



St. Helens Council

Charging for Residential and Nursing Care 2018

People's Services Department

Residential and Nursing Care

If the Local Authority arranges for you to go into Residential or Nursing Home care you will be required to contribute to the cost. This document explains how your contribution will be calculated.

The Government have set down very detailed regulations and guidance for calculating the charges for Residential and Nursing Home care, which St Helens Council follow. (Care Act 2014 – Care and Support (Charging and Assessment of Resources) Regulations 2014)

You will be exempt from charges if you are receiving care provided under Section 117 of the Mental Health Act 1983.

If you meet the criteria for continuing health care the Health Authority will pay your care fees.

Financial Assessment

The financial assessment is a means tested assessment and will be offered to you when you receive care in a Residential or Nursing Home which has been arranged by St.Helens Council under the Care Act.

A Finance Officer will calculate how much you will be assessed to pay based on your income and savings.

All our staff carry identification badges showing their photograph so please check this before allowing anyone into your home.

Information you are required to provide

The Finance Officer will require the following information to complete your financial assessment:

- National Insurance Number
- Details of Benefits e.g. (Retirement Pension, Pension Credit, Income Support, Employment Support Allowance, Attendance Allowance, Disability Living Allowance, Personal Independence Payment). Your award letter from DWP or Job Centre Plus will show these details.
- Details of Private (Occupational) Pension
- Details of any other income
- Bank Statements
- Any other financial investment e.g. ISA, Premium Bonds, Shares etc
- Tenancy Agreement
- Council Tax bill
- Mortgage payment details
- Extra costs of disability

How much will I pay?

If you are absent from your Residential or Nursing Home for any period of time due to holiday or hospital stays, you will still be charged for your placement within the home.

Income

In general, all income counts towards the cost of your residential care, but you will always be left with the statutory personal expenses allowance which is set by Government in April each year.

Benefits

If you need residential or nursing care, this may affect your benefit entitlement. It is your responsibility to advise all relevant departments of your change in circumstances.

Attendance Allowance or Disability Living Allowance (care component)

This will be suspended after you have been in a home or hospital for 28 days, unless you are paying for your care yourself.

If you have a property to sell, your Attendance Allowance or Disability Living Allowance (care component) should be reinstated after you have been in residential care for 12 weeks.

If you do not currently receive Attendance Allowance or Disability Living Allowance, the Finance Officer will advise you if you may be entitled to this benefit.

Pension Credit or other Benefits

This will be made up of any personal allowances or premiums you are entitled to receive and depends on your age and circumstances. They cannot usually be backdated, so make sure you claim before you go into residential care or as soon as possible.

We recommend that you check and confirm your circumstances with the Department for Work and Pensions. Contact details can be found at the end of this document.

Savings

If you have savings that you hold jointly with your partner, we will assume you have equal shares.

Savings over £23,250 - this is the limit to qualify for Council funding. You will be required to pay the full cost of your accommodation charges until your savings reach this amount. Once your savings approach this limit you need to contact the Assessment & Advice Team on 01744 675359.

Savings between £14,250 and £23,250 - you will have to pay £1 a week for every £250 or part of £250 of your savings. This is called Tariff Income.

Example: If you have £15,000 savings, £14,250 is disregarded and tariff income of £3 per week is taken into account as income

Tariff Income is meant to represent an amount that a resident with savings over a certain limit should be able to contribute towards accommodation costs, not the interest earning capacity of those savings.

Savings under £14,250 - We will ignore your savings when we are assessing your charge

Self-Funding Residents

If you have savings above the upper capital limit of £23,250 you or your relatives / advocate can make your own care arrangements. The Council can provide help and support with this, if required.

When your savings reach the ceiling for Council funding (£23,250) you should contact the Council where you live to request financial support. A financial assessment will be completed and you will need to provide evidence of your savings backdated to before you were admitted to the home.

The upper and lower capital limits and the personal allowance are set by the Government and are reviewed each April. The care home will be able to advise you of the new capital limits each year.

Residents who do not receive any Council funding are entitled to claim Attendance Allowance or Disability Living Allowance / PIP (Care Component). If you are already in receipt of the lower rate you may be entitled to a higher rate and you can request a review by contacting the Attendance Allowance Unit. The telephone number is at the end of this document.

Couples

Permanent Care – if you or your partner is living in a residential home you are treated as single people for charging and benefit purposes.

Temporary (respite) Care – if you are in residential or nursing care, but your partner is not, you will be assessed as a couple in the same way your benefits are assessed. We will then decide how much to charge for your care, taking into account the needs of your partner who is still living at home, and making sure they have enough income to maintain their usual standard of living.

Property

If you need temporary (respite/short term) care, the value of your home is disregarded.

If you need permanent care and your property and other savings is valued at £23,250 or more you will be required to pay the full cost of your care. If you do not want to sell the

property in your lifetime we will assess a contribution based on your income / savings and you can request that the balance of the charge be deferred until the property has been sold. When the property is sold, the Council will claim back any payments made from the sale proceeds.

The value of your property is disregarded for 12 weeks, starting from the date you enter the home permanently. We can disregard the value of your property indefinitely if one of the following people lives in it:

- Your partner
- A member of your family who:

Is aged 60 or over

Is ill or disabled (this means they are receiving or could be receiving a disability benefit)

Is aged under 16 and is a child for whom you have responsibility to care for

When making a contribution towards your care costs, if you own your own property you have the right to retain a proportion of your income. This is called the *Disposable Income Allowance*. From April 2017 this allowance has been set by the Government at £144 per week, and is reviewed annually. This will be fully explained to you by the Finance Officer when completing your financial assessment.

The Deferred Payment Scheme

The Care Act 2014 requires local authorities to offer Deferred Payment Agreements to allow people to defer the sale of their home in their lifetime. The Care and Support (Deferred Payment) Regulations 2014 sets out the legal framework and local authorities' responsibilities in greater detail.

More information on the Deferred Payment Scheme can be found on the Council's website www.sthelens.gov.uk

If you want to take advantage of the scheme, you will need to agree to the Council placing a legal charge on your property (this is like a mortgage). The Council will loan you the money to pay your care charges. The money you borrow must be repaid when you sell your property or 90 days after your death.

There is a one off administration charge of £350 which includes our legal costs, land search and Land Registry charges.

Interest will be applied to the debt. A statement of the deferred debt and interest will be sent to you every six months or within 28 days on request.

It is an important decision for you to take, so you should talk to your family or get independent financial advice.

What if the home costs more than the usual adult social care contribution?

If you choose to go into a home which is more expensive than the Council's assessment shows you need, or is more expensive than the Council expects to have to pay to meet your assessed needs, then someone must pay the difference. This is known as a 'top up fee', and can be paid by a third party. It is payable in addition to the charge we assessed that you would have to pay for your care.

Where a top is required from you or a third party, you (or they) will need to demonstrate that you (or they) are willing and able to maintain this payment after the Council's rate as been deducted.

For example, the Council's rate for care to meet your assessed need may be £550 per week and the cost of the care home chosen £585 per week. In these circumstances a 'top up' of £35 per week will be charged in addition to your normal weekly assessed charge.

A third party payment cannot be paid out of the resident's own money, except in the following circumstances:

- Residents who are subject to the 12 weeks property disregard
- Residents who have signed a deferred payment agreement

These are the only situations where residents may make a 'top up' payment themselves.

What happens if I transfer some of my assets before I go into a Home?

If you have given away or transferred a capital asset (property, savings etc.) the Council may decide that you have deprived yourself of a capital asset in order to reduce accommodation charges. If this is the case the Council may treat you as still possessing the asset and charge you accordingly. You are advised to contact us to discuss before transferring any capital asset. There is no time limit on disposing of assets and we consider each case individually.

Independent Financial Advice

The Council has produced an Independent Financial Advice Resource Directory. This is available on the Council website or a copy can be provided by the Council's Contact Centre on 01744 676789 or alternatively via email at contactcentre@sthelens.gov.uk.

How will I pay my charges?

We will inform you and the care home of your weekly charge and they will make arrangements with you on how to pay it.

If you want someone else to collect your pension you will have to contact the Pension Service to make the arrangements. Whoever collects your pension is responsible for ensuring your charges are paid and for giving you your personal allowance.

Benefit Check

As part of our financial assessment process we will assess your financial circumstances to ensure you are claiming all the benefits to which you could be entitled. If we think you could make a claim for additional benefits, we can assist you with this.

What if I disagree with the assessed charge?

If you do not agree with the amount of charges you have been asked to pay, you can ask the Assessments & Advice Team on 01744 675359 to review your charge. You also have the right to complain through the People's Services Complaints Procedure.

Contact Numbers

St Helens Council Contact Centre	01744 676789 www.sthelens.gov.uk contactcentre@sthelens.gov.uk
The Pension Service / DWP (State Retirement Pension / Pension Credit)	0845 606 0265 www.gov.uk/contact-pension-service
Disability Benefits	www.gov.uk/disability-benefits-helpline
(Disability Living Allowance / Attendance Allowance) (Personal Independence Payments)	0345 605 6055 0345 850 3322
Citizens Advice Bureau (St Helens)	03448 269694 www.sthelenscab.org.uk
St Helens Carers Centre	01744 675615 www.sthelenscarers.org.uk
DASH (Disability Advice and Information in St Helens)	01744 45053 www.sthelensils.com
Age UK	0800 169 6565 www.ageuk.org.uk
Independent Age	0800 319 6789 www.independentage.org.uk
First Stop	0800 377 7070 www.firststopcareadvice.org.uk
Care Quality Commission (CQC)	03000 616161 www.cqc.org.uk