

Amanda Pritchard  
Chief Executive  
NHS England

DD August 2024

Dear Amanda,

1. **Section 255 Health and Social Care Act 2012: National Major Trauma Registry (NMTR) for NHS Wales Request 2024**

1.1 I am writing on behalf of Digital Health and Care Wales (**DHCW**) to make a Request to **NHS England**.

1.2 This Request is made under section 255(1) and section 256(2)(c) of the Health and Social Care Act 2012<sup>1</sup> (**the 2012 Act**).

1.3 This Request is to be known as the **National Major Trauma Registry (NMTR) for NHS Wales Request 2024** and comes into force on the date signed.

2. **Relevant functions and duties - The Welsh Government, Digital Health and Care Wales**

2.1 DHCW is a Special Health Authority established by the Digital Health and Care Wales (Establishment and Membership) Order 2020<sup>2</sup> (**the Establishment Order**) pursuant to section 22 of the National Health Service (Wales) Act 2006<sup>3</sup> (**the 2006 Act**).

2.2 DHCW sits alongside the Local Health Boards in Wales. These Health Boards were established under section 11 of the 2006 Act. Under the Local Health Board (Directed Functions) (Wales) Regulations 2009<sup>4</sup> (**the 2009 Regulations**), the duty under section 3 of the 2006 Act has been delegated to the Local Health Boards who are thus responsible for the provision of direct care health services in Wales, including hospital-based care and the operation of the major trauma centre/trauma units/local emergency hospital/rural trauma facilities.

2.3 DHCW's functions relate to the provision of digital platforms, systems and services and supporting the improvement of such systems and any such other functions as the Welsh Ministers may direct to secure the

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<sup>1</sup> 2012 c. 7

<sup>2</sup> SI 2020/1451 (W. 313)

<sup>3</sup> 2006 c. 42

<sup>4</sup> Regulation 4, SI 2009/1511 (W. 147)

provision or promotion of services under the 2006 Act.

- 2.4 In accordance with the Establishment Order, DHCW has been directed by the Welsh Ministers under the Digital Health and Care Wales (No.2) Directions 2021<sup>5</sup> (**the 2021 Directions**) to carry out functions in relation to the provision or promotion of effective digital platforms, systems and services, including arrangements for the digital collection, storage, processing, analysis, use and dissemination of health service data (being data processed for or in connection with the provision or promotion of services under the 2006 Act).
- 2.5 DHCW will be responsible for facilitating the data requirements for the NMTR for NHS Wales Information System.

### 3. **Purpose**

The purpose of the request (**Purpose**) is to request that NHS England support DHCW in its statutory duty to carry out functions in relation to the provision of digital health services by establishing and operating an information system for the collection and analysis of NMTR data from the Local Health Boards in Wales, in order to achieve the following objectives:

- a. Encourage best practice within the emergency care setting by monitoring standards recommended by NICE, the Royal College of Surgeons and the British Orthopaedic Association.
- b. Provide participating Local Health Boards with an assessment of the procedures and treatment administered to the injured patient.
- c. Produce analysis for clinical and epidemiological data and thereby provide a statistical base to support clinical audit.
- d. Support multidisciplinary clinical audit by analysis of case management.
- e. Provide comparative statistics to clinicians and clinical governance upon patient outcome performance.
- f. Allow the Welsh Ministers, commissioners and the Local Health Boards to monitor trauma load and measure quality of care.
- g. Support trauma care system development.

### 4. **Establishing and operating information systems for the NMTR for NHS Wales Request 2024 data collection**

- 4.1 Under section 255(1) of the 2012 Act, DHCW requests that NHS England establishes and operates an information system for the collection and analysis of information from the Local Health Boards in Wales (**Relevant Organisations**) relating to trauma patients of any age who meet certain length of stay criteria and have also sustained an NMTR eligible injury as agreed by DHCW and NHS England.
- 4.2 DHCW also requests that NHS England collects a regular extract of the Patient Episode Database for Wales (PEDW) from DHCW, in order to

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<sup>5</sup> 2021 (WG21-30)

identify NMTR eligibility, admission date, discharge date, discharge destination, ICD10 code and Health Board.

- 4.3 The system to be established and operated is the **NMTR for NHS Wales Information System**.
- 4.4 This request is a confidential information collection request within the terms of section 256(1) of the 2012 Act because the information that will be collected will enable the identity of an individual to be ascertained.
- 4.5 In accordance with section 256(2)(c) of the 2012 Act, DHCW confirms that the information may be lawfully disclosed to DHCW by the Relevant Organisations in performance of its statutory functions in accordance with the Establishment Order and the 2021 Directions.
- 4.6 The information to be collected is set out in the NMTR for NHS Wales Requirements Specification attached as an Annex to this Request, which may be updated periodically (within the confines of the scope set out in this Request) by NHS England and agreed in writing by DHCW (**Requirements Specification**).
- 4.7 Pursuant to section 255(1) of the 2012 Act, NHS England is requested to analyse the information collected pursuant to and/or obtained by NHS England complying with this Request, as may be requested by DHCW or as NHS England determines is necessary to achieve the Purpose.
- 4.8 Such analysis referred to above includes:
  - 4.8.1 analysis by reference or linkage to other data obtained by NHS England as described in the Requirements Specification
  - 4.8.2 analysis for data quality purposes, including undertaking comparison and consistency analysis of the same or similar information obtained through other information systems established by NHS England under any other request made by DHCW under section 255 of the 2012 Act, and taking such steps as NHS England considers appropriate to maintain data quality, accuracy and consistency of information it has obtained under this Request.
- 4.9 NHS England is requested to carry out the activities above in accordance with the Requirements Specification and generally in such a way as to enable and facilitate the Purpose described above.

## 5. Requirement for this Request

- 5.1 In accordance with section 255(2) of the 2012 Act, DHCW considers

that the information which could be obtained by NHS England complying with this request is information which is necessary or expedient for DHCW to have in relation to DHCW's exercise of functions or carrying out of activities, in connection with the provision of health care in Wales, and in particular to enable the DHCW to comply with its functions pursuant to the Establishment Order and 2021 Directions.

5.2 In accordance with section 257(4) of the 2012 Act, DHCW has consulted with NHS England before making this request.

## 6. **Publication**

In accordance with section 260(5)(a) of the Act, NHS England is requested to publish the information obtained by complying with this Request in a form, manner and timing as agreed in the Requirements Specification.

## 7. **Dissemination**

7.1 Under section 262(4)(b) DHCW requests that NHS England exercises the power it has under section 261(5)(d) to disseminate the information it obtains by complying with this Request back to the Relevant Organisations that originally provided it. This information is necessary or expedient for the Relevant Organisations to have for the purposes of exercising their statutory functions as defined in paragraph 2.2 above, including:

- a. Correcting data validation errors to ensure the completeness and quality of the submitted data and;
- b. Direct care, including enabling local monitoring of key care metrics for trauma patients such as measuring outcomes and to support local benchmarking for assurance of safe and high-quality care and treatment through local audit, the management of untoward or adverse incidents, person satisfaction including measurement of outcomes undertaken by one or more registered and regulated health or social care professionals and their team with whom the individual has a legitimate relationship for care.

7.2 Under section 262(4)(b) DHCW requests that NHS England exercises the power it has under section 261(5)(d) to disseminate the information it obtains by complying with this Request to DHCW. This information is necessary or expedient for DHCW to have for the purposes of exercising their statutory functions in supporting the Relevant Organisations in Wales as defined in paragraph 2.4 above.

7.3 Any information collected or analysed as a result of this Request may be disseminated by NHS England in accordance with its powers under

section 261 of the 2012 Act.

## 8. Fees

- 8.1 DHCW acknowledges that in accordance with section 257(3) of the 2012 Act, NHS England is entitled to charge a reasonable fee in respect of the cost of NHS England complying with this request.
- 8.2 DHCW and NHS England (the **Parties**) have entered into a Provision of Services Agreement (**POSA DHCW**), dated **[DATE TO BE ADDED TO FINAL COPY]**, which applies to the services NHS England is providing to DHCW in relation to this Request. A Work Package between the Parties (under clauses 3-3.6 of the POSA) has been initiated for the provision of the service which contains details of the services being provided by NHS England and the charges payable by DHCW.

## 9. Duration

NHS England is requested to operate the NMTR for NHS Wales Information System (the **Requested Function**) unless and until requested in writing by an authorised officer of DHCW on reasonable notice to suspend and/or permanently cease the Requested Function. Where a Requested Function is to cease, such written request will also revoke this section 255 Request in accordance with the timescales and arrangements to be agreed with NHS England.

## 10. Review of this Request

This Request will be reviewed when the Requirements Specification is amended. This review will include consultation with NHS England.

Yours,

Signed by authority of Digital Health and Care Wales  
Prof. Helen Thomas  
**Chief Executive**  
**Digital Health & Care Wales**  
Date signed: