

NHS Newham CCG Continuing Healthcare Policy

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Responsible person:	Senior Transformation Manager
Accountable Person:	Selina Douglas, interim Managing Director
Related Documents	<ul style="list-style-type: none"> • National Framework for NHS continuing healthcare and NHS-funded nursing care and other national guidance as appropriate • NHS Continuing Healthcare Checklist • Decision support tool for NHS continuing healthcare • Fast Track Pathway Tool for NHS Continuing Healthcare • Care Act 2014 • Protecting Adults at Risk: London Multi-Agency Policy and Procedures to Safeguard Adults from Abuse

Date	Version	Author	Changes/ Reason	Documents Replaced (if any)
14/01/2016	1	Senior Commissioning Manager	None	None
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1. INTRODUCTION

- 1.1 Newham Clinical Commissioning Group (CCG) must comply with the National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care. Where the framework allows for local commissioning decisions, this policy will set our standards and intentions for the provision of the care for people who have been assessed as eligible for consideration of or are in receipt of fully funded NHS continuing healthcare.

2. POLICIES STATEMENT

- 2.1 Newham CCG's policies set out the standards and intentions, and are written with the aim of being as clear and comprehensive as possible. However, we operate in a dynamic and evolving work environment and attention should be paid to the spirit of the policy as well as the letter. Policies by themselves cannot guarantee effective behaviour or the delivery of key objectives. Therefore thought must be given to good practice when applying or interpreting any of the CCG's policies, and should be read in conjunction with the national frameworks and other guidance.

3. PURPOSE AND SCOPE OF THE POLICY

- 3.1 The policy aims to provide local guidance on Newham CCG's approach to choice, risk, and fiscal responsibility as it relates to NHS continuing healthcare.

4. WHO THIS POLICY APPLIES TO

- 4.1 The policy applies to Newham CCG employees and staff, who are responsible for the commissioning of NHS continuing healthcare, and Providers, who are commissioned by Newham CCG for the provision of NHS continuing healthcare.

The policy will be published on the CCG's website.

5. POLICY

5.1 Choice

The treatments, care, and equipment required to meet complex, intense and unpredictable health needs often depend on highly trained professionals for safe delivery, management, and clinical supervision.

Furthermore, for example, sometimes, specialised care needs, particularly for people with complex disabilities, may not be locally available and/or be limited by choice of a safe and affordable package of care and/or safeguarding requirements.

- 5.2 Given that, Newham CCG will provide a package of care 'that the CCG assesses is appropriate for the individual's needs.' Newham CCG aims to commission services which offers individual choice and that reflect individual's preferences, as far as possible, but this must be balanced against affordability and equity in relation to the needs of the wider population.
- 5.3 Once eligibility has been determined by the CCG CHC Panel, the starting point for agreeing the package should be the individual's preferences. Newham CCG (NELCSU) and/or ELFT should advise the patient of all options available and the benefits and risks of each. In situations where the model of support preferred by the individual will be more expensive than other options, Newham CCG will take comparative costs and value for money into account when determining the model of support that will be provided. Newham CCG will apply value for money test and will consider the following:
- The genuine costs of alternative models (e.g. that actual costs of supporting the

- person in a care home rather than an assumed standard care home cost)
- The actual costs of supporting the person in their own home based on the individual's assessed needs and agreed desired outcomes compared to alternative cheaper model
- The balance of cost against other factors in the individual's case including risk, psychological need, and other circumstances

5.4 NELCSU/ELFT will seek Lead commissioner's approval when the preferred package of care is over 10% in excess of the alternative models. The Commissioner will then determine the appropriate package. CCG will consider in borough placements even where costs outweigh benefits.

5.5 Risk

Newham CCG expects a responsible approach to risk taking. We see people as being the experts on their own lives and strive to work with them as equal partners. This includes taking on board their views and suggestions on how to manage risk. The governing principle for dealing with independence, choice, and risk for all activities surrounding a person's choices about their daily living is: 'People have the right to live their lives to the full as long as that doesn't stop others from doing the same.' To put the principle into practice, Newham CCG expects those supporting individuals to:

- Help people have choice and control over their lives
- Recognise that making a choice can involve some risk
- Respect people's rights and those of their family carers
- Help people understand their responsibilities and the implications of their choices, including risks
- Acknowledge that there will always be some risk, and that trying to remove it altogether can outweigh the quality of life benefits for the person
- Continue existing arrangements for safeguarding people

5.6 Where there is a threat to the safety of Newham CCG staff or its agents, the CCG retains the right to take any action it considers necessary to remove the threat including immediate withdrawal of the care provision where it deemed necessary.

5.7 Fiscal Responsibility

Newham CCG holds the responsibility to promote a comprehensive health service on behalf of the Secretary of State and not to exceed its financial allocations. It is expected to take account of patient choice, but must do so in the context of those two responsibilities.

5.8 All packages of care will be follow Newham's Expenditure Control Procedure, which aims to ensure decision making on the provision of continuing care will:

- be robust, fair, consistent and transparent,
- be based on the objective assessment of the patient's clinical need, safety and best interests set out in the care plan,
- will have regard for the safety and appropriateness of care packages to those involved in care delivery
- will involve the individual and their family or advocate where possible and appropriate,
- take into account the need for the CCG to allocate its financial resources in the most cost effective way,
- support choice to the extent possible in the light of the above factors
- be consistent with the principles and values of the NHS framework for CHC
- take into account an individual's needs for both their health and their wellbeing

5.9 In the event an individual is found eligible for NHS continuing healthcare whilst in private health care, the individual or family must seek prior approval from the CCG for any change in the care package location unless they intend to pay for care privately. A

patient will not be treated differently to another NHS patient because the individual previously received privately funded treatment.

- 5.10 In the event an individual becomes entitled to NHS continuing healthcare and has an existing high-cost care package in place, Newham CCG will consider funding the full cost of the existing higher-cost package until a decision is made to meet the higher cost package on an on-going basis or to arrange an alternative placement. The consideration will be in line with the principles of choice outlined above.

6. BREACHES OF POLICY

- 6.1 Failure to comply with the National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care will require an incident report and action plan from the parties involved.
- 6.2 Failure to comply with the guidance as outlined in this policy should be brought to the attention of the Managing Director who may choose to report the issue to the Commissioning Committee and/or the Quality, Finance and Performance Committee.