

Departmental Solicitor's Office



The Inquiry into Hyponatraemia – related Deaths
Arthur House
41 Arthur Street
BELFAST
BT41 4GB



Department of
**Finance and
Personnel**

www.dfpni.gov.uk

2nd Floor, Centre House
79 Chichester Street
Belfast BT1 4JE
Tel: [REDACTED]
[REDACTED]
DX464 NR Belfast1

Your Ref: BMcL-0126-13

Our Ref: LIT 477/08/CR

Date: 27 August 2013

Dear Mr McLoughlin

RE: DEPARTMENTAL AND ADDITIONAL GOVERNANCE SEGMENT

I refer to the above and your request for information dated 6 August 2013. I would advise that it is the Departments intention to submit a series of papers to the Inquiry which will describe the chronology of improvement in a number of areas. Copies of all relevant documents will accompany these submissions. It is hoped that these will provide the Inquiry with a single consistent set of references which will assist with the preparation for the Departments segment of the Inquiry. In the interim under each of the questions raised by you I have inserted the Departments response to same:-

1. The structure of the Department as at 1995, 1996, 2000, 2001, 2002 and 2003 respectively ("the relevant times"), identifying directors, directorates and divisions of the Department and the main responsibilities of the directorates and divisions. This should in particular show the structure, responsibilities, divisions etc at each of the relevant times of the Management Executive of the Department and any successor organisation to the Management Executive, the office/department of the Chief Medical Officer, and the office/department of the Chief Nursing Officer.

It has not been possible to locate the information for all the years requested. I have, however, attached copies of -

- a paper outlining the functions of the Department in 1994 (TAB A);
- a paper outlining the functions of the Department in 1997 (TAB B);
- a diagram showing the structure of the Department in October 1999 (TAB C);
- a diagram showing the structure of the Department in 2000 (TAB D);
- an organisation chart of the Department prior to August 2001 (TAB E);
- an organisation chart for the Department at August 2001 (TAB F);
- a paper outlining the functions of the Department in 2002 along with an organisation chart for 2002 (TABs G & H);
- a 2003 organisation chart for the Department (TAB I).



2. The structure of the NHS in Northern Ireland at each of the relevant times (in the format of 303-039-505 attached) to include all Boards, Trusts, and Groups (whatsoever called at the time).

At each of the relevant times, the 4 Board structure remained the same but the Trusts changed. I have attached a chronological list of those changes (TAB J) along with a chart showing the operational structure of the Health Service in 2000 (TAB K).

3. (a) The hierarchical relationship between the Department, the Boards, and the Trusts at each of the relevant times.

The hierarchical relationship, as set out in circular MELT 2/93, remained throughout the relevant times. (TAB L).

- (b) How was information disseminated from the Department to Boards and Trusts and from Boards and Trusts to the Department at each of the relevant times particularly in respect of;

- (i) adverse incidents,

There was no formal process in place for the reporting of adverse incidents until 2004. Prior to 2004, the only guidance issued in relation to adverse incidents was that issued under cover of circular HSS4 (CS) 1/73 - Notification of Untoward Events in Psychiatric and Special Care Hospitals and circular HSS (THRD) 1/97 - Notification of Untoward Events in Psychiatric and Special Hospitals for People with a learning Disability. Copies of these circulars have already been provided to the Inquiry.

- (ii) policies and guidelines on clinical issues such as consent to treatment.

Guidance on consent to examination or treatment was issued in October 1995 (TAB M). Health and Social Services Boards/HSS Trusts were asked to confirm to the Department by 31 December 1995 that the guidance had been introduced. Unfortunately the records relating to the assurance process have been destroyed.

Further guidance "Good practice on Consent" (Circular HSS (MD) 7/2003 was issued to the HSC in 13 March 2003 (TAB N) and a further letter "Good Practice on Consent - Social Work Students" was issued on 22 September 2005 (TAB O).

Both letters and the circular list those it was sent to.

- (c) What differences or changes to (a) or (b) were there during periods when health was subject to direct rule and periods when health was devolved.

Devolution would not have had any substantive impact on mechanisms such as this.

- (d) The Inquiry notes that CMO updates No 17 onwards are available on the Department's website. Please provide copies of CMO updates 1-17.

Copies of CMO updates 1-17 are enclosed (TAB P).

4. When did the Management Executive cease to exist?

It has not been possible to determine the exact date the Management Executive ceased to exist. It is estimated this was around 2000/2001.

- (a) Why did it cease to exist?

We have not been able to locate any papers to confirm why the Management Executive ceased to exist.

- (b) What was it replaced by?

The Management Executive was not replaced by another organisation. The various units/branches of the Management Executive were integrated into the Department.

- (c) Please provide details of the structure of the replacement organisation at the relevant times identifying by name senior post holders, the posts, divisions and units within the organisation and the responsibilities of those posts, divisions and units.

See response to 4(b).

5. The structure of the Department now, identifying directors, directorates and divisions, and the main responsibilities of the directorates and divisions.

This information is attached (TAB Q).

6. Copies of all Management Plans/for the years from 1995 to 2004 (the Inquiry has already been provided with the plans for 1995/96-1997/98 and 1999/00-2001/02 and circular PRSC (PR) 2/99 containing further guidance for year 2000/01). The Inquiry understands that plans were produced each year.

Management Plans were published up until 2000/2001. These were then replaced by Priorities for Action. Copies of the Priorities for Action for 2002/03 and 2003/04 are attached (TABs R and S).

7. The Inquiry has seen (in circular PRSC (PR) 2/99 at page 12) reference to a document entitled "*Promoting Quality: a framework for the HPSS*" which the Department has indicated it intended to publish in autumn 1999. Please provide a copy of this document, or any drafts thereof. Was this document published in autumn 1999 as intended or at all? If it was not published, why was it not? If it was not published please provide all documents relevant to the decision not to publish.

We have not been able to locate a copy of this document or any papers relating to this document.

8. Any documents relating to or touching on the death of Claire Roberts apart from those identified and sent at bundle 5 of Catherine Rodgers' letter of 4 February 2013.

No further documentation relating to the death of Claire Roberts has been identified.

Yours sincerely

ll Trevor Brazier

CATHERINE RODGERS
for The Solicitor
Direct Dial: [REDACTED]