

Purpose

The NHS Welsh Partnership Forum (WPF) has been established as the forum where the Welsh Government, NHS Wales's employers and trade unions and professional organisations work in social partnership to:

- improve health services for the staff and the people of Wales.
- improve the experiences of work for NHS staff through policy, strategy development, terms and conditions and joint working
- ensure the workers voice is heard at an All-Wales level

It is the forum where key stakeholders can engage with key policy leads from across the Welsh Government to inform thinking around national priorities on health issues.

The principle focus and purpose of the WPF is to work in social partnership to support and facilitate:

- **Service change and modernisation** – to redesign services to be modernised in line with the aims within A Healthier Wales
- **Overarching co-ordination** function to the work of local partnership forums and to be a conduit for the sharing of best practice.
- **Service Delivery** – influencing, developing and engaging in the formulation of national strategies to ensure they are deliverable and have ownership.
- **Workforce** – taking a national overview on issues regarding the workforce, providing the mandate for the review of and development of new All Wales policies, ratifying these policies and monitoring implementation.
- **Consultation** - for policies not solely owned by WPF but which have an impact on NHS staff, the WPF should be a key stakeholder and consultative body for such policies. They should not be implemented without prior agreement/consultation with WPF.
- **Two-way communication** with the local partnership forums and to be a conduit for the sharing of best practice as well as developing and presenting a NHS wide view to the Social Partnership Council.

The WPF will discharge its duties within the legislation framework outlined at appendix 1.

The WPF is supported by a Business Committee (WPFBC) which is established to oversee the business of the WPF and manage the range of workforce issues that require more detailed work.

Membership

Members

The WPF membership comprises representation from each of the constituent parties - Welsh Government, NHS Wales Employers and trade unions/professional organisations as follows: -

British Medical Association

British Dietetic Association

British Dental Association

Royal College of Nursing

Royal College of Midwives

Unite

Unison

GMB

Society of Radiographers

Chartered Society of Physiotherapists

British Association of Occupational Therapists

College of Podiatry

Managers in Partnership

For business continuity, the membership should be consistent. However, in exceptional circumstances, if representatives are unable to attend a meeting, then an appropriate individual (representative of the respective constituent party) may attend.

The WPF will have 3 Co-Chairs, the Chief Executive for NHS Wales supported by the Workforce and OD Director Welsh Government as Business Committee Chair, the Chief Executive lead for Workforce supported by the Chair/Vice Chair of the Workforce and Organisation Development Director peer group of , and an elected Chair from the Trade Unions. The WPF Chairs will chair on a rotational basis.

Other Attendees

The Minister for Health & Social Services will be invited to attend at least one WPF meeting per annum for all or part of the business of the meeting.

The WPF will also welcome an appointed representative from other departments and/or organisations to discuss agenda items or and hot topics that are relevant.

Meetings

The secretariat will provide the facilities and support needed to promote effective partnership working. This will include ensuring there is a schedule of meetings designed to progress the work programme and ensure papers are prepared, as is appropriate, to inform members on each side and to assist joint discussion and decision making.

There will be 3 meetings of the WPF year.

In exceptional circumstances, meetings may need to be held virtually.

All travel and accommodation expenses relating to the agreed annual schedule of meetings are to be met by the member organisations.

The agenda will be agreed in partnership through the Business Committee.

Co-Chairs may call extra meetings over and above the agreed schedule if extraordinary circumstances dictate.

Agenda, Minutes and Secretariat Duties

The secretariat duties for WPF will be carried out by NHS Employers Wales.

Members of the WPF have the right to submit appropriate agenda items – *items are to be submitted to secretariat/joint chairs at least a month prior to the meeting to be agreed by Business Committee.*

The meetings will be arranged and co-ordinated by NHS Employers Wales with the agenda and supporting papers circulated ideally a minimum of seven working days before the meeting. Where this timeframe cannot be achieved, papers will be circulated to follow as soon as they are available.

As a general rule, any other business items identified after the agenda and papers have been circulated should be avoided and can only be added to the agenda with the permission of the joint chairs. The joint chairs will decide collectively if the matters require Welsh Partnership Forum consideration or should be dealt with at organisational level.

Minutes, including a recording of any decisions made, and associated actions points will be taken and circulated and cleared by the Business Committee co-chairs for appropriate circulation. A formal record of notes will be agreed at the following WPF meeting.

Review

The WPF will review the procedures and terms of reference of the forum on a biennial basis through the Business Committee and report formally on the outcome.

Primary Legislation Affecting NHS Wales

The statutory powers and duties of the NHS in Wales are mainly contained within the NHS (Wales) Act 2006.

Whilst the NHS Act 2006 applies equivalent legislation to the NHS in England, it also contains some legislation that applies to both England and Wales.

Most of the business of NHS bodies will be conducted in accordance with powers contained in the NHS (Wales) Act 2006 and the arrangements set out within the relevant Constitution, Membership & Procedures Regulations.

All NHS bodies must also operate within the wider legislative framework governing all UK organisations.

The NHS (Wales) Act 2006 consolidates a range of regulatory requirements relating to the promotion and provision of the health service in Wales. It sets out:

- Welsh Ministers' duty to promote health service
- General power to provide services
- Provision of particular services;
- Provision of services otherwise than in Wales
- NHS Contracts; and
- Provision of services otherwise than by Welsh Ministers.

Whilst the NHS Act 2006 applies equivalent legislation as that set out in the NHS (Wales) Act 2006 to the NHS in England, it also contains some legislation that applies to both England and Wales.

Key sections of this act include:

- Section 72 places a duty on NHS bodies to co-operate with each other in exercising their functions.
- Section 82 places a duty on NHS bodies and local authorities to co-operate with one another in order to secure and advance the health and welfare of the people of England and Wales.
- NHS (Wales) Act 2006

Paragraph 7 of Schedule 2 of the Act provides

- that while a Local Health Board (LHB) may employ, pay remuneration and allowances and set terms and conditions for officers as it considers appropriate, it must act in accordance with Regulations and Directions given by the Welsh Ministers. Similarly, paragraph 25 of Schedule 3 of the 2006 Act provides that while an NHS Trust may employ, pay remuneration and allowances and employ officers on such terms and conditions as it considers appropriate; in exercising these powers NHS

Trusts must again act in accordance with Regulations and Directions given by the Welsh Ministers.

- The NHS (Remuneration and Conditions of Service) Regulations 1991 provide that
 - the remuneration of officers of a LHB or NHS trust in Wales shall be the remuneration agreed in negotiation and approved by the Welsh Ministers, or the remuneration so determined by the Welsh Ministers, subject to their duty to act reasonably and proportionately.
- Regulation 3 to the National Health Service (Remuneration and Conditions of Service) Regulations 1991 (which has effect as if made under the National Health Service (Wales) Act 2006) (“the 2006 Act”) provides that
 - the Welsh Ministers may determine pay and other employment conditions of a Health Authority or Special Health Authority in certain circumstances subject to their duty to act reasonably and proportionately.