

Agenda Item

5.1

Joint Commissioning Committee

Corporate Governance Report

Dyddiad y Cyfarfod / Date of Meeting	21/01/2025
Statws Cyhoeddi / Publication Status	Open/ Public
	Not Applicable
Awdur yr Adroddiad / Report Author	Helen Tyler, Head of Corporate Governance
Cyflwynydd yr Adroddiad / Report Presenter	Jacqui Maunder, Committee Secretary & Associate Director of Corporate Services
Noddwr Gweithredol yr Adroddiad / Report Executive Sponsor	Jacqui Maunder, Committee Secretary & Associate Director of Corporate Services

Pwrpas yr Adroddiad / Report Purpose	For Noting For Endorsement
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Engagement (internal/external) undertaken to date (including receipt /consideration at Committee/Group)		
Committee / Group / Individuals	Date	Outcome
N/A	Click or tap to enter a date.	Choose an item.

Acronyms / Glossary of Terms	
AGS	Annual Governance Statement
ARC	Audit & Risk Committee
EASC	(Former) Emergency Ambulance Services Committee
NWJCC	NHS Wales Joint Commissioning Committee
SO	Standing Orders
SFI	Standing Financial Instructions
WHSSC	(Former) Welsh Health Specialised Services Committee

1. SITUATION/BACKGROUND

The purpose of this report is to provide an update on corporate governance matters that have arisen since the previous meeting.

There are several corporate governance matters that need to be reported as a regular item in-line with the governance and accountability framework for the Joint Commissioning Committee. This report encompasses all such issues as one agenda item.

2. SPECIFIC MATTERS FOR CONSIDERATION/APPROVAL

2.1 Matters Considered In-Committee

In accordance with the Standing Orders (SOs), the NHS Wales Joint Commissioning Committee (JCC) is required to report any decisions made in private "In-Committee" session, to the next available public meeting of the Joint Committee (JC). An "In-Committee" meeting was held 12 November 2024 and the following updates were received:

- The Minutes from the JCC In Committee Meeting held on 12 November 2024,
- An update on a Judicial Review; and
- A Quality & Safety update.

2.2 Welsh Health Circulars (WHCs)

Welsh Government (WG) issue Welsh Health Circulars (WHCs) around specific topic areas. The following WHCs have been received since 12 November 2024 and are available via the WG website, where further details as to the risks and governance issues are available:

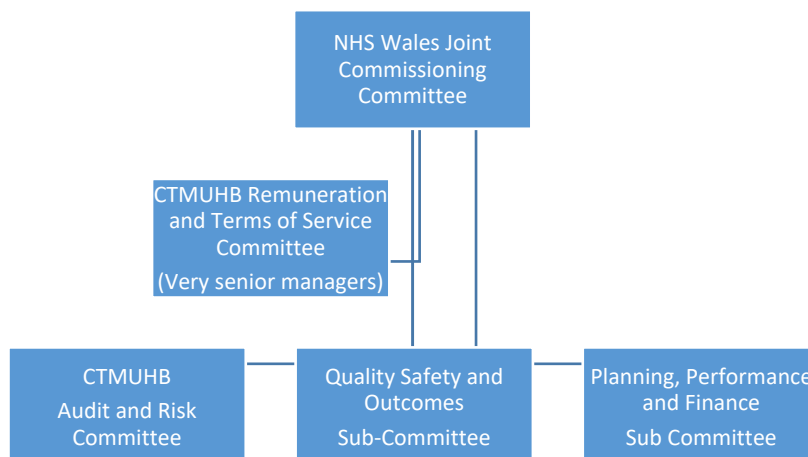
- WHC/2024/043 Pertussis vaccination for healthcare workers
- WHC/2024/044 Anti-racism e-learning module
- WHC/2024/045 Spotting sepsis in children, awareness leaflet
- WHC/2024/021 Integration framework for internationally educated nurses
- WHC/2024/046 Change to the influenza vaccination programme 2024 to 2025
- WHC/2024/047 COVID-19 spring vaccination programme 2025
- WHC/2024/050 Infected Blood Inquiry: carrying out recommendation 8a and 8b

2.3 Sub Committee Terms of Reference (ToR) and Membership /Attendance

In accordance with the JCC scheme of delegation and reservation of powers, approval of the Joint Committees governance framework is reserved to HBs.

On the 17 September 2024 the Joint Committee endorsed the proposed sub-committee structure for the JCC – see **Figure 1**. The 7 x individual HB Board meetings formally approved the structure and the documents at their Board meetings in September 2024.

Figure 1 – Approved JCC Sub-Committee Structure



Following a request from the JCC to update the Terms of Reference (ToR) for the QS&O Sub-Committee and the PP&F Sub-Committee to reflect the designation of a CEO representative as a member and not attendee, the ToR have been updated and are presented **Appendices 1 and 2** for endorsement prior to being submitted to the 7 x HBs for approval.

The first meetings of each Sub-Committee will be held in February 2025 and will Sub-Committee highlight reports will be provided to the JCC meeting by way of assurance and escalation in March 2025. Sub-Committee cycles of business will also be presented to ensure JCC oversight.

The membership and attendance for the sub committees is outlined in **Tables 1-3** below:

Table 1 – Membership/Attendance Quality and Safety and Outcomes Sub-Committee

Quality and Safety and Outcomes Sub-Committee	
Designation	Lay Member/Attendee
Chair	Susan Elsmore
Vice Chair	Mandy Rayani
Member	Shameem Nawaz
One representative Chief Executive or designated nominated deputy who must be an Executive Director from a health board (and would be fully briefed on the issues to be discussed)	Phil Kloer, CEO HDdUHB, Deputy – TBC
Llais Representative	Angela Mutlow
Staff Side Representative	tbc

Table 2 –Membership/Attendance Planning, Performance and Finance Sub Committee

Planning, Performance and Finance Sub Committee	
Designation	Lay Member/Attendee
Chair	Paul Worthington
Vice Chair	Nia Roberts
Member	Ian Green
One representative Chief Executive or designated nominated deputy who must be an Executive Director from a health board (and would be fully briefed on the issues to be discussed)	Abigail Harris, CEO SBUHB Deputy - Hayley Thomas, CEO PtHB
Staff Side Representative	tbc

Now that the sub-committees have been established each sub-committee will report formally into the JCC via highlight reports from the sub-committee chairs. In addition, discussions are ongoing with the NHS Wales Directors of Nursing peer group and the NHS Wales Directors of Corporate Governance peer group to consider the most appropriate assurance reporting to HB sub committees and Boards to ensure effective governance.

2.4 Audit Wales – WHSSC Committee Governance Arrangements

On the 17 December 2024 the CTMUHB Audit and Risk Committee (ARC) received a final update on the legacy recommendations outstanding relating to the review of [Audit Wales Committee Governance Arrangements at WHSSC](#) report.

The report outlined 4 recommendations for WHSSC all of which were completed in 2023.

There were three recommendations for Welsh Government (WG), 2 of which remained outstanding in 2024. The JCC have maintained a close dialogue with Welsh Government on their discussions with Audit Wales on whether the outstanding actions could be categorised as completed, given that the committees of WHSSC and EASC were combined under the JCC and that the risk and governance frameworks had been established. The JCC received confirmation from Audit Wales in December 2024 that the outstanding WG recommendations were now categorised as completed.

An update on the completed outstanding recommendations is outlined in **figure 1** below.

Figure 1 – Outstanding recommendations from the WHSSC legacy audit reports

<p>R6 Sub-regional and regional programme management</p> <p>This is linked to Recommendation 2 made to (former) WHSSC in this report. When new regional or sub-regional specialised services are planned which are not the sole responsibility of WHSSC, ensure that effective multi- partner programme management arrangements are in place from concept through to completion (i.e. early in the development through to post-implementation benefits analysis).</p>	
<p>Letter from Dr Andrew Goodall to Adrian Crompton, 2 June 2021 stated:</p> <p>As you have highlighted, whilst some key service areas like major trauma have been developed successfully and with good collaboration across organisations, the timelines around such changes have been slow and often hampered by a lack of clarity on who is driving the process. I agree with your view that end-to-end programme management of such schemes, which are not within the sole remit of WHSSC, should be strengthened.</p> <p>The National Clinical Framework which we published on 22 March, sets out a vision for a health system that is co-ordinated centrally and delivered locally or through regional collaborations. Implementation will be taken forward through NHS planning and quality improvement approaches and our accountability arrangements with NHS bodies.</p>	<p><u>December 2024</u></p> <p>Audit Wales have confirmed that this recommendation can now be marked as closed.</p>

<p>R7 Future governance and accountability arrangements for specialised services</p> <p>A Healthier Wales included a commitment to review the WHSSC arrangements along with other national hosted and specialist advisory functions. COVID-19 has contributed to delays in taking forward that action. It is recommended that the Welsh Government set a revised timescale for the action and use the findings of this report to inform any further work looking at governance and</p>

accountability arrangements for commissioning specialised services as part of a wider consolidation of current national activity.

Letter from Dr Andrew Goodall to Adrian Crompton, 2 June 2021 stated:

A Healthier Wales committed to reviewing the WHSSC arrangements alongside other hosted national and specialised functions, in the context of the development of the NHS Executive function. The position of WHSSC within this landscape needs to be carefully considered. On the one hand, there are strengths in the current system whereby health boards, through the joint committee, retain overall responsibility for the commissioning of specialised services. This requires collaboration and mature discussion from both the commissioner and provider standpoint. However, I recognise the inherent risk of conflict of interest in this arrangement and note the reference made in your report to the Good

Governance Institute's report of 2015 which suggested a more national model may be appropriate.

In my letter to health boards of 14 August 2019, I indicated that, as recommended by the Parliamentary Review, the governance and hosting arrangements for the existing Joint Committees would be streamlined and standardised. I also said that it was intended the NHS Executive would be become a member of the Joint Committees' Boards in order to

ensure there is a stronger national focus to decision making. However, the thinking at the time was that the joint committee functions would not be subsumed into the NHS Executive function. We will continue to look at this as the NHS Executive function develops further and I will update you should

December 2024

Audit Wales have confirmed that this recommendation can now be marked as closed.

there be any change to the direction of travel I indicated in 2019.

An update will also be submitted to HB Audit Committees for assurance. This will ensure that all NHS bodies are able to maintain a line of sight on the completion of all the recommendations, noting the JCCs status as a Joint Committee of each HB in Wales.

2.5 Forward Plan of Committee Business 2024-2025

The forward plan of committee business which includes the sub-committee meeting dates is presented at **Appendix 3** for information.

3. ASSESSMENT

Objectives / Strategy	
Dolen i Nod(au) Strategol CBC /Link to JCC Strategic Goal(s)	Sustaining Our Future
Dolen i Ddeddf Llesiant Cenedlaethau'r Dyfodol – Nodau Llesiant / Link to Wellbeing of Future Generations Act – Wellbeing Goals 150623-guide-to-the-fg-act-en.pdf (futuregenerations.wales)	A Healthier Wales
	If more than one applies please list below:
Dolen i Hwyluswyr Ansawdd <i>(Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) /</i> Link to Enablers of Quality (Duty of Quality Statutory Guidance (gov.wales))	Whole-systems Perspective
	If more than one applies please list below:
Dolen i Feysydd Ansawdd (Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) / Link to Domains of Quality (Duty of Quality Statutory Guidance (gov.wales))	Effective
	All apply

Effaith Amgylcheddol/ Cynaliadwyedd (5R) / Environmental /Sustainability Impact (5Rs)	No - Not Applicable
	If more than one applies please list below:

Impact Assessment		
Ansawdd <i>Ydych chi wedi ymgymryd â Sgrinio Aseiad o'r Effaith ar Ansawdd? /</i> Quality <i>Have you undertaken a Quality Impact Assessment Screening?</i>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
	Outcome:	If no, please include rationale below: N/A
Cydraddoldeb <i>Ydych chi wedi ymgymryd â Sgrinio Aseiad o'r Effaith ar Gydraddoldeb? /</i> Equality <i>Have you undertaken an Equality Impact Assessment Screening?</i>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
	Outcome:	If no, please include rationale below: N/A
Cyfreithiol / Legal	Yes (Include further detail below)	
	National Health Service Joint Commissioning Committee (Wales) Directions 2024 National Health Service Joint Commissioning Committee (Wales) Regulations 2024	
Enw da / Reputational	There is no direct impact on the reputation of the Joint Committee as a result of the activity outlined in this report.	
Effaith Adnoddau <i>(Pobl /Ariannol) /</i> Resource Impact <i>(People / Financial)</i>	There is no direct impact on resources as a result of the activity outlined in this report.	
	A sound system of financial control enacts robust financial control, safeguards public funds and the JCC's assets and resources. Robust governance arrangements underpinning financial management contribute towards internal control and value for money being achieved.	

4. RECOMMENDATIONS

The JCC is asked to:

- **Note** the report; and
- **Endorse** the proposed CEO member nominations and the updated Terms of Reference for the Joint Committee's Planning, Performance and Finance sub-committee and the Quality, Safety & Outcomes sub-committee,
- **Note** that the updated Terms of Reference for the Joint Committee's Planning, Performance and Finance sub-committee and the Quality, Safety & Outcomes sub-committee will be submitted to the 7 x Health Boards for approval; and
- **Note** that Audit Wales have confirmed that all of the recommendations outlined in the legacy Audit Wales "WHSSC Committee Governance Arrangements" report are categorised as completed.