



## Accessing treatment recommended by NICE

Healthcare professionals are expected to take NICE guidance fully into account when exercising their clinical judgement. The guidance does not, however, override the individual responsibility of health professionals to make decisions appropriate to the circumstances of the individual patient, in consultation with the patient and/or guardian or carer.

The treatments and care recommended by NICE will not be suitable for every patient in every circumstance. However if you feel that you do meet the relevant criteria, and are still unable to access treatment that NICE has recommended, this leaflet explains the help and support you can get.

### Obligations to comply with NICE guidance

[Healthcare Standards for Wales](#), published by the Welsh Assembly Government in May 2005 sets out a common framework of healthcare standards for healthcare providers and commissioners in Wales. All healthcare organisations in Wales are required to demonstrate that they are achieving or working towards these standards.

Standard 12, of the Healthcare Standards for Wales, requires healthcare organisations to ensure that patients and service users are provided with effective treatment and care that conforms to the NICE technology appraisals and interventional procedures, and that is based on nationally agreed best practice and guidelines as defined by NICE clinical guidelines. Healthcare Inspectorate Wales (HIW) is responsible for formally reviewing progress against the standards.



## Types of NICE guidance

If you don't know which type of guidance relates to your treatment you can find out on our website, or by calling our enquiry line on 0207 067 5800. NICE produces three types of guidance that apply in Wales, as detailed below.

### Technology Appraisals

Technology appraisals are guidance on the use of new and existing medicines and treatments within the NHS in England and Wales. The Assembly Minister for Health and Social Services issued a Direction in October 2003, which requires Local Health Boards and NHS Trusts to make funding available to enable the implementation of NICE technology appraisal guidance and interventional procedures, normally within 3 months.

This means that when NICE recommends a technology, the NHS must ensure it is available to those people it could help, normally within 3 months of the guidance being issued. So, if your doctor thinks a recommended technology is right for you, you should be able to get it from the NHS.

### Interventional Procedures

These are recommendations about whether interventional procedures used for diagnosis or treatment are safe enough and work well enough for routine use. Many interventional procedures NICE looks at are quite new. This means that there may not be a lot of information available about how well a procedure works, how safe it is and which patients may benefit most from it. Interventional procedure guidance makes sure that new procedures are introduced safely into the NHS.

Part of the purpose of this type of guidance is to make sure doctors fully explain the procedure and any uncertainties there may be about the potential benefits and risks to patients. This discussion is essential to help patients reach a decision about whether or not to agree to the procedure.



## Clinical Guidelines

Clinical guidelines are guidance on the appropriate treatment and care of people with specific diseases and conditions within the NHS in England and Wales. In general, doctors, nurses and other healthcare professionals in the NHS are expected to follow NICE's clinical guidelines. But there will be times when the recommendations will not be suitable for someone because of his or her specific medical condition, general health, personal wishes or a combination of these.

## What can you do if you are unable to access treatment that has been recommended by NICE?

You can contact NICE for information on our guidance, and what it means for patients and carers. However, we cannot investigate individual complaints about patient care and access to treatment.

If you are unhappy about the treatment or care you are receiving from the NHS, for example, if you are not able to access treatment recommended by NICE, you should try and resolve the problem at a local level first, by contacting the complaints manager in the NHS Trust (if the complaint is about hospital or community services) or Local Health Board (if the complaint about general practitioners (GPs), dentists, pharmacists or opticians). NHS Direct Wales can give you contact details. They can be contacted on 0845 46 47 or [www.nhsdirect.wales.nhs.uk](http://www.nhsdirect.wales.nhs.uk).

Local Community Health Councils (CHCs) provide a free independent advice and advocacy service to help you if you wish to complain. The Board of CHCs in Wales can give you details of your local CHC. They can be contacted on 0845 644 7814 or [www.patienthelp.wales.nhs.uk](http://www.patienthelp.wales.nhs.uk).



## **What should you do if the issue cannot be resolved at a local level?**

If the issue cannot be resolved locally, then there are two ways in which your complaint could be dealt with further:

### **1. An Independent Review**

You can ask for an independent review of your complaint by contacting the Independent Complaints Secretariat for your area. The contact details are given below.

A trained independent lay person will, with advice from a second lay person and a clinical adviser if necessary, decide if anything more can be done locally to resolve your complaint, or whether an independent panel should be held to look at your complaint in more detail.

If you are not satisfied after either the review or panel stages, you can ask the Public Services Ombudsman for Wales to review your complaint.

Independent Complaints Secretariat: North Wales office	Tel: 01352 700227
Mid & West Wales office	Tel: 01874 712748
South Wales office	Tel: 02920 376840

### **2. Public Services Ombudsman for Wales**

Alternatively, if the treatment or care complained about was received on or after 1 April 2006, you can choose not to request an Independent Review but to take your complaint directly to the Public Services Ombudsman for Wales.

The Ombudsman can be contacted on 01656 641150 or [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk).



## Further information

Many patient organisations are experienced in campaigning for patients to have access to treatment recommended by NICE, and they can provide you with further information and support. Please see the “Understanding NICE guidance” version of the guidance for the contact details of major UK patient groups.

If you have any questions about this information you can contact the NICE enquiry line on 0207 067 5800. Please remember that NICE cannot investigate or get involved with complaints about healthcare.



## Cael gafael ar driniaeth a argymhellir gan NICE

Disgwylir i weithwyr proffesiynol gofal iechyd ystyried arweiniad NICE yn llawn wrth ymarfer eu barn glinigol. Fodd bynnag, nid yw'r arweiniad yn diystyru cyfrifoldeb unigol gweithwyr proffesiynol iechyd i wneud penderfyniadau sy'n briodol i amgylchiadau'r claf unigol, mewn ymgynghoriad â rhiant a/neu warcheidwad neu ofalwr.

Ni fydd y triniaethau na'r gofal a argymhellir gan NICE yn addas ar gyfer pob claf ymhob amgylchiad. Fodd bynnag os teimlwch eich bod yn bodloni'r meini prawf perthnasol, ac na allwch gael gafael ar y driniaeth a argymhellwyd gan NICE o hyd, mae'r daflen hon yn egluro'r cymorth a'r gefnogaeth y gallwch eu cael.

## Rhwymedigaethau i gydymffurfio â chanllawiau NICE

Mae [Safonau Gofal Iechyd i Gymru](#), a gyhoeddwyd gan Lywodraeth Cynulliad Cymru ym mis Mai 2005 yn gosod fframwaith cyffredin o safonau gofal iechyd ar gyfer darparwyr a chomisiynwyr gofal iechyd yng Nghymru. Mae'n ofynnol i'r holl sefydliadau gofal iechyd yng Nghymru ddangos eu bod yn cyrraedd y safonau hyn, neu'n gweithio tuag eu cyrraedd.

Mae Safon 12 Safonau Gofal Iechyd i Gymru yn ei gwneud yn ofynnol i sefydliadau gofal iechyd sicrhau y darperir i gleifion a defnyddwyr gwasanaethau triniaeth a gofal effeithiol sy'n cydymffurfio ag arfarniadau technoleg ac ymyriadau NICE, ac y cânt eu selio ar arfer gorau a chanllawiau y cytunwyd arnynt yn genedlaethol fel y'u diffinnir gan ganllawiau clinigol NICE. Arolygiaeth Gofal Iechyd Cymru sy'n gyfrifol am adolygu'r cynnydd yn ffurfiol yn ôl y safonau.



## Mathau o arweiniad NICE

Os nad ydych yn gwybod pa fath o arweiniad sy'n berthnasol i'ch triniaeth, mae gwybodaeth ar gael ar ein gwefan, neu gallwch ffonio ein llinell ymholiadau ar 0207 067 5800. Mae NICE yn cynhyrchu tri math o arweiniad sy'n gymwys yng Nghymru, fel y manylir isod.

### Arfarniadau technoleg

Arweiniad yw arfarniadau technoleg ar ddefnyddio meddyginiaethau a thriniaethau newydd a phresennol o fewn yn y GIG yng Nghymru a Lloegr. Cyflwynodd y Gweinidog dros lechyd a Gwasanaethau Cymdeithasol Gyfarwyddyd ym mis Hydref 2003, sy'n ei gwneud yn ofynnol i Fyrddau Iechyd Lleol ac Ymddiriedolaethau'r GIG sicrhau bod arian ar gael i weithredu arweiniad arfarnu technoleg ac ymyriadau NICE, fel arfer o fewn 3 mis.

Golyga hyn pan fydd NICE yn argymhell technoleg, fod yn rhaid i'r GIG sicrhau ei bod ar gael i'r bobl hynny y gallai eu helpu, fel arfer o fewn 3 mis i gyhoeddi'r canllawiau. Felly, os yw eich meddyg yn credu y bydd technoleg a argymhellir yn iawn i chi, dylech allu ei chael gan y GIG.

### Ymyriadau

Argymhellion yw'r rhain ar ba un a yw ymyriadau a ddefnyddir ar gyfer diagnosis neu driniaeth yn ddigon diogel ac yn gweithio'n ddigon da i gael eu defnyddio'n rheolaidd. Mae nifer o'r ymyriadau a ystyrir gan NICE yn weddol newydd. Golyga hyn efallai nad oes llawer o wybodaeth am ba mor dda y mae triniaeth yn gweithio, pa mor ddiogel ydyw a pha gleifion a allai gael y budd mwyaf ohoni. Mae arweiniad ar ymyriadau yn sicrhau y cyflwynir triniaethau newydd yn ddiogel yn y GIG.

Rhan o ddiben y math hwn o arweiniad yw sicrhau bod meddygon yn egluro'r driniaeth ac unrhyw ansicrwydd a allai godi ynglŷn â'r manteision a'r risgiau i gleifion yn llawn. Mae'r



drafodaeth hon yn hanfodol er mwyn helpu cleifion i benderfynu a ydynt am gael y driniaeth ai peidio.

## Canllawiau clinigol

Arweiniad yw canllawiau clinigol ar y driniaeth a'r gofal priodol ar gyfer pobl â chlefydau a chyflyrau penodol o fewn yn y GIG yng Nghymru a Lloegr. Yn gyffredinol, disgwylir i feddygon, nyrsys a gweithwyr proffesiynol gofal iechyd eraill yn y GIG ddilyn canllawiau clinigol NICE. Ond bydd adegau pan na fydd argymhellion yn addas i rywun oherwydd ei gyflwr/ chyflwr meddygol penodol, iechyd cyffredinol, dymuniadau personol neu gyfuniad o'r rhain.

## Beth y gallwch ei wneud os na allwch gael gafael ar driniaeth a argymhellir gan NICE?

Gallwch gysylltu â NICE am wybodaeth am ein harweiniad, a'r hyn y mae'n ei olygu i gleifion a gofalwyr. Fodd bynnag, ni allwn ymchwilio i gwynion unigol am ofal cleifion a thriniaethau sydd ar gael.

Os ydych yn anfodlon ar y driniaeth neu'r ofal a gewch gan y GIG, er enghraifft, os na allwch gael triniaeth a argymhellir gan NICE, dylech yn gyntaf geisio datrys y broblem yn lleol, drwy gysylltu â'r rheolwr cwynion yn yr Ymddiriedolaeth y GIG (os yw'r gwyn am ysbyty neu wasanaethau cymunedol) neu'r Bwrdd Iechyd Lleol (os yw'r gwyn am feddygon teulu, deintyddion, fferyllwyr neu optegwyr). Gall Galw Iechyd Cymru roi manylion cyswllt i chi. Gellir cysylltu â hwy ar 0845 46 47 neu [www.nhsdirect.wales.nhs.uk/small/cy/hafan](http://www.nhsdirect.wales.nhs.uk/small/cy/hafan).

Mae Cyngorau Iechyd Cymuned Lleol yn darparu gwasanaeth cyngor ac eiriolaeth annibynnol am ddim i'ch helpu os ydych am gwyno. Gall Bwrdd Cyngorau Iechyd Cymuned Cymru roi manylion eich Cyngor Iechyd Cymuned Lleol i chi. Gellir cysylltu â hwy ar 0845 644 7814 neu [www.patienthelp.wales.nhs.uk](http://www.patienthelp.wales.nhs.uk).



## **Beth y dylech ei wneud os na ellir datrys y mater yn lleol?**

Os na ellir datrys y mater yn lleol, yna mae dwy ffordd y gellid ymdrin â'ch cwyn ymhellach:

### **3. Adolygiad Annibynnol**

Gallwch ofyn am adolygiad annibynnol o'ch cwyn drwy gysylltu â'r Ysgrifenyddiaeth Cwynion Annibynnol ar gyfer eich ardal. Ceir y manylion cyswllt isod.

Bydd lleygwr annibynnol hyfforddedig, gyda chyngor gan ail leygwr annibynnol ac ymgynghorydd clinigol os bydd angen, yn penderfynu a ellir gwneud mwy yn lleol i ddatrys eich cwyn, neu a ddylid cynnal panel annibynnol i edrych ar eich cwyn yn fanylach.

Os nad ydych yn fodlon naill ai ar ôl yr adolygiad neu ar ôl i'r panel gwrdd, gallwch ofyn i Ombwdsmon Gwasanaethau Cyhoeddus Cymru adolygu eich cwyn.

Ysgrifenyddiaeth Cwynion Annibynnol:

Swyddfa Gogledd Cymru

Ffôn: 01352 700227

Swyddfa Canolbarth a Gorllewin Cymru

Ffôn: 01874 712748

Swyddfa De Cymru

Ffôn: 02920 376840

### **4. Ombwdsmon Gwasanaethau Cyhoeddus Cymru**

Neu, os cafwyd y driniaeth neu'r gofal ar 1 Ebrill 2006 neu ar ôl hynny, gallwch ddewis peidio â gofyn am Adolygiad Annibynnol a mynd â'ch cwyn yn uniongyrchol at Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

Gellir cysylltu â'r Ombwdsmon ar 01656 641150 neu [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk).



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government



*National Institute for  
Health and Clinical Excellence*

## Rhagor o wybodaeth

Os oes gennych unrhyw gwestiynau ynglŷn â'r wybodaeth hon gallwch ffonio llinell ymholiadau NICE ar 0207 067 5800. Cofiwch na all NICE ymchwilio i gwynion ynghylch gofal iechyd na bod yn gysylltiedig â hwy.