



Consultation on the draft Public Services Ombudsman (Wales) Bill
WIHA's response to the Finance Committee's call for evidence

Introduction

1. The Welsh Independent Healthcare Association (WIHA) welcomes the opportunity to respond to the Finance Committee's Call for Evidence on this draft Bill. As per the Committee's directive, WIHA has focused its response on those consultation questions of direct relevance to its membership.
2. WIHA is the representative association of the majority of independent acute and mental health hospitals in Wales. Please find attached the latest WIHA Credentials document which provides an overview of the independent healthcare sector in Wales.

Consultation Questions

3. *Question 14 - Do you have any comments on the new provision enabling the Ombudsman to investigate the whole complaint when a combination of treatment has been received by public and private health services providers (see sections 10(1)(d) and 10(2))*
4. WIHA welcomes this provision and believes it would be beneficial for patients in these circumstances.
5. *Question 15 - Does section 10(2) adequately cover anyone who has received a combination of public and private treatment?*
6. All WIHA members would be covered by the definition in section 10(2) and therefore all patients who have received treatment in a WIHA-member hospital.
7. *Question 18 – Should the Ombudsman have powers to recover costs incurred in investigating private health services?*
8. WIHA believes that it would be reasonable for the Ombudsman to recover costs from private health services on a case by case basis, as appropriate.



9. *Should the Ombudsman's power in relation to obtaining information, documents, evidence and facilities also apply to own initiative investigations and investigations into private health services (see section 17)?*
10. WIHA recognises the value of 'own initiative investigations' undertaken by Ombudsman services to patients and hospital providers and would support their application to private health services. WIHA recognises that necessary checks and balances have been built into the process of any future PSOW 'own initiative investigations' under this draft Bill.

Conclusion

11. In summary, WIHA members support the extension of the PSOW's remit to cover complaints that cross between NHS and private health services, as it would benefit patients. In practice, given the small numbers of complaints about WIHA members that reach an independent review stage, and the even smaller number of complaints that involve combined NHS and private treatment, these proposals will be required in only a tiny proportion of cases.

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