



 <p>GIG CYMRU NHS WALES Iechyd Cyhoeddus Cymru Public Health Wales</p>	<p>Name of Meeting Board</p>
	<p>Date of Meeting 28th November 2024</p> <p>Agenda item: 4.4</p>

Review of LPF Terms of Reference	
Executive leads:	Neil Lewis – Director of People and OD – Joint Chair - LPF Paul Veysey – Board Secretary and Head of the Board Business Unit
Author:	Paul Veysey – Board Secretary and Head of the Board Business Unit
Approval/Scrutiny route:	LPF – 14.11.24 (Quoracy lost) BET – 20.11.24 (Approved) Board – 28.11.24

Purpose
The purpose of this paper is to seek approval of revised Terms of Reference for the LPF and to approve the establishment of a Partnership Working Sub-Committee (with Terms of Reference) to bring into action the decision of the Board on Partnership Working, made on 25 th May 2023.

Recommendation:				
APPROVE	CONSIDER	RECOMMEND	ADOPT	ASSURANCE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The Board is asked to:</p> <ul style="list-style-type: none"> • Consider the current status of partnership working at Board. • Approve the revised Terms of Reference of the LPF • Approve the establishment of a Partnership Working Sub-Committee of the LPF • Approve the draft Terms of Reference of the Partnership Working Sub-Committee of the LPF. 				



Link to Public Health Wales [Strategic Plan](#)

Public Health Wales has an agreed strategic plan, which has identified seven strategic priorities and well-being objectives.

This report contributes to the following:

Strategic Priority/Well-being Objective	Choose an item.
Strategic Priority/Well-being Objective	Choose an item.
Strategic Priority/Well-being Objective	Choose an item.

Summary impact analysis

Equality and Health Impact Assessment	No decision is being proposed which would impact upon health or equality matters. The proposals put forward in fact promote and enhance staff representation for the organisation.
Risk and Assurance	N/A
Health and Social Care (Quality and Engagement) (Wales) Act	N/A
Financial implications	None
People implications	The proposals made do not impact upon the workforce.



1. Purpose / situation

The purpose of this paper is to update BET on the partnership working arrangements at board, to seek approval of revised Terms of Reference for the LPF and to approve the establishment of a Partnership Working Sub-Committee (with Terms of Reference) to bring into action the decision of the Board on Partnership Working, made on 25th May 2023.

2. Background

The LPF is required to review and update its Terms of Reference on an annual basis. A review is currently overdue. The Partnership Working changes approved by the Board on 25th May 2023, for implementation by 1st September 2023, have not been fully implemented as the LPF Staff Side Committee have not engaged with the changes required.

3. Description/Assessment

In May 2023, the Board approved changes to the Partnership Working arrangements as follows:

Focus Area	Action / Change	Lead
1. Trade Union representation and participation at Board and Board Committees	1.1 Two TU representatives are appointed to the Board (preferably from 2 different unions) A third representative seat remains open for the JMDNC.	Staff Side Committee
	1.2 Up to two TU representatives are appointed to each Board Committee (other than the Terms of Service and Remuneration Committee).	Staff Side Committee
	1.3 Tenure for TU representatives is two years for any given Board/Committee with a maximum tenure of 8 years in line with Non-Executive Director maximum terms. Following an 8-year term, there should be a break in role in attending any Board or Board Committee for a 2-year period.	Board Secretary and Head of Board Business to maintain a register of tenure



	1.4 Ensure continuity of attendance and membership of the Board and its Committees.	Staff Side Committee
2. Support for Trade Union representatives is improved	2.1 TU Board and Board Committee role descriptions are developed, based on the national Handbook.	Board Secretary and Head of Board Business
	2.2 An induction programme is in place for TU representatives and is reviewed annually together with ongoing support from the Board Business Unit.	Board Secretary and Head of Board Business
	2.3 Regular meetings to be put in place with TU reps and the Board Chair.	Board Chair
	2.4 Ensure appropriate mentoring support for new Union representatives.	Staff Side Committee
	2.5 Ensure a structure is in place to facilitate co-ordination and relevant feedback from TU representatives attending governing forums.	Staff Side Committee
	2.6 An annual review is held with TU representatives attending the Board with the Board Chair.	Board Chair
	3. Communication is improved	3.1 Board minutes to be circulated to all LPF members.
3.2 A communications plan to be put in place that clearly communicates who TU reps are for each forum, the TU rep role and our ways of working in partnership.		Board Secretary and Head of Board Business and Staff side Committee Chair/Secretary
4. Assurance arrangements are strengthened	4.1 A new item be added to the People and Organisational Development Committee agenda for regular LPF updates (This is now in place).	Director of People & Organisational Development / Board Secretary and Head of Board Business
	4.2 An annual report is provided to the Board, from the LPF (This is now in place).	LPF Co-Chairs

Ultimately, the changes required were to be in place by **1st September 2023**.



As a result of these changes being approved by the Board, the Board Secretary wrote to the Staff Representatives making up the LPF Staff Side Committee on 20th June 2023, asking them to make the necessary changes to reflect the decision of the Board.

As well as setting out the tenure arrangements, the action required included:

1. Staff Side Committee providing information to confirm which Staff Representatives were to attend Board and Committees together with details of their current length of tenure, by **18th August 2023**.
2. Staff Side Committees updating and review their Terms of Reference by the **end of August 2023**, in order to facilitate and accommodate the changes.
3. All other matters where the Staff Side Committee were identified as the lead above,

Despite follow-up correspondence, actions being placed on the LPF Action Log and consistent requests at LPF meetings by the Board Secretary and others, the Staff Side Committee have not taken the actions requested to allow implementation of the Board decision.

At the meeting of the LFP on 17th September 2024, Staff Side Committee were given the opportunity to update their Terms of Reference by the end of October 2024 but have failed to do so.

4. LPF Meeting – 14th November 2024

At this meeting, revised Terms of Reference were submitted and it was proposed that the LPF should convene a Partnership Working Sub-Committee comprised of Staff Representatives only to appoint Staff Representatives to attend Board and Committee meetings and to put into effect the decision of the Board.

In addition, it was proposed the LPF Sub-committee should also appoint the Staff Representative Joint Chair / Vice Chair of the LPF (who will also be the Chair / Vice Chair of the Partnership Working Sub-Group).

These changes would ensure staff representation from recognised Trade Unions is embedded in our governance processes and would enable the Partnership Working arrangements approved by the Board to be substantially put in place.

The meeting of the LPF was quorate until the lead representative for one union withdrew from the meeting once a vote on the proposals were tabled. All other



representatives from that union were instructed by the lead representative to withdraw and quoracy was lost.

5. Business Executive Team Meeting 20th November 2024

The Executive Team considered and approved the revised Terms of Reference for the LPF and the establishment of the Partnership Working Group (subject to Board also approving the same).

The Executive Team consider this is a matter within the competency of the Board and, until the Staff Side Committee is representative of all recognised Trade Unions and they are in a position to deliver the Partnership Working requirements of the Board, the proposed changes should be put in place.

The Executive Team agreed the quoracy of the Partnership Working Sub-Committee would be 2 Staff Representatives, each from different Trade Unions to replicate the LFP Terms of Reference.

6. Next Steps

It seems the Staff Representatives are close to agreeing revised Terms of Reference for Staff Side and this is to be encouraged. A united Staff Side with up to date Terms of Reference in place who can deliver the Partnership Working arrangements requested by the Board is the ideal scenario. This is however the scenario that should have been arrived at by September 2023 and continual delays and obstructions to progress have been consistently experienced.

Whilst the changes proposed in this paper are not ideal, they are a valid alternative to the status quo and may well focus the attention of Staff Side on recovering their position.

Pending Staff Side correcting their position, the Board is asked to approve the revised Terms of Reference and the formation of a Partnership Working Sub Group of the LPF.

7. Recommendation

The Board is asked to:

- **Consider** the current status of partnership working at Board.
- **Approve** the revised Terms of Reference of the LPF



- **Approve** the establishment of a Partnership Working Sub-Committee of the LPF
- **Approve** the draft Terms of Reference of the Partnership Working Sub-Committee of the LPF.