Introduction

Healthcare Improvement Scotland began regulating independent healthcare services in April 2011, taking over this work from the Care Commission. At that time our regulatory remit was only commenced in respect of independent hospitals and private psychiatric hospitals, a portfolio of 35 services. The regulations the Committee is considering will increase our regulatory portfolio to in excess of 400 services.

Our response to a number of the questions posed by the Committee is below, along with some additional information which we hope Members will find helpful.

Questions from the Committee

3. Why is this legislation different from proceeding legislation? To what extent to you consider this legislation will be implemented?

This legislation will result in an extension of the existing statutory arrangements for the regulation of independent healthcare services. It will allow us to bring services which meet the definition of an independent clinic into the regulatory framework. It also amends the definition of an independent clinic to include nurses, midwives and dental care professionals as professions that can provide an independent clinic as well as doctors and dentists. We are currently preparing to ensure that this new legislation is implemented in full.

4. Do you agree with basing the definition of ‘independent clinic’ on the healthcare professional providing the service rather than basing it on a specific procedure or specific ‘cosmetic’ treatments and do you agree with the range of healthcare professionals identified?

Yes, we believe it is unrealistic to regulate on the basis of a list of prescribed procedures or treatments. Cosmetic treatments and techniques are constantly changing and new treatments are brought to the market regularly. If the definition of an independent clinic were based on a list of prescribed procedures and treatments there is a significant risk that the legislation would be out of date very quickly and patients may not be fully protected from the risks associated with any procedure or treatment brought to the market after the regulations are passed.
5. Will the regulations result in a lowering of risk to members of the public who have treatments carried out?

Independent clinics will be subject to the full regulatory process, which includes unannounced inspections and the ability of members of the public to report complaints against providers for us to investigate. Independent clinics will have to be able to demonstrate that they meet the standards set out in legislation as well as being expected to meet the requirements of the national care standard relevant to their area of practice. This should result in a more consistent quality of services for members of the public.

6. Could the legislation and the new requirement to register (including costs associated with registration) have any unintended consequences (such as on smaller one premise businesses, or unintentionally divert people to those businesses who are not registered such as salons (and which don’t have to accommodate the additional costs for registration)?

The legislation could have an impact on small businesses which may be unable to afford the registration fee or be deemed financially not viable as part of the registration process and refused registration. An assessment of the financial viability of a service is included in the registration process to ensure that a clinic has a sound financial basis and therefore patients can have some confidence that when they choose a clinic they will be able to return if they experience any adverse side effects.

The legislation would be unlikely to divert more members of the public to use services that are provided by, for example, beauty therapists in salons. Members of the public who choose to have a registered doctor, dentist, nurse, midwife or dental care professional carry out their treatment would still have the ability to access such professionals providing aesthetic services, if their current provider ceased trading.

It should be noted that some salons will have to be registered with us if they have a registered doctor, dentist, nurse, midwife or dental care professional providing treatment. It is the individual who carries out the treatment that indicates whether a service needs to register or not, not the type of premises the procedure is carried out in.
Additional Information

Our budget

From 1 April 2016, income from the fees we charge independent healthcare service providers must cover all the costs incurred.

We do not underestimate the impact on service providers of paying regulation fees and we will continue to consider carefully our regulatory costs. We are also accountable for demonstrating that we provide good value for money and that the regulatory burden does not stifle economic growth.

We anticipate that the annual independent healthcare regulation budget required for 1 April 2016 – 31 March 2017 will be in the region of £973,164.

This initial anticipated cost, if all exemptions are approved, will be based on:

- 400 registrations
- 22 independent hospital inspections
- 350 complaints enquiries and 80 complaints investigations
- 8 enforcements, and
- 1,200 notifications, of which 18 will be serious enough to be escalated to a senior inspector.

We will only carry out registration visits to new services. Inspections of new services will not commence until April 2017. We will continue to inspect the services we currently regulate.

Fees

We have set fees for each sector to reflect the amount of time, risk and resource we anticipate we will spend regulating each sector.

In November 2015, we published a public consultation paper seeking the views of the public and stakeholders on the proposed fees for the regulation of independent healthcare services in the financial year 2016–17. The paper set out the changes we propose to make to the existing fees for independent hospitals, the fees we propose to introduce for independent clinics, in the financial year 2016–2017, and the maximum fees that Scottish Ministers will allow Healthcare Improvement Scotland to charge.

The consultation process took place between 23 November and 18 December 2015. The process sought formal written responses from stakeholders. In total, we had 143 written responses.

We published the response to our consultation and the final fees for 2016-2017 in January 2016.
Healthcare Improvement Scotland

Working with the sector

In order to proactively work with the sector we have set up an independent healthcare programme board, which has met monthly since October 2015. The group oversees the management and development of the commencement of the regulation of independent clinics in Scotland on behalf of Healthcare Improvement Scotland. It provides advice and recommendations when required. Membership of the group is diverse and can be seen in our Independent Healthcare Programme Board Terms of Reference. (Annexe A)

We have issued a variety of communications to providers of services that we are aware of from our knowledge of the sector, since October 2015. These are listed below:

- stakeholder initial advert – October 2015 (Annexe B)
- who should register scenarios – first published October 2015 (Annexe C)
- frequently asked questions – first published October 2015 (Annexe D)
- initial enquiry form – October 2015 (Annexe E)
- 2016-17 fees consultation – November 2015 (Annexe F)
- 2016-17 fees consultation response form – November 2015 (Annexe G)
- reminder letter regarding regulation – January 2016 (Annexe H)
- invitation to preparation for regulation events – January 2016 (Annexe I)
- 2016-17 fees consultation response paper – January 2016 (Annexe J)
- 2016-17 final fees schedule – January 2016 (Annexe K)

In addition to these communications, our staff are available to answer queries from providers about any aspect of regulation.

Operational arrangements

In order to be operationally ready for the new regulation commencing on 1 April 2016, we have undertaken the following preparatory work.

- Staffing – recruited additional inspectors and support staff
- Training – arranged training for all our staff on the new regulations and the sector we are now regulating
- Computer systems – upgraded existing computer systems to give additional functionality to cope with the increase in the number of services.
- Guidance for providers and our staff – reviewed and updated/revised all our guidance for both providers and our staff
Healthcare Improvement Scotland

- Collaborated with variety of stakeholders, for example, Medicines and Healthcare Products Regulation Agency, Human Fertilisation & Embryology Authority, NHSScotland partners, other UK country health regulators.
Independent Healthcare Programme Board

Terms of Reference

1 Remit

1.1 The Independent Healthcare Programme Board oversees the management and development of the commencement of the regulation of independent clinics in Scotland on behalf of Healthcare Improvement Scotland. It provides advice and recommendations when required. The specific remit is to:

- Provide expert advice and comment on proposed changes to the regulatory methodology to prepare for the regulation of independent clinics
- Recommend a regulatory fees structure to ensure full cost recovery
- Develop a fully costed business case for the work
- Identify the additional skills and expertise required to ensure the effective regulation of independent clinics
- Oversee effective consultation and engagement with a wide range of stakeholders.

The Independent Healthcare Programme Board may invite others to join the group on an ad hoc basis when additional expert input is required

2 Relationships & Reporting Arrangements

2.1 The Independent Healthcare Programme Board reports to the Healthcare Improvement Scotland Quality Committee which in turn reports to the Healthcare Improvement Scotland Board. Any issues that impact on wider Healthcare Improvement Scotland staff will be reported to Partnership Forum via the Employee Director.

3 Membership

3.1 The Independent Programme Board is chaired by the Deputy Chief Executive.

3.2 The Independent Healthcare Programme Board consists of the following people:

- Robbie Pearson (Chair), Deputy Chief Executive, Healthcare Improvement Scotland
- Ken Barker, Public Partner, Healthcare Improvement Scotland
- Tracy Birch, Programme Manager, Healthcare Improvement Scotland
- Nestor Demosthenous, British College of Aesthetic Medicine
- Richard Dimelow, Policy Manager, Scottish Government
- Kevin Freeman-Ferguson, Senior Inspector, Healthcare Improvement Scotland
- Susan Higgins (Secretariat), Project Administrator, Healthcare Improvement Scotland
- David Howie, Dental Practice Advisor, NHS Tayside
- Penny Leggat, Public Partner, Healthcare Improvement Scotland
- Andy Malyon, Former Chair, Scottish Cosmetics Interventions Group
3.3 Attendance at meetings is by invitation from the Chair.

3.4 If at any point any individual member believes they have a conflict of interest, this should be raised with the Chair.

3.5 All members are required to carry out their actions to agreed deadlines and provide written progress updates for every meeting, if unable to attend the meeting.

4 Administration

4.1 The Project Administrator shall ensure that the Independent Programme Board is provided with appropriate administrative support to take minutes of the meeting, collate and circulate papers, and ensure follow up actions are delivered.

5 Frequency

5.1 The Independent Programme Board will meet in September, October, November 2015 and January, February, March and April 2016. Thereafter the Independent Programme Board will meet bi-monthly until December 2016.

5.2 The remit of the Independent Programme Board will be reviewed as required. Additional meetings may be held as necessary. Meetings shall last no more than 3 hours.
Regulation of Independent Clinics from April 2016

In April 2016, Healthcare Improvement Scotland will start regulating independent clinics in Scotland.

Who is being regulated?
Independent clinics are defined in the National Health Service (Scotland) Act 1978 as clinics that are not part of a hospital and from which a medical practitioner or dental practitioner provides a service, which is not part of the National Health Service. The term ‘service’ includes consultations, investigations and treatments.

If you are the provider of an independent clinic (as defined above), you will need to, register your service with us from April 2016.

If you are a provider of an independent clinic and a registered nurse, midwife or dental care professional (clinical dental technician, dental hygienist, dental nurse, dental technician, dental therapist, orthodontic therapist), you will also have to register from April 2016, following the proposed amendment to the definition of independent clinics.

What happens next?
To receive regular information about next steps, please complete the contact form on our website:


You can also find Frequently Asked Questions on our website to guide you through the key points. The Frequently Asked Questions are available at:

Regulation of Independent Clinics from April 2016

Who should register?

Below are some scenarios which might help you decide if you need to register.

Scenario 1
I am a nurse* and I provide treatments and consultations in a room within a hairdressers shop. I rent the room from the hairdresser and pay them a room hire fee. I purchase all my treatments and consumables myself. The clients I treat are mine and they pay me directly for the treatment or consultation.

In this situation the nurse, or his/her company, must register with healthcare Improvement Scotland, as he/she, or his/her company, is the provider of the service. If the nurse rents rooms in a number of different premises then each premises must be registered.

Scenario 2
I am a nurse* and I am asked to provide treatments or consultations to clients of a business which offers a range of beauty treatments and therapies. I am paid by the business for the time I am working in the premises and they purchase all the equipment, treatments and consumables I need. The clients I see do not pay me directly they pay the business.

In this case the business which is employing the nurse and offering the treatments must register with Healthcare Improvement Scotland, as they are the provider of the service. If the business has a number of premises and the nurse works from more than one, each of the premises where the nurse works must be registered.

Scenario 3
I am the director of a business which offers a range of beauty therapies and aesthetic medical treatments. I employ both doctors and nurses to work in my business as well as a number of other professional staff, such as beauty therapists.

In this case you must register your business with Healthcare Improvement Scotland, as your business is the provider of the service. If the doctors and nurses you employ work in more than one premises then you must register every premises they work from.

Scenario 4
I am a surgeon and I have practicing privileges at an independent hospital. I am following the hospital policies and procedures. All of my consultations, treatments and procedures take place at the hospital using their facilities.

In this case the hospital you are working from should already be registered with us and you do not need a separate registration.
Scenario 5
I am a dentist. I treat some of my clients on behalf of the NHS and some of my clients pay me for their treatment.

In this case you do not need to register with us as your practice is inspected by the local health board that you provide services for.

Scenario 6
I am a dentist. All of my clients pay me for their treatment. I have no relationship with the local health board at all.

In this case you are providing services in an independent clinic and therefore you will be required to register with us.

Scenario 7
I am a doctor* and I provide a range of consultations and treatments from a room or rooms in or attached to my home.

In this case your home becomes an independent clinic and therefore you must register with us. However, we will only grant your registration if the environment you practice from meets the requirements of the regulations and the national care standards.

Scenario 8
I am a nurse* and I provide a range of consultations and treatments to my clients in their own homes.

In this case you are providing the services of a clinic. You must apply to register the permanent premises you operate from as an independent clinic. We will expect that you will be able to demonstrate that you can meet the requirements of the regulations and national care standards, particularly in relation to the environment and infection control, in all the places that you provide consultations and treatments. If you think this scenario closely matches the way you work, please contact us to discuss your application before you submit it.

Scenario 9
I am a doctor* and I rent space in premises where the primary use is something other than healthcare or beauty treatments and therapies, for example a community centre, serviced offices or hotel. I see my clients here and provide a range of consultations and treatments.

In this case you are providing the services of a clinic. You must register the permanent premises you operate from as an independent clinic. However, we will only grant your registration if the environment, in all the premises you work from, meet the requirements of the regulations and the national care standards. If you think this scenario closely matches the way you work, please contact us to discuss your application before you submit it.
Scenario 10
I am a GP and I provide services on behalf of the NHS.

In this case you do not need to register as an independent clinic as you are providing services as a part of the NHS.

Scenario 11
I am a GP and my clients pay me for consultations and treatments.

In this case you are providing services in an independent clinic and you must register with us.

* where we have mentioned a particular professional this scenario can be read in the context of any of the professionals covered by the scope of the definition of independent clinic, namely a doctor, dentist, nurse, midwife or dental care professional.

What do I do, if I need more information and/or advice?
If you would like to speak to a member of staff, please contact:

Tracy Birch, Programme Manager
0131 623 4701

Susan Higgins, Administrative Officer
0141 225 5551

If you do not need to speak to a member of staff, but have a query you would like answered, please email hcis.clinicregulation@nhs.net
Regulation of Independent Clinics from April 2016

Frequently Asked Questions

In April 2016, Healthcare Improvement Scotland will start regulating independent clinics in Scotland.

Who is being regulated?
Independent clinics are defined in the National Health Service (Scotland) Act 1978 as clinics that are not part of a hospital and from which a medical practitioner or dental practitioner, provides a service, which is not part of the National Health Service. The term ‘service’ includes consultations, investigations and treatments.

In addition from April 2016, plans are in place to extend the legislation to also include regulation of providers of independent clinics who are registered nurses, midwives and dental care professionals (clinical dental technician, dental hygienist, dental nurse, dental technician, dental therapist, orthodontic therapist). This arises from recommendation 1 (a) of the Scottish Cosmetic Interventions Expert Group report. You can read the report at www.gov.scot/Publications/2015/07/2616.

If you are the provider of an independent clinic, as defined above, you will need to register your service with us from April 2016.

What does regulation mean?
There are four parts to regulation. These are:

- **Registration**
  Services must register with us.

- **Inspection**
  We will inspect services at regular intervals as defined in our inspection methodology.

- **Complaints**
  Members of the public can complain to us about services registered with us.

- **Enforcement**
  We can take enforcement action if services do not comply with the National Care Standards or legislation

Why are the changes being made?
In response to a number of highly publicised incidents, including the Poly Implant Prostheses (PIP) breast implants recall, the Department of Health commissioned Sir Bruce Keogh to review cosmetic interventions, including their safety and regulation.

Due to concerns about patient safety in cosmetic surgery and treatment, the Chief Medical Officer in Scotland requested an expert group to make recommendations to the Scottish Government on the regulation and provision of cosmetic surgery and treatment.
The Scottish Cosmetic Interventions Expert Group was established to provide advice to the Scottish Government on options to assure safe, effective and high quality care for users of cosmetic interventions and a report was published in July 2015.

The expert group recommended the commencement of the regulation of independent clinics provided by registered nurses, midwives and dental care professionals (clinical dental technician, dental hygienist, dental nurse, dental technician, dental therapist, orthodontic therapist).

**How might this affect me?**
If you are the provider of an independent clinic, which is not part of a hospital and from which a medical practitioner or dental practitioner provides a service, which is not part of the NHS in Scotland, you will need to register with us from April 2016.

If you are a provider of an independent clinic and a registered nurse, midwife or dental care professional (clinical dental technician, dental hygienist, dental nurse, dental technician, dental therapist, orthodontic therapist), you will also have to register from April 2016, following the proposed amendment to the definition of independent clinics.

**If I provide services on multiple sites, do I need to register them all?**
It is the provider of the service who needs to register, so if you are the provider of the service you need to register each site where you provide the service.

**Will it cost me anything?**
Yes, there will be a fee to pay. The registration fee for 2016/17 for independent clinics is £1,990.

**Will my registration fee be refunded if my application is refused?**
No, the registration fee is non-refundable. This is because we are still required to process your application, review the evidence you have submitted and most likely visit your premises before we are able to make a decision about your application. We will provide as much support as we can during the application process, but we cannot guarantee that your application will be granted.

**What if I choose not to register?**
If you choose not to register, you will be breaking the law. If we find you are not registered and you should be, we will contact you to ask you to register. If you do not register, we will report you to the Procurator Fiscal service for prosecution.

**Do beauticians and beauty therapists that provide aesthetic treatments need to register?**
Beauticians and beauty therapists that provide aesthetic treatments are not included in the definition of an independent clinic and therefore will not be required to register with us. The Scottish Cosmetic Interventions Expert Group recommended a second phase of change which will bring aesthetic treatments provided by other professionals into an appropriate regulatory framework. Further information will be available in due course from the Scottish Government.
How is Healthcare Improvement Scotland engaging with independent clinics?
We have set up a Programme Board, which includes stakeholder representatives from the independent clinics sector to oversee the management and development of the commencement of the regulation of independent clinics in Scotland. The membership list for our Programme Board can be found on our website.

What happens next?
To receive regular information about next steps, please complete the contact form on our website:


What do I do, if I need more information and/or advice?
If you wish to speak to a member of staff, please call:

Tracy Birch, Programme Manager
0131 623 4701

Susan Higgins, Administrative Officer
0141 225 5551

If you do not need to speak to a member of staff, but have a query you would like answered, please email hcis.clinicregulation@nhs.net
INDEPENDENT CLINICS
INITIAL ENQUIRY FORM FOR REGISTRATION

If you believe that your service should be registered as an Independent Clinic under the new definition from April 2016 please complete and return the form (details below).

<table>
<thead>
<tr>
<th>Name of business:</th>
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<tbody>
<tr>
<td>Name of manager or owner:</td>
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<tr>
<td>Email address of manager or owner:</td>
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<tr>
<td>Business address:</td>
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<tr>
<td>Telephone number of business:</td>
<td></td>
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<tr>
<td>Website address of business:</td>
<td></td>
</tr>
<tr>
<td>Registered company name (as registered at Companies House*):</td>
<td></td>
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<tr>
<td>Company registration number (as registered at Companies House):</td>
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</tbody>
</table>
Name of director/legally responsible person:

Type of service/treatments you provide:

How many patients do you treat each year?

Do you treat NHS patients?

Number of locations where you provide service:

**Professional groups working within the service that are providing the service/treatments, eg. registered doctor, nurse, midwife or dental care professional (clinical dental technician, dental hygienist, dental nurse, dental technician, dental therapist, orthodontic therapist):**

* If you are a charity, please give your details as registered with the Office of the Scottish Charity Regulator.

Please complete and return by email or by post to:-

Susan Higgins
Administrative Officer – Independent Healthcare Services
Healthcare Improvement Scotland
Gyle Square
1 South Gyle Crescent
EDINBURGH
EH12 9EB

Telephone: 0141 225 5551 Email: hcis.clinicregulation@nhs.net
Independent Healthcare Regulation
Fees Consultation Paper 2016–2017

Introduction

Healthcare Improvement Scotland began regulating independent healthcare services (currently 36 hospitals) in April 2011, taking over this work from the Care Commission. The current fees for independent hospitals have not increased since 2005, when the Care Commission last reviewed the fees. Currently, the income from fees does not cover all the costs, and the shortfall is made up from Healthcare Improvement Scotland’s block allocation it receives from the Scottish Government.

From 1 April 2016, Healthcare Improvement Scotland will start regulating independent clinics (approximately 450 clinics from current research). Also, from 1 April 2016, the Scottish Government requires that Healthcare Improvement Scotland must recover all independent healthcare regulation costs from the fees charged to the providers of services.

This consultation paper sets out:

- the changes we propose to make to the existing fees for independent hospitals
- the fees we propose to introduce for independent clinics, in the financial year 2016–2017, and
- the maximum fees that Scottish Ministers will allow Healthcare Improvement Scotland to charge.

Our budget

From 1 April 2016, income from the fees we charge independent healthcare service providers must cover all the costs we incur. Therefore, we must set fees that cover the costs we incur when regulating these services.

We have set the fees for each sector to reflect the amount of time, type of service and resource we anticipate we will spend regulating each sector.

We do not underestimate the impact on service providers of paying regulation fees and we will continue to consider carefully our regulation costs. We are also accountable for demonstrating that we provide good value for money and that the regulatory burden does not stifle economic growth.

As we are an NHS body, we are not allowed to carry forward any surplus or deficit into other financial years, therefore, the fees charged each year, must cover each year’s costs. We anticipate that the annual independent healthcare regulation budget required for 1 April 2016–31 March 2017 will be in the region of £1,150,000.
This initial anticipated cost will be based on:

- 450 registrations
- 22 independent hospital inspections
- 400 complaints enquiries and 100 complaints investigations
- 10 enforcements, and
- 1,500 notifications, of which 20 will be serious enough to be escalated to a senior inspector.

We will only carry out registration visits to new services. Inspections of new services will begin in April 2017. We will continue to inspect the services we currently regulate.

We will continue to exercise our option to remit the fees in respect of variation or removal of a condition, cancellation of a registration and the issuing of a registration certificate during 2016-2017. This is to encourage providers to share information about changes to their service as early as possible.

Proposals

Proposal 1: Increase of fees for independent hospitals

1(a): We propose an increase in the registration fee for independent hospitals. The current registration fee would increase by £380. The current registration fee is £3,620. We propose the registration fee increases to £4,000.

1(b): We propose an increase in the annual continuation fee for independent hospitals that we currently regulate. The annual continuation fee would increase by £28 per place. The current annual continuation fee is £152 per place. We propose the annual continuation fee increases to £180 per place.

Rationale

- The fees for independent hospitals have not increased since 2005, when the Care Commission regulated this sector.
- Since Healthcare Improvement Scotland took over regulation of this sector in April 2011, we have incurred considerable deficit each year when regulating this sector.
- Currently, we spend a considerable amount of time regulating each service in this sector due to the nature and range of the services provided.

Proposal 2: Introduction of fees for independent clinics

2: We propose the introduction of a flat registration fee for independent clinics. All independent clinics will pay £2,165.

Rationale

- We have set a flat registration fee for independent clinics for the first year of regulation. This fee will cover our costs for regulating the sector in 2016–2017. We do not have any intelligence on this sector at this time to allow us to develop a more complex fees schedule.
We will analyse the types of services, risk and requirements for the inspections during 2016. This analysis will influence the level of regulatory support and input that each type of service will require.

- We will consult on the 2017–2018 fees for this sector in autumn 2016. We will then have more information on the services we regulate and a much better understanding about the sector in general. This will allow us to set registration and annual continuation fees for each type of service based on the intelligence we have gathered.

Please see appendices 1 and 2 for our list of proposed fees for 1 April 2016–31 March 2017 and accompanying fee notes.

**Proposal 3: Maximum fees**

Scottish Ministers have required that their powers to set the maximum fees that Healthcare Improvement Scotland can charge should be exercised. We propose that the maximum fees should be set at the following levels:

- maximum fee for the registration of an independent hospital – £5,000
- maximum annual continuation fee for an independent hospital – £250 per place
- maximum fee for the registration of an independent clinic – £3,500
- maximum annual continuation fee for an independent clinic – £3,500
- maximum fee for the variation or removal of a condition, cancellation of a registration and the issuing of a registration certificate – £100

**Rationale**

- The maximum fee levels are set marginally above the actual fees proposed here to allow Healthcare Improvement Scotland to vary fees, if necessary, without the need to revert to Scottish Ministers.
- The level of the fee for the variation or removal of a condition, the cancellation of a registration and the issuing of a certificate has been set at a nominal amount to encourage providers to share information about changes to their service as early as possible.
- The actual fees charged during 2016–2017 will reflect proposals 1 and 2 and the feedback received from this consultation.
How to respond to the consultation

You can respond to our consultation in two ways:

1. On our website:

Please complete the survey monkey form at https://www.surveymonkey.com/r/KJWS8GK

2. By post:

Please return your completed form to:

Susan Higgins
Administrative Officer – Independent Healthcare Services
Healthcare Improvement Scotland
Gyle Square
1 South Gyle Crescent
EDINBURGH
EH12 9EB

Please provide your responses by 5pm on Friday 18 December 2015.

We will publish a report on the responses to the consultation on our website in January 2016.
Appendices

Appendix 1: Proposed fees (1 April 2016–31 March 2017)

Appendix 2: Fee notes

Appendix 3: Maximum fees
Appendix 1: Proposed fees (1 April 2016–31 March 2017)

Registration fees

<table>
<thead>
<tr>
<th>Sector</th>
<th>Fee</th>
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<tbody>
<tr>
<td>Independent hospital</td>
<td>£4,000</td>
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<tr>
<td>Independent clinic</td>
<td>£2,165</td>
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</tbody>
</table>

Annual continuation fee

<table>
<thead>
<tr>
<th>Sector</th>
<th>Fee</th>
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</thead>
<tbody>
<tr>
<td>Independent hospital</td>
<td>£180 per place</td>
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</table>

Please note there is no annual continuation fee payable for independent clinics in 2016–2017, as providers will be undertaking registration only. Annual continuation fees for independent clinics will be payable from 2017–2018 onwards. We will consult on the 2017–2018 fees in autumn 2016.
Appendix 2: Fee notes

1. The registration fee must be paid as a lump sum on submission of the completed registration form.

2. The registration fee will not be refunded if the service cannot meet the requirements of registration during the registration process. Healthcare Improvement Scotland will support services to register, wherever possible. However, services must ensure that they are fully aware of all the requirements that must be met to register a service before submitting their application.

Providers are reminded that operating an unregistered independent clinic after 1 April 2017 will be an offence and we will report providers who are not registered by this date to the Procurator Fiscal service for prosecution.

3. An annual continuation fee is charged. This fee can be paid in instalments.

4. No fees will be charged for the variation or removal of a condition, cancellation of a registration and the issuing of a registration certificate.

5. There will be no discounts.

6. There will be no refunds of the annual continuation fee.

7. There may be an adjustment in fees each year to reflect a change in operating costs each year, these adjustments will not exceed the statutory maximum level set by Scottish Minsters.

8. The fees for the next financial year will be published on the Healthcare Improvement Scotland website and circulated to all registered services no later than 31 January each year.
Appendix 3: Maximum fees

Registration fees

<table>
<thead>
<tr>
<th>Sector</th>
<th>Maximum fee</th>
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<tbody>
<tr>
<td>Independent hospital</td>
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<tr>
<td>Independent clinic</td>
<td>£3,500</td>
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Annual continuation fees

<table>
<thead>
<tr>
<th>Sector</th>
<th>Maximum fee</th>
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<tbody>
<tr>
<td>Independent hospital</td>
<td>£250 per place</td>
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<tr>
<td>Independent clinic</td>
<td>£3,500</td>
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Variation or removal of condition fee

<table>
<thead>
<tr>
<th>Sector</th>
<th>Maximum fee</th>
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<tbody>
<tr>
<td>Independent hospital</td>
<td>£100</td>
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<tr>
<td>Independent clinic</td>
<td>£100</td>
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## Cancellation of a registration fee

<table>
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<tr>
<th>Sector</th>
<th>Maximum fee</th>
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<td>Independent hospital</td>
<td>£100</td>
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<tr>
<td>Independent clinic</td>
<td>£100</td>
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## Issuing a registration certificate fee

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<tr>
<th>Sector</th>
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<tbody>
<tr>
<td>Independent hospital</td>
<td>£100</td>
</tr>
<tr>
<td>Independent clinic</td>
<td>£100</td>
</tr>
</tbody>
</table>
# Independent healthcare regulation

**Fees Consultation 2016-2017 Response Form**

## About you

<table>
<thead>
<tr>
<th>My name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Job title (if applicable)</td>
<td></td>
</tr>
<tr>
<td>Organisation name (if applicable)</td>
<td></td>
</tr>
<tr>
<td>Email address (if applicable)</td>
<td></td>
</tr>
</tbody>
</table>

**I am responding as:**

- Member of the public
- Carer
- Healthcare professional
- Social care professional
- Voluntary /community sector representative
- Other stakeholder

---

**Please return this form by 5 pm on Friday 18 December 2015 to:**

Susan Higgins  
Administrator Officer – Independent Healthcare Services  
Healthcare Improvement Scotland  
Gyle Square  
1 South Gyle Crescent  
Edinburgh  
EH12 9EB

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**Using your personal information**

Personal information which you give us will be used for providing you with feedback following the close of consultation. More information on how we manage personal information can be found on:  
www.healthcareimprovementscotland.org/footernav/respecting_your_privacy.aspx
**Annexe A**

**Consultation questions**

<table>
<thead>
<tr>
<th>Question 1(a)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you agree with our proposal to increase the registration fee for independent hospitals?</td>
<td>Agree □ Disagree □</td>
</tr>
<tr>
<td>If there are aspects of this proposal that you disagree with, please tell us why below.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1(b)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you agree with our proposal to increase the annual continuation fee for independent hospitals?</td>
<td>Agree □ Disagree □</td>
</tr>
<tr>
<td>If there are aspects of this proposal that you disagree with, please tell us why below.</td>
<td></td>
</tr>
<tr>
<td>Question 2</td>
<td>Agree</td>
</tr>
<tr>
<td>------------</td>
<td>-------</td>
</tr>
<tr>
<td>Do you agree with our proposal to introduce a flat registration fee for independent clinics?</td>
<td></td>
</tr>
<tr>
<td>If there are aspects of this proposal that you disagree with, please tell us why below.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 3</th>
<th>Agree</th>
<th>Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you agree with our proposals for the maximum fees to be set by Scottish Ministers?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If there are aspects of this proposal that you disagree with, please tell us why below.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Thank you for your response.
Dear «Contact»

Regulation of Independent Clinics – Registration Events – March 2016

In April 2016, Healthcare Improvement Scotland will start regulating independent clinics in Scotland.

Independent clinics are defined in the National Health Service (Scotland) Act 1978 as clinics that are not part of a hospital and from which a medical practitioner or dental practitioner, provides a service, which is not part of the National Health Service. The term ‘service’ includes consultations, investigations and treatments.

In addition from April 2016, plans are in place to extend the legislation to also include regulation of providers of independent clinics who are registered nurses, midwives and dental care professionals (clinical dental technician, dental hygienist, dental nurse, dental technician, dental therapist, orthodontic therapist). This arises from recommendation 1 (a) of the Scottish Cosmetic Interventions Expert Group report. You can read the report at www.gov.scot/Publications/2015/07/2616.

If you are the provider of an independent clinic, as defined above, you will need to register your service with us from April 2016.

You have received this letter, as we believe you need to register. If you have not already done so, please complete and return the enclosed contact form, so that we have the correct information about your service(s).

If you believe you do not need to register, please write to or email us with details of your service and the reasons why you believe your service is not an independent clinic. We will then contact you to discuss this further.

As part of preparation for registration, we would like to invite you to events we are holding in March 2016. These are intended to give you more information about the registration process and to help your preparatory work. Please see the attached sheet with further information about the events. Please note that although regulation begins on 1 April 2016, you will have around 6 months to submit your application to register (we anticipate it will take us 6 months to register services). It will not become an offence to operate an unregistered independent clinic until 1 April 2017.

If you have questions, please do not hesitate to contact Tracy Birch, Programme Manager or Susan Higgins, Administrative Officer using the contact details above.

Yours sincerely

Edinburgh Office
Date: January 2016
Name: Susan Higgins
Email: hcis.clinicregulation@nhs.net
Direct Dial: 0141 225 5551
Kevin Freeman-Ferguson
Senior Inspector

Encs: Contact Form and Registration Event Form
Regulation of Independent Clinics

Preparation for Registration Events

Registration Form

<table>
<thead>
<tr>
<th>Name of Attendee</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Title</td>
<td></td>
</tr>
<tr>
<td>Service Name</td>
<td></td>
</tr>
<tr>
<td>Service Address</td>
<td></td>
</tr>
<tr>
<td>Email Address</td>
<td></td>
</tr>
<tr>
<td>Telephone Number</td>
<td></td>
</tr>
</tbody>
</table>

I would like to attend the following event:
(NB: places are allocated on a first come first served basis)

**Tuesday 1 March 2016**
Hilton Grosvenor, Grosvenor Street, Haymarket, Edinburgh EH12 5EF

**Tuesday 8 March 2016**
Hilton Grosvenor, 1-9 Grosvenor Terrace, Glasgow G12 0TA

**Friday 11 March 2016**
Park Inn by Radisson, 1 Justice Mill Lane, Aberdeen AB11 6EQ

Registration and coffee 9 am
Events commence 9.30 am – 12.30 pm
1:1 sessions will available with Healthcare Improvement Scotland staff from 1 pm – 3 pm. These must be booked on the day of the event only and are available on a first come first served basis.

Please return completed registration forms via email to hcis.clinicregulation@nhs.net
All queries to Susan Higgins (susanhiggins@nhs.net)
Tel – 0141 225 5551

Registration deadline - Tuesday 23 February 2016

Using your Personal Information
Personal information which you supply to us will be used for the purposes of processing your attendance at our consultation events and providing you with information.

Further information on how we manage personal information can be found on:
Independent Healthcare Regulation - Fees Consultation 2016–2017

Consultation Feedback Report

January 2016
Executive summary

On 23 November 2015, Healthcare Improvement Scotland issued a public consultation paper seeking the views of the public and stakeholders on the proposed fees for the regulation of independent healthcare services in the financial year 2016–17. The paper set out the changes we propose to make to the existing fees for independent hospitals, the fees we propose to introduce for independent clinics, in the financial year 2016–2017, and the maximum fees that Scottish Ministers will allow Healthcare Improvement Scotland to charge.

The consultation process took place between 23 November and 18 December 2015. The process sought formal written responses from stakeholders. In total, we had 143 written responses.

The main conclusions from the consultation are listed below.

- There was considerable support for our proposal to increase the registration fee for independent hospitals.
- There was considerable support for our proposal to increase the annual continuation fee for independent hospitals.
- There was little support for our proposal to introduce a flat registration fee for independent clinics.
- There was some support for our proposals for the maximum fees to be set by Scottish Ministers.

The findings will be used by Healthcare Improvement Scotland to set the fees for the regulation of independent healthcare services in the financial year 2016–17 and to inform future decisions on the fee structure.
Background

Healthcare Improvement Scotland began regulating independent healthcare services (currently 36 hospitals) in April 2011, taking over this work from the Care Commission. The current fees for independent hospitals have not increased since 2005, when the Care Commission last reviewed the fees. Currently, the income from fees does not cover all the costs of regulating the independent healthcare sector and the shortfall is made up from Healthcare Improvement Scotland’s block allocation it receives from the Scottish Government.

From 1 April 2016, Healthcare Improvement Scotland will start regulating independent clinics (approximately 450 clinics from current research). Also, from 1 April 2016, the Scottish Government requires that Healthcare Improvement Scotland must recover all of the costs of regulating the independent healthcare sector through the fees charged to the providers of services. Therefore, we must set fees that cover the costs we incur when regulating these services.


The proposed fees for each type of service reflect the amount of time and resource we anticipate we will spend regulating the service.

We do not underestimate the impact on service providers of paying regulation fees and we will continue to consider carefully our regulatory costs. We are also accountable for demonstrating that we provide good value for money and that the regulatory burden does not stifle economic growth.

As we are an NHS body, we are not allowed to carry forward any surplus or deficit into other financial years, therefore, the fees charged each year, must cover each year’s costs. We anticipate that the annual independent healthcare regulation budget required for 1 April 2016–31 March 2017 will be in the region of £1,150,000.

This initial anticipated cost will be based on:

- 450 registrations
- 22 independent hospital inspections
- 400 complaints enquiries and 100 complaints investigations
- 10 enforcements, and
- 1,500 notifications, of which 20 will be serious enough to be escalated to a senior inspector.

We will only carry out registration visits to new services. Inspections of new services will begin in April 2017. We will continue to inspect the services we currently regulate.

We will continue to exercise our option to waive the fees in respect of variation or removal of a condition, cancellation of a registration and the issuing of a registration certificate during 2016–2017. This is to encourage providers to share information about changes to their service as early as possible.

The consultation paper set out:

- the changes we propose to make to the existing fees for independent hospitals
- the fees we propose to introduce for independent clinics, in the financial year 2016–2017, and
the maximum fees that Scottish Ministers will allow Healthcare Improvement Scotland to charge.
Summary of responses from the consultation

A summary of the main themes arising from the consultation responses is provided below. Detailed responses against each of the four questions posed in the consultation paper are provided at Appendix 3. Where figures are recorded for responses, these refer to the formal written responses we received.

- **Increase in the registration fee for independent hospitals**
The consultation paper proposed an increase in both the registration and annual continuation fees for independent hospitals, as these fees had not been increased since 2005, when these services were regulated by the Care Commission.

The majority (64%) of the responses were supportive of increasing the registration fee for independent hospitals by £380, taking the registration fee to £4,000.

- **Increase in the annual continuation fee for independent hospitals**
The majority (63.37%) of the responses were supportive of increasing the annual continuation fee for independent hospitals by £28 per place, taking the annual continuation fee to £180 per place.

- **Introduction of a flat registration fee for independent clinics**
The majority (74.80%) of the responses were not supportive of the introduction of a flat registration fee for independent clinics.

A number of respondents said that they agreed with the introduction of regulation of independent clinics, but that they believed there should be a fee structure which reflects various different types and sizes of independent clinics. In addition, a number of respondents felt that the difference in registration fees for an independent clinic and an independent hospital did not sufficiently reflect the perceived difference in the level of work required by Healthcare Improvement Scotland to regulate these services or the difference in the level of turnover in these services.

- **Maximum fees to be set by Scottish Ministers**
The majority (53.91%) of the responses were not supportive of the maximum fees to be set by ministers.

It was clear from responses that a number of respondents did not understand this question and thought that the fees listed, were what we proposed to charge. Of those respondents who did respond to the question correctly, a number of respondents felt there should be a maximum fee, but those that were proposed were too high. In line with earlier responses, a number of respondents believed the registration fee should not be set at a single level, but at a tiered level, dependent on a number of factors, for example, the size of service, turnover and number of staff employed.

**Conclusions**

- The consultation has identified majority support for the proposal to increase the registration fee for independent hospitals by £380, taking the registration fee to £4,000.
- The consultation has identified majority support for the proposal to increase the annual continuation fee for independent hospitals by £28 per place, taking the annual continuation fee to £180 per place.
- The consultation has identified little support for the introduction of a flat registration fee for independent clinics.
- The consultation has indentified some support for the maximum fees to be set by Scottish Ministers.
Setting fees for the financial year 2016–17: post consultation

The Independent Healthcare Programme Board has overseen the preparatory work of the introduction of regulation of independent clinics since its establishment in October 2015. As part of this work, the consultation document was produced. The Independent Healthcare Programme Board will now consider the consultation responses and set fees for the regulation of independent healthcare for the financial year 2016–17.

The following table includes a high level summary of our approach following the consultation exercise.

<table>
<thead>
<tr>
<th>The consultation proposed:</th>
<th>You told us:</th>
<th>What we plan to do based on the consultation feedback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increasing the registration fee for independent hospitals to £4,000.</td>
<td>64% of respondents agreed with the proposal. 36% of respondents disagreed with the proposal.</td>
<td>We will increase the registration fee for independent hospitals to £4,000.</td>
</tr>
<tr>
<td>Increasing the annual continuation fee for independent hospitals to £180 per place.</td>
<td>63.37% of respondents agreed with the proposal. 36.63% of respondents disagreed with the proposal.</td>
<td>We will increase the annual continuation fee for independent hospitals to £180 per place.</td>
</tr>
<tr>
<td>Introducing a flat registration fee of £2,165 for independent clinics.</td>
<td>25.20% of respondents agreed with the proposal. 74.80% of respondents disagreed with the proposal.</td>
<td>We will review the fee level again to look at ways we might be able to reduce the flat fee. The Scottish Government is considering a number of service types to exempt from the definition of an independent clinic. This would reduce the number of services to be regulated and so should reduce the number of staff required and therefore, the registration fee. However, we maintain that we still do not have enough information about this sector to be able to consider setting a tiered fee structure for the financial year 2016–17. We will consider a tiered fee structure for the financial year 2017–18, when we have more information about the sector and our costs of regulating it.</td>
</tr>
<tr>
<td>Maximum fees should be set at the following levels:</td>
<td>Maximum fees should be set at the following levels: maximum fee for the registration of an independent hospital – £5,000. maximum annual continuation fee for an independent hospital – £250 per place. maximum fee for the</td>
<td>The proposed maximum fees set the upper threshold which we can charge to independent healthcare services. The setting of these maximum fees allows the flexibility for us to adjust fees on an annual basis, if necessary, without the need to revert to Scottish Ministers. However, we will always consult on fees each year before increasing or</td>
</tr>
<tr>
<td></td>
<td>46.09% of respondents agreed with the proposal. 53.92% of respondents disagreed with the proposal.</td>
<td></td>
</tr>
</tbody>
</table>

Maximum fees should be set at the following levels:
- maximum fee for the registration of an independent hospital – £5,000
- maximum annual continuation fee for an independent hospital – £250 per place
- maximum fee for the
| registration of an independent clinic – £3,500 | decreasing them. Although the majority of respondents did not agree with these maximum levels, it should be noted that the proposed actual fees for 2016–17 we will charge are in fact lower than these maximum levels. The Scottish Government agrees with our position that there is currently insufficient evidence about the sector to set a tiered fees structure. We will consider a tiered fee structure for the financial year 2017–18, when we have more information about the sector and our costs of regulating it. |
| maximum annual continuation fee for an independent clinic – £3,500 | |
| maximum fee for the variation or removal of a condition, cancellation of a registration and the issuing of a registration certificate – £100 | |
Appendix 1: List of respondents

The following organisations responded to the consultation:

- Abertay University
- Able Med Health Ltd
- ACCORD Hospice
- Albacare Ltd
- Allure Aesthetics
- Alpha Health Services Limited
- Alpha Health Care Services Ltd
- Ame Aberdeen Ltd
- Ardgowan Hospice
- Ayrshire Eye Clinic
- Bard Pharmaceuticals Limited
- Beech Lodge
- Best Practice Occupational Health
- BHRUT
- British Dental Association
- Bryden Medical Limited
- Bupa Health Clinics
- Business Medical Ltd
- Butterfly MediSpa
- CAER Aesthetics
- Davidsons Mains Medical Centre
- Discovery Healthcare Ltd
- EL Medical Aesthetics ltd
- Etre Beau
- Face2face Cosmetic Aesthetics
- Frances Turner Traill Skin Clinic
- Fresh inc. Medispa
- Freshfaced.com
- FRESH ING
- GCRM Ltd
- Gilmore Dental Practice
- Glasgow Caledonian University
- Glasgow Sport and Spine
- Global Occupational Health Solutions
- Goshen Health Solutions Ltd
- Grampian Cosmetic Clinic Limited
- GP-Plus Ltd
- Healthcare Improvement Scotland
- Health Management Ltd
- hHealth Initiatives
- Highland Occupational Health Service
- Hilton Dental Practice
- Independent Psychiatry
- Integrated Dentalcare
- International Smiles
- Iqarus Limited
- Jill Best Aesthetics Ltd
- London South Bank University
- Luxe Skin by Doctor Q
- MacEndo
- Medical Advisory Service for Travellers Abroad
- NHS Ayrshire & Arran
- NHS Fife
- NHS Forth Valley Public Dental Service
- NHS Highland
- NHS Lanarkshire
- NHS National Services Scotland
- NHS Tayside
- Occmed Ltd
- Occupational Health and Safety Advisory Services
- Occupational Health Business Management Ltd
- Occupational Health Nurse/Managers Group (Scotland)
- Occupational Health Works
- Offshore Emergency Dental Services
- Oil & Gas UK
- Optima Health
- Oral Design Scotland
- People Assessment Management Ltd – Occupational Health
- Primary Care
- Quest Clinic
- RE-NU Skin Clinic Ltd
- Revive MS Support
- Riverside Medical Practice
- Robert Gordon University
- RS Occupational Health
- Scottish Independent Hospitals Association (SIHA)
- Shona Dewar Physiotherapist Ltd
- sk:n clinics (LaserCare)
- St John Clinic
- Strathcarron Medical Clinics Ltd
- Strathcarron Hospice
- Spa@Bannockburn
- Superdrug
- Tayside Laser Clinic
- Temple Medical
- The Bloomfield Clinic Ltd
- The Cheshire Image Clinic
- The Medical Suite Scotland
- The Priory Hospital Glasgow
- Unique Skin Clinics
- University of Aberdeen
- University of the West of Scotland
- Vermilion - The Smile Experts
- Volunteer at Seniors Together
- Waverley Dental
- Well-Being Occupational Health Consultancy
- Woodhill Dental Care
- YSM Solutions

Four responses were also received from members of the public.
Appendix 2: Overview of responses

A total of 143 written responses to the consultation were received. Respondents were asked to note if they were responding as:

- a carer
- a healthcare professional
- a member of the public
- a social care professional, or
- a voluntary/community sector representative.

A breakdown of written responses from each group is shown below.

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carer</td>
<td>0</td>
</tr>
<tr>
<td>Healthcare professional</td>
<td>137</td>
</tr>
<tr>
<td>Member of the public</td>
<td>4</td>
</tr>
<tr>
<td>Social care professional</td>
<td>1</td>
</tr>
<tr>
<td>Voluntary/community sector representative</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>143</strong></td>
</tr>
</tbody>
</table>
Appendix 3: Summary of responses

Below is a more detailed summary of the comments received during the consultation.

**Question 1(a):**
Do you agree with our proposal to increase the registration fee for independent hospitals?

**Response:**
- Yes: 64
- No: 36
- No response: 43

The majority (64%) of the responses were supportive of increasing the registration fee for independent hospitals by £380, taking the registration fee to £4,000.

Responses from the independent hospital sector noted that although any fee increase is never welcomed, they note that the fees have not been increased for a considerable period of time and that this is a necessary step.

A number of respondents noted that they did not respond to this question, as it was not applicable to them.

**Question 1(b):**
Do you agree with our proposal to increase the annual continuation fee for independent hospitals?

**Response:**
- Yes: 64
- No: 37
- No response: 42

The majority (63.37%) of the responses were supportive of increasing the annual continuation fee for independent hospitals by £28 per place, taking the annual continuation fee to £180 per place.

The Scottish Independent Hospitals Association, which represents independent hospitals in Scotland, noted that while it does not seek a fee increase, that it agrees it is necessary. One respondent noted that the increase was excessive in their opinion and that any increase could have been planned or phased to support budget management. One respondent from a charity noted that they felt the increase was too high and that their donors would be ‘horrified that their donations were being used to fund regulation’.

A number of respondents noted that they did not respond to this question, as it was not applicable to them.

**Question 2:**
Do you agree with our proposal to introduce a flat registration fee for independent clinics?

**Response:**
- Yes: 32
- No: 95
- No response: 16

The majority (74.80%) of the responses were not supportive of the introduction of a flat registration fee for independent clinics.

A number of respondents said that they agreed with the introduction of regulation of independent clinics, but that they believed there should be a fee structure which reflects various different types and sizes of independent clinics.
In addition, a number of respondents felt that the difference in registration fees for an independent clinic and an independent hospital did not sufficiently reflect the perceived difference in the level of work required by Healthcare Improvement Scotland to regulate these services or the difference in the level of turnover in these services.

Some respondents, particularly those with smaller businesses, commented that the proposed fees if implemented may force them out of business or at least to consider the number of locations from which they provide their service, as they may not be able to afford multiple registration fees. One respondent also noted that it may deter others from setting up in business.

Concern was also noted from a number of respondents who provide occupational health services that they believed their service did not require to be regulated, as they are providing services purely for the welfare of employees.

One respondent commented that they felt this legislation disadvantaged nurses, as GPs and dentists with any NHS component in their practice did not have to be regulated and, therefore, did not have to pay the registration fee.

**Question 3:**
Do you agree with our proposals for the maximum fees to be set by Scottish Ministers?

**Response:**
- Yes: 53
- No: 62
- No response: 28

The majority (53.91%) of the responses were not supportive of the maximum fees to be set by ministers.

It was clear from responses that a considerable number of respondents did not understand this question and thought it was the fees that we proposed to charge.

Of those respondents who did respond to the question correctly, a number of respondents felt there should be a maximum fee, but those that were proposed were too high.

In line with earlier responses, a number of respondents believed the registration fee should not be set at a single level, but at a tiered level, dependent on a number of factors, for example, the size of service, turnover and number of staff employed.

Respondents also commented in line with earlier responses that they felt the proposed fees for independent hospitals and independent clinics did not sufficiently reflect the perceived difference in the level of work required by Healthcare Improvement Scotland to regulate these services or the difference in the level of turnover in these services.

Two respondents suggested it should be the role of an independent body to set the maximum fees that could be charged, rather than Healthcare Improvement Scotland.