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Response by the Public Services Ombudsman for Wales: A digital special health authority for Wales

We are pleased to respond to the consultation on a digital special health authority for Wales.

[Our role](#)

[Our comments](#)

[Closing remarks](#)

Our role

As Public Services Ombudsman for Wales (PSOW), we investigate complaints made by members of the public who have suffered hardship or injustice through maladministration or service failure on the part of a body in my jurisdiction, which essentially includes all organisations that deliver public services devolved to Wales. These include:

- local government (both county and community councils)
- the National Health Service (including GPs and dentists)
- registered social landlords (housing associations)
- the Welsh Government, together with its sponsored bodies.

We are also able to consider complaints about privately arranged or funded social care and palliative care services and, in certain specific circumstances, aspects of privately funded healthcare.

In addition, we consider complaints that elected members of local authorities have breached their Codes of Conduct, which set out the recognised principles of behaviour that members should follow in public life.

Under the Public Services Ombudsman (Wales) Act 2019, we are also equipped with further powers to drive systemic improvement of public services through investigations on our own initiative and setting complaints standards for public bodies in Wales.

Our comments

We broadly welcome the proposals to create a single authority to deliver national digital, data and technology services for health and care in Wales.

Standardisation of digital systems

One of the functions of the current NHS Wales Informatics Service (NWIS) is to support the setting of data standards consistently across NHS Wales' systems and then use the improved quality of data to drive service improvement.

Our understanding is that the new authority would be responsible for the progress of the 'Once for Wales' project, involving the establishment of a new concerns management system to be used by the NHS health bodies.

We have continued to call for swift progress on the Once for Wales project. We engage regularly with health bodies in our jurisdiction and discuss their complaint handling practices. Based on these conversations, we remain concerned that, more than six years from Keith Evans' recommendations to address the problem, the current system (Datix) still isn't set up to provide useful data on complaint trends. Since individual bodies can configure the system to their requirements, there is little scope to meaningfully compare their performance. We are also alert to the fact that not all complaints received by the Health Boards are currently being recorded.

We would like to take this opportunity to emphasise that the Covid-19 pandemic must not delay the progress of the Once for Wales project. We trust that this work will be pursued vigorously by the new proposed authority and we hope for an ongoing close dialogue with our office on how to ensure more consistency and transparency in complaint handling practice and data by the NHS in Wales.

Patient records and digitisation

Another function of NWIS is to support the delivery of integrated health and social care records. We also note that one of the main reasons for the replacement of NWIS with the proposed new authority is to increase the prominence of digital health solutions.

Accordingly, we would welcome a dialogue with the new authority on any plans related to the digitisation of medical records and around the principles and practicalities of accessing such records. Our casework has found occasions where incomplete and unclear records, delays in updating records and difficulties in accessing health information held in other wards or hospitals have resulted in service failure. Healthcare records also provide vital evidence supporting our investigations into complaints related to patient care and, as such, any action taken to streamline the process of accessing and sharing such information between healthcare professionals is to be welcomed.

In addition, we would like to acknowledge that digitisation has a clear potential to expedite access to these records during the course of an investigation. Our experience has been that this access has, at times, been difficult, with the current systems for records-sharing applied inconsistently by different NHS organisations and contractors, both in terms of timeliness and access to specific information being

held. We would very much welcome the improvements suggested in these proposals.

Closing remarks

To conclude, we welcome the proposals to create a single body to deliver national digital, data and technology services for health and care in Wales and are looking forward to working with the new authority to drive improvement of these services.

I trust that you will find this response useful. Should you wish to discuss any of the above points further, please do not hesitate to contact Ania Rolewska, our Head of Policy (ania.rolewska@ombudsman.wales).



Nick Bennett

Public Services Ombudsman for Wales

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