

Councillor John Muldoon
(Chair of the Lewisham Healthier
Communities Select Committee)
Lewisham Civic Suite
London SE6 4RU

10th March 2020

Dear John,

Charges for care for overseas visitors who are not entitled to free NHS care

Thank you for your letter of 21 January 2020 and my apologies for the fact that I was unable to attend the last meeting of the Committee in person. I trust this letter will provide the Committee with further briefing and assurance on the systems in place within Lewisham & Greenwich NHS Trust to implement guidance from the Department of Health and Social Care in this area.

I have set out updates on the action taken by the Trust and on the independently-chaired Panel that we have set up to look in still greater depth at these issues. In summary I believe that our systems and processes meet the expectations of national guidance and do so in a professional manner. There is always more we can do. That being the case we have set ourselves the ambition of doing this in a way that is demonstrably caring, compassionate and in line with the Trust's values. I am particularly mindful of the borough's Sanctuary status as a crucial local factor. I am keen that the work we have put in place increasingly helps shape national thinking on how this policy is developed in the future and am delighted that NHS England has agreed to engage in our local activities.

This letter focuses, therefore, on:

- The Trust's internal processes and the assurance we have sought and received
- Specific issues relating to maternity services
- The Trust's use of Experian
- The independently-chaired Panel convened by the Trust and which you refer to in your letter

Internal systems

As you note in your letter there has been significant interest in the Trust's application of this policy and its use of Experian in particular.

As many of these processes are relatively historic I proactively commissioned an independent and objective assessment of our systems and processes. This was undertaken by our internal auditors, KPMG. I have attached a copy of KPMG's report which identified "significant assurance with minor improvement opportunities".

While it is welcome that we have received this assurance we are in no way complacent and are keen to learn from others and explore better ways of applying what is an emotive policy for a number of staff as well as patients and local people.

Maternity

When the issues around this policy were first brought to my attention during July 2019 our immediate focus was on maternity services, where its impact is felt most acutely. I have always been clear that, while we are



bound by the law and national guidance, there is an absolute need for sensitivity, respect and kindness when dealing with women and families who have been through very distressing experiences.

With this in mind we agreed last summer to:

- Void invoices for women who have experienced an adverse perinatal loss or outcome and
- Adopt a sensitive approach to billing for pregnant women, with a particular focus on the wording of our written communications.

Experian

While you helpfully acknowledged during the Committee's meeting that the Trust has never used Experian for the purpose of credit checks, the fact that we used them at all has clearly caused concern for a number of people. I must emphasise that at no stage has any digital or virtual "footprint" relating to any individual been left and people's anonymity has been preserved. Nevertheless the Trust referred itself to the Information Commissioner's Office in October 2019 to ensure complete transparency and in line with good practice. We have subsequently responded in full to all requests for further information.

As the same time we ceased all use of Experian's services and I can confirm that we are now formally ending the contract.

Panel

As previously noted we moved at the same time to establish an Oversight Panel to review and advise on our current and future approach to the implementation of the policy and guidance on charging of Overseas Visitors. We appointed an independent chair (Mr Peter Gluckman) and have secured a broad range of attendance including local people, all three of our Local Authorities, Healthwatch, the Royal College, and NHS England/ Improvement.

Our primary objective is that the Trust should become an exemplar in the caring and compassionate way in which it approaches this and similar or related issues, undertaking all its activities in a way that is consistent with the aspirations of LB Lewisham in taking on Sanctuary status.

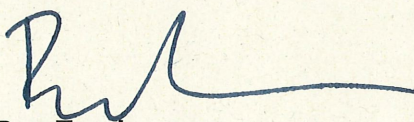
As part of this process we are scheduling a number of visits to other Trusts, including a number in London but also in other cities round the country. We will use the learning from these visits to inform further improvements in our local practice.

The Oversight Panel had its first meeting on Thursday 27 January with virtually full attendance. Feedback from stakeholders has been very positive. I have attached the Panel's Terms of Reference for information and I am very grateful to Tom Brown for agreeing to represent the borough in this forum. I know that Peter would be very interested in the views of members and we will, of course, keep you fully briefed on our progress. The Panel's report is due in the summer.

I hope this all provides the Committee with assurance that we have taken this issue extremely seriously and have put robust measures in place to ensure that the Trust applies national guidance in the most sensitive and professional way possible.

I would, of course, be happy to discuss in more detail.

Yours sincerely



Ben Travis
Chief Executive

