

WELSH HEALTH CIRCULAR



Llywodraeth Cymru
Welsh Government

Issue Date: 6 November 2018

STATUS: COMPLIANCE

CATEGORY: FINANCE / POLICY

Title: Publication of Statement of Values and Principles for England / Wales NHS Cross Border Healthcare

Date of Expiry / Review - Review three years after implementation

For Action by:
Chief Executives of Welsh Health Boards & NHS Trusts
Medical Directors of Welsh Health Boards
Directors of Corporate Governance
Board Secretaries
WHSSC

Action required by: *(Insert Date)*
See paragraph

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Enclosure(s): Statement of Values and Principles

WHC/2018/047- Publication of Statement of Values and Principles for England / Wales NHS Cross Border Healthcare

Dear Colleague,

Purpose

The aim of this Welsh Health Circular is to highlight that a Statement of Values and Principles has been published setting out the broad principles agreed between NHS Wales and NHS England concerning treatment of patients along the Wales / England border.

Background

The previous NHS Cross Border Protocol has been in effect since 2013. During that time Welsh Government agreed to work with the Department of Health and NHS England to make changes to address the position of English resident patients registered with GPs in Wales and enable them to access secondary care in England and exercise their constitutional right of choice.

The Referral Assessment Service (RAS) was developed as a mechanism to enable English resident patients registered with Welsh GPs to be referred into England for secondary care. The RAS is hosted by the Shropshire Clinical Commissioning Group and acts as a single point of contact for Welsh GPs on the border when referring English cross border patients to consultant led secondary care.

As a consequence of this change, the NHS Cross Border Protocol has been reviewed by the NHS Cross Border Network, which is a group formed to discuss specific issues related to healthcare issues for patients on both sides of the England / Wales border. The Network is responsible for making recommendations on matters relating to cross border healthcare but does not act as a final decision making body. Membership of the network consists of the Local Health Boards and Clinical Commissioning Groups directly involved in Cross Border healthcare issues, WHSSC, and representatives from Community Health Councils in Wales and Healthwatch in England. Representatives from Welsh Government, NHS England and the Department of Health also attend.

The NHS Cross Border Protocol is being replaced by a Statement of Values and Principles, which includes changes to reflect the new GP referral process for English patients registered with Welsh GPs. The document sets out broad principles, including legal rights and standards, financial principles and how the Statement will be reviewed and potentially amended in the future. The appendices to the Statement provide the operational detail of cross border patient flow.

The key underlying principle of the Statement remains that no treatment should be refused or delayed by any uncertainty or ambiguity concerning which body should be responsible for funding an individual's healthcare provision.

Action requiring compliance

That Local Health Boards in Wales adhere to the values and principles set out in the revised Statement and related appendices. There should be no impediment to English resident patients registered with Welsh border GP practices who are signed up to the RAS being referred for consultant led secondary services in England (as set out in the Statement).

In particular, Local Health Boards and WHSSC must not withhold approval on the grounds of funding for referrals for English residents who choose their treatment with providers that are outside of existing healthcare agreements. Through the baseline allocation of funding from Welsh Government, LHBs and WHSSC are funded to meet these costs. Under the terms of the Statement, these patients are being treated in line with English NHS policy, not Welsh policy.

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