



This leaflet explains about choosing and paying for residential and nursing care.

If you are moving to a care home or have been paying for your own care in a care home and want to know if Bath and North East Somerset Council (B&NES) can help you with the fees, you will need to ask for a social care assessment. Once this is done and it has been agreed that you do need your support provided in a care home, the social care worker will complete an initial financial referral form which will be passed to the Clients Finance Team who will carry out a care charge calculation. For further information, please see our information sheet; **C1: Access to Care Services**.

We will need to look at your finances and work out how much you can afford to pay and how much help you might be able to have. **All residents living in a care home have to pay towards the cost of the care from their own income and capital.**

A Care Finance Officer from the Council's Client Finance Team will contact you or the person who looks after your finances and arrange for a visit to take place, to work out how much you will have to pay towards the services you receive. Or they can send you a financial calculation form for you to complete and return. The Care Finance Officer will be able to help you with any questions you have about how much you will have to pay. They can also tell you about other benefits and allowances you can apply for.

Questions about residential care charges

If I need help with funding can I still choose which home I go to?

If you are moving into a care home and you are eligible for our financial help, you have the right to choose any home you like in England or Wales, as long as the Council agree it meets each of these four points:

1. The home is suitable for your assessed needs

This means we must be sure the home can give you the help your assessment shows you need. For example, a residential care home will not be suitable if you require regular nursing. If we consider a home to be unsuitable we will tell you why, and ask you to choose another.

2. There is a place available

We may be able to arrange for you to move to another home while you wait for a place to become available in your chosen home. If you are in hospital we will ask you to move to another home until a place becomes available in the home of your choice. This is because once you are considered to be no longer in need of hospital care you will be asked to leave as the hospital bed will be needed by another person.

3. The home owner agrees to our usual contract conditions

If they do not, you will be asked to choose again.

4. The home does not cost more than we usually pay for the type of care that you need.

Your social care worker will be able to tell you how much the Council usually pays for the type of care that you need. You will then need to find a care home that can provide your care at this rate.

Your social care worker can give you details of the homes in B&NES and the surrounding area that are registered with the Care Quality Commission (CQC) to provide the sort of care that you need.

In most cases we will leave it to you, or someone else you have asked to help you, to visit the care homes and decide which one you like best. Your social care worker can help to arrange visits to homes if you do not have anyone to take you. If you do not want to choose yourself, and have no one else that you would like to do it, you can ask your social care worker to arrange a move for you. Please let them know if there is anything you would like them to take into account, for example the location of the home.

What if the home I like costs more than B&NES Social Care Services usually pay?

The Council funds people's care in a large number of care homes in the area, but you can choose a more expensive care home or room as long as someone is willing and able to pay the difference between what the care home charges and what the Council would pay for the care that you need. This is called a 'top-up' fee and the person who pays it is called a "third party". The third party could be a relative or another person close to you. The person paying your top-up fee will be entering into a financial commitment for as long as you stay in the home. It is important that they understand this, and are able to pay the fee on a long-term basis.

If they stop paying the fee you are likely to be asked to move to a less expensive room within the home or another home.

What are third party top ups, and how are they used to pay for care home accommodation?

Bath & North East Somerset Council sets weekly fee levels for different types of care each year. Your social care worker will tell you what they are. If you choose to go to a home that charges more than these levels, a third party will usually have to pay the difference. This could be a family member, a friend or other person or a charity.

If you have a property to sell; the law says you can pay the top-up from your own capital if you are entering into a deferred payment agreement. The Council must make sure that these levels of payments are sustainable, taking into consideration the value of your property. Please note when you are considering more expensive placements that we cannot always agree to fund these, even under a deferred payment agreement.

Please see our information sheet **F3 Guide for people moving into a care home who have a property** for more details.

What if the fees of the home go up?

The Council has a way of agreeing any increase in fees with care homes. If a top-up fee is being paid, the person making the top-up payments may be asked to pay all or some of the increase.

How much will I need to pay?

The amount you are charged is based on your ability to pay.

If your capital and savings amount to £23,250 or more, you will pay the full amount of the fees. The value of a property which is not your former home (second property) is counted as capital. Please see our information sheet **F2: Guide for people who pay for their own care home placement** for more details.

If your capital and savings amount to less than £23,250, you will be expected to pay most of your income for your fees. You may also need to use some of your capital and savings.

You will be allowed to keep about £25 of your weekly income to spend on personal items e.g. toiletries. This is known as Personal Expenses Allowance (PEA). The purpose of the PEA is to ensure you have money to spend as you wish. The government's guidance states that '*This*

money is for the person to spend as they wish and any pressure from a local authority or provider to do otherwise is not permitted.

How do you work out how much I will have to pay towards the cost of my care?

You will be asked to complete a calculation form detailing your financial circumstances. We will then be able to work out how much you should pay towards the cost. The Government guidelines we use to work out how much you will pay are explained below:

Income

The majority of the money you have coming in will go towards the cost of your care. This includes:

- Occupational pensions
- State retirement pensions
- Income Support
- Incapacity Benefit
- Employment and Support Allowance
- Pension Credit
- Attendance Allowance/Disability Living Allowance (care component)
- Other state benefits as detailed in the Care Act
- Income from property rental
- Annuity income
- Income from certain Bonds

(This list is not exhaustive and all income will be assessed in line with our regulations under the Care Act 2014)

Capital & Savings

You can only get help with care fees from the Council if you have less than £23,250 in savings and capital. We will include the value of your home when we work out your capital. Capital includes things like:

- Bank and building society accounts, including current accounts
- Shares
- Post Office card accounts
- Premium Bonds
- Unit Trusts
- PEPs/ISAs

- Cash
- National Savings Certificates
- Bonds
- Trust Funds
- This includes capital held jointly (we take into account your percentage share).

(This list is not exhaustive and all capital will be assessed in line with regulations in the Care Act 2014).

If you have savings between £14,250 and £23,250, we add £1 for every £250 (or part of £250) when we work out your charge. For example if you have savings of £16,500 we assume a tariff income of £9 per week which we count towards your financial assessment.

Please see our information sheet **I1 Working out your charge** for more details.

What if someone is still living in my property?

The value of your property will not be taken into account if it is still occupied by anyone listed below:

- Your husband, wife, or partner
- A relative who is over 60
- A relative who is incapacitated
- A relative who is under 18 and the law says you must support them

Will you make any allowances for any on-going expenses I have for my home?

If you move into a home on a temporary basis (respite) the charges will take into account any items of domestic expenditure which are not being met by Income Support/Pension Credit, or by a spouse remaining in the community. This will include things like:

- Rent
- Mortgage payments
- Home Insurance
- Water and sewerage rates

You will still receive a personal expenses allowance when the charges are calculated. If you become a permanent resident, we will stop taking domestic expenses into account after 4 weeks (12 weeks if you have a property that we are taking into account on the financial assessment)

Can I give any money away?

There is nothing to stop you giving money away or spending it for your own benefit. But if you do give money or assets away, we will have to consider whether you have done this to avoid paying charges. This is called 'deprivation'. If we decide that 'deprivation' has occurred then we could continue to take the amount of capital or value of the property into account in calculating your weekly charge. Alternatively, if money has been given to a third party then we would recover the additional charge from them.

How do I pay my charge?

The care home will send you, or the person who deals with your money, an invoice once a month for your assessed charge. The home will talk to you about the simplest way of making your payments. When the Council pays the home we deduct the amount you have to pay. There may be times when the home cannot invoice you and in these circumstances the Council will send you invoices.

What if I disagree with my charge?

If you disagree with your financial calculation you should contact the Care Finance Officer in the first instance to try and resolve any issues as soon as possible. We will go through the information to check that the calculation is correct and that the calculation or decisions have considered all your relevant information in line with the policy

Should I obtain Independent Financial Advice?

We advise you to take independent financial advice, as there may be several different ways of funding care available.

Changes to your finances

You must inform the Care Finance Officer if at any point in the future your income changes, for example if your benefits increase or you inherit money.

You may also find the following sheets useful:

- C2: Moving into a Care Home
- F2: Guide for people who pay for their own care home placement
- F3: Guide for people moving into a care home who have a property
- I1 Working out your charge

Useful contact information

To report your change of circumstances or to enquire about benefit entitlement, please contact:

- The Pension Service (pension age) - 0800 991234
- Benefit Enquiry Helpline (working age) – 0345 6088545
- Attendance Allowance Unit – 0845 6056055
- Disability Living Allowance Unit – 0345 7123456
- Carers Allowance Unit - 03456084321
- Personal Independence Payments (PIP) – 0345 8503322
- Industrial Injury Benefits – 0345 6031358

Care Guide

Bath & North East Somerset Council produces a **Care Guide** which provides information about Care Homes in the area. It is aimed at people who fund their own care and support because they are not eligible for assistance from the Council, as well as those who may qualify for a formal care needs assessment and/or financial support. See

http://www.bathnes.gov.uk/sites/default/files/siteimages/care_guide_june_2017_final_2.pdf

Age UK Bath & North East Somerset – independent information and advocacy for older people and their carers:

Phone: 01225 466135

Email: reception@ageukbanes.co.uk

Website: <http://www.ageuk.org.uk/bathandnortheastsomerset>

Carers' Centre Bath & North East Somerset - Expert help is available for carers who are struggling emotionally with their caring role, feeling isolated and in need of a friend or needing support when dealing with health and care planning:

Phone: 01761 431388

Email: info@banescarerscentre.org.uk

Website: www.banescarerscentre.org.uk

Useful Websites

Please note the Council cannot accept responsibility for external websites content:

- Care Quality Commission - www.cqc.org.uk
- Bath & North East Somerset Clinical Commissioning Group - www.bathandnortheastsomersetccg.nhs.uk/
- Bath & North East Somerset Carers' Centre - www.banescarerscentre.org.uk/
- Caring Connections - www.caringinfo.org
- NHS Find a Care Home - www.nhs.uk/CarersDirect/guide/practicalsupport/Pages/Carehomes.aspx
- Alzheimer's Society - www.alzheimers.org.uk
- Independent Age – advice and support for older age - www.independentage.org/
- Virgin Care – Virgincare.co.uk
- Age UK Bath & North East Somerset - www.ageuk.org.uk/bathandnortheastsomerset