Financial Assessment policy for Adult Social Care and Support - Residential home, Nursing home or Residential college

Information for service users, relatives and carers

April 2023 to March 2024

HILLINGDON
LONDON

www.hillingdon.gov.uk

Contents

Introduction

Do you think you may need care in a residential home, nursing home or residential college?

If you do, you will probably have some important questions, such as:

“Where can I get help and advice?”

“Will I be able to afford the fees?”

This booklet will help you with these questions. Here we tell you about the help that is available, including financial help, and a little about some of the people who are there to help you.

We can also give you important information about care in residential homes, nursing homes and residential colleges.

This information includes:

- our social care team and the role of care managers;
- what to expect if you move into a residential home, nursing home or residential college;
- the help you can expect towards the cost;
- state benefits you may need to claim; and
- what happens to the state benefits you are currently receiving.

Going into residential or nursing care

Choosing a home

If you are assessed as needing residential or nursing care, your care manager will be able to tell you about the choices that are available to you.

More expensive homes and top-up agreements

If you are eligible to receive help from us, in relation to paying for care home fees, and it has been agreed that a place in one of our contracted homes will not meet your needs; the authority will help you find somewhere more suitable.

If you choose a home, which costs more than the amount the authority can pay, a third party can agree to pay the difference. This extra cost is in addition to your client contribution and is referred to as a 'third party top up'. The top up must be paid directly to the home by someone else other than the person receiving the care.

Your chosen third party will need to sign an agreement called a third party top up contract with the authority. If they fail to pay the top up directly to the home, the authority may ask you to move to another home within local authority rates.

Very rarely, charities or benevolent societies may help you with any shortfall. This will depend on you meeting their conditions for help. You will need to source this assistance independently.

Example of a third-party top-up

Mr Brown has no assets other than his State Pension. He has chosen a home that is more expensive than the amount that we will pay.

What will the top-up fee be?

Full cost of the chosen home	£600.00 a week
Less our contribution (including Mr Brown's assessed charge, which is the amount that we have financially assessed him to pay each week towards the care-home fees) Our contribution will depend on each individual case.	£516.61 a week
Third-party top-up	**£83.39 a week**

The person who has agreed to pay the third-party top-up will be expected to pay £83.39 a week towards Mr Brown's fees direct to the home. Mr Brown cannot pay this money himself. Mr Brown can only use his money to pay his weekly assessed charge to the council.

Let's look at questions about money

- what will I have to pay for the services I receive?
- what happens to my benefits?

Before looking at some of these details, there are some important things to bear in mind.

If your weekly income is less than the weekly cost of a home, we will help you financially but only if your savings and assets are less than £23,250. If you have more than £23,250 in capital and assets, you will need to fund your care privately and directly with the care home unless you have joined the Deferred Payment Scheme.

This may or may not include the value of your home, but this is covered in more detail later in this booklet.

You will need to claim all the benefits you are entitled to receive. A member of our team can advise you about this.

What happens when my capital falls below £23,250 and I am paying for my care home fees privately?

If your capital has fallen or is about to fall below £23,250 you need to contact Hillingdon Social Care Direct to advise them of this. A 'Capital Limits' finance form will be sent to you for completion and you will need to provide evidence of your financial situation, so we can confirm the estimated date that your capital fell below the limit. It is important that you let us know as soon as your capital has reduced so that you do not miss out on any financial help that we can give you.

Who can help you to look after your money?

You may continue to receive your own benefits if you want to and are able to do so. Alternatively, you can appoint someone to receive your benefits on your behalf, as your Department for Work and Pensions (DWP) appointee. This may be a relative, friend or anyone else you want to appoint. You may choose to have your benefit paid into a relative's or friend's account so they can access the money for you to pay your contribution towards the cost of your care and give you your personal expenses allowance.

Please note that this can only be arranged if you cannot manage your own affairs because you are mentally incapable or severly disabled.

If you want someone else to deal with your benefits, please contact the DWP.

Please note that whoever you choose should be trustworthy and reliable. If you do not have someone to look after your money, our Client Financial Affairs Team can be appointed to do so. They will become responsible for claiming and receiving your benefits on your behalf, and will pay your weekly assessed contribution from your benefits towards your care fees.

They will also arrange for your personal expenses allowance to be paid to you at your care home.

Please contact Hillingdon Social Care Direct on 01895 556633 for further information.

You may want to consider getting advice about appointing a power of attorney or deputy to manage your financial affairs and any property you own. A solicitor or the Public Guardianship Office will be able to advise you about this. You can contact the Public Guardianship Office on 0300 456 0300 or visit their website at www.publicguardian.gov.uk

What will I have to pay?

If you are moving into a nursing home or residential care home with help from social care, we will expect you to contribute towards the fees.

The rules for working out charges are laid down by law. We will usually ask you to contribute as much as you can afford, but you will always be left with a small amount of money for your personal use, called your personal expenses allowance.

From 1 April 2015, your financial assessment is worked out using the following legislation and guidance:

- The Care Act 2014
- Care and Support (Charging and Assessment of Resources) Regulations 2014
- Care and Support Statutory Guidance 2014

The amount you contribute will depend on how much money you receive every week and how much you have in savings and other assets. We ignore some types of income and may give you some extra allowances according to your needs. As the amount that you are asked to contribute is affected by the benefits you should be getting, it is very important that you claim everything you are entitled to.

We expect most people to pay for all or some of the costs of their care in a care home from their own income or capital. There are two main exceptions to this.

- people who are in care homes that are providing nursing care paid for in full by the NHS or whose placements has been arranged by the NHS. In these circumstances, you are treated as a hospital patient for benefit purposes
- people receiving after care under section 117 of the Mental Health Act 1983, who have previously been held in hospital under certain sections of that act

What financial information will I need to provide?

Our care management staff will ask you for details about your income and your capital and whether you own your own home.

If the care manager agrees that you need residential or nursing care, you will be asked to fill in a financial assessment form if you want financial help from social care.

At the moment, financial help towards the cost of care in a residential or nursing home is only available to people who:

- have less than £23,250 in savings and investments (not including the value of any property), and
- have been assessed as needing care in a residential or nursing home by social care

How do you assess my contribution?

Once you have filled in the finance form, we will assess the information that you have given us.

A financial assessment is a calculation, based on your income and capital assets, to work out the contribution we will expect you to pay if you go into a care home permanently or on a short term basis.

If you are entitled to certain benefits but have not made a claim for them, we will financially assess you based on your benefit entitlement, this is called notional income.

Most of your income, including your Pension Credit (not including £6.50 a week of your Savings Credit), has to be paid towards the fees of the home, less £28.25 a week for personal expenses. This is your personal expenses allowance.

This allowance could be used to pay for items, such as toiletries or reading materials. The allowance is set annually by the Government.

If you have entered into a deferred payment agreement, this amount can increase up to £144.00 per week.

We will require evidence of your income and capital. We cannot accept redacted or amended documents. Definitions of income and capital can be found below:

Income

- all state benefits (except for Disability Living Allowance (mobility component) or Personal Independence Payment (mobility part)
- If you are not claiming benefits, to which you are entitled to, we will include the benefits in your financial assessments, this is called 'notional income'.
- occupational or private pensions
- trust incomes
- annuities (a fixed sum paid every year)
- any other income (except for interest on bank and building society accounts, and income from investments, which will be treated as capital)
- Rental income

Capital

Capital includes **all** monies you have in:

- bank or building society accounts, no allowance is made for deferred expenditure
- National Savings bank accounts
- PEP or ISA accounts
- save-as-you-earn (SAYE) schemes
- cash
- Bonds or National Savings Certificates
- stocks, shares, trust funds and investments
- property, building and land (including income from rent) and an account that someone holds on your behalf
- Where a person has joint beneficial ownership of capital, except where there is evidence that the person owns an unequal share, the total value will be divided equally between the joint owners and the person will be treated as owning an equal share.

If you have capital of more than £23,250, you will have to pay the full cost of the home. Therefore, you may find it easier to purchase your care privately.

If you have capital of more than £23,250 and the council agrees to arrange and purchase care on your behalf, you will have to pay the full cost of the home. This cost may change from time to time, for example, if the provider increases their fees.

Before a package of care is arranged, a needs assessment must be undertaken first to ensure that you meet the council's eligibility criteria. This can be arranged by phoning Hillingdon Social Care Direct on 01895 556633.

We will try to let you know before hand about any increase in fees but we cannot always let you know if negotiations in fee increases are already taking place. In these circumstances, fee increases can be backdated and you will be expected to pay the difference. However, we will let you know of any increases as soon as we can and give you the chance to pay any backdated increases by instalments over an agreed period.

If you are self funding you can claim or may continue to receive Attendance Allowance, the care part of Disability Living Allowance, Severe Disablement Premium of Pension Credit or the daily living component of the Personal Independence Payment, depending on your age. We can help you make a claim for these benefits, if you don't have a formal representative in place.

If your capital is below £14,250, we will ignore it when working out how much you will have to contribute but it will be recorded in your financial assessment.

When we work out your income from any capital you own, capital between £14,250 and £23,250 will create an income of £1 a week for every £250. This is called the tariff income charge.

Example of a capital tariff

Mr Smith has £16,155 in capital. The tariff income charge on the capital will be £8 a week (£16,155 minus £14,250 equals £1,905, divided by £250 and rounded up to the nearest £1 equals £8).

Property

In certain circumstances, we will take account of the value of your property 12 weeks after you go into the home permanently (see the section 'What if I own my own home?').

Allowances

We deduct a personal expenses allowance of £28.25 a week from your total income, along with a deduction of up to £6.50, if you receive the savings part of Pension Credit. For the first four weeks of a permanent placement, we may consider making an allowance for any additional expenses that you have to pay during this period. The personal allowance for those who have entered into a deferred payment agreement can be up to £144.00 per week.

Example of a financial assessment

Mrs Smith has been offered a place in a care home whose weekly fees are £650.00 and Adult Social Care agree to fund the care.

How much will you contribute towards the fees?

Mrs Smith receives a retirement pension of £185.00 each week and rental income of £300.00 each week.

Mrs Smith's income	£485.00
Minus personal allowance	£28.25
	£456.75

We will expect Mrs Smith to pay the council **£456.75** a week towards her care fees. The council will pay the care home the weekly fee of **£650.00**. This means that the council will only be contributing **£193.25** per week towards Mrs Smith's care home fees.

Do I have to pay in a residential college?

If you are living in a residential college and you are 24 or over, you only pay your contribution while you are living there. You do not have to pay when you are living at home between terms.

If you need any other social care service, while you are at home, we will have to carry out a non-residential financial assessment. This may result in you having to pay for the additional service you receive.

How do you assess my contribution if I am married or living with a partner?

If you are married or living with someone as a couple and you alone are going into residential or nursing care, we will only assess your financial resources. Even if both you and your partner are going into care, we will assess your finances individually to work out how much you will each have to contribute towards the cost of your own care, unless you jointly share a room. In this case, we will assess your finances jointly.

If you are in a care home and you have a spouse or civil partner who is not living in the same care home as you, you can pay half of the value of your occupational pension, personal pension or retirement annuity to your spouse or civil partner. This will be disregarded in your financial assessment.

However, this may affect the state benefits that your spouse/partner can receive. You may want to get independent advice to help you make this decision.

How do I pay for my contribution?

Once you have filled in and returned a finance form with the relevant proof, this will be looked at by the Financial Assessment Team who will work out your contribution towards the cost of your care fees.

The Financial Assessment Team will then send you or your representative an assessment letter giving a breakdown of your financial assessment and telling you the weekly contribution that you have been assessed to pay.

The Corporate Collections Team will send you a bill for your contribution, from the date that you entered residential or nursing care. They will send you or your representative bills (every month) for the previous four weeks or five weeks.

Please note that this is a separate financial contribution to any third-party top-up that has been arranged.

Provisional charges pending a financial assessment

For the period before we can complete a means tested financial assessment for you, we will charge you from the date that you went in to the home; this will be at a provisional rate depending on your age. The provisional rate will apply for a maximum of eight weeks while we gather enough information to complete your financial assessment. The provisional rates, depending on your age, are as follows:

- Pension Credit age or over — £172.80 per week
- 25 to pension credit age — £96.40 a week
- 18 to 24 years — £78.80 a week

Once we have received the completed financial assessment form and the required supporting evidence, a full financial assessment will take place. We will assess your finances back to the date that you went into the home.

If the required information is not received within the period allowed, we will have no option but to charge you the full cost of the care home, which will be backdated to the date that you entered the home.

What happens if I give my money or assets away?

If the council considers that you, or someone acting on your behalf, have given away some assets, for example money or your house, in order to pay less fees at the care home you will be treated as still owning the asset and you will be required to pay a higher fee.

Depending on the value of the asset and the remaining assets you hold, this could be the full cost. If you cannot pay these fees the council will claim the money from the person(s) to whom you have given these assets, and legal action may be taken against yourself and the person in receipt of the assets. You should always seek independent financial and legal advice before making a decision to distribute your assets.

Annual review

The amount you financially contribute towards your care will usually increase every April, in line with the annual increase in state benefits and pensions. We will review the amount you have to contribute every April and will notify you in writing of any change to your contribution. However, if you experience any change in your circumstances before April, for example your income or capital increases or decreases, you must tell us about the change immediately, so we can review your contribution. We reserve the right to backdate any changes in your circumstances to the date the change occurred, which could result in you being billed for backdated charges.

What can I do if I think the contribution is wrong?

If you think the contribution is wrong, you can request an appeals form. The request must be made to the financial assessment team within 28 days from the date of your financial assessment notification letter.

What if I own my own home?

If your stay in a residential home is temporary, we will not count the value of your home in the cost of your stay.

If your stay becomes permanent, we will take account of the value of your home, except in certain circumstances. Examples of these circumstances include where one of the following people currently live in your home, as their main and only home. The time that the person lived with you, before your admission to a care home, will need to be verified and may affect the decision to allow a property disregard:

- your husband, wife or partner
- a relative who is aged 60 or over, or who is incapacitated (incapacitated means they receive a social security benefit which recognises incapacity or disability, or they would be eligible for one)
- a dependent child aged 16 or under who you are responsible for

We will always ignore the value of your home for the first 12 weeks of a permanent stay, if your capital is under £23,250 – this is called the 12-week property disregard. However, this does not apply if you have previously funded your own care fees.

If you're eligible for the 12-week property disregard, we will need to carry out a financial assessment to work out your contribution for this period, from your income and capital under £23,250.

What is the 12-week property disregard?

If you are a property owner and do not have capital above the capital limit for funding set by the Department of Health, currently £23,250, you can apply for a 12-week property disregard. However, this is only applicable if you have needs of a certain level which mean that you are eligible for residential/nursing care and your needs cannot be met in the community.

If eligible, this means that for the first 12 weeks of your stay at the care home, we will ignore the value of your property. However, you will have to pay a financial contribution in this 12-week period based on a financial assessment of your income and capital between £14,250 and £23,250. The 12-week property disregard does not apply to second homes.

If your property is sold within this 12-week period, the disregard ceases to have effect from the date of sale and the proceeds will be counted as capital. In this situation you would be classed as a self funder from the date the property is sold.

If the cost of the home is more than the Adult Social Care Team is prepared to pay for a placement (the ceiling rate), the difference between the ceiling rate and the actual cost of the home must be paid from your own capital (if your capital is below £14,250) or by someone else. This is called a third party top up and is in addition to your own assessed contribution. It is normally paid direct to the care home and a separate third party top up agreement must be signed by the person responsible for paying the top up.

We will not claim back our part of the funding from you at the end of the 12 weeks.

Example of the 12-week property disregard

Cost of placement	=	£600.00 a week
Your assessed contribution	=	£150.00 a week
Our contribution	=	£366.61 a week
Third-party top-up	=	£83.39 a week
Total		**£600.00**

In this example, we would contribute **£366.61** a week towards the cost of the fees for the first 12 weeks of the permanent placement.

After this period, we will include the value of your property when we work out your capital.

If you cannot pay the full cost of your care, either because your property has not yet been sold, or because you do not want to sell your property, we can enter into a deferred payment agreement with you.

From 1 April 2015, the 12-week property disregard no longer applies to you, if you have been paying your own care fees in a residential or nursing setting, but later need financial help from the council because most of your savings have been used up. The council will expect you to start contributing towards the cost of fees from the value of your property straight away.

This is because, according to the government, you should have had time to sell your property (or make other arrangements such as securing a bridging loan or renting the property out) whilst paying your own care home fees, and would have been able to foresee that your money was running low. The 12-week property disregard is designed to protect people from unexpected changes in circumstances.

Please note that if you own more than one home or have a financial interest in more than one home, you may not qualify for a property disregard.

What is a deferred payment agreement?

In accordance with the Care Act 2014, and effective from 1 April 2015, the Department of Health requires all local authorities in England to offer a standard universal deferred payment agreement scheme to those who are eligible. This replaces any previous discretionary powers.

A deferred payment agreement is an arrangement with the council that will enable people to use the value of their homes to help pay for care home costs. If you are eligible, the council will work out how much you can afford to pay each week towards the cost of your care home fees, based upon your income and available capital. The council will then pay the difference between your 'assessed weekly contribution' and the actual cost of the care home. You will still have to make a weekly contribution based on your income and available capital. We will send you monthly bills for the contribution that we have assessed you as having to pay.

The part that the council pays on your behalf is the 'deferred payment' amount. Any deferred payments build up as a debt and will be secured against your property using a legal charge. This debt is repaid when your house is sold or when your residential setting ends. A deferred payment agreement means that people should not have to sell their home, in their lifetime, to pay care home bills.

The deferred payment agreement only becomes active when a legal charge has been placed on your property to secure the council's interest. You will be charged the full cost of your care until the legal charge has been confirmed. Once confirmed, we will reassess you based on your income and capital.

Deferred payment agreements will suit some people's circumstances better than others and not everyone will be eligible. You should be eligible for a deferred payment agreement if you are in or moving into a residential or nursing care home and:

- you have been assessed by adult social care as needing that care.
- you own your own home and it is not occupied by a spouse or dependent relative.
- you have capital, including savings and investments, of less than £23,250. This will be established through a means tested financial assessment.

Permission may be refused in certain circumstances e.g. where there is insufficient security.

Once you enter into a deferred payment agreement, interest will apply from the start date of the agreement to any deferred amount. Interest will be compounded on a daily basis. The interest rate is based upon the cost of government borrowing and is expected to change every six months; on the 1 January and 1 July each year. We will send you regular statements to show the amount of care charges deferred and the amount of interest payable.

A one off administration fee is required to cover the council's costs in setting up the agreement. More information regarding the deferred payment scheme and the application form for the scheme can be found at: www.hillingdon.gov.uk/financialassessment

While payments are being deferred, you can rent out your property but the rental income you receive, less some expenses, will be included in your financial assessment for your contribution towards care fees.

If you are already in receipt of Attendance Allowance, Disability Living Allowance (care component), Severe Disablement Premium of Pension Credit or the daily living component of the Personal Independence Payment, you may continue to receive these benefits. They will be included in your financial assessment. If you are not in receipt of these benefits, you can claim Attendance Allowance, if you are over state pension age or Personal Independence Payment, if you under state pension age. Again, they will be included in your financial assessment. You or your legal representative is responsible for notifying the Department for Work and Pensions of any changes in your circumstances.

It is advisable that you speak to a financial adviser or seek advice from an independent organisation before entering into any financial agreements. Please note that you may be charged for independent financial advice.

How much of my income can I keep, if I enter into a deferred payment agreement?

If we agree to enter into an agreement, you can keep up to £144.00 each week from your income, or a lesser amount of your choice. This is called your 'Disposable Income Allowance'. When deciding how much you want to keep each week, you should consider how you will maintain your property throughout the term of the agreement. You will be required to pay the remainder of your weekly income towards your care home costs. If you receive the savings part of the Pension Credit, a further deduction of up to £6.50 will be disregarded from your income.

The amount of allowance you decide to keep will depend on your expenses and whether or not, for example, you are renting the property to tenants to generate extra income. If this option is taken, a copy of the relevant tenancy agreement would be required. The rent would be taken into account when calculating how much you can afford to contribute each week, which would minimise the final debt and interest that you or your estate would repay to the council.

Some people will want to keep the maximum amount of 'Disposable Income Allowance'; others will choose to pay more towards their care from income, which in turn reduces the amount deferred overall and consequently pay less interest.

Example of a deferred payment

Boris lives alone. He has a State Pension of £179.80 a week, Attendance Allowance of £68.10 a week and a personal pension of £157.36 a week but no other capital. He also has a property worth £250,000. He has to go into residential care permanently.

The residential home costs £1000.00 a week. His total income is not enough to pay for the care home but he is assessed as having capital over £23,250 (the value of his home); he has to pay the full fees after the 12th week of his stay. He enters into a deferred payment agreement with us.

We will pay the difference between the assessed client contribution and the cost of the home. The difference that we pay will build up and will be paid when his property is sold. We will send monthly bills for the contribution Boris must pay. The bill will also show the weekly amount that has been deferred.

Care-home fees	£1000.00
Boris' assessed contribution (His total income less £144.00 disregard)	£261.26
Deferred contribution	**£738.74**

Interest will be added daily to any amount deferred including the set up fee, which accompanies all deferred payment agreements.

Benefits in a care home

What happens to my benefits when I enter a care home?

The following information tells you about what benefits you may be entitled to if you are:

- contributing towards the cost of your care; or
- paying the full cost of your care

Some benefits are not affected by being in a care home, although they will usually count as income when we assess your contribution. When you enter a care home (either temporarily or permanently) you can continue to receive the following benefits.

- State Pension
- Pension Credit
- The mobility part of Disability Living Allowance or Personal Independence Payment
- Incapacity Benefit / Employment and Support Allowance / Universal Credit
- Severe Disablement Allowance
- Bereavement Allowance
- Widowed Parent's Allowance
- Widow's Pension
- Widowed Mother's Allowance
- Child Tax Credit (if you continue to be responsible for a child)

The following benefits are affected.

- Attendance Allowance
- The care part of Disability Living Allowance or Personal Independence Payment
- Carer's Allowance
- Severe Disablement Premium of Pension Guarantee Credit and Employment and Support Allowance
- Income Support/Employment Support Allowance
- Housing Benefit
- Universal Credit
- Winter Fuel Payment

Your benefits will continue to be paid to you or the person who manages your finances. They will not automatically stop or be paid directly to the council. You must contact the DWP and advise them if you move into a care home.

What happens to Attendance Allowance, the care part of Disability Living Allowance or Personal Independence Payment?

Attendance Allowance and the care part of Disability Living Allowance or Personal Independence Payment are benefits paid to people who need help with personal care or people who need supervision.

When local authority support is being provided, in relation to a care home placement, Attendance Allowance, the care part of Disability Living Allowance or Personal Independence Payment can only be paid for the first 28 days of your stay in the care home, as such the benefit will be disregarded in your financial assessment from day 29. If your stay in the care home is on a short-term basis, the disregard will apply from day 1. However, your entitlement to the benefit will still end after 28 days.

There are different rules, if you have been placed in the care home straight from hospital or you are paying the full cost of your care home fees to Hillingdon council.

Please ensure that you inform the DWP of any changes in your circumstances, such as moving to a care home, as the DWP will need to review your benefit entitlement.

Who can receive Attendance Allowance or the care part of Disability Living Allowance or Personal Independence Payment after 28 days?

There are two groups of people in residential and nursing care who can receive Attendance Allowance or the care part of the Disability Living Allowance or Personal Independence Payment after 28 days.

They are:

- people who are paying for their own care; and
- people who are on the deferred payment scheme

If you are paying for your own care and you do not receive Attendance Allowance or the care part of Disability Living Allowance or Personal Independence Payment, you can make a claim for one of these benefits. If you are entitled to one of these benefits, you will receive payments for as long as you are paying for your own care.

What happens to Carer's Allowance?

To qualify for Carer's Allowance, you must spend at least 35 hours a week looking after someone who receives Attendance Allowance, Disability Living Allowance (care part) at the middle or highest rate or Personal Independence Payment (daily living component). When this person's Attendance Allowance or Disability Living Allowance (care part) or Personal Independence Payment stops, so does the Carer's Allowance.

If the person you care for continues to receive Attendance Allowance, Disability Living Allowance or Personal Independence Payment because, for example, they are paying for their own care, Carer's Allowance will stop after four weeks from the date they go into the care home.

This is because the Carer's Allowance rules only allow a set number of weeks for a break in caring. You are allowed a 12-week break in any 26-week period but only four weeks of that are allowed for temporary breaks in care, for example, because someone is in a care home on a respite stay or on holiday. The other eight weeks are allowed for hospital stays for either the carer or the person who is being cared for.

Some carers will be getting extra Income Support or Pension Credit because they are entitled to Carer's Allowance. When the entitlement to Carer's Allowance stops, the extra amount in Income Support or Pension Credit only continues for a further eight weeks.

What happens to Pension Credit?

When you enter a care home temporarily, your Pension Credit will stay the same. If you are part of a couple, you will continue to be paid as a couple and the amount will not be affected.

When you enter a care home permanently, you should contact the Department for Work and Pensions and tell them about your change of circumstances and that you have now moved into a care home permanently. They will then work out your Pension Credit and pay it at the correct rate.

If you receive a Severe Disability Premium that will also be reviewed.

If you are part of a couple, the Department for Work and Pensions will treat you as a single person for benefit purposes. They will treat your income and your partner's income separately and pay you on an individual basis. After you tell the Department for Work and Pensions about your change in circumstances, it is very important that your husband, wife or partner claims Employment Support Allowance, Pension Credit, Universal Credit or other applicable benefits in their right. We can help them to do this if need be.

This will make sure that both you and your partner are receiving the correct benefits.

What happens to Housing Benefit?

When you enter a care home permanently, you can no longer receive Housing Benefit for your home in the community. Someone else who lives there may be able to claim Housing Benefit instead.

When you enter a care home temporarily for respite care, Housing Benefit can continue to be paid for up to 52 weeks, as long as you plan to return home and not sublet your home. You must advise the council paying Housing Benefit if you move into a care home on a permanent basis.

Where can I get advice about benefits?

The Financial Assessment Team are trained to give advice about the benefits that you are entitled to when entering residential or nursing care. They can check you are receiving all the benefits that you are entitled to and help you claim any additional benefits that are relevant. They can also offer advice to your spouse or partner if they remain at home following your admission to care. However, you can contact other relevant agencies for benefits advice if you wish.

The Care Act 2014 – Care and support is changing

The Care Act came into force on 1st April 2015. The Care Act intends to modernise the care system and help to make care and support more consistent across the country. The Care Act introduces a new national level of eligibility criteria for accessing care and support from your council; this is to make care and support more consistent across the country. This includes a new right for carers to receive support, if they meet certain eligibility criteria and changes to deferred payment agreements for people who want to use the value of their property to pay for residential care.

The Care Act also gives local authorities the right to charge an administration fee to those who receive care and support and have assets in excess of £23,250, or have chosen to pay the full cost of their care charges.

Please note, this is a brief summary of the Care Act and is not intended to replace the full Act. For details of the full Act, please visit www.gov.uk

Frequently asked questions

Will I have to pay and why do you charge?

Everybody has to make a contribution towards the cost of their care, which we work out according to a government legislation and guidelines. The contribution is payable from the start date of council funding.

What income will you take into account?

We will take into account most of the money you have coming in. However, you will always be left with at least £28.25 a week for personal expenses, which is an amount set out by the government. If you have entered into a deferred payment agreement, this amount can increase up to £144.00 per week.

How do I pay the assessed charge and who will pay the home?

Hillingdon council will pay the agreed care fees to the care home. The Corporate Collections Team will send you a bill for payment of your client contribution due to Hillingdon council. Bills are issued in arrears and at four or five weekly intervals.

What happens if I do not pay?

We calculate the amount you must pay towards your care and support using government legislation and guidance. If you are financially assessed pay for all or part of your care costs, you have a liability to ensure payments are made to Hillingdon council on time. If you do not pay the charges due, debt recovery action will be taken. This may include legal action through the county court. If you have any difficulty in making payments, you must contact the Corporate Collections Team without delay. Their telephone number is 01895 250345. Please do not ignore your liability to pay for the care and support arranged for you.

Do I have to tell you about my finances and what information do I need to give you?

If you choose not to declare your finances and refuse a financial assessment, or have savings over the relevant limit or you are not eligible for social care support you are referred to as a self funder.

As a self funder the council will not automatically organise your care for you. However, we will support you with finding the right services to meet your care and support needs, but you will need to make arrangements to pay your chosen care provider directly. You can find more information regarding services and support at www.hillingdon.gov.uk/socialcare

To carry out a financial assessment, we require details of your income, savings and outgoings. Proof of these will be required, for example, receipts and bank statements covering a 3 month period. We cannot accept redacted or amended documents.

During the financial assessment process, if you choose not to declare any or all of your income and savings, you may be assessed to pay the full cost of your care.

Will I have to sell my home?

We will usually need to take account of the value of your home, but we may ignore this in certain circumstances. If you require further information about paying for long term care, please visit www.hillingdon.gov.uk/financial-assessment

Will my contribution stay the same and what happens if my income or capital changes?

Your contribution may change if there are any changes to your income, capital or outgoings. For example, most state benefits increase every April, so your contribution to care will be increased in line with this. If your financial situation changes in any way, you must tell us immediately so we can reassess your contribution if necessary. We reserve the right to backdate any changes, which may result in you being billed for backdated contributions.

Will I have to continue paying towards my care home fees if I go into hospital on a temporary basis?

Yes. If you have been financially assessed to contribute towards your care and you are in hospital for less than 52 weeks, your benefits and income will usually stay the same. Also, your place at the care home will be kept for you. Therefore, you will still be expected to pay towards your care home fees on a monthly basis.

What is free nursing care?

Free nursing care or NHS- funded nursing care is when the NHS pays for the nursing care component of nursing home fees. The NHS pays a flat rate directly to the care home towards the cost of this nursing care. The remainder of your care home fees will be subject to a financial assessment to calculate how much you will need to pay Hillingdon council towards your care costs. More information regarding NHS-funded care can be found at: www.nhs.uk/conditions/social-care-and-support-guide/money-work-and-benefits/nhs-funded-nursing-care.

What happens if I am paying the full cost for my care and my capital falls below £23,250?

You must phone Hillingdon Social Care Direct on 01895 556633 and they will send you a financial assessment form to complete and return.

What happens if I give away capital?

If you give money or property to friends or relatives before or after you move into residential or nursing accommodation, we may still consider it as belonging to you.

What is respite care?

Respite care is provided to allow your carer to have a short break. This care may be in the home, community or residential home or nursing home setting. Please see our booklet entitled 'Paying contributions towards your care and support whilst living in your own home' for more information.

Verification

Verification checks will be carried out for any applicant who applies for funding via the Financial assessment process. The enhanced checks are to ensure that public money goes to those who are entitled to receive funding and protects the public purse. The checks will be carried out by the Business Assurance Counter Fraud Team on behalf of the Financial Assessments Team. The checks will include, but are not limited to, gathering information held by:

- The council e.g. Electoral roll, Council Tax records, Social Care records;
- Other local authorities and Government agencies;
- Land Registry and credit referencing agencies: and
- Employers, financial institutions and other non-governmental organisations.

In some circumstances the council may carry out an unannounced residential visit to check the details provided within your application. Where necessary, further documentation and evidence maybe requested from you to support decision making within the verification process.

Data may also be shared between departments, in line with our privacy notice.

Where can I get help and advice regarding my Adult Social Care needs?

If you would like to discuss your care needs with the Adult Social Care Team, please contact Hillingdon Social Care Direct on 01895 556633.

Definitions of words used in this booklet

Capital is the total value of your home, savings and investments and cash, including National Savings Certificates, Premium Bonds, PEPs, ISAs and stocks and shares. No allowances are made for any deferred expenditure.

Care assessment is the way we work out what care services a person needs.

Ceiling levels are the maximum weekly amounts, including your contribution, that Hillingdon council will contribute towards a place in a residential or nursing home.

Deferred payment agreement and legal charge is a legal document which is attached to a property, similar to a mortgage, that we can use to reclaim any money owed from selling that property.

Income includes all earnings, state benefits, Income Support and Pension Credit, work pensions, private pensions and rental income.

Nursing homes provide accommodation with 24-hour board and nursing care. They are registered and inspected by the Care Quality Commission (CQC). The homes must employ a registered nurse on the premises at all times during the night and day, plus a doctor or consultant who must supervise medical care.

Residential homes provide accommodation with 24-hour board and personal care but do not have a registered nurse on-site. They are registered and inspected by the Care Quality Commission (CQC).

Tariff income is a weekly contribution you will pay if you have capital and assets between £14,250 and £23,250.

About your personal information

Please view our Privacy notice, which can be found online on: www.hillingdon.gov.uk/privacy

Equal opportunities

We will provide services to everyone no matter what their sex, race, religion, sexuality, ability or disability.

Making a complaint or comment

If you think that you have not been dealt with properly and you want to make a complaint or comment, you should first speak to the member of staff you are in contact with or their manager.
If you cannot settle the problem with them, you can contact the council's complaints department by:

Telephone: 01895 277801 or 01895 277143

Email: complaintsmailbox@hillingdon.gov.uk

Other information that is available

Information about care in a residential home, nursing home or residential college

You may want to discuss your needs with someone who is already involved in your care, for example, your doctor, district nurse or home-care assistant, or you can contact Hillingdon Social Care Direct on **01895 556633**. You may want to get advice on a particular point from a friend, solicitor or accountant, Citizens Advice or Age UK.

The information given in this booklet is for guidance only. It does not replace the charging regulations and legislation.

You can only get information regarding your own circumstances and client contribution from the Financial Assessment Team.

Useful contacts

Financial Assessment Team
4W/09 Civic Centre, Uxbridge, UB8 1UW
01895 250207 or 01895 556278
or 01895 250882
financialassessment@hillingdon.gov.uk

Hillingdon Social Care Direct
01895 556633
socialcaredirect@hillingdon.gov.uk

Adult Social Care Corporate Collections Team
01895 250345
ascrecovery@hillingdon.gov.uk

Attendance Allowance Helpline
0800 731 0122

Employment Support Allowance Claimline
0800 055 6688

Personal Independence Payment (PIP) Claimline
0800 917 2222

Personal Independence Payment (PIP) ongoing claims and enquiries
0800 121 4433

Universal Credit helpline
0800 328 5644

Carer's Allowance Helpline
0800 731 0297

Pension Credit Claim line
0800 99 1234

Disability Benefits Unit
0800 121 4600

Pension Service General Enquiries
0800 731 0469

AgeUK Hillingdon
2 Chapel Court, 126 Church Road,
Hayes, UB3 2LW
020 8756 3040

Disablement Association of Hillingdon (DASH)
Wood End Centre, Judge Heath Lane,
Hayes, UB3 2PB
020 8848 8319

Carers Trust Hillingdon
Luther Bouch House, 126 High Street,
Uxbridge, UB8 1JT
01895 811 2016

Hillingdon Hospital
General enquiries:
01895 238 282

Citizens Advice Bureau
The Colonnade, Civic Centre,
High Street, Uxbridge, UB8 1UW
0808 278 7893

Addiction, Recovery, Community Hillingdon Service (Arch)
Old Bank House, 64 High Street,
Uxbridge, UB8 1JP
020 3838 7850

Office of the Public Guardian
PO Box 16185, Birmingham,
B2 2WH
0300 456 0300

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