

Information for patients about the Local Resolution Process

How do I request an appeal?

Details of how to appeal are enclosed in an outcome letter which is sent out to you or your representative following the completion of the Decision Support Tool (DST). All appeal requests regarding Continuing Health Care (CHC) eligibility must be in written format detailing why you do not agree with the decision. If it is difficult for you to put your appeal in writing please contact the office.

The CHC administration team, on behalf of the Clinical Commissioning Group (CCG), will acknowledge the appeal within 5 working days of receipt. Enclosed with the letter will be the NHS CHC Appeal Form, for completion by you and a request for appropriate documentation if a representative is appealing on your behalf.

How long do I have before I return my form?

In order to expedite the appeal in a timely manner, there are timeframes for each part of the process. Detailed in the appeal acknowledgement letter is the request that the form is returned within a 2 week time period. If the individual is deceased, you will have to provide evidence of Grant of Probate. If you are unable to return the form within the 2 week time period please contact the CHC office and request an extension.

What happens when I return my form?

Upon receipt of the completed documents, GP, care home, local authority and any other relevant records will be requested by the CHC administration team for the relevant time period. Good practice would dictate that a 6 to 8 week period prior to the appeal commencement date is allowed for information to be gathered for comparison, assurance and evidence. In order to ensure a timely process, the CHC team will endeavour to arrange a Local Resolution Meeting (LRM) with you, the Clinical CHC Team and a representative of the CCG within 60 days from receipt of appeal documents. You will be informed of any delays to this process, for example, non-receipt of documents from other organisations.

What is a Local Resolution Meeting (LRM)

The LRM is the opportunity for you to provide any evidence you feel was not taken into account at the time of the Decision Support Tool (DST).

Any points raised in your appeal document or at the meeting must be fully

discussed. The professionals involved must ensure the meeting is used to clarify the appeals process and the opinions/views of the applicant. They must also give a full explanation of the four key indicators; nature, complexity, intensity, unpredictability, and confirm understanding with you. The meeting is recorded with consent in order that verbatim minutes can be produced if requested for further appeal process. Please note, minutes are not usually produced due to the consuming nature of their production.

What happens after the Local Resolution Meeting?

Following the LRM, if there is no new information to consider and the process can be evidenced as robust, the Local Appeals Process will then be determined as concluded. An outcome letter and rationale for the decision will be recorded and a copy sent to you. The final decision of any appeal will be made by the CCG. The details of how to appeal to NHS England will also be included in the outcome letter, so that you may request an Independent Review Panel if you wish to challenge the decision further.

Advocacy and advice

Beacon, an organisation funded by NHS England, gives free independent advice on NHS Continuing Healthcare. Phone 0345 548 0300 or go online at www.beaconchc.co.uk You can also write to Beacon, 10 Napier Court, Barton Lane, Abingdon, Oxfordshire OX14 3YT.

Contacting the team

For more information or to have an informal discussion, please contact the NHS Vale of York Continuing Healthcare Team by phone 0300 303 8294 or email voyccg.continuing-care@nhs.net

Further information

The appeals policy is created in accordance with guidance in paragraph 151 of The National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care (revised October 2018) referred to as the National Framework. www.gov.uk/government/publications/national-framework-for-nhs-continuing-healthcare-and-nhs-funded-nursing-care

The 2019 Continuing Healthcare appeals policy can be found here <https://www.valeofyorkccg.nhs.uk/publications/>