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WALES

Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



Meeting Date	12 th October 2021	Agenda Item	4.1
Report Title	1. Three Yearly Assurance Report on Compliance with the Nurse Staffing Levels (Wales) Act, 2016: Report for Welsh Government 2. Presentation of Nurse Staffing Levels for Paediatric Wards covered under Section 25B of the Nurse Staffing Levels (Wales) Act, 2016 ('the Act')		
Report Author	1. Helen Griffiths – Head of Corporate Nursing 2. Jane Phillips - Interim Head of Nursing for Children & Young People		
Report Sponsor	Christine Williams, Interim Deputy Director of Nursing & Patient Experience Darren Griffiths, Executive Finance Director Samantha Lewis Deputy Director of Finance		
Presented by	Gareth Howells Interim Executive Director of Nursing & Patient Experience		
Freedom of Information	Open		
Purpose of the Report	The report will update the Workforce & OD Committee on the following two reports for information; 1. Three Yearly Assurance Report on Compliance with the Nurse Staffing Levels (Wales) Act, 2016: Report for Welsh Government 2. Presentation of Nurse Staffing Levels for Paediatric Wards covered under Section 25B of the Nurse Staffing Levels (Wales) Act, 2016 ('the Act').		
Key Issues	1. The caveat three-year assurance report was submitted to Welsh Government on 5 th May 2021, the final report will be submitted to Welsh Government on 8 th October 2021 following Board approval on 7 th October 2021. 3. The second duty of 'the Act' extended to Paediatric inpatients on the 1 st October 2021. As agreed, this paper has been submitted to the Quality and Safety Committee on 28 th September 2021, for delegated approval prior to 'the Act' coming into force. The paper has also been submitted to Board on the 7 th October 2021. 4.		
	Information	Discussion	Assurance
			Approval

Specific Action Required <i>(please choose one only)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recommendations	<p>Members are asked to:</p> <ul style="list-style-type: none"> • Note the attached detailed three-yearly assurance report which provides the overall compliance with the requirements of ‘the Act’, 2016, for the reporting period 6th April 2018 to 5th April 2021. • Note the extension of ‘the Act’ into paediatric inpatients areas from the 1st October 2021. Note the attached detailed report, which has been submitted to the delegated Quality and Safety Committee on 28th September 2021 and also Board on the 7th October 2021. • 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) A scrutiny panel review has taken place on the 13th & 27th August with all key parties including the Group Nurse Director, Interim Director of Nursing & Patient Experience (Designated person) and Director of Finance. • 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. 			

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 has provided 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 1st October 2021. This paper has been presented to Quality and Safety Committee on 28th September 2021 for approval, as the agreed delegated authority. The Paper has also been submitted to Board on the 7th October 2021.

2. BACKGROUND

'The Act' became law in Wales in March 2016, and requires health services bodies to make provisions for appropriate nurse staffing levels 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 1st October 2021, this extension was confirmed on 23rd 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 5th 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 28th February 2021. This final report includes all closed serious incidents prior to the 5th 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

The Workforce & OD Committee are asked to note the following;

- The three-yearly Assurance Report for Welsh Government provides assurance on the actions taken to demonstrate the Health Boards compliance with the requirements of 'the Act'
- 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) scrutiny panel reviews have taken place on the 13th & 27th August with all key parties involved including the Group Nurse Director, Interim Director of Nursing & Patient Experience (Designated person) and Director of Finance.
- The Presentation for the extension of 'the Act' into Paediatrics inpatient wards was presented to the Quality & Safety Committee on the 28th September as delegated authority prior to 'the Act' coming into force on the 1st October 2021. This has also been presented to Board on the 7th October 2021.
- The extension of 'the Act' to Paediatrics, has required 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.

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 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 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"/>
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 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.		
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'.		
Legal Implications (including equality and diversity assessment)		
The Health Board has a legal requirement to fulfil the requirements of 'the Act'.		
Staffing Implications		
Establishment budgets demonstrate full compliance with 'the Act'.		
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)		
The Act ensures an appropriate number of nurses are available to provide care for our patients.		
Report History	<ol style="list-style-type: none"> Three-year report Nurse Staffing Act Steering Group Welsh Government as caveated report on 5th May 2021 Executive Team as caveated report, April 2021 Health Board 7th October 2021 Paediatric Report Nurse Staffing Act Steering Group Quality and Safety Committee on 28th September 2021 Health Board 7th October 2021 	
Appendices	Appendix 1 to 4	