

4 July 2022

Dear

ATISN 16438 – Serious Untoward Incident Report

Thank you for your request to the Welsh Government for information under the Freedom of Information Act (2000) (FOIA) received on 28 June 2022 relating to a serious untoward incident report that occurred at Wrexham Maelor Hospital. You have requested the following recorded information:

- A copy of the **Serious Untoward Incident Report** in relation to the incident whereby a patient suffering with coeliac disease died after been given food containing gluten at Wrexham Maelor Hospital

You have also requested that we respond to the following questions:

- *Does food containing gluten constitute a substance hazardous to health for people with Coeliac Disease, under the Control of Substances Hazardous to Health Regulations 2002 (COSHH)?*
- *Did Wrexham Maelor Hospital and Deeside Community Hospital carry out a suitable and sufficient risk assessment, as required by COSHH and the Management of Health and Safety at Work Regulations 1999?*
- *Did the hospitals implement appropriate robust control measures to protect patients with food hypersensitivity and ensure that the risks to their health and safety were as low as reasonably practicable?*
- *Did the hospitals implement procedures based on the Hazard Analysis & Critical Control Point (HACCP) principles, together with the application of good hygiene and safety practice, to meet the requirements of Regulation (EC) No 853/2004 on the hygiene of foodstuffs?*
- *Did the hospitals provide such information, instruction, training, and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees [hospital staff] – Health and Safety at Work etc Act 1974 Section 2(2)(c)*
- *The incident that occurred at Deeside Community Hospital resulted in a member of the public being taken to a different hospital for treatment. The incident that occurred at Wrexham Maelor Hospital contributed towards the death of a member of the public. Both appear to be RIDDOR reportable. Did the hospitals report the incidents, as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)?*
- *What plans do you have to take enforcement action at Betsi Cadwaladr University Health Board (the hospitals), including possible prosecution?*

Our Response

Having searched our records, Welsh Government does not hold the information you have requested.

Welsh Government does not have an enforcement role in this instance and advise that you contact Wrexham Council Environmental Health for further information regarding the incident. You can contact them by using the following link [Contact | Wrexham County Borough Council](#). Alternatively, you may wish to contact Betsi Cadwaladr University Health Board directly on bcu.foi@wales.nhs.uk

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely,