

Dispute Information and Advice

What if I am dissatisfied with a decision?

If you are dissatisfied with the outcome following your recent consideration of eligibility for NHS Continuing Healthcare then you have a right to dispute the decision.

What will the Clinical Commissioning Group (CCG) do?

The CCG will give due consideration to its *decision 'when an individual has not required assessment beyond Checklist screening' and 'where a full Multidisciplinary Team Assessment of potential eligibility has taken place using a Checklist, Decision Support Tool and application of the National Framework'*.

On what grounds can I dispute a decision?

An individual may request a review or be in dispute if they are dissatisfied with:

- a) the procedure followed by the CCG in reaching its decision as to the person's eligibility for NHS continuing healthcare; or
- b) the application of the criteria of eligibility for NHS Continuing Healthcare (i.e. the primary health need test)

What does this mean?

This means that the CCG looks at whether an individual and/or representative has been invited to be part of the process, has the process been explained to them and has the individual and/ or representative been given additional supporting leaflets. The CCG also looks at whether an individual's health need has been fully considered as to whether the primary need is for health care or whether the need is for health and social care.

Timescales for an individual or their representative to seek a review of a decision.

On 1st April 2013 the Department of Health introduced time limits for an individual or their representative to seek a review of a decision with regard to eligibility for Continuing Healthcare by the CCG.

If you think that you have grounds for a dispute you have six months from the date on the Continuing Healthcare eligibility letter to dispute the eligibility decision.

The CCG will then endeavour to deal with your dispute within 3 months of receipt of your request. However this is dependent on any reasonable delays, such as not being able to access the appropriate relevant records required to review your case.

What if I'm not sure what to do? Can I speak to anyone?

If you are uncertain whether you have grounds for a dispute then you may wish to speak to a member of the team on 0151 296 7323 however there may be confidential matters that staff are unable to share with you.

What else can be done?

Depending on the nature of your dispute, there are many routes of action that may be taken. We will decide on a course of action in conjunction with you and will keep you fully informed throughout the process as you have an important role to play.

Possible courses of action:

- Carry out a reassessment of the person's needs
- Reconsider the case at the panel in light of new evidence
- Presentation of the case to the CCG Panel
- Request the involvement of a neighbouring CCG to get an independent review of the case.

Should you wish to dispute a decision based on the grounds above then please forward your reasons in writing to:

Midlands & Lancashire Commissioning Support Unit (M&LCSU)
FAO: CHC Dispute Co-ordinator
Office 2, Floor 2, Building 2
Liverpool Innovation Park
360 Edge Lane
Liverpool
L7 9NJ

Telephone: 0151 296 7323

What if I disagree with the National Framework and tools used?

If you disagree with the contents of the National Criteria or National Framework, this is not a dispute as such, as it will not overturn the decision made by the CCG. Instead, this would be treated as a complaint.

***To register your dissatisfaction with the National Criteria please contact:
Complaints Manager
Ministerial Correspondence and Public Enquiries
Department of Health
Richmond House
79 Whitehall
London
SW1A 2NS***

Further information is also available at:

<https://www.gov.uk/government/organisations/department-of-health/about/complaints-procedure>

*Please Note: Midlands & Lancashire Commissioning Support Unit (M&LCSU) CHC/CC Team work on behalf of the following Clinical Commissioning Groups (CCGs):- Eastern Cheshire, Vale Royal, South Cheshire, Western Cheshire, Wirral, Liverpool, South Sefton, Southport & Formby, Halton, Knowsley, St Helens.