

Archwilydd Cyffredinol Cymru
Auditor General for Wales

Operational Protocol between Healthcare Inspectorate Wales and the Auditor General for Wales

Developing co-ordinated work
programmes and sharing intelligence
to support improvement in the NHS

Contents

Foreword	3
Summary of the roles of Healthcare Inspectorate Wales, the Auditor General for Wales and the Wales Audit Office	4
Purpose of the Operational Protocol	5
Specific objectives	5
Management framework	9
Review of the protocol	9
Appendices	
Appendix 1 – Responsibilities of audit and inspection, review and regulation	10

Foreword

Healthcare Inspectorate Wales and the Auditor General for Wales have a good history of close and collaborative working. As signatories to the *Concordat for Health and Social Care and the Working Collaboratively to Support Improvement: A Strategic Agreement*, our organisations have demonstrated a commitment to adopting practices that support effective joint and collaborative working and the sharing of information and knowledge.

This Operational Protocol sets out our shared objectives in a number of key areas, and the actions that we will take to help achieve them. It was first launched in October 2012 and has provided a clear framework for the range of joint and collaborative work that staff from both our organisations routinely undertake.

We have recently reviewed the Protocol to ensure that it still has relevance and that it takes account of new developments, most notably the Escalation and Intervention arrangements that have been introduced for the NHS in Wales.

We believe that with the updates which have been included, the Operational Protocol continues to provide a helpful framework for ensuring our organisations' activities complement each other and help us achieve our collective aim of supporting improvement in the NHS in Wales.

Kate Chamberlain, Chief Executive, Healthcare Inspectorate Wales

Huw Vaughan Thomas, Auditor General for Wales

Summary of the roles of Healthcare Inspectorate Wales, the Auditor General for Wales and the Wales Audit Office

- 1 The Auditor General is the external auditor of the NHS in Wales, the Welsh Government and its sponsored and related public bodies, the National Assembly for Wales Commission and local government bodies, including unitary authorities, police, fire and rescue authorities, national parks and community councils.
- 2 The Wales Audit Office supports the work of the Auditor General by providing staff and other resources to deliver his annual programme of audit work that covers some £20 billion of taxpayers' money. This work involves the annual financial audit of the accounts of public bodies and performance audit work that examines the economy, efficiency and effectiveness with which public bodies use resources. In the NHS, the latter will include annual checks on the robustness of NHS bodies' corporate governance arrangements and thematic value-for-money reviews of specific areas of service delivery.
- 3 Healthcare Inspectorate Wales is the independent inspectorate and regulator of all health care in Wales. Healthcare Inspectorate Wales exercises certain functions which include the ability to consider:
 - a the availability of, and access to, health care;
 - b the quality and effectiveness of health care;
 - c the financial or other management of health care and the economy and efficiency of its provision;
 - d the availability and quality of information provided to the public; and
 - e the need to safeguard and promote the rights and welfare of children.
- 4 Healthcare Inspectorate Wales' core role is to review and inspect NHS and independent health care organisations in Wales to provide independent assurance for patients, the public, the Welsh Government and health care providers that services are safe and good quality. Healthcare Inspectorate Wales also has specific responsibility to ensure that the interests of people whose rights are restricted under the Mental Health Act are properly protected. Healthcare Inspectorate Wales also fulfils the role of the Local Supervising Authority for the statutory supervision of midwives in Wales. Healthcare Inspectorate Wales carries out functions on behalf of the Welsh Ministers¹.
- 5 Whilst there are clear distinctions between the NHS work of the Auditor General and that of Healthcare Inspectorate Wales, there are some areas where both organisations have a role (Appendix 1). Hence, it is highly desirable that the two organisations work together to develop co-ordinated programmes of work that are proportionate and which deliver consistent messages to NHS bodies. However, the Auditor General's independence is protected by statute, and nothing in this protocol should be construed in such a way as to fetter the Auditor General's discretion in the exercise of functions.

¹ In this context, functions under Chapter 4 of Part 2 of the Health and Social Care (Community Health and Standards) Act 2003

Purpose of the Operational Protocol

- 6 This Operational Protocol sets out how the Auditor General (which should be read as including Wales Audit Office staff and contractors working for the Auditor General) and Healthcare Inspectorate Wales will work together to give effect to the principles set out in *Working Collaboratively to Support Improvement: Strategic Agreement between Care and Social Services Inspectorate, Estyn, Healthcare Inspectorate Wales and the Wales Audit Office*².
- 7 This protocol specifically describes the operational working arrangements that support effective liaison, collaborative working and information sharing between the Auditor General and Healthcare Inspectorate Wales. It is designed to help the organisations create work programmes which are complementary and which avoid duplication of work, and to ensure that there are clear processes for sharing information and for the cross-referral of risks and concerns.
- 8 The Protocol also supports the joint working between the Auditor General and Healthcare Inspectorate Wales that is necessary in respect of the Escalation and Intervention Arrangements within NHS Wales³.

Specific objectives

- 9 The following sections consider specific areas where the Auditor General and Healthcare Inspectorate Wales intend to work together operationally. For each section, key objectives are set out, and specific actions are identified to help achieve those objectives.
 - a Programmes of work
Our objectives are to:
 - inform our respective work programmes with a collective view of the main risks and key issues facing the NHS in Wales;
 - maximise opportunities to work together effectively and to ensure there is no unnecessary duplication in the content of work programmes across the two organisations;
 - schedule our respective programmes of work to avoid unhelpful clashes in activity and build upon the outputs of each other's work;
 - where appropriate, design approaches to our work which are complementary and which enable us to place reliance on each other's findings;
 - identify opportunities for joint and/or collaborative work at an early stage and build them into our respective programmes of work;
 - have a good awareness and understanding of each other's programme of work; and

² The four main inspection, audit and regulation bodies signed a Strategic Agreement in March 2011, as part of a framework of joint working activities aimed at supporting better co-ordination of external review activity and further development of knowledge and information sharing arrangements. This included the then "Wales Audit Office", which was the Auditor General and his staff.

³ The Auditor General, Healthcare Inspectorate Wales and the Welsh Government have set out arrangements describing how they will work together to share information and respond when issues of concern become apparent at NHS bodies in Wales. <http://wales.gov.uk/topics/health/publications/health/guidance/escalation/?lang=en>

- deliver comprehensive, co-ordinated and cost-effective public assurance on NHS services in Wales to Welsh citizens.

To achieve the above objectives, the Auditor General and Healthcare Inspectorate Wales will:

- **make use of discussions at Healthcare Summit⁴ and Escalation/Intervention meetings to inform and shape the content of their work at individual NHS bodies and the all-Wales level;**
- **share the content of its prospective work programme with the other organisation for discussion/comment in advance of it becoming final and confirmed, and will communicate and discuss any subsequent in-year changes;**
- **hold regular bilateral management meetings to identify where joint/collaborative working is appropriate;**
- **establish a network of regular liaison between Relationship Managers and Performance Audit Leads to support good awareness and information sharing in respect of locally focused programmes of work;**
- **routinely share documents providing more information on the scope and focus of their individual reviews;**
- **review and where necessary revise their work plans in light of work being planned/carried out by the other body; and**
- **agree a process for sharing intelligence and reporting findings in areas where there are some overlapping responsibilities eg, assessing the strength of governance arrangements in NHS bodies.**

b Working jointly/collaboratively on specific reviews

Our objectives are to:

- use the expertise, knowledge and intelligence held in one organisation to inform the scope and delivery of individual pieces of work in the other organisation;
- give NHS bodies consistent feedback in areas where there are joint responsibilities; and
- clearly set out the arrangements relating to oversight and delivery where a joint piece of work has been agreed, and ensure they are understood.

To achieve the above objectives, the Auditor General and Healthcare Inspectorate Wales will:

- **invite each other to sit on steering groups/external reference panels that shape and guide our individual reviews;**
- **share relevant findings from previous work to inform the scope of any joint/collaborative work;**

⁴ HIW facilitates a programme of annual Healthcare Summits involving health and social care review bodies and improvement agencies working across Wales. These events provide an opportunity to share intelligence and perspectives on how NHS bodies are performing, and on the key challenges and risks they are facing.

- **agree, in relation to joint work, which organisation will take the ‘lead’ role, and where a lead role is not deemed appropriate, clearly set out arrangements for:**
 - **overall oversight and management of the joint review (eg, through a steering group or similar);**
 - **roles and responsibilities associated with delivery of the review;**
 - **quality assurance and sign-off of outputs;**
 - **design and badging of any joint outputs;**
 - **publication and press release (if appropriate); and**
 - **laying reports before the National Assembly.**

c **Sharing findings**

Our objectives are to:

- ensure each organisation has a strong awareness and clear understanding of the outputs of each other’s work and its influence and impact on respective work programmes;
- share information on a timely basis, and in a manner that respects the need for confidentiality where appropriate;
- use the outputs of our respective work to inform each other’s assessment of specific NHS services or individual NHS organisations; and
- draw on each other’s findings to ensure we collectively inform Welsh citizens about their health services.

To achieve the above objectives, the Auditor General and Healthcare Inspectorate Wales will:

- **establish information-sharing arrangements/protocols in respect of specific or on-going programmes of work;**
- **where there is a shared interest, discuss emerging findings from our ongoing work at regular bilateral meetings;**
- **share early outline and final drafts where individual reports take account of, or specifically refer to, each other’s work or where report findings will inform current or ongoing activity;**
- **make available final reports prior to publication under agreed ‘embargo’ arrangements;**
- **give staff from both organisations access to information or evidence gathered in response to an area of specific interest or routinely obtained from NHS organisations on a regular basis eg, Standards for Health Services’ self-assessment returns; and**
- **make specific references to each other’s work and published reports within each organisation’s regular communications eg, newsletters and on our respective websites.**

d Sharing/cross-referral of specific concerns and risks

Our objectives are to:

- inform our collective view of the main risks and concerns facing NHS Wales, individual health care services or individual NHS organisations by appropriate and timely sharing of specific concerns and risks;
- respond responsibly and proportionately to specific concerns and risks through co-ordinated action, where this is appropriate;
- make the best use of 'soft' intelligence and 'hard' evidence to inform our overall assessment of health services planned and delivered by NHS Wales; and
- enhance our ability to provide strong, effective public assurance and drive improvement through timely sharing and referral of concerns and risks.

To achieve the above objectives, the Auditor General and Healthcare Inspectorate Wales will:

- **where we have a common interest, share specific risks or areas of concern arising from our review work at the earliest opportunity;**
- **refer concerns or risks made known to us, but where we have no remit/authority to act, to the other organisation so that they may consider what action, if any, they need to take; and**
- **participate fully in the round table discussions as part of the NHS Wales Escalation and Intervention arrangements to jointly consider concerns or risks identified in liaison with the Welsh Government and to establish and agree appropriate action in response to concerns identified.**

Management framework

- 10 The framework for collaborating and sharing information and intelligence between the Auditor General and Healthcare Inspectorate Wales will be embedded in the processes of both organisations:

At a strategic level:

- a the Auditor General for Wales and Healthcare Inspectorate Wales' Chief Executive will meet on a regular basis to discuss areas of common interest;
- b representatives from each organisation's senior leadership team will meet at regular intervals to share plans, discuss progress with existing work programmes and share learning in relation to the professional practice of inspection, audit and regulation; and
- c each organisation will nominate a single contact point from the senior leadership team to co-ordinate action and information sharing between meetings.

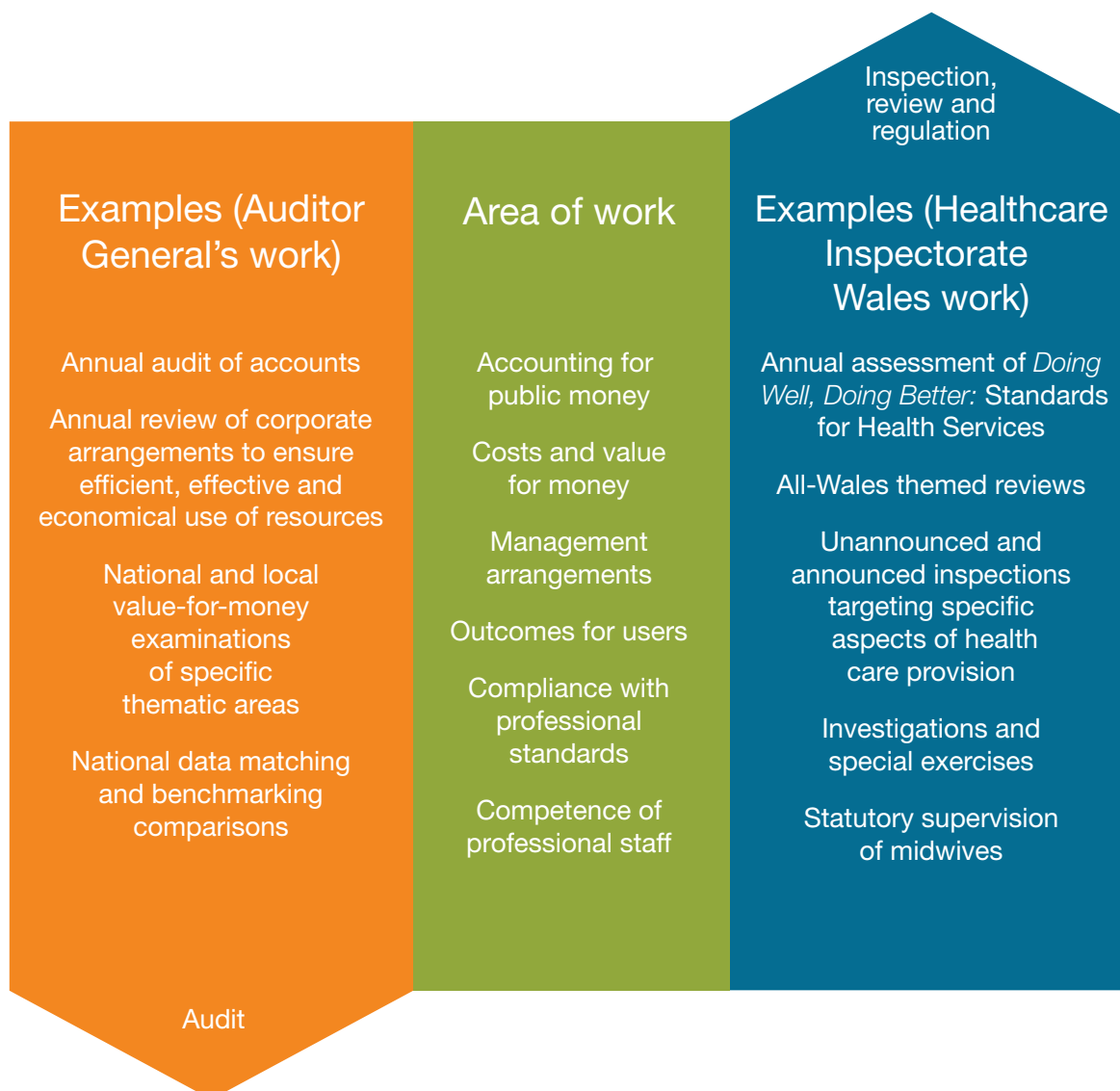
At an operational level:

- a Healthcare Inspectorate Wales' nominated 'relationship managers' and the Wales Audit Office's performance audit leads will meet at least quarterly to discuss the content and timing of work plans and outputs from their respective work within nominated health board/trust areas; and
- b nominated project leads for specific review programmes or all-Wales reviews will meet regularly as appropriate to discuss review plans, approaches and outputs.

Review of the protocol

- 11 The Auditor General and Healthcare Inspectorate Wales will review the Operational Protocol annually to ensure that it provides an effective mechanism for supporting good liaison, communication and information sharing between the two organisations. Review of the protocol will be informed by periodically capturing information to quantify the extent of joint working and information sharing, and the benefits derived. This will include the capture of feedback from staff in both organisations, and representatives of NHS bodies to assess their perceptions of whether the Auditor General's and Healthcare Inspectorate Wales' work is sufficiently co-ordinated.

Appendix 1: Responsibilities of audit and inspection, review and regulation



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