

Our ref: IG/FOI/FOI.636.25

4 February 2026

Sent via email to: [REDACTED]

Dear [REDACTED]

Request under the Freedom of Information Act 2000

I write further to your request for information which was received on 29 December 2025 and subsequent clarification received on 26 January 2026, to confirm, in accordance with S.1(1)(a) of the Freedom of Information Act 2000, that Powys Teaching Health Board (PTHB) does hold the information that you require.

For ease of reference your request is set out below and the Health Board's response follows:

Your Freedom of Information (FOI) Request:

I wish to make a Freedom of Information request relating to workplace practices in the maternity service provided by your trust/ board. Please can you answer the following questions:

Q1. Are midwives in your trust/ board protected by Working Time Regulations 1998 (WTR)?

Q2. Is there any system in place to audit or ensure compliance with WTR within your maternity service?

Q3. Are midwives in your trust/board asked to opt out of WTR protections as a condition of employment?

Q4. If so, is it made clear to staff that the opt-out is voluntary? Is the opt-out time-limited, or indefinite? And under what criteria, 'emergency' or otherwise, does your maternity service justify this opt-out?

Q5. What are your staffing arrangements for covering on-call maternity services, either at home births and/ or to cover short staffing within the maternity unit?

Q6. How often are midwives in your trust/ board called out to provide services overnight after working clinically during the day? In these instances, what is your system for compensatory rest and/or time off in lieu (TOIL)?

Q7.If a midwife identifies that s/he is unable to provide safe care due to exhaustion, do you have a standard operating procedure for providing relief?

Clarification Request

Q6. Please can you confirm the time period you require this data for e.g. over the past 12 months.

Q6. Please could you confirm if you would like us to include telephone calls to patients, or whether your request relates only to being called out to see a patient.

Clarification Response

please provide information regarding average number of actual call-outs to patients per month over the last 12 months.

Powys Response

Q1. I can confirm that midwives in Powys Teaching Health Board (PTHB) are protected by Working Time Regulations 1998 (WTR).

Q2. The health roster works to report on any breaches and also highlights them.

Q3. Midwives in PTHB are not asked to opt out of WTR protections as a condition of employment.

Q4. Not applicable.

Q5. There is an escalation policy in place for staff to follow. We have minimum staffing levels that are set and have daily oversight to address any shortfalls due to sickness etc.

Q6. I can confirm that over the last 12 months there were 423 instances where midwives were called out to provide services overnight after working during the day; this equates to an average of 35.25 instances per month. The midwives on call overnight work till 1300 and then come back to on call period at 1900. If called out, they will get compensatory rest the next day.

Q7. We have an escalation policy that advises staff what to do if feel they need to handover due to exhaustion, ring the Bronze on call who will arrange cover.

The escalation policy states "If staff feel well enough to work beyond 10 hours they can do so if they wish – subject to self-assessment of fatigue and wellbeing.

- Escalation to Bronze on-call if emergency work requires extension beyond planned hours.

- Compensatory rest is provided on a like for like basis, i.e. by finishing the working day at 13:00 and starting the on-call at 19:00, a minimum rest period of 6 hours is provided. Therefore, the maximum period of rest lost, would be 5

hours. The rest period lost, would be required to be given back to staff immediately afterwards or as soon as possible”

If you have queries or any concerns, contact details are given at the top of the letter. Please remember to quote the reference number above in any future communications. If you are dissatisfied with the handling or response to your request and wish to ask for a review of this, please contact us and we will arrange for this to be done.

Further information is available from the Information Commissioner’s Office who can be contacted at:

Address: Information Commissioner’s Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH.

Telephone: 0330 414 6421

Complaints Portal: www.ico.org.uk/foicomplaints

Web site: <https://ico.org.uk/>

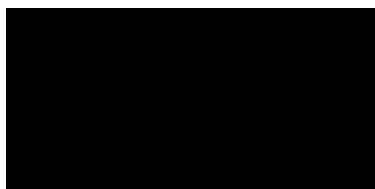
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All information supplied by the Health Board in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2015.

Under the terms of the Regulations, the Health Board will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however, the Health Board reserves the right, in certain circumstances to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information including a sample license terms and fees can be found at Open Government Licence.

Yours sincerely



Amie Symes
Director of Midwifery, Women and Family

Rydym yn croesawu derbyn gohebiaeth yng Nghymraeg. Byddwn yn ateb y fath ohebiaeth yng Nghymraeg ac ni fydd hyn yn arwain at oedi.

We welcome receiving correspondence in Welsh. We will reply to such correspondence in Welsh and this will not lead to a delay.