



MOORE BLATCH

solicitors

Hospital Discharge

This factsheet explains what to expect when your child is discharged from hospital, their entitlement to an assessment, as well as continuing care and support.

When your child leaves hospital it is imperative that arrangements are in place to ensure that they are medically fit for discharge and you have adequate support and care in place, either at home or in a residential setting, to ensure you can cope and they will be safe and well cared for.

Leaving hospital

Your child should not be discharged from hospital unless:

- They are medically fit for discharge – this can only be decided by the clinical team.
- An assessment has taken place to determine the level of support they may need to discharge them safely.
- You have been given a written care plan which sets out the support they will receive to meet their assessed needs.
- The support outlined in the care plan has been put in place.
- There is a system for monitoring and if necessary adjusting the care plan to meet any change in needs.
- An assessment has taken place to establish if your child qualifies for NHS continuing healthcare (an NHS funded package of care at home or in a residential setting).

Every hospital will have a formal written discharge policy which it must adhere to. You can request a copy from the ward manager or through PALS – the Patient Advice and Liaison Service. This document will contain full details about how the hospital should arrange your child's discharge.

Once your child has been admitted to hospital you should always be given an estimate of the likely date of discharge within 24 to 48 hours of admission. This will then be kept under review by the clinical team and you should be advised of any changes.

Each hospital will have a named person responsible for co-ordinating discharge arrangements. They are often called "discharge co-ordinators".

Discharge assessment

In simple terms a discharge assessment is intended to look at the needs your child is likely to have when they leave hospital.

Depending upon the level of needs, the assessment may be undertaken by a multidisciplinary team involving a number of different professionals drawn from both the health and social care sector and could include clinicians, physiotherapists, occupational therapists, speech therapists, dieticians, mental health practitioners, social workers to give a few examples.

You should be fully involved in the assessment process. If you need support because you find it difficult to communicate your views you should consider seeking the support of an advocate.

Not everyone will have needs but in certain cases they can be complex and wide ranging.

Care plan

Once your child's needs have been assessed (both health and social care) a formal written care plan will be prepared. This should be comprehensive and include details of:

- The treatment and support your child will receive after discharge.
- Who is responsible for providing that support and all relevant contact details.
- Full details of when and how often support and care will be provided.
- The identity of the care co-ordinator.
- Emergency numbers so that you can contact someone after discharge, if things go wrong.
- Details of any charges that will be made.

A care plan should be comprehensive and personalised. It should include and detail:

1. All community care services to be provided by the local authority. This can include not only care but also what are known as “reablement services” to help your child adapt to life after an illness or an acquired disability (“reablement services” should be provided free of charge for up to six weeks). Where there is a need for ongoing care it will be subject to a means test.
2. Intermediate care – this is where short term care is required by individuals who no longer need to be in hospital but still need additional support during their recovery period. Short term care lasts for six weeks and is free of charge.
3. NHS Continuing Care – this is care fully funded by the NHS at home or in a residential setting where your child has been assessed as having a primary health need.
4. NHS funded care – if your child has a health need after discharge necessitating care but are not eligible for NHS Continuing Care they may still be entitled to a financial contribution made by the NHS to ongoing care.
5. Rehabilitation / palliative care – your child may have a need or entitlement to rehabilitation after their hospital discharge or in certain cases, palliative care. This should be detailed in their care plan.
6. Aids and equipment – often there will be a need for aids and equipment to help your child manage at home or in a residential setting. Whether it is a wheelchair, specialist bed, hoists or simple aids this should be included in their care plan. If a local authority has concluded your child needs this equipment it should be provided free of charge.
7. Disabled facilities grant – It may be that adaptations will be needed to your home to make it accessible. Minor adaptations can be made up to £1,000 free of charge. In other cases the housing department may award a disabled facilities grant.

Carers' assessments

If your child is going to be cared for at home by a friend or family member they may be entitled to support from the local authority. Local authorities have a legal obligation to assess any carer who requests an assessment, or who appears to need support.

The day of discharge

When your child is discharged, the hospital should ensure that you have a copy of your child's care plan and transport has been arranged to return home. Checks should be made to ensure all necessary care is in place and your child's GP has been advised that they are returning home. You should be provided with all medication and supplies that your child will need and have been trained to use any equipment supplied.

Follow up

Where your child has been discharged home with the benefit of local authority support and community care services, a review should take place within the first two weeks.

Resolving disputes

Hospital discharge is a complex process and it is essential that you are fully involved in the assessment and planning process to ensure your child's needs are met after discharge from hospital and that all appropriate arrangements have been made.

Sadly, in some cases, all does not go to plan and individuals may feel that they have been let down or that inadequate care and support has been made. Inevitably your first port of call will be the care co-ordinator.

Each hospital will have a formal complaints procedure. The NHS constitution provides that you have the right to have a complaint dealt with efficiently and to be properly investigated. Generally most complaints can be resolved at a local level, but if not, complaints can be escalated and referred to the Parliamentary and Health Service Ombudsman.

Where it is felt that an NHS body has acted unlawfully then it is possible in certain circumstances to bring a claim for Judicial Review.

Independent advocacy

In complex cases it may sometimes be beneficial to seek the support of an independent advocate or representative in the assessment and planning process to ensure all necessary arrangements are put in place.

Legal representation

We are a leading law firm offering a full range of commercial and private client services with expertise in:

- Education
- Health and social care
- Court of Protection matters
- Personal injury and clinical negligence claims
- Disability discrimination
- Healthcare law
- Tax and trusts
- Employment
- Housing issues

If you or a family member require advice and support, we can provide an initial assessment of your case entirely free of charge please contact us on **023 8071 8000** or email paula.barnes@mooreblatch.com

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