



Ben Travis
Chief Executive, Lewisham and Greenwich NHS Trust
University Hospital Lewisham
High Street
Lewisham
London
SE13 6LH

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

0203 489 4640
cllrJohn.Muldoon@lewisham.gov.uk

21 January 2020

Dear Ben

Re: Migrant charging at Lewisham and Greenwich NHS Trust

At its meeting on Wednesday 15 January 2020, the *Healthier Communities Select Committee* received a report on the Trust's recently-suspended arrangements for identifying and charging patients who are not "ordinarily resident" in the UK and therefore not eligible for free healthcare. Following the committee's questioning of the Trust's Director of Strategy and Integrated Care, Jim Lusby, the committee agreed to follow up in writing to reiterate its concerns about the Trust's processes and to state its expectations for the independently-chaired oversight panel established in response to the concerns raised.

As noted at the meeting, the committee was concerned to learn, from an article in the *Health Service Journal*, of the practice that had been in place at the Trust for assessing patients' eligibility for free healthcare (see [Revealed: Mass use of credit check firm to find NHS patients to charge](#), 30 September). The committee was particularly concerned 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"). Given that many people who are very ill will not be economically active, and that over one million UK adults do not have a bank account, the committee deeply disagrees that assessing economic activity is a useful metric for determining whether a patient is ordinarily resident in the UK and therefore eligible for free healthcare. The committee is also unconvinced that patients were given adequate notice about the process and the way that their information was being used, as required under GDPR.

The committee acknowledges that the Trust has commissioned an independent review of the processes it followed and established an independently-chaired oversight panel to look at national guidance and review current arrangements. The committee hopes that these measures are successful and urges the Trust to publish the procedure to give evidence to the oversight panel so that it can take evidence from all stakeholder groups, particularly those who have been affected by the processes that were in place.

The committee requests a response from the Trust providing an explanation of the processes *now* in place for the checking patients' eligibility for free healthcare and reassurance about evidence-gathering processes for the oversight panel.

Yours sincerely

Councillor John Muldoon, Chair of the Healthier Communities Select Committee