



Llywodraeth Cymru
Welsh Government

WELSH HEALTH CIRCULAR – WHC / 2026 / 004

Refreshed Intellectual Property (IP) guidance and policies for NHS Wales organisations.

Publication date: March 2026

Version: 1.0

Status: Compliance and Action

Category: Healthcare, Innovation, Research, Science, Governance, Policy

Action to:

Resource, develop, embed, and implement a refreshed NHS Wales IP structure, policy and processes, in line with the table on pages 3 and 4.

To do this, NHS Wales organisations can use the refreshed NHS Wales IP guidance (attached at Appendix 1) and the template NHS Wales IP policy (attached at Appendix 2).

NHS Wales organisations will then submit an annual review and report of IP activity and impact to Welsh Government.

Action required by:

- All NHS Wales Local Health Boards (LHBs)
- All NHS Wales Trusts (Trusts)
- All NHS Wales Special Health Authorities (SHAs)

Welsh Government contact points:

Life Sciences and Innovation / Research and Development Division, Health, Social Care and Early Years Group, Welsh Government.

hss.innovationtechnologypartnerships@gov.wales

Purpose of this Welsh Health Circular

The Welsh Government and NHS Wales organisations recognise that, during the course of their employment, staff may generate ideas for new and innovative products and services, which can lead to the creation of intellectual property (IP).

If properly developed, IP can help to protect the interests of NHS Wales organisations and may support improved patient outcomes and experience, commercialisation, service improvement, improved resource efficiency, and income generation from:

1. Research and innovation activity.
2. Partnerships with academic, healthcare, industry, and research organisations.
3. New or improved products and services.

This circular and the accompanying guidance supports and enables NHS Wales organisations and their employees to:

- understand the importance of IP.
- generate, protect, and exploit IP to encourage innovation.
- deliver improved patient care.
- explore new sources of income.
- protect NHS Wales knowledge from being exploited by others.

The guidance aims to strike a balance between protecting the interests of NHS Wales organisations where IP is considered an asset; and enabling a creative and innovative environment for NHS Wales employees to work. The guidance and supporting IP policy template supports exploration of new and novel products and services that are linked to meeting unmet clinical service and operational needs.

Responsibilities of NHS Wales organisations

This Welsh Health Circular requests action by all NHS Wales organisations to ensure that their Intellectual Property (IP) policy is refreshed in line with the attached IP Guidance (Appendix 1) and applying the attached IP policy template (Appendix 2).

This will ensure consistency between NHS Wales organisations, reduce costs from negotiation and contracting, and will allow a national picture to be established on the use and exploitation of IP across NHS Wales.

Once established, the IP Policy should be embedded across all NHS Wales organisations in a way that:

- promotes research, development, and innovation.
- protects the rights of the organisation and employees.
- acts as a platform for generating potential income.
- improves healthcare provision; and
- complies with all relevant legal standards.

Actions for NHS Wales organisations

Action	Completion by
<p>Nominate a Senior Responsible Officer (SRO) for IP at Board or Executive level, with a supporting organisational and/or team structure.</p> <p>This structure will oversee production of a refreshed IP policy in line with the attached IP guidance and template, and should include membership from Research, Development, and Innovation teams.</p>	17 th July 2026
<p>Develop and internally agree a refreshed IP Policy, based on the IP guidance and IP policy template attached at Appendix 1 and Appendix 2, respectively.</p>	20 th December 2026
<p>Specify metrics that will track usage and implementation of the IP policy; to include IP creation, usage of the IP policy, numbers of projects, income generation and IP protection.</p> <p>This should include the effectiveness of the process in meeting the needs of staff undertaking research, innovation, or other activities with the potential of creating IP.</p>	20 th December 2026
<p>Provide initial feedback on the IP policy and guidance to WG Innovation and Research and Development teams, to inform a definitive version of the guidance and policy template.</p>	20 th December 2026
<p>Set out a regular organisational process for undertaking regular reviews of the effectiveness of the IP Policy and Guidance within their organisation.</p> <p>This should include gaining feedback from staff on the extent to which the process and the IP Policy has enabled or been a barrier to research and innovation activities and/or impacted on such activities when collaborating with partners.</p>	20 th December 2026

Undertake annual reviews of the IP Policy, to include usage of the IP policy and the metrics set out above, annually to Welsh Government.	First review by end November 2027 and annually thereafter.
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Welsh Government support provided.

Support workshops and up to three hourly sessions of dedicated NHS Wales Shared Services Partnership legal and risk services support will be available to each NHS Wales organisation.

This will provide access to the relevant expertise and assist in answering specific queries related to developing and embedding the organisation's IP Policy in line with the guidance provided by Welsh Government.

Policy approach underpinning this Welsh Health Circular

This circular, the accompanying guidance at Appendix 1 and the supporting IP policy template at Appendix 2 are based on the Department for Health and Social Care IP guidance, as issued for NHS England in November 2025 - [Intellectual property \(IP\) guidance for the NHS in England - GOV.UK](#)

This circular, the accompanying guidance and the supporting IP policy template have been fully adapted to meet Welsh policy requirements and developed in partnership with the NHS Wales Innovation Leads group, the NHS Wales Research and Development Directors group and the Welsh Government's Health, Social Care and Early Years Group Policy Forum during late 2025 / early 2026.