

West Glamorgan

Regional Partnership

Governance

Framework

Version 9

Date Approved: 17th October 2023

One of the ten national design principles within [‘A Healthier Wales: our Plan for Health & Social Care’](https://gov.wales/sites/default/files/publications/2019-04/in-brief-a-healthier-wales-our-plan-for-health-and-social-care.pdf) is to drive change and transformation

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# STATUTORY FRAMEWORK

* 1. Section 33 of the National Health Service (Wales) Act 2006 (“the 2006 Act”) enables local authorities and Local Health Boards to develop formal partnerships and to delegate functions from one body to the other. This legislation enables a local authority to delegate certain specified functions to the Local Health Board, or for the Local Health Board to delegate certain specified functions to the local authority. The legislation also provides for the development of integrated services, integrated commissioning and arrangements for pooled funds.
	2. The 2006 Act also consolidated measures from other legislation. Previous grant arrangements made under 28A and 28BB of the National Health Service Act 1977 were consolidated into the 2006 Act as sections 194 and 34 respectively.
	3. Duties and powers placed on local authorities and health boards in relation to co-operation and partnership and other partners in Wales are set out in the **Social Services and Well-being (Wales) Act 2014**. This Act establishes the legal framework for meeting people’s needs for care and support and imposes general and strategic duties on local authorities and LHBs in order to effectively plan and provide a sufficient range and level of care and support services. The **Partnership Arrangements (Wales) Regulations 2015 (2015/1989),** made under Part 9 of the **Social Services and Well-being (Wales) Act 2014** set out the arrangements made and provides for LHBs and local authorities to pool funds for the purpose of providing specified services**.**

Guidance on the provisions of Part 9 can be found at

<https://gov.wales/sites/default/files/publications/2020-02/part-9-statutory-guidance-partnership-arrangements.pdf>

* 1. The Guidance on the establishment of partnership arrangements provides details on establishing the partnership arrangements, and this document sets out the way in which the West Glamorgan Regional Partnership Board will operate by way of a Governance Framework.
	2. For the purposes of this Framework, members of the Regional Partnership Board shall collectively to be known as “the Board”.
	3. This Governance Framework will, as they are applicable, also apply to meetings of any formal groups established by the Board, including any working groups.
	4. The partnership bodies (as defined in 2.1) must provide sufficient resources for the partnership arrangements, in accordance with their powers under section 167 of the Social Services and Well-being (Wales) Act.

## Variation and amendment of the Governance Framework

* 1. Although this Governance Framework will be subject to regular, annual review by the Partnership Bodies, there may, exceptionally, be an occasion where it is necessary to vary or amend the Framework during the year. In these circumstances, the Local Authority Monitoring Officer shall advise the Board of the implications of any decision to vary or amend this Framework and such a decision may only be made if the variation or amendment is in accordance with Part 9 of the **Social Services and Well-being (Wales) Act 201**4 and does not contravene a statutory provision or direction made by the Welsh Ministers

## Interpretation

* 1. During any Board meeting where there is doubt as to the applicability or interpretation of the Governance Framework, the Chair shall have the final say, provided that his or her decision does not conflict with rights, liabilities or duties as prescribed by law. In doing so, the Chair shall take appropriate advice from the Local Authority Monitoring Officer.
	2. The terms and provisions contained within this Governance Framework aim to reflect those covered within all applicable legislation. The legislation takes precedence over this Framework when interpreting any term or provision covered by legislation.

# MEMBERSHIP

* 1. The following organisations are Partnership Bodies for the purposes of the Partnership Arrangements (Wales) Regulations 2015[[1]](#footnote-2)
		1. Swansea Bay University Health Board,
		2. Council of the City and County of Swansea and
		3. Neath Port Talbot County Borough Council
	2. The Partnership Bodies are required to establish a Partnership Board pursuant to the Regulations to be known as the West Glamorgan Regional Partnership Board
	3. The membership of the Board is set out below[[2]](#footnote-3):
1. Three elected Members of each local authority
2. One Member of the Local Health Board
3. The Director of Social Services appointed under Section 144 of the Act of each local authority (or his or her nominated representative)
4. Three representatives of the Local Health Board
5. Three persons who represent the interests of third sector organisations
6. One person who represents the interests of care providers in the area covered by the Board
7. Two persons to represent people with needs for care and support in the area covered by the Board
8. Two persons to represent carers in the area covered by the Board
9. One person to represent trade unions
10. One person to represent registered social landlords
11. One senior local authority officer who has responsibility for capital investment in housing
12. One senior local authority officer who has responsibility for education
13. One person to represent Welsh Ambulance Service Trust
14. One person to represent Llais (formally Community Health Council).

|  |  |
| --- | --- |
| Local Authority  | * Three elected members of each local authority;
* The Director of Social Services appointed under Section 144 of the Act of each local authority (or his or her nominated representative)
* One senior local authority officer who has responsibility for capital investment in housing
* One senior local authority officer who has responsibility for education.
 |
| Local Health Board | * One Board Member
* Three representatives (not board members)
 |
| Third Sector  | * Three representatives of the interests of third sector organisations
 |
| Those with the need for carers | * One person who represents the interests of care providers in the area covered by the Board
* Two persons to represent people with needs for care and support in the area covered by the Board
* Two persons to represent carers in the area covered by the Board
 |
| Other | * One person to represent trade unions
* One person to represent registered social landlords
* One person to represent Welsh Ambulance Service Trust
* One person to represent Llais (formally Community Health Council)
 |

* 1. **Citizen and Carer Representatives** must be actively involved and engaged in the work of the Regional Partnership Boards and Boards should be able to demonstrate how they have engaged with citizens and carers at all levels including assessing need, strategic planning, service design and delivery.
	2. **Third Sector and Care Provider representatives** must be effectively engaged and able to influence and be involved in the design and delivery of integrated services.
	3. **The Chair** – The Chair is responsible for the effective operation of the Board, chairing Board meetings when present and ensuring that all Board business is conducted in accordance with this Governance Framework.
	4. The Chair shall work in close harmony with the Partnership Bodies as listed in 2,1, and, supported by the Programme Director, shall ensure that key and appropriate issues are discussed by the Board in a timely manner with all the necessary information and advice being made available to the Board to inform the debate and ultimate resolutions.
	5. **The Vice-Chair** – The Vice-Chair shall deputise for the Chair in their absence for any reason and will do so until either the existing chair resumes their duties or a new chair is appointed.
	6. **Stakeholder Members**, whilst not sharing corporate responsibility for the decisions of the Board, are nevertheless required to act in a corporate manner and in accordance with the requirements of this Governance Framework, at all times, as are their fellow Board members from the Partnership Bodies.

# APPOINTMENT OF BOARD MEMBERS

* 1. The Chair and Vice Chair will be appointed from one of the Partnership Bodies as defined in 2.1, through nominations from the Board and agreed by a majority vote of the Partnership Bodies. It is agreed that the Chair and Vice Chair will not be drawn from the same statutory group.
	2. The maximum tenure of appointment for the Chair and Vice Chair will be for four years, and these appointments will be reviewed on an annual basis and elections undertaken to confirm the Chair and Vice Chair or to seek new post holders if required.
	3. The persons referred to in 2.3 (e) above shall provide representation from the Council for Voluntary Service, the Local Third Sector and the National Third Sector. The Local Third Sector and the National Third Sector Representatives shall be nominated through the Regional Health and Social Care Third Sector Network. The persons referred to in 2.3 (f) above shall be selected by Care Forum Wales. The persons referred to in 2.3 (j) above shall be selected by the regional Housing Partnership. The persons referred to in 2.3 (g) above shall be selected by the People Forum. The persons referred to in 2.3 (h) above shall be selected by the Carers Liaison Forum. The persons referred to in 2.3 (i) above shall be selected through the appropriate trade unions that work within the partner organisations. All of these members will be endorsed by the Board.
	4. The members of the Board may substitute at any time another person for any of the persons appointed under paragraph 2.3 prior to the end of their term of office. The Partnership Bodies shall endorse any substitution of members appointed under paragraph 2.3 (e) to (j).
	5. The persons appointed under paragraph 2.3 (a) above shall cease to be members of the Board if they cease to hold the office of elected Member.
	6. The term of office of Local Authority elected members shall run until the next general election of local authority members or until their resignation or replacement by their Local Authority or the dissolution of those local authorities by effect of statute.
	7. The term of office for Stakeholder Members will be for four years, plus a period of up to 6 months to allow for a transition for the introduction of new Stakeholder Members.
	8. If any person appointed to the Board tenders written resignation, becomes incapable of acting or fails to attend Board meetings for a period of six months that person shall cease to become a member of the Board unless they are a representative of the Partnership Body.
	9. Any occasional vacancy amongst the persons named in paragraphs 3.3 (e) (f) (i) and (j) above shall be filled by decision of the Partnership Bodies. Any occasional vacancy amongst the persons named in 2.3 (g) above shall be selected by the People Forum. The persons referred to in 2.3 (h) above shall be elected by the Carers Liaison Forum.
	10. The Board may co-opt such other persons to be members of the Board as it thinks appropriate[[3]](#footnote-4) Any such co-optees would not be eligible to vote.
	11. All Board members’ tenure of appointment will cease in the event that they no longer meet any of the eligibility requirements, so far as they are applicable.
	12. Any member must inform the Chair as soon as is reasonably practicable to do so in respect of any issue which may impact on their eligibility to hold office.

# DECLARING AND RECORDING BOARD MEMBERS’

## Declaration of interests

It is a requirement that all Board members must declare any personal or business interests they may have which may affect, or be perceived to affect the conduct of their role as a Board member. This includes any interests that may influence or be perceived to influence their judgement in the course of conducting the Board’s business.

Board members must also declare any interests held by family members or persons or bodies with which they are connected. The respective Local Authority Monitoring Officer will provide advice to the Chair and the Board on what should be considered as an ‘interest’, taking account of the regulatory requirements and any further guidance. If individual Board members are in any doubt about what may be considered as an interest, they should seek advice from the West Glamorgan Regional Transformation Programme Director. However, the onus regarding declaration will reside with the individual Board member.

## Register of interests

The West Glamorgan Regional Transformation Programme Director will ensure that a Register of Interests is established and maintained as a formal record of interests declared by all Board members. The register will include details of all Directorships and other relevant and material interests which have been declared by Board members.

The register will be held by the West Glamorgan Regional Transformation Programme Director, and will be updated during the year, as appropriate, to record any new interests, or changes to the interests declared by Board members.

Members are expected to complete a Declaration of Interest form on an annual basis.

# SUB GROUPS

The Board may establish sub-groups to support it in undertaking its functions.

* 1. Each group established by or on behalf of the Board must have its own terms of reference, which must be formally approved by the Board.
	2. Any sub-group of the Board must include at least one representative of a Partnership Body who will chair the sub-group. The sub groups shall also include a representative for people with needs for care and support and a carers representative.
	3. The Board must ensure that the Chairs of all sub group operating on its behalf report formally, regularly and on a timely basis to the Board on their activities. Sub Group Chairs’ shall bring to the Boards specific attention any significant matters under consideration and report on the totality of its activities through the production of minutes or other written reports.

# MEETINGS

* 1. The Board’s business will be carried out openly and transparently in a manner that encourages the active engagement of its citizens, community partners and other stakeholders.
	2. The Board shall meet at least four times in any financial year. Additional meetings may be held at the discretion of the Board.
	3. The West Glamorgan Regional Transformation Programme Director, on behalf of the Chair, shall produce an Annual Plan of Board business. This plan will include proposals on the coverage of business activity during the year and shall also set out any standing items that will appear on every Board agenda.
	4. In addition to the planned meetings agreed by the Board, the Chair may call a meeting of the Board at any time. Individual Board members may also request that the Chair call a meeting provided that at least one third of the whole number of Board members support such a request.

## Setting the agenda

* 1. The Chair, in consultation with the West Glamorgan Regional Transformation Programme Director and representatives of the statutory bodies will set the Agenda. In doing so, they will take account of the planned activity set in the annual cycle of Board business; any standing items agreed by the Board; any applicable items received from the Board’s Sub Groups. The Chair must ensure that all relevant matters are brought before the Board on a timely basis.
	2. Any Board member may request that a matter is placed on the Agenda by writing to the Chair, copied to the West Glamorgan Regional Transformation Programme Director, at least 21 calendar days before the meeting. The Chair may, at their discretion, include items on the agenda that have been requested after the 12 day notice period if this would be beneficial to the conduct of board business.

## Notifying and equipping Board members

* 1. Board members shall be sent an Agenda and a complete set of supporting papers at least fourteen calendar days before a formal Board meeting. This information may be provided to Board members electronically or in paper form, in an accessible format, to the address provided. Supporting papers may, exceptionally, be provided, after this time provided that the Chair is satisfied that the Board’s ability to consider the issues contained within the paper would not be impaired.
	2. In the event that at least half of the Board members do not receive the Agenda and papers for the meeting as set out above, the Chair must consider whether or not the Board would still be capable of fulfilling its role and meeting its responsibilities through the conduct of the meeting. Where the Chair determines that the meeting should go ahead, their decision, and the reason for it, shall be recorded in the minutes.
	3. A record of the proceedings of formal Board meetings shall be drawn up as ‘minutes’ and circulated in draft within fourteen calendar days of the meeting. These minutes shall include a record of Board member attendance (including the Chair) together with apologies for absence, and shall be submitted for agreement at the next meeting of the Board, where any discussion shall be limited to matters of accuracy. Any agreed amendment to the minutes must be formally recorded.
	4. All Board members must respect the confidentiality of all matters considered by the Board in private session or set out in documents which are not publicly available. Disclosure of any such matters may only be made with the express permission of the Chair of the Board.

## Chairing Board Meetings

* 1. The Chair of the Board will preside at any meeting of the Board unless they are absent for any reason (including any temporary absence or disqualification from participation on the grounds of a conflict of interest). In these circumstances the Vice Chair shall preside.
	2. The Chair must ensure that the meeting is handled in a manner that enables the Board to reach effective decisions on the matters before it. This includes ensuring that Board members’ contributions are timely and relevant and move business along at an appropriate pace. The Chair has the final say on any matter relating to the conduct of Board business.

## Quorum

* 1. A meeting of the Board shall be quorate if it is attended by at least 1 member from each of the Partnership Bodies. If the Chair or Vice Chair is not present then those present will appoint a temporary chair for that meeting only.
	2. The quorum must be maintained during a meeting to allow formal business to be conducted. Any Board member disqualified through conflict of interest from participating in the discussion on any matter and/or from voting on any resolution will no longer count towards the quorum. If this results in the quorum not being met that particular matter or resolution cannot be considered further at that meeting, and must be noted in the minutes.
	3. The Chair will determine whether Board members’ view or sign of support should be expressed orally, through a show of hands. Where voting on any question is conducted, a record of the vote shall be maintained. Co-opted Members may not vote in any meetings or proceedings of the Board.
	4. The Board is not a formal decision-making body and has no executive powers. Courses of action will be agreed by consensus among the full members. Partners will need to take issues agreed by the Board through their own local policy and decision-making for ratification as required.
	5. There may, occasionally, be circumstances where courses of action which would normally be made by the Board need to be taken between scheduled meetings, and it is not practicable to call a meeting of the Board. In these circumstances, the Chair and the Vice Chair supported by the West Glamorgan Regional Transformation Programme Director as appropriate, may deal with the matter on behalf of the Board - after first consulting all Members.
	6. The West Glamorgan Regional Transformation Programme Director must ensure that any such action is formally recorded and reported to the next meeting of the Board for consideration and ratification.
	7. The West Glamorgan Regional Transformation Programme Director should review all requests for chair’s action in the first instance and support the chair and members in the making of a decision. This should be on the standard report template to draw out the key points to consider with any supporting information appended.

# POOLED FUNDS

* 1. Partnership Bodies as defined in 2.1 will retain statutory responsibility for their functions carried out under any pooled fund that this established.
	2. For each Pooled Fund there should be a partnership agreement that is carefully drawn up between the partners to cover the governance arrangements, which address accountability, decision making and how the budget is to work. Comprehensive monitoring arrangements must be put in place that assures partners that their shared aims are being fulfilled.
	3. The pooled budget can be hosted and managed by a statutory partner, or it can be hosted by a statutory partner and managed on their behalf by another organisation contracted to do so. The host will provide the financial administrative systems on behalf of the partners, but will not incur any additional liabilities, except those that relate to the management of the budget.

# INTEGRATED CARE FUNDS AND GRANTS

* 1. The statutory Regional Partnership Board (RPB) is responsible for agreeing and managing the overall strategic direction and ensuring effective governance of the use of the Integrated Care Fund and other grants and funding
	2. The Transformation Boards are decision making Boards and oversee the transformation, development and delivery of identified regional services, programmes and projects.
	3. A business case process, which demonstrates how it will contribute towards regional strategic objectives is utilised for making investment decisions.
	4. The process for the allocation of funding for the Third Sector grant scheme, in line with the regional strategic objectives is set out in Annex E.
	5. West Glamorgan Transformation Office administer all the funding, on behalf of the partners, in accordance with the various Welsh Government’s guidance and grant offer letters.
1. Regulation 1 (4) Partnership Arrangements (Wales) Regulations 2015 [↑](#footnote-ref-2)
2. Regulation 11 [↑](#footnote-ref-3)
3. Regulation 11 (2) [↑](#footnote-ref-4)