

Ref: FOI/GS/ID 7408

**Please reply to:**  
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01 June 2022

## **Freedom of Information Act 2000**

I am writing in response to your request for information made under the Freedom of Information Act 2000 in relation to Refusal of treatment by Trust.

*You asked:*

*I am writing today to request a freedom of Information in regards to the following questions for the Year:*

- 2020
- 2021
- 2022

*The questions below should include all Maidstone & Tunbridge Wells NHS Trust Hospitals.*

- 1. Can Clinical Manager/Administrative personnel refuse a patient treatment/surgery under any reason?*
  - a. And who makes a decision for denying treatment/surgery?*
- 2. Can the hospital refuse a patient treatment/surgery for refusing to do a PCR test?*
- 3. How many patients have been refused treatment or surgery for not doing a PCR test?*
- 4. Can the hospital refuse a patient treatment or surgery for refusing to do a LFT test?*
- 5. How many patients have been refused treatment or surgery for not doing a LFT test?*
- 6. Can the hospital refuse a patient treatment/surgery for refusing to wear a face mask?*
- 7. How many patients have been refused treatment or surgery for not wearing a face mask?*
- 8. Can the hospital refuse a patient treatment or surgery for not wearing a visor?*
- 9. How many patients have been refused treatment or surgery for not wearing a visor?*

10. *What is the difference between a face mask and a visor?*
11. *Can the hospital refuse a patient denial for a chaperone?*
  - a. *And if so, Why?*
  - b. *What is the protocol for access for a chaperone?*
12. *If a patient is staying in hospital, can the hospital deny visitation for this patient?*
  - a. *If so, Why?*
  - b. *What is the protocol for a patient to seek visitation rights?*
13. *What are the protocols whereby the patient is refused treatment or surgery, who makes these decisions?*
  - a. *And what happens next?*
14. *Every time a patient is referred to your hospital, how much money does the hospital receive for that patient?*
15. *Would you also send the policies and procedures you have in place for face covering, visor, PCR testing, Lateral Flow Testing.*

Trust response:

1. No
  - a. Any refusal to treat would be for purely clinical reasons. Managers and administration staff are not involved in this decision.
2. Patients who refuse to take a PCR test are treated but are placed on a 'red' pathway and isolated during their hospital stay
3. The Trust does not collect this data
4. Patients who refuse to take a LFT test are treated but are placed on a 'red' pathway and isolated during their hospital stay
5. The Trust does not collect this data
6. No
7. None
8. No
9. None
10. The face mask is fluid resistant and filters the air going through it. A visor redirects the air flow downwards but has no filtering property
11. I have been unable to source the information requested for this question. Can you please let me know if you still require a response and I will continue to chase.
12. Visiting has, by necessity been restricted during the pandemic. Covid positive patients are not able to have visitors unless there are exceptional or compassionate circumstances. This is to protect both visitors and staff from the risk of Covid infection. General visiting has also been restricted in periods of high covid prevalence in order to protect patients and staff.
  - b. Patients can ask ward staff if they wish to have a visitor and the staff will do their best to accommodate requests
13. Please see the response to Q1
14. The Trust did not have a contract whereby we received money for each referred patient in any of the three years.  
In 2020 and 2021 there were special COVID contracting arrangements. In 2022 we have returned to an Aligned Payment and Incentive basis for our contracts and these are mostly based on a fixed level of income.
15. The Trust follows national guidance which is published on the gov.uk website.