

Joint Review of Quality Governance Arrangements at Cwm Taf Morgannwg University Health Board - Terms of Reference

Why we are doing this work

- 1 Healthcare Inspectorate Wales (HIW) and the Wales Audit Office (WAO) have already signalled their intention to undertake work on the governance arrangements to ensure the quality and safety of services at Cwm Taf Morgannwg University Health Board. Following the recent publication of a [highly critical report on maternity services](#) by the Royal College of Obstetricians and Gynaecologists and Royal College of Midwives, and associated changes to the Health Board's escalation status, HIW and WAO have decided that it is appropriate, necessary and timely to undertake an urgent joint review to examine quality governance arrangements within the Health Board in more detail.

Background

- 2 Concerns in respect of serious incident reporting within maternity services at the former Cwm Taf University Health Board led to the Minister for Health and Social Services commissioning an independent review by the Royal College of Obstetricians and Gynaecologists and Royal College of Midwives. The findings from that review were published on 30 April 2019 and highlighted a number of serious concerns and service failures within maternity services at the Health Board. In a written statement following publication of the review, the Minister announced that the Health Board's maternity services would be placed in special measures and the organisation's overall status within the escalation framework would be raised to "Targeted Intervention". In that announcement, the Minister also highlighted that the Royal Colleges' report raised serious concerns about wider board governance and leadership.
- 3 Prior to the publication of the Royal Colleges' review, both the WAO and HIW had raised concerns around aspects of quality governance. The [Wales Audit Office structured assessment review in 2018](#) pointed to the need to strengthen a number of facets of quality governance and risk management within the Health Board.
- 4 In addition, a number of issues relating to governance have been identified during HIW's inspection activity, including inspections of:
 - Mental health services - Royal Glamorgan Hospital – 2015-18
 - [Inspection report 2015](#)
 - [Inspection report 2016](#)
 - [Inspection report 2017](#)
 - [Inspection report 2018](#)

- [Inspection follow-up report 2018](#)
 - [Acute medical wards 12 and 19 – Royal Glamorgan Hospital – March 2018](#)
 - [Surgical services - Royal Glamorgan Hospital – September 2018](#)
 - [Maternity services – Royal Glamorgan Hospital – October 2018](#)
 - [Radiology department, focusing of the use of ionising radiation - Prince Charles Hospital – December 2018](#)
- 5 It is important to recognise that the Royal Colleges’ findings on maternity services relate to the former Cwm Taf University Health Board and not to services in Bridgend, which transferred to the Health Board as part of a boundary change on the 1st April 2019. However, the Health Board is aware of the importance of ensuring that any wider improvements that it makes to its quality governance arrangements are applied to the Bridgend services for which it now has responsibility.

Scope of work

- 6 The joint review will seek to address the following overall question: Do Cwm Taf Morgannwg University Health Board’s governance arrangements support delivery of high quality, safe and effective services? In looking to answer this question we will consider the following key lines of enquiry:
- Is the quality and safety of services understood at an operational level, with concerns adequately acted upon?
 - Is the quality and safety of services understood at the corporate level, with concerns adequately acted upon?
 - Does the organisation promote an open, listening and learning culture to support the delivery of high quality, safe and effective services?
- 7 To test these arrangements, our fieldwork will include a review of the quality governance arrangements within the surgical services directorate, from ward to board, focusing on the Prince Charles Hospital and Royal Glamorgan Hospital sites. The work will also include consideration of governance processes for managing and learning from concerns and incidents.
- 8 Recognising the recent Bridgend boundary change on 1 April 2019, the review will also consider the transition arrangements for quality, risk and assurance at the Princess of Wales Hospital.
- 9 During the course of our review, should we identify any issues around quality governance that have wider relevance to NHS Wales, we will consider how best to report and escalate these.
- 10 The joint review team will ensure that its work is appropriately co-ordinated with other interventions and external review underway at the Health Board, most notably the work being carried out by the Independent Maternity Services Oversight Panel, the Delivery Unit, David Jenkins, and the independent review into the commissioning and publishing of the consultant midwife report.

11 The joint review will also draw upon the findings of other relevant audit and inspection work undertaken by the WAO and HIW at the Health Board.

Review approach

12 The following table sets out the evidence sources the review will seek to draw on:

Methodology	Activity
Interviews with Health Board staff	We will arrange interviews with health board staff, covering a range of corporate and operational responsibilities.
Observations	<p>We will aim to observe relevant operational meetings within the Health Board, including at directorate / speciality level. We will also draw on observations at relevant Board and committee meetings within the review period as appropriate.</p> <p>We will also visit wards/areas within the surgical services directorate to observe those environments and provide an opportunity for staff to speak to the review team (see drop in session below).</p>
Drop in sessions	Linked to the visits to wards / clinical areas we will look to hold informal drop in sessions with operational staff within the surgical services directorate. We will aim to set up two drop in sessions at each of the two hospitals (Prince Charles and Royal Glamorgan Hospitals).
Document review	Supporting documentation will be requested to provide evidence against our lines of enquiry.
Staff survey	We will be asking staff within the surgical services directorate to complete an online survey to help gauge their views of current quality governance arrangements and work place culture.

13 We will discuss the details and practical arrangements associated with the above approach with the Health Board.

Timing of the work

The indicative timescales for the key stages of the work:

Key stage	Timing
Set up	June 2019
Fieldwork	July 2019
Draft report issued to the Health Board	August – September 2019
Final report published	Early Autumn 2019

- 14 The above timetable is predicated on the ability of the Health Board to provide the joint review team with the required information to support our evidence gathering. This includes the availability of Health Board staff to speak to review team members, noting that review is taking place over the summer months. Any changes to the timetable will be communicated to the Health Board.

Reporting our findings

- 15 Where appropriate, the WAO/HIW review team will give interim feedback if any issues of immediate concern arise during the fieldwork phase.
- 16 We will produce a joint written report that summarises the findings from our work and recommendations will be made to support improvements. The Health Board will be provided with a copy of the draft report to comment on factual accuracy and will receive a copy of the final report prior to publication.
- 17 In line with the HIW's and WAO's arrangements for public reporting, we will publish the report on our websites once final.

Personal data

- 18 This work is being undertaken under various statutory requirements and powers associated with the functions of the Auditor General for Wales and Healthcare Inspectorate Wales.
- 19 Section 61 of the Public Audit (Wales) Act 2014, requires the Auditor General for Wales to satisfy himself that NHS bodies have proper arrangements in place to secure the efficient, effective and economical use of resources. In addition, section 145 of the Government of Wales Act 1998 gives the Auditor General the power to undertake studies to enable him to make recommendations for improving efficiency, effectiveness and economy in the discharge of the functions of an NHS body.
- 20 For HIW, this review forms part of its work to provide independent assurance on the quality and safety of healthcare services in Wales. The Health and Social Care (Community Health and Standards) Act 2003 (Part II, Chapter 4) gives HIW (on

behalf of Welsh Ministers) the power to carry out inspections, reviews and investigations of the NHS or services provided for the NHS.

- 21 This terms of reference sets out our intended approach to the review.
- 22 Where we process personal data, this is in accordance with data protection legislation, including the Data Protection Act 2018 and the General Data Protection Regulation. Further information is set out in WAO's fair processing notice and HIW's privacy notice in [Appendices 1 and 2](#).
- 23 We ask that you share this terms of reference with any member of staff that we will be interviewing or will be taking part in a focus group. This will help interviewees or focus group participants understand the purpose of our review and how we will use information collected.

Appendix 1 – WAO fair processing notice

This privacy notice tells you about the potential collection of your personal information by the Auditor General for Wales (and by the Wales Audit Office on his behalf).

Read the full WAO [privacy notice](#) can be found on our website.

Who we are and what we do

The Auditor General's work includes examining how public bodies manage and spend public money. We are collecting information to help us to assess whether NHS bodies have proper arrangements in place to secure economy, efficiency and effectiveness in the use of their resources and whether these could be improved. The information collected will be used for this review and may also be used in our wider statutory audit work (such as the Structured Assessment and Annual Audit Report).

The relevant laws

We process your personal data (including special category personal data) in accordance with data protection legislation, including the Data Protection Act 2018 and the General Data Protection Regulation.

Our work in relation to the NHS is done under section 61 Public Audit (Wales) Act 2004, section 145 Government of Wales Act 1998 and/or s15 of the Well-being of Future Generations (Wales) Act 2015.

What we will do with your information

We are asking for opinions and information about NHS services and how they are provided. Some of this information may be information about identifiable individuals, which would make it personal information, even though the purpose of our work is not in itself to collect information about identifiable individuals.

The Auditor General and the audit team from the Wales Audit Office will have access to the information you provide. We may share some information with the Health Board/NHS Trust in our discussions with its senior managers, and our report may include some information as outlined below.

The information that we share and publish will be anonymous and will be about the themes and trends that we identify.

We will not use information to investigate specific complaints arising from use of the service. If you have a complaint about a service, we will direct you to the health body's complaint procedure.

We will keep the information collected, including your personal data, for a period of 7 years following publication of our report.

We will keep your personal data for a period of 7 years following publication of our report, or 25 years if published within a report, and we will hold your data securely in accordance with our Information Security Policy.

Your rights

Under data protection law you have the right to request a copy of the current personal information held about you and a right to raise an objection to data processing that causes unwarranted and substantial damage and distress.

If you wish to discuss any objections or concerns, or obtain a copy of the current personal information held about you, please write to: The Information Officer, Wales Audit Office, 24 Cathedral Road, Cardiff, CF11 9LJ or email infoofficer@audit.wales

The Information Commissioners Office

If you require further information in relation to your rights under data protection law or are dissatisfied with how we are handling your personal data you may contact the Information Commissioner at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, or email casework@ico.gsi.gov.uk, or telephone 01625 545745.

Appendix 2 – HIW privacy notice – summary

Your privacy is important to the Healthcare Inspectorate Wales as part of the Welsh Government and in line with General Data Protection Regulations (GDPR) we have developed a Privacy Notice that covers why we collect and use your information.

[Read the full HIW privacy notice.](#)

Who we are

Healthcare Inspectorate (HIW) is part of the Welsh Government. Our role is to regulate and inspect NHS services and independent healthcare providers in Wales against a range of standards, policies, guidance and regulations and to highlight areas requiring improvement.

Why we collect and process your personal data

The information HIW collects, uses and processes is necessary to enable us to carry out tasks in the public interest and in the exercise of our official authority. The purpose of data collection and the types of personal information we hold is given below:

Investigation of concerns and safeguarding issues

In order to investigate a concern or safeguarding issue, we are required to collect the following personal data:

- Name;
- date of birth;
- address;
- telephone number;
- email address;
- language and communication preferences; and
- allegations of misconduct at work and protection and abuse allegations.

We also collect special category data such as:

- medical records and care and treatment plans.

Your information will be processed internally and only be passed to officers within the relevant departments who need to provide input into the handling of your complaint and our response. All information relating to complaints are administered and held on secure records management systems. We will share your information when there are potential risks to public, patient or staff safety, with regulatory bodies and relevant authorities/organisations.

Your information will be kept for 10 years after the date of the last document.

Special reviews and investigations, including homicide reviews

In order to investigate a homicide, death in prison and undertake special investigations, we are required to collect the following personal data:

- name;
- date of birth;
- address;
- telephone number;
- email address;
- police records;
- convictions; and
- allegations of misconduct at work.

We will share your information when there are potential risks to public, patient or staff safety, with regulatory bodies and relevant authorities/organisations.

Your information will be kept for 15 years after the date of the last document.

Inspection of services

In order to carry out inspections of healthcare services, we may collect the following personal data:

- patient name;
- patient date of birth;
- patient gender;
- patient identification number;
- NHS commissioner of services being provided;
- staff names;
- staff roles;
- staff appraisal records;
- staff supervision records;
- staff DBS checks;
- staff photographs;
- staff recruitment/pre-employment checks, references; and
- qualifications/professional body registration and employment history.

We may also collect special category data such as:

- patient information from medical records, care and treatment;
- plans including diagnosis, risk, forensic type, treatment type and medication;
- details of detention if applicable;
- ethnicity, including religious/cultural needs.

HIW uses patient information in order to:

- track the effectiveness of care that a patient has received over time, reference any issues of ineffective or unsafe care when reporting back to healthcare providers.

HIW uses staff information in order to:

- ensure that necessary pre-employment checks have been carried out; and
- evaluate whether staff have received relevant training and/or development, reference staff, if necessary, when reporting back to healthcare providers.

We will share personal information with regulatory bodies and relevant authorities/organisations when there are potential risks to public, patient or staff safety.

Who we share your information with

HIW has a number of information sharing agreements with other organisations that we work closely with. These agreements set out the rationale for information sharing to assist the organisations in meeting their common statutory objectives and to focus respective activities. They support the creation of work programmes which are complementary ensuring that there are clear processes in place for sharing information, risks and concerns. Where there are potential risks to public, patient or staff safety. HIW will share information with relevant authorities/organisations such as the police and local authority safeguarding boards. HIW will only share your personal data as set out above.

You can access the information sharing agreements by selecting the above link or accessing the documents on our website: <https://hiw.org.uk/our-memoranda-understanding-other-organisations>

Your rights under the General Data Protection Regulations (GDPR)

You have the right to:

- Have access to the personal data that HIW are processing about you.
- Require HIW to rectify inaccuracies in that data.
- The right (in some circumstances) to object to processing.
- The right for your information to be erased.
- Lodge a complaint with the Information Commissioner who is the independent regulator for data protection.

For further information about the data which HIW holds and its use, or if you wish to exercise your rights under GDPR, please contact the following:

Departmental Knowledge Information Manager
Healthcare Inspectorate Wales
Rhydycar Business Park
Merthyr Tyfil,
CF48 1UZ
Email: HIW@gov.wales

Data Protection Officer
Welsh Government
Cathays Park
Cardiff, CF10 3NQ
Email: data.protectionofficer@gov.wales

For independent advice regarding the GDPR, please contact the following:

Information Commissioner's Office
Wycliffe House
Water Lane
WILMSLOW
Cheshire SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113
Website: www.ico.gov.uk