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Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



Meeting Date	10 December 2020	Agenda Item	3.2 (ii)	
Report Title	Annual Presentation of Nurse Staffing Levels for wards covered under section 25B of the Nurse Staffing Levels (Wales) Act 2016			
Report Author	Helen Griffiths, Corporate Head of Nursing			
Report Sponsor	Christine Williams, Interim Executive Director of Nursing and Patient Experience Cathy Dowling, Assistant Director of Nursing and Patient Experience Kathryn Jones, Interim Executive Director of Workforce & Organisational Development Samantha Lewis, Deputy Director of Finance			
Presented by	Christine Williams, Interim Executive Director of Nursing and Patient Experience			
Freedom of Information	Open			
Purpose of the Report	The Mandatory presentation provides the Board with the nurse staffing level calculations on all Acute Medical & Surgical inpatient wards, under section 25B. The report also provides a further overview of the actions taken to ensure appropriate staffing levels have been maintained during the COVID-19 pandemic.			
Key Issues	Nurse Staffing Levels (Wales) Act 2016 re-calculation of establishment reviews of section 25B wards. Provide assurance that there remains ongoing monitoring in place with the Nurse staffing levels during the COVID-19 pandemic			
Specific Action Required <i>(please choose one only)</i>	Information	Discussion	Assurance	Approval
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Recommendations	The Board is asked to; <ul style="list-style-type: none"> Agree changes in funded establishments to ensure the Board remains fully compliant with the Nurse Staffing Levels (Wales) Act. Note the actions undertaken to ensure appropriate staffing levels during the COVID-19 pandemic.			

NURSE STAFFING LEVELS (WALES) ACT 2016

1. INTRODUCTION

The Nurse Staffing Levels (Wales) Act 2016 referred to as the Act became law on 21st March 2016 with the final sections of the Act coming into effect in April 2018.

The Nurse Staffing Levels (Wales) Act requires health service bodies to make provision for appropriate nurse staffing levels. This report highlights the results of the most recent bi-annual nurse establishment reviews, conducted throughout all acute medical & surgical inpatient wards (25B) within Swansea Bay University Health Board.

The paper also provides ongoing assurances on the approach, mechanisms, ongoing monitoring and management of risks to Nurse Staffing during the COVID-19 pandemic emergency outbreak.

Regular updates have been provided to the Board and key Committees since July 2016 on steps being taken to enable the Health Board to meet its requirements, the Act was fully commenced in April 2018.

The annual report to Board due in May 2020 was delayed following agreement by the Executive Nurse Directors due to the COVID-19 pandemic emergency outbreak. As a result of COVID-19 the Chief Nursing Officer issued a letter on the 24th March 2020 to Health Boards. The letter offered the flexibility to decide when to undertake the bi-annual calculations of nurse staffing levels and whether to present their annual report to Board as planned in May 2020. In line with the agreement by the Executive Nurse Director an exception paper, COVID –19 Disruption to the Nurse Staffing Levels (Wales) Act 2016 was brought to board on 25th May 2020 this paper followed 'the 'Once for Wales approach' and provided a summary of the staffing required for the patients within that area.

The approach took into account the significant challenges associated with ensuring appropriate staffing levels during a period when capacity needs to be increased the workforce is under considerable pressure and resources limited. May's Board paper outlined a number of options, which included new ways of working, greater reliance on health care support workers and members of the multi-disciplinary team to support the nursing workforce and ensure that all areas are staffed appropriately.

The bi-annual calculation for the January 2020 audit scrutiny panel which was postponed in March 2020 and was later undertaken in July 2020. The outcome of this review was presented to the Board in September, there was no further uplift required. The Chief Nursing Officer & The Executive Nurse Directors agreed to undertake the bi-annual acuity audit in July 2020 this year instead of June due to COVID-19. The Chief Nursing Officer issued a further letter on the 15th October 2020 clarifying the position around section 25B wards and the impact of COVID-19, this letter has been taken into consideration as outlined below when confirming the section 25B wards.

2. BACKGROUND

IMPACT OF COVID-19 AND WINTER PRESSURES ON SECTION 25B WARDS

COVID-19 has had an impact on all wards/departments, a number of wards were closed to enable the creation of dedicated COVID-19 positive wards/critical care beds and high dependency respiratory beds and other medical and surgical wards were repurposed to enable the registered nurses and non-registrant nursing workforce to be temporarily deployed in line with the Health Board's Deployment policy.

Off ward, nurses have also been supporting the clinical areas, as well as Allied Health Professionals, Student Nurse & Medical Students in repurposed roles.

Adapted models of care have also been considered with the involvement of Multidisciplinary teams/Allied Health Professionals and a wider range of support workers.

Staff and services remain under significant and unprecedented pressure, as COVID-19 has become an established and significant pandemic across the UK, including NHS Wales'. Welsh Government is fully aware that any sense of "*business-as-usual*" is becoming increasingly untenable.

The situation continues to change at pace and the Health Board is experiencing significant and unprecedented challenges which are impacting upon the delivery of services throughout the organisation.

The Health Board also has a duty under section 25A of the Act to provide sufficient nurses to allow nurses time to care for patients sensitively. Significant work had also been undertaken in relation to other specialist areas. This includes Critical Care, Community Services, Health Visiting, Paediatrics, Neonatal, Mental Health & Learning Disabilities, Maternity Services and Field Hospitals.

The Health Board continues to monitor the changing situation and has a number of processes in place, this includes the re-establishment of the Silver Workforce Nurse Staffing Logistics Cell to monitor and manage risks in line with the Act. The logistics cell will focus on any key issues (hot spots) regarding Nurse Staffing levels across all Delivery Groups and support any immediate measures and solutions required. It is recognised that the Nurse Staffing Levels at times of escalation could mean significantly different levels than previously agreed. These levels would only be adopted after mitigating the risks and once all creative considerations have been explored and agreed by the 'Designated person' or nominated chair.

Risk assessments in relation to Nurse Staffing have been updated regularly over the past twelve months within the Delivery Groups to reflect the impact of COVID-19 on Nurse Staffing. The Health Boards risk register has now been updated from 20 to a score of 25 and outlines the control measures in place.

The Health Board is asked to formally receive and note the information contained within the Nurse Staffing levels (Wales) 2016 Act Annual presentation which has been produced using the All Wales reporting template as outlined below.

Annual Presentation of Nurse Staffing Levels to the Board	
Health board	Swansea Bay University Health Board
Date of annual presentation of Nurse Staffing Levels to Board	26 th November 2020
Period covered	31 st October 2019 to 1 st October 2020
Number and identity of section 25B wards during the reporting period. <ul style="list-style-type: none"> • Adult acute <u>medical</u> inpatient wards • Adult acute <u>surgical</u> inpatient wards <p>(Ref: paragraph 26-30)</p>	<p>The Chief Nursing Officer (CNO) has written a second letter dated the 15th October 20. Further clarifying the position around section 25B wards and the impact of COVID-19. Outlining the following;</p> <p><i>The most concise way to answer this is to refer back to the Statutory Guidance of the Act where the definitions of adult medical and surgical wards apply “according to the primary purpose of the ward”. If the primary purpose of a ward remains the treatment of patients for medical or surgical conditions, and the Welsh Levels of Care tool is still applicable to that setting, then in my view those wards would remain under the auspices of 25B of the Act. Conversely, if a ward was legitimately repurposed to treat those critically unwell Covid19 patients - as we expected in March to be a more common occurrence – my view would remain that those wards would be considered exclusions with an expectation you would follow national advice on staffing critical care areas.</i></p> <p>Taking into account the CNO letter dated 15th October 2020 as of the 1st October 2020 section 25 B applies to 28 wards across Swansea Bay University Health Board (SBUHB). This paper includes all 25B acute medical/surgical inpatient wards within the Health Board. These wards had been consistent since the Act was introduced, however during COVID-19 there have been many changes to the wards as outlined below;</p>

	2019	2020
Number of adult acute <u>medical</u> inpatient wards Under section 25B	15	16
Number of adult acute <u>surgical</u> inpatient wards Under section 25B	14	12

The situation this year has been extremely dynamic and constantly changing, in relation to wards being repurposed and also capacity and demand. The establishments relating to section 25B wards are outlined below, and attached in the All Wales appendix which provides a brief overview of the key changes in relation to section 25B wards since November 2019, including planned roster and required establishments for each ward and evidences the rationale, purpose and outcome of recalculations undertaken both within and outside the bi-annual calculation cycle.

Where changes have occurred due to a change in case mix/acuity/bed numbers, which has resulted in wards being included or excluded during the reporting period.

Singleton Delivery Group

Singleton now has eight section 25B wards (previously 7)

- Ward 1 & ward 2 previously had a combined establishment. Following the bi-annual calculation review and discussion as part of the scrutiny process it was agreed that ward 1 would be re-configured into a 9 bedded inpatient emergency surgical ward. (the band 7 ward sister/charge nurse will manage both areas). This will be monitored closely and reviewed as part of the next bi-annual calculation or earlier if necessary, acuity audits are being undertaken daily.
- Other wards within Singleton have been re-purposed and following scrutiny panel judged to meet the criteria for section 25B wards specified within the statutory guidance.

Singleton 25 B Adult acute medical inpatient wards

Swansea Bay UHB		Nov 2019		May 2020		Oct 2020	
Unit	Ward	RN	HCSW	RN	HCSW	RN	HCSW
Singleton	Ward 3	22.32	26.77	22.32	26.77	22.32	26.77
Singleton	Ward 4	19.71	26.77	19.71	26.77	19.71	26.77
Singleton	Ward 6	22.32	19.54	22.32	19.54	22.32	19.54
Singleton	Ward 8	22.32	16.94	22.32	16.94	22.32	16.94
Singleton	Ward 9	20.54	11.61	20.54	11.61	20.54	11.61
Singleton	Ward 12	34.64	24.87	34.64	24.87	34.64	24.87

There are no changes in establishments for acute medical wards as outlined above

Singleton 25B adult acute surgical inpatient wards

Swansea Bay UHB		Nov 2019		May 2020		Oct 2020	
Unit	Ward	RN	HCSW	RN	HCSW	RN	HCSW
Singleton	Ward 2	28.66	16.68	28.66	16.68	17.01	13.4
Singleton	Ward 1	-	-	-	-	11.61	5.58

Ward 1&2 have split their establishment

Morrison Delivery Group

Morrison currently has 19 Section 25 B wards (previously 21).

- Ward G has closed the staff have been deployed into vacancies within other surgical areas.
- Clydach ward closed, re-purposed and following discussion at scrutiny panel has been judged to no longer meet the criteria for section 25B ward under the statutory guidance.
- Ward W closed and has been re-purposed, following scrutiny panel has been judged to no longer meet the inclusion criteria for section 25B wards specified within the statutory guidance.

- AMAU has not previously met the inclusion criteria for section 25B wards specified within the statutory guidance following scrutiny panel has been judged to meet the criteria as the length of stay currently does not meet that of an assessment unit. This will be closely monitored over the next six months.
- Other wards within Morriston have been re-purposed and following scrutiny panel judged to meet the criteria for section 25B wards specified within the statutory guidance.

The changes in establishment are due to wards being re-purposed, case-mix changes, and shift changes within the rosters. These have been discussed at length in scrutiny panel and agreed. The situation will be closely monitored over the next six months and reviews will be undertaken as required.

Morriston 25 B Adult acute medical inpatient wards

Swansea Bay UHB		Nov 2019		May 2020		Oct 2020	
Unit	Ward	RN	HCSW	RN	HCSW	RN	HCSW
Morriston	Ward J (Previously Anglesey)	29.90	19.90	29.90	19.90	29.90	19.90
Morriston	Ward R	-	-	-	-	23.62	22.62
Morriston	Ward C	25.72	15.21	25.72	15.99	26.35	17.17
Morriston	Ward D	20.9	26.18	20.9	26.18	20.90	25.35
Morriston	Ward F	24.45	22.62	24.45	22.62	23.62	23.89
Morriston	Ward S	21.73	19.92	21.73	19.90	21.73	19.90
Morriston	Cardigan	21.73	18.95	21.73	18.95	22.42	19.07
Morriston	Dan Danino	15.77	11.59	16.23	11.59	17.01	11.45
Morriston	Gowers	21.73	21.67	21.73	21.67	20.90	22.62
Morriston	AMAU			22.83	15.41	25.99	19.07

Morriston 25 B Adult acute surgical inpatient wards

Swansea Bay UHB		Nov 2019		May 2020		Oct 2020	
Unit	Ward	RN	HCSW	RN	HCSW	RN	HCSW
Morriston	Pembroke	-	-	-	-	26.35	17.17
Morriston	Cyril Evans	23.25	14.77	23.25	14.77	24.67	14.67
Morriston	Ward A	23.5	19.9	23.5	19.9	23.62	19.90
Morriston	Ward B	22.67	18.95	22.67	18.95	23.62	19.34
Morriston	Ward H	23.5	17.17	23.5	17.17	26.35	19.90
Morriston	Ward T	28.00	19.9	28.00	19.9	29.07	19.90
Morriston	Ward V	28.00	20.73	28.00	20.73	28.00	20.73
Morriston	Powys	12.73	3.55	12.73	3.55	12.73	3.55
Morriston	Anglesey (Previously Pembroke)	27.18	9.00	27.18	9.00	27.18	9.00

Neath Port Talbot (NPT) Delivery Group

NPT has one ward under section 25B of the Act (previously 1)

- Ward A Surgery was closed in March 20 and remains closed.
- Ward B has been re-purposed as an elective surgical ward (different case-mix) and following discussions at scrutiny panel has been judged to meet the inclusion criteria under section 25B of the statutory guidance.

Swansea Bay UHB		Nov 2019		May 2020		OCT 2020	
Unit	Ward	RN	HCSW	RN	HCSW	RN	HCSW
NPT	Ward B New	-	-	-	-	11.90	10.90

	See Appendix 1&2 All Wales templates for further information.
<p>Using the triangulated approach to calculate the nurse staffing level on section 25B wards (Ref: paragraph 31-45)</p>	<div data-bbox="994 347 1532 644" data-label="Diagram"> </div> <p>The triangulated approach to calculate the nurse staffing levels for each ward has become embedded as a routine 6 monthly cycle that is undertaken for acute medical & surgical wards under section 25B of the Nurse Staffing Levels (Wales) Act.</p> <p>Supernumerary status: Ward sisters in accordance with statutory guidance and reflected within establishments have the Supernumerary (supervisory) status within their funded establishment. As discussed above ward 1 & 2 Singleton Hospital share the band 7 sister/ charge nurse who has supernumerary status. This has been agreed at scrutiny panel and supported professionally due to the size of ward 1(9 beds)</p> <p>Evidence of 26.9% 'uplift': All wards have the 26.9% uplift built into the funded establishment.</p>

Evidence of use of the triangulated approach-acuity tool (Welsh Levels of Care) quality indicators and professional judgement:

The triangulated methodology prescribed in the Act is used to calculate the Nurse Staffing Levels in each acute medical & surgical (25B) ward and is undertaken routinely on a 6 monthly cycle as outlined below;

- An acuity audit was undertaken from 1st July until 31st July 2020 (deferred from June).
- A review of the quality indicators were undertaken (falls, pressure ulcers, medication errors, complaints).
- Professional judgement evidenced as part of the scrutiny process and ward templates.
- Planned roster submissions completed using the All Wales templates.
- Whole Time Equivalent (WTE's) calculations undertaken including 26.9% headroom & one WTE Ward Manager/Sister/ Charge Nurse.
- The Scrutiny process provides assurance that the calculations are correct for deploying the right amount of staff. Ward Managers, Matrons, Senior Matrons, Heads of Nursing, Unit Nurse Directors, & Service Delivery Group Finance representatives reviewed each ward template as part of the scrutiny process. Rosters were also reviewed for efficiencies.
- The Interim Executive Director of Nursing & Patient Experience held a series of panels and invited the interim Executive Director of Workforce & Organisational Development, the Deputy Director of Finance, Unit Nurse Directors, Heads of Nursing and Service Delivery Group Finance representatives. In line with the requirements of the Act, the Designated Person (Interim Director of Nursing & Patient Experience) has scrutinised and signed off the establishment review calculations.

Transforming Programme & Plan

The Nurse Staffing Act places a duty on Health Boards to calculate, maintain and report the agreed staffing level. High Value Opportunity work streams were developed during 2019/20. Several work streams were interlinked which had a direct impact on the ability to accurately calculate and report on our staffing levels, as well as supporting the design and development of new nursing services. Below are a few examples of achievements;

- Development of the Enhanced Observation and Support Framework
- Refreshing of the Nurse Rostering Policy
- Development of Band 3 & Band 4 nursing roles.



Work was ongoing on all three work streams and good progress was being made until February 2020 when the project was placed on hold due to the lack of capacity as staff were reallocated to assist with the COVID-19 response. In September 2020 the Nursing Transformation Project management team began working on all streams and restarting some of the work. Three work streams have been repurposed and each led by a Unit Nurse Director with the oversight of the Interim Director of Nursing & Deputy Director of Nursing & patient Experience these include the following;

- Grip & Control Efficiency
- Modernising Nursing
- Valuing Nursing

The programmes aim is to transform, modernise the nursing workforce, making use of tools and resources available, to produce value and efficiencies, utilising agile working models, and implement a professional leadership framework, and a successful drive for recruitment and retention.

Finance and workforce implications	Key Changes in Whole Time Equivalent and Financial implications There have been numerous changes to the wards function, Nurse Staffing Act status and capacity during this bi-annual calculation and scrutiny process, which has resulted in changes to establishments, as outlined above and also in the attached All Wales template. The changes overall are cost neutral and therefore no financial implication.
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Conclusion & Recommendations
<p>2020 has been a significant year with the impact of COVID-19 there has been many changes to the section 25B ward functions. Wards have been re-purposed, closed, new wards re-opened with a different case mix. Covid-19 specific wards set up. At times reductions in beds, alternative models of care have also been used.</p> <p>Staff and services have been under significant and unprecedented pressure, as COVID-19 has become an established pandemic. The situation is ongoing and there will be continues change for many more months.</p> <p>The Health Board has responded at pace taking swift action to deal with the unpredictable and constantly evolving situation, whilst maintaining a consistent approach to risk assess and monitor the situation.</p> <p>The Board Is asked to</p> <ul style="list-style-type: none"> • Agree & note the changes to the funded establishments with no financial implication, to ensure the Health Board remains fully compliant with the Nurse Staffing Levels (Wales) Act. • Receive the report as assurance that the statutory requirements relating to Section 25B wards have been completed. • Note the ongoing reasonable steps taken to monitor & as far as possible maintain the Nurse Staffing levels (Wales) 2016 during the COVID-19 pandemic and the unprecedented pressures. • Note the Health Boards Risk Register increase to 25.

Governance and Assurance		
Link to Enabling Objectives <i>(please choose)</i>	Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input checked="" type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	Deliver better care through excellent health and care services achieving the outcomes that matter most to people	
	Best Value Outcomes and High Quality Care	<input checked="" type="checkbox"/>
	Partnerships for Care	<input type="checkbox"/>
	Excellent Staff	<input checked="" type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input type="checkbox"/>
Health and Care Standards		
<i>(please choose)</i>	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"/>
Quality, Safety and Patient Experience		
The Nurse Staffing levels (Wales) Act requires Health Boards and NHS Trusts to calculate and take all reasonable steps to maintain nurse staffing levels and inform patients of the level. The required amount of nursing staff needed within our adult acute medical and surgical wards by the use of the triangulated method, Quality outcomes, patient acuity and professional judgement.		
Financial Implications		
There is no financial impact for this cycle as the changes to establishments are overall cost neutral.		
Legal Implications (including equality and diversity assessment)		
Legal requirement to fulfil the requirements of the Act.		
Staffing Implications		
Establishment budgets represent full compliance with the Act.		
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)		
<ul style="list-style-type: none"> The Health Board risk register and the COVID-19 risk register sets out a framework for how SBUHB will make an assessment of existing and future risks, and how it will plan to manage and prepare for those risks. 		
Report History	Nurse Staffing Act Steering Group, November 2020	
Appendices	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  Appendix to November report. S </div> <div style="text-align: center;">  Appendix to November report. St </div> </div>	

