

**PWYLLGOR CRONFA ELUSENNOL
CHARITABLE FUNDS COMMITTEE**

DYDDIAD Y CYFARFOD: DATE OF MEETING:	21 June 2024
TEITL YR ADRODDIAD: TITLE OF REPORT:	Charitable Funds Sub-Committee Terms of Reference
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Sharon Daniel, Interim Director of Nursing, Quality and Patient Experience
SWYDDOG ADRODD: REPORTING OFFICER:	Carly Hill, Assistant Director Medical Directorate and Chair of the Charitable Funds Sub-Committee

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Ar Gyfer Penderfyniad/For Decision

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

The purpose of this paper is to present the Charitable Funds Committee (CFC) with the Charitable Funds Sub-Committee's (CFSC) Terms of Reference for approval following a recent review by the CFSC.

The Sub-Committee must review its Terms of Reference on at least an annual basis to ensure they remain fit for purpose. The terms of reference must be subsequently approved by the CFC.

Cefndir / Background

Hywel Dda University Health Board (HDdUHB) was appointed Corporate Trustee of the charitable funds by virtue of Statutory Instrument 2009 No. 778 (W.66), with the Board serving as its agent in the administration of the charitable funds held by HDdUHB.

In accordance with HDdUHB's Standing Orders and Scheme of Delegation, the Board has nominated a committee to be known as the Charitable Funds Committee (CFC), established as a Committee of HDdUHB, and constituted from 22 July 2010.

The CFC has established the CFSC to ensure that HDdUHB's policies and procedures are followed in relation to its specialist designated and restricted funds, within the scheme of delegation for the charity.

The CFSC last reviewed its terms of reference and operating arrangements in May 2023, and these were subsequently approved by the CFC on 23 May 2023.

Asesiad / Assessment

The CFSC Terms of Reference (Appendix 1) have been reviewed and some minor changes and amendments to terms have been made. These are clearly marked on Appendix 1 and relate to the following:

Section	What has changed?	Why?
3.1 Operational Responsibilities	Removal of the following responsibility: <ul style="list-style-type: none"> Considering and recommending for approval requests for expenditure over £50,000 against named charitable funds, within the scheme of delegation for authorisation of charitable funds expenditure. 	Expenditure requests over £50,000 are routinely submitted directly to the CFC due to the scheduling of CFSC and CFC meetings.
	Amendment to the following responsibility: Providing scrutiny with a view to approving or rejecting: <ul style="list-style-type: none"> All Unusual or novel expenditure requests under £50,000; 	Not all requests of this nature are considered by the CFSC, some are submitted directly to the CFC for consideration.
	Amendment to the following responsibility: Providing scrutiny with a view to approving or rejecting: <ul style="list-style-type: none"> Any Expenditure requests resulting in ongoing charitable funds commitment, prior to Charitable Funds Committee consideration; 	Due to the scheduling of CFSC and CFC meetings, not all requests of this nature are considered by the CFSC, some are submitted directly to the CFC for consideration.

Argymhelliad / Recommendation

The Charitable Funds Committee is asked to **APPROVE** the proposed changes to the Charitable Funds Sub-Committee terms of reference.

Amcanion: (rhaid cwblhau) Objectives: (must be completed)	
Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable.
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	Not Applicable Choose an item. Choose an item. Choose an item.
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	Not Applicable Choose an item. Choose an item. Choose an item.
Amcanion Strategol y BIP: UHB Strategic Objectives:	Not Applicable Choose an item. Choose an item. Choose an item.

Amcanion Cynllunio Planning Objectives	Not Applicable Choose an item. Choose an item. Choose an item.
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	10. Not Applicable Choose an item. Choose an item. Choose an item.

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Charitable Funds Sub-Committee Terms of Reference Charitable Funds Committee Terms of Reference
Rhestr Termiau: Glossary of Terms:	Included within the body of the report
Partion / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Cronfa Elusennol: Parties / Committees consulted prior to Charitable Funds Committee:	Charitable Funds Sub-Committee

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	Not applicable for this paper.
Ansawdd / Gofal Claf: Quality / Patient Care:	Not applicable for this paper.
Gweithlu: Workforce:	Not applicable for this paper.
Risg: Risk:	Not applicable for this paper.
Cyfreithiol: Legal:	Not applicable for this paper.
Enw Da: Reputational:	Not applicable for this paper.
Gyfrinachedd: Privacy:	Not applicable for this paper.
Cydraddoldeb: Equality:	Not applicable for this paper.

THE BOARD

**CHARITABLE FUNDS COMMITTEE
(CFC)**

Charitable Funds
Sub-Committee

TERMS OF REFERENCE

CHARITABLE FUNDS SUB-COMMITTEE

Version	Issued to:	Date	Comments
V1	Charitable Funds Committee	09.03.17	Approved
V2	Charitable Funds Committee	15.03.18	Approved
V3	Charitable Funds Sub-Committee	02.09.19	Approved
V4	Charitable Funds Committee	15.09.20	Approved
V5	Charitable Funds Sub-Committee	10.05.21	Approved
V6	Charitable Funds Committee	30.06.21	Approved
V7	Charitable Funds Sub-Committee	07.03.22	Approved
V7	Charitable Funds Committee	06.06.22	Approved
V8	Charitable Funds Sub-Committee	02.05.23	Approved
V8	Charitable Funds Committee	23.05.23	Approved
V9	Charitable Funds Sub-Committee	07.05.24	Approved
V9	Charitable Funds Committee	21.06.24	For Approval

CHARITABLE FUNDS SUB-COMMITTEE

1. Constitution

- 1.1 The Charitable Funds Sub-Committee (the Sub-Committee) has been established as a Sub-Committee of the Charitable Funds Committee and constituted from 9 March 2017.
- 1.2 The Charitable Funds Sub-Committee consolidates the previous sub-committee functions held by:
 - Acute Services Charitable Funds Sub-Committee
 - Carmarthenshire Community Charitable Funds Sub-Committee
 - Ceredigion Community Charitable Funds Sub-Committee
 - Pembrokeshire Community Charitable Funds Sub-Committee
 - Mental Health & LD Charitable Funds Sub-Committee

2. Principal Duties

- 2.1 The purpose of the Charitable Funds Sub-Committee is to ensure that the Health Board's policies and procedures are followed in relation to the expenditure of our named charitable funds.
- 2.2 In particular to:
 - 2.2.1 Apply the Health Board's charitable funds within the budget, priorities and spending criteria determined by the Health Board as corporate trustee, in line with the charity's scheme of delegation, and consistent with the requirements of the Charities Act 2011 (or any modification of these acts).
 - 2.2.2 Implement appropriate policies and procedures to ensure that all expenditure is reasonable, clinically and ethically appropriate.
 - 2.2.3 Agree issues to be escalated to the Charitable Funds Committee with recommendations for action.

3. Operational Responsibilities

- 3.1 The Sub-Committee will, in respect of its provision of assurance to the Charitable Funds Committee, also be responsible for:
 - 3.1.1 Providing scrutiny with a view to approving or rejecting all requests for expenditure over £10,000 and under £50,000 against named charitable funds, within the scheme of delegation for authorisation of charitable funds expenditure.

~~3.1.2 Considering and recommending for approval requests for expenditure over £50,000 against named charitable funds, within the scheme of delegation for authorisation of charitable funds expenditure.~~

3.1.3 Providing scrutiny and onward assurance to the Charitable Funds Committee on charitable expenditure.

3.1.4 Providing scrutiny with a view to approving or rejecting:

- All Unusual or novel expenditure requests under £50,000;
- Any Expenditure requests resulting in ongoing charitable funds commitment, prior to Charitable Funds Committee consideration.
- Overseas training requests including conferences and seminars requiring the attendance of participants outside of the UK.
- Higher award and academic studies for which significant benefit to the Health Board can be quantified through training and development objectives.
- Requests from external charities or organisations, other than the Health Board's partner charities, to fundraise on the Health Board estate for the benefit of NHS services across mid and west Wales.

3.1.5 Considering with a view to approving or rejecting all requests for the establishment of new charitable funds.

3.1.6 Providing quarterly written updates to the Charitable Funds Committee.

3.2 The Chair of the Sub-Committee (or a suitably briefed deputy) will attend the quarterly Charitable Funds Committee meetings and provide written reports on the following items:

3.2.1 Expenditure approved within the Sub-Committee's delegated limits of approval.

3.2.2 Key decisions.

3.2.3 Chair's actions undertaken outside of the cycle of Sub-Committee meetings.

3.2.4 Key risks and issues/matters of concern.

3.2.5 Matters requiring Charitable Funds Committee consideration or approval.

3.2.6 Any revisions to the Sub-Committee's Terms of Reference.

4. Membership

4.1 The membership of the Charitable Funds Sub-Committee shall comprise:

Title
Assistant Director of Nursing, Mental Health and Learning Disabilities
Deputy Director of Operations
Senior Finance Business Partner (Accounting & Statutory and Reporting)
Assistant Director Medical Directorate (Chair)
Assistant Director of Therapies and Health Science
Assistant Director of Organisation Development (Vice-Chair)
Head of Capital Planning
Assistant Director of Primary Care
Deputy Director of Public Health
Assistant Director Legal and Patient Support
In attendance:
Head of Hywel Dda Health Charities
Assistant Finance Business Partner (Accounting & Statutory and Reporting)
Charitable Funds Accounts Assistant

4.2 Membership of the Sub-Committee shall be reviewed on an annual basis.

5. Quorum and Attendance

- 5.1 A quorum shall consist of no less than one third of the membership and must include as a minimum the Chair or Vice-Chair of the Sub-Committee.
- 5.2 The membership of the Sub-Committee must take into account the balance of skills and expertise necessary to deliver the Sub-Committee's remit and subject to any specific requirements or directions made by the University Health Board or Welsh Government.
- 5.3 Any senior officer of the University Health Board or from a partner organisation may, where appropriate, be invited to attend, for either all or part of a meeting, to assist with discussions on a particular matter.
- 5.4 The Sub-Committee may also co-opt additional independent external 'experts' from outside the organisation to contribute to specialised areas of discussion.
- 5.5 Should any member be unavailable to attend, they may nominate a deputy, with full voting rights, to attend in their place subject to the agreement of the Chair.
- 5.6 The Chair of the Charitable Funds Sub-Committee shall have reasonable access to Executive Directors and other relevant senior staff.
- 5.7 The Sub-Committee may ask any or all of those who normally attend but who are not members to withdraw to facilitate open and frank discussion of

particular matters.

6. Agenda and Papers

- 6.1 The Sub-Committee Secretary will agree the agenda with the Chair at least two weeks before the meeting date.
- 6.2 The agenda will be based around the Sub-Committee work plan, identified risks matters arising from previous meetings, issues emerging throughout the year and requests from Sub-Committee members. Following approval, the agenda and timetable for papers will be circulated to all Sub-Committee members.
- 6.3 All papers should have relevant sign off before being submitted to the Sub-Committee Secretary.
- 6.4 The agenda and papers for meetings will be distributed seven days in advance of the meeting.
- 6.5 A draft Table of Actions will be issued within **two** days of the meeting. The minutes and Table of Actions will be circulated to the Sub-Committee Chair within **seven** days to check the accuracy, prior to sending to all Members (including the Sub-Committee Chair).
- 6.6 Members must forward amendments to the Sub-Committee secretary within the next **seven** days. The Sub-Committee secretary will then forward the final version to the Sub-Committee Chair for approval.

7. Frequency of Meetings

- 7.1 The Sub-Committee will meet on a bi-monthly basis and shall agree an annual schedule of meetings. Additional meetings will be arranged as determined by the Chair of the Sub-Committee in discussion with the Sub-Committee Lead.
- 7.2 The Chair of the Sub-Committee, in discussion with the Sub-Committee Secretary, shall determine the time and the place of meetings of the Sub-Committee and procedures of such meetings.

8. Chair's Actions

- 8.1 There may be circumstances where decisions which would normally be made by the Sub-Committee need to be taken between scheduled meetings, and it is not practicable to call a meeting of the Sub-Committee. In these circumstances the Sub-Committee Chair may deal with these matters on behalf of the Sub-Committee as an exception rather than the norm.
- 8.2 The Sub-Committee Chair must ensure that any such action is formally recorded and reported to the next meeting of the Sub-Committee for consideration and ratification.

- 8.3 Chair's actions may not be taken where the Sub-Committee Chair has a personal or business interest in an urgent matter requiring decision.

9. Accountability, Responsibility and Authority

- 9.1 The Sub-Committee Secretary be accountable to the Charitable Funds Committee for its performance in exercising the functions set out in these terms of reference.
- 9.2 The Sub-Committee shall embed the University Health Board and Hywel Dda Health Charities' vision, corporate standards, priorities and requirements, e.g. equality and human rights, through the conduct of its business.
- 9.3 The requirements for the conduct of business as set out in the University Health Board's Standing Orders are equally applicable to the operation of the Sub-Committee.

10. Reporting

- 10.1 The Sub-Committee, through its Chair and members, shall work closely with the Board's other Committees, including joint /sub committees and groups to provide advice and assurance to the Board through the:
- 10.1.1 joint planning and co-ordination of Board and Committee business;
 - 10.1.2 sharing of information.
- 10.2 In doing so, the Sub-Committee shall contribute to the integration of good governance across the organisation, ensuring that all sources of assurance are incorporated into the Board's overall risk and assurance framework.
- 10.3 The Sub-Committee may establish groups or task and finish groups to carry out on its behalf specific aspects of Sub-Committee business. The Sub-Committee will receive written update reports following each meeting which details the business undertaken on its behalf.
- 10.4 The Sub-Committee Chair, supported by the Sub-Committee Secretary, shall:
- 10.4.1 Report formally, regularly and on a timely basis to the Charitable Funds Committee on the Sub-Committee's activities. This includes the submission of a Sub-Committee update report as well as the presentation of an Annual Report within 6 weeks of the financial year.
 - 10.4.2 Bring to the Charitable Funds Committee's specific attention any significant matter under consideration by the Sub-Committee.
 - 10.4.3 Ensure appropriate escalation arrangements are in place to alert the University Health Board Chair, Chief Executive or Chairs of other relevant Committees/Sub Committees of any urgent/critical matters that may

compromise patient care and affect the operation and/or reputation of the University Health Board.

11. Secretarial Support

- 11.1 The Sub-Committee Secretary shall be determined by the Sub-Committee lead.

12. Review Date

- 12.1 These terms of reference and operating arrangements shall be reviewed on at least an annual basis by the Sub-Committee for approval by the Charitable Funds Committee.