

# Policy 5 - Backdating Payments

**Owner:** ILF Scotland

**Subject:** Backdating Payments

**Version:** 3.0

**Last Amended:** 31 March 2025

**Next Review Date:** 31 March 2026

## 1. Background

This policy sets out the principles relating to the backdating of ILF Scotland payments. It applies to all requests to backdate funding. In all cases, other than those resulting from an ILF Scotland error, ILF Scotland will only agree to backdate payments where the payments do not result in a breach of the recipient's Group Maximum Sum (see Policy 20 - ILF Scotland Payments).

## 2. Backdated Increases in Payments

We can backdate payments in line with the following principles:

- ILF Scotland can normally backdate payments by up to four weeks from the date it receives notification from a recipient or award manager of a reasonable increase in care / support costs. It may consider backdating further on a discretionary and exceptional basis.

- ILF Scotland will not normally backdate increased care and support costs for more than four weeks where providers of care and support inform recipients of a retrospective increase of more than four weeks. ILF Scotland expects providers of care and support to notify recipients of any increase in cost in advance of the date of the increase, except in very exceptional circumstances.
- ILF Scotland is unable to fund costs that should be funded by a HSCP / Trust or reimburse it for payments it has already made.

### **3. Payment on Receipt of Invoice**

When a recipient makes a payment 'on receipt of invoice', ILF Scotland can backdate for the relevant period that the invoice(s) covers, subject to the limitations detailed in Section 2.

### **4. Reimbursement to Health & Social Care Partnerships (HSCP) / Trusts**

If a recipient requests funding which appears to be for the reimbursement of costs already met by the HSCP / Trust, ILF Scotland will investigate and will not reimburse the recipient if it knows that the recipient intends to forward the payment, in full or in part, to the HSCP / Trust to meet their costs.

### **5. Emergency Care**

Emergency care is the statutory responsibility of a HSCP / Trust. Where a HSCP / Trust provided support on an urgent or emergency basis ILF Scotland will not reimburse these costs.

## **6. Rectifying ILF Scotland Errors**

If a backdated payment is required to rectify a previous ILF Scotland error, ILF Scotland will verify this, automatically correct the error, and award any backdated payment. Any decision to backdate a payment due to an ILF Scotland error that occurred more than six months prior, will be referred to ILF Scotland's senior management team.

## **7. Cross References**

Policy 20 - ILF Scotland Payments

Policy 24 - Statutory Input

## **8 History Date Reviewed**

**Version 1:** 01 July 2015

**Version 2:** 24 March 2021

**Version 3:** 08 July 2022