



## PWYLLGOR ADNODDAU CYNALIADWY SUSTAINABLE RESOURCES COMMITTEE

<b>DYDDIAD Y CYFARFOD: DATE OF MEETING:</b>	21 December 2021
<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>	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) in 2021/22 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 30<sup>th</sup> July 2021 and 30<sup>th</sup> November 2021, and provides confirmation 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 30<sup>th</sup> July 2021 and 30<sup>th</sup> November 2021.

### **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"> <li>• Establishing the overall methodology, processes and controls which govern investments and disinvestments, including the prioritisation of decisions;</li> <li>• Ensuring that robust processes are followed; and</li> <li>• Evaluating, scrutinising and monitoring subsequent investments/ disinvestments.</li> </ul>
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: <a href="#">Hyperlink to HDdUHB Well-being Objectives Annual Report 2018-2019</a>	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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<b>Effaith: (rhaid cwblhau) 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**  
(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.	<p>This Direction is currently being implemented. 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.</p> <p>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.</p>

2021. No 65	The Primary Care (PfizerBioNTech Vaccine COVID-19 Immunisation Scheme) Directions 2021	29/07/2021	How health boards can engage primary care contractors to administer the Pfizer-BioNTech vaccine.	This Direction has been noted by the Health Board but is not applicable as Pfizer is not used as part of the commissioning arrangements.
2021. No 70	The Primary Care (Contracted Services: Immunisations) Directions 2021	13/08/2021	Guidance for primary care contractors to administer COVID-19 vaccines from August 2021.	This Direction has now been enacted.
2021. No 75	Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 2) Directions 2021	01/09/2021	Directions to local health boards on amendments to the general medical services contract.	This Direction has now been enacted
2021. No 77	The National Health Service (General Medical Services – Recurring Premises Costs during the COVID-19 Pandemic) (Wales) (Revocation) Directions 2021	09/09/2021	Revocation of the National Health Service (General Medical Services – Recurring Premises Costs during the COVID-19 Pandemic) (Wales)	This Direction has now been enacted
2021. No 83	The Pharmaceutical Services (Fees for Applications) (Wales) Directions 2021	01/10/2021	These Directions require LHBs to charge a specified fee for applications for inclusion in or amendment to a pharmaceutical list.	This Direction has now been enacted
2021. No 84	The Directions to Local Health Boards as to the Personal Dental Services Statement of Financial Entitlements (Amendment) Directions 2021	18/10/2021	These Directions uplift NHS dental contract payments for 2021 to 2022.	This Direction was applied to payments due in October 2021 and has now been enacted.

2021. No 85	The Directions to Local Health Boards as to the General Dental Services Statement of Financial Entitlements (Amendment) (No.2) Directions 2021	18/10/2021	These Directions uplift NHS dental contract payments for 2021 to 2022.	This Direction was applied to payments due in October 2021 and has now been enacted.
2021. No 88	The Directions to Local Health Boards as to the General Dental Services Statement of Financial Entitlements (Amendment) (No. 3)	20/10/2021	These Directions uplift NHS dental contract payments for 2021 to 2022.	This Direction was applied to payments due in October 2021 and has now been enacted.
2021. No 89	The Directions to Local Health Boards as to the Personal Dental Services Statement of Financial Entitlements (Amendment) (No. 3) Directions 2021	20/10/2021	These Directions uplift NHS dental contract payments for 2021 to 2022.	This Direction was applied to payments due in October 2021 and has now been enacted.