



24 Cathedral Road / Heol y Gadeirlan
Cardiff / Caerdydd
CF11 9LJ
Tel / Ffôn: 029 20 320500
Fax / Ffacs: 029 20 320600
Email / Ebost: wales@wao.gov.uk
www.wao.gov.uk

Mr Darren Millar AM
Chair of the Public Accounts Committee
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Date: 18 February 2014
Our ref: HVT/2084/fgb
Page: 1 of 3

IMPLEMENTATION OF THE NATIONAL FRAMEWORK FOR CONTINUING NHS HEALTHCARE

The Clerk's letter of 6 February 2014 requested my advice on the Welsh Government's response to the Public Accounts Committee report on *Implementation of the National Framework for Continuing NHS Healthcare* (December 2013). The Welsh Government has indicated that it accepts seven of the ten recommendations made in the Committee's report, partially accepting the remaining three recommendations.

Overall, I consider that the Welsh Government has responded satisfactorily to recommendations 2, 3, 5, and 8. For recommendations 1, 4, 6, 7, 9 and 10 I consider that aspects of the Welsh Government's response lack clarity. I have set out below my observations on the responses to these recommendations.

Recommendation 1 – My understanding of this recommendation, set against the supporting narrative in the Committee's report, is that the Committee was urging the Welsh Government to review whether the new decision support tool will be applied retrospectively by health boards, and if not to assess the risk of new retrospective claims arising from individuals who may feel they have been disadvantaged in the past. The Welsh Government has limited its response to the arrangements for assessing the impact of the new decision support tool, and makes no response on the issue of using the tool retrospectively.

Recommendation 4 – Reasonably, in my view, the Welsh Government states that there is a mechanism already in place which should help in prioritising retrospective claims according to the circumstances of individuals and families. But whilst claimants can request that their claim is expedited in extenuating circumstances, such as extreme

financial hardship or a diagnosis of terminal illness, it is not made clear how claimants are made aware of this option. I note the Committee's misgivings about the current approach to engaging with individuals and the need for a more proactive approach to providing information to individuals.

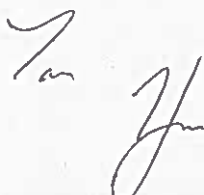
Recommendation 6 and Recommendation 7 – In accepting both recommendations the Welsh Government states that it is on line to meet its target of 'reviewing' all retrospective cases by the June 2014 deadline and that the progress updates it will provide the Committee in March 14 and September 14 will report the position on the number of cases 'reviewed'. My understanding is that the term 'reviewed' does not mean that the case is completed, with potentially a number of further steps being needed to resolve a case. In particular, once a case has been reviewed and an initial decision has been made the case will still need to be peer reviewed, and may still need to go through a negotiation stage with the individual and/or an independent review panel. The Committee's recommendations are clearly aimed at ensuring cases are completed in a timely fashion. Although the Welsh Government response confirms that it expects the vast majority of the claims will be completed by June 2014, with all completed by the September 2014 update, the Committee may want to clarify that it requires updates on completed cases rather than those that are at a particular stage in their processing.

Recommendation 9 and 10 – The responses from the Welsh Government to these recommendations are, in my view, reasonable. However, both the responses could be more specific on when the Welsh Government expects actions to be completed by. The Welsh Government states that it will inform the Committee once a firm decision has been made on the maximum time it should take to deal with a claim; and that it will provide an update to the Committee once an agreed approach for processing all retrospective claims has been confirmed. The Committee may want to seek clarification from the Welsh Government on when it expects these issues to be resolved.

In advising the Committee on any follow-up action it might wish to take in light of the Welsh Government's response to the Committee's recommendations, I note that the Welsh Government has agreed to provide the Committee, in March and September 2014, with reports on the progress being made in clearing retrospective claims. Also, the Welsh Government will be launching its revised framework for continuing NHS healthcare in Summer 2014.

There is a case for the Committee to write to the Welsh Government now to seek further information in respect of those areas where its response lacks clarity. However, there may be greater merit in doing this as part of a broader follow-up evidence session, after the Committee has received the promised progress reports and the revised framework has been launched. If this course of action is agreed, I would be happy to prepare a short memorandum in the Autumn to form the basis of the Committee's further deliberations.

I hope that this advice is helpful to the Committee in its consideration of the Welsh Government response.

A handwritten signature in black ink, appearing to read 'Huw' followed by a stylized surname.

HUW VAUGHAN THOMAS
AUDITOR GENERAL FOR WALES