



## PWYLLGOR ADNODDAU CYNALIADWY SUSTAINABLE RESOURCES COMMITTEE

<b>DYDDIAD Y CYFARFOD: DATE OF MEETING:</b>	27 June 2023
<b>TEITL YR ADRODDIAD: TITLE OF REPORT:</b>	Ministerial Directions
<b>CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:</b>	Huw Thomas, Director of Finance
<b>SWYDDOG ADRODD: REPORTING OFFICER:</b>	Charlotte Wilmshurst, Assistant Director, Assurance and Risk

**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 table attached at Appendix 1 details the MDs relating to the National Health Service issued between 1 February 2023 and 31 May 2023, as well as MDs issued previously, which

are still in the process of being implemented. Appendix 1 provides details 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 receive that HDdUHB is compliant with the NSIs (MDs) issued by WG between 1 February 2023 and 31 May 2023.

<b>Amcanion: (rhaid cwblhau) Objectives: (must be completed)</b>	
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable
Galluogwyr Ansawdd: Enablers of Quality: <a href="#">Quality and Engagement Act (sharepoint.com)</a>	6. All Apply
Parthau Ansawdd: Domains of Quality <a href="#">Quality and Engagement Act (sharepoint.com)</a>	7. All apply
Amcanion Strategol y BIP: UHB Strategic Objectives:	All Strategic Objectives are 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:	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:	Director of Corporate Governance

Parties / Committees consulted prior to Sustainable Resources Committee:	
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<b>Effaith: (rhaid cwblhau)</b>	
<b>Impact: (must be completed)</b>	
<b>Ariannol / Gwerth am Arian: Financial / Service:</b>	Non-statutory Instruments are legal tools which often have a financial impact on the organisation.
<b>Ansawdd / Gofal Claf: Quality / Patient Care:</b>	Non-statutory Instruments are legal tools which can impact patient care
<b>Gweithlu: Workforce:</b>	Not applicable
<b>Risg: Risk:</b>	Non-Statutory Instruments are legislative in character, they alter legal rights and duties and must be implemented by the Health Board.
<b>Cyfreithiol: Legal:</b>	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.
<b>Enw Da: Reputational:</b>	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.
<b>Gyfrinachedd: Privacy:</b>	Not applicable
<b>Cydraddoldeb: Equality:</b>	Not applicable

## Appendix 1: WG Non-Statutory Instruments used in relation to the National Health Service in Wales

Direction Number	Name of Direction	Date Issued	Description	Progress on Implementation	RAG Status
2021. No 59	<a href="#">The Directions to Local Health Boards and NHS Trusts in Wales on the Delivery of Autism Services 2021</a>	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.	<p>Confirmation obtained from Head of Children and Adolescent Mental Health Service (CAMHS) that Welsh Government (WG) has published its 3-year plan for Neurodevelopmental Services on 11 October 2022 and are now undertaking consultation sessions across Wales. The plan aims to deliver the improvements through a targeted program reflecting three main work streams: Workstream One – Tackling Urgent Need; Workstream Two – Building Sustainable Services; Workstream Three –Infrastructure and workforce. In addition, a report has been commissioned on the Code of Practice and is currently awaiting delivery.</p> <p>The Health Board continues to work with the Regional Partnership Board (RPB) in the development and delivery of the Code of Practice Implementation Plan, which requires a multi-agency response to address the recommendations outlined in the Code. The Health Board continues to work in collaboration with partner agencies on the delivery of the 3 year Improvement Plan with a focus on achieving the 3 priority areas of:</p> <ul style="list-style-type: none"> <li>• Improving urgent need and family support;</li> <li>• Building sustainable services; and</li> <li>• Cross cutting themes to focus on workforce, digital, data and monitoring</li> </ul>	

## Appendix 1: WG Non-Statutory Instruments used in relation to the National Health Service in Wales

				<p>WG have commissioned an independent evaluation of the Code of Practice for 2023 to identify the current position of all services in respect of the Code, identify what data is collated, and review this to identify barriers and enablers to implementation, and recommendations for improvements in meeting the duties of the Code.</p> <p>WG has also made £12m available as part of a 3-year Improvement Plan.</p> <p>Due to this being a 3-year plan, the status of Ministerial Direction is noted as 'amber', with an estimated completion date of October 2025, for which the Health Board is on track to implement.</p>	
2023. No 07	<a href="#">Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2023</a>	20/02/2023	The payments to be made by Local Health Boards to a GMS contractor under a GMS contract.	<p>The MD covers Quality Assurance and Improvement Framework (QAIF) Aspiration for the periods October 2022 - September 2023, and October 2023 - March 2024. The initial requirement has been applied to general medical services (GMS) payments in February and backdated to October 2022. The second requirement applies from October 2023, and will be processed at the appropriate time.</p>	

## Appendix 1: WG Non-Statutory Instruments used in relation to the National Health Service in Wales

2023. No 08	<a href="#">Local health boards and NHS Trusts reporting on the introduction of new medicines into the National Health Service in Wales Directions 2023</a>	24/03/2023	Directions regarding the Implementation of the high-cost drugs reporting system.	<p>Implementation of this MD is aligned to the Welsh Health Circular 032-22 (Further extending the use of Blueteq in secondary care).The national roll out of Blueteq will be managed by the All Wales Blueteq Steering Group, with management support from All Wales Therapeutics &amp; Toxicology Centre on behalf of WG. The Health Board is aiming to implement and adopt all available (first phase) drug profiles by 1<sup>st</sup> April 2024. The Health Board has representation on the Blueteq Steering Group with national drug approval templates being developed on a Once for Wales approach.</p> <p>The newly appointed Health Board Clinical Director of Pharmacy &amp; Medicines Management, and Lead Clinical Development Pharmacist, are involved in the progress of the MD and will be providing regular updates in due course.</p>	
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