

Joint Health Overview and Scrutiny Committee (JHOSC): Continuing Healthcare (CHC) Policy Proposals

28.02.2019

1. Introduction

Amendment to the NHS continuing healthcare (CHC) choice and allocation of resource policy in North West London

NHS North West London CCGs proposes to make changes to our policy on funding community-based packages of care for people that are eligible for Continuing Healthcare. (As you will be aware, NHS Continuing Healthcare is a package of care for people who are assessed as having significant on-going healthcare needs. It is arranged and funded by your CCG.)

The amendment is expected to impact a very small number of patients (fewer than 20) in each borough.

Current policy and proposed changes: an overview

If a person receives care in their own home the NHS covers the cost of the support from health professionals and personal care which can include help with washing and getting dressed.

At the moment, the NHS does not consistently apply a maximum cost to delivering care through this policy in a patient's home. Our proposal is that where the cost of home care support is in excess of 10% of alternative costs that this would trigger a review to see if the extra costs can be justified.

CCGs recognise that there will be situations where the cost of care at home is greater than 10% due to the specific needs of individual patients.

The draft policy, if agreed, would apply to new and existing patients assessed as eligible for CHC and receiving care at home.

For existing patients, we would review their care when it is next up for review (this is usually once a year). We have written to all patients currently receiving care through CHC to explain this proposal. We are also holding a drop-in session for patients, family members and carers and all patients have been invited to this. We have provided a number of ways of them providing their views or asking further questions. The engagement process lasts until 13 March 2019. The CCG governing bodies will review the responses in April 2019.

Why are we proposing this change?

The CCGs are required to make best use of money it spends and as you know often make difficult decisions. Within CHC we are always striving to meet patient need and ensure the Care Package is value for money.

Each CCG except Hounslow, which has a joint local authority policy, has an existing policy which outlines how resources are allocated per package. However, the policies differ in many areas. Therefore a year ago the CHC Leads agreed to develop a North West London CCGs Policy that would provide equity in service provision across North West London.

A group was set up specifically to ensure that there was a robust framework around the implementation of the CHC Policy.

However just as the CCGs were about to share the policy, Brent, Harrow and Hillingdon, along with other CCGs across the country received a challenge from the Equality and Human Rights Commission (EHRC) that their existing policy was unlawful. It has not been proven that the policy is unlawful; however, we agreed to re consider the wording of current policies.

The collective of CCGs (20) that received the challenge agreed to work together on a policy with a specialist legal advisor to review the wording and develop a policy that retained patient choice and consideration of value for money within the legal framework.

The CHC Leads agreed to adopt that policy in draft and to engage with the public prior to Governing Body approval and implementation. This approach was to ensure that the feedback received from the public was included as part of the Governing Body decision making.

2. Task and finish group

The CCGs set up a task and finish group as of 28 September 2018 which met monthly, led by Diane Jones as the Senior Responsible Officer (SRO).

The policy has been discussed at arrange of CCG meetings, including the Chairs, Chief Operating Officers and Managing Directors meeting in December 2018, Senior Management Team in January 2019 on two occasions, local Patient Engagement committees and Quality Committees.

Each CCG has completed an Equality Health Impact Analysis (EHIA) screening, which will be updated when the engagement is completed to take into account any new information gathered during that work. The attached spreadsheet gives an overview (appendix 1).

The Task and Finish Group collectively agreed an engagement period from the 13 February to the 13 March 2019.

North West London CCGs sent letters to individuals in receipt of a CHC home care package considered NOT to be affected by the implementation of the policy.

Hand-delivered letters were sent to individuals in receipt of a CHC home care package considered to be affected by the implementation of the policy.

Individuals and/or their carers have been invited to meet with a CHC lead in their home or a public venue.

Table 1: Individuals in receipt of a CHC home care package

CCG	Total home care	*Those affected	Unaffected	Overall CHC home care packages as % of all CHC packages
Brent	77	9 (12%)	68 (88%)	11%
Central	72	0	72 (100%)	19%
Ealing	91	12 (13%)	79 (87%)	9%
Hammersmith & Fulham	61	0 (12%)	61 (100%)	12%
Harrow	70	6 (9%)	64 (91%)	11%
Hillingdon	80	21(26%)	59 (74%)	11%
Hounslow	84	2 (2%)	86 (98%)	15%
West	68	0	68 (100%)	13%

**Received a hand delivered letter by a senior CHC clinician*

Those affected are currently in receipt of a care package, which is above 10% the same care needs being met with an alternative home care provider or a care home with Nursing. However, if the individual has exceptional clinical and or social needs this would be accepted as requiring no change.

I have attached a list of frequently asked questions gathered from a range of stakeholders (appendix 2).

3. Feedback from engagement so far

Ian Robinson will present his engagement feedback stories and case studies to the JHOSC.

Diane Jones

Chief Nurse and Director of Quality

Submission: 28 February 2019