



Annual
Report
2023/2024



ISCAS

INDEPENDENT SECTOR
COMPLAINTS ADJUDICATION SERVICE

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ISCAS Subscribers

About ISCAS

ISCAS is an Appropriate Body for the management of complaints about private healthcare.

It is recognised by regulators, including the Care Quality Commission (CQC), Healthcare Improvement Scotland (HIS), Healthcare Inspectorate Wales (HIW), Regulation and Quality Improvement Authority (RQIA) and other appropriate regulatory bodies, for example the Parliamentary and Health Service Ombudsman (PHSO).

ISCAS is owned by the Centre for Effective Dispute Resolution (CEDR), a charity registered with the Charity Commission. ISCAS services are free to patients.

ISCAS promotes a Code of Practice for the Management of Complaints to which subscribing organisations adhere. If, after exhausting all ways to resolve a complaint, patient and subscriber cannot agree, reference to ISCAS by either party results in an independent adjudication, the results of which are binding on both parties. This is the Independent Review.

Should it raise doubts about the subscriber's effective compliance with the ISCAS Code of Practice, Information Sharing Agreements permit ISCAS to share these concerns with statutory regulators. Similarly ISCAS informs regulators about providers who come to notice for not providing private patients with access to a recognised independent review stage.

More information can be found at About Us on the ISCAS website: <https://iscas.cedr.com>

ISCAS Vision, Mission & Values



Our vision

To create the environment in which all patients have access to a high quality independent complaints system.

Our mission

To provide access to independent adjudication and promote compliance with the ISCAS Code of Practice as the recognised industry standard for complaints handling, wherever patients are treated in independent healthcare and in NHS PPU's.

Our values

Compassionate - we are empathetic, understanding and attentive to people's concerns. We resolve concerns appropriately.

Fair - we treat people, both patients and subscribers, fairly, proportionately and according to the evidence.

Responsive - we ensure that patient concerns are addressed swiftly according to the ISCAS Code of Practice and resolution is found.

Improving - we use feedback and lessons learned from complaints in training and in updating resources to continually improve people's experience of the complaints process in the independent healthcare sector.

The ISCAS Team



Jordan Yates
ISCAS Senior Case Manager

Jordan is the first point of contact for patients, independent adjudicators and providers. Jordan has previously worked in a patient facing role for the NHS. She has many years of experience as a case administrator at CEDR, providing advice and assistance to consumers across a range of dispute resolution services and schemes.



Graham Massie
ISCAS Director
& Company Secretary



Baroness Fiona
Hodgson CBE
Chair of the ISCAS
Advisory Board



John Munton
ISCAS Director
& Manager



Sally Taber
ISCAS Executive
Director



Des Shiels
ISCAS Director



Review of the Year

by Sally Taber,
ISCAS Executive Director

ISCAS has had a busy year and I would like to thank the ISCAS team led by Jordan Yates, ISCAS Senior Case Manager, for their hard work and excellent support to patients and subscribers.

Our Independent Adjudicators issued 112 reports this year, as compared to 90 last year. Again, the most common head of complaint this year is about complaints management, rating almost equally with those about Consultants. ISCAS has brought to the attention of the GMC and the Association of British Insurers the prevalence of this head of complaint concerning Consultants.

Learning and Improvement

A key development this year has been the launch of four training videos produced

for subscribers to assist with the understanding of the Code. They are essential tools for good complaints management:

- General Complaint Handling Principles Under the ISCAS Code
- Stage 1: Managing Complaints Under the ISCAS Code
- Stage 2: Managing Complaints Under the ISCAS Code
- Stage 3: Managing Complaints Under the ISCAS Code

Systematic use of these videos by all concerned will result in fewer complaints about how complaints are managed. Suzy Ashworth, ISCAS adjudicator, is to be thanked for choreographing the production of the videos so professionally.

Formal training was delivered for two subscriber organisations: Practice Plus, which involved representatives from their clinical teams and all their medical teams; and Circle with the key representatives from the 52 complaints handling teams within the Hospitals. Feedback was used from a recent adjudication on a third stage complaint.

Both training sessions received positive feedback.

Guidance documents

Position Statements provided for Subscriber organisations are as follows:

ISCAS Code of Practice

ISCAS Patients' Guide

Goodwill Payment Guide

Guidance for Managing Unacceptable Behaviour by Complainants

ISCAS Position Statement on Complaints Management and Practising Privileges

ISCAS Position Statement Complaints Management Fees

ISCAS Position Statement - Complaint Handling v Clinical Negligence

Complaints relating to consultants and/or medical care

ISCAS Position Statement - Criteria in which ISCAS Adjudicators will seek an expert opinion

Stakeholder engagement

ISCAS is pleased to let ISCAS subscribers know that ISCAS is now a Corporate member of IHPN - the Independent Healthcare Partners Network. The Association has been recognised for its ability to take the important public private agenda forward both from the corporate view as well as the clinical agenda.



Information sharing meetings have been held with the System Regulators, the Care Quality Commission, Healthcare Improvement Scotland and the Healthcare Inspectorate Wales. A meeting will be planned with RQIA now that their government is in place.

Review of ISCAS service

Finally, we can report that we have launched an initiative to review the efficiency of the ISCAS service. This work, which is being led by Tom Earley, CEDR Principal Adjudicator, includes the following:

Introduction of an application form

- An application form will be prepared that patients will be asked to articulate the nature of their complaint in an application form, what outcome(s) they would like, and to provide their consent to adjudication. The aim is to avoid a lengthy process of creating heads of complaint.
- Providers will in turn be asked to issue a response/defence to the points raised by the patient rather than sending in the full patient records.
- This will be trialled as a pilot project to determine whether it adds value to the ISCAS process.

Clinical expert reports

- We are looking into the potential for the adoption of a pro forma template for experts to provide their responses in a more focused way.
- The adoption of a pro forma expert request form with simplified questions is under consideration.

Format/content of adjudicators' reports

- A project is being undertaken to make adjudicators' reports more concise and reader-friendly while retaining detail where necessary. Particular focus will be paid to reducing the recitation of the events at Stages 1 and 2 of the complaints process.

Subscribers & Providers

Subscribers to ISCAS

Organisations that subscribe to ISCAS fall into the broad categories of Acute General Hospital, Mental Health Hospital, NHS Private Patient Unit, Cosmetic Provider, 'Other' specialist clinic and the Independent Doctors Federation (IDF).

The list of subscribers is presented at the end of the report.

NHS Private Patient Units

ISCAS believes that, when patients seek private treatment within NHS PPU units, they should have access to an External Review Stage should they have a complaint that cannot be settled. This is consistent with Recommendation 6b of the Paterson Enquiry stated that:

We recommend that all private patients should have the right to mandatory independent resolution of their complaint.

However, we remain concerned that there are many NHS PPUs that do not subscribe to ISCAS, although there are some examples of good practice such as Moorfields Private Healthcare, Imperial Private Healthcare and University College London Hospitals NHS Foundation Trust.

Private Fertility Units

ISCAS has approached Private Fertility Units following guidance issued from the Competition and Marketing Authority which signposts to ISCAS as one of the options a complaint can be escalated to. Some limited progress is being made.

Cosmetic Surgery Providers

Those cosmetic providers who subscribe to ISCAS have been active in addressing good practice such as by participating in PHIN and inputting into the Breast Implant Register.

More generally, however, more work needs to be done in this area. ISCAS gave robust evidence to the special working group set up by the Department of Health to address the issue that patients were being lured to Turkey for cheaper treatments and frequently returning with serious complications that needed to be treated by the NHS. Furthermore, several patients did not return, having lost their lives after very poor treatment. ISCAS was very pleased to assist with this important work and in particular to report what was happening in No 1 Harley Street (note this was not owned by the De Walden Estate) and involve the GMC despite the fact that the Doctors interviewing potential patients were not on the GMC Register and would not be likely to be in any circumstance.

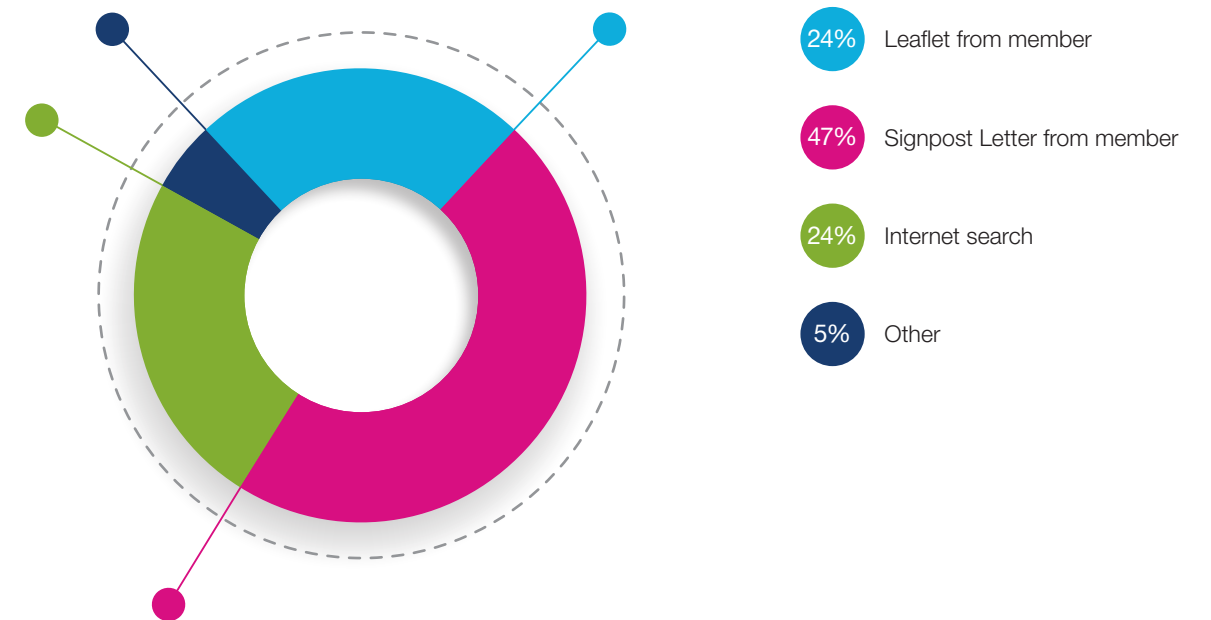
However, there is continuing concern about non-surgical cosmetic providers with instances of poor care and practice and the extent of unregulated providers.

Facts & Figures

Referrals to ISCAS

At the Independent Adjudication stage, more than half of complainants are referred to ISCAS by ISCAS subscribers, while a sizeable number of complainants hear about ISCAS by carrying out their own enquiries on the internet. Table 1 shows how people were signposted to ISCAS before their complaint reached independent adjudication.

How people hear about ISCAS prior to Independent Adjudication



Complaints managed by ISCAS

During this reporting period, complainants were able to contact us via telephone, email or letter with a concern. Some of these contacts were received prematurely and the complainants were signposted back to the provider to complete Stages 1 and 2. Of note, some of the enquiries received related to non ISCAS subscribers and these complainants were signposted to the relevant regulator or other bodies for advice. In summary, we have seen an increase in Stage 3 requests, and this shows that providers are signposting appropriately to ISCAS.

Of the 149 completed applications received relating to ISCAS subscribers, 112 complainants forwarded to an Independent Adjudicator had their adjudication completed during the financial year. Note that some of these cases were received in the previous financial year and had decisions issued in this current financial year.

The ISCAS Management Team has an important role in managing complainant expectations, particularly when they are considering progressing to Independent Adjudication. Some complainants have unrealistic expectations about the possible outcomes of adjudication - seeking a refund, revision surgery and/or financial compensation. These complainants are signposted to more appropriate forums.

Adjudication facts and figures

In this reporting period, 112 complainants received a final decision from an Independent Adjudicator. Within these complaints, adjudicators identified 343 Heads of Complaint, up from 288 the previous year. This is reflected in the table below.

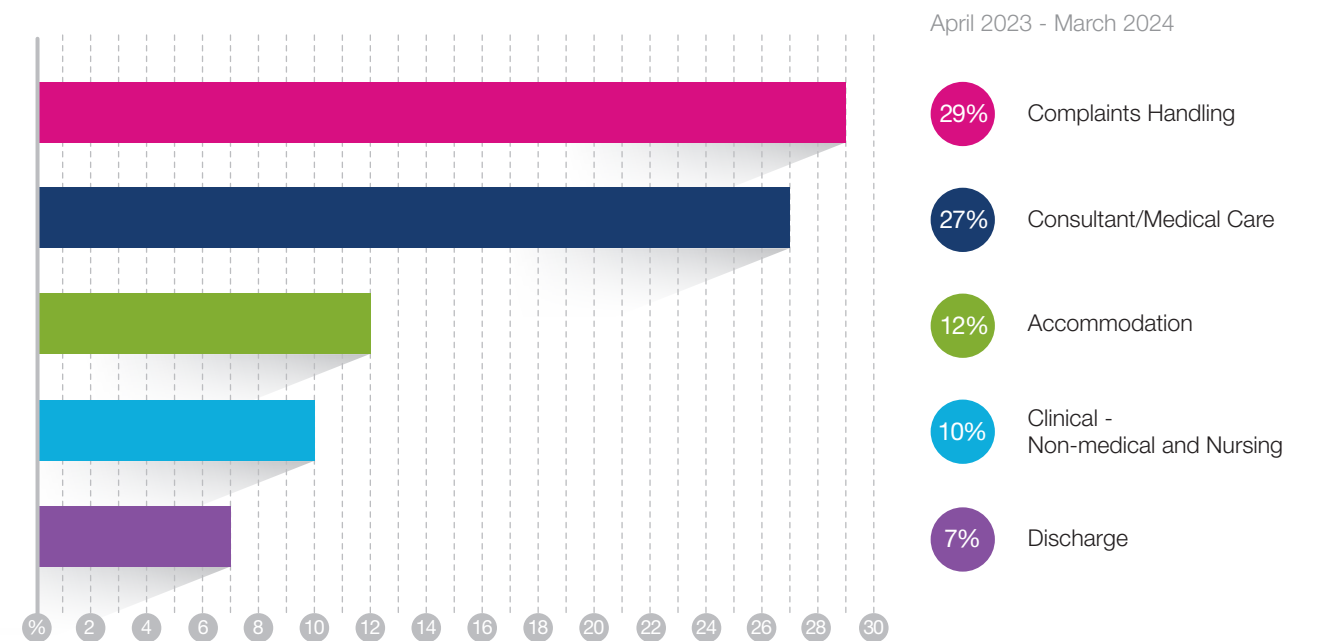
Total number of Adjudicated Complaints and Heads of Complaint

	Apr 2019 - Mar 2020	Apr 2020 - Mar 2021	Apr 2021 - Mar 2022	Apr 2022 - Mar 2023	Apr 2023 - Mar 2024
Total number of complaints adjudicated	111	109	88	90	112
Total heads of complaints	348	624	344	288	343



Type of Heads of Complaint at Independent Adjudication

The following table shows the five largest categories of Heads of Complaint.



Of note, this year we saw an increase in the number of Discharge complaints (7% as opposed to 4.8% last year). This differed from Nursing which was more prominent last financial year. Complaints Handling has consistently featured over the years as the largest head of complaint and providers should focus on ways of ensuring their complaints handling is aligned with the ISCAS Code.

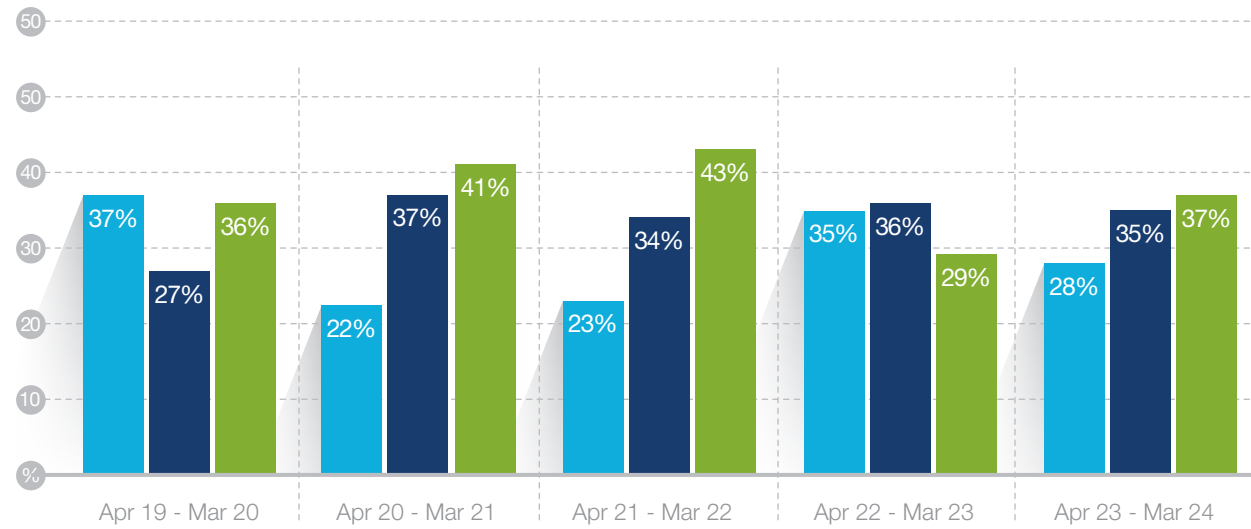




In each adjudication report, adjudicators either: 'uphold', 'partially uphold' or 'do not uphold' a particular head of complaint. The following table illustrates that the majority (63%) of complaint heads are either 'upheld' or 'partially upheld' by adjudicators, which is a decrease from the 71% reported last year.

- % Upheld
- % Partially upheld
- % Not upheld

Heads of Complaint upheld at Independent Adjudication stage



Adjudication costs

Individual ISCAS subscribers bear the cost of adjudications. The average cost of an adjudication case in this reporting period was £1,819, a 6% increase over last year's level which reflects an increase this year in rates payable to Adjudicators. As noted previously, ISCAS management are currently undertaking a review of the Stage 3 process which will hopefully benefit all stakeholders.

Overall Independent Adjudication costs

	Apr 2022 - Mar 2023	Apr 2023 - Mar 2024
Adjudicator costs	£151,844	£203,794
Goodwill payment awards	£53,910	£61,876
Clinical expert costs	£21,200	£42,585

Goodwill payments were awarded in around 68% of completed cases in this reporting period, a decrease of 11% from last year. The average goodwill payment was £815, a slight increase from the previous year of £759.

Goodwill payments

	Apr 2019 - Mar 2020	Apr 2020 - Mar 2021	Apr 2021 - Mar 2022	Apr 2022 - Mar 2023	Apr 2023 - Mar 2024
Cases in which payments made	102	90	67	71	76
% of cases attracting a payment	92%	83%	77%	79%	68%
Total costs	£61,683	£55,206	£38,776	£53,910	£61,876
Average award	£605	£613	£579	£759	£815

Expert clinical advice

Independent Adjudicators, where applicable, may require the use of expert clinical advice to support the adjudication process. Clinical reports are made available to complainants and providers when the adjudicator issues their decision.

In this reporting period, 15 cases (13%) required expert clinical advice, a slight increase from last year's 11 (12%). The total costs associated with expert clinical advice came to £42,585 or an average of £2,839 per case requiring expert clinical advice compared to last year's £1,927. It is notable that the average costs associated with an expert has increased markedly from the previous year, and ISCAS management are monitoring fees and are reviewing the process to explore whether these costs can be reduced.

	Apr 2019 - Mar 2020	Apr 2020 - Mar 2021	Apr 2021 - Mar 2022	Apr 2022 - Mar 2023	Apr 2023 - Mar 2024
% of cases requiring expert clinical advice	14%	24%	16%	12%	13%

Complaints about ISCAS

Following the implementation of CEDR's 3 stage Complaints Procedure, we received two complaints about ISCAS during the year. Both complaints were deemed out of scope as they related solely to an adjudicator's decision. Such complaints are not eligible for review under the published Complaints Procedure, so were closed as resolved at stage 1.

Subscribers to ISCAS

108 Medical Ltd
 152 Harley Street
 Active Care Group
 Adnova Clinic
 Aesthetic Beauty Centre
 AI Beauty Clinic
 Alliance Medical
 Ascot Rehabilitation Centre
 Auris Ear Care
 Babylon Healthcare Services Ltd
 Bella Vou
 Benenden Hospital
 BPAS
 Brigstock Skin & Laser Centre
 Bupa Cromwell Hospital
 Bupa Health Clinics
 Care Oncology Clinic
 Castle Craig Hospital
 CC Kat Aesthetics
 Centre for Reproductive
 Immunology and Pregnancy
 Centre for Sight
 Chase Lodge Hospital
 Chelsea and Westminster Hospital
 & West Middlesex Private Care
 Circle Health Group
 Clatterbridge Private Clinic
 Cleveland Clinic
 Clinical Partners
 Cobalt Health
 Cognacity Health Limited
 Community Health and Eyecare
 Ltd
 Coppergate Clinic
 Cosmetic Surgery Partners
 Coyne Medical
 Custom Vision Clinic
 Derby Private Health
 Doctor Now Ltd t/as Doctor Now
 and The Beaconsfield Clinic
 Doctors 4 you
 Dr Alexandra Chambers Medical
 and Aesthetic Practice
 EA Clinic
 East Sussex Private Patient Unit
 Elanic
 Embankment Place Primary
 Healthcare Ltd
 Epsomedical
 Essex Private Doctors Ltd
 Evolve Medical
 Exeter Eye LLP
 Facial Plastic Surgery
 Fairfield Independent Hospital
 Fleet Street Clinic
 Fortius Clinic
 Genesis Cancer Care UK Ltd
 Great Ormond Street NHS
 Hospital for Children Foundation
 Trust, International & Private
 Grespi Ltd
 Guy's and St Thomas' Private
 Healthcare (Royal Brompton
 & Harefield Hospitals)
 Hair Science Institute
 Harley Health Village
 Harley Street Injectables
 Harley Street Ultrasound Group

HCA Healthcare
 Health and Longevity
 Optimisation Ltd t/as Hooke
 Health Bridge Limited t/as Zava
 (Superdrug Online Doctor inclusive)
 HealthHero Solutions Ltd
 Hearts First Ambulance Service
 Heathrow Medical Services LLP
 Hereford Vision Surgical Group
 Herts And Essex Fertility Centre
 Horder Healthcare
 (McIndoe Surgical Centre)
 Hospital of St John and St Elizabeth
 IESO Digital Health
 Illuminate Skin Clinic
 Imperial Private Healthcare
 Independent Doctors Federation
 InHealth (Vista Health)
 Ion Kavouni London
 (Aesthetic Plastic Surgery
 and Kosmesis Ltd)
 iTrust fertility
 Japan Green Medical Centre Ltd
 Jorja Healthcare Holdings Limited
 Kase Care
 KIMS Hospital Limited
 King Edward VII Hospital Sister Agnes
 Kings Fertility
 Knightsbridge Doctors
 KP Aesthetics
 KSL Clinic
 LANCuk
 Laser Vision Limited
 Liverpool Skin Clinics
 London Medical
 London Pregnancy Clinic
 - Ultrasound Link (City Ultrasound)
 London Psychiatry Clinic
 Lycahealth Leasing Limited
 Manchester Private Hospital

Mayfair Medicum
 Mayo Clinic Healthcare LLP
 Medical Equipment Solutions Ltd
 Medical Imaging Partnership
 Medneo Diagnostics UK Limited
 MET Medical Ltd
 Mid and South Essex NHS
 Foundation Trust - Private Care
 Midland Eye
 Midland Health
 Midlands Ultrasound
 & Medical Services
 MindOf Limited
 Moorfields Private Eye Hospital
 MSI Reproductive Choices
 Murakami Medical Centre
 My iClinic
 MyBreast Limited
 NAFS Health
 Netri Cosmetic Surgery
 New Medica
 New Victoria Hospital
 Nightingale Hospital
 North Bristol Private Hospital
 Nova Healthcare
 Nuffield Health
 One Heart Clinic
 Optegra Eye Health Care
 Orri Limited
 OSD Healthcare
 Ouronyx Limited
 Pall Mall Medical
 Pearl Aesthetics t/as Hunar Clinic
 Peppy Health
 Phoenix Hospital Group
 - Weymouth Street Hospital
 (One Healthcare inclusive)
 Practice Plus Group
 Precision Medical Clinic
 Private GP Clinic
 Private Midwives Limited
 Private Specialist GPS Ltd
 t/as My Specialist GP

Private Ultrasound Scan
 PrivateDoc Limited
 Pro-Med Surgical t/as Gro Clinics
 PSL Clinics
 QS Enterprises Ltd
 Quality Health Care
 Queen Anne Street Medical Centre
 Ramsay Health Care
 Radox Health
 Regent's Park Heart Clinics Ltd
 Renovo Care
 Riviera Psychology Ltd
 t/as Autism Assessment UK
 Royal Free PPU
 Royal National Orthopaedic Hospital
 - Private Care
 Royal Papworth Hospital
 Rushcliffe Care Group
 Sana
 Sancta Maria Hospital
 Schoen Clinic UK
 Sheffield Teaching Hospitals NHS Trust
 Sk:n Clinics
 (The Harley Medical Group inclusive)
 SmartTMS
 South East Eye Surgeons
 Spencer Private Hospitals
 Spire Healthcare Ltd
 (London Doctor's Clinic inclusive)
 St Hugh's Hospital
 St Joseph's Hospital
 Sulis Hospital Bath
 Surgical Recovery London
 Surrey Cardiovascular Clinic
 Surrey Orthopaedic Clinic
 TAC Healthcare Group Ltd
 Taktouk Clinic
 The Battersea Clinic Ltd
 The Brook Surgery
 The Cadogan Clinic
 The Doctors Laboratory
 The Doctors Practice
 The Evewell

The Family Treatment Service
 The GP Surgery Ltd
 The Hamptons Hospital
 The Harley Street General Practice Ltd
 The Harley Street Hospital
 The Health Suite
 The Lawrence Clinic
 The Linbury Doctors Ltd
 The London Clinic
 The London Psychiatry Centre
 The Medika Group
 The Mews Practice
 The New Foscote Hospital Limited
 The Newcastle upon Tyne Hospitals
 NHS Foundation Trust Private Care
 The Parkside Suite
 The Plastic Surgery Group
 The Priors Group Ltd
 The Royal Buckinghamshire Hospital
 The Sefton Suite
 The Standing CT Company
 The Soke
 The Surrey Park Clinic
 The Virtual Catheter Lab Holdings
 The Wells Suite
 (Maidstone & Tunbridge Wells
 NHS Trust)
 The Whiteley Clinic
 TPC Group
 Ulster Independent Clinic
 UME Diagnostics
 University College London Hospitals
 NHS Foundation Trust - Private Care
 University Hospital Southampton
 NHS Foundation Trust
 Veincentre
 Vie Aesthetics
 Welbeck Health Partners
 (One Welbeck)
 Wimbledon Neuro-Care
 Woodlands Suite - Private Care
 at the Royal Orthopaedic Hospital
 Yorkshire Skin Centre



 **ISCAS**
INDEPENDENT SECTOR
COMPLAINTS ADJUDICATION SERVICE

 @ISCAS_UK

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