

Welsh Risk Pool claims

Internal Audit Report

2025/26

Public Health Wales NHS Trust



Substantial Assurance

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Review Reference

PHW-2526-12

Fieldwork

March 2026

Executive Sign Off

April 2026

Audit Committee

May 2026

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Executive Summary

Purpose

The overall objective of this audit was to evaluate and determine the adequacy of the systems and controls in place within Public Health Wales NHS Trust (the 'Trust') in relation to Welsh Risk Pool claims. Our audit review of Welsh Risk Pool concerns and compensation claims was completed in line with the 2025/26 Internal Audit Plan for the Trust.

Compensation claims can take several years from receipt of the claim to settlement and can involve many payments and repayments, increasing the chance of mistakes occurring. Welsh Risk Pool Services (WRPS) requires claims for reimbursement and repayment to be made within specific timescales. Health boards and trusts are liable for the first £25k of any claims made against the NHS Indemnity scheme (Personal Injury and Medical Negligence claims), with amounts over this being borne by WRPS. WRPS bear the total cost of redress cases.

The WRPS standard: The Compensation Claims Management Standard, ensures that NHS bodies:

- Have an effective process for managing concerns raised by patients and staff.
- Have an effective process for managing legal claims for financial compensation.
- Ensure that there is good organisational learning from all events.

Area for Assessment 3 of the standard requires Internal Audit to review the accuracy of a representative sample of compensation claims for reimbursement, made on WRPS.

Overview

We have concluded substantial assurance on this area and have identified no key matters for reporting in our review. The following opportunity for enhancement have been identified that do not impact the overall opinion and are highlighted for management information:

- At the time of completing fieldwork, the Trust's claims management policy and procedure were overdue review. However, we acknowledge that this review is currently ongoing, and an updated version of these documents is due for review and approval by the QSIC at a meeting scheduled for 2 June 2026.

Scope & Assurance Summary

The objectives and associated assurance ratings are not necessarily given equal weighting when formulating the overall audit opinion.

	Related Findings	Assurance
1	Appropriately completed learning from events report, case management report, case financial record and a schedule of costs have been completed for each reimbursement claim within set timescales	Substantial
2	There is appropriate evidence to support the costs incurred	Substantial
3	Forms have been appropriately authorised aligning with delegated limits within the organisation	Substantial
4	Claims submitted are accurately entered into the Datix risk management database	Substantial

Findings & Agreed Action Plan

Objective 1: An appropriately completed learning from events report, case management report, case financial record and a schedule of costs has been completed for each reimbursement claim within set timescales.

Substantial

The WRP standards published in July 2021, states that prior to 1 September 2023, a completed learning from events report (LfER) must be submitted to the WRP within 60 working days of the 'trigger' date, however, claims with a trigger date post 1 September 2023, have a revised timeframe of four calendar months. Across our sample of three negligence claims settled in 2025/26, all complied with the required LfER timeframe.

Our testing further confirmed that each of the three claims were appropriately supported by a S21-Case Management Report (CMR), a financial case record checklist (U1), and a financial schedule which included all supporting financial records excepting solicitor's invoices. However, we note from speaking with representatives of Shared Services legal & Risk team that this is standardised practice for handling of WRP claims and that retention of invoices relating to solicitor's fees is responsibility of Shared Services and not that of the Trust.

Although not specifically included within scope of this review, we did note that at the time of our audit, the Trust's policy governing reimbursement of claims was passed the scheduled review date (July 2025). The Trust have however confirmed that the review is in-flight at time of writing, and an updated policy and procedures were being presented to the Quality, Safety and Improvement Committee (QSIC) in accordance with procedures to update a policy, and that the QSIC review was scheduled for 2 June 2026.

Objective 2: There is appropriate evidence to support the costs incurred.

Substantial

Source financial documents, including those relating to the costs incurred, were present in Datix for all three cases reviewed. We did note however that invoices relating to solicitors' fees were not included as part of these filings. On further discussion with Shared Services Legal & Risk Team, it was confirmed that this is standardised practice for handling of WRP claims where these source documents, and associated liability to evidence these reimbursement costs lay with them.

We acknowledge that any risk associated with evidencing solicitor's fees associated with reimbursement costs therefore does not rest with the Trust to manage. However, we raise this as a low priority finding for transparency only.

Objective 3: Forms have been appropriately authorised aligning with delegated limits within the organisation.

Substantial

As part of our review, we tested authorisations across all process form stages, which were: the LfER; the case management report; and the checklist U1. We saw appropriate authorisations for all claims for the case management report and checklist U1.

In respect of the LfER approvals, two of the three reviewed required only two signatories – the Governance Lead and the Legal case manager. On these forms, both required approvals had been given. In the case of the third form, a different template had been used (v2.4 from the Delivery unit). This form required three signatories with the third being that of the CEO. This form had also been appropriately and correctly approved.

We did note that one of the three LfERs, whilst signed by three appropriate signatories, did not include approval from the CEO. However, this claim dated to a time before the CEO's approval was required for claims of that value and so, met the form approval requirements of that time.

Objective 4: Claims submitted are accurately entered into the Datix risk management database.

Substantial

Reimbursements were appropriately approved by WRP, and the amounts received reconciled to the U1 checklist and the finance schedules that were submitted to WRP. There is assurance that claims submitted are accurately and completely recorded within the Datix risk management database.

Appendix A

Assurance Opinion

	Substantial	Few matters require attention and are compliance or advisory in nature. Low impact on residual risk exposure.
	Reasonable	Some matters require management attention in control design or compliance. Low to moderate impact on residual risk exposure until resolved.
	Limited	More significant matters require management attention. Moderate impact on residual risk exposure until resolved.
	Unsatisfactory	Action is required to address the whole control framework in this area. High impact on residual risk exposure until resolved.
	Advisory	Given to reviews and support provided to management which form part of the internal audit plan, to which the assurance definitions are not appropriate. These reviews are still relevant to the evidence base upon which the overall opinion is formed.

Prioritisation of Findings

Priority	Explanation
High	Significant risk to achievement of a system objective OR evidence present of material loss, error, or misstatement. Poor system design OR widespread non-compliance.
Medium	Some risk to achievement of a system objective. Minor weakness in system design OR limited non-compliance.

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