	Operating arrangements	Receive report and proposals regarding any non-compliance with EASC Standing Orders, and where required ratify in public session any action required in response to failure to comply with SOs.	Y		Section A, paragraph xxiii), Applying Standing Orders, page 9 - Model Standing Orders
5	8	Operating arrangements	Approve the Joint Committee's Values and Standards of Behaviour Framework [EASC to insert title of the relevant policy]	Y		Regulation17 - the Local Health Board (Constitution, Membership and Procedures) (Wales) Regulations 2009  Section B, Paragraph 7 - Values and Standards of Behaviour, Pages 30-36 of Model Standing Orders
13	9	Organisation Structure & Staffing	Require, receive and determine action in response to the declaration of Joint Committee members' interests, in accordance with advice received e.g. from Audit Committee or Committee Secretary	N	Chair on behalf of Joint Committee, Vice-chair on behalf of Joint Committee if Chair is declaring interest	Regulation17 - the Local Health Board (Constitution, Membership and Procedures) (Wales) Regulations 2009  Section B, Paragraph 7 - Values and Standards of Behaviour, Pages 30-36 of Model Standing Orders
18	10	Strategy and Planning	Determine the a long term Joint Committee's strategic plan aims, objectives and priorities for the development of emergency ambulance services and non-emergency patient transport services in Wales, in conjunction with the Welsh Ministers	Y		Section B, Paragaraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders
21	11	Strategy and Planning	Approve the Joint Committee's key strategies and programmes related to:  - Commissioning Plan and Population Health Needs Assessment - The development and delivery of emergency ambulance and non-emergency patient Transport services for the population of Wales - Improving quality and patient safety outcomes - Workforce and organisational development - Infrastructure, including IM&T, Estates and Capital (including major capital investment and disposal plans)	Y		Clinical Services Strategy to be approved by Board (p 13) NHS Wales Planning Framework 2020-2023  Section B, Paragaraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders

# Review of Emergency Ambulance Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
19	12	Strategy and Planning	Approve the Joint Committee's Integrated Medium Term Plan, including the balanced Medium Term Financial Plan	Y		Section 175(2) of the NHS (Wales) Act 2006 and NHS Finance (Wales) Act 2014 regarding requirement to produce balanced plan.  Section B, Paragraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders
22	13	Strategy and Planning	Approve the Joint Committee's budget and financial framework (including overall distribution of the financial allocation and unbudgeted expenditure)	Y		
6	14	Operating arrangements	Approve the Joint Committee's framework and strategy for performance management	Y		Section B, Paragraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders
20	15	Strategy and Planning	Approve the LHBs framework and strategy for risk and assurance	Y		Section B, Paragraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders
3	16	Operating arrangements	Agree the arrangements for ensuring the adoption of the standards of governance and performance (including the quality and safety of healthcare, and the patient experience) to be met by the Joint Committee, including standards/ requirements determined by Welsh Government, regulators, professional bodies/others, e.g.National Institute of Health and Care Excellence (NICE) Royal Colleges	Y		Section B, Paragraph 1.1.4, the Role of the Joint Committee, page 12 of Model Standing Orders
7	17	Operating arrangements	Approve the introduction or discontinuance of any significant activity or operation. Any activity or operation shall be regarded as significant if the Joint Committee determines it so based upon its contribution/impact on the achievement of the Joint Committee's aims, objectives and priorities	Y		Also refer to Regulation 27 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010, Guidance for Engagement and Consultation onf Changes to Health Services, and Seciton 183 (duty of LHBs) of the NHS (Wales) Act 2006 and Section 242 of NHS (Wales) Act 2006 (for Trusts)

# Review of Emergency Ambulance Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
12	18	Organisation Structure & Staffing	Approve appointment, appraisal, discipline and dismissal of the officer member of the Joint Committee employed by the host Local Health Board (Chief Ambulance Services Commissioner) in accordance with the provisions of the Regulations and in accordance with Ministerial Instructions	Y		Regulation 3(1) (c) and 3(2) of the Emergency Ambulance Services Committee (Wales) Regulations 2014
12	19	Organisation Structure & Staffing	Approve the appointment, appraisal, discipline and dismissal of any other Joint Committee level appointments and other senior employees, in accordance with Ministerial Instructions e.g. the Committee Secretary	Y		Chapter 6, Annex 2, NHS Manual for Accountsv {TBC}
NEW	20	Organisation Structure & Staffing	Consider and approve redundancy and Early Release Applications, noting that where the settlement is £50,000 or above subsequent agreement of Welsh Government is required.	Y		Chapter 6, Annex 2, NHS Manual for Accounts
14	21	Organisation Structure & Staffing	Appoint [arrange the] review, revise and dismiss Joint Committee sub-groups, including any joint sub-groups directly accountable to the Joint Committee	Y		Regulation 14 of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regs 2009  Section B, Paragraph 4, Pages 18-20 - Model Standing Orders
15	22	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the Chair and members of any Joint-Committee sub-Group, or Group set up by the Joint Committee	Y		As above
16	23	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the individuals appointed to represent the Joint Committee on outside bodies and groups.	Y		
17	24	Organisation Structure & Staffing	Approve the standing orders and terms of reference and reporting arrangements of all Joint-Committees sub-groups established by the Joint Committee	Y		Regulation 15(4) and (5) of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009  Section B, Paragraph 4, Pages 18-20 - Model Standing Orders

# Review of Emergency Ambulance Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
10	25	Operating arrangements	Approve individual cases for the write off of losses or making of special payments above the limits delegated to the Lead Directors and Officers	Y - except where Chapter 6 specifies appropriate to delegate to Officers.		Annex 4, Chapter 6 of the Welsh Government Manual for Accounts
11	26	Operating arrangements	Approve proposals for action on litigation on behalf of the Joint Committee	Y		
23	27	Strategy and Planning	Approve individual contracts (other than NHS contracts) above the limit delegated to the Lead Director as set out in the EASC SFI's	Y		
24	28	Performance and Assurance	Approve the Joint Committee's audit and assurance arrangements.	Y		Section B, Paragraph 8, pages 36-38 - Model Standing Orders
25	29	Performance and Assurance	Receive reports from the Joint Committee's EAS Team on progress and performance in the delivery of the Joint Committee's strategic aims, objectives and priorities and approve action required, including improvement plans	Y		Section B, Paragraph 8.2, page 37, Model Standing Orders
26	30	Performance and Assurance	Receive assurance reports from the Joint Committee's sub-Groups and other internal sources on the Joint Committee's performance and approve action required, including improvement plans.	Y		Section B, Paragraph 4.2, page 19 and Paragraph 8.2, page 37 - Model Standing Orders
27	31	Performance and Assurance	Receive reports on the Joint Committee's performance produced by external regulators and inspectors (including, e.g. AW, HIW, etc) that <i>raise issue or concerns impacting on the Joint Committee's ability to achieve its aims and objectives</i> and approve action required, including improvement plans, taking account of the advice of Joint Committee sub-Committees (as appropriate).	Y		Section B, Paragraph 8.3, pages 37-38, Model Standing Orders
28	32	Performance and Assurance	Receive the annual opinion of the Joint Committee's Chief Internal Auditor and approve action required, including improvement plans	Y		Section B, Paragraph 8.1, page 37, Model Standing Orders
29	33	Performance and Assurance	Receive the annual management report from the Auditor General for Wales and approve action required, including improvement plans.	Y		Section B, Paragraph 8.3, pages 37-38, Model Standing Orders

# Review of Emergency Ambulance Services Committee Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Previous Paragraph Reference	New Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Joint Committee Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
30	34	Performance and Assurance	Receive assurance regarding the Joint Committee's performance against the Health and Care Standards for Wales and the arrangements for approving required action, including improvement plans.	Y		Section B, Paragraph 8.2, pages 37, Model Standing Orders
31	35	Performance and Assurance	Approve the Joint Committee's Reporting Arrangements, including reports on activity and performance locally, to citizens, partners and stakeholders and nationally to the Welsh Government where required.	Y		Section B, Paragraph 9, pages 38-39, Model Standing Orders
32	36	Performance and Assurance	Receive, approve and ensure the publication of Joint Committee's reports, including its Annual Report and annual financial accounts in accordance with directions and guidance issued	Y		Section B, Paragraph 9, pages 38-39, Model Standing Orders
	*Note: Any decision to reserve a matter, and the manner in which that retained responsibility is carried out will be in accordance with any regulatory and/or Welsh Government requirements.					



**Review of Digital Health & Care Wales Model Standing Orders – Summer 2023**  
**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body**

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
2	2	2	Forward	No amendments made	The Digital Health and Care Wales (Membership and Procedures) Regulations 2020	✓	
6	<b>Section A</b>						
6	i) - ix)	i) - ix)	Statutory framework	No amendments made - Refer to legislation before making amendments	NHS (Wales) Act 2006, NHS Act 2006, The Digital Health and Care Wales (Membership and Procedures) Regulations 2020, and The Welsh Language (Wales) Measure 2011	✓	
6 & 7		x)	Statutory framework	Insertion of paragraph in relation to the Health and Social Care (Quality and Engagement) (Wales) Act including the duties of quality and candour. The creation of a new Citizens Voice Body for Health and Social Care, Wales (to be known as Llais). Refer to legislation before making amendments	The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
7, previously 6	x)	xi)	Statutory framework	Paragraph and page renumbered due to above change. No other amendments made.			
7	xi) & xii)	xii) & xiii)	NHS Framework	Paragraphs renumbered due to above insertion. No other amendments			
7	xiii)	xiv)	NHS Framework	Paragraph renumbered and amended to include new Health and Care Quality Standards 2023	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)		✓
8, previously 7	xiv)	xv)	NHS Framework	Paragraph and page number amended due to above insertion. DHCW not considered a 'public body' under Act. This will require updating from 1 April 2024.	Well-being of Future Generations (Wales) Act 2015		
8, some paras previously on page 7	xv) - xviii)	xv) - xix)	NHS Framework	Paragraphs and pages renumbered due to above insertion. No other amendments			
8	xix) & xxi)	xx) & xxii)	Applying Standing Orders	Paragraphs due to above insertion. No other amendments			
8 & 9, previously 8	xxii)	xxiii)	Variation and Amendment of Standing Orders	Paragraphs and pages renumbered due to above insertion. No other amendments			
9, previously 8	xxiii) & xxiv)	xxiv) & xxv)	Interpretation	Paragraphs and page renumbered due to above insertion. No other amendments			
9 * 10, previously 9	xxv) - xxvii)	xxvi) - xxviii)	The role of the Board Secretary	Paragraphs and page renumbered due to above insertion. No other amendments			✓
11	<b>Section B : Standing Orders</b>						

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
11, previously 10	1.0.1 - 1.0.3	1.0.1 - 1.0.3	Digital Health and Care Wales	Page renumbered, no other amendments made. Refer to legislation before making amendments	The Digital Health and Care Wales (Establishment and Membership) Order 2020 (SI No. 2020/1451 (W. 313)) and The Digital Health and Care Wales (Membership and Procedures) Regulations 2020	✓	
11 & 12, previously 10 & 11	1.1.1 - 1.1.5	1.1.1 - 1.1.5	Membership of Digital Health and Care Wales Board	Page number change. No other amendments made - Refer to legislation before making amendments	The Digital Health and Care Wales (Establishment and Membership) Order 2020 (SI No. 2020/1451 (W. 313)) and The Digital Health and Care Wales (Membership and Procedures) Regulations 2020	✓	
12, previously 11	1.1.6 - 1.1.8	1.1.6 - 1.1.8	Membership of Digital Health and Care Wales Board	Page number change. No other amendments made - Refer to legislation and Welsh Government before making amendments	The Digital Health and Care Wales (Establishment and Membership) Order 2020 (SI No. 2020/1451 (W. 313)) and The Digital Health and Care Wales (Membership and Procedures) Regulations 2020	✓	✓
12, previously 11	1.2	1.2	Joint Post Holders	Page number change. No other amendments made.			
13, previously 12	1.3	1.3	Tenure of Board Members	Page number change. No other amendments made - Refer to legislation before making amendments	The Digital Health and Care Wales (Membership and Procedures) Regulations 2020	✓	
13 & 14, previously 12 & 13	1.4	1.4	The role of the DHCW Board and responsibilities of individual members	Page numbers change, no other amendments made - Refer to Welsh Government before making any amendments.			✓
15 - 17, previously 14 - 16	2	2	Reservation and delegation of DHCW Functions	Page numbers change, no other amendments made - Refer to Welsh Government before making any amendments.			✓
17, previously 16	3.1	3.1	DHCW Committees	Page numbers change, no other amendments made - Refer to Welsh Government before making any amendments.			✓
17 & 18, previously 16 & 17	3.2	3.2	Joint Committees	Page numbers change, no other amendments made - Refer to Welsh Government before making any amendments.	Part 2, Chapter 3, Section 25 of the NHS (Wales) Act 2006 provide authority for SHA's to form joint-Committees with another SHA where provision has been made within Regulations. Provision made within Regulation 16 of The Digital Health and Care Wales (Membership and Procedure) Regulations 2020.		✓
18, previously 17	3.3	3.3	Sub-Committees	Page number change, no other amendments made.			
18 & 19, previously 17 & 18	3.4	3.4	Committees established by DHCW	Page numbers change, no other amendments made - Refer to Welsh Government before making any amendments.			✓
19, previously 18	3.5	3.5	Other Committees	Page number change, no other amendments made.			
19, previously 18	3.6	3.6	Confidentiality	Page number change, no other amendments made.			

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
20, previously 19	3.7	3.7	Reporting activity to the Board	Page number change, no other amendments made.			
20, previously 19	4	4	NHS Wales Shared Services Partnership	Page number change, no other amendments made - Refer to Welsh Government before making any amendments.	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	✓	
20 & 21, previously, 19 & 20	5	5	Working in Partnership	Page number change, no other amendments made.			
21, previously 20	6	6	Advisory Groups	Page number change, no other amendments made.			
21, previously 20	6.1	6.1	Advisory Groups established by DHCW	Page number change, no other amendments made - Refer to Welsh Government before making any amendments.			✓
21 & 22, previously 20 & 21	6.2	6.2	Terms of Reference and operating arrangements	Page number change, no other amendments made.			
22, previously 21	6.3	6.3	Support to Advisory Group(s)	Page number change, no other amendments made.			
22, previously 21	6.4	6.4	Confidentiality	Page number change, no other amendments made.			
22, previously 21	6.5	6.5	Advice and Feedback	Page number change, no other amendments made.			
23, previously 22	6.6	6.6	Reporting activity	Page number change, no other amendments made.			
24, previously 23	6.7	6.7	The Local Partnership Forum	Page number change, no other amendments made.			
24, previously 23	6.8	6.8	Relationship with the Board and others	Page number change, no other amendments made.			
24		6.9	The Citizen Voice Body for Health and Social Care, Wales (known as Llais)	Insertion of new paragraph outlining the statutory duties placed on DHCW in relation to Llais and requirements under the new Act. Refer to Welsh Government and legislation before making any amendments.	Part 4 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (2020 asc 1)	✓	
25 & 26, previously 23	7.1	7.1	Putting Citizens first.	Page number change, no other amendments made - Refer to Welsh Government before making any amendments	Section 44, Welsh Language (Wales) Measure 2011	✓	
26, previously 24 & 25	7.2.1 - 7.2.4	7.2.1 - 7.2.4	Annual plan of Board Business	Page number change, no other amendments made.			

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
27, previously 24 & 25	7.2.5	7.2.5	Annual General Meeting (AGM)	Insertion of note in the paragraph - The Trust must hold an AGM in public no later than the 31 July each year. [Note : this will be no later than 30 September in 2023 to take account of the timetable for audit and laying of the Accounts by Audit Wales.] Refer to legislation and Financial Reporting Manual before making amendments.			✓
27, previously 25	7.2.6 - 7.2.7	7.2.6 - 7.2.7	Annual General Meeting (AGM)	Page number change, no other amendments made.			
27, previously 25	7.3	7.3	Calling Meetings	Page number change, no other amendments made.			
27 & 28, previously 25 & 26	7.4	7.4	Preparing for meetings	Page number change, no other amendments made.			
28 - 32, previously 26 - 30	7.5	7.5	Conducting Board Meetings	Page number change, no other amendments made - Refer to Welsh Government before making any amendments	Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
32, previously 30	7.6	7.6	Record of Proceedings	Page number change, no other amendments made.			
32 & 33, previously 30	7.7	7.7	Confidentiality	Page number change, no other amendments made.			
33 - 38, previously 30 - 36	8	8	Values and Standards of Behaviour	Page number change, no other amendments made.			
38 & 39, previously 36	9	9	Signing and Sealing Documents	Page number change, no other amendments made.			
39 - 41, previously 37 - 38	10	10	Gaining Assurance on the Conduct of DHCW Business	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012		✓ MA-P /VG/3794/18 - 121118
41, previously 38 & 39	11	11	Demonstrating Accountability	Page number change, no other amendments made.			
41, previously 39	12	12	Review of Standing Orders	Page number change, no other amendments made.			
42 - 56, previously 40 - 54	Schedule 1	Schedule 1	Scheme of Reservation and Delegation of Powers	Page number change. No other amendments made - refer to Welsh Government if considering removing contents of the Model Terms of Reference			✓

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
57, previously 55	Schedule 2	Schedule 2	Key Guidance, Instructions and other related documents	Page number change, no other amendments made.			
58 - 74, previously 56 - 72	Schedule 3	Schedule 3	Board Committee Arrangements	Page number change. No other amendments made - refer to Welsh Government if considering removing contents of the Model Terms of Reference			✓ - Minimum requirement = Audit Committee, Remuneration and Terms of Service Committee
75 - 83, previously 73 - 81	Schedule 4	Schedule 4	Advisory Groups	Page number change. No other amendments made - refer to Welsh Government if considering removing contents of the Model Terms of Reference			✓

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

**Digital Health and Care Wales - Schedule 1 - Schedule of Matters Reserved for the Board**

**No amendments were made to the scheme of delegation in Summer 2023 review period - Table retained for purposes of cross referencing to legislation and page numbers**

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
1	General	Board may determine any matter for which it has statutory or delegated authority in accordance with SOs.	Y		
2	General	The Board must determine any matter that will be reserved for the whole Board. These are:  [DHCW to insert details]	Y		
3	General	Approve DHCW's Governance Framework	Y		
4	Operating arrangements	Approve, vary and amend - SOs; - SFIs; - Scheme of matters reserved to DHCW; - Scheme of delegation to Committees and others; and - Scheme of delegation to officers.  In accordance with any directions set by Welsh Ministers.	Y		Digital Health and Care Wales (Membership and Procedure) Regulations 2020, Regulation 16, 17 & 18
5	Operating arrangements	Ratify any urgent decision taken by the Chair and the Chief Executive in accordance with SO requirements	Y		Section B, Paragraph 2.1 - Chair's action on urgent matters, page 16 - Model Standing Orders
6	Operating arrangements	Formal consideration of report of Board Secretary on any non-compliance with Standing Orders, making proposals to the Board on any action to be taken.	N	Audit Committee	Section A, paragraph xxi), Applying Standing Orders, page 8 - Model Standing Orders

# Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
7	Operating arrangements	Receive report and proposals regarding any non-compliance with Standing Orders, and where required ratify in public session any action required in response to failure to comply with SOs.	Y		Section A, paragraph <b>xxi</b> ), Applying Standing Orders, page <b>8</b> - Model Standing Orders
8	Operating arrangements	Authorise use of the DHCW official seal	Y		Section B, Paragraph 9, page <b>38</b> - Signing and Sealing of Documents - Model Standing Orders
9	Operating arrangements	Approve DHCW's Values and Standards of Behaviour Framework [DHCW to insert title of the relevant policy]	Y		Section B, Paragraph 8, page <b>33</b> Values and Standards of Behaviour
10	Organisation Structure & Staffing	Require, receive and determine action in response to the declaration of Board members' interests, in accordance with advice received e.g. from Audit Committee or Board Secretary	N	Chair on behalf of Board/Vice-chair on behalf of Board if Chair is declaring interest	Section B, paragraph 8.2, page <b>34 &amp; 35</b> - Dealing with Members' interests during Board meetings, page of Model Standing Orders
11	Strategy and Planning	Determine DHCW's strategic aims, objectives and priorities	Y		Section B, paragraph 1.4.1, Page <b>12 &amp; 13</b> of Model Standing Orders
12	Strategy and Planning	Approve DHCW's key strategies and programmes related to:  · Communication and Engagement - Workforce and Organisational Development · Infrastructure, including IM&T, Estates and Capital; - DHCW Organisational Strategy - Digital Strategy - Quality Standards/Management	Y		
13	Strategy and Planning	Approve DHCW's annual business plan and three year plan setting out how DHCW will meet the requirements set out in the remit letter.	Y		Paragraph 5, Page 19, Integrated Planning, Schedule 2.1 Model Standing Financial Instructions

# Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
14	Strategy and Planning	Approve DHCW's budget and financial framework (including overall distribution of the financial allocation)	Y		Paragraph 5, Page 19, Integrated Planning, Schedule 2.1 Model Standing Financial Instructions
15	Operating arrangements	Approve the DHCW's framework and strategy for performance management.	Y		
16	Strategy and Planning	Approve DHCW's framework and strategy for risk and assurance	Y		
17	Operating arrangements	Ratify policies for dealing with raising concerns, complaints and incidents in accordance with Welsh Government and health and safety requirements.	Y	Committee of the Board may approve policies for formal ratification by Board	The NHS Redress (Wales) Measure 2008, The NHS Redress (Wales) Measure 2008 (Commencement) Order 2011  Note: DHCW are not subject to the Putting Things Right requirements at this stage.
18	Operating arrangements	Agree the arrangements for ensuring the adoption of standards of governance and performance (including the quality and safety of healthcare, and the patient experience) to be met by the DHCW, including standards/ requirements determined by Welsh Government, regulators, professional bodies/others, e.g. National Institute for Health and Care Excellence (NICE)	Y		
19	Operating arrangements	Approve the introduction or discontinuance of any significant activity or operation. Any activity or operation shall be regarded as significant if the Board determines it so based upon its contribution/impact on the achievement of DHCW's aims, objectives and priorities	Y		



Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
20	Organisation Structure & Staffing	Non-officer members to appoint and approve the discipline, suspension and dismiss the Chief Officer, with the exception of the first Chief Officer who is appointed by Welsh Ministers	N		Digital Health and Care Wales (Membership and Procedure) Regulations 2020, Regulations 3 and 13
21	Organisation Structure & Staffing	Non-officer members and chief officer to appoint officer members with the exception of the first finance officer and clinical officer who are appointed by the non-officer members	N		Digital Health and Care Wales (Membership and Procedure) Regulations 2020, Regulations 4
22	Organisation Structure & Staffing	Non-officer members to approve the discipline, suspension and dismissal of the officer members	N		Digital Health and Care Wales (Membership and Procedure) Regulations 2020, Regulation 13
23	Organisation Structure & Staffing	Consider appraisal of officer members of the Board (Chief Officer and Executive Directors	N		
24	Organisation Structure & Staffing	Approve the appointment, appraisal, discipline and dismissal of any other Board level appointments, in accordance with Ministerial Instructions e.g. the Board Secretary	N	Remuneration and Terms of Service Committee  * NOTE; Welsh Ministers approval will be required in the exceptional event that remuneration needs to be above the maximum of the salary band range (Ref 15.1.4 SFI's)	Para 15.1.4, page 58 Pay Expenditure, Schedule 2.1 - Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts
25	Organisation Structure & Staffing	Consider and approve redundancy and Early Release Applications, noting that where the settlement is £50,000 or above subsequent agreement of Welsh Government is required.	N	Remuneration and Terms of Service Committee	Para 15.1.5, page 58 Pay Expenditure, Schedule 2.1 - Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts
26	Organisation Structure & Staffing	Approve, arrange the review, and revise DHCW's top level organisation structure and corporate policies	Y		

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
27	Organisation Structure & Staffing	Appoint, review, revise and dismiss Board Committees, directly accountable to the Board.	Y		Digital Health and Care Wales (Membership and Procedure) Regulations 2020, Regulations 16, 17 & 18  Paragraph 3 - Committees, Pages 17 - 20 Model Standing Orders
28	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the Chair and members of any committee, joint-committee or group set up by the Board	Y		Digital Health and Care Wales (Membership and Procedure) Regulations 2020, Regulations 16, 17 & 18  Paragraph 3 - Committees, Pages 17 - 20 Model Standing Orders
29	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss individuals appointed to represent the Board on outside bodies and groups.	Y		
30	Organisation Structure & Staffing	Approve the standing orders and terms of reference and reporting arrangements of all Committees and groups established by the Board	Y		Digital Health and Care Wales (Membership and Procedure) Regulations 2020, Regulations 16, 17 & 18  Paragraph 3 - Committees, Pages 17 - 20 Model Standing Orders
31	Operating arrangements	Approve individual compensation payments in line with <i>provisions of</i> Annex 4 to Chapter 6 of the Welsh Government Manual for Accounts.	Y	Y - except where Chapter 6 specifies appropriate to delegate to a committee, Chief Executive or Officers.	Annex 4, Chapter 6 of the Welsh Government Manual for Accounts
32	Operating arrangements	Approve individual cases for the write off of losses or making of special payments above the limits delegated to the Chief Executive and Officers	Y	Y - except where Chapter 6 specifies appropriate to delegate to a committee, Chief Executive or Officers.	Para 18, pages 70 - 72, Disposal, Condemnations, Losses and Special Payments, Schedule 2.1, Model Standing Financial Instructions, Annex 4, Chapter 6 of the Welsh Government Manual for Accounts

# Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
33	Operating arrangements	Approve proposals for action on litigation on behalf of DHCW	Y		
34	Strategy and Planning	Approve individual contracts (other than NHS contracts) above the limit delegated to the Chief Executive set out in the Standing Financial Instructions and Scheme of Delegation	Y		Para 12, pages 37 - 51, Procurement and Contracting for Goods and Services, Schedule 2.1, Model Standing Financial Instructions
35	Performance and Assurance	Approve the DHCW's audit and assurance arrangements.	Y		Section B, Paragraph 10, pages 39-41 - Model Standing Orders
36	Performance and Assurance	Receive reports from DHCW's Executive on progress and performance in the delivery of DHCW's strategic aims, objectives and priorities and approve action required, including improvement plans as appropriate.	Y		Section B, Paragraph 11, pages 41, Model Standing Orders
37	Performance and Assurance	Receive reports from the Boards Committees, groups and other internal sources on DHCW's performance and approve action required, including improvement plans as appropriate.	Y		Section B, Paragraph 3.7, page 20 and Paragraph 10.2.2, page 40 - Model Standing Orders
38	Performance and Assurance	Receive reports on DHCW's performance produced by external auditors, regulators and inspectors that raise significant issues or concerns impacting on DHCW's ability to achieve its aims and objectives and approve action required, including improvement plans, taking account of the advice of Board Committees (as appropriate).	Y		Section B, Paragraph 11, page 41, Model Standing Orders
39	Performance and Assurance	Receive the annual opinion of DHCW's Chief Internal Auditor and approve action required, including improvement plans	Y		Section B, Paragraph 10.1, pages 39 - 40, Model Standing Orders
40	Performance and Assurance	Receive the annual management report from the Auditor General for Wales and approve action required, including improvement plans	Y		Section B, Paragraph 10.3, pages 40 - 41, Model Standing Orders

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
41	Performance and Assurance	Receive assurance regarding DHCW's performance against appropriate Health and Care Standards for Wales approving required action, including improvement plans.	Y		Section B, Paragraph 11, page 41, Model Standing Orders
42	Performance and Assurance	Approve DHCW's Reporting Arrangements, including reports on activity and performance to partners and stakeholders and nationally to the Welsh Government where required.	Y		Section B, Paragraph 11, page 41, Model Standing Orders
43	Performance and Assurance	Receive, approve and ensure the publication of DHCW's reports, including its Annual Report and Annual Financial accounts in accordance with directions and guidance issued	Y		Section B, Paragraph 11, page 41, Model Standing Orders

**Review of Health Education and Improvement Wales Model Standing Orders – Summer 2023**  
**Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body**

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
2	1	1	Forward	No amendments made	Health Education and Improvement Wales Regulations 2017	✓	
5	<b>Section A</b>						
5	i) - v)	v)	Statutory framework	No amendments made	Health Education and Improvement Wales Regulations 2017	✓	
5	vi)	vi)	Statutory Framework	No amendments made	NHS (Wales) Act 2006 & Health Education and Improvement Wales Regulations 2017	✓	
5	vii	vii)	Statutory Framework	No amendments made			
5	viii) & ix)	viii) & ix)	Statutory Framework	No amendments made - Refer to legislation before making amendments	NHS Act 2006	✓	
5 & 6	n/a	x)	Statutory Framework	Insertion of paragraph in relation to the Health and Social Care (Quality and Engagement) (Wales) Act including the duties of quality and candour. The creation of a new Citizens Voice Body for Health and Social Care, Wales (to be known as Llais). Refer to legislation before making amendments	The Health and Social Care (Quality and Engagement) (Wales) Act 2020	✓	
6. Previously page 5	x)	xi)	Statutory Framework	Paragraph and page renumbered due to addition of above paragraph. No other amendments made	Welsh Language (Wales) Measure 2011 and The Welsh Language Standards (No 7) Regulations 2018	✓	
6	xi)	xii)	Statutory Framework	Paragraph renumbered due to addition of above paragraph. No other amendments made			
6	xii) - xiii)	xiii) - xiv)	NHS Framework	Paragraph renumbered due to addition of above paragraph. No other amendments made			

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
7 - Previously 6	xiv)	xv)	NHS Framework	Paragraph and page number amended and also amended to include new Health and Care Quality Standards 2023 and reference to the NHS Wales Values and Standards of Behaviour Framework	Health and Social Care (Community Health and Standards) Act 2003, Section 47(4) (as amended by Part 2 of the NHS (Wales) Act 2006)		✓
7. Previously 6	xv) - xvi)	xvi) - xvii)	NHS Framework	Paragraph and page number amended due to above insertion. HEIW not considered a 'public body' under Act. This will require updating from 1 April 2024.	Well-being of Future Generations (Wales) Act 2015	✓	
7, previously 6	xvii) - xix)	xviii) - xx)	NHS Framework	Paragraph and page number amended due to above insertion. No other amendments made.			
7	xx)	xxi)	NHS Framework	Paragraph renumbered due to addition of above paragraph. No other amendments made	Part 2, Chapter 3, Section 25 of the NHS (Wales) Act 2006 provide authority for SHA's to form joint-Committees with another SHA where provision has been made within Regulations. No provision has been made within the HEIW Regulations.	✓	
Page 7 -	xxi) - xxviii)	xxii) - xxix)	Applying Standing Orders, Variation and amendment of standing orders, Interpretation and the Role of the Board Secretary	Paragraph renumbered due to addition of above paragraph. No other amendments made		✓	
10	Section B : Standing Orders						
10. previously 9	1.0.1 - 1.0.3	1.0.1 - 1.0.3	Health Education and Improvement Wales	Page number change. No other amendments made - Refer to legislation before making amendments	The Health Education and Improvement Wales (Establishment and Constitution) Order 2017	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
11. previously 10	1.1.1 - 1.1.4	1.1.1 - 1.1.4	Membership of Health Education and Improvement Wales	Page number change. No other amendments made - Refer to legislation before making amendments	The Health Education and Improvement Wales (Establishment and Constitution) Order 2017 and the Health Education and Improvement Wales Regulations 2017	✓	
11. previously 10	1.1.5	1.1.5	Membership of Health Education and Improvement Wales	Page number change. No other amendments made. Refer to Welsh Government before making any amendments			✓
11. previously 10	1.1.6	1.1.6	Membership of Health Education and Improvement Wales	Page number change. No other amendments made. Refer to Welsh Government before making any amendments			✓  Note: Provision is not made within the HEIW Regulations or the Constitution Regulations for an Associate Member.
12. previously 11	1.3	1.3	Tenure of Board Members	Page number change. No other amendments made.	See below	✓	
12. previously 11	1.3.1	1.3.1	Tenure of Board Members	Page number change. No other amendments made - Refer to legislation before making amendments	Health Education and Improvement Wales Regulations 2017, Regulation 4 (1), (2) & (3)	✓	
12. previously 11	1.3.2	1.3.2	Tenure of Board Members	Page number change. No other amendments made - Refer to Welsh Government before making any amendments			✓
12. previously 11	1.3.3	1.3.3	Tenure of Board Members	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Regulation 4 (5)	✓	
12. previously 11	1.3.4	1.3.4	Tenure of Board Members	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Regulation 5 & 6	✓	

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
13. previously 12	1.4.9	1.4.9	The Role of the HEIW Board and responsibilities of individual members	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Regulation 12	✓	
17. Previously 16	4	4	NHS Wales Shared Services Partnership	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	✓	
18. Previously 17	6.1.1	6.1.1	Putting the Citizen First	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Section 44, Welsh Language (Wales) Measure 2011	✓	
19. Previously 18	6.2.5	6.2.5	Annual General Meeting	Insertion of note in the paragraph - The Trust must hold an AGM in public no later than the 31 July each year. [Note : this will be no later than 30 September in 2023 to take account of the timetable for audit and laying of the Accounts by Audit Wales.] Refer to legislation and Financial Reporting Manual before making amendments.			✓
20. Previously 19	6.3	6.3	Calling Meetings	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Schedule 2	✓	
21. Previously 20	6.4.7	6.4.7	Preparing for Meetings	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4	✓	
21. Previously 20	6.5.1 - 6.5.5	6.5.1 - 6.5.5	Conduct of Board Meetings	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
22 & 23. Previously 21 & 22	6.5.7 & 6.5.8	6.5.7 & 6.5.8	Conduct of Board Meetings	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Schedule 2	✓	



Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
23. Previously 22	6.5.9 - 6.5.11	6.5.9 - 6.5.11	Conduct of Board Meetings	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Schedule 2	✓	
23 - 25. Previously 22 - 24	6.5.12 - 6.5.25	6.5.12 - 6.5.25	Conduct of Board Meetings	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Schedule 2	✓	
28. Previously 27	7.2.7	7.2.7	Members with pecuniary (financial) interests	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Health Education and Improvement Wales Regulations 2017, Regulation 18	✓	
32. Previously 31	9.0.3	9.0.3	Gaining Assurance on Conduct of HEIW Business	Page number change. No other amendments made - Refer to Welsh Government before making any amendments	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012		✓ MA-P /VG/3794/18 - 121118
52 - 63. Previously 51 - 62	Schedule 3	Schedule 3	Board Committee Arrangements	Page number change. No other amendments made - refer to Welsh Government if considering removing contents of the Model Terms of Reference			✓ - Minimum requirement = Audit Committee, Remuneration and Terms of Service Committee

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

**Health Education and Improvement Wales - Schedule 1 - Schedule of Matters Reserved for the Board**

**No amendments were made to the scheme of delegation in Summer 2023 review period - Table retained for purposes of cross referencing to legislation and page numbers**

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
1	General	Board may determine any matter for which it has statutory or delegated authority in accordance with SOs.	Y		
2	General	The Board must determine any matter that will be reserved for the whole Board. These are:  [HEIW to insert details]	Y		
3	General	Approve HEIW's Governance Framework	Y		
4	Operating arrangements	Approve, vary and amend - SOs; - SFIs; - Scheme of matters reserved to HEIW; - Scheme of delegation to Committees and others; and - Scheme of delegation to officers.  In accordance with any directions set by Welsh Ministers.	Y		Health Education and Improvement Wales Regulations 2017, Regulation 14 & 15
5	Operating arrangements	Ratify any urgent decision taken by the Chair and the Chief Executive in accordance with SO requirements	Y		Section B, Paragraph 2.1 - Chair's action on urgent matters, page 14 - Model Standing Orders
6	Operating arrangements	Formal consideration of report of Board Secretary on any non-compliance with Standing Orders, making proposals to the Board on any action to be taken.	N	Audit Committee	Section A, paragraph xxi), Applying Standing Orders, page 7 - Model Standing Orders

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
7	Operating arrangements	Receive report and proposals regarding any non-compliance with Standing Orders, and where required ratify in public session any action required in response to failure to comply with SOs.	Y		Section A, paragraph <b>xxi</b> ), Applying Standing Orders, page 7 - Model Standing Orders
8	Operating arrangements	Authorise use of the HEIW official seal	Y		Section B, Paragraph 8, page <b>31</b> - Signing and Sealing of Documents - Model Standing Orders
9	Operating arrangements	Approve HEIW's Values and Standards of Behaviour Framework <b>[HEIW to insert title of the relevant policy]</b>	Y		Regulation 18, Health Education and Improvement Wales Regulations 2017 and page <b>26</b> - Section B, Paragraph 7, Values and Standards of Behaviour
10	Organisation Structure & Staffing	Require, receive and determine action in response to the declaration of Board members' interests, in accordance with advice received e.g. from Audit Committee or Board Secretary	N	Chair on behalf of Board/Vice-chair on behalf of Board if Chair is declaring interest	Section B, paragraph 7.2.1 - Dealing with Members' interests during Board meetings, page <b>27</b> of Model Standing Orders
11	Strategy and Planning	Determine HEIW's strategic aims, objectives and priorities	Y		Section B, paragraph 1.4.1, Page <b>12</b> of Model Standing Orders

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
12	Strategy and Planning	<p>Approve HEIW's key strategies and programmes related to:</p> <ul style="list-style-type: none"> <li>· Workforce and Organisational Development</li> <li>· Health education and training;</li> <li>· Research/evaluation;</li> <li>· Quality of education and training programmes;</li> <li>· Leadership and career development for staff within NHS Wales;</li> <li>· Workforce transformation &amp; improvement;</li> <li>· Infrastructure, including IM &amp;T, Estates and Capital;</li> <li>· Communication, partnership and stakeholder engagement</li> <li>· Supporting delivery of 'A Healthier Wales including development of a high level strategic workforce plan for Wales in partnership with Social Care Wales.</li> </ul>	Y		
13	Strategy and Planning	Approve HEIW's annual business plan and three year plan setting out how HEIW will meet the requirements set out in the remit letter.	Y		Paragraph 5, Page 20, Integrated Planning, Schedule 2.1 Model Standing Financial Instructions
14	Strategy and Planning	Approve HEIW's budget and financial framework (including overall distribution of the financial allocation and unbudgeted expenditure)	Y		Paragraph 5, Page 20, Integrated Planning, Schedule 2.1 Model Standing Financial Instructions
15	Operating arrangements	Approve the HEIW's framework for performance management.	Y		
16	Strategy and Planning	Approve HEIW's framework and strategy for risk and assurance	Y		

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
17	Operating arrangements	Ratify policies for dealing with raising concerns, complaints and incidents in accordance with the Putting Things Right and health and safety requirements.	Y	Committee of the Board may approve policies for formal ratification by Board	The NHS Redress (Wales) Measure 2008, The NHS Redress (Wales) Measure 2008 (Commencement) Order 2011  Note: HEIW are not subject to the Putting Things Right requirements at this stage.
18	Operating arrangements	Agree the arrangements for ensuring the adoption of standards of governance and performance (including the quality and safety of healthcare, and the patient experience) to be met by the Trust, including standards/ requirements determined by Welsh Government, regulators, professional bodies/others, e.g. Royal Colleges	Y		
19	Operating arrangements	Approve the introduction or discontinuance of any significant activity or operation. Any activity or operation shall be regarded as significant if the Board determines it so based upon its contribution/impact on the achievement of HEIW's aims, objectives and priorities	Y		
20	Organisation Structure & Staffing	Non-officer members to appoint, discipline and dismiss the Chief Executive and officer members of the Board	N		Health Education and Improvement Wales Regulations 3(1)(d) and 3(4)

# Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
21	Organisation Structure & Staffing	Approve the appointment, appraisal, discipline and dismissal of any other Board level appointments, in accordance with Ministerial Instructions e.g. the Board Secretary	N	Remuneration and Terms of Service Committee  * NOTE; Welsh Ministers approval will be required in the exceptional event that remuneration needs to be above the maximum of the salary band range (Ref 15.1.4 SFI's)	Para 15.1.4, page 60 Pay Expenditure, Schedule 2.1 - Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts
22	Organisation Structure & Staffing	Consider and approve redundancy and Early Release Applications, noting that where the settlement is £50,000 or above subsequent agreement of Welsh Government is required.	N	Remuneration and Terms of Service Committee	Para 15.1.5, page 60 Pay Expenditure, Schedule 2.1 - Model Standing Financial Instructions and Chapter 6, Annex 2, NHS Manual for Accounts
23	Organisation Structure & Staffing	Approve, arrange the review, and revise HEIW's top level organisation structure and corporate policies	Y		
24	Organisation Structure & Staffing	Appoint, review, revise and dismiss Board Committees, directly accountable to the Board.	Y		Health Education and Improvement Wales Regulations 2017, Regulation 13  Paragraph 3 - Committees, Pages 15 - 17 Model Standing Orders
25	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the Chair and members of any committee, or group set up by the Board	Y		Health Education and Improvement Wales Regulations 2017, Regulation 13  Paragraph 3 - Committees, Pages 15-17 Model Standing Orders
26	Organisation Structure & Staffing	Appoint, equip, review and (where appropriate) dismiss the individuals appointed to represent the Board on outside bodies and groups.	Y		As above

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
27	Organisation Structure & Staffing	Approve the terms of reference and reporting arrangements of all Committees and groups established by the Board			As above
28	Operating arrangements	Approve individual compensation payments in line with <i>provisions of</i> Annex 4 to Chapter 6 of the Welsh Government Manual for Accounts.	Y	Y - except where Chapter 6 specifies appropriate to delegate to a committee, Chief Executive or Officers .	Annex 4, Chapter 6 of the Welsh Government Manual for Accounts
29	Operating arrangements	Approve individual cases for the write off of losses or making of special payments above the limits delegated to the Chief Executive and Officers	Y	Y - except where Chapter 6 specifies appropriate to delegate to a committee, Chief Executive or Officers .	Para 18, pages 72 - 74, Disposal, Condemnations, Losses and Special Payments, Schedule 2.1, Model Standing Financial Instructions, Annex 4, Chapter 6 of the Welsh Government Manual for Accounts
30	Operating arrangements	Approve proposals for action on litigation on behalf of HEIW	Y		
31	Operating arrangements	Proposed commissioning and contract variations on education and training agreements before submission of recommendation to Welsh Government for Ministerial approval in accordance with delegations set on in the Financial Delegations	Y		Para 12, pages 38 - 52, Procurement and Contracting for Goods and Services, Schedule 2.1, Model Standing Financial Instructions
32	Strategy and Planning	Approve individual contracts (other than NHS contracts) above the limit delegated to the Chief Executive set out in the Standing Financial Instructions and Scheme of Delegation	Y		Para 12, pages 38 - 52, Procurement and Contracting for Goods and Services, Schedule 2.1, Model Standing Financial Instructions
33	Performance and Assurance	Approve the HEIW's audit and assurance arrangements.	Y		Section B, Paragraph 9, pages 32-33 - Model Standing Orders

Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
34	Performance and Assurance	Receive reports from HEIW's Executive on progress and performance in the delivery of HEIW's strategic aims, objectives and priorities and approve action required, including improvement plans as appropriate.	Y		Section B, Paragraph 10, pages 33-34, Model Standing Orders
35	Performance and Assurance	Receive reports from the Boards Committees, groups and other internal sources on HEIW's performance and approve action required, including improvement plans as appropriate.	Y		Section B, Paragraph 3.6, page 16 and Paragraph 9.2.2, page 33 - Model Standing Orders
36	Performance and Assurance	Receive reports on HEIW's performance produced by external auditors, regulators and inspectors that raise significant issues or concerns impacting on HEIW's ability to achieve its aims and objectives and approve action required, including improvement plans, taking account of the advice of Board Committees (as appropriate).	Y		Section B, Paragraph 10, pages 33-34, Model Standing Orders
37	Performance and Assurance	Receive the annual opinion of HEIW's Chief Internal Auditor and approve action required, including improvement plans	Y		Section B, Paragraph 9.1, pages 32, Model Standing Orders
38	Performance and Assurance	Receive the annual management report from the Auditor General for Wales and approve action required, including improvement plans	Y		Section B, Paragraph 9.3, page 33, Model Standing Orders
39	Performance and Assurance	Receive assurance regarding HEIW's performance against appropriate Health and Care Standards for Wales approving required action, including improvement plans.	Y		Section B, Paragraph 10, pages 33-34, Model Standing Orders



Review of NHS Wales Trust Model Reservation and Delegation of Duties

Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body\*

Paragraph Reference	Area of Delegation	Delegated Matter	Retained by the Board Y/N	Delegated to	Cross reference to legislation/Model SO's/Guidance
40	Performance and Assurance	Approve HEIW's Reporting Arrangements, including reports on activity and performance to partners and stakeholders and nationally to the Welsh Government where required.	Y		Section B, Paragraph 10, pages 33-34, Model Standing Orders
41	Performance and Assurance	Receive, approve and ensure the publication of HEIW's reports, including its Annual Report and Annual Financial accounts in accordance with directions and guidance issued	Y		Section B, Paragraph 10, pages 33-34, Model Standing Orders