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Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Our ref: MA/EM/2138/23

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Mark Isherwood MS
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24 August 2023

Dear Russell and Mark,

Thank you for your letter of 7 July on behalf of the Health and Social Care and Public Accounts and Public Administration committees regarding Betsi Cadwaladr University Health Board. I have responded to each of the points in the attached document.

I hope that you find this useful, and I am happy to provide you with further information as required.

Yours sincerely,

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

1. What will be the structure and process of the Welsh Government/Ministerial oversight of BCUHB's progress against the Special Measures Organisational Response Plan.

Response

The Special Measures framework clearly sets out the reasons for the escalation of the health board and the areas where improvements need to be made. This will guide the Special Measures intervention for the rest of 2023. It will be refreshed in January 2024 following an assessment of progress. Priorities and focus will be set on an agreed 90 days cycle as outlined in the Written Statement on 6 July 2023 [Written Statement: Special Measures, Betsi Cadwaladr University Health Board - quarterly progress report \(6 July 2023\) | GOV.WALES](#). The Special Measures Framework can be accessed at the same link.

Placing a health board into Special Measures does not mean the Welsh Government takes over the day-to-day running of the health board. That remains the responsibility of the board. It is the role of Welsh Government to provide oversight, assurance and challenge where appropriate to ensure that the health board makes the necessary improvements.

A Special Measures Assurance Board has been established, which is chaired by Welsh Government. It will support the health board in determining what steps are necessary to navigate an effective and sustainable route out of Special Measures. The assurance board met for the second time on 26 May and will meet again in August. The assurance board will also advise me, through agreed governance channels, whether appropriate steps are being taken.

In addition to the assurance board, the health board attends a monthly Integrated Performance and Quality Board. This is chaired by the Deputy Chief Executive of NHS Wales and provides ongoing assessment of progress being made. This is supplemented by additional assurance meetings on areas of concern such as vascular, ophthalmology, planned care and Glan Clwyd hospital amongst others. There are weekly meetings between officials and staff from the health board. As with all health boards, Betsi Cadwaladr University Health Board has a JET meeting (Joint Executive Team meeting) with senior Welsh Government officials twice a year.

I personally chair a Special Measures Improvement Forum; this Forum has met four times. This will continue to meet bi-monthly. It is through this meeting with the Chair, Independent Members and Executive Members of the Board that I gain assurance, or otherwise, that progress is being made. The Deputy Minister for Mental Health & Wellbeing and the Director General of the Health and Social Services (HSS) Group also attend this forum, in addition to other Welsh Government officials.

I also meet monthly directly with the Chair of the health board where I discuss progress and other health board related issues.

Wherever possible we both visit various sites in the region. Most recently, I was there between the 24 and 26 July 2023 and visited all three Integrated Healthcare Communities. The Deputy Minister visited the region on 2 August 2023.

2. What role the Intervention and Support Team will play in reporting on progress achieved.

Response

A number of individuals are working with the health board to support the board in its improvement journey. Some have been appointed as Independent Advisors and others as operational support to the organisation. Alongside Welsh Government officials, this is the Intervention and Support team. There are regular meetings with the health board and separately with Welsh Government to escalate issues of concern. Each member of the team provides a brief report at the end of each month. Five members of this team have been commissioned until the end of August 2023, two until September 2023 and the other three until March 2024.

Discussions will take place with the health board regarding ongoing support they require from September 2023.

Sadly, Geraint Evans, one of the Independent Advisors has recently passed away.

3. Please provide information about the process by which the interim independent members were appointed. This should include information about:

- **How Welsh Government identified potential appointees, and what criteria were used to identify appointees' suitability for the roles.**

Response

When considering the requirements of a potential new board for Betsi Cadwaladr University Health Board, officials were clear about the attributes and skills that the new Chair and Independent Members would need to possess. One of the main requirements was the urgent need to change the culture throughout the organisation and I was clear that this needed to start at the very top of the organisation.

Consideration was given to those individuals who, based on their knowledge of their current and previous roles and experience, may be suitable for the role of Chair or Independent Members.

The Interim Chair had previously reached the threshold for a public appointment at this level following his application to be Vice Chair Public Health Wales. He held a public appointment in the Welsh Revenue Authority and is a former Council Leader. His experience as Council Leader, and as a resident of North Wales demonstrated his understanding of the challenges facing the health board.

It was considered important that all appointees were able to demonstrate their experience of serving as board members or trustees, and if possible, to demonstrate a connection to North Wales due to being a current resident or through previous professional, family or cultural links.

- **What processes are in place to identify any relevant interests or conflicts of interest that could affect interim independent members' appointment, their fulfilment of the role, or the perception of their fulfilment of the role. This should include information about any arrangements that are in place for the resolution of any such conflicts or interests that are incompatible with appointment, and/or the transparent registration of conflicts or interests that do not prevent the appointment, but which are nevertheless relevant to Board members' fulfilment, or the perception of their fulfilment, of their role.**

Response

All public appointees are asked to complete a political monitoring form and conflicts of interest form on appointment by the Public Appointments Unit. In addition to this, Betsi Cadwaladr University Health Board also require all board members to complete a Declaration of Interest Form in accordance with their own policies and procedures. Information declared is recorded on a Declarations of Interest Register maintained by the health board.

The Declarations of Interest Register for Betsi Cadwaladr University Health Board can be accessed via the following link:

bcuhb.nhs.wales/about-us/health-board-meetings-and-members/health-board-members/register-of-board-members-declarations-of-interest-2023-24-for-the-website-17-july-2023/

Where an actual or perceived conflict of interest is identified, appropriate action is taken to mitigate this. In the case of the interim Chair, it was perceived there was likely to be a conflict regarding the required time commitment of the role of Interim Chair and he subsequently stepped down from his position with the Welsh Revenue Authority (WRA).

Where the actual or perceived conflict relates to an Independent Member, the Chair discusses this with the individual concerned prior to appointment and agrees the required action to ensure openness and transparency in the operation of the board and any other functions they may perform. The required action will depend on the potential conflict and role being performed by the independent member. This could include them absenting themselves from any discussions where there could be a conflict, ensuring they are not members of committees where the conflict may arise and not visiting or having dealings with certain services/wards or departments.

The terms and conditions require an individual to immediately contact the Chair should their circumstances change during the appointment. So again, in the case of the interim Chair, he was obliged to contact the WRA to discuss perceived conflicts once appointed to BCUHB.

- **What steps were taken to ensure compliance with the eligibility requirements in Schedule 2 to the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009.**

Response

All candidates were known to officials in Welsh Government and were asked to provide a biography detailing their previous experience.

Following appointment further checks were undertaken to ensure eligibility for the roles. This includes:

- Identity Check
- The Right to Work
- Basic DBS Check
- Insolvency and Bankruptcy Register
- Search of Companies House Barred Director List

All appointments were made subject to satisfactory checks and failure to meet any of the eligibility criteria would have resulted in termination of the appointment.

- **Which Welsh Government departments were involved in the appointment process.**

Response

Two departments were involved in the appointment process before submitting recommendations to my office:

- Health and Social Services Group
- Public Bodies Unit

- **Any other information you consider relevant or think that we would find helpful in relation to these appointments.**

Response

As per the Public Appointments process, Welsh Government officials consulted the Commissioner for Public Appointments in respect of the need to make a number of urgent appointments to stabilise the Board of Betsi Cadwaladr University Health Board. The officials indicated that the appointments would need to be made without the usual competition and explained the reasons for this.

Officials recognised that the Chair is a significant appointment which would usually require the Health and Social Care Committee to hold a Pre-Appointment Scrutiny Hearing prior to me confirming the decision as Minister. I would be happy to attend a scrutiny session if the Committee Chair considers this appropriate.

4. What arrangements are in place for monitoring the performance of interim Board members during the period of their appointment.

Response

The standard process for monitoring the performance of Independent Board Members is undertaken by the Chair of that health board with support from within the organisation (for example the corporate governance team or the office of the board secretary). It is my role to set objectives for the chair, to receive information on their performance and undertake the relevant appraisals.

As Betsi Cadwaladr University Health Board is in Special Measures, the process is slightly different, due to the increased scrutiny that the health board is under.

I have highlighted in section one, the processes that are in place to hold the Board to account through the Special Measures Improvement Forum and my monthly meetings with the interim Chair. It is through this mechanism that I will monitor the performance of the interim Board members. Following my most recent meeting with the interim Chair, I am in the process of agreeing a number of objectives with him.

5. Please outline what plans are in place for securing permanent appointments to the Board, including the roles of Chair, Deputy Chair and independent board members. This should include information about the timescales, proposed recruitment approach, and any particular role specific or personal criteria candidates will be expected to demonstrate.

Response

The recruitment process for the vacant Vice-Chair and two Independent Members is underway. The adverts and candidate packs can be found [here](#) and [here](#). There will be a stakeholder session stage for shortlisted candidates, which will be made up of individuals from within the health board and partner organisations. This will be followed by an interview. Both are expected to take place in September to enable the substantive board members to take up their appointments in October.

A second recruitment campaign to appoint a substantive Chair and three Independent Members will commence in the Autumn and successful members will be appointed in March 2024 when the current interim members' terms end. We have not concluded determining the required skills and experience of the post holders at this point; this will be dependent on a skills gap analysis following the July recruitment.

It is important to note that compassionate leadership is a key requirement for these posts.

Permanent appointments for a four-year term have already been made to two of the three positions where a nomination process is required. These are the University and Local Authority Independent Members. The appointment of the Trade Union Independent Member is also imminent.

6. The Committees would also welcome information on the planned process and timescales for the recruitment of a substantive appointment to the Chief Executive role in BCUHB

Response

The interim Chair of the health board informed you during his evidence session on 5 July 2023 that Carol Shillabeer will remain in post as the interim Chief Executive until the end of the financial year. This was agreed by the health board's Remuneration and Terms of Service Committee in July 2023 and announced to the health board on 21 July 2023.

Officials are working with the interim Chair to agree the most appropriate time to commence the substantive appointment to this post.