

## Commissioned and Private Healthcare Factsheet



This Factsheet explains how complaints about care and treatment provided in Independent (private) Hospitals or by Independent Health Providers are dealt with. It also gives some details about how the Ombudsman may be able to assist you if you normally reside in Wales and you receive NHS treatment at a hospital outside Wales.

It should be read together with the general information leaflet about our services.

### What the Ombudsman can do

The Public Services Ombudsman for Wales considers complaints about care and treatment provided by and/or funded by the NHS in Wales. Such cases would generally be where a patient is treated in an NHS hospital, Clinic or Surgery based in Wales, but may also include instances where treatment has been provided in an Independent Hospital in Wales or another part of the UK or an NHS hospital in another part of the UK, if the treatment was arranged and paid for (commissioned) by the NHS in Wales.

For example the Ombudsman could investigate a complaint about the care of a patient who is eligible for Continuing NHS Healthcare funding (whose care costs are met in full by the NHS) and whose placement in a private care home has been arranged by a Welsh Health Board, who are meeting the cost of that care.

The NHS sometimes arranges for and pays some private providers, or NHS health providers in other parts of the UK, to carry out certain types of surgery or to provide specific services for patients who normally reside in Wales. If you have concerns about the care provided following such an arrangement the Ombudsman may be able to assist you, either by considering the complaint himself or by consulting with another Statutory UK Ombudsman who has jurisdiction for the area in which the care was provided. This may also apply if you have concerns about your care, which because you live close to the National border, is usually provided outside of Wales.

### What the Ombudsman cannot do

The Ombudsman cannot consider complaints about private healthcare which you have paid for yourself, or which has been met by private healthcare insurance or cover. This would include private treatment provided in an NHS Hospital or provided on a private basis by a doctor, dentist, ophthalmologist, pharmacist or other health professional who normally works in or for the NHS.

If you receive emergency treatment in other parts of the UK and wish to complain about that you will need to complain in the first instance directly to the hospital or health provider where you were treated. If you remain dissatisfied it may be possible for you to complain to the Ombudsman who has jurisdiction for that Country.

If something has gone wrong with private treatment or you are dissatisfied with the service you received, you can complain directly to the private health provider, many of whom operate complaints procedures similar to those used in the NHS. It is usual for the private provider to respond in the first instance. If you remain dissatisfied after receiving that response it may be open to you to pursue your concerns through the Courts and you may wish therefore to consult a solicitor

### Issues to bear in mind

The arrangements for commissioning health care outside of the NHS in Wales are often complicated and it may be unclear to you at the time your care need is met who is responsible for meeting the cost of that care. The Local Health Board covering the area in which you live should be able to advise you whether it is meeting that cost.

### Further information

Your local **Community Health Council** (CHC) can provide free help and support with making your complaint. Contact details for your local CHC can be obtained via your local telephone directory. Alternatively, you can obtain them through the **Board of Community Health Councils in Wales'** website at: [www.patienthelp.wales.nhs.uk](http://www.patienthelp.wales.nhs.uk) or via their helpline on 0845 6447814.

Your local **Health Board** may also be able to help you. Contact details for the Health Board for your area can be found at: [www.wales.nhs.uk/directory.cfm](http://www.wales.nhs.uk/directory.cfm)

Examples of cases that the Ombudsman has looked at can be found on our website. Please see [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

**If you are unsure whether the Ombudsman would be able to look into your complaint, please contact us:**

- **phone** 0845 601 0987;
- **e-mail** [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk);
- **visit the website at** [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk);
- **write to:** The Public Services Ombudsman for Wales

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