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## Individual Funding Requests (IFR) A brief guide for Patients

### Introduction

NHS Bedfordshire, Luton and Milton Keynes Integrated Care Board (the ICB) commissions (or buys) high quality clinical care for the local population. The treatments funded by the ICB are those regarded as safe, effective and evidence based, giving the best value to patients in terms of health outcomes.

However as the ICB has a limited budget, it is inevitable that decisions need to be made about which healthcare treatments to commission for our local population.



The NHS Constitution sets out what patients can expect from their local NHS including local decisions:

**“You have the right to expect local decisions on funding of other drugs and treatments to be made rationally following a proper consideration of the evidence. If the local NHS decides not to fund a drug or treatment you and your doctor feel would be right for you, they will explain that decision to you.”**

Treatments that the ICB does not normally fund, or where criteria must be met before funding is agreed, are referred to as Evidence Based Interventions (EBI). There are a wide range of EBI policies and criteria on BLMK ICB's website at:

[www.bedfordshirelutonandmiltonkeynes.icb.nhs.uk/what-we-do/individual-funding-requests/evidence-based-intervention-policies-2/](http://www.bedfordshirelutonandmiltonkeynes.icb.nhs.uk/what-we-do/individual-funding-requests/evidence-based-intervention-policies-2/)

### What is an Individual Funding Request?

On an individual basis, an NHS clinician may consider that their patient's clinical situation is exceptionally different to other patients with the same condition. In these circumstances, the clinician can ask the ICB to consider funding a treatment for their patient which is not usually funded by the NHS or available to other patients. This request is referred to as an Individual Funding Request (IFR).

### Are any other circumstances taken into account?

Every person has the same rights to treatment under the NHS regardless of their social, family or other circumstances. For example, factors such as the effect of a treatment on a patient's ability to work, study or care for dependents cannot be considered as part of the IFR process. For this reason, the ICB considers only clinical factors in IFR decisions which ensure the IFR process is fair, equitable and non-discriminatory to all patients.

### Why does the ICB have an Individual Funding Request (IFR) Policy?

Patients' medical and other circumstances vary widely with some conditions being so rare or a treatment so new, that the NHS does not have a commissioning policy for the

treatment or intervention being requested. In these circumstances, the ICB needs to consider the patient's clinical circumstances on an individual basis. The IFR Policy and process supports fair and equitable decisions to be made for the local population.

### **How does someone make an Individual Funding Request?**

Patients should first discuss with their GP or NHS treating clinician (such as a hospital Consultant) who will confirm whether the presenting clinical condition meets the IFR Policy criteria. If appropriate, the clinician can apply in confidence to the ICB's IFR Service setting out the grounds for the IFR and whether the application is urgent. The NHS clinician requesting the IFR should be the clinician providing the care to the patient in connection with the IFR application. All IFR applications for a procedure, drug or medication must be submitted by an NHS Clinician on the IFR application form available at:

[www.bedfordshirelutonandmiltonkeynes.icb.nhs.uk/what-we-do/individual-funding-requests/individual-funding-request-ifr-policy-process-and-resources/](http://www.bedfordshirelutonandmiltonkeynes.icb.nhs.uk/what-we-do/individual-funding-requests/individual-funding-request-ifr-policy-process-and-resources/)

The requesting clinician must explain to the ICB why their patient should receive treatment which is outside the ICB's current funding arrangements. Evidence needs to demonstrate why their patient should receive treatment which is not available to others with a similar condition. The requesting clinician must submit all appropriate evidence with the application including case studies, research papers and any relevant correspondence between clinicians. Patients can provide information to support an application if they wish and so can any other healthcare professionals or clinicians involved in their care. Supporting information should explain why the presenting clinical circumstances are exceptional.

### **What about confidentiality and impartiality?**

The IFR application will contain patient initials, NHS number and date of birth in order to ensure safe and accurate identification. The requestor should ensure that patient identifiable details are not repeated in the supporting documentation. The IFR Service will make sure that documentation to be discussed is anonymised to ensure impartiality and patient confidentiality. All information will be stored securely.

### **What happens when a request is received by the IFR Service?**

Requests will usually be considered within a maximum of 40 working days or five working days for urgent applications. The IFR Service will check to ensure that no service or treatment exists locally which the requesting Clinician may not be aware of. If treatment is available, the clinician will be informed so they can discuss the next steps with you.

If there is no service or treatment, the request will be clinically triaged to see whether the clinical conditions for being considered 'exceptional' have been met. If the evidence presented suggests that there are grounds for exceptionality, your case will be considered by the ICB's Exceptional Cases Panel. The IFR Service will advise the requesting clinician of the outcome of the clinical triage and request the decision is shared with you.

### **The Exceptional Cases Panel**

The Exceptional Cases Panel consists of members of the ICB, doctors, public health experts and pharmacists from Bedford, Luton and Milton Keynes that have not been

involved in a patient's care. The Panel can accept or decline a request, or defer a decision while further information is requested.

### **If the request is approved, what happens next?**

The IFR Service will write to your requesting clinician explaining the Panel's decision within five working days. Your clinician will advise you of the outcome and next steps for your treatment.

### **If the request is declined, is it possible to appeal the decision?**

In the first instance you should speak with the clinician who applied for the IFR on your behalf. The Exceptional Cases Panel's decision can be appealed on the following grounds:

- The Exceptional Cases Panel failed to follow due process and as a result, the decision reached by the Panel was different from the one that would be reached if due process had been followed
- The Exceptional Cases Panel did not take into account or weigh up appropriately, all the relevant evidence when making its decision.

The requesting clinician should write to the ICB's IFR Service within six calendar weeks of the Exceptional Cases Panel's decision letter. The appeal will be checked to see if grounds for an appeal are demonstrated. If any new information has been submitted at this stage, it will be considered in line with the IFR process.

To ensure a fair process, an Integrated Care Board (ICB) from outside of Bedford, Luton and Milton Keynes (who are familiar with the policies relevant to this process) will review an IFR decision made by the ICB's Exceptional Cases Panel. The external ICB's Appeal Panel will consider all the information previously submitted. If new clinical evidence becomes available that has not been submitted before, your clinician should make a new IFR application.

The external ICB's Appeal Panel is unable to overturn the ICB's Exceptional Cases Panel decision. However, if the Appeal Panel concludes that the decision was not reached correctly, the case will be referred back to the ICB's Exceptional Cases Panel for re-consideration. The requesting clinician will be notified of the outcome of the Appeal Panel's review and where requested, the ICB's re-consideration of the case and decision along with remaining options available to the patient (please see below).

### **What happens after the Appeal stage?**

Any person likely to be affected by a decision about their NHS healthcare or the process of the decision itself, has the right to make a formal complaint to the ICB's Complaints Service. In some circumstances, patients are able to approach the Parliamentary and Health Service Ombudsman directly. Please see the following link about BLMK ICB's complaints process [www.bedfordshirelutonandmiltonkeynes.icb.nhs.uk/contact-us/complaints-and-concerns/](http://www.bedfordshirelutonandmiltonkeynes.icb.nhs.uk/contact-us/complaints-and-concerns/) or further information please contact:

Patient Enquiries and Complaints

BLMK Integrated Care Board

**Email:** [blmkicb.contactus@nhs.net](mailto:blmkicb.contactus@nhs.net) **Telephone:** 0800 148 8890