Date: 30/05/2018

FREEDOM OF INFORMATION REQUEST FOI/014118 – Charging overseas visitors

I make the following requests in respect of documents/information held by your NHS trust. If you are managing Freedom of Information Act disclosures on behalf of more than one NHS trust please treat this request as a request for information from each and every NHS trust for which you are responsible.

You will be aware of the NHS (Charges to Overseas Visitors) Regulations 2015 as amended by the NHS (Charges to Overseas Visitors) (Amendment) Regulations 2017. All requests for information below relate to your implementation of these regulations, and particularly, though not exclusively, the requirement to charge up-front for treatment where individuals are not eligible for free treatment, and the concomitant requirements to identify chargeable visitors and to consider whether they are exempt from charging, or whether their care is immediately necessary or urgent.

Please consider the following three requests:

1. The disclosure of a Home Office document has revealed that at least 16 NHS trusts have entered into a Memorandum of Understanding with the Home Office in order to prevent 'upfront access to healthcare to which illegal migrants are not entitled'.
a. Has your NHS trust entered into such an MoU? - NO
b. Please provide a copy of the MoU if so.

2. The same document reveals that at least 20 NHS trusts have been visited by Home Office Local Partnership managers to establish 'robust immigration status checking systems'.
a. Has your NHS trust had such a visit? - NO
b. Please provide details of any such visit or visits including, but not limited to:
i. Agendas of any meetings with Home Office Local Partnership managers;
ii. Minutes of any such meetings, if available;
iii. Documents/information packs/brochures/training materials/guidance relating to the visit or visits or created as a result of engagement with Home Office Local Partnership managers.
c. Please provide documents/guidance/procedures as to the immigration status checking system that you have in place.

3. Please also provide documents or information as to efforts that have been made to discharge the Trust's public sector equality duty in implementing the regulations. These would usually include, but are not limited to:
a. Equality impact assessments;
b. Delivery of training to staff on implementation and avoiding discrimination;
c. Written policies and guidance on implementation of the charging regime;
d. Systems to monitor the impact of the charging regime on your service users, particularly those belonging to BME groups, foreign nationals, or those with other protected characteristics and any findings from such monitoring.

The Trust follows the Department of Health Guidelines in respect of assessing whether patients are ordinarily resident in the UK. All patients commencing a new course of treatment should be asked the baseline question by frontline staff as per the Department of Health Guidelines, then if applicable an NHS eligibility form should be completed by the patient and evidence of residency should be provided. If the evidence is not available, the patient should provide the information direct to the Finance Staff. A clinical decision is made by the medic to treat immediately or wait for confirmation if eligible or not, for NHS treatment.

Patients continuing treatment after initially attending ED are unlikely to have evidence of residency on their person. If evidence is not provided by the patient at the time of treatment or at a later date, an invoice will be raised for the cost of the treatment. The decision to treat is always the responsibility of the treating medic. Patients requiring Outpatient appointments will be vetted by Health Record staff/ Medical secretaries before an appointment is given, if there is any patient information provided at the time of request that may indicated they are not ordinarily resident, the OSV manager will be notified so that further investigation can take place. Once eligibility for NHS treatment is established an appointment is given
Training and information is provided by staff in General Office section of the Finance Department. Training is provided at induction days for all new staff and as group training sessions for departments that require training i.e. X ray department or wards etc. Any member of staff can contact Financial Services if they have any queries or concerns regarding a potential overseas visitor. Information is also available to staff on the Trust's intranet