

Date: Thursday, 15th June 2023
Our Ref: MB/CM FOI 5742

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Re: Freedom of Information Request FOI 5742

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 17th May 2023.

Your request was as follows:

I am writing to request information under the Freedom of Information Act 2000, relating to the trusts implementation of the 'NHS (Charges to Overseas Visitors) Regulations 2015, as amended by the NHS (Charges to Overseas Visitors) (Amendment) (EU Exit) Regulations 2020', hereafter referred to as 'the charging policy'.

The following requests relate to the expenditure and income generated from the 'charging policy', excluding any generated through private paying patients or monies claimed back from countries as part of any reciprocal healthcare arrangement.

As per the trusts application of the 'charging policy' for each financial year from 2015-2023 please provide (i) the total number of and (ii) the total value of:

(1a)

Invoices generated

(1b)

Payments received

(1c)

Credit notes issued after a patient has been invoiced for care and later found to be eligible for free treatment

(1d)

Invoices written off for accounting purposes due to a patient being considered destitute as per the conditions set out in 13.72 and 13.73 of the charging policy.

(1e)

Debts passed onto debt collection agencies for recovery due to non-payment.

For each of the above requests from 1a to 1e inclusive, please provide a breakdown by speciality, department, or similar categorisation (see appendix 1 for example formatting).

I confirm that The Walton Centre NHS Foundation Trust holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

Section 12 - Requests where the cost of compliance exceeds the appropriate limit

In response to your request, whilst we hold the information requested we believe an exemption under Section 12 of the Freedom of Information Act 2000 applies to it. Section 12 of the Act allows public authorities to refuse to answer requests for information if the cost of complying would exceed the 18 hour appropriate limit prescribed in the Fees Regulations.

In order to respond to your request this would require an audit person reviewing invoices, payments and credit notes during the years requested. The time it would take to compile and collate the activity data required by means of a manual trawl of records would be in excess of this appropriate limit.

This response therefore acts as a refusal notice under section 17 of the FOIA.

However, Section 16 of the FOIA places a duty on us to provide help and assistance where possible and I am able to advise you that: if you narrow your request to 3-5 years, the WCFT may be able to provide an appropriate response.

Please provide a breakdown by speciality, department, or similar categorisation of (i) the number of patients currently on a repayment plan with the trust for debt incurred under the charging policy and (ii) a breakdown by value of repayment - For example, the number of patients paying £1/month, £5/month, £10/month, etc. (see appendix 1 for example formatting).

(2a)

Please also provide the number of patients who entered a new payment plan with the trust, for each financial year from 2015-2023.

Same as above.

Please share any formal or informal criteria, policies, procedures, or similar the trust currently uses or has used from 2015 - 2023 to determine how:

(a) A patient's debt is managed

(b) The trust agrees upon the value of a patient's monthly repayment plan.

Same as above.

For each financial year from 2015-2023, please provide the total number of patients whose information has been shared with the Home Office in relation to a debt:

(a) Greater than £500 owed for more than 2 months

(b) Greater than £500 owed for less than 2 months

(c) Less than £500

Same as above.

Please 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, FOI 5742 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 by:

Post: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Online: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/>

Telephone: 0303 123 1113

Yours sincerely

Mike Burns

Mr. Mike Burns, Executive Lead for Freedom of Information