

MEMORANDUM OF AGREEMENT

RELATING TO THE

EMERGENCY AMBULANCE SERVICES COMMITTEE

(WALES) DIRECTIONS 2014 AND THE AMENDMENT

DIRECTIONS 2016

THIS MEMORANDUM OF AGREEMENT initially made jointly with WHSSC on the first day of April 2014, has been updated to reflect the de-coupling of EASC from WHSSC and to reflect related changes that have taken place in EASC.

This revised Agreement is signed the first day of 7 September 2021 (subject to the approval of the Joint Committee).

BETWEEN

1. ANEURIN BEVAN UNIVERSITY LOCAL HEALTH BOARD, having headquarters at St Cadoc's Hospital, Lodge Road, Caerleon, Newport, NP18 3XQ
2. BETSI CADWALADR UNIVERSITY LOCAL HEALTH BOARD, having headquarters at Ysbyty Gwynedd, Penrhosgarnedd, Bangor, Gwynedd, LL57 2PW
3. CARDIFF AND VALE UNIVERSITY LOCAL HEALTH BOARD, having headquarters at 2nd Floor, Woodland House, Maes y Coed Road, Cardiff CF14 4HH
4. CWM TAF MORGANNWG UNIVERSITY LOCAL HEALTH BOARD, having headquarters at Ynysmeurig House, Navigation Park, Abercynon, Rhondda Cynon Taf, CF45 4SN.
5. HYWEL DDA UNIVERSITY LOCAL HEALTH BOARD, having headquarters at Ystwyth Building, St David's Park, Carmarthen SA31 3BB.
6. POWYS TEACHING LOCAL HEALTH BOARD, having headquarters at Mansion House, Bronllys, Brecon, Powys, LD3 0LS
7. SWANSEA BAY UNIVERSITY HEALTH BOARD having headquarters at 1 Talbot Gateway, Baglan Energy Park, Baglan, Port Talbot, SA12 7BR

WHEREAS:

- A. In accordance with the Emergency Ambulance Services Committee (Wales) Directions 2014 (2014 No.566 (W.67)) and the amended Directions 2016 (No.8 (W.8)) the LHBs are required to establish a Joint Committee for the purpose of jointly exercising their Delegated Functions and providing the Relevant Services (emergency ambulance) from 1 April 2014 and (non emergency patient transport) from 1 April 2016.

- B. The Emergency Ambulance Services Committee (Wales) Regulations 2014 (No. 566 (W.67)) make provision for the constitution of the Joint Committee including their procedures and administrative arrangements. The Emergency Ambulance Services Committee (Wales) (Amendment) Directions 2016 (No.8 (W.8)) includes non emergency patient transport services.
- C. Cwm Taf Morgannwg CTMUHB has been identified as Host LHB to provide administrative support as further described in section 2 for the running of the Joint Committee and to establish Emergency Ambulance Services Committee Team (EASCT).
- D. The Joint Committees have been established in accordance with the Directions and Regulations to enable the seven LHBs in NHS Wales to make collective decisions on the commissioning and performance monitoring of agreed specialised and tertiary services (Relevant Services), the commissioning of emergency ambulance services and in accordance with their defined Delegated Functions. The Joint Committee therefore comprises, and is established by, all the LHBs.
- E. The LHBs have been given the financial responsibility for all of the emergency ambulance services for their respective populations. Refer to Standing Order 1.1.
- F. The Directions and Regulations require that the Chief Executives of each of the 7 LHBs listed as Parties to this Agreement be members of the Joint Committee. This Agreement defines the governance arrangements for the Joint Committee and the agreed roles and responsibilities of the Chief Executives of the constituent LHBs as individual members of the Joint Committee. This is in accordance with their objective to make collective decisions as to the provision of national services as described above and in the interests of NHS Wales and the health needs of their individual populations. Refer to Standing Orders: Statutory Framework, NHS Framework and Joint Committee Framework (for governance arrangements); and to Standing Orders 1.2 and 1.3 (for membership, roles and responsibilities).

AGREEMENT

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1. INTERPRETATION

'the Act'	the National Health Service (Wales) Act 2006 (C.42)
'Associate Members'	the Chief Executives of Public Health Wales NHS Trust, Velindre University NHS Trust, Welsh Ambulance Services NHS Trust. Refer to EASC Regulation 3(3) and Standing Order 1.2.6.
'Chair (EASC)'	the person appointed by the Minister for Health and Social Services to lead the Emergency Ambulance Services Committee and to ensure it successfully discharges its overall responsibility on behalf of the LHBs. Refer to Regulation 4(1) and Standing Orders 1.3.4 to 1.3.6.
'CASC'	Chief Ambulance Services Commissioner
'Chief Executives'	the Chief Executives of the constituent LHBs
'Committee Secretary'	the person appointed by the Joint Committee as its principal advisor on all aspects of governance. Refer to Standing Orders: The Role of the Committee Secretary.
'Dispute Process'	the arbitration process agreed with Welsh Government.
'the EASC Directions'	the Emergency Ambulance Services Committee (Wales) Directions 2014 (2014/8 (W.8)) and the amended Directions (2016 No.8 (W.8))
'EASC Officer'	the Officer Member of the Joint Committee as defined in Regulation 3(2) of the EASC Regulations.
'EAS Joint Committee'	the Emergency Ambulance Services Committee established in accordance with the EASC Directions and Regulations

'EASC Director'	the Officer Member of the Joint Committee as defined in Regulation 3(2) of the EASC Regulations.
EASCT'	the Emergency Ambulance Services Committee Team consisting of staff employed by the Host Board including the Chief Ambulance Commissioner, to provide the Relevant Services.
'Host LHB'	Cwm Taf Morgannwg CTMUHB Local Health Board
'LHB'	Local Health Board established in accordance with s11(2) of the Act
'NHS Wales'	the comprehensive health service for Wales established by the NHS (Wales) Act 2006 (C.42)
'Provider Trust'	the Trust which provides emergency ambulance services to the Joint Committee
'Relevant Services'	the commissioning of emergency ambulance services as listed in the Emergency Ambulance Services Committee (Wales) Directions 2014 (2014/8 (W.8)) which include responses to emergency calls via 999; urgent hospital admission requests from general practitioners; high dependency and inter-hospital transfers; major incident response and urgent patient triage by telephone.
'Role of the Joint Committee'	the role ascribed to the Joint Committee in section 4 of this Agreement. Refer to Standing Order 1.1.
'WG'	Welsh Government as announced by the First Minister of Wales on 12 May 2011.

2. CORPORATE IDENTITY

- 2.1 The corporate identity for the Joint Committee will be in accordance with the Corporate Identity Guidelines issued by Welsh Government to LHBs.
- 2.2 The EASC Joint Committee will be referred to as the 'Emergency Ambulance Services Committee acting on behalf of Local Health Boards' on stationery and signage.

3. PRINCIPLES

- 3.1 The Joint Committee is a statutory committee established under sections 12 (1)(b) and (3), 13(2)(c), (3)(c) and (4)(c) and 203(9) and (10) of the Act. The LHBs are required to jointly exercise the Relevant Services. Refer to Standing Orders: Statutory Framework
- 3.2 Each LHB is accountable, through its statutory responsibilities, to use its resources to plan, fund, design, develop and secure the delivery of services for their population.
- 3.4 In performing its role, the Joint Committee and each individual Chief Executive shall work in the wider interest of NHS Wales. In so doing, they shall work with all of the Joint Committee's appropriate partners and stakeholders in the best interests of NHS Wales. In so doing, the Joint Committee will take account of the following key principles:
 - 3.4.1 Collaboration should be designed to deliver changes in services and demonstrable population benefit;
 - 3.4.2 Collaboration should ensure a more extensive and consistent use of evidence supported by a robust analysis of need;
 - 3.4.3 Collaboration must not diminish clinical engagement;
 - 3.4.4 Collaboration should support LHBs in working together more effectively, in an open and transparent way, for the benefit of the local population;
 - 3.4.5 Collaboration must enhance resource utilisation in the planning process to reduce duplication and overlap;

3.4.6 Collaboration should focus upon articulating need, reviewing evidence of good practice, designing models of care and producing clear service specification;

3.4.7 Collaboration should promote equity in service delivery.

Refer to Standing Orders 1.1 and Section 9.

3.5 Each LHB acknowledges the following principles:

3.5.1 The Emergency Ambulance Services Committee Team (EASCT) will be held to account by the EAS Joint Committee for the delivery of a strategy for the provision of emergency and non-emergency ambulance services for Wales as well as providing assurance that the systems of control in place are robust and reliable. Refer to Standing Order 1.3

3.5.3 That any decision taken and approved by the Joint Committees in respect of the provision of the Relevant Services is binding on the constituent LHBs and may not be undermined by any subsequent decision or action taken by a constituent LHB. Refer to Standing Order 7.2.6

3.5.4 That each individual LHB is responsible for the people who are resident in their area. This means that the Joint Committee of which each Chief Executive is a member is acting on behalf of the 7 LHBs in undertaking its role. Refer to Standing Order 1.1.2.

3.5.4 That their respective Chief Executives have an individual responsibility to contribute to the performance of the role of the Joint Committee and to share in the decision making in the interests of the wider population of NHS Wales. At the same time, they acknowledge their own Chief Executive's individual accountability to their constituent LHB and their obligation to act transparently in the performance of their functions. Refer to Standing Orders 1.3.1.

3.5.5 That each Chief Executive as a member of the Joint Committee will require EASC Team of the EAS Joint Committee to ensure that, in the timetabling of the annual work programme, sufficient time will normally be allowed to enable each Chief Executive to consult with their own LHB and appropriate local partners and stakeholders.

- 3.5.6 That when an individual Chief Executive is unable to attend a meeting of the Joint Committee, he/she will appoint in advance and identify to the Committee Secretary a deputy to attend on their behalf. The nominated deputy should be an Executive Director of the same organisation. Nominated deputies will formally contribute to the quorum and will have delegated voting rights. Refer to Standing Order 6.5.11 and 6.5.27.
- 3.6 Each Chief Executive will agree to advise the Chair of any circumstances where it is considered that there may be a conflict of interest between the performance of the national planning functions of the Joint Committee and the effect of any such decision on the scope of the services which the constituent LHB provides. Refer to Standing Order 7: Values and Standards of Behaviour
- 3.6.1 Where the Chair considers that the conflict is not clear he will consult with the remainder of the Committee and reach a collective view.
- 3.6.2 Where the Chair decides that there is a clear conflict of interest the Chief Executive will be required to abstain from the discussion.
- 3.7 The Joint Committee's aim is to always achieve collective decision making in a collaborative manner through consensus. The Joint Committee will have a collective responsibility to try to resolve and minimise any local challenges or any disproportionate impact of national decisions on any one LHB or a specific geographical area. In the event of a split decision, i.e., no two thirds majority view being expressed, the Joint Committee Chair shall have a second and casting vote

4. ROLE OF THE EASC JOINT COMMITTEE (refer to Standing Order 1.1.3): The Emergency Ambulance Services Joint Committee's role is to:

- Determine a long-term strategic plan for the development of emergency ambulance services and non-emergency patient transport services in Wales, in conjunction with the Welsh Ministers;
- Identify and evaluate existing, new and emerging ways of working and commission the best quality emergency ambulance and non-emergency patient transport services;

- Produce an Integrated Medium Term Plan, including the balanced Medium Term Financial Plan for agreement by the Committee following the publication of the individual LHB's Integrated Medium Term Plans;
- Agree the appropriate level of funding for the provision of emergency ambulance and non-emergency patient transport services at a national level, and determining the contribution from each LHB for those services (which will include the running costs of the Joint Committee and the EASC Team) in accordance with any specific directions set by the Welsh Ministers;
- Establish mechanisms for managing the commissioning risks;
- Establish mechanisms to monitor, evaluate and publish the outcomes of emergency ambulance and non-emergency patient transport services and take appropriate action.

5. ANNUAL WORK PROGRAMME AND PLANNING

5.1 The Joint Committee and the EASC Team will adhere to the standards of good governance set for the NHS in Wales and which are based on Welsh Government's Citizen Centred Governance Principles. Refer to Standing Order: NHS Framework.

5.2 The Joint Committee will:

5.2.1 Report to the individual LHBs on its activities. It is formally accountable to the individual LHBs in respect of its role carried out on their behalf. Refer to Standing Order 9: Demonstrating Accountability.

5.2.2 Lead and scrutinise the operations, functions and decision making of the EASC Team. The Joint Committee will require the EASC Team to report on its activities and it will hold the EASC Team to account on behalf of the seven LHBs. Refer to Standing Order 1.1.6.

5.3 The Joint Committee will therefore require:

5.3.1 The EASC Team to co-operate with them as members of the Joint Committee in securing agreed processes so that patients in Wales may have the equal opportunity to access services.

- 5.3.2 The EASC Team to prepare for approval by the appropriate Joint Committee a Plan of Business for the year. They will also require the EASC Team to agree with the Joint Committee an appropriate way of working.
- 5.3.3 In developing any new or amended policy the EASC Team will prepare a suggested process which will be subject to an approved corporate standard for agreement by the Joint Committee.
- 5.3.4 The EASC Team will undertake on an annual basis a self-assessment against the Health and Care Standards in Wales which apply to the Joint Committee. An annual return will be submitted to the LHBs for inclusion in their annual return to Welsh Government.
- 5.3.5 Sub Groups to operate in accordance with the Terms of Reference agreed by the Joint Committee annexed to the Standing Orders. Refer to Standing Order 4.
- 5.3.6 The production of an Annual Report (to be prepared by the Committee Secretary) which will be agreed for publication by the 30th June of each year. Refer to Standing Order 9.0.2.
- 5.3.8 The Director of Finance for the Joint Committee to agree with the relevant provider organisations information requirements and reporting timescales to enable the Joint Committee to discharge its duties on behalf of each LHBs.
- 5.3.9 The EASC Team to act in accordance with the Welsh Language Scheme of the Host LHB in preparing papers on behalf of the Joint Committee. Refer to Standing Order 6.1.1.
- 5.3.10 The Chief Ambulance Services Commissioner to lead any consultation process on behalf of each LHB where the Joint Committee supports proposals which result in a major change in service provision.

6. ROLE OF CHAIR

- 6.1 The LHBs acknowledge that the Regulations require that the Chair be appointed by the Minister for Health and Social Services as an independent appointment and in accordance with the Nolan Principles. It is further acknowledged that the Chair is accountable to the Minister and is required to act in

accordance with the terms of the Accountability Agreement. Refer to Standing Order 1.4.1.

6.2 The Chair will:

6.2.1 Be accountable to the individual LHBs in relation to the delivery of the role of the Joint Committee exercised by the Committee on their behalf.

6.2.2 Be required to secure consensus in the making of collective decisions in the wider interests of NHS Wales and in accordance with the individual obligations of the Chief Executives and the associate members.

6.2.3 The Chair will work in close collaboration with the Chairs of LHBs to ensure that the strategic development of emergency and non-emergency ambulance services meet the needs of NHS Wales.

6.2.4 The Chair will attend the All Wales Chairs Meeting at least twice a year.

7. STATUS AND ROLE OF ASSOCIATE MEMBERS

7.1 The LHBs acknowledge that the Associate Members will attend the Joint Committee meetings on an ex-officio basis but in accordance with the Directions will not have the right to vote in any meetings or proceedings of the Joint Committee. Refer to Standing Order 1.2.5.

7.2 Associate Members will be entitled to engage and participate in the discussions. It will be the responsibility of the Chair to secure that they may seek to influence and/or challenge the decision making by their participation during the course of the debate.

8. ROLE OF CHIEF AMBULANCE SERVICES COMMISSIONER (CASC)

8.1 The CASC will:

8.1.1 Be the head of the Emergency Ambulance Services Committee Team (EAST) and will report to the Chair. In so doing the CASC will be accountable to the Joint Committee in relation to its role delegated to the EASC Team by the Joint Committee. Refer to Standing Order 1.2.3.

- 8.1.2 Be accountable to the Chief Executive of the Host LHB in respect of the administrative arrangements supporting the operation of the team. Refer to Standing Order 1.2.3.
- 8.2 The CASC is responsible for ensuring that the Joint Committee enters into suitable Agreements and Contracts with service providers for services. The CASC will need to ensure that regular reports are provided to the Joint Committee detailing performance and associated financial implications of all agreements. Refer to Standing Order 3: Reservations and Delegations of Joint Committee Delegated Functions.

9. MANAGEMENT ARRANGEMENTS

- 9.1 In accordance with the Standing Orders, the Joint Committee may delegate certain functions to the Chief Ambulance Services Commissioner. Refer to Standing Order 3: Reservations and Delegations of Joint Committee Delegated Functions
- 9.2 The Joint Committee will determine the nature and extent of any functions which it is appropriate to delegate to a Sub Group and to the CASC.
- 9.3 The Joint Committee's approach to delegation will be set out in the Standing Orders, Standing Instructions and Scheme of Reservations and Delegation.
- 9.4 The delegation of any function will be subject to regular review by the Joint Committee to ensure that the distribution of functions is accurately and appropriately described and continues to remain appropriate to respond to the requirements of the Joint Committee.
- 9.5 The LHBs acknowledge the Chief Ambulance Services Commissioner (CASC) and Emergency Ambulance Services Committee Team of the Joint Committee.
- 9.6 Any Chief Executive or other member of the Joint Committee who wishes to attend an EASC Team meeting will agree their attendance with the CASC in advance.
- 9.7 The EASC Team are employed by the Host LHB but in exercising the performance of their functions they are individually accountable to the Joint Committee. Refer to Standing Orders 1.2.6 and 2.02.

10. ROLE OF COMMITTEE SECRETARY

10.1 The LHBs acknowledge that the role of the Committee Secretary, is crucial to the ongoing development and maintenance of a strong governance framework within the Joint Committee, and is a key source of advice and support to the Chair and Joint Committee members. Independent of the Joint Committee, the Committee Secretary will be required to act as the guardian of good governance within the Joint Committee by: Refer to Standing Orders: The Role of the Committee Secretary 9.9.1

- Overseeing the process of nomination and appointment to the Joint Committee;
- Co-ordinating and facilitating appropriate induction and organisational development activity;
- Ensuring the provision of governance advice and support to the Joint Committee Chair on the conduct of its business and its relationship with LHBs, the host LHB and others;
- Ensuring the provision of secretariat support for Joint Committee meetings;
- Ensuring that the Joint Committee receives the information it needs on a timely basis;
- Ensuring strong links to communities/groups;
- Ensuring an effective relationship between the Joint Committee and its host LHB; and
- Facilitating effective reporting to each LHB

enabling each LHB Board to gain assurance on the conduct of business carried out by Joint Committee on its behalf.

10.2 It is agreed that the Committee Secretary is directly accountable for the conduct of the role to the Chair of the Joint Committee. The Committee Secretary will also be accountable to the Board Secretaries of the LHBs to ensure that robust governance arrangements are in place for the Joint Committee.

11. RELATIONSHIP WITH HOST

The responsibilities of Cwm Taf Morgannwg CTMUHB are:

- 11.1 To appoint and employ such officers as may be required to support the commissioning of the Relevant Services and provide all necessary corporate services and management support, to include human resources, estates, procurement, banking and accountancy services, as may be required, including the processing of orders and the making of payments to providers of the Relevant Services, with such officers;
- 11.2 To provide advice to the Joint Committee on compliance with Cwm Taf Morgannwg CTMUHB's policies, Standing Financial Instructions (as for WHSSC), Procurement Rules, Human Resource policies and other procedures;
- 11.3 To be the legal entity which enters into agreed procurement arrangements to include, but not restricted to, quotations, tenders, procurement contracts, service level agreements and terms of engagement commissioned by the Joint Committee and to ensure that the individuals appointed and employed to support the functions of the Joint Committee carry out those tasks which are stated as annexes to the Standing Orders to be the role of the Joint Committee;
- 11.4 To have in place such appropriate governance arrangements and Schemes of Delegation as may be necessary and required on the part of Cwm Taf Morgannwg CTMUHB to enable the Joint Committee's role to be carried out;
- 11.5 To hold the management budget for the Joint Committee/Relevant Services and make payments and receive income as necessary;
- 11.6 To be authorised to appoint lawyers and other professional advisors (in consultation with Cwm Taf Morgannwg CTMUHB's Procurement Services team), and to agree the terms and conditions of their engagement and give them instructions from time to time on behalf of the Joint Committee.
- 11.7 Cwm Taf Morgannwg CTMUHB will not be responsible or accountable for the commissioning of the Relevant Services save in respect of the residents within the geographical area of responsibility of Cwm Taf Morgannwg CTMUHB. Refer to Standing Order 2.02

11.8 In fulfilling its obligations and responsibilities under this Agreement, Cwm Taf Morgannwg CTMUHB shall not be required to do or not do and shall not do or omit to do anything which does not comply with Cwm Taf Morgannwg CTMUHB's statutory powers and duties, Standing Orders and Standing Financial Instructions, corporate governance requirements generally, procurement requirements or any legal obligations not covered by the foregoing.

12. ACCOUNTABILITY AND AUDIT COMMITTEE

12.1 Audit and Risk Committee arrangements will be the responsibility of the host LHB.

12.2 The Director of Finance of the Joint Committee for and the Joint Committee Secretary will attend all Audit and Risk Committee meetings held by the host LHB.

12.4 The Audit Lead will provide reports to the Joint Committee following the host LHB Audit and Risk Committee meetings.

13. PROCUREMENT

13.1 Cwm Taf Morgannwg CTMUHB will provide all the support services to the Joint Committee as described at **Appendix 1**.

Each LHB will ensure that appropriate internal arrangements are made to delegate their respective functions to the Joint Committee for the procurement of the Relevant Services. The Joint Committee (acting through the Host LHB) will establish collaborative commissioning and managerial arrangements to negotiate, agree and manage all aspects of service level agreements/contracts for the Relevant Services on such terms and for such purposes as may be agreed by the Joint Committee

13.2 Agreed procurement arrangements via quotations, tenders, procurement contracts, service level agreements and terms of engagement will be entered into and signed by Cwm Taf Morgannwg CTMUHB on behalf of the Joint Committee in accordance with Cwm Taf Morgannwg CTMUHB's procurement policy and Standing Financial Instructions.

13.3 Cwm Taf Morgannwg CTMUHB shall not execute or, through performance create, any third-party contract in respect of the Joint Committee unless authorised to do so by the Chief Ambulance Services Commissioner.

13.4 The Joint Committee will provide sufficient funds and other relevant resources to meet the requirements of all third-party contracts entered into by Cwm Taf Morgannwg CTMUHB in pursuance of paragraph 13.3.

13.5 Cwm Taf Morgannwg CTMUHB shall provide the Chief Ambulance Services Commissioner (as appropriate) with drafts of all third party contracts and the Lead Director and/or the Joint Committee shall be entitled to require Cwm Taf Morgannwg CTMUHB to use its reasonable endeavours to negotiate such amendments to the terms of such contract as the Lead Director or the Chief Ambulance Services Commissioner (as appropriate) and/or the Joint Committee reasonably see fit.

14. FINANCIAL PRINCIPLES

14.1 The following represent the key financial principles to be adhered to by the LHBs:

14.1.1 To achieve financial neutrality and stability, where possible, for LHBs;

14.1.2 To adopt a fair and practical approach to the challenges of establishing the Joint Committee and to the functioning of the Joint Committee

14.1.6 To ensure that a risk sharing methodology will be reviewed and agreed annually.

15. BUDGET AND FUNDING

15.1 In accordance with the Joint Committee's Standing Orders, the Joint Committee must agree the total budget to plan and secure the Relevant Services delegated to it. The Joint Committee must also agree the appropriate contribution of funding required from each LHB. Refer to Standing Order 1.1.4

15.2 Each year the Joint Committee will prepare an annual plan which shall outline the funding requirements in relation to the Relevant Services and be analysed by each constituent LHB as providers and purchasers. Refer to Standing Order 1.1.4

15.3 Each LHB will be required to make available to the Joint Committee the level of funds outlined in the annual plan and calculated in accordance with paragraph 18.1.

The funds shall be drawn down in cash on a monthly basis from each of the LHB's as proposed by the Director of Finance for the Joint Committee.

15.4 On a monthly basis, the Director of Finance for the Joint Committee shall prepare a report to the Joint Committee which outlines the performance of the Joint Committee, highlighting any variances from the original annual plan, in total, and also broken down to each LHB level.

15.4.1 In cases where the performance report highlights an adverse variance to the annual plan or where the report anticipates future unfunded cost pressures, the Joint Committee will be required to put in place contingency measures to ensure that a break-even position is maintained.

15.4.2 In cases where the performance report highlights a favourable variance to the annual plan, the Joint Committee shall be required to return the funding to each LHB in accordance with the risk sharing agreement.

15.5 The Joint Committee will comply with all Welsh Government financial monitoring arrangements. The Director of Finance of the Joint committee is responsible for ensuring that a financial monitoring return is submitted to Welsh Government in the prescribed format and to the required deadlines.

15.6 Each LHB shall be bound by the decisions of the Joint Committee in the exercise of its delegated functions. Any disputes over the level of funding proposed by Joint Committee shall be referred to the Welsh Government for resolution by the Welsh Ministers.

15.7 The Joint Committee will transfer funds to Cwm Taf Morgannwg CTMUHB on a quarterly basis in advance to allow Cwm Taf Morgannwg CTMUHB to perform its functions on behalf of the Joint Committee, provided that the Joint Committee may attach conditions to the expenditure of such funds.

15.8 The Joint Committee will meet Cwm Taf Morgannwg CTMUHB's overhead costs reasonably incurred in the support of the Joint Committee as may be agreed by the Joint Committee acting reasonably at all times.

15.9 The Director of Finance for the Joint Committee will authorise the transfer of funds to Cwm Taf Morgannwg CTMUHB in line with agreed funding levels, which funds shall be accounted for by Cwm Taf Morgannwg CTMUHB as income to the Joint Committee.

15.10 Cwm Taf Morgannwg CTMUHB will set up and manage an Income and Expenditure Account for the Joint Committee, namely a Joint Committee Account. This includes all the income for the Joint Committee received from the LHBs and all other Joint Committee expenditure. This account shall be separate from all other Cwm Taf Morgannwg CTMUHB funds. The Director of Finance for Specialised and Tertiary Services shall make decisions relating to expenditure from this account provided that Cwm Taf Morgannwg CTMUHB shall not at any time be obligated to operate the Joint Committee Account in deficit.

15.11 The Director of Finance for the Joint Committee is responsible for ensuring that all relevant reports, financial information and commentary are provided to the Host LHB so that the appropriate monitoring return can be prepared.

16. GIFTS AND HOSPITALITY

16.1 Each member of the Joint Committee is required to declare any gifts and hospitality in accordance with the Joint Committee Standing Orders to the Committee Secretary in relationship to their membership of the Joint Committee. The Committee Secretary for EASC will maintain a joint register of such declarations with the Joint Committee Secretary of the Welsh Health Specialised Services Committee. Refer to Standing Orders: Values and Standards of Behaviour.

17. DISPUTES AND ARBITRATION

17.1 In accordance with the principles set out in this Agreement, the Local Health Boards will seek to work cooperatively with each other as constituent members of the Joint Committee, with the Joint Committee as a whole, and with the EASC Team. Where there is an impasse which cannot be resolved by means of conciliation between appropriate individuals, then as a last resort the Chair will escalate to Welsh Government. Refer to Standing Order 1.1.5

18. CONCERNS

18.1 About any function of the Joint Committee, its staff or its performance These concerns will be dealt with by the Host LHB on behalf of all LHBs in Wales, and in conjunction with the Quality and Safety and Audit and Risk Committees where appropriate.

18.2 A Joint Committee Concerns Protocol (Operational Agreement) will be developed between the LHBs which sets out clearly operationally how concerns will be dealt with.

18.3 Financial or other Redress

With regards to emergency or non emergency ambulance services when qualifying liability in tort has been determined, following an investigation of a concern, Welsh Ambulance Services NHS Trust is responsible for managing and funding the redress payment arising from their resident populations.

18.4 Where a matter is regarded as an individual concern, Cwm Taf Morgannwg CTMUHB will only be responsible for the management of those concerns relating to (excluding commissioning of emergency and non emergency ambulance services) where qualifying liability in Tort is established, which relate to its geographical area of responsibility. In such circumstances, the Chief Executive of Cwm Taf Morgannwg CTMUHB will be responsible for investigating and responding to the concern in accordance with *The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011*.

18.5 Individual concerns relating to emergency ambulance services will be referred to the Chief Executive of the provider organisation.

18.6 Where a matter is regarded as a concern related to emergency ambulance services and where qualifying liability in Tort has been established, Cwm Taf Morgannwg CTMUHB will only be responsible for managing the arrangements for redress arising from its own resident population.

19. COMMUNICATION

- 19.1 The Committee Secretary and the Board Secretaries of the respective LHBs will develop a Communication Strategy to ensure robust communication methods are in place to support the operation of the Joint Committee.
- 19.2 Each LHB will ensure that they utilise appropriate mechanisms to facilitate active debate amongst stakeholders, professionals and communities served to ensure appropriate independent representation and participation.
- 19.3 Each LHB is responsible for responding to individual enquires concerning their individual geographical population. Where it is an issue relating to a decision made by the Joint Committee, then the Committee Secretary will be responsible for co-ordinating the response in consultation with the Board Secretaries for the respective LHBs.
- 19.4 Each Member of the EASC Team is required to work in collaboration with their colleagues in the LHBs to ensure the planning of the Relevant Services.
- 19.5 Where a request under the Freedom of Information Act is received by the Joint Committee, the request will be dealt with in accordance with the Host LHB's Freedom of Information Act procedure. Where the request is considered to be an issue relating to a specific LHB and it relates to recorded information which is held by that LHB, then the request will be forwarded to the Board Secretary of the respective LHB to respond in accordance with the Freedom of Information Act Code of Practice.

20. ROLE OF PUBLIC HEALTH

- 20.1 A Service Level Agreement will be entered into between the Host LHB and Public Health Wales, should the Emergency Ambulance Services Committee consider it necessary and appropriate, describing the services which Public Health Wales will provide to the Joint Committee and the process of engagement which will take place.

21. EQUALITY AND DISCRIMINATION

21.1 The LHBs undertake, in relation to the provision of the Relevant Services by the Joint Committee to the public or any member of the public, to exercise the role of the Joint Committee so as to have regard to the need to eliminate discrimination, and other prohibited conduct, in accordance with human rights and equality legislation.

22. REVIEW

22.1 This Agreement will be reviewed on a bi-annual basis.

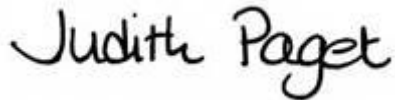
SIGNED under hand (initially jointly with WHSSC) and delivered the twenty fifth day of March 2014 first above written. Updated in 2018

This version signed 7 September 2021

SIGNED and DELIVERED

by **Aneurin Bevan University Local Health Board**

acting by

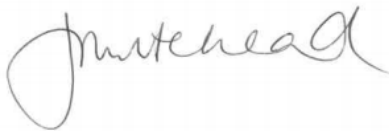


Judith Paget Chief Executive

SIGNED and DELIVERED

by **Betsi Cadwaladr University Local Health Board**

acting by



Jo Whitehead Chief Executive

SIGNED and DELIVERED

by **Cardiff and Vale University Local Health Board**

acting by



Len Richards Chief Executive

SIGNED and DELIVERED

By **Cwm Taf Morgannwg University Local Health Board**
acting by



Paul Mears Chief Executive

SIGNED and DELIVERED

by **Hywel Dda University Local Health Board**
acting by



Steve Moore Chief Executive

SIGNED and DELIVERED

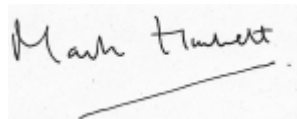
by **Powys Teaching Local Health Board**
acting by



Carol Shillibeer Chief Executive

SIGNED and DELIVERED

by **Swansea Bay University Local Health Board**
acting by



Mark Hackett Chief Executive

Appendix 1 Procedures for Tenders & Procurement

Service	Description
Procurement (Tendering and ordering goods and services)	<ul style="list-style-type: none"> • Tendering for goods & services in accordance with SOs and SFIs • Entering into procurement contracts and agreements • Raise orders for properly approved requisitions
Creditor Payments (Payment of suppliers, contractors and service providers)	<ul style="list-style-type: none"> • Pay all duly authorised invoices • Deal with supplier queries etc • Provide management information on payment performance in accordance with WG requirements
Systems maintenance and administration (ORACLE)	<ul style="list-style-type: none"> • Process feeders into EASC ledgers and maintain financial management system • Maintain passwords and hierarchies (cost centre and approval) • Oracle training as and when required including external training if required • Access to help desk facility • Undertake testing of upgrades • Liaise with Oracle Central Team and All Wales groups
Accounting Services (bank accounts, annual accounts consolidation, VAT)	<ul style="list-style-type: none"> • Provision of bank accounts and petty cash facilities • Consolidation of Annual Accounts and other returns as required by WG • Provide VAT advice and consolidate VAT returns, including access to contracted out VAT advisory services • Payment of Tax, National Insurance and Superannuation to appropriate authorities • Reconciliation of all accounts due against the payroll system
Financial Governance (internal and external audit, counter fraud, audit committee)	<ul style="list-style-type: none"> • Responsible for the securing of internal audit service via external contract • Access to Local Counter Fraud Specialist • Advice on financial procedures and other issues of governance • Ensure appropriate external audit provision in place.