

**NHS North East London and Partners
Continuing Healthcare Joint Care Package Arrangements
and Funding Policy**

FINAL DRAFT for publication

Table of Contents

1	<i>Aims and Values</i>	3
2	<i>Introduction</i>	3
3	<i>Scope</i>	4
4	<i>Principles</i>	5
5	<i>Process</i>	6
6	<i>Reviews</i>	8
7	<i>Joint Funding Process</i>	9
	<i>Appendix 1 - Inter-Agency Joint Care Package Request Form</i>	10

1 Aims and Values

- 1.1 The North East London Integrated Care Board (NHS NEL) have a vision to create a simpler more joined up health and social care system; one where the people of North East London have a consistently high-quality experience of health and social care and do not see organisational boundaries. Instead, they experience a 'system' where they see familiar faces that are clearly connected to each other regardless of where people are seen; be that in hospital, the community or at home.
- 1.2 NHS NEL will achieve this vision by working collaboratively and in partnership with their local authorities (LAs) and other health colleagues to ensure that they are providing the people of North East London with fair access to joint packages of care which ensures better outcomes, better experiences, and better use of resources.
- 1.3 In order to standardise the delivery of services including joint packages of care, NHS NEL, with its partner organisations have developed a single standard operating procedure (SOP) for CHC which will include this policy. This is to ensure that all organisations and staff involved in the arrangements for joint packages of care and joint funding, understand and agree to follow this process and put the individual and their needs at the centre of the process and deliver care consistently and fairly.

2 Introduction

- 2.1 The joint funding process is advisory. Its purpose is to provide guidance on the arrangements for joint packages of care and joint funding to ensure that the approach is used consistently across the North East London area.
- 2.2 Individuals who will be considered for joint funding can come from a number of care pathways. One example is individuals who have already been considered for funding through The National Framework for NHS Continuing Healthcare & Funded Nursing Care July 2022 (National Framework).
- 2.3 The National Framework states that "If a person is not eligible for NHS CHC, they may potentially receive a joint package of health and social care". This is where an individual's care or support package is funded by both the NHS and the Local Authority (LA). This may apply where specific needs have been identified through the Decision Support Tool (DST) that are beyond the powers of the LA to provide services to meet these needs on its own. (See also sections 18-20 of the Care Act 2014)
- 2.4 The National Framework indicates that joint funding can be provided in any setting e.g.
 - an individual in their own home or supported living where they have both health and social care needs.
 - an individual in a care home (with nursing) who has nursing or other health needs, that are beyond the scope of the FNC contribution

- an individual in a care home (without nursing) who has some specific health needs requiring skilled intervention or support, that cannot be met by community nursing services and are beyond the power of the LA to meet.

3 Scope

- 3.1 The NHS NEL Joint Funding Policy applies to patients aged 18 or above or patients who are in the transition process where no alternative funding stream has been identified i.e., s117; s75 or s256 budgets; discharge to assess (D2A)
- 3.2 Those who have been through the CHC process. Health needs can be identified at 2 stages in the CHC process:
 - If an individual has a negative checklist but has an identified health need which cannot be delivered by the LA then a referral can be made for joint funding.
 - If a DST has been completed and the individual has been found not eligible for NHS CHC, the MDT should consider if the individual has health needs which are NHS NELs responsibility.
In these cases, they can consider both FNC and joint funding as options to meet the identified health needs.
- 3.3 A joint package of care with the LA will only involve joint funding where there is an identified health need requiring an identified care intervention to be commissioned.
- 3.4 In these circumstances NHS NEL will fund the care costs for the identified health element of the package. This will be arranged through commissioned NHS funding or through the provision of NHS services such as district nursing, community physiotherapy etc.
- 3.5 Jointly coordinated NHS NEL and local authority reviews will be carried out for all joint packages of care.
- 3.6 The National Framework is clear that neither the LA nor ICB should “unilaterally withdraw from an existing funding arrangement” without consulting each other or the individual. Funding for a specific care provision will therefore continue through the existing statutory authority while a decision for joint funding is made.
- 3.7 In the rare occasion that a joint care package cannot be agreed between NHS NEL and the LAs the Dispute Resolution Policy and Protocol can be referred to.

4 Principles

- 4.1 NHS NEL and LA partners will agree who the lead organisation is in coordinating joint packages of care and ongoing reviews.
Lead coordination will normally be determined by the percentage of the split however individual organisations will have their own responsibilities within care planning, depending on complexities.
- 4.2 NHS North East London are responsible for the care planning for the health funded element of any joint package of care.
- 4.3 When the LA are the lead co-ordinators for joint funded packages of care NHS North East London will work collaboratively with them to broker and commission services, when necessary. This will be agreed by the Joint Care Package Panel on a case-by-case basis.
- 4.4 Clinicians will also support the LA by recommending appropriate care packages based on the assessment and care plans.

5 Process

5.1 Referral Criteria

5.1.1 Prior to consideration for a jointly funded package of care, including FNC, the following criteria must be met.

- The person must first have completed the CHC process and a final decision on eligibility made.
 - ✓ This could include a negative checklist where the individual has identified health needs. In these cases, a Nursing Needs Assessment /Joint Funding Request Form must be completed and sent to NHS NEL on confirmation of the negative checklist.
 - ✓ A non-eligible decision has been made and verified by NHS NEL.

or

- The person has identified health need that has not been addressed through the universal services outlined in 5.2

and

- The person is ordinarily resident or is registered as a patient with a General Practitioner within NHS North East London at the point the health need was identified.
- NHS North East London is the responsible commissioner.
- Or If the person is registered with a GP outside of the NHS North East London footprint, then the rules set out in the 'Who Pays? Determining which NHS commissioner is responsible for making payment to a provider' (June 2022) should be referred to for determination of responsible commissioner. (Paragraph 10.2)

5.1.2 The patient must have assessed health needs that are:

Above the contracted universal health service provision in North East London including, but is not limited to:

- ✓ primary healthcare.
- ✓ assessment involving doctors and registered nurses.
- ✓ rehabilitation/reablement and recovery (where this forms part of an overall package of NHS care, as distinct from intermediate care).
- ✓ respite healthcare.
- ✓ community health services.
- ✓ specialist support for healthcare needs.
- ✓ palliative care and end of life healthcare.

5.1.3 Above what the LA can provide as outlined in the Care Act 2014, i.e., needs are more than incidental or ancillary to the provision of service or facility above the nature of what the LA should be expected to provide.

5.2 Referrals

Referrals, where possible, should be made at key points by both NHS NEL and the LAs. e.g., post checklist, during an MDT discussion, following non eligible decision, post inter-agency dispute, post review of eligibility decision etc.

5.3 Joint Care Package Panel

5.3.1 If the above conditions are met a request will be submitted to NHS NEL by either the LA or NHS NEL using the Joint Care Package Request Form. (See Appendix 1).-

NHS NEL will coordinate the Joint Care Package Panel.

5.3.2 All joint care package requests will be considered by the Joint Care Package Panel which will have a representative from NHS NEL and the relevant LA.

5.3.3 The Joint Care Package Panel will meet at least monthly to discuss all cases that have been submitted.

5.3.4 The panel will complete the relevant sections of the Inter-Agency Joint Care package Request Form.

5.3.5 The clinical lead or care coordinator for the case will also be present while their case is being considered. This will enable NHS NEL and the LA staff to work together to discuss the individuals needs and come to an appropriate conclusion. It will also allow the health and social care panel members to ask any additional questions.

5.3.6 If the panel agrees that there are health needs which are more than incidental or ancillary to the provision of services or facility and above the nature of what the LA should be expected to provide, then they will complete the remaining sections of the Joint Funding Request Form.

5.3.7 The Joint Care Package Panel will agree the nature of the joint arrangements including if any universal services, telecare/telehealth or one-off services that health can provide that meet the individuals assessed health needs.

5.3.8 The Joint Care Package Panel will also agree if there is to be a financial contribution made by NHS NEL. They will use the care funding calculator to calculate the share as a percentage and a financial cost. This will be recorded on the Inter-Agency Joint Care package Request Form.

5.3.9 Once approval has been received to agree a joint package of care NHS NEL and the LA will agree who will be the lead coordinator/commissioner.

5.3.10 The lead organisation will have responsibility for case planning, management and setting the reviews.

5.4 Disagreements

5.4.1 If the Joint Funding Panel is not able to make a decision regarding the joint care package and funding arrangements then the case can be referred to NHS

NEL for consideration using the NHS NEL and Partners Dispute Resolution Policy and Protocol (section 11).

5.4.2 It is expected that disagreements will be rare and occasional, and it expected that all steps will be taken by the partnership to agree where a joint care package is appropriate and required.

5.4.3 The referral should be made to NHS NEL in writing within 5 days of the panel meeting and can be made by either the LA or NHS NEL.

5.5 Care Planning

5.5.1 An initial draft care plan will be drawn up by both organisations to agree the services that are required to meet the individual's needs. Each organisation will be familiar with the ICBs Choice and Equity Policy when considering the available options

5.5.2 Once the initial care plan has been agreed the lead organisation will take responsibility to work with the individual, their family and brokerage to put in place the appropriate services to meet their needs.

5.6 Ongoing Support and Case Management

5.6.1 NHS NEL and the LA will open a case on their digital system stating that the case is being jointly funded and who the lead organisation is for coordination.

5.6.2 Reviews will be undertaken on at least an annual basis, although some individuals will require more frequent review in line with MDT judgement and changing needs.

5.7 Contracting and Finances

5.7.1 Contracting, invoicing, and payments to the lead organisation will be made following the existing processes set at borough level.

6 Reviews

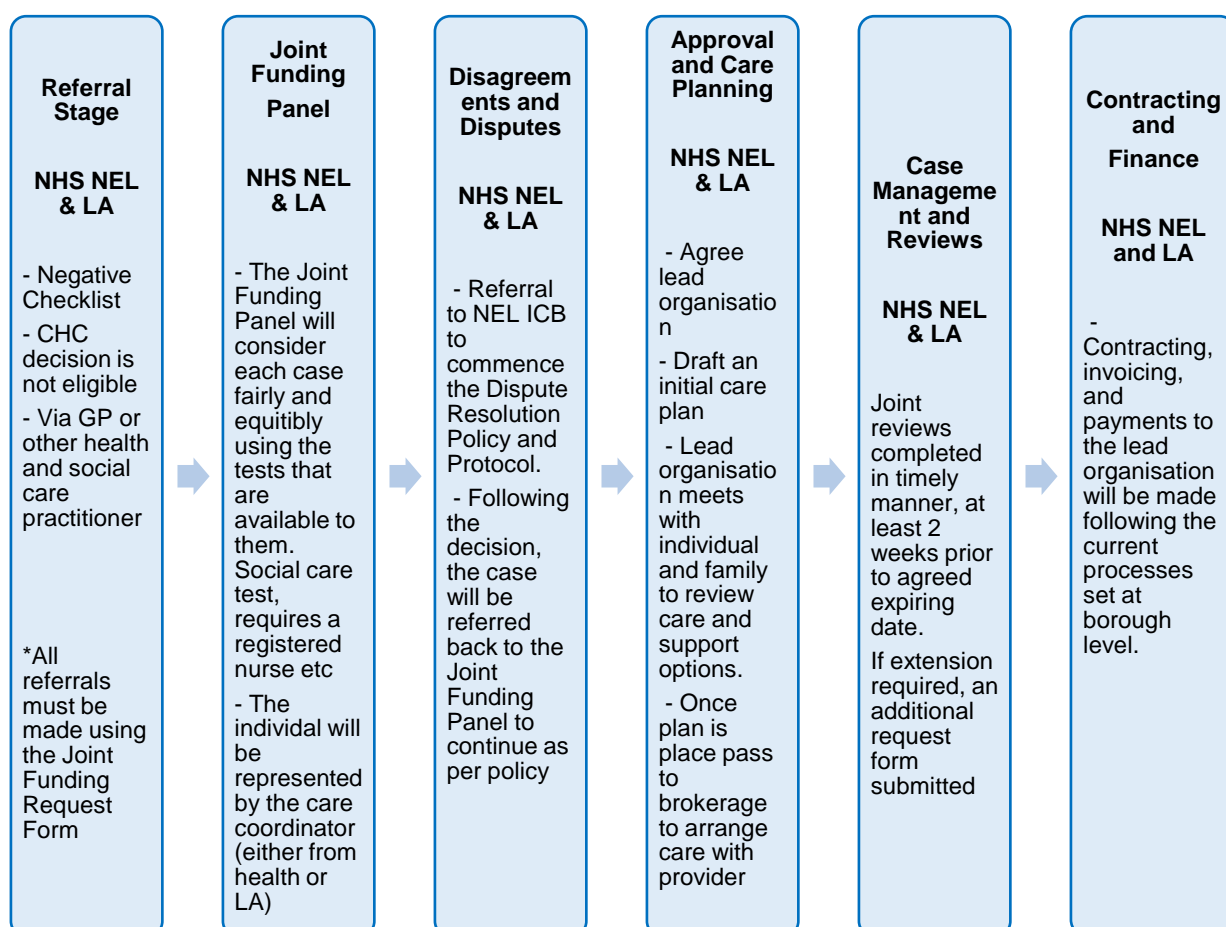
6.1 It is essential that all joint funded care packages are subject to scheduled reviews between NHS NEL and the LA, with the lead organisation maintaining the care co-ordination role.

6.2 The lead practitioner will lead on case management and is therefore responsible for coordinating the scheduled reviews and inviting their counterpart from the partner organisation. The initial review date will be agreed as part of the joint funding agreement and then scheduled on both internal digital systems.

6.3 Annual reviews should be completed by both NHS NEL and LA practitioners. There may be instances (e.g., less complex cases) where both parties may agree that the review can be carried out by the lead coordinator only on the basis that the other party will be consulted if issues arise that need to be discussed. The lead coordinator will also provide the other party with the review notes.

- 6.4 The joint funding agreement will be reviewed at the annual review or earlier if the person's needs have changed.
- 6.5 Where a component of care provision is time limited, the review will be coordinated at least 2 weeks prior to the end of the contract. This will allow the care provision to be extended or alternative arrangements made.
- 6.6 If an individual with an existing jointly funded support plan moves from their home into a Care Home or vice versa, it cannot be assumed that the joint funding arrangements will follow an individual. These cases will be sent to the Joint Care Packages Panel for review. The panel will be expected to make a decision on whether the joint care package arrangement will continue.
- 6.7 If a person with an existing joint care package moves out of borough, it cannot be assumed that the joint care package arrangements will follow the individual.
- 6.8 Consideration will be given to the Who Pays? Determining which NHS commissioner is responsible for commissioning healthcare services and making payments to providers (June 2022).

7 Joint Funding Process



Appendix 1 - Inter-Agency Joint Care Package Request Form

Inter-Agency Joint Care Package Request Form (To be completed by either health or social care staff)			
Individual's Name:			
Address:			
NHS Number:		Date Request Made:	
Date of MDT:		Date of Outcome Decision:	
Is the individual currently receiving any health or social care services?		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Please provide a brief description of services. (E.g., residential/domiciliary care/ community/district nursing)			
Does the individual have needs which are health related?		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Please provide a brief summary and evidence of the care needs, input required, duration etc.			
Do you believe that these needs are more than incidental or ancillary to the provision of service or facility above the nature of what the LA should be expected to provide?		Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
Please provide a brief explanation of why the needs should met jointly between NHS NEL and the LA			
Organisation(s) making joint care package request			
Name(s) organisation			
Officers Name		Job Title	
Phone		Email	
Name(s) organisation			

Officers Name		Job Title	
Phone		Email	
Joint Care Package Panel Decision			
Date Request Received:			
Date Request Reviewed:			
Does the panel agree that there is evidence to support a joint care package between NHS NEL and the LA?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
If the decision is no , please explain why this decision has been made.			
If yes complete the Joint Care Package Agreement .			
Joint Care Package Agreement			
Name of local authority partner			
Step 1			
Can the health needs be met through universal services?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Please explain the services to be provided and the needs that are being met.			
Need	Universal Service to be commissioned		
Details:			
Details:			
Details:			
Details:			

Step 2					
Can telehealth, telecare or equipment be used to meet any of the individual's needs?		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Need		Telecare / Telehealth or Equipment			
Details:					
Details:					
Details:					
Step 3					
Are there any 'one-off cost's to be used to meet any of the individual's needs? (i.e., Transport, Physio, OT.)		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Need		Service or one-off cost			
Details:					
Details:					
Step 4					
Does the individual's health needs require a financial contribution?		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please use the care funding calculator to agree the percentage and the financial share.					
Health		Social care			
Percentage:		Percentage:			
£:		£:			
Please specify what aspects of the care plan the contribution is for. Details:					

In no, please confirm that all health needs are met through services provided in steps 1-3.	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Details:				
Joint Care Package Agreement				
Was an agreement reached to agree joint care package?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If Yes provide details:				
Who is the lead organisation for care planning, management, and coordination?	NHS NEL	<input type="checkbox"/>	Local Authority	<input type="checkbox"/>
If No agreement was reached, please refer to NHS NEL Inter-agency Disputes Policy				
Date referred to NHS NEL Inter-agency Disputes Policy				
Signatures				
NHS NEL				
Name:		Signature:		Date:
Local Authority				
Name:		Signature:		Date: