

Information Statement
Public Authority: Bermuda Hospitals Board (BHB)

Introduction to Your Rights under Public Access to Information

The following document is the Information Statement for the Bermuda Hospitals Board (the “Board”). Every public authority covered by the Public Access to Information Act 2010 (PATI Act) has a legal duty to maintain an information statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority unless it is exempt. Several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. However, these exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [see sections 21 to 40, PATI Act]. In addition every person has a right to amend their personal information if it is incomplete, incorrect or misleading [s19, PATI Act].

The information provided includes: Organizational structure of the Board, governing legislation, functions and powers, services and programmes, information held – coupled with decision making, administrative or other such records, further information (includes financial), contact details for the information officer and locations of the information statement.

Section A: Structure, Organization and Governing Legislation [s5(1)a]

Governing Legislation:

Bermuda Hospitals Board Act 1970 (as amended) and regulations made thereunder.

Organizational Structure:

The Bermuda Hospitals Board (the “Board”) is a body corporate established under the Bermuda Hospitals Board Act 1970 (the “Act”), establishing the Board which operates the hospitals, which term includes King Edward VII Memorial Hospital and Mid-Atlantic Wellness Institute. The Act sets out the Board’s powers and duties and establishes a comprehensive regime under which the Board operates. The mandate of the Board is to have general charge and management of the hospitals and overall responsibility for the provision of health services as defined in the Act.



Legislation

Bermuda Hospitals Board Act 1970 (as amended) and regulations thereunder
Mental Health Act 1968 (as amended) and regulations thereunder

Composition of the Bermuda Hospitals Board

The Hospitals Act 1970 mandates that the Board includes:

Voting Members:

- between seven and ten members, each of whom shall be appointed by the Minister by notice published in the Gazette.

Ex-Officio Voting Members:

- President of the Women's Hospital Auxiliary
- One person nominated for appointment by Bermuda Hospitals Charitable Foundation (BHCF)

Ex-Officio Non-Voting Members:

- The Chief of Staff
- The Chief Medical Officer
- The Permanent Secretary of the Ministry of Health

Composition of the Executive Team as of 1/8/20

- Chief Executive Officer
- Chief Financial Officer
- Chief of Nursing
- Deputy Chief Operating Officer

Section B: 1): Functions, powers, duties of the Authority [s5(1)b]

Mandate of the Board (s.6 BHB Act)

The Board has general charge and management of the hospitals and any movable and immovable property relating to the Board; it also has overall responsibility for the provision of health services. The Board is mandated to:

- (a) administer the hospitals and the provision of health services in an efficient manner and in such a way as to promote the welfare of patients;
- (b) so far as funds at its disposal permit, promptly make available at the hospitals modern methods of treatment of the sick and infirm, and use such methods in the provision of health services;
- (c) coordinate the administration and operation of the hospitals and the provision of health services;
- (d) make recommendations to the Minister on the development of the hospitals and the hospital service, on the provision of health services and on such matters as the Minister may refer to the Board; and
- (e) give effect to any directions given by the Minister under section 24.

The Board may also, subject to the provisions of the Hospitals Act 1970:

- (a) build, construct or erect, or cause to be built, constructed or erected, any building; or
- (b) carryout, or cause to be carried out, any works, upon any land owned by, or under the control of the Board where such building or works are calculated to facilitate, or are conducive or incidental to, the discharge of any function of the Board.

Section B: 2) Obligations under PATI Act [s5(1)b]

- (1) To provide an **information statement** for the public and promulgate it,
- (2) To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
 - General information, e.g. activities of the Board
 - Log of all information requests and their outcome
 - Quarterly expenditures (upon request) [s6(5)]
 - Contracts valued at \$50,000 or more [s.6(6)]
- (3) To **respond to information requests** in a timely manner [ss.12-16]
- (4) To **track information requests**, and provide this data to the Information Commissioner
- (5) To respond to requests from the Information Commissioner [s9]
- (6) To **amend personal information** held by the Board that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- (7) To conduct an **internal review** if formally requested [part 5]
- (8) To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- (9) To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- (10) To **do anything else as required** under the PATI Act and Regulations made thereunder [s59, 60], including:
 - **Fees** for Requests for information
 - **Management and maintenance of records**
 - **Procedures** for administering the Act
- (11) To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- (12) To **designate one of its officers** to be the person to whom requests are directed [s62]

Section C: Services and Programmes provided [s5(1)c]

Services provided by the Bermuda Hospitals Board pursuant to the Bermuda Hospitals Board Act 1970:

- (a) administer the hospitals and the provision of health services in an efficient manner and in such a way as to promote the welfare of patients;
- (b) so far as funds at its disposal permit, promptly make available at the hospitals modern methods of treatment of the sick and infirm, and use such methods in the provision of health services;
- (c) coordinate the administration and operation of the hospitals and the provision of health services;

(d) make recommendations to the Minister on the development of the hospitals and the hospital service, on the provision of health services and on such matters as the Minister may refer to the Board; and

(e) give effect to any directions given by the Minister under section 24.

Provision of health services by other persons or entities:

(a) the Board may enter into agreements (including partnering arrangements or joint ventures) with other entities for the provision of health services, including at places other than hospitals; and

(b) where an entity provides health services the Board may authorize that entity to exercise any functions that the Board may exercise in relation to hospitals.

Stakeholder Engagement: Stakeholders have involvement at BHB through the Board and its Committees. BHB Committees, such as the Ethics Committee, also include community representation. Strategic developments include specific stakeholder outreach, and BHB leaders are involved in healthcare related community organizations, Government groups and quangos (e.g. Bermuda Health Council).

People: Approximately 1,800 people are employed by BHB. Of this number, approximately 70% are Bermudian and 30% are guest workers.

Operations: See BHB's website at www.bermudahospitals.bm

Complaints and Queries Service: Patient and family complaints should be directed to the Patient Relations Manager on the fifth floor of King Edward VII Memorial Hospital (or via e-mail at feedback@bermudahospitals.bm or telephone 441-239-1425. Clinical complaints should be made in writing to the Quality & Risk Department.

CLINICAL DEPARTMENTS AND SERVICES (as mandated pursuant to section 10(1) of the Act)

- (a) Medical
- (b) Surgical
- (c) Obstetrics/Paediatrics
- (d) Emergency Medicine
- (e) Geriatric Medicine
- (f) Diagnostic Medicine
- (g) Laboratory
- (h) Anaesthesiology
- (i) Dental
- (j) Psychiatry

PROGRAMMES & SERVICES PROVIDED BY:

(A) KING EDWARD VII MEMORAL HOSPITAL

Asthma Education
Cardiology and Cardiac Diagnostics
Clinical Dietetic Services
Continuing Care
Day Hospital
Diabetes Education
Diagnostic Imaging
Dialysis Treatment
Emergency Services
Endocrinology
Home Care
Hospice Care
Hyperbaric and Wound Care
Intensive Care Unit
Laboratory and Pathology Services
Maternal-Child
Clinical Social Work
Nephrology
Occupational Therapy
Oncology Services
Palliative Care
Pharmacy
Physiotherapy
Rehabilitation Services
Speech Pathology
Surgical Services

(B) LAMB FOGGO URGENT CARE CENTRE

Urgent Care
Diagnostic Services (x-ray, ultrasound, laboratory)

(C) MID-ATLANTIC WELLNESS INSTITUTE

Mental Health Services (adults, children and adolescents)
Community Outreach and Rehabilitation Services
Learning Disability Services
Vocational Rehabilitation
Substance Abuse Treatment
Community Homes (Mental Health and Learning Disability)

Section D: Records held [s5(1)d]

- Medical Records
- Employee Records/Employment Contracts
- Accreditation Survey Reports
- Annual Reports of the Board
- Board Agendas
- Contracts & Legal Agreements under \$50,000
- Contracts & Legal Agreements over \$50,000
- Executive Team Agendas
- Financial Updates
- Leadership Presentations
- Memoranda of Understanding
- Patient Satisfaction Reports
- Policies & Procedures
- Requests for Proposals
- Staff newsletters and notices
- Meeting Minutes – records of meetings held and the deliberations of the Board are kept by BHB – some information contained therein is information obtained in confidence.

Section E: Administration Manuals [s.5(1)e]

- Employee Handbook
- Declaration of Confidentiality
- Declaration Register of Conflicts of Interests
- Code of Conduct
- Policies & Procedures

Section G: How to Contact the Information officer and Make a Request [s5(1)g and (h)]

Requests must be made using the application form and submitted in person to the Information Officer. You must also provide Government-issued identification to prove that you are a Bermudian or a resident of Bermuda, such as a passport or Bermuda driver's license. The process and application form are located at: <https://www.gov.bm/online-services/make-pati-request>.

A request must identify the record, the subject and time period. Requests should specify the manner in which access is preferred, for example by inspection or by copy. There is a fee charged for reproducing materials (see list of fees on the PATI website at: <https://www.gov.bm/pati-service-fees>).

Your request will be acknowledged within 5 days. The Public Authority has 6 weeks to make a decision regarding the request. Access to the record may be provided in full, in part or denied. If you are not satisfied with the outcome you may appeal the decision via several mechanisms: an Internal Review by the head of the Authority, an External Review by the Information Commissioner, and a Judicial Review in the Supreme Court. These processes are described on the PATI website (<https://www.gov.bm/public-access-information-pati>).

Contact PATI Information Officer,
Mrs. Debra L. Goins-Francis
General Counsel
Bermuda Hospitals Board
P.O. Box HM 1023
Hamilton HM DX
Re: PATI request

Hand-deliver to King Edward VII Memorial Hospital
7 Point Finger Road, Paget

*Mail** PO Box HM 1023, Hamilton HM DX, Bermuda

*Email** informationofficer@bhb.bm

Telephone Tel. 441-239-2042 or 441-239-1434

Section H: Any Other Information [s5(1)h]

Further Information

1. **About us** is available on the Bermuda Hospitals Board's website at: <http://www.bermudahospitals.bm>.
2. For online copies of the registers – select the relevant profession.
3. The **legislation** listed may be found at Bermuda Laws Online www.bermudalaws.bm.
4. **Financial Information.** As with all statutory boards, the fees for services and the remuneration of board members for service is governed by the following legislation:
 - Government Fees Act, 1965; and the Government Fees Regulations, 1976. The Act governs the charging of fees to applicants for services. The Regulations lists the fees for the services.
 - Government Authorities (Fees) Act, 1971. The Act governs the remuneration of body members for services. In brief: *if not otherwise waived*, the Chair receives \$100, and other members receive \$50, per meeting. Public Officers receive no monies.

Section I: Any Other Information As Prescribed [s5(1)i]

The Regulations do not specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
3. **Expenditure:** Quarterly expenditure will be provided upon request.

4. **Salaries:** The Minister responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Locations of Information Statement:

- Office: King Edward VII Memorial Hospital, 7 Point Finger Road, Paget DV 04 Bermuda Y
- The Bermuda National Library Y
- The Bermuda Archives Y
- Available electronically at:
 - PATI website <https://www.gov.bm/public-access-information-pati> Y
 - Authority's website – <http://www.bermudahospitals.bm> Y
- With the Information Commissioner. Y

Have you published a notice in the Gazette indicating the places where the information statement is available for the public? Y

Date Information Statement was updated:

Date 7th December, 2020

Signature: _____

Name: William Madeiros
Position: Chairman of the Bermuda Hospitals Board

Ends