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COVID-19 Public Inquiry Preparedness Sub-Group Terms of Reference and Operating Arrangements

Date: 21 September 2022

Version: 1

Approved: PHW Board 29 September 2022

Review Date: Annually

1. Introduction

In line with Section B, 3 and 7, of the Standing Orders and Scheme of Delegation the Trust shall nominate a Sub-group to be known as the **COVID-19 Public Inquiry Preparedness Sub-group**. The Board approved the creation of this Sub-group at its meeting on the 26 May 2022.

The detailed terms of reference and operating arrangements set by the Board in respect of this Sub-group are detailed below.

These terms of reference and operating arrangements are to be read alongside the standard terms of reference and operating arrangements applicable to all Committees and Sub-groups of the Board.

2. Purpose

The purpose of the COVID-19 Public Inquiry Preparedness Sub-group ("the Sub-group") is to:

- **Advise** and **assure** the Board on whether effective arrangements and resources are in place to ensure the appropriate organisational response to the UK COVID-19 Public Inquiry (the Inquiry);
- **Approve**, on behalf of the Board, if the organisation should apply for Core Participant Status for each of the UK COVID-19 Inquiry modules/sub modules;

- Seek **assurances** that appropriate process are in place to support the organisations corporate submissions to the Inquiry, including the instructions for opening and closing addresses by Counsel;
- Seek **assurance** that organisational learning is being identified and actioned where appropriate, both in regards to the Inquiry preparedness and the pandemic response itself.

3. Delegated Powers

Remit

The Sub-group's role is to provide independent **assurance** to the Board, that there are the appropriate and effective systems in place for areas within its remit, including ensuring that the appropriate development and quality improvements are in place.

In carrying out this work the Sub-group will primarily utilise the work of the internal COVID-19 Public Inquiry Preparedness Programme Board and relevant reports as well as any information from legal advisors.

The Sub-group is anticipated to be time limited in line with the UK Public Inquiry lifespan. For this reason a specific work programme will not be developed but the work of the Sub-group will broadly follow the modular approach set out by the Inquiry supported by the overarching approach being taken by the organisation.

Assurance

The Sub-group will seek **assurance** on:

- whether effective arrangements and resources are in place to ensure the appropriate organisational response to the UK COVID-19 Public Inquiry (the Inquiry);
- that the appropriate approval process are in place to support the organisations corporate submissions to the Inquiry, including the instructions for opening and closing addresses by Counsel;
- that organisational learning is being identified and actioned where appropriate, both with regards to the Organisations Inquiry preparedness and the pandemic response itself.

Comment / Recommendation to Board

The Sub-group is not expected to routinely make recommendations to the Board, however some recommendations are anticipated as follows:

- Any medium to long term policy commitments the organisation may need to put in place; for example the provision of legal advice to ex-employees;
- Any changes to the Sub-group's terms of reference;
- The appropriate time to cease operating the Sub-group;
- Any concerns the Sub-group wishes to raise with regards to the management / handling of the Organisations preparedness.

Delegated Decisions

The Sub-group will support the Board by **reviewing** and **approving** as appropriate:

- The decision to apply for Core Participant Status for each module / sub module.

4. Sub-committees/Groups

In the unlikely event they are needed, the Sub-group may establish other sub-groups to support the delivery of its role. At the time of developing this document no sub-committees were in operation.

5. Access

The Sub-group may receive legal advice from the organisations legal team, which may be received as legally privileged information.

6. Membership, Attendees and Quorum

6.1 Members

A minimum of three members comprising:

Chair: Chair of the PHW Board (in the absence of the Chair, the Chair will designate an alternative Non-Executive Director to Chair the meeting).

Members:

- Chair of the PHW Board
- Vice Chair of the PHW Board (Non-Executive Director)
- Chair of the Audit and Corporate Governance Committee (Non-Executive Director)
- Chief Executive
- Deputy Chief Executive and Executive Director of Operations and Finance

The Sub-group may also co-opt additional independent 'external' members from outside the organisation to provide specialist skills, knowledge and expertise if required.

6.2 Attendees

In attendance:

Members of staff (or their deputies) may be asked to attend the Sub-group to actively contribute and provide assurance.

The legal team supporting Public Health Wales shall be invited to attend when required.

The Board Secretary and Head of Board Business Unit will provide administrative and governance support to the group.

Trade Union representatives will not be invited to join the Sub-group given the legally restricted nature of the groups remit. Trade Union representatives will receive the reports from the Sub-group during private Board sessions.

6.3 Quorum

At least **three** members must be present to ensure the quorum of the Committee, one of whom should be the Sub-group Chair (or the Chair of the meeting), two of these members should be Non-Executive Directors.

7. Frequency of Meetings

The Sub-group will meet as required depending on the demands of the Inquiry at any given time and the role of the organisation in responding to the Inquiry modules and legal requests. It is anticipated the Sub-group will meet between 4 to 6 times per year.

8. Relationships and accountabilities with the Board and its Committees/Groups:

The Sub-group will operate as a single entity and not rely specifically on the work of other Board Committees. There is however likely to be a link to the remit of some Board Committees depending on any lessons learnt resulting from the UK COVID-19 Public Inquiry. Any such lessons will be discussed with relevant Committees or Executive functions as appropriate.

9. Reporting and Assurance Arrangements

The Sub-group shall provide a written, annual report to the Board on its work in support of the Sub-groups remit.

The Chair of the Sub-group reports into the Board via a report from the Sub-group Chair, where any significant issues are brought to the attention of the Board. This report will be provided to the Board meetings held in private given the confidential nature of matters the group will consider.

10. Applicability of Standing Orders to Sub-group Business

Recognising the Sub-group status and not a full Board Committee, the requirements for the conduct of business as set out in the Trust's Standing Orders are deemed to be applicable to the operation of the Sub-group, except in the following areas:

- Quorum (see paragraph 6.3);
- Meetings will not normally be held in public and will be reported to the Board meetings held in private;
- Agendas, reports and minutes will not be published (but will be made available to all PHW Board members);
- Annual work programme.

APPROVED