



Commercial Arrangement Scheme Wales Group (CASWG) Constitution

1. Objectives

To scrutinise, review and agree commercial arrangements associated with the medicines access processes of the All Wales Medicines Strategy Group (AWMSG), and also to scrutinise, review and agree commercial arrangements for NHS Wales that are offered as part of a National Institute for Health and Care Excellence (NICE) submission. The Commercial Arrangement Scheme Wales Group (CASWG) is an advisory sub-committee of the AWMSG, through which it will report.

2. Role of the Group

- 2.1 To consider the commercial arrangement and formulate advice for Welsh Government about the feasibility and implementation of a proposed scheme.
- 2.2 The Group will not publicly comment on a commercial arrangement proposal until final advice has been approved by Welsh Government.

3. Membership

- 3.1 Members will be appointed by the AWMSG Steering Committee in accordance with the arrangements set out in paragraphs 3.2 and 3.3 below.
- 3.2 The Group will consist of the following **voting members**:
 - 1 Director of Pharmacy
 - 2 Formulary Pharmacists
 - 1 Healthcare Prescriber
 - 1 Senior Finance Manager
 - 1 NHS Wales Shared Services Procurement representative
 - 1 Pharmaceutical industry representative following nomination by the Association of the British Pharmaceutical Industry Cymru Wales
 - 1 Digital Health and Care Wales (DHCW) representative
 - 1 Lay member

1 NHS Wales Joint Commissioning Committee (JCC) representative

1 AWTTTC Programme Director

Non-voting members:

2 NICE Patient Access Scheme Liaison Unit (PASLU) representatives

1 Medicines Value Unit (MVU) representative

1 Representative from the All Wales Therapeutics and Toxicology Centre (AWTTTC) Commercial Medicines Access Team

1 NHS England representative

- 3.3 The following individuals may be invited to attend meetings and input into discussions but will not have voting rights:

Genomics Partnership Wales (GPW) representative

Clinical specialist(s)

AWTTTC staff representative(s), including a health economist

Individuals co-opted for advice on specialist subjects

Chairs of the AWMSG sub-committees or working groups

Welsh Government officials

- 3.4 Members will be drawn from health boards, trusts and academic institutions in different geographical areas across Wales by individual nomination, nomination by colleague or appropriate representative committee or organisation, or in response to an open advertisement.

4. Alternate members

- 4.1 With the exception of the Chair, in the event of any voting member being unable to attend a meeting, a named alternate, whose appointment has been approved (see 4.2), may attend in their place and will have voting rights. Alternates for all voting members of the Group, except for the Chair, may be elevated to the appropriate vacancy should a vacancy occur. A Vice Chair will be appointed in accordance with clause 6.2.
- 4.2 Alternate members will be approved by the AWMSG Steering Committee.
- 4.3 An AWMSG alternate member may be appointed as a member or alternate member of this Group.

5. Term of office

- 5.1 A member's term of office shall be 4 years. Appointees may serve 2 terms but the total period of appointment must not exceed 8 years. Re-appointment is subject to a satisfactory performance review which for all voting members (except the Chair), will be agreed by the Chair.
- 5.2 Where a member is appointed as Chair or Vice Chair, the term of office shall recommence (i.e. 4 years and 2 terms may be served). The total period of appointment can be extended beyond 8 years if the term of office for the Chair and Vice Chair are due to terminate at the same time.
- 5.3 Following resignation, an individual may return to the Group after a period of 12 months if it has not been possible to fill the vacancy. Membership of a retired/returned member will be reviewed annually. If a nomination is received and approved by the Chair, the retired/returned member may continue as the alternate member and the new appointee will take the position as the main member.
- 5.4 The Chair may extend the term of office of an alternate member beyond 8 years if the individual has not had sufficient opportunity to serve in the main member role.

6. Officers

- 6.1 The Chair will be appointed by the AWMSG Steering Committee. The term of office will be 4 years. The Chair will be eligible for re-appointment for an additional term of office subject to a satisfactory performance review by the AWMSG Chair, but the total period of appointment must not exceed 8 years.
- 6.2 A Vice Chair will be elected from the voting membership and will serve for a term of 4 years. The Vice Chair will be eligible for re-election for an additional term of office subject to a satisfactory performance review but the total period of appointment must not exceed 8 years. The Vice Chair will not automatically assume the role of Chair at the end of the Chair's term of office.
- 6.3 The Vice Chair shall preside over meetings in the absence of the Chair. In the absence of both the Chair and the Vice Chair, the other voting members may decide who amongst them shall preside over the meeting.

7. Meetings

- 7.1 Monthly meetings shall be scheduled. A minimum of 2 weeks' notice will be given for any extra-ordinary meeting.
- 7.2 Meetings may be held in person, virtually, or as a 'hybrid' meeting combining both methods.
- 7.3 Secretariat services will be provided by AWTTTC.

- 7.4 Meetings shall be held in private. Decisions (not meeting minutes) will be published on the AWTTTC website following approval.
- 7.5 A meeting of the Group may not be required if, in the opinion of the Chair, the proposal is considered a simple commercial arrangement. Under these circumstances, the scheme may be considered by the CASWG Chair.

8. Financial or personal interests

- 8.1 Members should declare, in advance and during meetings, financial, competitor or personal interests, whether pecuniary or otherwise. All declarations of interest should be noted in the minutes of the meeting. Guidance on declaration of interests and participation by members is available on the AWTTTC website.

9. Decision making

- 9.1 The Group will seek to reach decisions by consensus or by a simple majority vote. Only the voting members have voting rights. In the absence of a majority, the Chair will have a casting vote. In the absence of the Chair, the Vice Chair or person presiding at the meeting will have a casting vote.
- 9.2 The manufacturer will be given the opportunity to be available, in person or virtually, at the relevant CASWG meeting.
- 9.3 AWTTTC will relay the decision of CASWG to Welsh Government officials.
- 9.4 Welsh Ministers will convey Welsh Government's decision to AWTTTC, who will inform the manufacturer about whether the commercial arrangement can be applied within NHS Wales.

10. Quorum

- 10.1 The quorum shall be a majority of the Group's current voting membership.

11. Validity of proceedings

- 11.1 The validity of the proceedings of the Group is not affected by any vacancy among the members or by any defect in the appointment of a member or an alternate.

12. Vacancies in membership

- 12.1 Membership of the Group shall end if a member:
- resigns by giving notice in writing to the Chair

- is absent from three consecutive meetings, unless the Group is satisfied that the absence is due to a reasonable cause
- ceases to be a member of the nominating group or organisation
- completes the maximum term of office.

13. Casual vacancies

13.1 Any casual vacancy will usually be filled by the appointed alternate.

14. Powers of the committee

14.1 The Group shall align their priorities with those of the parent committee.

14.2 The Group may seek independent advice as to particular aspects of therapeutics, health economics or the health service.

15. Accountability

15.1 The Group will provide quarterly update reports to the Steering Committee, which in turn is accountable to AWMSG.

16. Review of the constitution

16.1 This Constitution will be reviewed annually and amended as necessary to reflect changing work priorities, policy or structural changes within the NHS in Wales.

16.2 Changing the Constitution must be conducted with the approval of the AWMSG Steering Committee.

16.3 The Constitution will be published on the AWTTTC website.

Review date: April 2026