



Partners in improving local health



North of England
Commissioning Support

NHS Continuing Healthcare Local Appeals Process

Patient/Representative Information

Working on Behalf of North Tyneside CCG, South Tyneside CCG, Gateshead CCG,
Newcastle North and East CCG and Newcastle West CCG

1. Introduction

The purpose of this guidance is to assist patients and/or their representatives (who for the purposes of this leaflet will be referred to as the 'appellant') through the process of lodging an appeal against a decision about eligibility for NHS Funded Continuing Healthcare (CHC). NHS CHC is for individuals with a primary health need who need long term healthcare, as opposed to social or residential care.

The NHS Funded Healthcare Team have arrangements in place to ensure that all assessments for CHC are conducted in a professional, robust and transparent manner and in accordance with the Department of Health National Framework for NHS Continuing Health Care and NHS Funded Nursing Care. This information is available from:

www.gov.uk/government/publications/national-framework-for-nhs-continuing-healthcare-and-nhs-funded-nursing-care

2. See Appendix 1 which illustrates the appeals process.

3. Requesting an Appeal:

3a If you wish to appeal against the outcome of a Checklist Assessment:

Please note that there is no formal route of appeal against a checklist assessment, however the NHS Funded Healthcare Team will review the case to ensure that the checklist was completed robustly, using all the available information.

3b If you wish to lodge an appeal against the outcome of a Comprehensive Assessment using the Decision Support Tool you can do so on the following grounds.

- You disagree with the outcome of the DST
- You do not consider the process used was in accordance with the Department of Health National Framework
- You disagree with the evidence used in the assessment

- 3c** All requests for appeals must be made in writing within **6 months** of the patient/representative receiving a written decision from the CCG. Your appeal should be addressed to the CHC team, clearly marked “appeal” at the address below.

NHS Continuing Healthcare
Second Floor
Ridley House
Henry Street
Gosforth
Newcastle upon Tyne
NE3 1DQ

Contact Number: 0191 223 6599

The request must include:

- The reasons you believe the process was not followed appropriately
or
- The reason you believe there was information missing from the decision making process
or
- The reason you believe you or your relative meets the Continuing Healthcare criteria

- 3d** If you are not the patient you **must** provide evidence of your right to enquire. This can be Power of Attorney, a will or written and signed permission from the patient.

- 3e** If you require any support with your appeal or are unsure what is required please do not hesitate to contact us to discuss this further.

4. What we will do:

- 4a** You will receive written confirmation of our receipt of your request within **5 working days**.

- 4b** Your information will be passed to a Senior Nurse who has not been previously involved with the case who will ensure that due process has been followed.

- 4c** The Senior Nurse will ensure all information is gathered including previous health and social care assessments, GP, hospital and any Care Home notes. They will compile a needs portrayal document, which you will have an opportunity to contribute to, as well as provide any additional information you feel relevant to the assessment.

- 4d** This information will then be considered by a multi-disciplinary team who will make a recommendation based on the new information provided in line with the National Framework.
- 4e** The recommendation will be considered by a different panel to those that were involved in the original panel.
- 4f** You will receive a response following the panel indicating the outcome of your appeal.

5. Following the Appeal Decision:

If you remain dissatisfied with the CCG decision following the completion of the appeal process you are able to request an independent review by NHS England.

If you wish to write to NHS England to request an Independent Review Process (following the completion of the appeals process) the address is:

North of England Regional Team
NHS England
6E14, Quarry House
Quarry Hill
Leeds
LS2 7UE

Contact Number: 0113 825 2622

- 6.** If following this you remain dissatisfied you have the right to appeal to the Parliamentary & Health Service Ombudsman at the following address:

Millbank Tower
Millbank
London
SW1P 4QP