



**GIG**  
CYMRU  
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WALES

Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board



<b>Meeting Date</b>	<b>7<sup>th</sup> October 2021</b>		<b>Agenda Item</b>	<b>4.3</b>
<b>Report Title</b>	<b>1. Three Yearly Assurance Report on Compliance with the Nurse Staffing Levels (Wales) Act, 2016: Report for Welsh Government</b> <b>2. Presentation of Nurse Staffing Levels for Paediatric Wards covered under Section 25B of the Nurse Staffing Levels (Wales) Act, 2016 ('the Act')</b>			
<b>Report Author</b>	Helen Griffiths – Head of Corporate Nursing and Jane Phillips - Interim Head of Nursing for Children & Young People			
<b>Report Sponsor</b>	Christine Williams, Interim Deputy Director of Nursing & Patient Experience Darren Griffiths, Executive Finance Director Samantha Lewis Deputy Director of Finance			
<b>Presented by</b>	Gareth Howells Interim Executive Director of Nursing & Patient Experience			
<b>Freedom of Information</b>	Open			
<b>Purpose of the Report</b>	1. The purpose of the three-year report is to provide the statutory requirement of 'the Act' to Board and Welsh Government. 2. The mandatory presentation provides the Board with the nurse staffing level calculations for the two inpatient paediatric wards under section 25B of the Nurse Staffing Levels (Wales) Act 2016.			
<b>Key Issues</b>	1. The caveat three-year assurance report was submitted to Welsh Government on 5 <sup>th</sup> May 2021, the final report will be submitted to Welsh Government on 8 <sup>th</sup> October 2021 following Board approval on 7 <sup>th</sup> October 2021. 2. The second duty of 'the Act' will extend to Paediatric inpatients on the 1 <sup>st</sup> October 2021. As agreed, this paper has been submitted to the Quality and Safety Committee on 28 <sup>th</sup> September 2021, for delegated approval prior to 'the Act' coming into force.			
<b>Specific Action Required</b> <i>(please choose one only)</i>	<b>Information</b>	<b>Discussion</b>	<b>Assurance</b>	<b>Approval</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Recommendations</b>	Members are asked to:			

	<ul style="list-style-type: none"> <li>• <b>NOTE</b> the attached detailed three-yearly assurance report which provides the overall compliance with the requirements of 'the Act', 2016, for the reporting period 6<sup>th</sup> April 2018 to 5<sup>th</sup> April 2021.</li> <li>• <b>NOTE</b> the extension of 'the Act' into paediatric inpatients areas from the 1<sup>st</sup> October 2021. Note the attached detailed report, which has been submitted to the delegated Quality and Safety Committee on 28<sup>th</sup> September 2021.</li> <li>• <b>NOTE</b> the Health Board has followed due process as set out in the Nurse Staffing Levels (Wales) Act 2016 Statutory Guidance for the extension of 'the Act' into paediatric inpatient wards. The nurse staffing levels were reviewed using the required triangulation methodology process (patient acuity, quality indicators, and professional judgement)</li> <li>• <b>NOTE</b> the extension of 'the Act' to Paediatrics, will require an uplift in staffing, with a full year cost of £0.63m. The part year financial implications of this uplift were included as part of the Health Board's 2021/22 financial plan.</li> <li>• <b>AGREE</b> that the attached papers will be shared at the next Workforce &amp; Organisational Development Committee and aim to share future workforce requirements at these Committees.</li> </ul>
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## **NURSE STAFFING LEVELS (WALES) ACT REPORTS**

### **1. INTRODUCTION**

The purpose of the attached three-year report is to provide the statutory requirement of the Nurse Staffing Levels (Wales) Act, 2016, ('the Act') to Board and Welsh Government.

The purpose of the attached mandatory presentation of Nurse Staffing Levels for Paediatric wards provides the Board with the assurance that the nurse staffing level calculations for the two inpatient paediatric wards under Section 25B of 'the Act' has been undertaken and will be in place from 1<sup>st</sup> October 2021. This paper has been presented to Quality and Safety Committee on 28<sup>th</sup> September 2021 for approval, as the agreed delegated authority.

### **2. BACKGROUND**

'The Act' became law in Wales in March 2016, and requires health services bodies to make provisions for an appropriate nurses staffing level wherever nursing services are provided or commissioned, ensuring that they are providing sufficient nurses to care for patients sensitively. The second duty of 'the Act' was extended to paediatric inpatients areas on 1<sup>st</sup> October 2021, this extension was confirmed on 23<sup>rd</sup> February 2021 by the Chief Nursing Officer.

The attached three-yearly assurance report follows on from a caveat report that was submitted to Welsh Government on 5<sup>th</sup> May 2021. The report was originally caveated due to the timeframe for closing serious incidents reports, which only included data relating to serious incidents closed by 28<sup>th</sup> February 2021. This final report includes all closed serious incidents prior to the 5<sup>th</sup> April 2021.

The attached presentation of Nurse Staffing Levels for Paediatric wards under section 25B outlines the significant work undertaken by the Health Board in preparation for the extension of 'the Act', which has supported a 'Once of Wales' Approach. Swansea Bay University Health Board has identified two paediatric inpatients wards which fall into Section 25B of 'the Act'. The triangulated review and re-calculation has identified that a nurse staffing uplift is required to meet the requirements of 'the Act', as outlined in the attached paper.

### **3. GOVERNANCE AND RISK ISSUES**

The Health Board is legally required to fulfil all aspects of 'the Act'. Both attached papers outline the steps taken to provide a clear governance process and subsequent steps taken to mitigate any potential risks.

#### 4. FINANCIAL IMPLICATIONS





The three-yearly assurance report demonstrates the financial implications that have been met since commencement of 'the Act'.

There is a financial implication which is clearly outlined within the Presentation of the Nurse Staffing Levels for Paediatric wards covered under Section 25B of 'the Act'. This amounts to £0.63m full year cost. The Health Board's financial plan for 2021/22 included the part year implications of the extension of 'the Act' to Paediatrics.

#### 5. RECOMMENDATION

Members are asked to:

- **NOTE** the attached detailed three-yearly assurance report which provides the overall compliance with the requirements of 'the Act', 2016, for the reporting period 6<sup>th</sup> April 2018 to 5<sup>th</sup> April 2021.
- **NOTE** the extension of 'the Act' into paediatric inpatients areas from the 1<sup>st</sup> October 2021. Note the attached detailed report, which has been submitted to the delegated Quality and Safety Committee on 28<sup>th</sup> September 2021.
- **NOTE** the Health Board has followed due process as set out in the Nurse Staffing Levels (Wales) Act 2016 Statutory Guidance for the extension of 'the Act' into paediatric inpatient wards. The nurse staffing levels were reviewed using the required triangulation methodology process (patient acuity, quality indicators, and professional judgement)
- **NOTE** the extension of 'the Act' to Paediatrics, will require an uplift in staffing, with a full year cost of £0.63m. The part year financial implications of this uplift were included as part of the Health Board's 2021/22 financial plan.
- **AGREE** that the attached papers will be shared at the next Workforce & Organisational Development Committee and aim to share future workforce requirements at these Committees.

Governance and Assurance		
<b>Link to Enabling Objectives</b> (please choose)	<b>Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities</b>	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	<b>Deliver better care through excellent health and care services achieving the outcomes that matter most to people</b>	
	Best Value Outcomes and High Quality Care	<input checked="" type="checkbox"/>
	Partnerships for Care	<input checked="" type="checkbox"/>
	Excellent Staff	<input checked="" type="checkbox"/>
	Digitally Enabled Care	<input checked="" type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input checked="" type="checkbox"/>
<b>Health and Care Standards</b>		
(please choose)	Staying Healthy	<input checked="" type="checkbox"/>
	Safe Care	<input checked="" type="checkbox"/>
	Effective Care	<input checked="" type="checkbox"/>
	Dignified Care	<input checked="" type="checkbox"/>
	Timely Care	<input checked="" type="checkbox"/>
	Individual Care	<input checked="" type="checkbox"/>
	Staff and Resources	<input checked="" type="checkbox"/>
<b>Quality, Safety and Patient Experience</b>		
The Nurse Staffing Levels (Wales) Act 2016, requires Health Boards and NHS Trusts to calculate and take all reasonable steps to maintain Nurse staffing levels and inform patients of the levels.		
<b>Financial Implications</b>		
The three-yearly assurance report demonstrates the financial implications that have been met since commencement of 'the Act'. There is a financial implication which is clearly outlined within the Presentation of the Nurse Staffing Levels for Paediatric wards covered under Section 25B of 'the Act'.		
<b>Legal Implications (including equality and diversity assessment)</b>		
The Health Board has a legal requirement to fulfil the requirements of 'the Act'.		
<b>Staffing Implications</b>		
Establishment budgets demonstrate full compliance with 'the Act'.		
<b>Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)</b>		
The Act ensures an appropriate number of nurses are available to provide care for our patients.		
<b>Report History</b>	1. Three-year report Nurse Staffing Act Steering Group Welsh Government as caveated report on 5 <sup>th</sup> May 2021 Executive Team as caveated report, April 2021 2. Paediatric Report Nurse Staffing Act Steering Group Quality and Safety Committee on 28 <sup>th</sup> September 2021	
<b>Appendices</b>	<div> <div> Appendix 1    Swansea Bay University Health Board </div> <div> Appendix 2    Presentation of nurse Staffing levels </div> <div> Appendix 3    Appendix 1 - NSA Paediatric Wards paper </div> <div> Appendix 4    Appendix (2) - NSA Paediatric Wards paper </div> </div>	