

Response to the Report of the National Assembly for Wales Public Accounts Committee Report on Implementation of the National Framework for Continuing NHS Healthcare

We welcome the findings of the report and offer the following response to the 10 recommendations contained within it.

Recommendation 1 – *We recommend that the Welsh Government assess the impact of amending the decision support tool upon those people scored under the previous decision support tool.*

Accept

- The main difference between the current Welsh Decision Support Tool (DST) and that proposed for use in the updated Framework is the potential for higher scoring in the domains relating to behaviour and cognition. It has been suggested that the current DST may have disadvantaged individuals with dementia.
- Welsh Government is working with three health boards during the Framework consultation period to assess the impact of the implementation of the new DST.

Recommendation 2 – *We welcome the Welsh Government's commitment to the provision of training to practitioners and professionals in this area, and we recommend that the Welsh Government monitors progress to ensure that this leads to improvement.*

Accept

- A group has been established to develop a training programme. This will ensure that consideration of eligibility for Continuing NHS Healthcare (CHC) is integrated with hospital discharge planning and wider community assessment processes. It will reinforce existing practice guidelines such as 'Passing the Baton' and '10 High Impact Changes for Complex Care.' The programme will include multiagency workshops plus an e-learning 'refresher' package. It will be launched with the updated Framework in summer 2014 and will be a rolling programme. The take up of training will be an indicator within the Performance Framework and it is proposed that it will be further incentivised through a national accreditation framework for health and social care communities. As an immediate measure, it is expected that all staff who routinely assess CHC

eligibility will receive update training on the new Framework by end of December 2013.

- We will provide improved support and communication to those delivering the revised CHC arrangements, through an online Toolkit, quarterly newsletters, web forum, and annual conference for shared learning. The annual conference will be held this autumn.
- Overall service improvement will be monitored and reported under the new performance framework arrangements. The first report will be available in September.

Recommendation 3 - We note the Welsh Government's approach to ensuring that peer review processes are in place to run alongside the use of a self-assessment tool and recommend the Welsh Government monitor these processes to ensure they are achieving their intended outcome.

Accept

- The Welsh Government will facilitate a self-assessment process and Peer Review exercise. These will form part of the outcomes-focused performance framework against which, all Local Health Boards (LHBs) will be required to report.
- Nominated executives from within each LHB will present quarterly reports to their Boards and share those findings with Welsh Government.
- The Welsh Government will collate an annual, national report, the first of which will be published this autumn. It will incorporate the self-assessment tool, peer review exercise and performance framework. The findings will be shared at a National Conference which will also serve as part of a mechanism to support service improvement.

Recommendation 4 - We are concerned that the claims are dealt with in a chronological order in accordance with the date on which they are received. We believe that this does not take into account the individual needs and circumstances of claimants. We recommend that Welsh Government give consideration to prioritising claims according to the circumstances of individuals and families.

Partially Accept

- It would not be practicable to routinely prioritise cases in the manner proposed by the Committee. It would provide additional burdens for those submitting

claims and for those reviewing claims. It would also be difficult to assess the priority of one case in comparison to others.

- There is, however, a mechanism, within the process adopted by the Powys Project, which allows claimants to request that their claims be expedited in extenuating circumstances. Such circumstances include extreme financial hardship or diagnosis of terminal illness.
- Our revised Framework will ensure the existing Powys Project approach of expediting those exceptional cases is extended to those managed by individual LHBs.
- Our revised arrangements continue to propose the handling of most claims in chronological order, as the large number of cases can be project managed within the timescales for completion. This has to date, been considered the fairest way to manage the claims received.
- Our new Framework sets out the expectations that no claim will take longer than two years to complete from the date it is submitted. It will set out the circumstances where claims managed by individual LHBs may be expedited, in line with those undertaken by the Powys Project.

Recommendation 5 - We believe that there are a number of misgivings about the current approach to engaging individuals and their families in the assessment process. We recommend that a proactive approach is needed to ensure information is provided to those who need it enabling them to challenge decisions on eligibility. Such information should be clear and simple.

Accept

- The revised guidance re-emphasises the need for engagement and co-production with the individual and their families/representatives.
- A range of plain English information leaflets have been developed and are currently being tested with service user and carer groups. They will be made available from June 2014 and made accessible to the public through LHB dissemination and on the website. Examples of those leaflets include
 - CHC Public information Leaflet;
 - ‘Preparing you for a CHC Eligibility Meeting’; and
 - “What Having a CHC Care Package Means for You”

- The guidance is also clear that the person and/or their representative must have a copy of the summary of the decision on eligibility which includes a clear rationale, setting out the reasons why the decision has been reached.

Recommendation 6 - We recommend that Welsh Government, based on progress made by the National Project in clearing claims, reviews whether staffing levels are adequate and gives consideration to improving staff retention to meet the June 2014 deadline.

Accept

- The National (Powys) Project team have provided assurance to Welsh Government that staffing levels are sufficient to meet the deadline of all cases being reviewed by June 2014. This is supported by the current performance information which indicates cases will be reviewed by April 2014.
- Vacancies that have arisen within that team have been quickly filled and have not impacted on performance against expected monthly targets. Welsh Government holds monthly meetings with the Powys Project team to ensure that this remains the case, and is satisfied the levels remain adequate to meet the June 2014 deadline.
- Welsh Government is providing practical project support and advice to the National Executive Task and Finish Group, who oversee the completion of all retrospective reviews. They are due to make their decision this month on whether the National Project is retained to help manage the backlog of claims received since August 2010. If agreed, this will mitigate the risks in relation to staff retention by providing longer-term job security.

Recommendation 7 - We recommend that Welsh Government provide the Public Accounts Committee with an interim progress update on the clearance of claims in March 2014 and also provide further update in September 2014, following the June 2014 deadline.

Accept

- A progress update will be provided to the PAC in March and September 2014.

- These updates will demonstrate the performance of the Project against their target activity. The latest position on the Powys project is they expect all claims to be reviewed by April in advance of the June 2014 deadline.
- It is envisaged that the vast majority of claims will be completed (including negotiation and review panels where required) by June. A small number, for example where negotiation is protracted, may take longer to settle but it is anticipated that even these will be completed before the September update to the Committee.

Recommendation 8 - *We recommend that the National Project is not disbanded until the backlog of claims is cleared.*

Partially Accept

- We are working collaboratively with Local Health Boards to agree the most effective model for managing all retrospective claims. The proposed approach is outlined under Recommendation 10.

Recommendation 9 -*We welcome Welsh Government's consideration of aiming to put a closure point on claims within a maximum of two years from when a claim is received. We believe that all claims should be dealt with within a maximum of two years. We recommend that an update on the outcome of this consideration is provided to the Public Accounts Committee on conclusion of this work.*

Accept

- The proposal for all claims to be dealt with within two years is included in the revised Framework which is currently subject to formal consultation. Once a firm decision has been made, the Welsh Government will inform the Committee. We would, however, expect there to be a maximum period for the completion of claims.

Recommendation 10 - *We are concerned about the situation post June 2014 given the lack of clarity from Welsh Government as to whether health boards will be responsible for clearing claims or a single approach across Wales will be adopted. We recommend that the Welsh Government either develops a coherent plan for clearing the backlog of cases, or gives further consideration to whether the National Board should deal with claims which health boards are currently responsible for post June 2014, and make clear its intentions regarding this.*

Partially Accept

- The Executive Task & Finish Group recommended by the Wales Audit Office has been established and will oversee the processing of all retrospective claims (Powys Project and post 2010 Health Board). We will provide an update to the Committee on the agreed approach once confirmed.
- The model under discussion involves retaining the Powys Project whilst creating a transition to sustainable local arrangements. The Project will initially help clear the backlog of outstanding claims and will then move on to provide a central co-ordinating function to ensure consistency and shared learning. Performance arrangements will follow the same robust principles used by the Project to ensure completion of claims within the two year timescale.
- Welsh Government is providing practical project support and advice to the Task & Finish Group. It will monitor progress against the targets required to meet the agreed deadline for completion.