



## Useful Information:-

For further information on NHS Continuing Healthcare please visit:

- NHS England [www.england.nhs.uk](http://www.england.nhs.uk)
- NHS Choices [www.nhs.uk](http://www.nhs.uk)
- Age UK [www.ageuk.org.uk](http://www.ageuk.org.uk)
- Beacon Information & Advice Service [www.beaconchc.co.uk](http://www.beaconchc.co.uk)
- The Ombudsman Office [www.ombudsman.org.uk](http://www.ombudsman.org.uk)
- NHS South Cheshire CCG [www.southcheshireccg.nhs.uk](http://www.southcheshireccg.nhs.uk)
- NHS Vale Royal CCG [www.valeroyalccg.nhs.uk](http://www.valeroyalccg.nhs.uk)
- NHS Eastern Cheshire CCG  
<https://www.easterncheshireccg.nhs.uk>
- NHS West Cheshire CCG  
<https://www.westcheshireccg.nhs.uk>
- NHS Wirral CCG <https://www.wirralccg.nhs.uk>
- The Department of Health [www.dh.gov.uk/en](http://www.dh.gov.uk/en)

# How to appeal an NHS Continuing Healthcare (CHC) Decision

*NHS Eastern Cheshire Clinical Commissioning Group  
NHS South Cheshire Clinical Commissioning Group  
NHS Vale Royal Clinical Commissioning Group  
NHS West Cheshire Clinical Commissioning Group  
NHS Wirral Clinical Commissioning Group*

## How do I appeal a decision?

If you or a relative has had an NHS Continuing Healthcare (CHC), assessment and you do not agree with the eligibility outcome you have the right to appeal.

You can **only appeal** if you are dissatisfied with:

- The procedure followed by the CCG in reaching its decision as to the persons eligibility for NHS Continuing Healthcare; or
- The application of the criteria of eligibility for NHS Continuing Healthcare (i.e. the primary health need test).

You and/or your representative must write to the CCG notifying them that you would like to appeal the decision; this needs to be submitted within 6 months of receiving the decision letter. The address is as follows:

### **Appeals and Retrospective Review Team**

1829 Building  
Countess of Chester Health Park  
Liverpool Road  
Chester  
CH2 1HJ

## What happens next?

Once the CCG has been notified that you wish to appeal, the Appeals and Retrospective Team will send you a notification to appeal and consent form; this must be completed and returned to the above address within 28 days.

## Local Resolution Meeting – Stage One

You and/or your representative will be invited to a local resolution meeting with the Appeals and Retrospective Review Coordinator.

The Review Coordinator will review your case and check whether the process has been followed correctly and, where possible, seek a resolution.

Following the local resolution meeting, there are a number of possible courses of action:-

- Arrange for the Continuing Healthcare team to carry out a reassessment of the person's needs.
- Reconsider the case in light of new evidence and representation of the case to the CCG Panel.
- Uphold the original decision – the rationale of which will be communicated via a local resolution outcome letter.

## Independent Review Panel (IRP) – Stage Two

If you and/or your representative remain dissatisfied, you are entitled to submit a request for an 'independent review' to NHS England. NHS England will request the case file including all assessments from the CCG and will seek information from family, carers and professionals involved in the case as necessary. Part of this review will be to ascertain whether an independent review is necessary. If an IRP is convened, you/your representative will be invited to attend and NHS England will inform you of the outcome in writing.

## What happens if I do not agree with the IRP recommendation?

If the original CCG decision is upheld by the IRP and you and/or your representative remain, dissatisfied with the outcome you can contact the Parliamentary and Health Service Ombudsman to investigate the case.

The PHSO will decide if NHS England has carried out the appeal process properly and fairly. They **cannot** make a decision about a person's eligibility. Their helpline is 0345 015 4033.

## How do I appeal against the outcome of a negative Checklist?

The National Framework advises that there is no formal route of appeal against a negative checklist assessment, however individuals can request that the CCG review a case to ensure that the checklist was robust and accurately reflected the individuals needs at the time of the assessment. Should you be dissatisfied with the outcome you will be advised to contact the Clinical Commissioning Group Complaints department.

A copy of the National Framework for NHS Continuing Healthcare and NHS- Funded Nursing Care may be viewed and downloaded from the Department of Health website:

<http://www.dh.gov.uk/health/2012/11/continuing-healthcare-revisions>