

Q: "The West Yorkshire and Harrogate Elective Care and Standardisation of Commissioning policies has developed a clinical pathway for cataract surgery...Cataract surgery is the most common operation performed by the NHS, but increasing numbers of patients are having the procedure formed in the private sector and paid for by the NHS.

Figures over the last 5 years show for West Yorkshire a fall in cataract operations in the NHS from around 15,000 to 14,000, and an increase from around 1,000 to 11,000 in the private sector. This striking trend will have negative effects on staff training and future recruitment for the NHS.

The Ian Paterson and Michael Walsh cases have also raised serious concerns about the business models of private hospitals, their avoidance of scrutiny, and some serious safety concerns including who is responsible when things go wrong, as the surgeons are not direct employees. Does the board know who is in fact responsible when things go wrong with NHS patients who have been sent to the private sector for surgery? Will the board look at reversing this trend and building NHS capacity?"

A: "With increasing demand for healthcare interventions and increasing complexity of the interventions available, the demand placed on the NHS estate and resources is considerable. Capital funding for estate growth and development is limited, although the WY&H Partnership has been extremely successful in securing national funding for development. When available this funding is used for specific projects which address clinical care in areas where the estate and/or resources are in need of modernisation or where there is inadequate provision to meet the health needs of the population. Provision of **NHS funded** cataract surgery is sufficient to meet the demands of the WY&H population and so it would be inappropriate to invest funding into the development of additional capacity when there are other clinical specialties with greater need. All Independent Sector providers of NHS funded services are required to have full insurance for all their interventions, and this is checked by the CCG on award of a contract to provide services. Surgeons also have their own medical professional indemnity cover which is checked by the Independent Sector providers for whom they work. The liability for any harm experienced by a patient receiving NHS funded care in an Independent Sector provider remains with the provider of the care."