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Bwrdd Iechyd Prifysgol
Abertawe Bro Morgannwg
University Health Board



Meeting Date	17 th May 2018	Agenda Item	2e
Report Title	Review of Standing Orders		
Report Author	Pam Wenger, Director of Corporate Governance/Board Secretary		
Report Sponsor	Pam Wenger, Director of Corporate Governance/Board Secretary		
Presented by	Pam Wenger, Director of Corporate Governance/Board Secretary		
Freedom of Information	Open		
Purpose of the Report	<p>The purpose of this report is to provide an update to the Audit Committee following review of the Health Board's Standing Orders.</p> <p>Once the Audit Committee have reviewed and approved the revisions the updated documents will be submitted to the Board on the 31 May 2018 for approval.</p>		
Key Issues	<p>The standing orders are usually reviewed on an annual basis. The Standing Orders document has not changed significantly from previous versions and a summary of the amendments proposed is presented in this report for approval.</p> <p>The review of Standing Orders has highlighted the need for a more comprehensive review of the Scheme of Reservation and Delegation of Powers. This review should be aligned to the next review of the Standing Financial Instructions. This review will provide an opportunity to ensure that there is detailed scheme of delegation in place for the Service Delivery Units.</p>		
Specific Action Required <i>(please ✓ one only)</i>	Information	Discussion	Assurance
			Approval
Recommendations	<ul style="list-style-type: none"> • Note the amendments to the Board's Standing Orders; and • Endorse the delegation for capital approvals, the updated Standing Orders and supporting Schedules for approval by the Board. 		

REVIEW OF STANDING ORDERS

1. INTRODUCTION

The purpose of this report is to provide an update to the Audit Committee following review of the Health Board's Standing Orders. Once the Audit Committee have reviewed and approved the revisions the updated documents will be submitted to the Board on the 31 May 2018 for approval.

2. BACKGROUND

The Welsh Government wrote to NHS Wales organisations on 27 March 2014 re-issuing new model Standing Orders (SOs) and Standing Financial Instructions (SFIs) for Local Health Boards (LHBs), since the enactment of the National Health Service Finance (Wales) Act 2014 and the issuing of the new Planning Framework on 4 November 2013. The National Health Service Finance (Wales) Act 2014 changed the duties of Local Health Boards to provide a rolling three-year financial duty and a requirement to prepare a plan that complies with that duty.

The Standing Orders were last reviewed and approved by the Audit Committee April 2017 and were approved at the Board meeting held on 25th July 2017.

To ensure effective governance for the Abertawe Bro Morgannwg UHB, the standing orders are usually reviewed on an annual basis. The Standing Orders document has not changed significantly from previous versions and a summary of the amendments proposed is presented in this report for approval.

3. GOVERNANCE AND RISK ISSUES

Section 10 of the Abertawe Bro Morgannwg UHB standing order states that:

11.0.1 These SOs shall be reviewed annually by the Audit Committee, which shall report any proposed amendments to the Board for consideration. The requirement for review extends to all documents having the effect as if incorporated in SOs, including the equality impact assessment.

The annual revision of the document is a key element of the corporate governance arrangements of the Health Board and provides assurance that the SO's are compliant with Welsh Government directives and model standing orders, is up to date with emerging legislation and regulatory guidance and ensures consistency in managing the business of Committees.

The Standing Orders and SFIs specify certain key responsibilities of the Chief Executive Officer (CEO), the Director of Finance and other officers of the Board. The CEO's job description, together with his/her Accountable Officer Memorandum sets out his/her specific responsibilities, and the individual job descriptions determined for Director level posts also define in detail the specific responsibilities assigned to those post holders.

These documents, together with the associated financial delegations set out in the SFIs plus any agreed additional delegations form the basis of the Health Board Scheme of Delegation to Officers.

The review of Standing Orders has highlighted the need for a more comprehensive review of the Scheme of Reservation and Delegation of Powers. This review should be aligned to the next review of the Standing Financial Instructions. This review will provide an opportunity to ensure that there is detailed scheme of delegation in place for the Service Delivery Units.

Delegation for Capital Approvals

At the Board in January 2018 as part of the report on the Discretionary Capital, it was agreed to review and clarify the scheme of delegation in relation to capital approvals. The structured assessment also identified this an area for improvement (*Governance Work Programme reference 13*). Discussions are ongoing to finalise the delegation and a proposal will be brought to the committee in due course.

Nurse Staffing Levels (Wales) Act - operational guidance and Welsh Levels of Care

In September 2016 the Nurse Staffing Levels (Wales) Act became law, requiring organisations across NHS Wales to calculate and monitor the number of nurses required to care sensitively for patients. The Act was constructed to enable a phased implementation and in August 2017 the Welsh Government announced that the Act would take effect for Adult Acute Medical and Surgical Wards from April 2018.

The Executive Directors of Nursing, Workforce & Organisational Development, Finance and Operations - are required under sections 25B and 25C of the Act to provide evidence and professional opinion to the Board to assist with its decision making in relation to calculating and maintaining the nurse staffing level in adult acute medical and surgical in-patient wards.

The Board is required to designate a person (or a description of a person) to be responsible for calculating the nurse staffing level in settings where section 25B of the Act applies.

The designated person is responsible for:

- establishing the processes and timetable for the annual cycle required within their health board/trust, supported by appropriate professional nursing, finance, operational and workforce personnel, to facilitate the biannual (re)calculation of the nurse staffing level;
- calculating the number of registered nurses - and those staff undertaking nursing duties under the supervision of or delegated to by a registered nurse - appropriate to provide person-centred care that meets all reasonable requirements in adult acute medical and surgical inpatient wards. This is to be undertaken by exercising professional judgement when applying the triangulated approach;
- undertaking and recording the rationale for the calculation. This will be done every 6 months as a minimum or more frequently if there is a change in the use/service which is likely to alter the nurse staffing level, or if they deem it necessary; and

- formally presenting the nurse staffing level for each ward to their Board on an annual basis and in addition provides a written update to the Board at any time if they deem it necessary to change the nurse staffing level for any reason.

The Scheme of Delegation is to be amended to reflect the Director of Nursing and Patient Experience as the Designated Person under the Act.

4. FINANCIAL IMPLICATIONS

There are no financial implications for the committee to consider.

5. RECOMMENDATION

Members are asked to:

- **Note** the amendments to the Board's Standing Orders; and
- **Endorse** the delegation for capital approvals, the updated Standing Orders and supporting Schedules for approval by the Board.

Page reference	Amendment
Various references	References & Grammar <ul style="list-style-type: none"> Minor housekeeping amendments, including grammatical oversights, changing Minister for Health and Social Services to Cabinet Secretary for Health and Social Care.
3.5.2	Joint Committees <ul style="list-style-type: none"> Include the reference to the Emergency Ambulance Services Committee (EASC)
4.2.2 and 9.2.2	Annual Reports <p>The time for Committees and advisory groups to submit an annual report to the Board through the Chair within 6 weeks of the end of the reporting year setting out its activities during the year and detailing the results of a review of its performance and that of any sub-groups it has established, has been changed to 3 months.</p> <p>The Model Standing Orders written in 2014 outline a 6 week time period, however a 3 month period after the end of the reporting year will align with the annual reporting requirements which are presented to the Board in June each year.</p>
9.0.4 and 9.0.5	Gaining Assurance on the Conduct of LHB Business <ul style="list-style-type: none"> The addition of references to Welsh Health Specialised Services Committee (WHSSC) and the Emergency Ambulance Services Committee (EASC).
Schedule 1	Scheme of Reservation and Delegation of Powers <ul style="list-style-type: none"> Minor housekeeping amendments. Inclusion of the Director of Nursing and Patient Experience as the Designated Person under the Nurse Staffing Levels (Wales) Act.
Schedule 3	Board Committee Arrangements <ul style="list-style-type: none"> Updated to include the terms of reference recently agreed by the Board and the establishment of the Health and Safety Committee.
Schedule 8	Committee Chairs and Champions <ul style="list-style-type: none"> Updated to reflect the new Independent Members and their related Champion roles.
Schedule 10	Counter Fraud, Bribery and Corruption Policy and Response Plan <ul style="list-style-type: none"> Document re-ordered to put the Health Board policy statement straight after the introduction. Strengthened the policy statement section to clearly state a zero-tolerance position in terms of economic crime, and to

	<p>explicitly state that the policy is supported and endorsed by the Audit Committee and Board.</p> <ul style="list-style-type: none"> • Re-written section on 'What is Bribery' to give a clearer definition of the offences. • Rewording of elements of the Roles and Responsibilities section, to bring it in line with our Standing Financial Instructions. • Updated the Response Plan (Section 7) itself throughout to ensure that it accurately reflects the systems and processes in operation along with the process charts. These are now in an appendix. • Removal of section 7.8 (Involving the Police) as the content was addressed elsewhere in the document. • Sanctions and Redress now two separate sections rather than integrated. • Removal of Sections 10 to 13 as they are covered elsewhere in standing orders. • Additional appendix with contact/reporting details.
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Governance and Assurance					
Link to corporate objectives (please ✓)	Promoting and enabling healthier communities	Delivering excellent patient outcomes, experience and access	Demonstrating value and sustainability	Securing a fully engaged skilled workforce	Embedding effective governance and partnerships
					✓
Quality, Safety and Patient Experience					
The quality and accuracy of information presented to the Audit Committee is important to support and enable them to make fully informed decisions. Informed decisions are more likely to impact favourably on the quality, safety and experience of patients and staff.					
Financial Implications					
No impact.					
Legal Implications (including equality and diversity assessment)					
Welsh Government published new model Standing Orders and Standing Financial Instructions for Local Health Boards (LHBs), following the enactment of the National Health Service Finance (Wales) Act 2014 and in line with the powers of direction in section 12 (3) of the National Health Service Wales Act 2006 and all Board's are required to incorporate and adopt the model SOs and SFIs into their own HB SOs and SFIs.					
Staffing Implications					
No impact.					
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)					
This is not applicable to this report.					
Report History	This is not applicable to this report.				
Appendices	Standing Orders				