

Agenda Item

5.3

Joint Commissioning Committee

Emergency Medical Retrieval and Transfer Service Update
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Dyddiad y Cyfarfod / Date of Meeting	25/11/2025
Statws Cyhoeddi / Publication Status	Open/ Public
	Not Applicable
Awdur yr Adroddiad / Report Author	Ross Whitehead, Director of Commissioning Ambulance Services & 111
Cyflwynydd yr Adroddiad / Report Presenter	Ross Whitehead, Director of Commissioning Ambulance Services & 111
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Pwrpas yr Adroddiad / Report Purpose	For Noting
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Engagement (internal/external) undertaken to date (including receipt/consideration at Committee/Group)		
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Committee / Group / Individuals	Date	Outcome
NWJCC Senior Leadership Team	19/11/2025	Noted

Acronyms / Glossary of Terms	
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EMRTS	Emergency Medical Retrieval and Transfer Service
JCC	Joint Commissioning Committee
NWJCC	NHS Wales Joint Commissioning Committee

1. SITUATION/BACKGROUND

This paper provides an update to the committee on the 23 April 2024 NWJCC decision to approve the following recommendations in line with the final report of the Emergency Medical Retrieval and Transfer Service Review:

Recommendation 1 – EMRTS Service Model. The Committee approves the recommended service model for EMRTS including the consolidation of the Emergency Medical Retrieval and Transfer Services currently operating at Welshpool and Caernarfon bases into a single site in North Wales (Option A) as it best meets the objectives of the EMRTS Service Review,

Recommendation 2 – Implementation. To enable delivery of the agreed service model, the Committee requests that the Charity secures an appropriately located operational base in line with the agreed service model (as per the final recommendations of the Review),

Recommendation 3 – Implementation. The Committee approves that a joint plan is developed by EMRTS and the Charity, that maintains service provision across Wales during the transition to a new base and develop a comprehensive implementation plan for the agreed service model. This plan will be reflected in the Committee’s future commissioning arrangements with EMRTS and the Charity,

Recommendation 4 – Additional service provision. The Committee approves the development of a commissioning proposal for bespoke road based enhanced and / or critical care services in rural and remote areas to enhance the core service model. It is recommended that the Ambulance and 111 Commissioning Team establish a Task and Finish Group to further refine and develop the approach and to deliver a detailed implementation plan by the end of September 2024. The Group will work in partnership with HBs and Llais and other key stakeholders and report to the JCC in October 2024. Following conclusion of this work, and agreement of the way forward, the implementation plan will be updated,

Recommendation 5 – Lessons Learned. The Committee supports a Lessons Learned exercise of the review and engagement process to help inform the future work of the JCC; and

Recommendation 6 – Implementation. The Committee agrees to receive regular progress reports on achievement of the implementation plan milestones, and benefits realisation.

Members received further updates on the work associated with this decision at subsequent meetings during 2024.

On 23 July 2024 a Claimant issued a claim for Judicial Review in respect of the NWJCC decision dated 23 April 2024 (as referred to above). As the NWJCC is not a legal entity the claim was issued against the seven Health Boards, with Cwm Taf Morgannwg University Health Board being the lead Defendant as the host organisation for the NWJCC. The Claimant was granted permission to proceed with her claim on the 10 October 2024.

The Judicial Review hearing took place on 22 and 23 January 2025, the hearing was subsequently listed for a further day on the 7 February 2025.

On 19 June 2025, the High Court handed down its judgment which confirmed that the NWJCC had acted lawfully and rationally in reaching its decision. The Claimant sought permission to appeal from the trial Judge however, this was refused by the Court on 29 July 2025.

A subsequent application for permission to appeal was made by the Claimant to the Court of Appeal on 7 August 2025. On the 15 October 2025 the Court of Appeal ordered that permission to appeal was refused on all 5 grounds. The Judge noted that none of the grounds set out by the Claimant were arguable, nor did any appeal have a real prospect of success and on this basis there was no other compelling reason for the Court to entertain an appeal.

Whilst costs were awarded to the Defendants as part of this order the Claimant is a person with the benefit of legal aid and as such the cost order is not currently enforceable by the Defendants.

The legal proceedings in relation to this decision are now at an end and the NWJCC and its partners can progress with implementation.

1. SPECIFIC MATTERS FOR CONSIDERATION

1.1 Recommendation 1-3 & 6

Following conclusion of the legal proceedings, the Wales Air Ambulance Charity Trust has now stood up its delivery programme and associated workstreams.

There is a tripartite arrangement with involvement from the Charity, its aviation partner Gama and EMRTS.

Members will receive further updates from the programme as each workstream progresses.

1.2 Recommendation 4

Members will recall that, in response to the legal arguments put forward by the Claimant, further work on recommendation 4 was paused at the March 2025 committee meeting.

Following conclusion of the legal proceedings, there has been substantial public and political interest, including approaches from Llais on the delivery of recommendation 4.

Members will also recognise that since April 2024, there have been a number of significant changes to the operational landscape that the ambulance service operates in, including Phase 1 changes to the Performance Framework in July 2025, planned implementation of Phase 2 changes in December 2025, large reductions in the volume and extent of lost hours to handover, variability in performance across Wales, and financial sustainability challenges.

Members should note that the court found recommendation 4 genuinely related to a plan sufficiently distinct from the other recommendations to justify separate consideration by the NWJCC. As such delivery of recommendations 1-3 can continue without dependence on the committee’s consideration in relation to recommendation 4.

Recognising the passage of time since the work on recommendation 4 was undertaken and the changes to the operational landscape, members are advised to support the revisiting of the work around recommendation 4 and the consideration of proposals alongside the development of the NWJCC IMTP for 2026/29.

1.3 Recommendation 5

The Director of Commissioning for Ambulance Services and 111 and the Committee Secretary are developing this exercise for consideration at a future development session of the committee.

2. KEY RISKS / MATTERS FOR ESCALATION

Whilst the legal proceedings in relation to the decision made by the NWJCC in April 2024 have now ended. There is a risk of further legal challenge in relation to the implementation of future decisions.

3. ASSESSMENT

Objectives / Strategy	
Dolen i Amcan (au) Strategol CBC / Link to JCC Strategic Objectives(s)	Maximise Value
	If more than one applies please list below:
Dolen i Ddeddf Llesiant Cenedlaethau'r Dyfodol – Nodau Llesiant /	A Resilient Wales
	If more than one applies please list below:

<p>Link to Wellbeing of Future Generations Act – Wellbeing Goals 150623-guide-to-the-fg-act-en.pdf (futuregenerations.wales)</p>	
<p>Dolen i Hwyluswyr Ansawdd <i>(Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) /</i> Link to Enablers of Quality <i>(Duty of Quality Statutory Guidance (gov.wales))</i></p>	<p>Whole-systems Perspective</p> <p>If more than one applies please list below:</p>
<p>Dolen i Feysydd Ansawdd <i>(Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) /</i> Link to Domains of Quality <i>(Duty of Quality Statutory Guidance (gov.wales))</i></p>	<p>Effective</p> <p>If more than one applies please list below:</p>
<p>Effaith Amgylcheddol/ Cynaliadwyedd (5R) / Environmental /Sustainability Impact (5Rs)</p>	<p>No - Not Applicable</p> <p>If more than one applies please list below:</p>

Impact Assessment		
<p>Ansawdd <i>Ydych chi wedi ymgymryd â Sgrinio Asesiad o'r Effaith ar Ansawdd? /</i> Quality <i>Have you undertaken a Quality Impact Assessment Screening?</i></p>	<p>Yes: <input type="checkbox"/></p>	<p>No: <input checked="" type="checkbox"/></p>
<p>Cydraddoldeb <i>Ydych chi wedi ymgymryd â Sgrinio Asesiad o'r Effaith ar Gydraddoldeb? /</i></p>	<p>Yes: <input type="checkbox"/></p>	<p>No: <input checked="" type="checkbox"/></p>
	<p>Outcome:</p>	<p>If no, please include rationale below:</p> <p>Not applicable to this specific update report.</p>
	<p>Outcome:</p>	<p>If no, please include rationale below:</p>

Equality <i>Have you undertaken an Equality Impact Assessment Screening?</i>		Not applicable to this specific update report.
Cyfreithiol / Legal	Yes (Include further detail below)	
	Legal risks are outlined in the report	
Enw da / Reputational	Yes (Include further detail below)	
	This is a highly sensitive issue that has potential to impact the reputation of the NWJCC	
Effaith Adnoddau <i>(Pobl / Ariannol) /</i> Resource Impact <i>(People / Financial)</i>	Yes (Include further detail below)	
	Work on this area has a significant impact on the capacity of the ambulance and 111 commissioning team, impacting other areas of work	

4. RECOMMENDATIONS

The members of the Joint Commissioning Committee are asked to:

- **Discuss** and **Note** the content of the report.

5. NEXT STEPS

- Receive further updates from the Charity, EMRTS and Gama on the programme for delivery of recommendations 1-3.
- Revisit the delivery of recommendation 4 as part of the 2026/29 IMTP development.