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CYMRU  
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WALES

Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board



<b>Meeting Date</b>	<b>26 January 2021</b>	<b>Agenda Item</b>	<b>4.1</b>	
<b>Report Title</b>	<b>Clinical Ethics Group Update</b>			
<b>Report Author</b>	Liz Stauber, Head of Corporate Governance			
<b>Report Sponsor</b>	Richard Evans, Medical Director			
<b>Presented by</b>	Richard Evans, Medical Director			
<b>Freedom of Information</b>	Open			
<b>Purpose of the Report</b>	The purpose of the report is to set out revised arrangements for the clinical ethics group.			
<b>Key Issues</b>	The clinical ethics committee was originally established in 2005 to support clinicians making difficult decisions about patient care. In 2008, its scope widened to any person needing guidance with ethical issues which may impact on patient care. As a result of the Covid-19 pandemic, it was agreed the arrangements needed be strengthened and more robust.			
<b>Specific Action Required</b> <i>(please choose one only)</i>	<b>Information</b>	<b>Discussion</b>	<b>Assurance</b>	<b>Approval</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Recommendations</b>	Members are asked to: <ul style="list-style-type: none"> <li>• <b>NOTE</b> the report;</li> <li>• <b>NOTE</b> the terms of reference for the clinical ethics group.</li> </ul>			

## **CLINICAL ETHICS GROUP**

### **1. INTRODUCTION**

The purpose of the report is to set out revised arrangements for the clinical ethics group.

### **2. BACKGROUND**

The clinical ethics committee was originally established in 2005 to support clinicians making difficult decisions about patient care. In 2008, its scope widened to any person needing guidance with ethical issues which may impact on patient care. As a result of the Covid-19 pandemic, it was agreed the arrangements needed be strengthened and more robust.

### **3. GOVERNANCE AND RISK ISSUES**

The clinical ethics group can advise on the ethical aspects of patient care, noting that it cannot make the final clinical decision. It can help individuals or teams identify and ask key ethical questions, consider ethical arguments, deliberate alternative actions, offer an objective perspective, and if necessary, challenge the individual or team on what could be controversial courses of action. In addition, it can support staff with the distress and anxiety making such decisions can cause. Having such a structure in place can also promote positive perceptions of an organisation for patients and local communities.

The role of the group became more apparent during the Covid-19 pandemic, as there was potential for all critical care beds to become full and medical staff required to make difficult decisions as to who to treat based on who would benefit the most. While this was not the case during the first wave, it is a possibility should future peaks occur. There is also a focus to be given as part of the restarting of essential services, as decisions will need to be made as to which patients to be prioritised for treatment.

As such, the arrangements for the clinical ethics group have been considered and revised to align them with the corporate governance structure as well as to make them more robust to provide the support needed when making difficult decisions.

The terms of reference have been rewritten (appendix one), particularly focusing on membership to ensure the right balance and proposing that the chair be either a clinical representative or an ethicist and the vice-chair be the other. In addition, while it will be a sub-group of the Quality and Safety Committee providing regular reports, it will also have an escalation route through the Medical Director for any potential sensitive or high profile issues. The terms of reference also provide for a rapid response group for urgent issues which cannot wait for the next scheduled meeting.

### **4. FINANCIAL IMPLICATIONS**

There are no financial implications of which members needs to be aware.

### **5. RECOMMENDATION**

Members are asked to:

- **NOTE** the report;
- **NOTE** the terms of reference for the clinical ethics group.

<b>Governance and Assurance</b>		
<b>Link to Enabling Objectives</b> (please choose)	<b>Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities</b>	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	<b>Deliver better care through excellent health and care services achieving the outcomes that matter most to people</b>	
	Best Value Outcomes and High Quality Care	<input checked="" type="checkbox"/>
	Partnerships for Care	<input type="checkbox"/>
	Excellent Staff	<input type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input type="checkbox"/>
<b>Health and Care Standards</b>		
(please choose)	Staying Healthy	<input type="checkbox"/>
	Safe Care	<input checked="" type="checkbox"/>
	Effective Care	<input checked="" type="checkbox"/>
	Dignified Care	<input checked="" type="checkbox"/>
	Timely Care	<input checked="" type="checkbox"/>
	Individual Care	<input checked="" type="checkbox"/>
	Staff and Resources	<input type="checkbox"/>
<b>Quality, Safety and Patient Experience</b>		
The clinical ethics group will provide the support to staff to make difficult decisions for patient care ensuring the right one is made for quality, safety and patient experience.		
<b>Financial Implications</b>		
There are no financial implications.		
<b>Legal Implications (including equality and diversity assessment)</b>		
While there are no legal implications as a result of the paper, it is possible that the clinical ethics group may need to seek legal advice as part of its discussions. As such, a member of the legal and risk team is included in the terms of reference.		
<b>Staffing Implications</b>		
There are no staffing implications.		
<b>Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)</b>		
Robust clinical ethic arrangements will enable the health board to make the right decisions for its communities not only in the immediate time when a query is raised but also to establish experience and precedents for the longer-term.		
<b>Report History</b>	Regular updates on clinical ethics have been provided to the committee.	
<b>Appendices</b>	Appendix one – revised terms of reference for the clinical ethics group	