

HEALTH OVERVIEW AND SCRUTINY COMMITTEE: 6 SEPTEMBER 2017

REPORT OF WEST LEICESTERSHIRE CCG

CHC SETTINGS OF CARE POLICY

Purpose of report

1. The purpose of this report is to provide an update to the Committee on the West Leicestershire CCG position regarding the Continuing Healthcare (CHC) Settings of Care Policy which applies to patients in its area.

Policy Framework and Previous Decisions

2. The three Leicester, Leicestershire and Rutland (LLR) CCGs inherited the predecessor organisations' (the Primary Care Trusts') Settings of Care Policy for commissioning of services for people who have been assessed as eligible for CHC. This policy was last reviewed and agreed in 2011.
3. In 2016 the West Leicestershire CCG Governing Body agreed to review the policy, and East Leicestershire and Rutland CCG, as the CCG with responsibility for Continuing Healthcare Commissioning on behalf of the three LLR CCGs undertook work to develop a revised policy.

Background

The Current Policy

4. Continuing Health Care (CHC), also known as "fully funded NHS care", is care outside of hospital that is arranged and funded by the NHS at no cost to the patient. The purpose of the Settings of Care Policy is to define how and when the CCGs will support choice of care setting for individuals in relation to safe, effective and clinically appropriate care which makes the best use of available resources and to ensure that care is provided equitably across the LLR CCGs.
5. A key feature of the 2011 Settings of Care Policy is the 25% threshold which should enable CCGs to fund a clinical package of care, delivered in the individual's setting of choice (e.g. home, care home), where the anticipated cost of that package is not more than 25% above the anticipated cost of the most cost effective care provision identified.

Review of Policy

6. The current policy has not been applied consistently across LLR with existing packages of care where the cost is more than 25% above the anticipated cost of the

most cost effective care provision identified. The LLR CCGs are outliers in relation to both the number of CHC packages of care and the cost of those packages when benchmarked against all CCGs in England in 2015/16.

7. In March 2016 the Governing Body agreed to consider revising the policy, including consideration of whether the 25% threshold remained appropriate, noting that this work would be a collaborative piece of work led by East Leicestershire and Rutland CCG.
8. The work to support the review included engagement and consultation with patients and interest groups, and this work is summarised in Appendices 3 and 4 which were presented in a paper to the Governing Body in July 2017.
9. As part of the review, it was identified that while not all CCG areas across the country had a similar policy, of those that did the majority set a threshold of 10%. (This is illustrated in Appendix 1 which was presented in the paper to the Governing Body in July 2017).

Outcome of West Leicestershire CCG Governing Body Discussion

10. A revised policy, proposing a threshold of 10% was presented to the governing body of West Leicestershire CCG in July 2017.
11. In considering the policy presented for approval, the Governing Body recognised that this policy affected some of our most vulnerable patients, and those with high levels of care needs, including those with life limiting and terminal conditions. Members also acknowledged the importance to the CCG of achieving equity in the use of its resources, and the need to balance the needs of patients receiving packages of care under CHC with the needs of other patients and services.
12. The Governing Body recorded its support for the direction of the policy, which sought to provide clarity and consistency to the decision making of the three CCGs in relation to this area. However, it was felt that before approving such a change, it would be important for the Board to have a greater understanding of the potential impact of the change on patients, carers, and other health and care services, acknowledging that decisions regarding care would be made on a case by case basis.
13. It was agreed that the CCG would undertake an impact analysis of the potential change, which would be reported to the Governing body, prior to the policy being re-presented for consideration. The impact analysis will be undertaken between now and the autumn, and during this time we will take the opportunity to continue dialogue with stakeholders, including any emerging findings from the analysis.

Consultation

14. As part of the work to develop a revised policy an engagement and consultation exercise was undertaken across LLR. The timeline for this exercise, and the feedback received were presented to the governing body in July.
15. As part of the work in hand to further understand the impact of the proposed changes, we will be considering what further engagement work may be required to

ensure that we have a greater understanding of the impact the proposed changes might have on individuals.

Timetable for Decisions

16. The work to undertake further analysis of the potential impact of the proposed policy change on both patients and the care home sector is currently in hand and will be concluded over the course of the coming months.
17. Until a final decision is reached the current policy and its associated thresholds will remain in place. We currently anticipate that the outputs of the above work will be discussed by our Governing Body over the coming months and any changes to the proposed policy will be presented to our Governing Body for consideration at a future meeting.

Recommendation

18. The Health Overview and Scrutiny Committee is invited to note the position of West Leicestershire CCG in relation to the CHC Settings of care Policy.

Background papers

Paper to Governing Body – July 2017

<http://www.westleicestershireccg.nhs.uk/sites/default/files/Paper%20D%20-%20Settings%20of%20Care%20Policy.pdf>

Circulation under the Local Issues Alert Procedure

The position set out in this paper affects those patients in the West Leicestershire CCG area (comprising North West Leicestershire District and the Boroughs of Charnwood and Hinckley and Bosworth).

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List of Appendices

Appendix 1 - Settings of Care Policy thresholds map
 Appendix 2 – Settings of Care Policy
 Appendix 3 – Findings of Public Consultation
 Appendix 4 – Settings of Care Policy Feedback
 Appendix 5 – Communication Plan

Relevant Impact Assessments

Equality and Human Rights Implications

19. As part of the further work we are undertaking we will be considering the Equality and Quality Impacts of any changes.

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