

TERMS OF REFERENCE FOR THE STATUTORY INDEPENDENT PUBLIC INQUIRY INTO UROLOGY SERVICES IN THE SOUTHERN HEALTH AND SOCIAL CARE TRUST

The Urology Services Inquiry (the Inquiry) was established under the Inquiries Act 2005 and will be chaired by Christine Smith QC. The Inquiry will be wholly independent and not accountable to the Department of Health, the Executive, the Assembly, or any public body.

The Terms of Reference for the Inquiry are outlined below.

(a) To review the Southern Health and Social Care Trust's (the Trust) handling of relevant complaints or concerns identified or received prior to May 2020 and its participation in processes to maintain standards of professional practice. The Inquiry shall determine whether there were any related concerns or circumstances which should have alerted the Southern Trust to instigate an earlier and more thorough investigation over and above the extant arrangements for raising concerns and making complaints.

(b) To evaluate the corporate and clinical governance procedures and arrangements within the Trust in relation to the circumstances which led to the Trust conducting a "lookback review" of patients seen by the urology consultant Mr Aidan O'Brien (for the period from January 2019 until May 2020). This includes the communication and escalation of the reporting of issues related to potential concerns about patient care and safety within and between the Trust, the Health and Social Care Board, Public Health Agency and the Department. It also includes any other areas which directly bear on patient care and safety and an assessment of the role of the Board of the Trust.

(c) To examine the clinical aspect of the cases identified by the date of commencement of the Inquiry as meeting the threshold for a Serious Adverse Incident (SAI) and any further cases which the Inquiry considers appropriate, in order to provide a

comprehensive report of findings related to the governance of patient care and safety within the Trust's urology specialty.

(d) To afford those patients affected, and/or their immediate families, an opportunity to report their experiences to the Inquiry.

(e) To review the implementation of the Department of Health's "Maintaining High Professional Standards Policy" by the Trust in relation to the investigation related to Mr O'Brien. The Inquiry is asked to determine whether the application of this Policy by the Trust was effective and to make recommendations, if required, to strengthen the Policy.

(f) To identify any learning points and make appropriate recommendations as to whether the framework for clinical and social care governance and its application are fit for purpose.

(g) To examine and report on any other matters which the Chairman considers arise in connection with the Inquiry's investigations in fulfilment of these Terms of Reference.

The clinical practice of Mr O'Brien is being investigated by the General Medical Council (GMC) and it would, therefore, be inappropriate for the Inquiry to encroach on the GMC's remit.

The Inquiry shall submit a report as soon as practicable to the Minister for Health. Should the Inquiry as part of its investigation establish any issue of concern which it believes needs to be brought to the Minister's immediate attention, then this will be done.