

Dr Andrew Goodall CBE
Director General – Health and
Social Services Group/Chief Executive
NHS Wales.
Welsh Government

24 Cathedral Road / 24 Heol y Gadeirlan
Cardiff / Caerdydd
CF11 9LJ
Tel / Ffôn: 029 2032 0500
Fax / Ffacs: 029 2032 0600
Textphone / Ffôn testun: 029 2032 0660
info@audit.wales / post@archwilio.cymru
www.audit.wales / www.archwilio.cymru

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Dear Andrew

Betsi Cadwaladr UHB tripartite discussions

I trust you are well and that yourself and your colleagues in the Department are bearing up in the unprecedented circumstances we continue to find ourselves in.

I am writing following the Minister's oral statement on Betsi Cadwaladr University Health Board at the 24th November plenary session in the Senedd. Unfortunately, we only had sight of the statement just before the Minister delivered it so there was no opportunity to offer any views on its content. Had such an opportunity been offered we would have asked for the statement to more clearly reflect that any advice to the Minister on the escalation status is provided by Welsh Government officials, informed by discussions at the tripartite round table. This is a subtle but very important difference to the Minister being directly advised by the tripartite group. You'll probably recall that there have been several previous occasions where we have had to ask that this point is clarified in internal or external communications flowing from the tripartite process.

Those previous requests were rooted in the fact that neither myself as Auditor General, nor Audit Wales staff acting on my behalf can directly advise Ministers. To do so would compromise the independence that goes with the office and functions of the Auditor General and the Wales Audit Office. I am aware that in responding to questions on his statement during the plenary session, the Minister made several references to the independent advice he had received from the tripartite group, and I have to say that did make me feel rather uncomfortable for the reasons I have just set out.

Making it clear that it is Welsh Government officials who provide advice on escalation status of NHS bodies is a helpful and necessary way of dealing with situations where

there is not a universally shared view around the tripartite table. I understand that whilst the recent tripartite discussions on the escalation status of Betsi Cadwaladr UHB did reflect a shared view on the adverse impact that the special measures label is now having on the Health Board, some differing views were expressed on whether the Health Board should stay in special measures organisationally, or for specific services such as mental health. From an Audit Wales perspective, you will know that we have enduring concerns about the Health Board's ability to develop and agree an approvable and financially balanced medium-term plan and underpinning clinical strategy. The interim nature of many senior leadership posts is also of concern to us. The amended notes of the tripartite discussion on 13th November helpfully make that clear. Those notes were also clear that it was the Welsh Government officials who would be recommending a de-escalation. Unfortunately, that clarity did not translate through into the Ministerial statement, or indeed the plenary discussion that followed it.

Myself and the senior Audit Wales staff who participate in the tripartite discussions see the process as hugely valuable in developing a shared understanding of the challenges facing individual NHS bodies and what actions may need to be taken when organisations encounter problems. I would hope that our contributions to the round table discussions are seen as helpful and I am keen that we continue to participate in the process. However, I think that the discussions which have begun to reflect on how the framework is working do need to take on board the concerns I have set out here. I would find it both helpful and re-assuring to know that this will happen both in terms of the framework itself, and the processes and communication flows associated with it.

I would welcome your response to the above in due course, accepting of course how busy yourself and colleagues are at the moment with the on-going responses to the pandemic.

Yours sincerely



ADRIAN CROMPTON

Auditor General for Wales

cc: Simon Dean, Deputy Chief Executive, NHS Wales

Alun Jones, Interim Chief Executive, Healthcare Inspectorate Wales

Stuart Fitzgerald, Interim Deputy Chief Executive, Healthcare Inspectorate Wales

Dave Thomas, Audit Director, Audit Wales