



ISCAS

INDEPENDENT SECTOR
COMPLAINTS ADJUDICATION SERVICE



Annual
Report
2022/2023

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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 Services 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>

Our vision, mission and values frame our drive for continual improvement in complaint handling

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.



Introduction



Baroness Fiona Hodgson CBE,
Chair of the ISCAS
Advisory Board

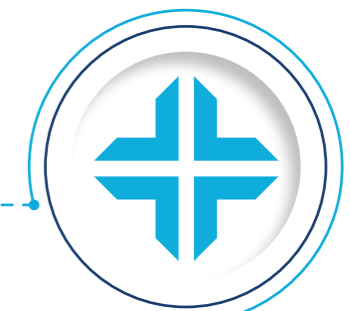
It continues to be a pleasure to chair the ISCAS Advisory Board. This last year has been a productive year of collaboration and partnership, as we have been working with the Parliamentary Healthcare Ombudsman to implement the Complaints Standard Framework in England. Patients will now be able to recognise exactly the same principles in both the PHSO and the ISCAS Codes, as recommended by Recommendation 6a of the Paterson report.



Sally Taber,
ISCAS Director

ISCAS is now fully owned by the charity Centre for Effective Dispute Resolution (CEDR) (www.cedr.com). This relationship underpins both continuity of service and operational effectiveness.

An aspiration for the forthcoming year is to raise ISCAS's social media profile to achieve a wider understanding of its mission and reach.



Patients and Partners

Patient focus

At a recent ISCAS Advisory Board our Chair welcomed a patient who had been treated by Ian Paterson, the jailed former surgeon. The members of the Board were inspired by her courage and her clear description of the effects of his malpractice upon the patient's life.

The Patients Association

Collaboration continues with the Patients Association with a pilot training course on the Code for ISCAS subscribers. From this came the suggestion of four training videos about the Code which have now been prepared by one of the experienced Adjudicators and will shortly be introduced for subscribers.



Future work will establish the impact on patients treated in NHS PPU's who do not have access to an External Review Stage should they have a complaint.



Independent Adjudicators

The Independent Adjudicators continue to capture learning from Stage 3 Adjudications and address relevant matters to the subscriber's Chief Executive. ISCAS, when appropriate, will follow up on the recommendations. Issues that have been taken forward by the Independent Adjudicators are *Why are we using Experts*, and a Position Paper describing *Good Complaints Management and Clinical Negligence* to ensure subscribers really understand the difference.

Private Healthcare Mediation Scheme

The Private Healthcare Mediation Scheme continues to grow in numbers for those very small providers who are considered not to be suitable for the more robust ISCAS adjudication service.

There are 90 subscribers to the Mediation scheme and 8 successful Mediations have been performed in the year.

ISCAS has raised with the CQC our concerns about the increasing number of sole providers, many in primary care.

ISCAS has donated a free Mediation subscription to a Ukrainian General Practitioner.

Subscribers and 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

Recommendation 6b of the Paterson Enquiry states that:

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

We are concerned that there are many NHS PPUs where patients do not have access to an independent complaints system. To demonstrate why they should adopt the ISCAS Code, two successful pilots involving Southampton University Hospital and the Royal National Orthopaedic Hospital took place recently. These pilots looked at the issue of independent adjudication and how the PALS (Patient Advice and Liaison Service) processes will need adjustment to fit with timescales given NHS PPU's use of PALS as a second stage in the PPU Complaints process. Both NHS PPU's proved that this could be done.

The challenge over the next year is that no patient being treated in an NHS PPU will do so without having access to an External Review Stage.

The Cosmetic Surgery providers need to be congratulated on the progress made in their participation in the Breast and Cosmetic Implant Registry (BCIR). The challenges identified in doing this for independent sector providers have been submitted to the Registry. Good practice in the Cosmetic field has been recognised at ISCAS's meetings, in particular good practice in managing service level agreements.

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

Learning and improvement

ISCAS was pleased that the GMC wished to take forward further analysis of ISCAS's highest level of complaints relating to consultants and/or medical care. These break down into:

- Consent
- Managing expectations
- Information and advice about procedures
- Record keeping and documentation
- Apologies
- Information about fees



Stakeholders and Engagement

ISCAS continues to have a good relationship with organisations such as IHPN, PHIN and the system regulators, in particular the Care Quality Commission and Healthcare Improvement Scotland with whom meetings are held every 3 months. A more productive relationship needs to be taken forward with Healthcare Inspectorate Wales and RQIA.

ISCAS has been liaising with the Human Fertility Embryology Authority (HFEA) who have been recommended by the Competition and Marketing Authority (CMA) that all licensed Fertility Clinics join an independent ADR scheme as CQC does as part of Regulation 16.

ISCAS continues to have a place on the National and International Marketing Steering Group for Harley Street and continues to raise Quality Standards.

The excellent collaboration with the Parliamentary and Health Service Ombudsman (PHSO) this year resulted in the common implementation of the Complaints Standard Framework.



avma

Action against Medical Accidents (AvMA)

Communication has been re-established with the new Chief Executive regarding signposting between ISCAS and AvMA, the UK charity for patient safety and justice. AvMA specialises in providing advice and support for patients and their families affected by clinical negligence, and it maintains an accreditation scheme for lawyers who work in the field.



Independent Healthcare Providers Network (IHPN)

Regular meetings are held with IHPN. ISCAS has been proactive in ensuring the refreshed Medical Practitioners Assurance Framework (MPAF) is brought to the attention of ISCAS subscribers in addition to ISCAS Adjudicators. <https://www.ihpn.org.uk/news/ihpn-launch-refresh-of-medical-governance-framework-for-independent-providers/>

ISCAS presented at the IHPN conference on *Managing Concerns and Complaints* together with the PHSO Assistant Director of Professional Standards and Relationships and the GMC Employer Liaison Adviser.

ISCAS is to become an Associate member of IHPN to ensure that ISCAS is fully aware of the IHPN political agenda, utilising the excellent profile of the IHPN.



Private Healthcare Information Network (PHIN)

PHIN is an independent, not-for-profit, source of information on private healthcare in the UK. The government gave them the task of collecting information about private hospitals including safety, quality, costs and the people who treat you.

ISCAS has updated the *make a complaint as a private patient material* on the PHIN website - see below.



If you are looking to make a complaint as a private patient then please see our guidance on the subject.

independent doctors federation

Independent Doctors Federation (IDF)

ISCAS's role in providing a service to IDF continues.

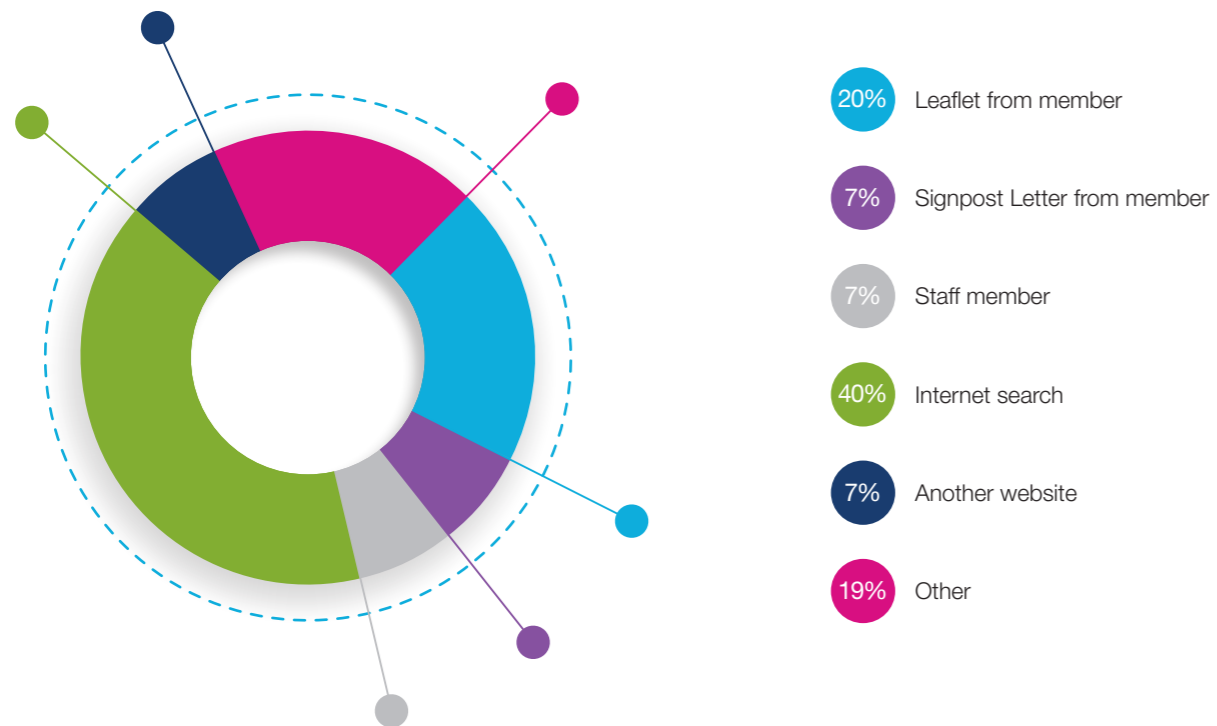


ISCAS Activity, Facts and Figures

Referrals to ISCAS

At the Independent Adjudication stage, in addition to complainants who are referred to ISCAS by subscribers, a sizeable number of complainants learn 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, a total of 550 complainants contacted ISCAS via telephone, email or letter with a concern. This is a decrease in the number of contacts received by ISCAS from the previous reporting period (672). Of the 550 contacts, 65% (358) related to ISCAS subscribers, similar to the last year's proportion. The remaining 35% of complainants whose concerns related to non-ISCAS subscribers were signposted to other organisations, where possible.

118 completed applications were received in this reporting period and relating to ISCAS subscribers.

90 Independent Adjudications were completed during the financial year; 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 complainants' 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

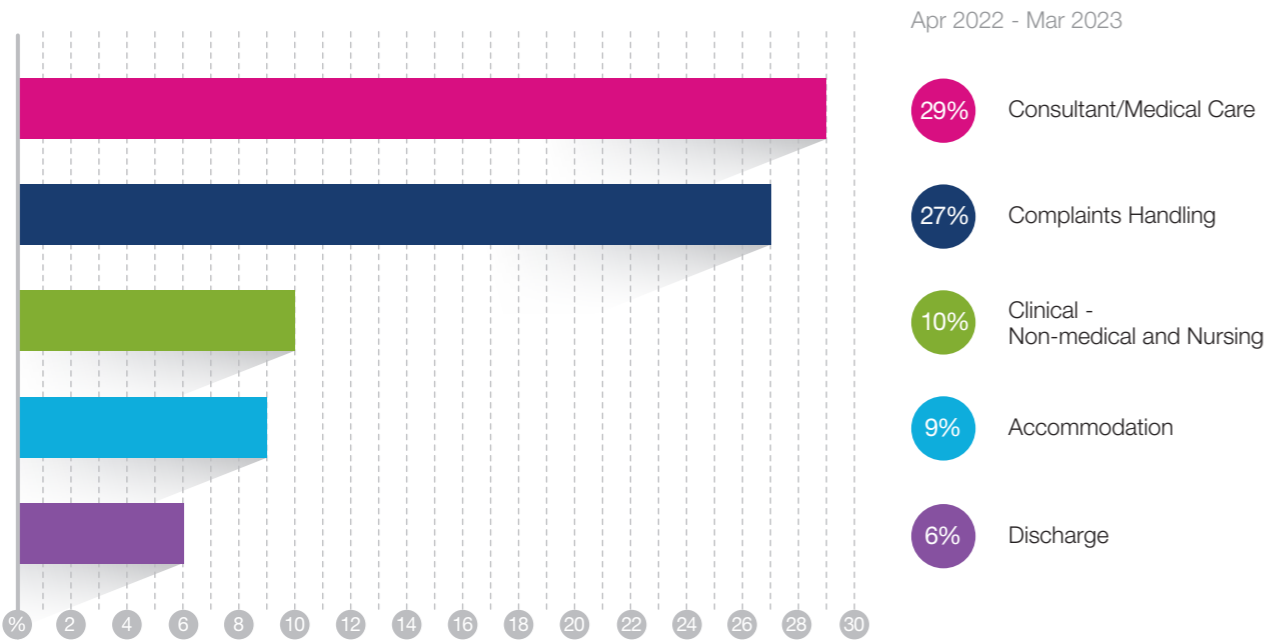
In this reporting period, 90 complainants received a final decision from an Independent Adjudicator. Within these complaints, adjudicators identified 288 Heads of Complaint, down from 344 the previous year. This is reflected in the table below.

Total number of Adjudicated Complaints and Heads of Complaint

	Apr 2018 - Mar 2019	Apr 2019 - Mar 2020	Apr 2020 - Mar 2021	Apr 2021 - Mar 2022	Apr 2022 - Mar 2023
Total number of complaints adjudicated	107	111	109	88	90
Total heads of complaints	275	348	624	344	288

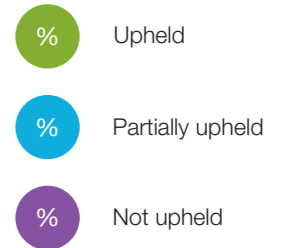
The following table shows the five largest categories of Heads of Complaint.

Type of Heads of Complaint at Independent Adjudication

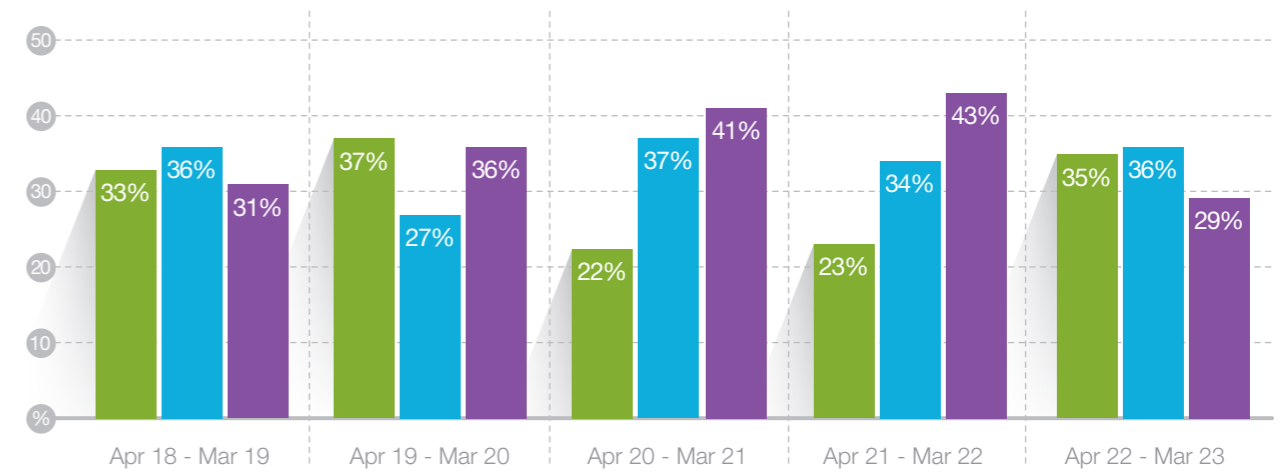


Of note, this year we saw an increase in the number of Nursing complaints. This differed from last financial year when Discharge complaints were more prominent.

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 (71%) of complaint heads are either 'upheld' or 'partially upheld' by adjudicators, which is a significant increase from the 57% reported last year.



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 £1,687, which shows a decrease of 9% from £1,856 in the previous financial year.

Overall Independent Adjudication costs

	Apr 2021 - Mar 2022	Apr 2022 - Mar 2023
Adjudicator costs	£163,346	£151,844
Goodwill payment awards	£38,776	£53,910
Clinical expert costs	£27,633	£21,200

Goodwill payments were made in around 79% of completed cases in this reporting period, an increase of 2% above last year. The average goodwill payment was £759, a slight increase from last year's £579.

Goodwill payments

	Apr 2018 - Mar 2019	Apr 2019 - Mar 2020	Apr 2020 - Mar 2021	Apr 2021 - Mar 2022	Apr 2022 - Mar 2023
Cases in which payments made	88	102	90	67	71
% of cases attracting a payment	82%	92%	83%	77%	79%
Total costs	£66,728	£61,683	£55,206	£38,776	£53,910
Average award	£758	£605	£613	£579	£759

Expert clinical advice

Independent Adjudicators 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, 12% of cases required expert clinical advice, a decrease from last year's 16%. The total costs associated with expert clinical advice came to £21,200 (or an average of £1,927 per case requiring expert clinical advice). Both the total costs and the average associated with an expert have decreased from last year's levels of £27,633 and £1,973 respectively.

	Apr 2018 - Mar 2019	Apr 2019 - Mar 2020	Apr 2020 - Mar 2021	Apr 2021 - Mar 2022	Apr 2022 - Mar 2023
% of cases requiring expert clinical advice	11%	14%	24%	16%	12%

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.

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



Sally Taber
ISCAS Executive
Director



John Munton
ISCAS Director
& Manager



Des Shiels
ISCAS Director



Subscribers to ISCAS

108 Medical Ltd

152 Harley Street

Active Care Group

Adnova Clinic

Al 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

Cavendish Clinic

CC Kat Aesthetics

Centre for Reproductive Immunology
and Pregnancy (Miscarriage Clinic)

Centre for Sight

Chase Lodge Hospital

Chelsea and Westminster Hospital
& West Middlesex Private Care

Circle Health Group (BMI Healthcare)

Clatterbridge Private Clinic

Cleveland Clinic

Clinical Partners

Cobalt Health

Community Health and Eyecare Ltd

Coppergate Clinic (Face etc Ltd)

Cosmetic Surgery Partners

Coyne Medical

Custom Vision Clinic

Doctap

Doctor Now Ltd t/as Doctor Now and The Beaconsfield Clinic

Doctors 4 you

Dr Alexandra Chambers Medical

and Aesthetic Practice

EA Clinic

Elanic

Epsomedical

Evolve Medical

Exeter Eye LLP

Facial Plastic Surgery

Fairfield Independent Hospital

Fleet Street Clinic

Fortius Clinic

Genesis Cancer Care UK Ltd

Grespi Ltd

Guy's and St Thomas' Private
Healthcare and Royal Brompton
& Harefield Hospitals Private Care

Hair Science Institute

Harley Health Village

Harley Street Specialist Hospital

Harley Street Ultrasound Group

HCA Healthcare

Health Bridge Limited t/as Zava
(Superdrug Online Doctor inclusive)

HealthHero Solutions Ltd

Hearts First Ambulance

Heathrow Medical Services LLP

Hereford Vision Surgical Group

HLPO Life t/as Hooke

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

Kase Care

KIMS Hospital Limited

King Edward VII Hospital

Kings Fertility

Knightsbridge Doctors

KSL Clinic

LANCuk

Laser Vision Limited

London Doctors Clinic

London Gynaecology Clinic

London Medical

London Pregnancy Clinic
- Ultrasound Link (City Ultrasound)

Luxmedica

LycaHealth

Manchester Private Hospital

Mayfair Medicum
(Lanserhof at The Arts Club)

Mayo Clinic Healthcare LLP

Medical Equipment Solutions

Medical Imaging Partnership

Medicspot

Medneo Diagnostics UK Limited

MET Medical

Midland Eye

Midland Health

Midlands Ultrasound &
Medical Services (MUMS)

MindOf Limited

Moorfields Private Eye Hospital
(London Claremont Clinic)

MSI Reproductive Choices

Murakami Medical Centre

My iClinic

MyBreast Limited

NAFS Health

Nash Private Healthcare -

**Basildon and Thurrock University
Hospitals NHS Foundation Trust
(Brook Suite), Mid Essex Hospital
Services NHS Trust (Broomfield),
and Southend University Hospital
NHS Foundation Trust**

Netri Cosmetic Surgery

New Medica

New Victoria Hospital

Nightingale Hospital

North Bristol Private Hospital

Nova Healthcare

Nuffield Health (Aspen Healthcare)

One Healthcare

One Heart Clinic

Optegra Eye Health Care

OSD Healthcare

Oouronyx Limited

Pall Mall Medical

Pearl Aesthetics t/as Hunar Clinic

Peppy Health

Phoenix Hospital Group
(9 Harley Street)

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

Purple Medical Clinic

QS Enterprises

Quality Health Care

Queen Anne Street Medical

Centre (Fitzrovia Hospital)

Ramsay Health Care

Randex Health

Regent's Park Heart Clinics Ltd

Renovo Care
- Hollenden Park Hospital

Riviera Psychology
t/as Autism Assessment

Royal Free Private Patients Unit

Royal National Orthopaedic Hospital

- Private Care

Rushcliffe Care Group

Sancta Maria Hospital

Save Minds

Schoen Clinic London Ltd

Sheffield Teaching Hospitals NHS Trust
- Private Care

Sk:n Clinics Ltd
(Courthouse Clinics, The Mole Clinic
and The Harley Medical Group)

SmartTMS

South East Eye Surgeons

Spencer Private Hospitals

Spire Healthcare Ltd

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 Andrology Company Ltd
t/as International Andrology Ltd

The Battersea Clinic Limited

The Cadogan Clinic

The Door W4 Ltd

The Evewell

The Family Treatment Service

The GP Surgery Ltd

The Harley Street General Practice Ltd

The Harley Street Hospital

The Health Suite

The Lawrence Clinic

The London Clinic

The London Psychiatry Centre

The Medika Group

(The Medika Clinic Ltd)

The Mews Practice

The Mole Clinic

The New Foscote Hospital Limited

The Newcastle upon Tyne Hospitals NHS Foundation Trust Private Care

The Parkside Suite

The Plastic Surgery Group

The Priory Group Ltd
The Private Clinic
The Royal Buckinghamshire Hospital
The Royal Orthopaedic Hospital
NHS Foundation Trust

The Sefton Suite

The Soke

The Standing CT Company

The Surrey Park Clinic

The Virtual Catheter Lab Holdings

The Wells Suite

(Maidstone & Tunbridge Wells
NHS Trust)

The Whiteley Clinic

Ulster Independent Clinic

Ultraworld Scanning Services

UME Diagnostics

University College London Hospitals
NHS Foundation Trust - Private Care

University Hospital Southampton
NHS Foundation Trust - Private Care

Veincentre

Vie Aesthetics

Welbeck Health Partners
(One Welbeck)

Wimbledon Neuro-Care

Yorkshire Skin Centre

The subscribers
highlighted are those
that are new for the
2022/23 financial year.



ISCAS

INDEPENDENT SECTOR
COMPLAINTS ADJUDICATION SERVICE

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