



National Audit Office

The UK's independent public spending
watchdog

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Reference FOI-1620

Date 12 June 2023

NHS CONTINUING HEALTHCARE FUNDING

Thank you for your request of 25 May 2023 for information about any reviews by the National Audit Office (NAO) into NHS Continuing Healthcare Funding. We have handled your request under the terms of the Freedom of Information Act 2000 (FOIA).

We have searched our records and can confirm that we hold some information within the scope of your request. Your specific request is set out in **Annex A** together with our responses.

Annex B sets out the steps you may wish to take if you are not satisfied with the way we have handled your request for information under FOIA.

I hope you find this response helpful.

Yours sincerely,

NAO FOI Team

Annex A

Request for information about 'Independent review panels and continuing healthcare funding'

(Your request is in bold with our response to each point below)

- 1. There are many families who have complained about decisions about continuing healthcare funding which they believe are unjust and have resulted in improperly withheld funding.**

Has the NAO conducted any reviews or investigations into the integrity of the system for assessing needs, allocating continuing healthcare funding, and the mechanisms for appeal against decisions?

The NAO carried out an investigation into NHS Continuing Healthcare (CHC) Funding and published the findings in 2017 and has not conducted any further reviews or investigations since that time. The link to this report is: [Investigation into NHS continuing healthcare funding - National Audit Office \(NAO\) report](#). The investigation set out the facts relating to CHC and access to CHC funding, covering the following areas:

- who is eligible for CHC funding and what the assessment process is;
- how long the assessment and decision-making process takes;
- access to CHC funding;
- the cost of CHC to the NHS;
- variation in access to CHC funding; and
- the Department of Health's (now Department of Health and Social Care) and NHS England's arrangements for reviewing access to CHC funding.

- 2. Please disclose the details of any and all such reviews and investigations, related reports, recommendations, re-audits and schedules for future re-audits.**

The NAO 2017 report is publicly available (see answer above). Although it is not an NAO review, you may be interested in a subsequent report published in 2018 by the Public Accounts Committee, see [NHS continuing healthcare funding \(parliament.uk\)](#). The Department of Health and Social Care's response to the Committee's recommendations can be found in Treasury Minutes, see [Treasury minutes \(publishing.service.gov.uk\)](#) (see pages 14-16). In relation to re-audits, we constantly review our work programme for areas of work. We do not currently have any plans for new or follow-up work in this area, although this may change in the future.

- 3. Please in particular give any findings on the scale of any over-charging of the public and any reimbursements made to the public for unjustified care charges.**

The NAO 2017 investigation did not cover this specific issue.

- 4. Similarly, please give any findings on the scale of any inappropriate budget shifting from health to social care as a result of false denials about healthcare need.**

The NAO 2017 investigation did not cover this specific issue.

- 5. As part of any past reviews and investigations, has NAO checked that the NHS Commissioning board (NHS England) is complying with its obligations to convene genuinely independent and professionally competent independent review panels to assess healthcare need?**

The NAO 2017 investigation set out the facts around the CHC process and did not specifically evaluate this issue. However, it did set out available information on the numbers of cases going through the appeal process, including independent review panels (see paragraph 7 of the report).

- 6. Has the NAO been asked by Public Accounts Committee to investigate/ audit any of these matters? If so, please give details.**

The NAO was not asked by the Public Accounts Committee to investigate or audit the CHC process.

Annex B

Statement of Policy

Our policy is to respond to requests made under the Freedom of Information Act 2000 as helpfully and promptly as possible, having regard to the principles set out in the Act. I therefore hope you are happy with the way we have handled your request. If you are not, then you should take the following steps.

In the first instance, within 40 working days, write to the National Audit Office Freedom of Information (FOI) Team at FOI@nao.org.uk or by post to:

FOI Team, Green 2, National Audit Office, 157-197 Buckingham Palace Road, London, SW1W 9SP

The Head of FOI will arrange a review, which will be conducted by a senior member of staff who was not involved in decisions relating to your original request. Once the review has been completed, we will write informing you of the outcome.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The primary way of escalating your concerns to the Information Commissioner is at: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Alternatively you can contact the ICO at <https://ico.org.uk/> or Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF.