



PWYLLGOR ADNODDAU CYNALIADWY SUSTAINABLE RESOURCES COMMITTEE

DYDDIAD Y CYFARFOD: DATE OF MEETING:	22 August 2022
TEITL YR ADRODDIAD: TITLE OF REPORT:	Ministerial Directions
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Huw Thomas, Director of Finance
SWYDDOG ADRODD: REPORTING OFFICER:	Rachel Williams, 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 Sustainable Resources Committee with a status update and assurance that all NHS Non-Statutory Instruments, otherwise known as Ministerial Directions (MD), received from Welsh Government (WG) 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 (SI).

Non-Statutory Instruments (NSI) 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 of compliance with the NSIs.

During the 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 MDs potentially form part of the process of approving expenditure of public money, the Sustainable Resources Committee will receive a quarterly assurance report on compliance.

Asesiad / Assessment

The information attached at Appendix 1a and 1b details the MDs relating to the National Health Service issued between 1st December 2021 and 31st July 2022, as well as MDs issued previously, which are still in the process of being implemented. Appendix 1 provides

detail that all MDs have either been implemented/ adopted by HDdUHB or are in the process of being implemented.

Argymhelliad / Recommendation

The Sustainable Resources Committee is requested to note that HDdUHB is compliant with the NSIs (MDs) issued by WG between 1st December 2021 and 31st July 2022.

Amcanion: (rhaid cwblhau)

Objectives: (must be completed)

Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	3.12 Review 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.
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

Partion / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Adnoddau Cynaliadwy: Parties / Committees consulted prior to Sustainable Resources Committee:	Board Secretary
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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.
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:	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.
Gyfrinachedd: Privacy:	Not applicable
Cydraddoldeb: Equality:	Not applicable

Appendix 1a: WG Non-Statutory Instruments used in relation to the National Health Service in Wales
(Ministerial Directions 2021/22)

Direction Number	Name of Direction	Date Issued	Description	Progress on Implementation
2021. No 59	The Directions to Local Health Boards and NHS Trusts in Wales on the Delivery of Autism Services 2021	26/07/2021	Directions to Local Health Boards and NHS Trusts on autism services for 2021. Each Local Health Board and each NHS Trust must exercise its functions in accordance with the relevant provisions of the Code of Practice on the Delivery of Autism Services, which was issued by the Welsh Ministers on 16 July 2021, and which came into force on 1 September 2021.	Following the RPB awarding the contract to Autism Wellbeing Home Autism Wellbeing we continue to make progress in scoping our compliance against the recommendations outlined within the Code of Practice jointly with partner agencies and have agreed a date of 8 th August 2022 as completion for a draft report following which the full report for RPB Board is expected September 2022. On completion of this we will be able to develop an action plan to map out the steps required to achieve full implementation

Direction Number	Name of Direction	Link	Date Issued	Description of Direction	Lead Service/Directorate	Lead Director assigned to Direction	Lead Officer	Board Committee or Executive Performance Review for monitoring	Update on progress	RAG Status
WG21-59	The Directions to Local Health Boards and NHS Trusts in Wales on the Delivery of Autism Services 2021	https://gov.wales/sites/default/files/publications/2021-07/the-directions-to-local-health-boards-and-nhs-trusts-in-wales-on-the-delivery-of-autism-services-2021.pdf	26/07/2021	Directions to Local Health Boards and NHS Trusts on autism services for 2021. Each Local Health Board and each NHS Trust must exercise its functions in accordance with the relevant provisions of the Code of Practice on the Delivery of Autism Services, which was issued by the Welsh Ministers on 16 July 2021 and which came into force on 1 September 2021.	Mental Health and Learning Disabilities	Director of Operations	Angela Lodwick / Catherine Vaughan	Sustainable Resources Committee - reported December 2021 Update sent to Sustainable Resources Committee - April 2022 and August 2022	02/12/2021 - Request for update sent 07/12/2021 - There is an Integrated Autism Service (IAS) established which is an integrated health and social care service, and a dedicated Neurodevelopmental Disorder(ASD) service for Children and young people. The Regional Partnership Board (RPB) has established a Strategic Autism Strategic Group who reports to the RBP, which is a Regional Group and consists of senior representation from the Health Board, Local Authority, IAS Leads, Specialist Practitioners and Third sector representation alongside an Autism Champion. 24/3/22 Head S-CAMHS & Neurodevelopmental Services chairs the Strategic Regional Group . The RPB have awarded a contract to Autism Wellbeing Home Autism Wellbeing a local company to West Wales to work with us to complete an audit and help develop our plan to implement the Code of Practice 20/07/2022 - Following the RPB awarding the contract to Autism Wellbeing Home Autism Wellbeing we continue to make progress in scoping our compliance against the recommendations outlined within the Code of Practice jointly with partner agencies and have agreed a date of 8th August 2022 as completion for a draft report following which the full report for RPB Board is expected September 2022. On completion of this we will be able to develop a action plan to map out the steps required to achieve full implementation	Amber
WG22-15	Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2022	https://gov.wales/sites/default/files/publications/2022-03/directions-to-local-health-boards-as-to-the-statement-of-financial-entitlements-amendment-directions-2022.pdf	30/03/2022	Directions to local health boards on amendments to the general medical services contract.	Finance	Director of Finance	Keith Jones / Martin Turner (NWSSP)	SRC August 2022	28/07/22-Confirmation received for implementation as appropriate to the time of year some of the changes apply ie QAIF Achievement runs from Oct-Sept 22 and paid December 22	Green
WG22-25	Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 2) Directions 2022	https://gov.wales/sites/default/files/publications/2022-06/directions-to-local-health-boards-as-to-the-statement-of-financial-entitlements-amendment-no-2-directions-2022.pdf	09/06/2022	Directions to local health boards on amendments to the general medical services contract.	Finance	Director of Finance	Martin Turner (NWSSP) / Primary Care Finance Business Partner	SRC August 2022	13/06/2022 - confirmation received from NWSSP that , applications for Partnership premium will be sent to our Contracts team for anyone wishing to claim and payments made as appropriate. Further confirmation received from the Director of Finance that the Finance Business Partner for Primary Care will also be liaising with the Directorate to ensure the implementation of the MD. 28/07/22-Confirmation received for implementation as appropriate to the time of year some of the changes apply ie QAIF Achievement runs from Oct-Sept 22 and paid December 22	Green