



Ref: FOIA Reference 2020/21-269

Date: 26th October 2020

Email foi@uhnm.nhs.uk

Dear

I am writing in response to your email dated 6th October 2020 requesting information under the Freedom of Information Act (2000) regarding overseas policy.

On 7th October 2020 we contacted you via email as UHNM had already received this identical request from yourself, we advised you of the following: as of 31st October 2014 University Hospital of North Staffordshire NHS Trust (UHNS) ceased to exist. As of 1st November 2014 Royal Stoke University Hospital and County Hospital (Stafford) became known as University Hospitals of North Midlands NHS Trust (UHNM).

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Q1 The following requests relate to NHS (Charges to Overseas Visitors) Regulations 2015 as amended by the NHS (Charges to Overseas Visitors) (Amendment) Regulations 2017. Please consider the following three requests:

1. This question relates to the Trust's implementation of the charging policies detailed above. Please provide:

- a. copies of any Equality Impact Assessments.
- b. copies of any local policies and guidance on implementation of the charging regime.
 - If the Trust does not have any local policy or guidance, please list the guidance used to implement the regulations.
- c. copies of documents/guidance/forms explaining how charging exemption requests are assessed.
 - In particular this should include the process by which individuals are identified as exempt from charging as they are in receipt of treatment required for a physical or mental condition caused by torture, domestic violence or sexual violence.
- d. copies of any guidance/documents explaining the criteria by which an individual is categorised as destitute and therefore exempt from charging.

A1 Please see below:

a) UHNM uses the National Government Guidance. We have requested information from the Department of Health regarding the current standard documents we are sending to patients,

along with sight of the quality impact assessment and when these standard documents were last reviewed and a date for future review. Any response will be included within our updated Overseas Policy. (We are currently updating our current policies. We cannot share this policy as it has not yet been approved by Governance Committee. (Section 22 exemption: *future publication*- expected approval January 2021) however in the interim please see below statements)

b) We use the National government guidance, Please see below link to government website for further information:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/864481/Guidance_on_implementing_the_overseas_visitor_charging_regulations_-_Feb_2020.pdf

We are currently updating our current policies. We cannot share this policy as it has not yet been approved by Governance Committee. (Section 22 exemptions: future publication- expected approval January 2021) however in the interim please see below statements.

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Q2 Please provide details on the training staff receive with regards to overseas visitor charging regulations. Specifically:

a. Are staff joining this Trust required to complete training relating to the overseas visitor charging policy?

i) If so is this training face-to-face or an online e-learning module?

ii) Please provide details of what specific training is provided to avoid discrimination when implementing the policy?

iii) Please provide copies of any training materials provided prior to or during these sessions.

b. Are clinicians employed by this Trust required to complete any specific training to enable them in their role of assessing whether patient care is urgent/immediately necessary?

i) If so is this training face-to-face or an online e-learning module?

ii) Please provide copies of any training materials provided prior to or during these sessions.

c. Are overseas managers (OVMs) required to complete any specific training to enable them in their role implementing these regulations when joining the Trust?

i) If so is this training face-to-face or an online e-learning module?

ii) Please provide copies of any assessments made with regards to whether OVMs employed by the Trust should be required to hold an Office of the Immigration Services Commissioner (OISC) registration?

iii) Please confirm whether OVMs employed by the Trust have received any immigration advisory training enabling registration with the Office of Immigration Services Commissioner (OISC) commissioner. This could be OISC qualification levels 1-3, or the law society Immigration and Asylum Accreditation Scheme (IAAS) levels 1-2.

A2 See below:

- A i) Only staff employed into the Private Patient and Overseas Team are asked to complete a training course via e-learning module.
- A ii) The training is an online course provided by Health Education England.
- A iii) Training material cannot be shared by UHNM, information may be available by contacting: Health Education England e-learning their website is - <https://portal.e-lfh.org.uk/>
- B i) No, but they can access the modules via the Trusts training platform if they wish to complete the training, but it is not mandatory.
- B ii) Training material cannot be shared UHNM, information may be available by contacting: Health Education England e-learning their website is - <https://portal.e-lfh.org.uk/>
- C i) OVM completed the e-learning module provided to the Trust by Health Education England.
- C ii) OISC registration is not required as members of the Overseas Visitors Team do not supply immigration advice as defined in s82 of The Immigration and Asylum Act 1999
- C iii) OISC registration is not required as members of the Overseas Visitors Team do not supply immigration advice as defined in s82 of The Immigration and Asylum Act 1999

Q3 This question relates to how the Trust is monitoring the impact of the charging policies:

- a) Please provide copies of any audit reports monitoring the impact of the charging policy on service users following implementation.**
- b) In particular please provide any documents detailing how the Trust is monitoring for evidence of systematic discrimination as a result of these policies.**

A3 We are currently updating our current policies. We cannot share this policy as it has not yet been approved by Governance Committee. (Section 22 exemption: *future publication*-expected approval January 2021) however in the interim please see below statement

- a) Overseas Policy is currently under review and being updated for most up to date guidance- as above exemption.
- b) We are unable to provide the information you require in the requested format as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information*. However we can report UHNM received a query regarding potential discrimination; it was shown that we have not discriminated against any patient.

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.

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An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

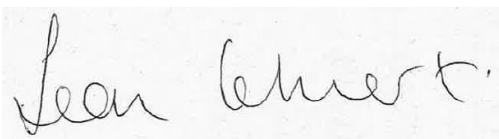
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,



Jean Lehnert
Data, Security & Protection Manager



University Hospitals
of North Midlands
NHS Trust

