



Trust Headquarters
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4th June 2020

Email:

Dear,

I am writing in response to your enquiry under the Freedom of Information Act 2000 (FOIA) reference FOI 200604.

You requested the following information, please also see our response below:

Under the Freedom of Information Act, please consider this as an FOI request for the following:

i) Details of the professional and contractual relationship between Secamb and NHS Resolution

NHS Resolution administers, on behalf of the Secretary of State, indemnity schemes covering the legal liabilities of NHS organisations in England.

These arrangements are voluntary membership schemes, established by statutory regulations.

The Clinical Negligence Scheme for Trusts (CNST) was established by the National Health Service (Clinical Negligence Scheme) Regulations 1996 (S.I. 1996 No. 251) and as subsequently amended.

The Liability to Third Parties Scheme (LTPS) was established by the National Health Service (Liabilities to Third Parties Scheme) Regulations 1999 (S.I. 1999 No. 873) and as subsequently amended.

The Property Expenses Scheme (PES) was established by the National Health Service (Property Expenses Scheme) Regulations 1999 (S.I. 1999 No.4) and as subsequently amended.

All three schemes were made pursuant to Section 21 of the National Health Service and Community Care Act 1990 and now under Section 71 of the National Health Service Act 2006 as amended by the Health and Social Care Act 2012.

All benefits under the schemes are at NHS Resolution's sole discretion as administrator of the schemes.

None of the schemes contain any contractual arrangements and that is explicit in the rules relating to all three schemes which all contain the term below.

“These Rules shall not, under any circumstances, be construed to imply that any contract of insurance exists between the Member and the Administrator or that the benefits available under the Scheme are not discretionary”

ii) Details of all hospitality provided in the last three (3) years by NHS Resolution to Secamb - clearly this relationship influences how things work in the event of civil claims

We have not been able to locate evidence of any hospitality provided in the last three years by NHS Resolution to SECAMB. The Legal Services team are not aware of any hospitality provided by NHS Resolution and a search of the Register of Declared Interests for the entire Trust reveals no entries relating to hospitality provided by NHS Resolution.

I hope you find this information of some assistance.

If for any reason you are dissatisfied with our response, kindly in the first instance contact Caroline Smart, Head of Information Governance via the following email address:

FOI@secamb.nhs.uk

Yours sincerely

Freedom of Information Coordinator
South East Coast Ambulance Service NHS Foundation Trust