

13 December 2012

All NHS Chief Executives
All NHS Directors of Finance
All NHS Estates & Facilities Directors

REVIEW OF NHS CRITICAL INFRASTRUCTURE RISK

I write to invite your participation in a review of the NHS's recurrent reporting of a need for significant investment in the maintenance of its facilities to eliminate critical risks to the safety of patients, visitors and staff; and the resilience of its services.

The £1.2bn backlog maintenance reported as being needed¹ to eliminate such critical risks indicates that the NHS may not be fully meeting its commitments under the NHS Constitution *'to provide services from a clean and safe environment that is fit for purpose based on national best practice'*. It may also be risking regulatory requirements to ensure *'service users are protected against risks associated with unsafe and unsuitable premises.'*

The review will build on existing practices, such as how backlog maintenance is currently determined, and ensure we put in place a system for the future that truly gets to the heart of the investment required to address those risks that are critical.

This *Review of Critical Infrastructure Risk* will be led by Peter Sellars, Head of Profession, NHS Estates & Facilities Policy Division and, as a first step, NHS trusts should:

- review the robustness of their assessments of High and Significant risk backlog maintenance;
- consider any identified risks in the light of the public sector Equality duty and potential impact on people sharing protected characteristics, and;²
- ensure that their reported backlog maintenance meets the risk definitions in appropriate guidance³.

Meanwhile, the Review team will develop its programme for collating your findings in January 2013, with a view to scoping the causes, risks and solutions related to Critical Infrastructure Risk. This will allow the team to

¹ Estates Return Information Collection (ERIC) 2011-12 available at: www.hefs.ic.nhs.uk

² Guidance on the public sector Equality Duty is available at <http://www.homeoffice.gov.uk/publications/equalities/equality-act-publications/equality-act-guidance/equality-duty?view=Binary>

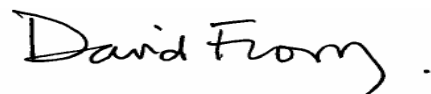
³ "A risk based methodology for establishing and managing backlog" NHS Estates, Department of Health.

determine actions required, including any changes to policy, guidance and support that is needed, both in the short and long term.

I should be grateful if you would draw this letter to the attention of staff in your Trust who have strategic and operational responsibility for your infrastructure's safety and resilience. Please contact Mike Bellas (mike.bellas@dh.gsi.gov.uk) if you or your staff have any queries.

I look forward to your support for this initiative.

Yours faithfully

A handwritten signature in black ink that reads "David Flory" followed by a period.

David Flory
Deputy NHS Chief Executive