

KML/acj

6th May, 2009

Holtye Road
East Grinstead
West Sussex
RH19 3DZ

Mr A Taylor
Director
Co-operation and Competition Panel
1 Horse Guards Road
London SW1a 2HQ

Telephone: 01342 414000
www.qvh.nhs.uk

Dear Mr Taylor

I am delighted to reply on behalf of the Queen Victoria Hospital NHS Foundation Trust.

I think it is important to recognise that our Surgical Consultants are in demand by independent sector providers. In the specialties of Plastic, Maxillofacial and Corneo-Plastic Surgery, there is a limited number of Consultants within the United Kingdom able to provide these services. The independent sector therefore relies almost exclusively on NHS contracted Consultants to carry out this type of work for them. The only exclusion which is relevant to our Hospital is of course cosmetic plastic surgery, which is not covered by our contracts with PCT's or reimbursed via tariff. This work is carried out entirely under private contract and I therefore do not believe will relate to this request for information.

In the European Union there are Specialists in Plastic, Maxillofacial and Corneo-Plastic Surgery, who follow a similar training programme and with free movement of labour across the European Union there are some specialists from the European Union who may find working within the United Kingdom attractive. There is a small trickle of such specialists working within these specialties in the South East of England.

As an NHS Foundation Trust we are committed to the principle of patient choice. However, we are also dependent on payment by results and by contracting for NHS activity with our local PCT's and practice based commissioners. Any increase in the providers of such services inherently must reduce our income and as this activity can only be provided by our contracted Consultants, this could have a detrimental effect on our income.

Within our Trust we have a very strong audit culture where our outcomes and results are monitored by specialty and hospital wide audit. Within other sectors this degree of oversight and audit for Consultants acting as essentially independent Consultants within the private sector, albeit on National Health Service patients does not exist. In a business sense, there is clearly a conflict of interest between Consultant already working and being paid to provide services to Foundation Trust and the same Consultants being paid to carry out work in the Independent Sector, which inherently reduces the market share of the Foundation Trust.



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However, notwithstanding the above comments in this Trust, we do not place any restriction on the non-contracted hours of our Consultants working in the Independent Sector, even for competing providers.

Yours sincerely

Kenneth M Lavery FRCS FDSRCS
Medical Director