

The Rt Hon Jeremy Hunt, MP, Secretary of State for Health and Social Care
Copy to Lord O'Shaughnessy, Parliamentary Under Secretary of State for Health
Department of Health
39 Victoria Street
London
SW1H 0EU

1st February 2018

Dear Secretary of State for Health and Social Care,

We are writing to express our concerns with regard to the current review of the impacts of the National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 2017. These regulations came into effect on 23rd October 2017, and introduced a requirement for upfront charges for non-urgent care to be levied against those patients not eligible for free NHS care, and for charging to be extended into community health services.

Our concerns are as follows:

1. As the review is not a formal consultation and is not publicised or advertised online, it is **unlikely to reach the widest possible range of interested parties**.
2. The questions were circulated to parties who had declared their interest in taking part in the review on the last working day before Christmas 2017 with a requirement to respond by the end of January. This is an **unreasonably short period of time to collect evidence**, particularly given **many respondents will be NGOs and frontline support services**.
3. As the Amendment Regulations were introduced toward the end of 2017, the focus of the review on providing evidence of impact undermines its efficacy, limiting the opportunities to demonstrate impact on vulnerable groups of people. In particular, there is high variability as to the extent to which NHS Trusts and non-NHS community services have fully embedded the changes into the relevant areas. Thus, **a retrospective assessment of the impact of the regulations at this early stage and within a short time frame is likely to give a falsely reassuring picture**.
4. As such, we are concerned that the review questions are constructed in such a way that **will allow the Department of Health to disregard any evidence of harm that does not exactly comply** with the many conditions each question requires a case to demonstrate.
5. Drawing on the above, it is our assessment that the impacts of the charging regulations for overseas visitors that came into force in April 2015 - which have yet to have been formally evaluated by the Department of Health - may be ignored through the process of this review. **We therefore call on the Department of Health to extend the scope of the review into healthcare charging to regulations introduced in April 2015.**

We appreciate the Department of Health conducting this review in response to concerns that we and other stakeholders raised prior to the introduction of the regulations. However, **we are concerned that the poor conduct of the current review will result in both a lost opportunity for feedback and input from relevant stakeholders, and subsequently a loss of faith in the consultation process.**

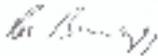
On 16 January 2018, the Health Select Committee heard distressing evidence of the impacts of NHS Digital's Memorandum of Understanding with the Home Office relating to data sharing for immigration enforcement purposes, including the deterrence of those with life-threatening ailments from accessing the care they urgently need. It is important that the Department of Health reviews the impacts of the latest Amendments in combination with the data sharing on patient well-being, trust and confidentiality.

We ask that until a formal and comprehensive assessment of the possible impacts of these regulations have been undertaken, that the Department of Health suspends them immediately.

Signed:



Dr Shazia Munir, Clinical Lead, **Health Inclusion Team, Guys and St. Thomas' NHS Trust**



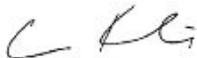
Ros Bragg, Director, **Maternity Action**



Deborah Gold, Chief Executive, **National Aids Trust**



Sophie Neuburg, Executive Director, **Medact**



Professor Cornelius Katona MD FRCPsych, Medical Director, **Helen Bamber Foundation**



Mike Mandelbaum, Chief Executive, **TB Alert**



Sonya Sceats, Acting Chief Executive, **Freedom From Torture**



Lucy Jones, Director of Programmes, **Doctors of the World UK**



Sunil Bhopal, Convenor, **International Child Health Group**



Professor Chloe Orkin, Chair, **British HIV Association**



Dr. May van Schalkwyk, Co-Chair, **Health Professionals for Global Health**



Dr. Robert Verrecchia, Co-Chair, **MSF-UK Association Take Action Group for Migrants and Refugees**

Annie Pollock, Migrant and Asylum Service Worker, **Brigstowe**

Abi Brunswick, Director, **Project 17**



Kate Bowgett, Director of Advocacy, **Groundswell**



Satbir Singh, Chief Executive, **Joint Council for the Welfare of Immigrants**



Andrea Vukovic, Project Director, **Asylum Matters**



Sarah Teather, Director, **Jesuit Refugee Service UK**

Dave Stamp, Project Coordinator, **Asylum Support and Immigration Resource Team**



Fizza Qureshi, Director, **Migrants' Rights Network**



Sian Summers-Rees, Chief Officer, **City of Sanctuary**

Zrinka Bralo, Chief Executive, **Migrants Organise**



Jabeer Butt, CEO, **Race Equality Foundation**



Nicole Francis, Chief Executive, **Immigration Law Practitioners' Association**



Wayne Myslik, Chief Executive, **Migrants Resource Centre**



Daf Viney, Centre Manager, **Hackney Migrant Centre**



Alice Cutler, Welcome Centre Manager, **Bristol Refugee Rights**



April Humble, Director, **Borderlands**



Aisha Dodwell, Policy and Campaigns, **Global Justice Now**



Lisa Matthews, Coordinator, **Right to Remain**

No Borders In Banks