Site visit inspection report on compliance with HTA minimum standards

The Royal London Hospital

HTA licensing number 12187

Licensed under the Human Tissue Act 2004 for the

- **making of a post mortem examination;**
- **removal from the body of a deceased person (otherwise than in the course of an anatomical examination or post-mortem examination) of relevant material of which the body consists or which it contains, for use for a scheduled purpose other than transplantation; and**
- **storage of the body of a deceased person or relevant material which has come from a human body for use for a scheduled purpose**

17 October 2012

Summary of inspection findings

The HTA found the Designated Individual, the Licence Holder, the premises and the practices to be suitable in accordance with the requirements of the legislation.

Although the HTA found that The Royal London Hospital (the establishment) had met the majority of the HTA standards, three minor shortfalls were found in relation to hospital post mortem examination consent forms, risk assessments of procedures, and systems for the disposal of blocks and slides from coronial cases where the family's wishes are unknown.

Examples of strengths and good practice are included in the concluding comments section of the report.

The HTA's regulatory requirements

The HTA must assure itself that the Designated Individual, Licence Holder, premises and practices are suitable.

The statutory duties of the Designated Individual are set out in Paragraph 18 of the Human Tissue Act 2004. They are to secure that:

- the other persons to whom the licence applies are suitable persons to participate in the carrying-on of the licensed activity;
- suitable practices are used in the course of carrying on that activity; and
- the conditions of the licence are complied with.

The HTA developed its licensing standards with input from its stakeholders. They are designed to ensure the safe and ethical use of human tissue and the dignified and respectful treatment of the deceased. The HTA inspects the establishments it licences against four groups of standards:

- consent
- governance and quality systems
- premises facilities and equipment
- disposal.

This is an exception-based report: only those standards that have been assessed as not met are included. Where the HTA determines that a standard is not met, the level of the shortfall is classified as 'Critical', 'Major' or 'Minor' (see Appendix 2: Classification of the level of shortfall). Where HTA standards are fully met, but the HTA has identified an area of practice that could be further improved, advice is given to the DI.

Reports of HTA inspections carried out from 1 November 2010 are published on the HTA's website.

Background to the establishment and description of inspection activities undertaken

Adult, perinatal and paediatric post mortem (PM) examinations, including high risk cases, are carried out at the establishment. No forensic PM examinations are currently being undertaken. Under the terms of service level agreements, the establishment receives several hundred perinatal and paediatric PM examination cases each year from hospitals across London and the South East of England, the majority of which are hospital (consented) cases. The remainder are conducted under the authority of HM Coroner for the referring district. Some of the establishment's pathologists perform PM examinations at local HTA-licensed public mortuaries.

Tissue is processed into blocks and slides in the Cellular Pathology Laboratory (for consented PM examinations performed at the establishment) and the Blizard Institute Core Pathology Laboratory (for all PM examinations carried out under the authority of HM Coroner at this establishment or at public mortuaries). Toxicology samples and organs requiring specialist examination are transported to other centres. Body fridge and freezer alarms ring within the mortuary and to the building maintenance office should temperatures move beyond normal ranges.

The establishment has been licensed by the HTA since September 2007. It received its first

routine site visit inspection in October 2009. This report describes the second routine site visit inspection of the establishment in October 2012. Prior to the inspection, the satellite site licence for St Bartholomew's Hospital was transferred to another of the Trust's HTA licences, and so the HTA reviewed activities at Royal London Hospital only. The inspectors interviewed staff involved with licensable activities, completed a visual inspection of the mortuary and the Cellular Pathology and Blizard Institute Core Pathology laboratories and reviewed documentation. An audit of the identifiers and storage locations of two deceased persons revealed no anomalies. For four other cases where tissue was removed at PM examination, records of the admission, PM examination and release to a funeral director were audited. All blocks and slides were traceable in two cases. For the other two cases, some tissue slides were not in the archive store (see advice item 4).

Inspection findings

The HTA found the Designated Individual and the Licence Holder to be suitable in accordance with the requirements of the legislation.

Compliance with HTA standards

Consent

Standard	Inspection findings	Level of shortfall
C1 Consent is obtained in accordance with the requirements of the Human Tissue Act 2004 (HT Act) and as set out in the Code of Practice.	The adult and the paediatric PM examination consent forms state that PM tissue blocks and slides are retained as part of the deceased person's medical record. Retention of tissue blocks and slides as part of the medical record for future use for a scheduled purpose must be with appropriate consent under the Human Tissue Act 2004 (the HT Act). *(See advice item 2)*	**Minor**

Governance and Quality

Standard	Inspection findings	Level of shortfall
GQ8 Risk assessments of the establishment's practices and processes are completed regularly and are recorded and monitored appropriately.	The establishment has some risk assessments relating to mortuary working practices, and each deceased person is risk assessed prior to undergoing PM examination. There are, however, no documented risk assessments for: • performing a PM examination; • the identification procedures for deceased persons; • traceability systems for relevant material taken at PM examination.	**Minor**

Disposal

Standard	Inspection findings	Level of shortfall
D1 There is a clear and sensitive policy for disposing of human organs and tissue.	The Cellular Pathology Laboratory does not have a policy stating timeframes for disposal of blocks and slides in cases where a family's wishes regarding the retention or disposal of blocks and slides after the end of coronial authority are unknown. *(See advice item 5)*	**Minor**

Advice

The HTA advises the DI to consider the following to further improve practices:

No.	Standard	Advice
1.	C1	The DI is advised that the Stillbirth and Neonatal Death Charity (SANDS) is developing a model PM consent form and associated guidance for consent takers and parents, which will be available from the SANDS and HTA websites early in the new year, and that a model consent form for adult hospital PM examination is also available from the HTA website: http://www.hta.gov.uk/legislationpoliciesandcodesofpractice/modelconsentforms.cfm The DI is also advised that, following changes to address the minor shortfall against C1, consent forms and patient information leaflets should be made available to other establishments for which it performs hospital PM examinations under SLAs. By doing so, the DI will have an additional reassurance that appropriate consent is in place for such PM examinations.
2.	GQ1	The DI is advised to update the following key documents: • The 'Post mortems adult BHT' SOP should cite the standard practice described at the inspection that anatomical pathology technologists (APTs) and pathologists confirm a deceased person's identity using the wrist tag and coronial or consent documentation prior to the PM examination; • The 'Risk assessment for post mortems' checklist, completed prior to each PM examination, should prompt APTs and pathologists.to confirm that, for a hospital PM examination, the consent form was completed correctly and clearly; • The out of hours body release SOP should include the actions a porter should take if a fridge or freezer alarm is ringing in the mortuary.
3.	GQ6	The DI is advised that the risk of misidentification of deceased persons with the same or similar sounding names can be reduced further by, for example, placing a coloured sticker on the wrist tag of such persons, or attaching a notice to their shrouds.
4.	GQ6	The DI is advised to remind staff of the procedure in the 'Control of Clinical Material Policies' SOP to record the retrieval of blocks and slides from the archive store for further examination. Non-adherence to this documented procedure may pose a risk to

		tissue traceability.
5.	D1	The DI is advised that HTA Code of Practice 5 on Disposal of human tissue suggests that PM tissue should be disposed of three months after the end of the Coroner's authority, if the family has not made its wishes known. The DI may consider whether a longer timeframe is more appropriate for perinatal and paediatric cases. Whatever timeframe is chosen, this should apply to both the Cellular Pathology and Blizard Institute Core Pathology Laboratories, and should be documented in their respective SOPs.
6.	-	The DI is advised to find out if removal of relevant material from deceased persons for use for a scheduled purpose is taking place at other sites within the Trust. Such activity could, for example, occur in operating theatres for ethically approved research projects, or in Accident and Emergency in cases of sudden unexpected death in infants. If these activities take place within the hospital, the DI is advised to nominate Persons Designated in those areas and to initiate regular meetings or some other form of communication with them, to retain oversight of the activity. Such activities taking place at any other hospital within the Trust can be carried out under a satellite licence, or under a stand-alone 'removal' licence, if this is considered to provide greater local control over activities: http://www.hta.gov.uk/contentdisplay.cfm?widCall1=customWidgets.content_view_1&cit_id=1055

Concluding comments

Despite the three minor shortfalls, several areas of strength were identified. Staff work well together and provide a compassionate service satisfying the specific needs of the local community. Within the hospital, consent for perinatal and paediatric PM examinations is normally sought by one of three very experienced consultant obstetricians. An electronic presentation explains clearly the HT Act's consent requirements and internal procedures for seeking consent for PM examination. Two nominated persons write to Coroner's Offices every year for information on cases where a family's wishes for retention or disposal of PM tissue, or the date of the end of coronial authority, have not been received. Quality management is to a high standard, with a wide range of SOPs for licensable activities. The mortuary premises are clean, well maintained and fit for purpose.

Points of good practice include;

- body fridge and freezer alarms are tested weekly to ensure these function properly; records of testing are kept in the mortuary;
- hospital porters have an SOP for body release outside of core working hours and a checklist for arranging out of hours' viewing.

A number of areas of practice require improvement, including three minor shortfalls. The HTA has given advice to the DI with respect to consent, governance and quality, and disposal standards.

The HTA requires that the Designated Individual addresses the shortfalls by submitting a completed corrective and preventative action (CAPA) plan within 14 days of receipt of the final report (refer to Appendix 2 for recommended timeframes within which to complete actions). The HTA will then inform the establishment of the evidence required to demonstrate that the actions agreed in the plan have been completed.

The HTA has assessed the establishment as suitable to be licensed for the activities specified, subject to corrective and preventative actions being implemented to meet the shortfalls identified during the inspection.

Report sent to DI for factual accuracy: 14 November 2012

Report returned from DI: 28 November 2012

Final report issued: 5 December 2012

Completion of corrective and preventative actions (CAPA) plan

Based on information provided, the HTA is satisfied that the establishment has completed the agreed actions in the CAPA plan and in doing so has taken sufficient action to correct all shortfalls addressed in the Inspection Report.

Date: 08 May 2013

Appendix 1: HTA standards

The HTA standards applicable to this establishment are shown below; those not assessed during the inspection are shown in grey text. Individual standards which are not applicable to this establishment have been excluded.

Consent standards
C1 Consent is obtained in accordance with the requirements of the Human Tissue Act 2004 (HT Act) and as set out in the code of practice
• There is a documented policy which governs consent for post-mortem examination and the retention of tissue and reflects the requirements of the HT Act and the latest version of the HTA Code of Practice on consent. • There is a documented SOP detailing the consent process (including who is able to take consent, what training they must receive, and what information must be provided to those giving consent for post-mortem examination). • There is written information about the consent process (provided to those giving consent), which reflects the requirements of the HT Act and the latest version of the HTA Code of Practice on consent.
C2 Information about the consent process is provided and in a variety of formats
• Relatives are given an opportunity to ask questions. • Relatives are given an opportunity to change their minds and is it made clear who should be contacted in this event. • Information contains clear guidance on options for how tissue may be handled after the post-mortem examination (repatriated with the body, returned to the family for burial/cremation, disposed of or stored for future use). • Where consent is sought for tissue to be retained for future use, information is provided about the potential uses in order to ensure that informed consent is obtained. • Information on the consent process is available in different languages and formats, or there is access to interpreters/translators.
C3 Staff involved in seeking consent receive training and support in the implications and essential requirements of taking consent
• There is a training programme for taking consent for post-mortem examination and tissue retention which addresses the requirements of the HT Act and HTA code of practice on consent. • Refresher training is available (e.g. annually). • Attendance at consent training is documented. • If untrained staff are involved in consent taking, they are always accompanied by a trained individual.

Governance and quality system standards

GQ1 All aspects of the establishments work are supported by ratified documented policies and procedures as part of the overall governance process

- Documented policies and SOPs cover all mortuary/laboratory procedures relevant to the licensed activity. These may include:
    - post-mortem examination, including the responsibilities of the APTs and Pathologists (e.g. evisceration) and management of high risk cases
    - record keeping
    - receipt and release of bodies, which reflect out of hours arrangements
    - lone working in the mortuary
    - transfer of bodies and tissue (including blocks and slides) to other establishments or off site
    - ensuring that tissue is handled in line with documented wishes of the relatives
    - disposal of tissue (including blocks and slides)

  (Note that individual SOPs for each activity are not required. Some SOPs will cover more than one activity.)
- Policies and procedures are regularly reviewed (for example, every 1-3 years).
- There is a system for recording that staff have read and understood the latest versions of these documents.
- Deviations from documented SOPs are recorded and monitored.

GQ2 There is a documented system of quality management and audit

- There is a quality manual which includes mortuary activities.
- Policies and SOPs are version controlled (and only the latest versions available for use).
- There is a schedule for audits to be carried out (which may include vertical and/or horizontal audits).
- Audits include compliance with documented procedures, records (for completeness) and traceability.
- Audit findings document who is responsible for follow up actions and the timeframe for completing those actions.
- Regular audits of tissue being stored at the establishment ensure that staff are fully aware what material is held and why.
- There is a complaints system in place.

GQ3 Staff are appropriately qualified and trained in techniques relevant to their work and are continuously updating their skills

- Staff are appropriately trained/qualified or supervised.
- Staff have annual appraisals.
- Staff are given opportunities to attend training courses, either internally or externally.
- Attendance by staff at training events is recorded.

- There is a documented training programme for new mortuary staff (e.g. competency checklist).

GQ4 There is a systematic and planned approach to the management of records

- There is a system for managing records which includes which records must be maintained, how they are backed up, where records are kept, how long each type of record is retained and who has access to each type of record.
- There are documented SOPs for record management.

GQ5 There are documented procedures for donor selection and exclusion, including donor criteria.

GQ6 A coding and records system facilitates traceability of bodies, body parts, tissues and cells, ensuring a robust audit trail

- Bodies are tagged/labelled upon arrival at the mortuary.
- There is a system to track each body from admission to the mortuary to release for burial or cremation (e.g. mortuary register, patient file, transport records).
- Organs or tissue taken during post mortem examination are fully traceable, including blocks and slides. The traceability system ensures that the following details are recorded:
    - material sent for analysis on or off-site, including confirmation of arrival
    - receipt upon return to the laboratory or mortuary
    - number of blocks and slides made
    - repatriation with a body
    - return for burial or cremation
    - disposal or retention for future use.
- Multiple identifiers used, including at least one unique identifier (e.g. post mortem number, name, dates of birth/death, etc) to identify bodies and tissue.

GQ7 There are systems to ensure that all adverse events, reactions and / or incidents are investigated promptly

- Staff are trained in how to use the incident reporting system.
- Staff know how to identify incidents and near-misses which must be reported, including those that must be reported to the HTA
- The incident reporting system clearly outline responsibilities for reporting, investigating and follow up for incidents.
- The incident reporting system ensures that follow up actions are identified (i.e. corrective and preventative actions) and completed.
- Information about incidents is shared with all staff (including the reporter) to avoid repeat errors.

GQ8 Risk assessments of the establishment's practices and processes are completed regularly and are recorded and monitored appropriately

- All procedures related to the licensed activities (as outlined in standard GQ1) are risk assessed.
- Risk assessments include risks associated with non-compliance with HTA standards as well as health and safety risks.
- Risk assessments are reviewed regularly (along with SOPs), for example every 1-3 years.
- Risk assessments include how to mitigate the identified risks; this includes actions that need to be taken, who is responsible for each action, deadlines for completing actions and confirmation that actions have been completed.

Premises, facilities and equipment standards

PFE1 The premises are fit for purpose

- There is sufficient space for the activities to be carried out.
- Refrigerated storage units are in good working condition and well maintained.
- Surfaces are made of non-porous materials.
- The premises are in reasonable condition (structure and cleanliness of floors, walls, entranceways).
- The premises are secure (e.g. there is controlled access to bodies, tissue, equipment and records).

PFE 2 Environmental controls are in place to avoid potential contamination

- There is clear separation of clean, transitional and dirty zones (e.g. doors, floor markings, signs).
- There is appropriate PPE available and routinely worn by staff.
- There is adequate critical equipment and/or PPE available for high risk post mortems.
- There are documented cleaning and decontamination procedures.
- There are documented cleaning schedule and records of cleaning and decontamination.

PFE3 There are appropriate facilities for the storage of bodies, body parts, tissues and cells, consumables and records.

- There is sufficient capacity for storage of bodies, organs and tissues.
- Temperatures of fridges and freezers are monitored on a regular basis.
- There are documented contingency plans in place should there be a power failure, or overflow.
- Bodies are shrouded whilst in storage.
- There is separate storage for infants and babies. If not, special measures are taken for the bodies of infants and babies.

PFE 4 Systems are in place to protect the quality and integrity of bodies, body parts, tissues and cells during transport and delivery to a destination

- There are documented procedures for transportation of bodies and tissue anywhere outside the mortuary (e.g. lab, other establishment), including record-keeping requirements.
- There are written agreements in place with any external parties (e.g. undertaker, or courier) who transport bodies and/or tissue behalf of the establishment (laboratory or mortuary).

  (Note that coroners usually have their own agreements with external parties for transportation bodies and tissue; however, documentation for traceability purposes must still be maintained by the establishment for these cases.)

PFE5 Equipment is appropriate for use, maintained, quality assured, validated and where appropriate monitored

- Items of equipment in the mortuary are in a good condition and appropriate for use:
  - fridges / Freezers
  - hydraulic trolleys
  - post mortem tables
  - hoists
  - saws (manual and/or oscillating)
  - PPE for high risk cases (e.g. respirators)
- The use of porous materials is kept to a minimum and has been risk assessed
- Maintenance/service records are kept for equipment, including fridges/freezers, trolleys, post mortem tables (if downdraught) and post mortem suite ventilation.

(Note: These records may be held by the mortuary or centrally by the Trust, e.g. Estates Department.)

Disposal Standards

D1 There is a clear and sensitive policy for disposing of human organs and tissue

- There is a documented Trust or mortuary/laboratory policy for the disposal of human tissue, which reflects the requirements of the HTA code of practice on disposal.
- There are documented procedures for disposal of human tissue, including blocks and slides.

D2 The reason for disposal and the methods used are carefully documented

- There are systems in place that ensure tissue is disposed of in accordance with the documented wishes of the deceased person's family.
- Disposal records include the date, method and reason for disposal.
- Tissue is disposed of in a timely fashion.

  (Note: this means that tissue is disposed of as soon as reasonably possible once it is no longer needed, e.g. when the coroner's or police authority ends or consented post-mortem examination is complete.)

Appendix 2: Classification of the level of shortfall

Where the HTA determines that a licensing standard is not met, the improvements required will be stated and the level of the shortfall will be classified as 'Critical', 'Major' or 'Minor'. Where the HTA is not presented with evidence that an establishment meets the requirements of an expected standard, it works on the premise that a lack of evidence indicates a shortfall.

The action an establishment will be required to make following the identification of a shortfall is based on the HTA's assessment of risk of harm and/or a breach of the HT Act or associated Directions.

1. **Critical shortfall:**

   A shortfall which poses a significant risk to human safety and/or dignity or is a breach of the Human Tissue Act 2004 (HT Act) or associated Directions

   or

   A combination of several major shortfalls, none of which is critical on its own, but which together could constitute a critical shortfall and should be explained and reported as such.

   A critical shortfall may result in one or more of the following:

   (1) A notice of proposal being issued to revoke the licence

   (2) Some or all of the licensable activity at the establishment ceasing with immediate effect until a corrective action plan is developed, agreed by the HTA and implemented.

   (3) A notice of suspension of licensable activities

   (4) Additional conditions being proposed

   (5) Directions being issued requiring specific action to be taken straightaway

2. **Major shortfall:**

   A non-critical shortfall that:

   - poses a risk to human safety and/or dignity, or
   - indicates a failure to carry out satisfactory procedures, or
   - indicates a breach of the relevant CoPs, the HT Act and other relevant professional and statutory guidelines, or
   - has the potential to become a critical shortfall unless addressed

   or

   A combination of several minor shortfalls, none of which is major on its own, but which, together, could constitute a major shortfall and should be explained and reported as such.

   In response to a major shortfall, an establishment is expected to implement corrective and preventative actions within 1-2 months of the issue of the final inspection report. Major shortfalls pose a higher level of risk and therefore a shorter deadline is given, compared to minor shortfalls, to ensure the level of risk is reduced in an appropriate timeframe.

3. **Minor shortfall:**

   A shortfall which cannot be classified as either critical or major, but which indicates a departure from expected standards.

This category of shortfall requires the development of a corrective action plan, the results of which will usually be assessed by the HTA either by desk based or site visit.

In response to a minor shortfall, an establishment is expected to implement corrective and preventative actions within 3-4 months of the issue of the final inspection report.

Follow up actions

A template corrective and preventative action plan will be sent as a separate Word document with both the draft and final inspection report. You must complete this template and return it to the HTA within 14 days of the issue of the final report.

Based on the level of the shortfall, the HTA will consider the most suitable type of follow-up of the completion of the corrective and preventative action plan. This may include a combination of

- a follow-up site-visit inspection
- a request for information that shows completion of actions
- monitoring of the action plan completion
- follow up at next desk-based or site-visit inspection.

After an assessment of your proposed action plan you will be notified of the follow-up approach the HTA will take.