

Please contact: Access to Information

Team

Email: MLCSU.FOITeam@nhs.net

Direct tel: **01782 916875**

12th January 2024

Re: Your request for information under the Freedom of Information Act 2000
Ref no: FOI-3445-LSC

Thank you for your request dated 11 August 2023 in which a response was provided on 25 October 2023. Following your request for a review dated 31 October 2023, please find enclosed an updated response:

Original request and responses:

1. Please can you provide us with the contact details of who is responsible for commissioning the current Health Care Packages in the Furness area under Westmorland and Furness location postcodes. Specifically, the postcodes LA12 LA13 LA14 LA15 LA16 and LA17.

NHS Midlands and Lancashire Commissioning Support Unit (MLCSU) commission NHS funded care on behalf of NHS Lancashire and South Cumbria Integrated Care Board (ICB)

MLCSU / ICB contact – lsccommissioningmanagers@nhs.net

2. We wish to access the freedom of Information Act 2000 for the details behind the internal operations of commissioning NHS funded care packages, including hospital discharges, short term care, fast track end of life and long-term health condition care delivery. We would appreciate the below questions answered.

How are these NHS funded care packages commissioned?

Health and Social Care professionals make a referral to MLCSU for a patient requiring care. Care is arranged either at the patients home or in a residential setting with an NHS or Social Care contracted provider. This can be arranged either manually using email and phone or digitally using the ADAM SPRoC.net Dynamic Purchasing System (DPS). Depending on the referring pathway there are some local variances on who brokers the care and could include MLCSU, LCC Care Navigation team, local hospital discharge teams. All NHS funded care is then managed by MLCSU who arrange placement contracts with the providers, payments to the providers and reviews of the patient's placement.

3. Was there a tender for the local providers to bid for a contract for the NHS funded care delivery commencing in 2022?

In 2022 Domiciliary care at home and supported living care for NHS funded complex patients was commissioned on the ADAM SPoC.net Dynamic Purchasing System (DPS) and involves an enrolment and vetting process that replicates a formal procurement tender process.

4. Who makes the decision as to what registered care provider is commissioned the NHS funded care packages?

As mentioned in question 2 there are some local variances with discharge teams, Lancashire County Council (LCC) Care Navigation team and MLCSU playing a role in deciding which contracted provider is awarded the funded care packages. Patient / family preferences are also considered within the process.

5. What are the care agencies who are commissioned these NHS funded care packages charging per hour?

For home care, care packages are commissioned via a dynamic purchasing system; providers submit a rate which is selected via a competitive tendering process. There are no set rates for care at home packages.

6. Who monitors the care agencies and ensures the care delivery is safe and delivered by competent adequately trained staff?

A range of monitoring is in place for care agencies including the CQC regulatory monitoring, MLCSU contract monitoring, Social care contract monitoring and the ICB also have teams that engage with providers to review quality of service delivery.

7. How do you ensure that all providers with capacity have the opportunity to provide the NHS funded care packages?

Care packages at home and supported living placement are sent out using DPS so all enrolled providers can bid to provide the care. For residential placements in nursing homes a manual email process is used by discharge teams and LCC care navigation team. Giving providers opportunities to respond. If patient preference is for a specific provider is chosen and the cost is within an acceptable range and the CQC rating is adequate or above care can be allocated directly.

8. Up until last year (2022) we were regularly contacted by the discharge team at Furness General Hospital to support patients discharges and get them back into their own homes, what changed?

The ICB was formed and the ADAM SPoC.net DPS system introduced so that all providers were given the opportunity to bid for packages of care rather than discharge teams just contacting one provider to offer the placement.

9. We only get access to the care packages now when they appear on the Sproc system changing over funding from NHS funded care to the local authority costing system and this is at a huge hourly rate difference.

We have raised our concerns in regard to the level of care we are witnessing in the local area, this has been raised with the local authorities, CQC the local Adult Social Care brokers and District Nurses, our belief is that people deserve a level of high quality, safe and reliable care by competent fully trained carers, when neglect and safety is a concern, we have to raise the concerns.

NHS Lancashire and South Cumbria are unable to provide a response to this question. The Freedom of Information Act 2000 is about recorded information held at the time a request is submitted, this question is not related to information held but raising your concerns.

The NHS is monitoring NHS funded care and listening to any concerns raised about the quality of care. If you have any concerns, please contact MLCSU or Lancashire and South Cumbria ICB directly. The NHS works with all the local areas in the Lancashire and South Cumbria region, CQC and other NHS Foundation Trusts staff to safeguard patients and to deliver good quality care.

Please note that the response stating that the response is correct as of the date it was received, however between then and now response being sent the PHC service have relocated to the ICB and further information can be found on the ICB website at <https://www.lancashireandsouthcumbria.icb.nhs.uk/our-work/nhs-funded-care/continuing-healthcare-adults>

Updated request:

Please can it be expanded in more detail explaining what monitoring processes are implemented, you state there is a range of monitoring in place for care agencies including the CQC regulatory monitoring, MLCSU contract monitoring, Social Care contract monitoring and the ICB also have teams that engage with providers to review quality of service delivery. As a provider we have never had any contact from the ICB to review our service, neither have we had any social care monitoring so please can further details be provided to explain how you can ensure safe levels of care are being delivered by competent and trained staff members. Reviews should be carried out with the clients to ensure they are happy with the care received. We have taken over many care packages that had inadequate care for a time. These clients/families don't know where to complain too or get a brushed off response when trying to raise alarms.

Updated response:

The previous response was provided prior to in-housing of CHC to the ICB where MLCSU were commissioned by ICB's to complete work on their behalf with regards CHC process. Prior to 1 October 2023 system and processes had not been fully realised, hence the new service model being implemented and the decision was made to in house the service. Rather than having the service managed through a centralised hub, which was the case within MLCSU, the ICB now has four place base teams dealing with referrals from their locality and to enable integrated working with local authorities

The ICB now have, since 1 October 2023, all aspects of CHC within ICB teams. This is an end to end service with a health care professional being allocated to an individual when the referral is received and case managing through the DST process and onwards, if the individual is eligible for CHC. This includes reviews being completed three months following eligibility then annual thereafter, as well as the same dedicated health professional who the individual and/or family can contact with regards any concerns. Since 1 October 2023, the ICB also have a care sector team which are involved in the monitoring of placements to ensure quality care is provided and to undertake the implementation of action plans should this not be the case, they do not visit people in their own homes. The ICB quality and safeguarding teams attends RADAR meetings to discuss concerns with Local Authority within that area which covers domiciliary providers and placements. The ICB website has a dedicated page to Funded Care which has information for

each place base team but also the information for our Patient Experience team should they wish to raise a concern.

Since 1 October 2023 the ICB now has a dedicated Discharge to Assess (DTA) team who are involved in the discharge of individuals to a nursing placement from all acute trusts within Lancashire and South Cumbria. This team looks at appropriateness of placement to ensure that an individual's needs are able to be met. The team also encourage the "Home First" approach. This team will also case manage and follow a individual through the CHC process, if appropriate for the CHC process to be followed and if an individual is found eligible for CHC they will be under their place base CHC team to ensure the reviews are completed as per above. This team was implemented to reduce the previous variance across Lancashire and South Cumbria and whilst in it's infancy currently, is working to ensure consistency across Lancashire and South Cumbria for those being discharged from hospital.

Although historically reviews have not been completed for CHC funded individuals this will be the case moving forwards, whether they are within nursing placement or within their home with care provided.

All of our place base teams and DTA team link with our safeguarding and quality team within the ICB top ensure intelligence is shared with matrix working.

Right of Appeal

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the CCGs FOI complaints procedure. The ICO can be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
www.ico.gov.uk

Yours sincerely

**On behalf of Kevin Lavery
ICB Chief Executive**