



**Northern, Eastern and Western Devon
Clinical Commissioning Group**

Ref: FOI802

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EXETER
Devon
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Tel: 01392 205205

19 January 2016

Dear

Re: Request for information under Freedom of Information Act 2000

Thank you for your request under the Freedom of Information Act 2000, which was received the Eastern locality team on Tuesday 5 January 2016.

The CCG is confirming in accordance with Section 1.- (1) (a) of the Act, it holds the information requested and (b) is supplying it unless otherwise specified.

I would like to know how many carers, who are a direct family member of the 'client', are in receipt of payment for their caring role through the Continuing Healthcare Budget system.

My interest is related to the area covered by the NHS Northern Eastern and Western Devon Clinical Commissioning Group.

Section 7.3 (page 33) of the Guidance for Direct Payments in Healthcare sets out the position on paying 'family carers' as Personal Assistants. This states "153) A direct payment can only be used to pay an individual living in the same household, a close family member (see Box 3 for a definition of a 'close family member') or a friend if the CCG is satisfied that to secure a service from that person is necessary in order to satisfactorily meet the person receiving care's need for that service".

A person's close family members are described in the regulations as:

- a) the spouse or civil partner of the person receiving care;
- b) someone who lives with the person as if their spouse or civil partner;
- c) their parent or parent-in-law;
- d) their son or daughter;
- e) son- in- law or daughter- in- law;

- f) stepson or stepdaughter;
- g) brother or sister;
- h) aunt or uncle;
- i) grandparent; or
- j) the spouse or civil partners of (c)-(i), or someone who lives with them as if their spouse or civil partner.

The CCG therefore reviews requests to pay family carers through an exceptional circumstances process, and considers whether a family member lives at the same address as the individual with a Personal Health Budget as part of this process.

The above guidance can be accessed at:

http://www.personalhealthbudgets.england.nhs.uk/library/Resources/Personalhealthbudgets/2014/Guidance_on_Direct_Payments_for_Healthcare_Understanding_the_Regulations_March_2014.pdf

In line with the guidance on who constitutes a 'close family member' there are currently 5 individuals who use their Personal Health Budget to pay a family carer.

Satisfaction

I trust this matter has been dealt with to your satisfaction but if there is anything which you need further clarification, please do not hesitate to contact the office on 01392 205205 or by email at d-ccg.foi@nhs.net Please remember to quote the reference number at the top of this letter in any future communications.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you can write to the office and arrangements will be made for an independent review. You of course can write directly to the CCGs Chief Officer if you prefer using the "contact us" details displayed on the CCG website.

If you remain dissatisfied with the outcome of the appeal, you have the right to appeal again to the Information Commissioner at:
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Tel: 01625 545 700

Fax: 01625 524 510

Legal information pertaining to the release of this information

Please note that the information being provided to you is for information only and remains subject to existing intellectual property rights; no license for the re-use of this information is given or implied through its provision to you.

Yours sincerely,

**The Freedom of Information Office
NHS Northern, Eastern & Western Devon Clinical Commissioning Group**