**Funded Nursing Care**

**Update for Care Forum Wales – 4 December 2018**

This has been a long-running saga with amounts paid across being challenged for 2014/15, 2015/16, 2016/17 and 2017/18. I know it has become quite difficult for providers to follow where we are. I have therefore tried to set out the full situation and payments owed below.

We have now agreed with the Health Boards the full amounts that should have been paid for 2014/15, 2015/16, 2016/17 and 2017/18.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **HB component of FNC rate**  **(8.855 hours plus continence)** | **Social care related to FNC and so funded by LA**  **(0.385 hours)** | **Total FNC weekly rate**  **(9.24 hours plus continence component)** |
| **2014/15** | £161.62 | £6.55 | **£168.17** |
| **2015/16** | £161.97 | £6.56 | **£168.53** |
| **2016/17** | £163.48 | £6.63 | **£170.11** |
| **2017/18** | £165.28 | £6.70 | **£171.98** |

The amounts paid before the Supreme Court judgment in August 2017 were:

2014/15 £146.32

2015/16 £146.65

2016/17 £148.01

2017/18 £149.67

With part of these amounts having being paid in arrears in 2016 following an acceptance during the court care of part of the providers’ argument.

Then in March 2018 the Health Boards took a decision that the rate for 2017/18 should have been before it was pointed out by CFW that there was a further error in the calculations and they accepted the amounts should have been as listed above.

|  |  |  |  |
| --- | --- | --- | --- |
| **2017/18** | £162.75 | £6.59 | **£169.34** |

Some Health Boards have since March made this payment with BCUHB also paying the LA element on behalf of the local authorities.

Therefore the amounts still owing to providers are:

|  |  |  |  |
| --- | --- | --- | --- |
|  | **HB component of FNC rate** | **Social care related to FNC and so funded by LA** | **Total amount owing** |
| **2014/15** | £15.30 | £6.55 | **£21.85** |
| **2015/16** | £15.32 | £6.56 | **£21.88** |
| **2016/17** | £15.47 | £6.63 | **£22.10** |
| **2017/18** | £2.53 - £15.61 | £0.11-6.70 | **£2.53 - £22.31** |

With the amount relating to 2017/18 dependent on whether you have already received part of the back payment this year.

With other CFW representatives I had a positive discussion with the Health Boards around what evidence will be required to make the remaining payments. Following this, they have held a meeting with the Welsh Audit Office to confirm evidence requirements and we are meeting them to discuss on 18th January. However, it has been agreed that Health Boards will make a further part payment of the vast majority of the amount owing in the interim, just withholding an amount pertaining to paid breaks within any other time in the calculations. The full local authority amount can now be paid

The amounts agreed to be paid are

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Health Board amount owing | Amount to be withheld | Health Board amount to be paid | Local Authority amount to be paid |
| 2014/15 | £15.30 | £2.21 | £13.09 | £6.55 |
| 2015/16 | £15.32 | £2.22 | £13.10 | £6.56 |
| 2016/17 | £15.47 | £2.24 | £13.23 | £6.63 |
| 2017/18 | £2.53 - £15.61 | £2.26 | £0.27-13.35 | £0.11-6.70 |

We are also awaiting confirmation of the inflationary element to be applied to FNC for 2018/19 but expect the rate for 2018/19 to be in the region of £174.67.

We have a further meeting with the Health Boards on 18th January to discuss:

* the situation regarding back payments for self-funders and
* those Health Boards where the CHC rate is linked to the FNC rate – BCUHB and Cwm Taf identical
* the arrangements for setting the FNC rate going forward.

**Health Board and local authority back payment processes – please let me know if you have any updates on this**

***Abertawe Bro Morganwg***

LHB & LA element for 2017/18 paid (as per March figures above) by Bridgend & Swansea LA but not NPT. However Swansea have indicated that they will be reclaiming the HB element and the HB will then pay this. In terms of the remaining amounts the Health Board plans to issue plan is to issue statements to the Care Homes in early January 2019 and will then reimburse upon receipt of a matching invoice.

***Aneurin Bevan***

The Health Board has paid its element for 2017/18 (as per March figures above) and has asked providers to invoice them for the remaining amounts and they advise that all invoices they have received from Providers will be paid before Christmas. No information as yet from local authorities.

***Betsi Cadwaladr***

The Health Board has paid both the Health Board and the local authority elements for 2017/18 as per March figures above) and is intending to pay the remaining elements by the end of December. There is no requirement to invoice.

***Cardiff & Vale***

The Health Board will make its payments in January. No information as yet from local authorities.

***Cwm Taf***

Response awaited from both Health Boards and local authorities.

***Hywel Dda***

The Health Board will make its payments in January. Not clear yet if this will also include local authorities.

**Powys**

Response awaited from both Health Board and local authority.