

Crunch time

**Annual report on hospital waiting times
The Patients Association**

July 2015

Contents

1.	Executive summary	Page 2
2.	Introduction	Page 3
3.	Policy background	Page 6
4.	Methodology	Page 7
5.	Results and analysis	Page 8
	5.1 Response rate	Page 9
	5.2 Waiting times: annual trends	Page 10
	5.3 Waiting times: regional trends	Page 12
	5.4 Patients waiting more than 18 weeks	Page 14
6.	Data limitations	Page 17
7.	Conclusion and recommendations	Page 18
8.	Appendix	Page 19
	8.1 Original FOI request	Page 19
	8.2 Top 3 performing Trusts	Page 22
	8.3 Bottom 3 performing Trusts	Page 24
	8.4 References	Page 26

1. Executive summary

This is our fifth annual report on hospital waiting times for elective surgical procedures in England. After four years of monitoring waiting times for these procedures, we have now come to the crunch: in the vast majority of areas, NHS Trusts have breached the NHS Constitution's 18 week wait limit (126 days) between referral and surgery for some patients. ⁱ The mean average waiting times for each of the seven key surgical procedures we have studied are all above 90 days (13 weeks).

This report demonstrates a wide variation in waiting times across England, with the post-code distribution as stark as ever. Overall, we are seeing increasingly long waiting times for these procedures.

Key findings

Waiting times for key surgical procedures are all above 90 days on average:

- Mean average waiting times for hip replacement, knee replacement, operations on hernias, adenoids, gallstones, cataracts and tonsillectomies have all increased beyond 90 days;
- The most significant rise has been seen in the mean average wait for cataracts - up from 69 days in 2013 to 93 days in 2014;
- Knee procedures continue to have the longest mean average wait at 107 days;
- Only one Trust reported that none of its patients had waited longer than 18 weeks for any of these procedures. All other Trusts who responded had some patients waiting for more than 18 weeks (126 days) for one or more of these procedures;
- The data suggest that over 50,000 patients have been waiting more than 18 weeks for one or more of these procedures.

Variations in waiting times continue to exist across the regions:

- The Midlands and East of England region has the longest waiting times for knee replacement operations with an average of 113 days, 6 days above the national average;
- The shortest mean average waiting time for any procedure is found within the London region, at 85 days wait for cataract operations - still a lengthy time for any patient to wait.

Response rate has improved across all regions:

- 70.51% of trusts responded within the statutory time period to the Freedom of Information request compared to 53.7% last year
- The London region had the worst response rate at 62.5%

It is vital to remember the people behind these statistics. Longer waits for surgery frequently impact on the emotional and financial well-being of patients and their

families/carers, as well as causing prolonged pain, immobility or disability for patients.

2. Introduction

The Patients Association is an independent health and social care charity. For over 50 years we have campaigned for better access to accurate information for patients and the public; equal access to high quality healthcare for patients, and the right for patients to be involved in all aspects of decision-making regarding their health care.

Our motto is '**Listening to Patients, Speaking up for Change**', which is the basis of all our campaigns. From the contacts we receive via our Helpline (**0845 608 44 55**), we capture thousands of accounts each year from patients, carers, family members and friends about people's experiences of the health and social care service. We use this knowledge to campaign for real improvements across the UK. In addition, our Helpline provides valuable signposting and information for patients and supports them as they navigate their way through the healthcare services.

Since 2010 the Patients Association has carried out an annual research project on hospital waiting times for surgical procedures across England. The study's aim is to identify any significant changes in waiting times compared to previous years, both nationally and regionally, as a means of both pushing for improvements and celebrating achievements that have been made.

This year, we have focussed on seven key surgical procedures:

- hip replacement
- knee replacement
- hernia operations
- adenoid operations
- gallstone operations
- tonsillectomy
- cataract operations

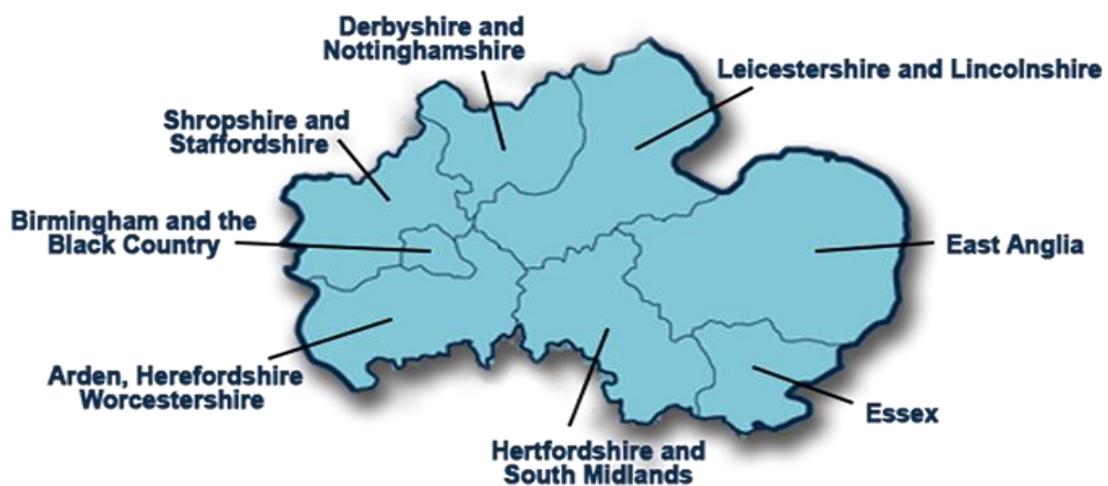
Our decision to focus on these procedures is due to the huge variability in data quality received last year. We believe that concentrating on this range of procedures provides greater confidence in the findings.

We grouped the responses received according to the 4 NHS England region: North of England, Midlands and East of England, London and the South of England. The maps below from NHS England's regional teams webpages show the area boundaries.¹

North of England



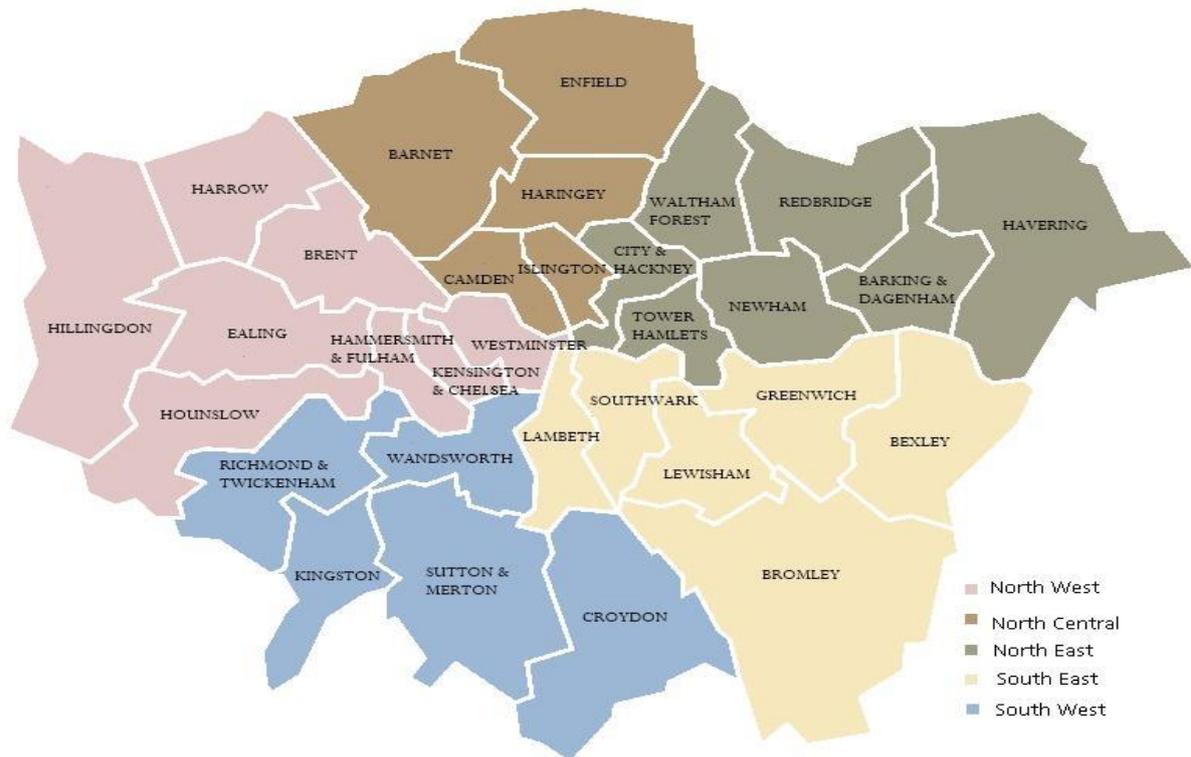
Midlands and East of England



South of England



London



3. Policy background

A major challenge facing the NHS today is funding. Five years of a massive efficiency drive (the ‘£20bn challenge’) and austerity measures in related services such as social care, have contributed to an unprecedented set of pressures on the NHS. An aging population and changes in demands for most types of healthcare are also putting NHS services under strain. We have welcomed the ‘Five Year Forward View’ published by NHS England, and feel this offers a realistic roadmap to addressing the range of financial and structural challenges.ⁱⁱ The success of this project will be determined to a large extent by the adequacy of the funding provided.

However, the challenges to the NHS must not be used to excuse failings in the quality of treatment or patients’ experience of care which are unrelated to funding. As always, patients must come first, even though we appreciate the huge pressures on dedicated and resourceful NHS staff. Considering the waiting times for elective surgical procedures serves as one useful barometer for how the NHS is performing.

Waiting times for elective procedures

The NHS Constitutionⁱⁱⁱ establishes the principles and values of the NHS in England. This outlines the rights and responsibilities of patients, public and staff, as well as pledges to which the NHS is committed. By law, the NHS Constitution is required to be taken into account in the decisions and actions taken by all NHS bodies and health professionals.

According to the NHS Constitution, patients have the right to access services within maximum waiting times and this is supported by legislation from 2010.^{iv} Waiting time pledges have been updated since the NHS Constitution was first published in 2011. New waiting times pledges have been included in the updated Handbook to the Constitution.^v This includes a “maximum one month (31-day) wait from diagnosis to first definitive treatment for all cancers”; a “maximum 62-day wait from referral from an NHS cancer screening service to first definitive treatment for cancer”; and a wait of less than 6 weeks from referral for patients waiting for a diagnostic test.^{vi}

Crucially for this study, patients also have a right to start “consultant-led treatment within a maximum of 18 weeks from referral for non-urgent conditions”. In other words, subject to some exceptions, patients have the right to receive elective surgical treatments within 18 weeks (126 days) of being referred.^{vii} Where this is not possible, the person responsible for commissioning treatment must investigate and offer a range of suitable alternative providers.

4. Methodology

Requests for information were sent out to 156 NHS Trusts in England, under the Freedom of Information Act (FOIA) 2000. Using The Patients Association's helpline database, communications with clinicians and patients, and based upon our previous research into this area, we identified seven key surgical procedures that are most likely to reflect the overall waiting time picture. The procedures were hip, knee, hernia, adenoid, gallstone, tonsillectomy and cataract.

We included specialist Trusts, such as paediatric, women's and orthopaedic hospitals, as this was deemed an important indicator for changes in hip and knee surgery provision, as well as general trends.

The questionnaires that were sent out by email, in early February 2015 to the Trusts to gather the necessary data, were designed in a clear table format so as to reduce the likelihood of errors and confusion (see Appendix 2). The questions were:

1. Which Regional Team does your hospital belong to?
2. Please set out the number of individual elective procedures that took place in your Trust in 2014 for the ... categories.
3. Please set out the mean average waiting time (in days) within your Trust, for each of the following procedures in 2014
(Please only include "Referral to Treatment (RTT) waiting time")
4. Please set out the number of patients who waited for longer than 18 weeks, within your Trust, for each of theprocedures in 2014

Reporting inconsistencies

Despite a reminder email being sent to all the Trusts who had not responded within the statutory period of 20 working days and an appropriate extension period being granted, several Trusts did not return their data in time for this report to be produced.

It was also noted that several Trusts were unable to provide data to questions 3 and 4, due to changes in the way in which this data is recorded by the Trusts; thus making it difficult to get a true national picture.

*We intend to make changes to our data requests following the nature of responses arising from this report. For example, in future reports we will consider asking NHS Trusts to provide both the number of patients waiting **less** than 18 weeks, and the number of patients waiting **more** than 18 weeks, in order to identify the percentage of all patients waiting beyond the 18 week limit.*

5. Results and analysis

Requests for information were sent to all 156 NHS Trusts in England. A total of 110 responses were received, but 2 were excluded, given serious doubts about the data provided.^{viii} In our request, we asked NHS Trusts to identify:

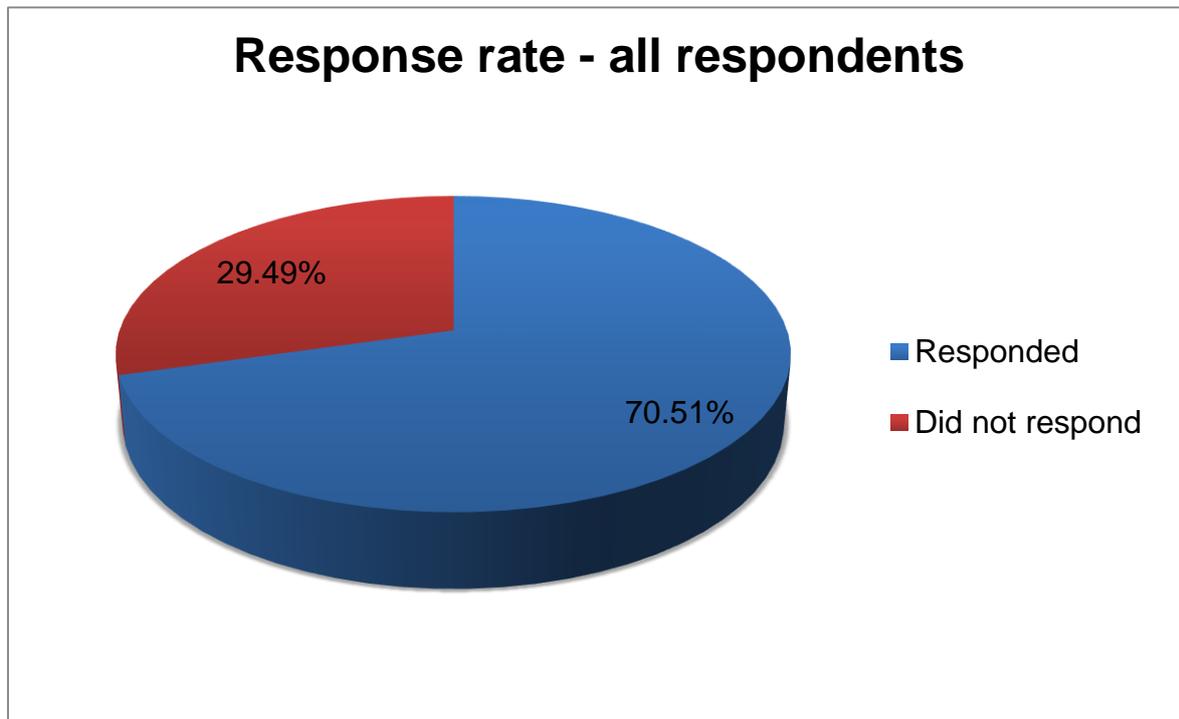
- their NHS England regional team
- the number of individual elective procedures which took place over 2014, for each of the following seven surgical procedures:
 - hip replacement
 - knee replacement
 - hernia operations
 - adenoid operations
 - gallstone operations
 - tonsillectomy
 - cataract operations
- the (mean) average number of days patients had to wait from referral to treatment, for each of the above procedures;
- the number of patients who waited longer than 18 weeks for each of the above procedures.

The original request letter is included in the Appendix 1. Below we discuss the response rate to our Freedom of Information requests, and the data collected.

Ten hospital Trusts returned their data after the analysis of data had been completed and therefore could not be included in the results and report.

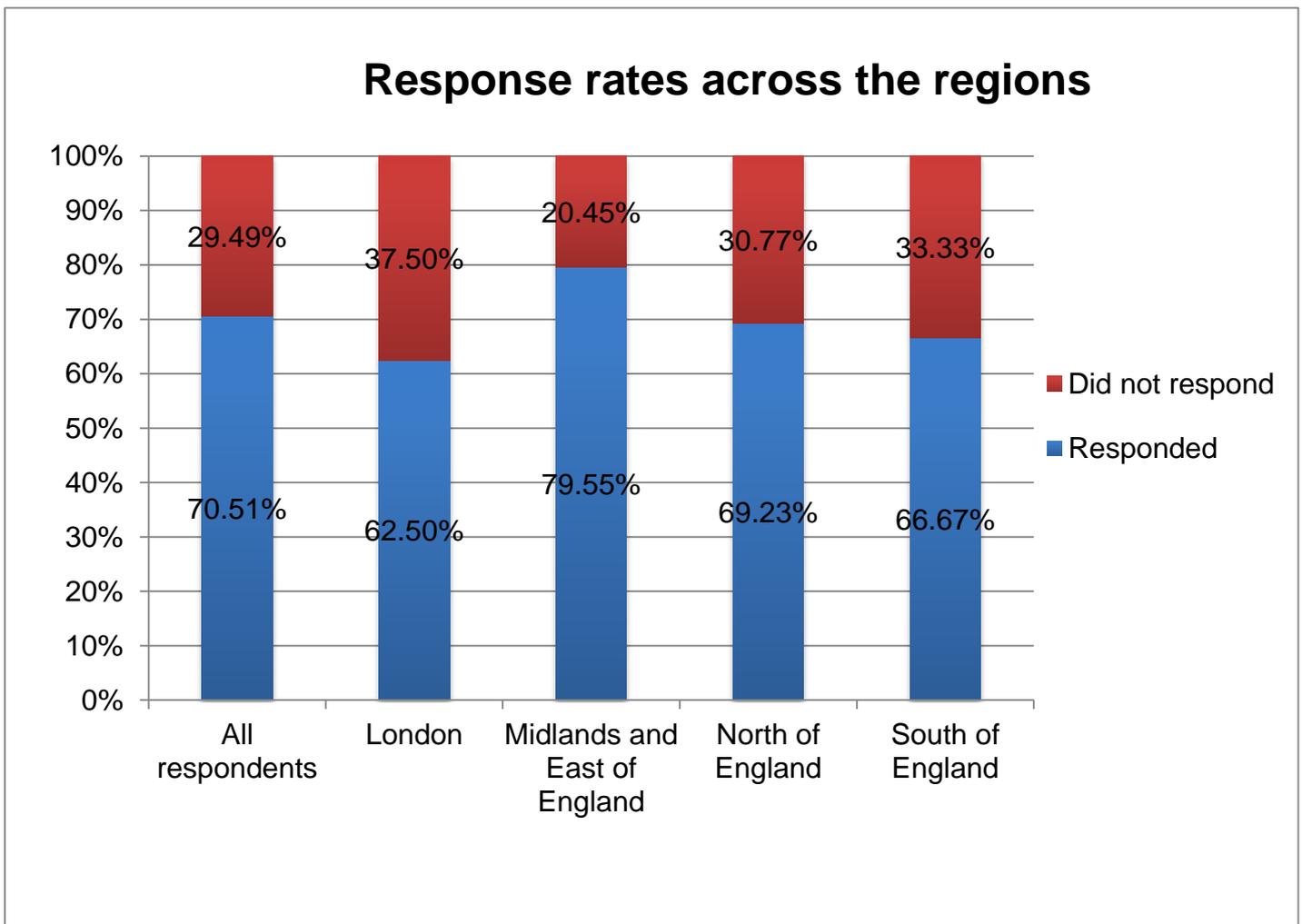
5.1 Response rate

Fig.1



The response rate was considerably better this year, with 70.51% of NHS Trusts responding to our Freedom of Information request in comparison to only 53.70% last year. However, given the Freedom of Information Act's stipulation on a response within 20 working days^{ix} and the relative simplicity of this request, the fact that almost 30% of all NHS Trusts failed to respond at all is a cause for concern. Whilst we acknowledge the pressures under which NHS Trusts are operating, patients, families, and charities like the Patients Association should be able to exercise rights under the Freedom of Information Act to make reasonable requests, and have these responded to within the Act's timescales, as a means of promoting transparency and clarity about the performance of the NHS.

Fig.2



All regions' response rates increased in comparison to last year. As Fig.2 above shows, the overall response rate from NHS Trusts in Midlands and East of England has been considerably above that of the other regions at almost 80%. NHS Trusts in London were least likely to respond, with a response rate of only 62.5%. However, this is still an increase on the London region's response rate last year of 58.62%.

5.2 Waiting times: annual trends

Waiting times for the seven surgical procedures we surveyed have all seen a sharp increase in 2014, as shown by the Fig.3 below.

Fig.3

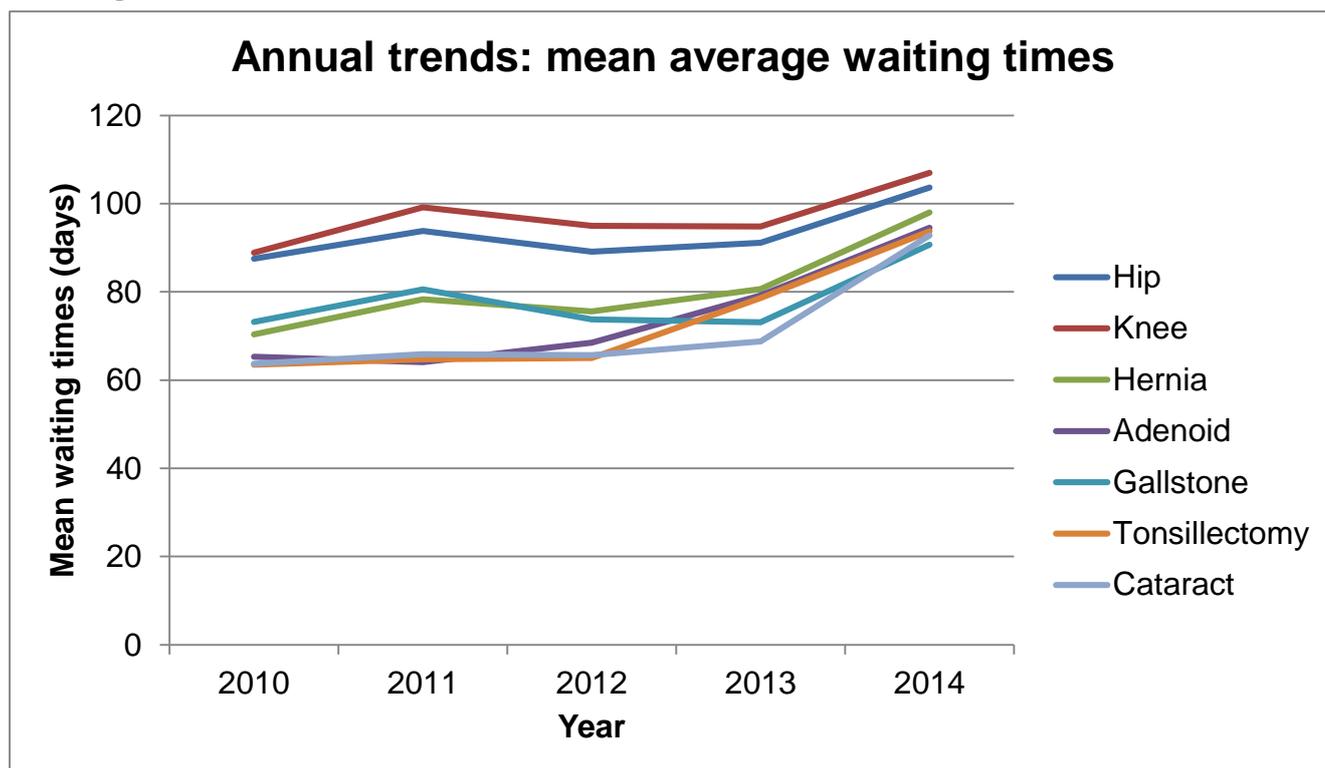


Fig.4

Annual trends - mean waiting time in days					
	2010	2011	2012	2013	2014
Hip	87.5	93.8	89.09	91.15	103.68
Knee	88.9	99.2	94.96	94.82	106.97
Hernia	70.4	78.3	75.59	80.66	97.99
Adenoid	65.3	64.1	68.46	79.23	94.55
Gallstone	73.2	80.6	73.76	73.12	90.68
Tonsillectomy	63.5	64.7	65.03	78.60	93.76
Cataract	63.7	65.9	65.66	68.77	92.79

It is striking that now the mean average waiting time for **all** seven of these elective procedures has risen sharply to above 90 days, which is about 13 weeks. To be clear, the NHS Trusts that responded varied greatly in the waiting times they reported and most met the 18 week (126 days) target for most people undergoing these procedures. However, many Trusts are now in breach of the 18 week target for some of these procedures (see Appendices 3 & 4 for the best and worst performers). The results reveal that a significant increase in overall mean average waiting times has occurred, especially for cataract operations.

5.3 Waiting times: regional trends

We have split the data into separate graphs for easier reading.

Fig.5

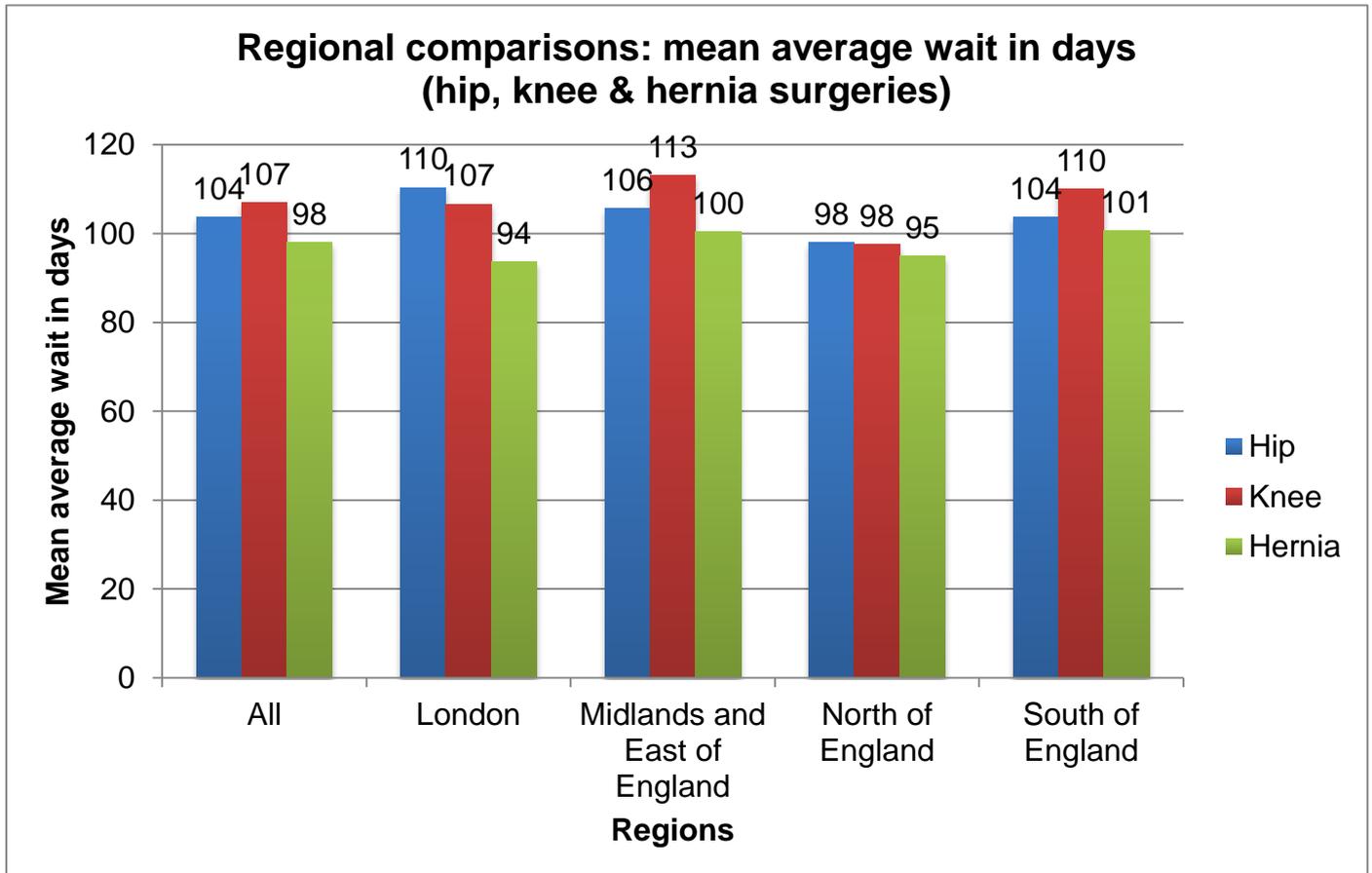


Fig.6

**Regional comparisons: mean average wait in days
(adenoid, gallstone, tonsillectomy & cataract surgeries)**

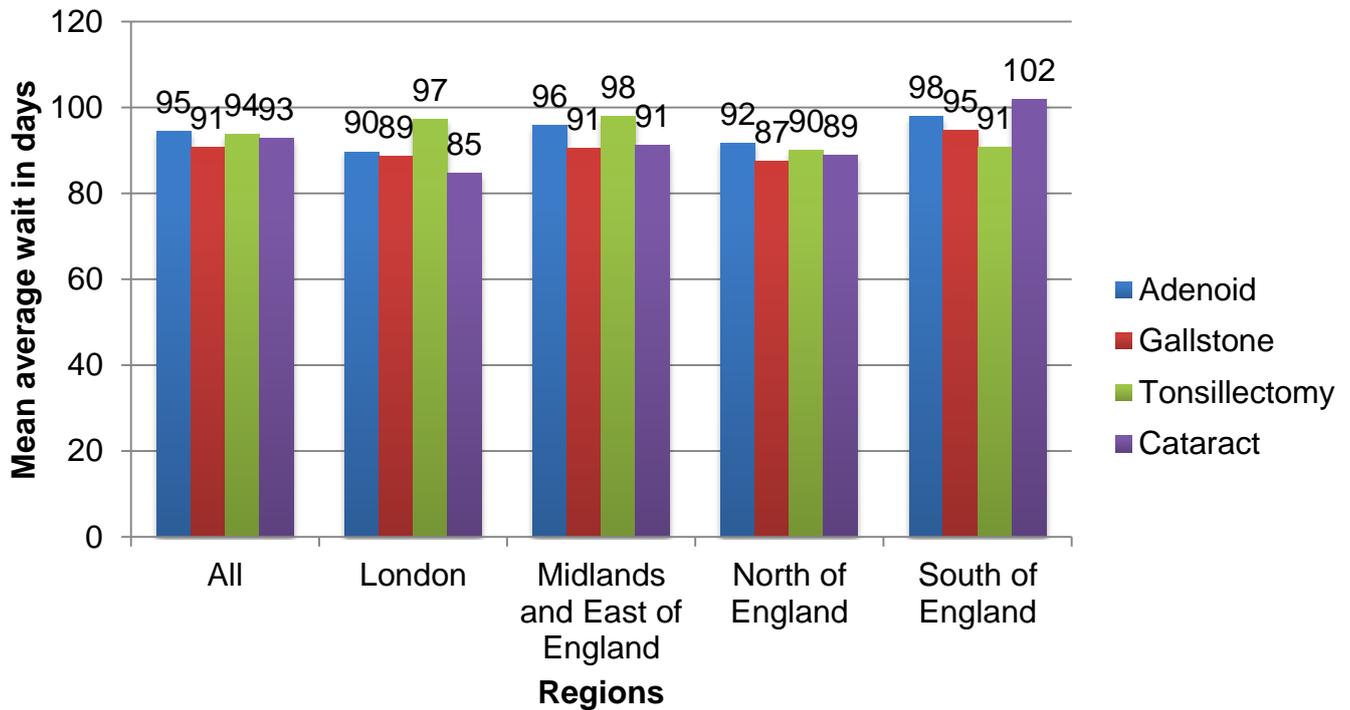


Fig.7

**Regional comparisons: mean average wait in days
(highest numbers highlighted in red, lowest in blue)**

	All	London	Midlands and East of England	North of England	South of England
Hip	104	110	106	98	104
Knee	107	107	113	98	110
Hernia	98	94	100	95	101
Adenoid	95	90	96	92	98
Gallstone	91	89	91	87	95
Tonsillectomy	94	97	98	90	91
Cataract	93	85	91	89	102

We can see that gallstone and cataract operations are the only procedures for which patients are not waiting above a mean average of 90 days, but this is only in the London and North of England regions.

There is also wide variation between the areas in terms of mean average waiting times. For instance, patients referred for knee replacement in the Midlands and East of England region must wait more than a fortnight longer on average than patients referred in the North of England.

There may be relevant clinical reasons for delaying specific surgical procedures for patients, and patients may choose to wait longer. As covered in our 2014 report, a NICE clinical knowledge summary on tonsillectomy updated in 2012, may have contributed to longer waits for children and adults for sound clinical reasons of 'watchful waiting' and observation of seven or more clinically significant sore throats in the previous year.^x As such, the reasons for these increases may vary between the types of procedures, as well as between regions and NHS Trusts.

5.4 Patients waiting more than 18 weeks

For the first time since we began reporting annually on elective surgery waiting times, this year we asked NHS Trusts for the numbers of patients who had waited longer than 18 weeks for these elective procedures. NHS Trusts will be breaching patients' rights technically under the NHS Constitution if patients have to wait longer than 18 weeks for these procedures (see Policy Background).

As with the mean average waiting time graphs above, we have split the data on the 18 week (126 days) wait into two graphs for ease of reading.

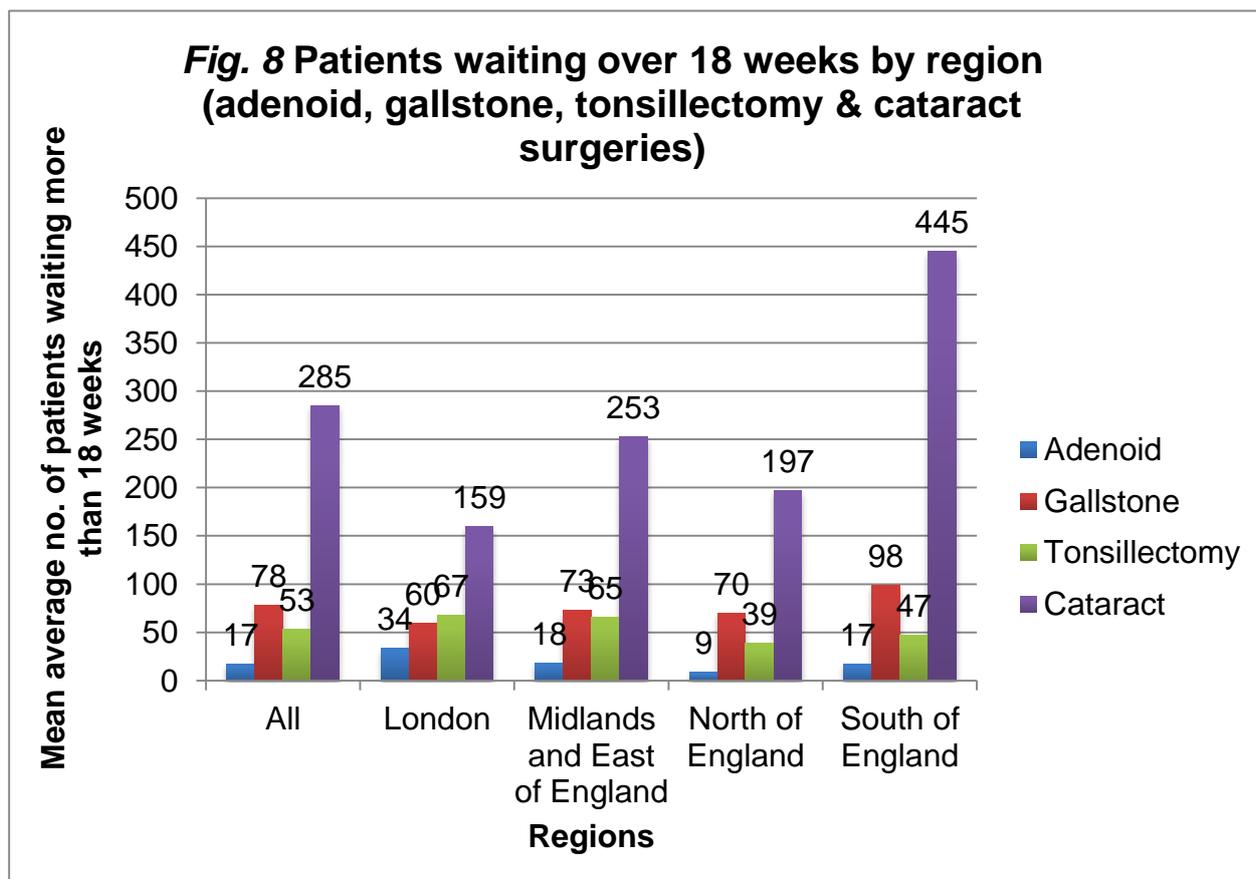


Fig.9

Mean average no. of patients waiting more than 18 weeks (highest numbers highlighted in red, lowest in blue)					
	All	London	Midlands and East of England	North of England	South of England
Hip	74	63	82	54	90
Knee	93	63	106	66	119
Hernia	118	142	126	80	139
Adenoid	17	34	18	9	17
Gallstone	78	60	73	70	98
Tonsillectomy	53	67	65	39	47
Cataract	285	159	253	197	445

The picture as shown in Fig.9 is mixed. In comparison to the other regions, London and the North of England have relatively low average numbers of patients waiting over the 18 week limit for hip, knee, gallstone and cataract procedures. However, the London region has the highest average number of patients waiting over 18 weeks for hernia, adenoid and tonsillectomy procedures, whereas the South of England fares worse for the other procedures. Only the Newcastle Upon Tyne Hospitals NHS Foundation Trust reported that none of its patients had waited over 18 weeks for any of these procedures. All other Trusts had patients waiting for more than 18 weeks for one or more of these procedures.

For certain procedures, some of the variation in these figures may be due to specialist services and demographics of that region. For example, the presence of Moorfields Eye Hospital in London means that there is a large scale specialist provider for cataract operations, which may be contributing to lower mean average waiting times and lower numbers of patients waiting for more than 18 weeks in this region.

Conversely, the absence of this specialist provision in the South of England may contribute to a higher number of patients waiting for over 18 weeks, coupled with a regional population which is more widely dispersed geographically (making travel to appointments more challenging), and on average older than other areas (suggesting a higher risk of cataracts). In contrast, it is possible that some of this variation is due

to sampling bias, given that London's response rate to the survey was significantly lower than the other regions.

As the ageing UK population continues to grow, it is essential that specialist hospital services are available to all patients around the country and not just to those in London.

Looking at the total numbers of patients reported as waiting for more than 18 weeks, aggregated from all the Trusts' responses, it is clear that a large number of patients are waiting more than 18 weeks for these procedures.

Fig.10

Procedure	Total no. of patients waiting over 18 weeks
Hip	5,710
Knee	6,961
Hernia	9,476
Adenoid	1,254
Gallstone	5,671
Tonsillectomy	3,787
Cataract	18,529
Total:	51,388

It is possible that there are less than 51,388 individual patients waiting over 18 weeks for all these procedures in England. For example, the same unfortunate patient might have had to wait over 18 weeks for both a hip replacement and cataract operation in the same year in the same Trust. However, we consider this possibility relatively rare, given the range of options available to Trusts to 'stop the clock' on 18 week waits, which include clinical decisions not to treat (for instance if the patient remains in recovery from a previous operation). We therefore feel reasonably confident in saying that over 50,000 patients in England waited more than 18 weeks for at least one of these surgical procedures. The total number of procedures carried out in England for the period in question was 439,106. This means that approximately 11% of patients have waited longer than 18 weeks for their surgery. This is clearly an unacceptable situation. The impact on the lives of patients and their families of having to deal with their conditions while waiting for so long will also be very significant.

6. Data limitations

Given the trend over previous years for waiting times to increase for many of these operations from 2010 - 2013, it is not surprising that the trend has continued upward in 2014. This would be particularly plausible in light of the well-publicised cost pressures on the NHS, and the impact of an aging population who are more likely to require many of these procedures, such as knee and hip replacements.

However, while our analysis of this data shows a significant increase in waiting times, it is important to highlight and consider the limitations of the data.

Firstly, the response rate to our survey is higher this year than in the last (70.51% in our 2015 survey, compared with 53.70% in 2014). Therefore it may be simply that the respondents to this year's survey happen to have longer waiting times than the slightly smaller cohort from last year. Moreover, this is not just a larger sample, but a slightly altered cohort; some Trusts who responded to last year's survey did not respond this time, and some NHS Trusts responded to this survey but not last year's. However, given that this is a larger sample, including a clear majority of all NHS Trusts, the larger dataset could be considered a firmer guide to the trends in waiting times.

A second limitation to the data is within the answers themselves. While a higher proportion of Trusts responded to our request, not all Trusts gave answers to each question. In compiling the mean average waiting times and the mean average number of patients waiting for over 18 weeks, we controlled for Trusts which either did not respond to those questions or did not hold the relevant data.

This said, our overall finding that elective surgery waiting times has increased is broadly in line with recent reporting on this issue, most extensively documented by the King's Fund, which has outlined the major pressures on NHS bodies and the reasons for an increase in waiting times for elective procedures overall.^{xi} The "managed breach" of waiting times approved by the Secretary of State for Health in August 2014 may have led to a short-term reduction in the backlog of patients waiting, but this was prompted by an "aggregate" breach of the 18 week target across the NHS.^{xii} As a result, while we acknowledge potential limitations with the data provided to us, we are confident that waiting times for these elective procedures have increased significantly.

7. Conclusion and recommendations

It is crunch time for the NHS on waiting times. Not only have patients been waiting too long for these surgical procedures in previous years, but the data collected suggests that waiting times have starkly increased, to a mean average of over 90 days for each of these procedures. Moreover, many NHS Trusts are now failing to meet the 18 week target for many of these procedures, and virtually all Trusts have some patients who are waiting more than 18 weeks. Last year, around 50,000 patients waited for over 18 weeks for one or more of these procedures.

There are stark variations between the regions in terms of waiting times exacerbating the claims of a Post-Code lottery service. There are undoubtedly arguments that could be made about the quality of data collection locally, with differing approaches taken to registering waiting times. However, under the NHS Constitution, patients have the right to have their elective surgical procedures within 18 weeks of being referred. If, as the data implies, virtually all NHS Trusts have significant numbers of patients waiting longer than 18 weeks, then something has gone seriously wrong and the NHS is failing patients.

Waiting times are more than a statistic. Delayed and cancelled operations undoubtedly seriously impact on a patient's independence, family life, mobility, ability to work and socialise, and prolong periods of pain or suffering that could be avoided by timely surgery. Ask any patient whose sight is rapidly vanishing due to a cataract, for example, and you will understand just how vital that surgery is to their health and wellbeing.

Due to the number and nature of calls we receive on our National Helpline, the Patients Association understands better than most the severe pressures the NHS in England faces, which include financial, structural and demographic challenges. These challenges undoubtedly contribute to these increases in waiting times. If this is the case, then, rather than these pressures being used as an excuse for poor performance, the findings of our waiting times research should be seen as a "wake-up" call. These findings should spur commissioners, policy makers and politicians to take the necessary steps to improve the efficiency and effectiveness of NHS provision in order to meet the needs of patients.

At the Patients Association, we know that the majority of staff in the NHS are dedicated, caring and very professional. Most staff work very hard to ensure their patients receive the best quality of care, within the shortest time possible, with very limited resources, including staff shortages. Whatever the reasons behind the increases in waiting times, this problem must be tackled and reversed. We pledge to work with the NHS to help bring the waiting times down, and build a more responsive health service. Patients and their families should not have to wait any longer - it simply isn't fair or humane.

8. Appendix 1

Information on waiting times for elective surgery (original Freedom of information request)

6th February 2015

Dear Freedom of Information Manager,

The Patients Association is a national independent health and social care charity which listens to the experiences of patients and speaks up for change. We continue to hear via our Helpline and through our own research that there are regional variations in waiting times for certain elective surgical procedures. We have undertaken activities to monitor this situation over the previous five years, and continue to do so.

In response to these continued reports, we are carrying out an investigation into the waiting times for 7 standard procedures across NHS trusts in England. These procedures are:

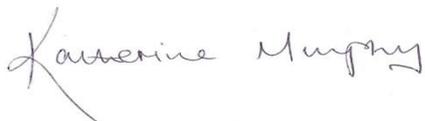
- Hip
- Knee
- Hernia
- Adenoid
- Gallstone
- Tonsillectomy
- Cataract

The specific questions are laid out below this letter.

I would like to obtain this information under a Freedom of Information Act 2000 Request. I expect your response within the statutory period of 20 working days.

We look forward to hearing from you.

Yours faithfully,



Katherine Murphy
Chief Executive
The Patients Association

8. Appendix 2

Patients Association FOI request questions

1. Which Regional Team does your hospital belong to?

Please tick **ONE** of the following 4 options:

North of England	
Midlands and East of England	
London	
South of England	

2. Please set out the number of individual elective procedures that took place in your Trust in 2014 for the following categories.

Hip replacement	
Knee replacement	
Hernia Operations	
Adenoid Operations	
Gallstone operations	
Tonsillectomies	
Cataract operations	

3. Please set out the *mean* average waiting time (in days) within your Trust, for each of the following procedures in 2014.

Please only include “Referral to Treatment (RTT) waiting time”

Hip replacement	
Knee replacement	
Hernia Operations	
Adenoid Operations	
Gallstone operations	
Tonsillectomies	
Cataract operations	

4. Please set out the number of patients who waited for longer than 18 weeks, within your Trust, for each of the following procedures in 2014. (Only include cases where clock was running)

Hip replacement	
Knee replacement	
Hernia Operations	
Adenoid Operations	
Gallstone operations	
Tonsillectomies	
Cataract operations	

Please send your responses within the statutory response time to:
mailbox@patients-association.com

8. Appendix 3

Top 3 performing Trusts for each procedure (by mean average waiting time)

All data has been provided directly by each hospital Trust in response to the Freedom of Information request. 70.51% of Trusts responded to the Freedom of Information request.

	Hospital Trust	Number of procedures carried out	Average waiting time (in days)
Hip replacements	University Hospital Birmingham NHS Foundation Trust	5	57
	Leeds Teaching Hospitals NHS Trust	560	74
	Dartford and Gravesham NHS Trust	414	77
Knee replacements	Bolton NHS Foundation Trust	231	64
	Chelsea and Westminster Hospital NHS Foundation Trust	4	70
	Leeds Teaching Hospitals NHS Trust	509	71
Hernia	Dartford and Gravesham NHS Trust	784	49
	Shrewsbury and Telford Hospital NHS Trust	741	54
	Bedford Hospital NHS Trust	315	56
Adenoid	The Whittington Hospital NHS Trust	1	13
	Bedford Hospital NHS Trust	5	21
	Bolton NHS Foundation Trust	34	48

Gallstone	Poole Hospital NHS Foundation Trust	6	1
	University College London Hospitals NHS Foundation Trust	317	28
	Cambridge University Hospitals NHS Foundation Trust	658	35
Tonsillectomy	University Hospital Of South Manchester NHS Foundation Trust	13	29
	Buckinghamshire Healthcare NHS Trust	2	38
	Bedford Hospital NHS Trust	131	41
Cataract	Alder Hey Children's NHS Foundation Trust	37	46
	Milton Keynes Hospital NHS Foundation Trust	965	49
	Birmingham Children's Hospital NHS Foundation Trust	1	50

8. Appendix 4

Bottom 3 performing Trusts for each procedure (by mean average waiting time)

All data has been provided directly by each hospital Trust in response to the Freedom of Information request. 70.51% of Trusts responded to the Freedom of Information request.

	Hospital Trust	Number of procedures carried out	Average waiting time (in days)
Hip replacements	West Hertfordshire Hospitals NHS Trust	422	163
	Barts Health NHS Trust	231	161
	Walsall Healthcare NHS Trust	165	147
Knee replacements	Barts Health NHS Trust	319	203
	West Hertfordshire Hospitals NHS Trust	554	191
	Walsall Healthcare NHS Trust	241	163
Hernia	Walsall Healthcare NHS Trust	360	166
	Royal Liverpool and Broadgreen University Hospitals NHS Trust	599	142
	University Hospital Birmingham NHS Foundation Trust	758	139
Adenoid	Hull and East Yorkshire Hospitals NHS Trust	18	149
	University Hospitals Bristol NHS Foundation Trust	146	140

	Mid Yorkshire Hospitals NHS Trust	55	131
Gallstone	The Royal Wolverhampton Hospitals NHS Trust	366	148
	Brighton and Sussex University Hospitals NHS Trust	506	140
	Barts Health NHS Trust	526	134
Tonsillectomy	Hull and East Yorkshire Hospitals NHS Trust	723	137
	Alder Hey Children's NHS Foundation Trust	841	125
	Wye Valley NHS Trust	89	125
Cataract	Walsall Healthcare NHS Trust	995	153
	Western Sussex Hospitals NHS Foundation Trust	4012	130
	South Devon Healthcare NHS Foundation Trust	1995	129

8.4 References

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- ⁱ Source for diagrams is NHS England website (2014, 2015), please see <https://www.england.nhs.uk/about/regional-area-teams/>
- ⁱⁱ NHS England (2014) *NHS Five Year Forward View*. Available from <http://www.england.nhs.uk/ourwork/futurenhs/>
- ⁱⁱⁱ Department of Health (2013) *The NHS Constitution*. Available from: <http://www.nhs.uk/choiceintheNHS/Rightsandpledges/NHSConstitution/Pages/Overview.aspx>
- ^{iv} This has been updated in the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012. Please see from p.28 onwards, available from: <http://www.nhs.uk/choiceintheNHS/Rightsandpledges/Waitingtimes/Documents/nhs-england-and-ccg-regulations.pdf>
- ^v Department of Health, (2013) *Handbook to the NHS Constitution*, p.28-31. Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/170649/Handbook_to_the_NHS_Constitution.pdf
- ^{vi} *ibid.* p.30-31
- ^{vii} *ibid.* p.28-29
- ^{viii} The excluded Trusts were Sheffield Teaching Hospitals NHS Foundation Trust and The Rotherham NHS Foundation Trust. Both gave figures for cataract operations that were much higher than what the Patients Association considered plausible, considering other NHS Trusts' figures, knowledge about the services provided within these Trusts, and the results from previous years. When contacted to clarify these figures, both Trusts were unable to provide clarification before the publication date for this report.
- ^{ix} Please see the Office of the Information Commissioner for more information, available at: <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>
- ^x National Institute for Health and Care Excellence (2012) *Tonsillectomy*. Available at: <http://cks.nice.org.uk/sore-throat-acute#!supportingevidence1:12>
- ^{xi} The King's Fund (2015) *The NHS under the coalition government. Part Two: NHS performance*, available at: http://www.kingsfund.org.uk/sites/files/kf/field/field_publication_file/the-nhs-under-the-coalition-government-nhs-performance-kings-fund-mar15.pdf
- ^{xii} *ibid.* p.30