

Policy 5 Backdating payments

Owner: **ILF Scotland**

Subject: Backdating payments

Version: 1.0

Last Amended: 1 July 2015

Date Reviewed:

1.0 Background

This policy sets out the principles relating to the backdating of ILF payments.

This policy applies to all requests to backdate funding.

In all cases backdated payments will only be agreed where the payments will not result in a breach of the user's group maximum sum (see ILFS payments policy).

2.0 Increases in payments following a revised offer of funding

Backdated payments to a user are allowed under the following principles:

- Payments can automatically be backdated to cover care that started within 4 weeks of the date of the User Agreement form being received at the ILFS office (this should be the case even if the form has been returned to the user because of an error or omission).
- Where a request is received for payments to commence in excess of 4 weeks from the date the User Agreement form was received by ILFS, payments will automatically be backdated 4 weeks from the date the User Agreement form is received and the user will be told we cannot backdate for the full period
- ILFS will not under any circumstances reimburse the Local Authority (LA) for any costs they have covered before an ILF award begins nor where they have covered costs temporarily

- No backdating should be approved for any period prior to the date the revised offer of funding was authorised and in any case not normally more than 4 weeks.

3.0 Appeals

ILFS will not normally consider requests to backdate payments for more than four weeks prior to the date of the agreement form. If an exceptional reason is given as to why the award should be backdated further than 4 weeks, this should be referred to the senior management team. Evidence of care employed should be provided.

4.0 Payment on receipt of Invoice

Where payments are made 'on receipt of invoice' these may be backdated for the relevant period covered by the invoice(s), subject to the limitations detailed in section 2 relating to the receipt of the agreement form and authorisation date.

5.0 Additional costs

ILFS makes certain additional payments that may not form part of the normal award, for example Health & Safety or task training. It is not always possible to calculate the amount of or even request the payment in advance, and the request and payment is therefore dealt with retrospectively. This policy is not intended to restrict such payments, which are not conditional upon the completion of a user agreement.

6.0 Reimbursement to Local Authorities (LA)

If paid care is required on an urgent or emergency basis and the LA steps in to cover these costs, ILFS will consider that the costs have now been covered and will not reimburse these to the LA.

If the user's request appears to be to reimburse costs already met by the LA then the user's request for backdating should be investigated further. It is not the policy of ILFS to reimburse the user if it is known that the user will then be forwarding the backdated sum to the LA to meet LA costs.

7.0 Rectifying ILF errors

Where a backdated payment is required as a result of an error made by ILFS, the service delivery team can make the payment without reference to the senior management team so long as it is within the last 6 months. Backdating beyond 6 months will require a referral to the senior management team.

8.0 Source

9.0 History Date Reviewed