

Review of NHS Wales Trust Model Standing Orders – March 2021
Table of Amendments, Cross Reference to Legislation and Confirmation of Sections which are not for variation by NHS Body

Page Number	Previous Paragraph Reference	New or Current Paragraph Reference if no change	Section Heading	Reason for Amendment (if applicable)	Cross reference to legislation - Velindre NHS Trust	Cross reference to legislation - Welsh Ambulance Service NHS Trust	Cross reference to legislation - Public Health Wales NHS Trust	Requirement of legislation – local amendment not permissible	Issued under Direction – local amendment not permissible
2			Forward	No amendments made - Refer to legislation before making amendments Trusts to amend as appropriate for their organisation					
2			Forward	New hyperlink inserted to the Governance eManual					
7	Section A - Introduction								
7	i)	i)	Statutory Framework	Velindre - 'University' added to title and 'as amended' added after Establishment Order PHW and WAST - no amendments made Refer to legislation before making any further amendments	Velindre National Health Service Trust (Establishment) Order 1993	Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998	The Public Health Wales National Health Service Trust (Establishment) Order 2009	✓	
7	ii)	ii)	Statutory Framework	No amendments made - principal place of business to be added					
7	iii)	iii)	Statutory Framework	No amendments made - insert name of Trust					
7	iv)	iv)	Statutory Framework	No amendments made - Refer to legislation before making amendments	NHS Act 2006 and NHS (Wales) Act 2006	NHS Act 2006 and NHS (Wales) Act 2006	NHS Act 2006 and NHS (Wales) Act 2006	✓	
8	v)	v)	Statutory Framework	No amendments made - Refer to legislation before making amendments Trusts to amend as appropriate for their organisation	The National Health Service Trusts (Membership and Procedure) Regulations 1990 as amended	The National Health Service Trusts (Membership and Procedure) Regulations 1990 as amended	The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 as amended	✓	
8	vi)	vi)	Statutory Framework	No amendments made - Refer to legislation before making amendments	Sections 18 & 19 & Schedule 3 of the NHS (Wales) Act 2006	Sections 18 & 19 & Schedule 3 of the NHS (Wales) Act 2006	Sections 18 & 19 & Schedule 3 of the NHS (Wales) Act 2006	✓	
8	vii)	vii)	Statutory Framework	No amendments made - Refer to legislation before making amendments	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	✓	
8	x)	x)	Statutory Framework	No amendments made - Refer to legislation before making amendments	The Welsh Health Specialised Services Committee (Wales) Directions 2009 & The Emergency Ambulance Services Committee (Wales) Directions 2014	The Welsh Health Specialised Services Committee (Wales) Directions 2009 & The Emergency Ambulance Services Committee (Wales) Directions 2014	The Welsh Health Specialised Services Committee (Wales) Directions 2009 & The Emergency Ambulance Services Committee (Wales) Directions 2014	✓	
8 & 9	xi)	xi)	Statutory Framework	No amendments made - Refer to legislation before making amendments	The Welsh Health Specialised Services Committee (Wales) Directions 2009	The Welsh Health Specialised Services Committee (Wales) Directions 2009	The Welsh Health Specialised Services Committee (Wales) Directions 2009	✓	
9	xii)	xii)	Statutory Framework	No amendments made - Refer to legislation before making amendments	The Emergency Ambulance Services Committee (Wales) Directions 2014	The Emergency Ambulance Services Committee (Wales) Directions 2014	The Emergency Ambulance Services Committee (Wales) Directions 2014	✓	
9	xiii)	xiii)	Statutory Framework	'as amended' added and 'and Special Health Authorities' to reflect extension of Committee to Special Health Authorities.	The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012	The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012	The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012	✓	
9	xiv)	xiv)	Statutory Framework	No amendments made - Refer to legislation before making amendments	National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000/NHS (Wales) Act 2006	National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000/NHS (Wales) Act 2006	National Health Service Bodies and Local Authorities Partnership Arrangements (Wales) Regulations 2000/NHS (Wales) Act 2006	✓	
9	xv)	xv)	Statutory Framework	No amendments made - Refer to legislation before making amendments	NHS Act 2006, Section 72	NHS Act 2006, Section 72	NHS Act 2006, Section 72	✓	
10	xvii)	xvii)	Statutory Framework	No amendments made - Refer to legislation before making amendments	The Welsh Language Standards (No.7) Regulations 2018	The Welsh Language Standards (No.7) Regulations 2018	The Welsh Language Standards (No.7) Regulations 2018	✓	
10 & 11	xxii)	xxii)	NHS Framework	New hyperlink inserted to the Governance eManual Values and Behaviour section					
11	xxiii)	xxiii)	NHS Framework	No amendments made - Refer to legislation before making amendments Trusts to insert paragraphs as appropriate	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	Well-being of Future Generations (Wales) Act 2015	✓	
11	xxiv)	xxiv)	NHS Framework	New hyperlink to Governance eManual added					
11	xxvi)	xxvi)	NHS Trust Framework	No amendments made - Trust to insert name					
12	xxix)	xxix)	Applying Standing Orders	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
12	xxx)	xxx)	Applying Standing Orders	No amendments made - Trust to insert add title of their Audit Committee					
12 & 13	xxxii)	xxx)	Applying Standing Orders	No amendments made - Bullet 1 - Trust to insert appropriate Regulations, Bullet 2 - Trust to	The National Health Service Trusts (Membership and	The National Health Service Trusts (Membership and	The Public Health Wales National Health Service Trust	✓	

14	xxxv)	xxxv)	The Role of the Board Secretary	No amendments made - contact details for Board Secretary to be added					
15	Section B : Standing Orders								
15	1.0.1	1.0.1	The Trust	Velindre - deleted reference to 'manage and provide to or in relation to the health service in Wales and range of information technology systems and associated support and consultancy services, desktop services, web development, telecommunications services, healthcare information services, and' to reflect the establishment of Digital Health and Care Wales.	Velindre NHS Trust (Establishment) Amendment Order 1999, Article 3 (2)(a) & (b), amended 2002 and Article 3(2) (c) added, amended 2012, and Article 3(2)(d) & (e) added, amended 2017 and Article 3(2)(f) added			✓	
15	1.0.1	1.0.1	The Trust	WAST - No amendments made - Refer to legislation before making amendments		WAST (Establishment) Order 1998 (as amended)		✓	
16	1.0.1	1.0.1	The Trust	PHW - No amendments made - Refer to legislation before making amendments			Public Health Wales (Establishment Order) 2009	✓	
16 & 17	1.0.2	1.0.2	The Trust	No amendments made - Refer to legislation before making amendments - Trusts to insert paragraph as appropriate	Velindre NHS Trust (Establishment) Amendment Order 1999 (as amended)	WAST (Establishment) Order 1998 (as amended)	Public Health Wales (Establishment Order) 2009	✓	
17	1.1.1	1.1.1	Membership of the Trust	No amendments made - Refer to legislation before making amendments Trusts to insert paragraphs as appropriate	The National Health Service Trusts (Membership and Procedure) Regulations 1990, amended Velindre National Health Service Trust (Establishment) Order 1993, Amendment Order 2002, Amendment (No. 2) Order 2002 and Amendment) Order 2018	The National Health Service Trusts (Membership and Procedure) Regulations 1990, amended by Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998 and (Amendment) Order 2009	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, as amended in 2011 and 2016	✓	
17	1.1.3	1.1.3	Membership of the Trust	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure)Regulations 1990, Reg 3(2)	NHS Trust (Membership and Procedure)Regulations 1990, Reg 3(2)	PHW Public Health Wales Membership Regs 2009, Regulation 3(1)	✓	
17	1.1.4	1.1.4	Membership of the Trust	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 3(2) and 17	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 3(2) and 17	PHW Public Health Wales Membership Regs 2009, Regulation 3(1) and 21	✓	
18	1.1.5	1.1.5	Membership of the Trust	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 3(2) and 18	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 3(2) and 18	PHW Public Health Wales Membership Regs 2009, Regulation 3(1) and 22	✓	
18	1.1.6	1.1.6	Membership of the Trust	<u>Executive Directors</u> - No amendments made - Refer to legislation before making amendments Trusts to insert paragraphs as appropriate	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 4(1)	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 4(1)	PHW Public Health Wales Membership Regs 2009, Regulation 4	✓	
18	1.1.7	1.1.7	Membership of the Trust	<u>Non-Executive Directors (to be known as Independent Members)</u> - No amendments made - Refer to legislation before making amendments Trusts to insert paragraphs as appropriate	Velindre NHS Trust (Establishment) Order, Article 4, as amended in 2002 and 2018	Welsh Ambulance Services National Health Service Trust (Establishment) Order 1998, Article 4, as amended in 2009	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, as amended in 2011 and 2016	✓	
18 & 19	1.1.8	1.1.8	Membership of the Trust	New paragraph added to reflect view of Minister that it is not normally appropriate for a Non Officer Member to serve on the Board of more than one NHS body in Wales.					✓
19	1.1.9	1.1.9	Membership of the Trust	<u>Use of Term Independent Member</u> - paragraph renumbered. Refer to legislation before making amendments					✓
19	1.2 & 1.2.1	1.2 & 1.2.1	Joint Directors	No amendments made - Refer to legislation before making amendments	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 2, Regulation 7	✓	

19	1.3.1	1.3.1	Tenure of Board Members	No amendments made - Refer to legislation before making amendments Trusts to insert paragraphs as appropriate Note: Limitation of 8 years does not apply under the NHS (Membership and Procedure Regulations 1990, therefore no limitation for Velindre and WAST	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The National Health Service Trusts (Membership and Procedure) Regulations 1990, Part 2 Regulation 6	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 2, Regulation 8(1) and 14(3)	✓	
20	1.3.2 & 1.3.3	1.3.2 & 1.3.3	Tenure of Board Members	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 7(2)	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 7(2)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 2, Regulation 8(2)	✓	
21	1.4.8	1.4.8	Responsibilities of Board Members	The Vice-Chair - no amendments made - Refer to legislation before making any changes.	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 14	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 14	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 18		
23	2.2.1	2.2.1	Delegation of Board functions	No amendments made - Refer to legislation before making amendments Trusts to insert paragraphs as appropriate	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 16	NHS Trust (Membership and Procedure) Regulations 1990, Regulation 16	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 20		
24 - 26	3	3	Committees	Refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 19	✓	
25	3.3.1	3.3.1	Committees	No amendments - refer to legislation and Welsh Government before making any amendments					✓ regarding committees to be established as a minimum in 3.3.1
25	3.3.3 - 3.3.5	3.3.3 - 3.3.5	Committees	No amendments - refer to legislation and Welsh Government before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 19	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 19	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 23	✓	
26	3.3.6	3.3.6	Committees	No amendments - refer to legislation and Welsh Government before making any amendments					
26	3.4.1	3.4.1	Other Committees	No amendments made - Refer to legislation before making amendments	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	NHS Trust (Membership and Procedure) Regulations 1990, Part 3, Regulation 15	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Part 3, Regulation 19	✓	
27 & 28	4	4	NHS Wales Shared Services Partnership	Refer to legislation before making any amendments	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	Velindre National Health Service Trust Shared Services (Committee) (Wales) Regulations 2012	✓	
27 & 28	4.0.2	4.0.2	NHS Wales Shared Services Partnership	'as amended' added and 'and Special Health Authorities' to reflect extension of Committee to Special Health Authorities.	As above	As above	As above	✓	
28 - 30	5	5	Advisory Groups	No amendments - refer to legislation and Welsh Government before making any amendments					✓ - requirement for Local Partnership Forum
27	5.1.1	5.1.1	Advisory Groups	no amendments made - Trusts to insert details as appropriate					✓ - requirement for Local Partnership Forum
31	6.0.3	6.0.3	Working in Partnership	No amendments made - Refer to legislation before making amendments	Social Services and Wellbeing (Wales) Act 2014 and Wellbeing of Future Generations (Wales) Act 2015	Social Services and Wellbeing (Wales) Act 2014 and Wellbeing of Future Generations (Wales) Act 2015	Social Services and Wellbeing (Wales) Act 2014 and Wellbeing of Future Generations (Wales) Act 2015	✓	
31 & 32	6.1	6.1	Community Health Councils	No amendments made - Refer to legislation before making amendments	Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010/Community Health Councils (Establishment, Transfer of Functions and Abolition) (Wales) Order 2010 Amended by Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2015	Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010/Community Health Councils (Establishment, Transfer of Functions and Abolition) (Wales) Order 2010 Amended by Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2015	Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010/Community Health Councils (Establishment, Transfer of Functions and Abolition) (Wales) Order 2010 Amended by Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2015	✓	
32 & 33	7.1.1	7.1.1	Putting the Citizen First	Bullet point two amended to reflect meetings held virtually. No other amendments made.	Section 44, Welsh Language (Wales) Measure 2011	Section 44, Welsh Language (Wales) Measure 2011	Section 44, Welsh Language (Wales) Measure 2011	✓	
33	7.2.5	7.2.5	Annual General Meeting	Removed need for the agenda to be displayed on principal sites as no-longer a requirement of the Public Bodies (Admission to Meetings) Act.					
33 & 34	7.2.6	7.2.6	Annual General Meeting	Removed reference to Annual Quality Statement as this is not a requirement for 2020/21 and requirements will be changing in future years.					
34	7.3	7.3	Calling Meetings	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure) Regulations 1990, Schedule	NHS Trust (Membership and Procedure) Regulations 1990, Schedule	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 2(1)	✓	

34	7.4.3	7.4.3	Notifying and Equipping Board members	No amendments made - 'calendar' previously added to clarify number of days for advance publication of papers. Regulations specify 'clear' days but Board Secretaries preferred term 'calendar' Note - Trust Regs state 3 days, PHW Regs state 10 days	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 2(3)	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 2(3)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 2(3)	✓	
35	7.4.6	7.4.6	Notifying and Equipping Board members	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 2(5)	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 2(5)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 2(5)	✓	
35	7.4.7	7.4.7	Notifying the public and others	See above re reference to 'calendar' days. Removed need for public part of agenda to be displayed on principal sites as no longer a requirement of the Public Bodies (Admission to Meetings) Act.	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4	Public Bodies (Admission to meetings) Act 1960, Section 1, subparagraph 4	✓	
35 & 36	7.5.1	7.5.1	Admission of the public, press and observers	No amendments made - refer to legislation before making any amendments	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
36	7.5.2	7.5.2	Admission of the public, press and observers	No amendments made - refer to legislation before making any amendments Note: Letter issued in November 2009 advising that Audit Committees should 'operate in private'	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	Public Bodies (Admission to meetings) Act 1960, Section 1	✓	
37	7.5.10	7.5.10	Quorum	No amendments made - refer to legislation before making any amendments Trust to insert appropriate paragraph	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 3(5)	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 3(5)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 3(5)	✓	
39	7.5.24	7.5.24	Voting	No amendments made - refer to Welsh Government before making any amendments Note: Legislation does not require Trusts to take account of views					
40	7.5.25	7.5.25	Voting	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 3(3)	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 3(3)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 3(3)	✓	
40	7.6	7.6	Record of Proceedings	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 3(4) and 3(6)	NHS Trust (Membership and Procedure)Regulations 1990, Schedule, 3(4) and 3(6)	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Schedule 2, 3(4) and 3(6)		
40	7.7.1	7.7.1	Confidentiality	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
40 & 41	8.0.1	8.0.1	Values and Standards of Behaviour	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
41	8.1.1	8.1.1	Declaration of Interests	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
43	8.2.8	8.2.8	Members with pecuniary (financial) interests	No amendments made - refer to legislation before making any amendments	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 20	NHS Trust (Membership and Procedure)Regulations 1990, Regulation 20	The Public Health Wales NHS Trust (Membership and Procedure) Regulations 2009, Regulation 24	✓	
44	8.5.1	8.5.1	Dealing with offers of gifts, hospitality and sponsorship	No amendments made - Trust to add title of their local Standards of Behaviour Framework/Policy.					
46	9.0.1	9.0.1	Signing and Sealing of Documents	No amendments made - refer to legislation before making any amendments	Schedule 3, Part 4, Para 33 of NHS (Wales) Act 2006 re Trusts. Does not appear to be a corresponding requirement for LHBs	Schedule 3, Part 4, Para 33 of NHS (Wales) Act 2006 re Trusts. Does not appear to be a corresponding requirement for LHBs	Schedule 3, Part 4, Para 33 of NHS (Wales) Act 2006 re Trusts. Does not appear to be a corresponding requirement for LHBs	✓	
47	9.0.2	9.0.2	Signing and Sealing of Documents	Paragraph renumbered	Schedule 3, Part 4, Para 33(1) of NHS (Wales) Act 2006 re Trusts	Schedule 3, Part 4, Para 33(1) of NHS (Wales) Act 2006 re Trusts	Schedule 3, Part 4, Para 33(1) of NHS (Wales) Act 2006 re Trusts	✓	
49	10.3.3	10.3.3	External Assurance	Amended to reflect correct titles for organisation.					
55	n/a	n/a	Individuals who have powers delegated to them	Trust to insert details of person to be notified of concerns					
56	Schedule 1	Schedule 1	Schedule of Matters Referred to Board	See separate sheet - Refer to legislation before making future amendments.					
65		Schedule 2.1	NHS Framework	Address of Governance eManual updated.					
66		Schedule 2.1	Standing Financial Instructions	Trusts to insert - See separate workbook for amendments					
67		Schedule 3	Board Committee Arrangements	Trust to insert details					
68 - 76		Schedule 4	Advisory Groups	Trust to insert details of any advisory groups. No amendments made - refer to Welsh Government before making any amendments					✓ - requirement for Local Partnership Forum