

Date: Thursday, 08 August 2019
Our Ref: MB/KF FIRM 3947

Sid Watkins Building
Lower Lane
Fazakerley
Liverpool L9 7BB
Tel: 0151-525-3611
Fax: 0151-529-5500
Direct Line: 0151 556 3037

Re: Freedom of Information Request FIRM 3942

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 17th July 2019.

Your request was received as follows: -

1. Whether the Trust has a Memorandum of Understanding with the Home Office regarding the Immigration Enforcement Checking and Advisory Service (IECAS) helpline. If so, please provide a copy of that MoU. – [The Walton Centre NHS Foundation Trust \(WCFT\) can confirm we do not have a Memorandum of Understanding with the Home Office.](#)
2. For each financial year since 2017/18 and including 2019/20, the number of patients whose information and/or data was shared with the Home Office without the patient's knowledge or permission, and the basis for this information sharing. Please state the categories of information that were disclosed (e.g. country of origin) – [WCFT can confirm that no patient data is shared without a patient's knowledge; the patient is always informed that if no payment is made within 3 months then their data will be given to the Home Office.](#)
3. Staff training slides (or Word documents, pdfs) used in any training/guidance sessions, related to patient charging, delivered by Overseas Visitor Managers to Trust staff since July 2017. – [While there have been no specific training sessions delivered by managers, WCFT can confirm that staff members do have access to the Department of Health and Social Care's \(DHSC\) 'Guidance on Implementing the Overseas Visitor Charging Regulations' and the DHSC published toolbox of supporting information. Staff are also required to adhere to the WCFT policy 'Guidance for Overseas Patients.'](#)
4. Copies of the training material used to train Overseas Visitor Managers in relation to identifying patients ineligible for free NHS care – [The DHSC guidance and toolbox are available on the Gov.uk website.](#)
5. Any checklist, guidance, policies or procedures currently used by Overseas Visitor Managers to identify patients who may be ineligible for free NHS care under the overseas patient charging rules – [The WCFT policy 'Guidance for Overseas Patients' is designed to assist clerical and ward staff in identifying overseas patients and ensuring that the correct administrative procedures are followed when treating patients. The DHSC 'Guidance on Implementing the Overseas Visitor Charging Regulations' is also available to the relevant members of staff as is their published toolbox of supporting information. More specifically, WCFT use summary care records which can identify if the patient has paid an NHS surcharge or not and the Home office.](#)
6. Does the Trust record the ethnicity or nationality of patients who are asked to provide evidence/proof of their eligibility for free NHS care? If so, please provide this data for 2017/18, 2018/19 and 2019/20 (year to date) – [We record a patient's nationality as this information is needed when checking with the Home office for eligibility.](#)

[Due to patients being identified, further information relating to nationality will not be released under Section 40\(3\)\(a\)\(ii\) of the Freedom of Information Act 2000, as releasing this information may lead to undue stress for the families and patients as this information may still lead to a patient being identified and we are only allowed to share this information with the Home office. Therefore, this information has not been released for reasons of confidentiality; compliance with the Data Protection Act 2018 and by virtue of the exemptions contained in section 40\(3\) of the Freedom of Information Act 2000 as the Trust believes that providing the information would](#)



be in breach of the Principle (B) of GDPR as well as provisions under Chapter III regarding individuals' rights.

7. Please list the circumstances under which, under current Trust/DHSC policy, the Trust shares the home address of past or current patients with the Home Office – [WCFT can confirm this information is provided to the Home Office if we are checking eligibility and if the patient has not made any contact to pay an outstanding invoice.](#)

8. Have any Trust staff faced disciplinary procedures for not cooperating with the identification or charging of patients ineligible for free NHS care since October 2017? – [No.](#)

See our response above in [blue](#).

Re-Use of Public Sector Information

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at www.opsi.gov.uk where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at www.opsi.gov.uk/advice/psi-regulations/index.htm

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Mr Mike Burns, Executive Lead for Freedom of Information

