

**CYFARFOD O'R YMDDIRIEDOLWR CORFFORAETHOL**  
**MEETING OF THE CORPORATE TRUSTEE**

<b>DYDDIAD Y CYFARFOD:</b> <b>DATE OF MEETING:</b>	28 May 2026
<b>TEITL YR ADRODDIAD:</b> <b>TITLE OF REPORT:</b>	Ratification of a Resolution to Authorise the Executive Director of Finance to take out a Grant of Probate or Letters of Administration on behalf of Hywel Dda University Local Health Board
<b>CYFARWYDDWR ARWEINIOL:</b> <b>LEAD DIRECTOR:</b>	Sharon Daniel, Executive Director of Nursing, Quality and Patient Experience Joanne Wilson, Director of Corporate Governance/ Board Secretary
<b>SWYDDOG ADRODD:</b> <b>REPORTING OFFICER:</b>	Melanie Carroll-Cliffe, Head of Corporate Legal Services and Public Affairs

**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 Board of Hywel Dda University Local Health Board (HDdUHB), in its role as Corporate Trustee of charitable funds held by HDdUHB, is requested to ratify a resolution to enable the Executive Director of Finance to take out a Grant of Probate on behalf of HDdUHB.

**Cefndir / Background**

HDdUHB was appointed as Corporate Trustee of the charitable funds by virtue of the Local Health Boards (Establishment and Dissolution) (Wales) Order Statutory 2009, which established HDdUHB and dissolved its predecessor Local Health Boards. Its Board serves as its agent in the administration of the charitable funds held by HDdUHB.

HDdUHB entered into a Trust Deed on 29 March 2012 (amended by resolution on 27 March 2014). The deed provided for the constitution of the charitable trust, with the trust fund being administered by Hywel Dda General Fund Charity, now known as Hywel Dda Health Charities. HDdUHB was appointed as the trustee of the charity.

Legacy gifts are accepted by Hywel Dda Health Charities, the official charity of HDdUHB (registered charity number 1147863). One such legacy where Hywel Dda Health Charities is the beneficiary dates back to a will made in 1987. The will initially provided for a life interest in favour of the testator's daughter, with the trustees holding the trust fund thereafter for the Hospital Management Committee of Mynydd Mawr Hospital, Tumble. It is not disputed that Hywel Dda Health Charities is entitled to accept the legacy.

However, by the time that the life interest came to an end following the death of the testator's daughter, the original executors appointed in the will had died. Therefore, it falls to the residuary beneficiary, namely HDdUHB, to obtain a Grant of Probate, in accordance with the

Non-Contentious Probate Rules 1987. Consideration was given as to who was the most appropriate individual to act as signatory on the application and having regard to the Terms of Reference for the Charitable Funds Committee and HDdUHB's Standing Financial Instructions, it was agreed that the application should be made in the name of the Executive Director of Finance.

An application signed by the Executive Director of Finance was, therefore, lodged with the Probate Registry earlier this year, together with supporting documentation to provide evidence as to why this individual was the most appropriate person to do so. However, after considering the application, the Probate Registry has requested that it be provided with a resolution, showing the authority of the Executive Director of Finance to apply for the Grant on behalf of HDdUHB.

### Asesiad / Assessment

A Grant of Probate is required in order for the estate to be administered and for Hywel Dda Health Charities to receive the legacy to which it is entitled. Given that the executors appointed in the will are deceased, they have to be replaced to enable a Grant of Probate to be obtained. It is agreed that the Executive Director of Finance should be the signatory on such an application, and the formal resolution will satisfy the requirements of the Probate Registry, to enable the issuing of the Grant.

### Argymhelliad / Recommendation

The Board of HDdUHB, in its role as Corporate Trustee, is asked to **APPROVE** the following resolution:

"It is resolved that the holder for the time being of the appointment of Executive Director of Finance in Hywel Dda University Health Board is hereby authorised to depose to or depone to and to take all necessary steps and to make and sign for and on behalf of the Health Board all depositions affidavits inventories and oaths leading to a Grant of Probate or Letters of Administration in England and Wales or Northern Ireland with or without the Will annexed or confirmation in Scotland to which the Health Board is entitled and any other relative documents including Renunciations in connection with the office of Executor (or Trustee) and that this Resolution shall apply equally whether the Health Board is acting solely or jointly with any person or persons in making such depositions affidavits or other documents."

### **Amcanion: (rhaid cwblhau)**

#### **Objectives: (must be completed)**

Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable
Parthau Ansawdd: Domains of Quality <a href="#">Quality and Engagement Act (sharepoint.com)</a>	Not Applicable
Galluogwyr Ansawdd: Enablers of Quality: <a href="#">Quality and Engagement Act (sharepoint.com)</a>	Not Applicable

Amcanion Strategol y BIP: UHB Strategic Objectives:	Not Applicable
Amcanion Cynllunio Planning Objectives	Not Applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: <a href="#">Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022</a>	10. Not Applicable

<b>Gwybodaeth Ychwanegol: Further Information:</b>	
Ar sail tystiolaeth: Evidence Base:	Legal advice obtained. Standing Financial Instructions. Charitable Funds Committee Terms of Reference.
Rhestr Termâu: Glossary of Terms:	As outlined within the main body of the report.
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Cyfarfod Bwrdd Iechyd Prifysgol: Parties / Committees consulted prior to University Health Board:	Executive Director of Nursing, Quality and Patient Experience Director of Corporate Governance/Board Secretary.

<b>Effaith: (rhaid cwblhau) Impact: (must be completed)</b>	
<b>Ariannol / Gwerth am Arian: Financial / Service:</b>	The content of the report sets out the position and action to take to protect the interests of Hywel Dda Health Charities in relation to a sizeable legacy.
<b>Ansawdd / Gofal Claf: Quality / Patient Care:</b>	A significant legacy gift to services and departments provides improvements to patient care and experience.
<b>Gweithlu: Workforce:</b>	Not applicable.
<b>Risg: Risk:</b>	Not applicable.
<b>Cyfreithiol: Legal:</b>	From a legal perspective, it is agreed that the Executive Director of Finance is the appropriate signatory on the required application for a Grant.
<b>Enw Da: Reputational:</b>	There is a risk of reputational damage if HDdUHB does not act in the best interests of Hywel Dda Health Charities.
<b>Gyfrinachedd: Privacy:</b>	Not applicable.
<b>Cydraddoldeb: Equality:</b>	Not applicable