



PWYLLGOR CYLLID FINANCE COMMITTEE

DYDDIAD Y CYFARFOD: DATE OF MEETING:	29 April 2021
TEITL YR ADRODDIAD: TITLE OF REPORT:	Ministerial Directions
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Huw Thomas, Director of Finance
SWYDDOG ADRODD: REPORTING OFFICER:	Claire Bird, Assurance and Risk Officer

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Er Sicrwydd/For Assurance

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

The purpose of this report is to provide the Finance Committee with a status update and assurance that all NHS Non-Statutory Instruments (otherwise known as Ministerial Directions) received from the Welsh Government (WG) in 2020/21 have been implemented/ adopted by Hywel Dda University Health Board (HDdUHB).

Cefndir / Background

Acts of Parliament, Assembly Measures and Assembly Acts enable Welsh Ministers to develop more detailed legislation - known as secondary, or subordinate, legislation - usually by means of Statutory Instruments (SIs).

Non-Statutory Instruments (NSIs) are legislative in character; they alter legal rights and duties, however they are not SIs. NSIs which are issued by Welsh Ministers include codes of practice and guidance.

In complying with the requirements of various governance codes and the Annual Governance Statement requirements, HDdUHB has a duty to provide assurance that the NSIs have been complied with.

During its review of the Annual Governance Statement, the Audit and Risk Assurance Committee (ARAC) requested that the internal assurance process regarding the adoption of, and actions in response to, these requirements be strengthened. As Ministerial Directions (MDs) potentially form part of the process of approving expenditure of public money, the Finance Committee will receive a quarterly assurance report on compliance with these.

Asesiad / Assessment

Appendix 1 details the NSIs (MDs) relating to the National Health Service issued between 14th January 2021 and 31st March 2021, and provides confirmation that all have been implemented/ adopted by HDdUHB.

Argymhelliad / Recommendation

The Finance Committee is asked to note that HDdUHB is compliant with the NSIs (MDs) issued by WG between 14th January 2021 and 31st March 2021.

Amcanion: (rhaid cwblhau)

Objectives: (must be completed)

Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	5.5.13 Reviewing any investment/ disinvestment strategy, maintaining oversight of the investments and disinvestments, ensuring compliance with policies by: <ul style="list-style-type: none">• Establishing the overall methodology, processes and controls which govern investments and disinvestments, including the prioritisation of decisions;• Ensuring that robust processes are followed; and• Evaluating, scrutinising and monitoring subsequent investments/ disinvestments.• Evaluating, scrutinising and monitoring subsequent investments/ disinvestments.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable
Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	Governance, Leadership and Accountability
Amcanion Strategol y BIP: UHB Strategic Objectives:	Not Applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2018-2019	10. Not Applicable

Gwybodaeth Ychwanegol:

Further Information:

Ar sail tystiolaeth: Evidence Base:	Ministerial Directions
Rhestr Termiau: Glossary of Terms:	Incorporated within the main body of the report
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Cyllid: Parties / Committees consulted prior to Finance Committee:	ARAC Board Secretary

Effaith: (rhaid cwblhau)

Impact: (must be completed)

Ariannol / Gwerth am Arian: Financial / Service:	Non-statutory Instruments are legal tools which often have a financial impact on the organisation.
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Ansawdd / Gofal Claf: Quality / Patient Care:	Non-statutory Instruments are legal tools which can impact patient care
Gweithlu: Workforce:	Not applicable
Risg: Risk:	Non-Statutory Instruments are legislative in character, they alter legal rights and duties and must be implemented by the Health Board.
Cyfreithiol: Legal:	Non implementation of Non-Statutory Instruments may result in the Health Board being less likely to defend itself in a legal challenge which could lead to fines/ penalties and damage to reputation.
Enw Da: Reputational:	As above.
Gyfrinachedd: Privacy:	Not applicable
Cydraddoldeb: Equality:	Not applicable

Appendix 1: WG Non-Statutory Instruments used in relation to the National Health Service in Wales
(Ministerial Directions 2020/21)

Direction Number	Name of Direction	Date Issued	Description	Progress on Implementation
2021. No 04	Directions to Local Health Boards as to the Statement of Financial Entitlements (COVID 19 Suspension of QAIF and Alteration of Enhanced Services) Directions 2021	09/02/2021	Directions to local health boards on amendments to the general medical services contract.	This Direction has now been enacted.
2021. No 21	The Directions to Local Health Boards as to the Personal and General Dental Services Statement of Financial Entitlements (Amendment) Directions 2021	04/03/2021	These Directions concern reductions in annual dental contract values during the COVID-19 pandemic.	This Direction has now been enacted.
2021. No 24	The National Health Service (General Medical Services Premises Costs) (Wales) (Amendment) Directions 2021	09/03/2021	These Directions concern how notional rent review assessments should be undertaken for GP practice premises between 1 April 2020 and 31 March 2022.	This Direction has now been enacted as rent review requests for leased premises has gone out to practices. For non-leased premises this is a continuance of the assurance that the rent won't decrease during COVID.