



Mayor and Cabinet

Report title: Comments of the Healthier Communities Select Committee on migrant charging at Lewisham and Greenwich NHS Trust

Date: 05 February 2020

Key decision: No.

Class: Part 1

Ward(s) affected: All

Contributors: Executive Director for Corporate Services (Scrutiny Manager)

Outline and recommendation

This report informs Mayor and Cabinet of the views of the Healthier Communities Select Committee arising from discussions held at its meeting on Wednesday 15 January 2020 on migrant charging at Lewisham and Greenwich NHS Trust.

- The Mayor and Cabinet is recommended to note the views of the committee and agree to provide a response.

1. Summary

- 1.1. This report informs the Mayor and Cabinet of the views of the Healthier Communities Select Committee arising from discussions held at its meeting on Wednesday 15 January 2020 on migrant charging at Lewisham and Greenwich NHS Trust.

2. Recommendation

- 2.1. The Mayor and Cabinet is recommended to note the views of the committee as set out in section four of this referral and agree to provide a response.

3. Policy Context

- 3.1. The Council's *Corporate Strategy 2018-2022* outlines the Council's vision to deliver for residents and includes the following priority relevant to this item:
 1. ***Delivering and defending: health, social care and support*** - Ensuring everyone receives the health, mental health, social care and support services they need.

4. Healthier Communities Select Committee views

- 4.1. At its meeting on Wednesday 15 January 2020, the Healthier Communities Select Committee received a report on the Trust's recently-suspended arrangements for charging patients who are not "ordinarily resident" in the UK and therefore not eligible for free healthcare. Following discussion and questioning the committee resolved to refer its views to Mayor and Cabinet in the following terms:
- 4.2. *The committee was concerned to learn of the arrangements that have recently been in place at Lewisham and Greenwich NHS Trust for identifying and charging patients who are not eligible for free healthcare. The committee was particularly concerned to learn about the automatic sharing of data with the credit reference agency, Experian, to check whether patients were economically active in the UK (as part of the process for assessing "ordinary residence"). While the Trust is required by law to charge patients who are not eligible, the committee is concerned about the impact that the Trust's implementation of this policy has on Lewisham's status as a sanctuary borough. The committee therefore asks Mayor and Cabinet to explore good policy and practice in other councils in London and beyond in order to make links and help to create a campaign with those councils.*

5. Financial implications

- 5.1. There are no direct financial implications arising from the implementation of the recommendations in this report.

6. Legal implications

- 6.1. There are no direct legal implications arising from the implementation of the recommendations in this report.

7. Equalities implications

- 7.1. Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2. The Council must, in the exercise of its functions, have due regard to the need to:

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- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

8. Climate change and environmental implications

- 8.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report.

9. Crime and disorder implications

- 9.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report.

10. Health and wellbeing implications

- 10.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report.

11. Background papers

- 11.1. [Revealed: Mass use of credit check firm to find NHS patients to charge](#), *Health Service Journal*, 30 September 2019
- 11.2. [Healthier Communities Select Committee Agenda](#), 15 January 2020 (see item 5)
- 11.3. [Lewisham and Greenwich Trust scrutinised over sharing patients' data with Experian](#), *News Shopper*, 16 January 2020

12. Report contact

- 12.1. *John Bardens, Scrutiny Manager*, john.bardens@lewisham.gov.uk 020 8314 9976

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