

Information about 'top-up' fee

Information sheet F4

You may also find the following sheets useful:

- C1: Access to care services
- C2: Moving into a Care Home
- F1: Paying for residential and nursing care
- F2: Guide for people who pay for their own care home placement
- F3: Guide for people moving into a care home that have a property

What is a 'top-up' fee?

A 'top-up' fee is a payment made to a residential or nursing home on your behalf. Where we are contributing to the cost of your residential care, we will only pay the amount that we would normally pay for someone with your assessed eligible needs. You can choose a more expensive care home if a friend, family member or charity pays the difference. This is called a 'top-up' fee and is normally paid directly to the home. The level of payment made as a 'top-up' fee towards the overall charge will increase (generally annually) when the rate charged by the Care Home increases. There can be no guarantee given that any such increase will be shared evenly between the council and a third party. Therefore, anyone considering becoming responsible for the 'top-up' fee should consider this commitment very carefully.

What is the assessed contribution?

Residential and nursing home accommodation is not provided free of charge. If you move to a care home you will have to pay a weekly charge from the date you move into the home. The 'assessed contribution' is based on your ability to pay following a financial assessment. If you have financial resources above the prescribed limit set out in the Care Act 2014 of £23,250, then you will be deemed to be able to afford the full cost of care. Normally, you as the resident would not be able to pay the 'top-up' fee as your income and capital will be financially assessed to pay the assessed contribution.

Why can't I pay the 'top-up' fee?

The guidance in the Care Act 2014 states that residents cannot pay the 'top-up' fee. However there are certain exceptions to the rule – see below.

When can I pay the 'top-up' fee?

- Where you are subject to a 12 week property disregard, you are allowed to pay the 'top-up' fee during this period
- Where you have a deferred payment agreement in place with the local authority. Where this is the case, the terms of the agreement should reflect this arrangement. Local Authorities retain discretion over whether or not to agree to a 'top-up' fee. This is something you would need to request when applying for a deferred payment. You are advised to read information sheet F3: Guide for people moving into a care home who have a property
- Where you are receiving accommodation provided under Section 117 for mental health aftercare, you can fund a 'top-up' fee

What is our responsibility in this arrangement?

We need to be sure the third party is able to pay the contributions for as long as may be required. However, we have no powers to ask anyone about their finances apart from the prospective resident. We therefore ask the person who is paying the 'top-up' fee to read this leaflet carefully and sign below as a record that they have read and understood the information contained in this leaflet. The Council reserves the right to recover from the third party any outstanding contributions that become due.

If the care home stops providing satisfactory care or is otherwise in breach of the terms and conditions of our contract with them, we reserve the right to move you to alternative accommodation. If your needs change significantly you will be re-assessed by a social worker to see whether your current accommodation continues to meet your needs.

Reviewing the 'top-up' fee

The amount paid by the third party will be reviewed regularly, usually annually, as process go up with inflation. However, the fee could change more often than annually if the resident's circumstances change and affect the level of need.

What happens if the third party stops paying the 'top-up' fee?

The department is not obliged to maintain the person in the more expensive home if the 'top-up' fee stops being paid. We will negotiate on your behalf with the Care Home to see whether they will accept the amount we would normally pay for someone with your assessed eligible needs, which may lower than the price you are being charged. If the Care Home is not prepared to re-negotiate the price then you may need to move to a less expensive room in the same home or to an alternative home. Before this happens, the social worker will carry out a full assessment, in order to ascertain the impact on you of the move.

If the assessment identifies needs that would require additional funding, the social worker will refer you for consideration for this. If however, the assessment identifies no additional needs then we will explore a number of options to find alternative accommodation.

Third Party Declaration

I have read this leaflet and understand it.

I intend to pay the 'top-up' fee for

.....
(please enter full name of Service User)

At (name of Care Home).....

The amount I will be paying is

I will pay this every

I understand that if my financial circumstances change and/or I cease making payments then the above named person may be moved to another home that charges a lower rate and that the council may in some circumstances seek to recover outstanding payments from me.

Signed:.....

Date:

Print Full Name.....

This information can be made available in other languages or formats (including large print, Braille, on CD) on request. Contact the Information Officer on 01225 477983 or email information_officer@bathnes.gov.uk