

Board Meeting: 15 February 2019

We are working towards all our publications being available in an accessible format. In the meantime if you require this paper in a more accessible format, please contact us using this email address nhs.healthscotland-ceo@nhs.net

SIGNIFICANT ADVERSE EVENTS ANNUAL REPORT 2017/2018

Recommendation/action required:

The Board is asked to note the report and the proposals outlined in respect of duty of candour paragraphs 5-8 and reporting proposals in paragraphs 10-12 and agree the recommendation in paragraph 13.

Author:

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Duncan Robertson

**Senior Policy, Risk and Data
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Cath Denholm

Director of Strategy

30 January 2019

SIGNIFICANT ADVERSE EVENTS ANNUAL REPORT 2017/2018

Purpose

1. This paper reported to the 29 November 2018 Health Governance Committee and is now brought to the Board for noting and then publishing as part of the February 2019 Board paper set. It reports significant adverse events from November 2017 – November 2018.

Background

2. NHS Health Scotland monitors its activities for those which have, or could have had, a significant adverse impact. As a non-patient facing NHS Health Board, NHS Health Scotland have previously agreed, through the Health Governance Committee (HGC) in 2016, the interpretation of a significant adverse event as follows:
 - Death, or extremely serious injury either to a member of staff, a partner or a customer in service/at work.
 - Prosecution of the organisation/staff for compliance failures or fraud.
 - Sustained negative political and media coverage of the organisation.
3. We report these and the action we took on them to the Health Governance Committee on an annual basis.
4. Significant adverse events do not include health and safety incidents, information governance incidents or business continuity events. These are reported to the Audit Committee, which leads on health and safety and business continuity.

The rationale and work for 2018/19

5. NHS Health Scotland follows the National Framework for managing and learning from adverse events produced by NHS Healthcare Improvement Scotland (HIS).
6. The National Framework was updated following the implementation of the Duty of Candour Legislation in Scotland on 1 April 2018.
7. NHS Health Scotland discussed with the Scottish Government whether the Duty of Candour would apply to the organisation, and has received confirmation (from the Policy Manager in the Directorate of Healthcare Quality and Improvement at the Scottish Government) that the Duty of Candour does not apply to NHS Health Scotland in regard to patient facing issues. We do recognise our responsibilities towards staff and the links with the importance of an open and transparent culture and continue to govern this aspect through our Staff Governance Committee.
8. Therefore, it is advised that the amendments in the National Framework related to the Duty of Candour do not apply to the organisation, and the process for managing and learning from significant adverse events agreed by the HGC in 2016 continues to apply.

Report

9. In the last twelve months, we had no incidents which we treated as a significant adverse event.
10. In previous years the annual Significant Adverse Events Report has been presented to the Health Governance Committee.
11. Following a recent Scottish Parliament Governance Report (Health and Sport Committee), it was highlighted that Boards were not routinely publishing information covering managing and learning from adverse events, and such information should be made available in the public domain. This is in keeping with the previously mentioned HIS framework.
12. For completeness and to meet this requirement, this report is now presented to the Board for noting. In November 2019.
13. It is recommended that the 2018/19 Annual Significant Adverse Events Report will be included in the November 2019 Board schedule of business for comment and approval, particularly if at that time the HGC has completed its functions.

Finance and Resource Implications

14. There are no direct financial costs related to the activity in this report.

Staff Partnership

15. There are no staff partnership issues related to the activity in this report.

Communication and engagement

16. There are no communications and engagement issues related to this report.

Corporate Risk

17. There are no risks recorded on the Corporate Risk Register or the Master Risk Register related to the activity in this report.

Issues Associated with Transition

18. Points 12 and 13 above refers to the potential changes to NHS Health Scotland governance. As the work relating to recording, reporting and learning from serious adverse events becomes the business of Public Health Scotland (PHS), changes will come into effect particularly in relation to duty of candour as PHS will be concerned with clinical governance and direct patient and public experience.

Promoting Fairness

19. There are no promoting fairness issues related to the activity in this report.

Sustainability and Environmental Management

20. There are no sustainability and environmental management issues related to the activity in this report.

Action/ Recommendations

21. The Board is asked to note the report and the proposals outlined in respect of duty of candour paragraphs 5-8 and reporting proposals in paragraphs 10-13 which were approved by the Health Governance Committee on the 29 November 2018.

Duncan Robertson
Senior Policy, Risk and Data Protection Officer

30 January 2019