



NHS Continuing Healthcare

# Request for a review of eligibility decision: Oxfordshire local process

## Background information

On behalf of the Oxfordshire Clinical Commissioning Group (OCCG), this document sets out the local review process at Oxford Health NHS Foundation Trust for when an individual or their representative wishes to request a review of the decision on eligibility for NHS continuing healthcare.

## Decision-making and context

For all current and retrospective cases, the eligibility criteria is applied as set out in the National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care, October 2018.

During the decision-making process the trust endeavours to:

- ensure a fair and consistent application of the eligibility criteria
- provide written advice and information about the continuing healthcare process to the individual and/or their representative
- communicate clearly in writing to the individual and/or their representative, the reasons why the eligibility decision was reached, as soon as is reasonably practical

The trust acknowledges that there may be times when an individual or their representative may disagree with the outcome decision following the assessment and application of the eligibility criteria. We acknowledge that the individual or their representative has the right to request a review of that decision.

The trust will consider all requests for a review of a decision and attempt to resolve any concerns initially through an informal discussion with the individual and/or their representative. However, OCCG reserves the right not to progress the request if the individual or their representative fails, without good reason, to cooperate with the process as set out below.

## Process

1. The individual or their representative should write to a senior manager in the Continuing Health Care Department to request a review. This should be received within six months of the date of the letter informing them of the decision on eligibility. The letter must include either or both:
  - the reasons for their disagreement with the decision regarding eligibility for NHS Continuing Care. The letter should provide any additional information on assessed care needs which has not been included in the Decision Support Tool (DST) for a current assessment or Care Needs Portrayal (CNP) for a retrospective assessment.
  - information on why the individual and/or their representative may be dissatisfied with the process followed in reaching the decision for eligibility.

The trust will endeavour to investigate and reach a decision in relation to any review *within three months* of receipt of the request. If this timeframe needs to be extended, the reasons will be communicated in writing to the individual or their representative.

2. The information provided will be considered by a senior manager, along with any additional relevant information that relates to the same time period and has not previously been taken into consideration by the panel. Any procedural issues raised will also be considered in preparation for the next stage of the process.
3. A Local Resolution Meeting (LRM) will be arranged with a senior manager and the individual and/or their representative to review the additional information and discuss any concerns regarding procedural issues. A LRM can also be held via the telephone if preferred.

A summary of the discussions and any agreed actions will be recorded at the meeting, including timescales. A copy of the LRM minutes and action plan will be sent to the individual or their representative within 14 days of the meeting. In some cases, the process ends here as the issues raised have been resolved with a mutually satisfactory conclusion at the meeting.

All actions agreed at the LRM should be completed by the timescales given. This may include the case being submitted to a Local Review Panel (LRP) for reconsideration of the decision.

4. The individual and/or their representative may attend the LRP and can submit a verbal or written statement to support their case.

Should the individual and/or their representative wish to attend the LRP, the panel administrator will confirm potential dates for the meeting. The final agreed date and time will be confirmed in writing.

5. Following the LRP, an outcome letter will be sent by recorded delivery to the individual or their representative within two weeks. This will conclude the local process.

The key principle of the local resolution process is that the individual and their representative will have received a clear and comprehensive explanation of the rationale for the OCCG decision.

## Oxfordshire panel membership

The panel acts as the multidisciplinary team when reviewing the eligibility decision and is composed of the following members:

- senior nurse manager (chair) – representing physical health
- senior social & healthcare manager – representing the local authority
- senior mental health clinical manager – representing mental health

There are, wherever possible, different panel representatives from the team that made the original decision.

## Independent review

Where it has not been possible to resolve the issues raised, the individual or their representative may apply to NHS England for an independent review.

This request should be received by NHS England within six months of the date of the LRP outcome letter. The application for an independent review should be sent to:

NHS England  
Continuing Healthcare  
South West House  
Blackbrook Park Avenue  
Taunton  
TA1 2PX

## Concerns and complaints

The OCCG aims to provide a high quality service at all times. However, if you have any concerns, complaints or comments about your experience of our service, they should be submitted in writing to:

Patient Services  
Oxfordshire Clinical Commissioning Group  
Jubilee House  
5510 John Smith Drive  
Oxford Business Park South  
Oxford  
OX4 2LH

Please contact us if you would like the information in another language or different format.

**Arabic** يُرجى الاتصال بنا إذا كنتم ترغبون في الحصول على المعلومات بلغة أخرى أو بتنسيق مختلف.

আপনি এই তথ্য অন্য ভাষায় বা আলাদা আকারে **Bengali** পেতে চাইলে অনুগ্রহ করে আমাদের সাথে যোগাযোগ করুন।  
**Urdu** اگر آپ یہ معلومات دیگر زبان یا مختلف فارمیٹ میں چاہتے ہیں تو برائے مہربانی ہم سے رابطہ کریں۔

**Chinese** 若要以其他語言或格式提供這些資訊，請與我們聯繫

**Polish** Aby uzyskać informacje w innym języku lub w innym formacie, skontaktuj się z nami.

**Portuguese** Queira contactar-nos se pretender as informações noutra língua ou num formato diferente.

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Approved by CHC manager, July 2019.