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Eich cyf/Your ref:

Ein cyf/Our ref: INQ/103/3461/ALF/ej

Dyddiad/Date: 01 October 2018

### Mr Steven John Welch (deceased)

This letter is in response to the two Regulation 28 Reports to Prevent Future Deaths that you issued to me on 7 August 2018 following the conclusion of the inquest into the death of the late Mr Steven John Welch at which one of my staff, [REDACTED] represented both the Welsh Ambulance Services Trust and Cwm Taf University Health Board. Following the inquest, [REDACTED] wrote by email to [REDACTED] to provide him with contact details for the three health bodies involved in the care of his son, to enable him to ask further questions directly if he wished.

My role is as Director of the NHS Wales Shared Services Partnership Legal and Risk Services and the Welsh Risk Pool Service. Solicitors employed by Legal and Risk Services provide advice and support to all health bodies in Wales across a range of legal issues including clinical negligence and those relating to inquests. When requested by a health body, we assist in the investigation of the circumstances of a death; provide support in respect of the taking of witness statements and advise of the likely issues which will be the focus of a Coroner's attention. During the course of the conduct of clinical negligence claims, including those where there has been or will be an inquest, it is common for us to recommend obtaining an independent expert opinion to identify those issues which may represent a standard of care which falls below that which is acceptable: on occasion, that expert identifies a real cause for concern which may affect patient safety. In those circumstances the content of the report is drawn to those senior clinical directors in the health body who are in a position to review the current provision of care and policies and who will be able to make urgent changes where necessary. We are not responsible for ensuring those changes are made and nor do we seek to influence clinical decisions. That is not to say that I do not recognise the importance of

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the work that we do to support the clinical teams to reduce harm to patients by our careful review of the internal and the independent reports obtained into care complained of.

The Welsh Risk Pool Service has two primary functions: the first is to reimburse health bodies which have paid compensation and costs in respect of a clinical negligence or other personal injury claim made against it. In order for the advisory board of WRPS to approve reimbursement, a careful scrutiny of papers submitted to provide evidence of the lessons learned from the events leading to the claim is undertaken, notwithstanding that these events may have been some years before. Insufficient or unsubstantiated submissions are rejected and reimbursement deferred or even, in extreme cases refused, until clear, auditable action plans are produced. The second function is to provide support and assistance to health bodies in the provision of training to improve risk management and clinical standards. Staff spend lengthy periods undertaking reviews into issues which present as a trend in the claims reimbursement process, for example, review into the incidence and early identification of pressure sores. The Head of Safety and Learning of WRP is invited by health bodies to offer advice and assistance to clinical departments to improve patient outcomes; however we have no mandate to introduce any reforms or improvements ourselves. The issue of the transfer of radiology between health bodies both within Wales and across the border will be scheduled into the current work programme.

I believe that the legal and support services we provide to health bodies in Wales is proactive in helping them recognise and respond to clinical risks which we identify in claims and our investigations at their request but we do not have a place on their boards and have no influence or control to bring about service change which must be a matter for the boards themselves.

I should be happy to meet with you to discuss my role and that of my team should that be of assistance.

Yours sincerely



■  
Solicitor  
**Legal & Risk Services**