

\*



Gwirio bod pobl yng Nghymru  
yn derbyn gofal da

Checking people in Wales are  
receiving good care



Royal College  
of Physicians

Coleg Brenhinol  
y Meddygon (Cymru)

# **Memorandum of Understanding (MoU) between Healthcare Inspectorate Wales (HIW) and Royal College of Physicians (RCP)**

**September 2020**

Introduction .....	3
Roles and responsibilities.....	4
Healthcare Inspectorate Wales.....	4
Royal College of Physicians .....	4
Principles of co-operation.....	5
Joint Priorities and Areas of Work .....	6
Exchange of Information.....	6
Media and Publications.....	6
Governance.....	7
Duration and review of this MoU .....	7
Signed .....	7
Annex A – Partnership Working .....	8
Annex B – Contact Details .....	8

## Revision history and approval

<b>Version</b>	1.0
<b>Date created</b>	21/05/2020
<b>Authors</b>	HIW: Joseph Wilton RCP: Derin Adebisi
<b>Date agreed</b>	21/09/2020
<b>Formally agreed by</b>	HIW: Alun Jones RCP: Dr Ian Bullock
<b>Review date</b>	September 2022

## Introduction

1. The purpose of this Memorandum of Understanding (MoU) is to set out a framework to support the working relationship between Healthcare Inspectorate Wales (HIW) and Royal College of Physicians (RCP).
2. This working relationship is part of the maintenance of an effective regulatory system for health and adult social care in England and Wales which promotes patient safety and high quality care.
3. This MoU relates only to the regulation and inspection of healthcare in Wales. It does not override the statutory responsibilities and functions of HIW and RCP and does not create legally binding rights or obligations; its purpose is to define the joint agreement between the two organisations and to indicate a common line of action.
4. As part of the activities undertaken as part of this MoU, other agreements (for example, information sharing agreements, or joint working protocols) may be established. Such agreements will exist separately to this MoU.

## **Roles and responsibilities**

### **Healthcare Inspectorate Wales**

5. HIW is the independent inspectorate and regulator of healthcare in Wales. HIW carries out its functions on behalf of Welsh Ministers and, although part of the Welsh Government, protocols have been established to safeguard its operational autonomy. HIW's main functions and responsibilities are drawn from the following legislation:
  - Health and Social Care (Community Health and Standards) Act 2003;
  - Care Standards Act 2000 (and associated regulations);
  - Mental Health Act 1983 and 2007, Mental Health (Wales) Measure 2010;
  - Independent Health Care (Wales) Regulations 2011;
  - Controlled Drugs (Supervision of Management and Use) (Wales) Regulations 2008; and
  - Ionising Radiation (Medical Exposure) Regulations 2017 and Amendment Regulations 2018.
  
6. HIW aims to:
  - Provide assurance: Provide an independent view on the quality of care.
  - Promote improvement: Encourage improvement through reporting and sharing of good practice
  - Influence policy and standards: Use what we find to influence policy, standards and practice
  
7. HIW's core role is to review and inspect NHS and independent healthcare organisations in Wales to check that patients, the public, and others are receiving safe and effective care which meets recognised standards. Health services are reviewed against a range of published standards, policies, guidance and regulations. As part of this work HIW will seek to identify and support improvements in services and the actions required to achieve this. If necessary, HIW will undertake special reviews and investigations where there appears to be systematic failures in delivering healthcare services to ensure that rapid improvement and learning takes place.
  
8. HIW is also responsible for the registration and regulation of independent healthcare providers under the Care Standards Act 2000. The regulation of such establishments is governed by the Independent Health Care (Wales) Regulations 2011.

### **Royal College of Physicians**

9. The RCP was established by Royal Charter in 1518 and is registered as a charity (registered charity no 210508).
  
10. The RCP is the professional membership body for physicians, with over 37,000 members and fellows across the globe, including 1,300 in Wales. We are patient-

centred and clinically led, and we will work to achieve our vision of the best possible health and healthcare for everyone by:

- Being the leading body for physicians in the UK and internationally;
- Leading the profession;
- Influencing the way healthcare is designed and delivered;
- Supporting our members and fellows;
- Supporting the development of the best possible doctors;
- Promoting good health and the prevention of ill health across the population.

11. To do these things, the RCP does the following:

- It enhances and harnesses the skills, knowledge and leadership of physicians in setting challenging standards and encouraging positive change based on sound evidence.
- It supports its fellows and members during every stage of their careers, and in doing so, improves the quality of patient care.
- It sets and monitors standards of medical training to ensure that patients are treated by fully trained and capable doctors. Its senior physicians sit on appointments committees to ensure that new consultants are of high calibre. Its evidence-based clinical guidelines and audits support our fellows and members and the wider NHS to scrutinise and improve clinical care. Its education programmes provide physicians with the knowledge and skills they need for high performance.
- It lobbies government at the highest levels to ensure the best outcomes for patients. In addition to supporting physicians in their daily practice, it takes a wide role in public health. Its activities include campaigning for change, advising government and parliament, and taking part in national debates on medical, clinical and public health issues.

## **Principles of co-operation**

12. HIW and RCP acknowledge their respective statutory and non-statutory responsibilities and functions, and will take account of these when working together.

13. In implementing this agreement, HIW and RCP intend that their working relationship will be characterised by the following principles:

- the need to make decisions that promote high quality healthcare and which protect and promote patient health, safety and welfare;
- full openness and transparency between the two organisations as to when cooperation is, and is not, considered necessary or appropriate;
- respect of each other's independent status;
- the need to use resources and intelligence effectively and efficiently through appropriate coordination and information sharing;
- the need to maintain public confidence in the two organisations; and
- a commitment to address any identified overlaps or gaps in the regulatory framework and responsibilities.

14. HIW and RCP are also committed to transparent, accountable, proportionate, consistent, and targeted regulation (the principles of better regulation).

## **Joint Priorities and Areas of Work**

### **Exchange of Information**

15. Co-operation between HIW and RCP will often require the exchange of information. Exchange of information will be expected, but not limited, to cases where:
  - either HIW or RCP identifies concerns about the health and wellbeing of the public, particularly in relation to
  - a resolution to a concern would benefit from a coordinated multi-agency response.
16. In such cases, all exchanges of information will be lawful and proportionate and shared in confidence with the named contact in the other organisation at the earliest possible opportunity. The contact details in Annex B will be used for the raising and sharing of concerns.
17. All arrangements for co-operation and exchange of information set out in this MoU and any joint working protocol that may be developed will take account of and comply with the General Data Protection Regulation (GDPR), Data Protection Act 2018, Freedom of Information Act 2000, Health and Social Care (Community Health and Standards) Act 2003, section 76 of the Health and Social Care Act 2008, Care Standards Act 2000 and all relevant HIW and RCP legislation relating to these matters, and respective Codes of Practice, frameworks or other policies relating to confidential personal information and information issues.
18. Both HIW and RCP are subject to the Freedom of Information Act 2000. If one organisation receives a request for information that originated from the other the receiving organisation will discuss the request with the other before responding.

### **Media and Publications**

19. HIW and RCP will seek to give each other adequate warning of, and sufficient information about, any planned announcements to the public on issues relevant to both organisations, including the sharing of draft proposals and publications.
20. HIW and RCP commit to work together, where appropriate, to produce joint statements or communications highlighting collaboration or activities relevant to both organisations.
21. HIW and RCP respect confidentiality of any documents shared in advance of publication and will not act in any way that would cause the content of those documents to be made public ahead of the planned publication date.

## Governance

22. The effectiveness of the working relationship between HIW and RCP will be supported by regular contact, either formally or informally. This contact and any partnership working is described in Annex A.
23. Meetings to discuss intelligence, policy and operational issues of interest to both organisations should take place between relevant colleagues at both organisations when appropriate; at least twice a year. Contact details of relevant operational level contacts in each organisation are shown at Annex B.
24. Any disagreement between HIW and RCP will normally be resolved at working level. If this is not possible, it must be brought to the attention of the MoU managers identified at Annex B, who may then escalate it as appropriate within the two organisations to reach a mutually satisfactory resolution. Both organisations should aim to resolve disagreements in a reasonable time.

## Duration and review of this MoU

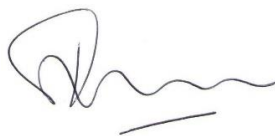
25. Both organisations have identified a person responsible for the management of this MoU in Annex B. They will liaise as required to ensure this MoU is kept up to date, identify any emerging issues and resolve any questions that arise in the working relationship between the two organisations.
26. This MoU is not time-limited and will continue to have effect unless the principles described need to be altered or cease to be relevant. This MoU will be reviewed annually by the MoU managers identified at Annex B, but may also be reviewed more urgently at any time at the request of either organisation.

## Signed



**Alun Jones**  
Interim Chief Executive  
Healthcare Inspectorate Wales

Date: 21 September 2020



**Dr Ian Bullock**  
Chief Executive  
Royal College of Physicians

Date: 21 May 2020

## Annex A – Partnership Working

While this MoU sets out the guiding principle of information and incident sharing, there are also some specific activities which will facilitate the partnership between HIW and RCP:

### Surgical Self-Assessments

HIW undertakes an annual self-assessment exercise with health boards around surgical services. Part of this exercise asks health boards to comment on their performance on the National Hip Fracture Database (NHFD). This database is maintained by RCP and so RCP agrees to support HIW in the analysis and interpretation of this data.

### Regular Engagement

The RCP and HIW will meet on a biennial basis for the purposes of:

- informing HIW of any invited review that has taken place or is due to take place within the hospitals
- accreditation status of hospitals in Wales
- each organisation's priority areas and plans, to identify potential for joint working and collaboration opportunities
- updating RCP on any inspection or review findings which relate to staffing, training, workforce and engagement with research and improvement

### Workforce Roundtable

RCP lead on the hosting of a roundtable event with the other Royal Colleges, with the specific focus on workforce. HIW is a regular attendee and participant of these events and will contribute to any evidence submission requests made by RCP in support of these events.

## Annex B – Contact Details

---

<b>Healthcare Inspectorate Wales</b>	<b>Royal College of Physicians (Wales)</b>
Welsh Government	Baltic House
Rhydycar Business Park	Mount Stuart Square
Merthyr Tydfil	Cardiff
CF48 1UZ	CF10 5FH
Tel: 0300 062 8163	Tel: 020 3075 1649

---

There will be named contacts between HIW and RCP as follows:



---

**Chief Executives**

---

**Alun Jones**

*Interim Chief Executive*

[Alun.Jones39@gov.wales](mailto:Alun.Jones39@gov.wales)

**Dr Ian Bullock**

*Chief Executive*

[Ian.Bullock@rcplondon.ac.uk](mailto:Ian.Bullock@rcplondon.ac.uk)

---

**MoU managers**

---

**Joseph Wilton**

*Head of Partnerships, Intelligence and Methodology*

[joseph.wilton@gov.wales](mailto:joseph.wilton@gov.wales)

Tel: 0300 025 2663

**Lowri Jackson**

*Head of policy and campaigns for Wales*

[Lowri.Jackson@rcplondon.ac.uk](mailto:Lowri.Jackson@rcplondon.ac.uk)

Tel: 074 5812 9164

---

**Concerns Referrals**

---

[hiw.concerns@gov.wales](mailto:hiw.concerns@gov.wales)

Tel: 0300 062 8163

---