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## WELSH STATUTORY INSTRUMENTS

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### 2012 No. 1261

## The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012

### PART 3

#### Membership of the committee

##### Membership of the committee

5.—(1) The members of the committee consist of—

- (a) a chair;
- (b) the chief officers or their nominated representatives; and
- (c) the person who has been designated as the accountable officer for shared services.

(2) For the purposes of regulation 5(1)(c), the person who is designated as the accountable officer for shared services, means the person who has been designated as accountable officer for shared services by the person who has been designated as an additional accounting officer, with responsibility for the NHS in Wales, in accordance with section 133(2) of the Government of Wales Act 2006 <sup>M1</sup>.

(3) Where a chief officer intends to nominate a representative for the purposes of regulation 5(1)(b), the nomination must be in writing addressed to the chair of the committee, and must specify whether the nomination is for a specific length of time.

##### Marginal Citations

**M1** 2006 c. 32. In accordance with section 129(6) of the Government of Wales Act 2006, the Permanent Secretary of the Welsh Government is the principal accounting officer for the Welsh Ministers. In accordance with section 133(2) of the Government of Wales Act 2006, the Permanent Secretary may designate other members of staff of the Welsh Government as additional accounting officers. The Director General for Health and Social Services has been designated as an additional accounting officer responsible for the budgets for which he has administrative responsibility. Additional accounting officers may appoint accountable officers in certain public bodies, which include NHS Trusts. Accountable officers have their responsibilities set out in an Accountable Officer Memorandum.

##### Appointment of the chair and vice-chair

6.—(1) Subject to paragraph (2) the chair of the committee is appointed by the committee.

(2) The first chair of the committee is appointed by Velindre National Health Service Trust for a period of six months.

(3) The committee must appoint a vice chair of the committee from amongst the chief officers or their nominated representatives.

(4) Where the committee appoints the chair and vice chair of the committee in accordance with paragraphs (1) and (3), the appointments must be subject to standing orders relating to the committee and, in relation to appointments made in accordance with paragraph (1), the committee must satisfy itself that the person appointed has the necessary skills and experience to perform the duties of the chair.

(5) Where Velindre National Health Service Trust appoints the chair in accordance with paragraph (2), the appointment must be subject to Velindre National Health Service Trust's standing orders.

### Eligibility requirements for members of the committee

7.—(1) All members must fulfil the requirements for eligibility in the Schedule to these Regulations and must continue to fulfil the requirements while that member holds office.

(2) Chief officers may only hold office on the committee provided he or she continues to hold office as a chief officer of a <sup>[F1]</sup>Local Health Board, National Health Service Trust or as a chief officer or chief executive of a Special Health Authority].

(3) A nominated representative of a chief officer may only hold office on the committee provided he or she continues to hold office, as appropriate, as an officer member of the chief officer's Local Health Board<sup>[F2]</sup>, an executive director of the chief officer's National Health Service Trust or as an officer member of the chief officer's Special Health Authority].

(4) Any person appointed pursuant to regulation 6(3) to be a vice chair may only hold the office of vice chair on the committee provided that person continues to hold office, as appropriate, as a chief officer or as an officer member of the chief officer's Local Health Board<sup>[F3]</sup>, an executive director of the chief officer's National Health Service Trust or as an officer member of the chief officer's Special Health Authority].

#### Textual Amendments

- F1** Words in reg. 7(2) substituted (1.4.2021) by [The Velindre National Health Service Trust Shared Services Committee \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/237\)](#), regs. 1(2), **3(2)**
- F2** Words in reg. 7(3) substituted (1.4.2021) by [The Velindre National Health Service Trust Shared Services Committee \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/237\)](#), regs. 1(2), **3(3)**
- F3** Words in reg. 7(4) substituted (1.4.2021) by [The Velindre National Health Service Trust Shared Services Committee \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/237\)](#), regs. 1(2), **3(4)**

### Tenure of office of chair and vice chair

8.—(1) This regulation applies to any person who is appointed as chair or vice chair of the committee.

(2) Subject to these Regulations, a chair or vice chair holds and vacates office in accordance with the terms of that person's appointment.

(3) A chair or vice chair may be appointed for a period of no longer than four years.

(4) Subject to paragraph (5) a chair or vice chair may on the expiration of his or her term of office be re-appointed in accordance with regulation 6(1) or 6(3) respectively.

(5) A person may not hold office as a chair or vice chair for the committee for a total period of more than eight years, and a person may not have consecutive appointments as a vice chair or, subject to paragraph (6), a chair.

(6) The first chair of the committee appointed by Velindre National Health Service Trust in accordance with regulation 6(2), may, when his or her term of appointment comes to an end, be

appointed to the position of chair by the committee if he or she is successful in the appointments process run by the committee in accordance with its standing orders.

(7) References to the tenure of office of the vice chair are to his or her appointment as vice chair and not to his or her tenure of office as a member of the committee.

**Modifications etc. (not altering text)**

C1 Reg. 8(5) excluded (temp.) (5.7.2020) by [The National Health Service \(Temporary Disapplication of Tenure of Office\) \(Wales\) \(Coronavirus\) Regulations 2020 \(S.I. 2020/585\)](#), regs. 1(2), 5 (with regs. 1(3), 8)

**Termination of appointment of chair or vice chair**

9.—(1) The committee may, remove a chair or vice chair from office if it determines that—

- (a) it is not in the interests of the committee; or
- (b) it is not conducive to the good management of the committee,

for that chair or vice chair to continue to hold office.

(2) If it comes to the notice of the committee that a chair or vice chair appointed has become ineligible under the Schedule to these Regulations, the committee must remove that chair or vice chair from office.

(3) A chair or vice chair appointed must immediately notify the committee if that chair or vice chair becomes ineligible under the Schedule to these Regulations.

(4) If a chair or vice chair has failed to attend any meeting of the committee for a period of six months or more, the committee may remove that chair or vice chair from office unless it is satisfied that—

- (a) the absence was due to a reasonable cause; and
- (b) the chair or vice chair will be able to attend such meetings within such period as the committee considers reasonable.

(5) A chair or vice chair may at any time resign his or her office by notice in writing to the committee but subject to the terms of that chair or vice chair's appointment.

(6) Reference in this regulation to removal of a vice chair or the resignation of a vice chair from office is to the removal of the appointment as vice chair or resignation from the appointment as vice chair, as appropriate, and not to the removal or resignation of the member who has been appointed as vice chair from office on the committee.

**Suspension of chair or vice chair**

10.—(1) Before making a decision to remove a chair or vice chair from office under regulation 9, the committee may suspend the tenure of office of that chair or vice chair for such period as it considers reasonable.

(2) Where a chair or vice chair is suspended in accordance with paragraph (1), the committee must immediately notify that chair or vice chair, each of the committee members and Velindre National Health Service Trust in writing, stating the reasons for his or her suspension.

(3) A chair or vice chair whose tenure of office is suspended under paragraph (1) may not perform the functions of chair or vice chair.

(4) Reference in this regulation to suspension of a vice chair is to the suspension of the appointment as vice chair and not to the suspension of the member who has been appointed as vice chair from office on the committee.

**Changes to legislation:**

There are currently no known outstanding effects for the The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012, PART 3 .