



Moving into a Care Home?

Information on Charges
for permanent, temporary,
or respite care

11 April 2005

The contents of this leaflet are intended as a general guide only to the situation as at 11 April 2005 and should not be treated as a statement of the law.

This leaflet gives information about Social Work's charging system and how it may affect you. The information is divided into **two sections**:

Section 1 is for people who are considering moving into a care home.

Section 2 is for people who are already resident in a care home.

The National Assistance Act 1948, and the National Assistance (Assessment of Resources) Regulations 1992 govern the way in which the charge for your care is assessed. Certain aspects of the assessment are subject to the discretion of Scottish Borders Council, and decisions will be made in accordance with Council policy.

If you have any questions about anything in this leaflet, contact the duty worker at your local Social Work office (see page 19) or the member of staff who is assessing your community care needs will be pleased to help.

The information in this leaflet applies to residential care provided for:

- older people
- people with disabilities
- people with mental health needs
- people with addiction problems

Residential care may be:

- permanent
- temporary (respite care)
- provided directly by Social Work
- purchased by Social Work but provided by a voluntary or private care provider.

Section 1: Before moving into a residential care home or a nursing home

Assessment

Before moving into a care home or nursing home, we ask that you have an assessment. An assessment usually involves one or more visits to you in your home. We will talk with you about the kind of help you think you need and together will agree on the care which will best support you.

Your assessment may be with someone from Social Work or Health such as a Social Worker, Community Care Assessor, your District or Community Nurse, or an Occupational Therapist. They will explain what will happen in more detail and will be pleased to answer any questions you may have.

As well as information about your care needs, you will also be asked for information about your finances, including your income and capital. This information is used in calculating the actual charge to you. All information will be treated in confidence.

You will not have to provide information about your finances if you intend to pay accommodation costs yourself.

If you have capital in excess of £19,500, you will pay the maximum charge for accommodation.

Free Personal Care and Nursing Care

For people aged 65 and over

You may be eligible for financial assistance for Personal Care up to the value of £145 per week if you have been assessed as requiring residential care. You may be eligible for an additional £65 per week if you have also been assessed as requiring nursing care.

You will however lose entitlement to both Attendance Allowance and Disability Living Allowance (Care Component) after 4 weeks if you claim Free Personal Care.

Please inform the Department of Works and Pensions that you are moving into a care home.

For people aged 16 to 64

If you have capital of £19,500 or more you may be eligible for financial assistance up to the value of **£65** per week, if you have been assessed as requiring nursing care. You will not lose your entitlement to Disability Living Allowance (Care Component).

Please note: the Free Personal Care payment is made to the care home providing care and can not be paid directly to the person receiving care.

There is a limit to the funding the Council has available. Priority will always be given to those in greatest need and most at risk.

Care, other than Personal Care and Nursing Care, such as 'Accommodation costs' is chargeable.

The charge to you will depend on your income and capital. If you are on a low income, you may qualify for a reduced charge, or you may be entitled to claim Income Support or other benefits. Your Social Worker can advise and assist you with claiming benefits.

If you are eligible for benefits at the time of application, it is important that you take up your entitlement as it will be treated as income in assessing your charge, whether you choose to take it up or not.

Income

Income includes all pensions, earnings, and most social security benefits. Disregarded income is outlined below. Other disregards will depend on your individual circumstances. These are available on request.

Disregards

- Disability Living Allowance (Mobility Component) is disregarded in full.
- If you are in residential care and your spouse is living elsewhere, half of your personal / occupational pension or payment from a retirement annuity contract can be disregarded if you give half to your spouse.
- If you receive Savings Credit as part of your Pension Credit entitlement, you may receive a disregard up to a maximum of £4.85 per week (single person), or £7.20 per week (couples)
- War Pension and Armed Forces Compensation Scheme payments qualify for £10 per week disregard.

Capital

Capital includes all savings, shares, bonds, investments and property.

Disregards

- Ex-gratia payments of £10,000 made on or after 1 February 2001 because of imprisonment or internment by the Japanese during the Second World War, are disregarded as capital
- Ex-gratia payments made to people infected with Hepatitis C from NHS blood or blood products, are disregarded as capital.

The first £12,000 of your capital is ignored. If your capital totals more than £12,000 but not more than £19,500 you will be treated as receiving income from this.

Income is calculated at £1 per week for every £250 (or part thereof) which you have over £12,000 (see table on page 8).

This tariff is set by the government and does not reflect the amount of interest you could earn from your capital.

If you have capital in excess of £19,500, you will usually pay the full charge for your accommodation costs. When your capital falls below £19,500, you will be reassessed by Social Work.

If your stay is temporary (respite care), the maximum you will pay for your care is £217.00 per week.

Assumed Income from Capital

Your Savings	Assumed weekly income	Your Savings	Assumed weekly income
£12,001.00	£1.00	£15,751.00	£16.00
£12,251.00	£2.00	£16,001.00	£17.00
£12,501.00	£3.00	£16,251.00	£18.00
£12,751.00	£4.00	£16,501.00	£19.00
£13,001.00	£5.00	£16,751.00	£20.00
£13,251.00	£6.00	£17,001.00	£21.00
£13,501.00	£7.00	£17,251.00	£22.00
£13,751.00	£8.00	£17,501.00	£23.00
£14,001.00	£9.00	£17,751.00	£24.00
£14,251.00	£10.00	£18,001.00	£25.00
£14,501.00	£11.00	£18,251.00	£26.00
£14,751.00	£12.00	£18,501.00	£27.00
£15,001.00	£13.00	£18,751.00	£28.00
£15,251.00	£14.00	£19,001.00	£29.00
£15,501.00	£15.00	£19,251-£19500	£30.00

Property

If your stay in residential care is permanent, the value of your home will be treated as part of your capital after 12 weeks from the date you entered the home.

You will not be asked to sell your home if you do not wish to do so, however its value will be taken into account in assessing the amount you pay for your care after 12 weeks. If your property is sold within the 12-week period, the net proceeds will be taken into account from the date of transfer.

A 'Deferred Payment' scheme is being developed locally. This will allow you to retain your home. A portion of the care home fees derived from the capital value of your home can be deferred until you decide to sell or when you die and the debt is settled from your estate. You will only be charged on present income and savings, excluding property but interest will be applied if the debt is not settled within 8 weeks following date of death.

If your stay in residential care is temporary (i.e. unlikely to be for more than 52 weeks) and you intend to return to the property in which you live, the value of your home will be ignored. Temporary admission may affect existing benefits e.g. Housing Benefit - please seek advice.

If your spouse, partner, or an older (over 60 years of age) or disabled relative continues to live in your home, its value will be disregarded as long as they continue to live there.

What about making gifts / transferring property?

The law does not permit you to give away money or to transfer property in order to reduce the amount you pay for your care.

1) If you make such transfers, within a 6-month period prior to entering a care home, in some circumstances, we may be able to recover the cost of your care from the person who received the gift or transfer.

2) If you make such transfers more than 6 months prior to entering a care home, in some circumstances, we may be able to recover the cost of your care from you. You may be asked to contribute from your capital even if this is below £12,000 and normally disregarded.

Will my husband, wife, or other family members be expected to pay for my care?

Members of your family are **not** required to pay for your care except in circumstances described in 1) above. The amount you pay for your care is based solely on **your** finances. If you have joint savings with your spouse/partner, half of the savings will count as your capital.

How much will my care cost?

Charges for care in a home vary according to the type of care provided. Costs are usually from around £335 upwards to £500 per week and may be more if a high level of care is required.

Since the introduction of 'Free Personal Care' on 1st July 2002, the charge for living in a care home is calculated in two parts: **personal care costs** and **accommodation costs**. If you are **65 or over** the Council will pay £145 a week towards the 'personal care' costs of your care in a home. This will increase to £210 a week if you have also been assessed as requiring nursing care.

How will I know what I have to pay?

We will let you know what the actual charge to you will be in writing once your financial details have been verified. You will receive an assessment form showing how the charge has been calculated including any benefits which should have been claimed.

Your Social Worker will explain the various ways you can pay the charge for your care. They will assist you in making arrangements for payment before you move into residential care.

If you have made arrangements for someone to manage your finances on your behalf, that person will be referred to as the 'Invoicee' and will assume legal responsibility for paying the charge for your care on your behalf.

How much can I keep for my own use while I am living in residential care?

After the charge for your care has been calculated, you will be left with a small amount of money for your own use. This is called a 'personal allowance', and is set annually by government legislation. The current rate is £18.80 per week.

If you receive Savings Credit as part of your Pension Credit entitlement, part of this will be disregarded and added to your personal allowance (up to a maximum of £4.85 per week (single person) and £7.20 (couples)).

If your stay is temporary, your personal allowance may be increased to enable you to cover your ongoing commitments. For example, if you have additional costs because of housing costs which are not met by benefits, these may be taken into account in working out the charge for your care.

What if I disagree with the charge for my care?

If you are unhappy about the charge for your care, you may ask for an explanation of how it has been calculated. If you disagree with this assessment, you have a right to request Social Work to look at it again.

In certain special circumstances you may appeal against the outcome of your assessment.

Your Social Worker will complete and submit a form (Request for Review of Charge on Grounds of Special Circumstances) on your behalf to the Appeals Panel which meets each week.

Your Social Worker will inform you of the outcome of your appeal. If you are still dissatisfied with the outcome, you may wish to make a complaint.

Complaints may be made to:

The Customer Care Officer
Scottish Borders Council
Social Work Services
East End,
Earlston,
TD4 6HU
Freephone 0800 019 4490

You are entitled to be represented in accordance with the Social Work's complaints procedure.

You may wish to seek independent advice on making a complaint - see pages 18 and 19 for details of independent agencies.

Section 2: Information for people who are resident in a care home

Financial Assessment

If we told you in your letter that your assessment included an element of Income Support or Pension Credit, please check that an application has been made for this benefit.

If you are entitled to benefits, the amount of your entitlement will be treated as income in assessing your charge, even if you choose not to make a claim. If you are in receipt of benefits please ensure that payment is continuous and that a new claim is made, for example on discharge from hospital.

Changes in circumstances

Any changes in your circumstances while you are in residential care may affect what you pay for your care (see page 15). It is important that you tell your Social Worker of any changes in your circumstances, or you may contact:

The Care Resource Team
Social Work Services
Council Headquarters
Newtown St. Boswells
TD6 0SA
Tel. 01835 825080

The following circumstances will require the cost of your care to be re-assessed:

- your stay in residential care was temporary and becomes permanent;
- you sell your property or receive a substantial gift of money or property;
- there is a reduction or increase in your income;
- your spouse, partner, carer, or an older or disabled relative who has been living in your home dies or moves out of your home. The disregard will end and the value of your home will be taken into account;
- half of your personal or occupation pension or payment from a retirement annuity contract may be disregarded because you give this amount to your spouse.

If your spouse subsequently moves into residential care or if you stop paying half your pension to them, or if you divorce, the disregard will end. The disregard will also end if your spouse dies.

What if I am admitted to hospital?

If you are admitted to hospital from your care home or nursing home, your contribution will be re-assessed based on the income and capital you have at that time.

If you pay the maximum charge for accommodation costs you will continue to do so.

After 2 weeks in hospital Free Personal Care (£145 or £210) stops and you will be liable to pay the full cost of care.

If a family member is an appointee for your benefits, they must notify the Social Security office that you have been admitted to hospital.

If this means that you are no longer entitled to benefits, such as Income Support or Pension Credit, please ensure that a new claim is made on discharge from hospital and on your return to the care home.

What if I am in receipt of Attendance Allowance or Disability Living Allowance - Care Component?

If you are in receipt of Attendance Allowance or Disability Living Allowance (Care Component) you must notify the Disability Benefits Unit (see below) that you are now in a care home. You may wish to ask your Social Worker, a relative, or member of staff to do this for you.

If you are receiving financial assistance for your care from the Council, you will not be entitled to these benefits, 4 weeks from your move into a care home. Your entitlement to these benefits will end even if you only receive Free Personal Care or Nursing Care.

If you pay the full charge for your accommodation costs, and you are not in receipt of Free Personal Care or Nursing Care, you will continue to be entitled to receive these benefits.

If you are under 65 years of age, in nursing care, with capital in excess of £19,500, you will continue to be entitled to Disability Living Allowance (Care Component - £65) while receiving Free Personal Nursing Care.

Disability Living Allowance & Attendance Allowance Unit

Warbreck House, Warbreck Hill, Blackpool
FY2 0YE - Postcode for Disability Living Allowance
FY5 3AW - Postcode for Attendance Allowance

Tel: 08457 123456

Textphone: 08457 224433

Advice Agencies

Citizen's Advice Bureaux

(Please phone for opening hours)

Berwick

5 Tweed Street

Tel. 01289 330222

Duns

Southfield Community Centre,
Station Road

Tel. 01361 883340

Eyemouth

Community Centre
Albert Road

Tel. 018907 50500

Galashiels

111 High Street

Tel. 01896 753889

Hawick

1 Towerdykeside

Tel. 01450 364266

Innerleithen

Memorial Hall

Tel. 01896 830200

Jedburgh

Veitch's Close,
Castlegate

Tel. 01835 863554

Kelso

20 Shedden Park Road

Tel. 01573 223516

Peebles

42 Old Town

Tel. 01721 721722

The Pensions Service

Gives information and advice on pensions at surgeries held in West Linton, Peebles, Selkirk, Galashiels, Melrose, Earlston, Hawick, Jedburgh, Coldstream, Chirnside, Duns, and Eyemouth. A home visiting service is provided for anyone unable to get to a surgery. For more information telephone the Customer Services Manager on 01896 612417.

Advocacy and Advice

The following independent agencies offer advocacy as well as information and advice.

Borders Independent Advocacy Service (BIAS)

Unit 6a, Edenside Workshops

Inch Road

Kelso TD5 7JR

Tel. 01573 225777

email: bias.borders@virgin.net

Alzheimers Scotland

Action on Dementia

Unit 6 Edenside Workshops

Inch Road

KELSO TD5 7JR

Tel. 01573 226162

email: bordersproject@alzscot.org

Princess Royal Trust

Borders Carers Centre

Roxburgh Street

GALASHIELS

TD1 1NY

Tel. 01896 752431

email: centre@borders.carers.net

Help the Aged - Care Fees Advisory Services

Freephone: 0500 76 74 76

www.helptheaged.org.uk

Age Concern - Information Line

Freephone: 0800 00 99 66

www.ace.org.uk

Social Work Local Offices

14 Newtown Street
DUNS TD11 3DT
Tel. 01361 883050
sw.duns@scotborders.gov.uk

Rose Lane
KELSO TD5 7AP
Tel. 01573 223501
sw.kelso@scotborders.gov.uk

4 – 6 Abbotsford Road
GALASHIELS TD1 13DS
Tel. 01896 755365
sw.galashiels@scotborders.gov.uk

14 -18 Chapel Street
SELKIRK TD7 4LB
Tel. 01750 20738
sw.selkirk@scotborders.gov.uk

Chambers Institute, High Street
PEEBLES EH45 8AF
Tel. 01721 722777
sw.peebles@scotborders.gov.uk

5 -7 Lothian Street
HAWICK TD9 9HB
Tel. 01450 374545
sw.hawick@scotborders.gov.uk

Welfare Benefits Service,
East End, Earlston TD4 6HU
Tel. 01896 849802
wbs.@scotborders.gov.uk

Social Work teams are also based in:

Borders General Hospital Tel. 01896 826271

Huntlyburn House Tel. 01896 827300

Opening times:
Mondays to Thursdays from **8.45am to 5.00pm**
Fridays from **8.45am to 3.45pm.**

Council Contact Centres

The Centres offer information and advice on all of the services provided by Scottish Borders Council:

8 Newtown Street
DUNS TD11 3DT
Tel. 01361 882600

Paton Street
GALASHIELS TD1 3AT
Tel. 01896 754751

60 Woodmarket
KELSO TD5 7AX
Tel. 01573 224387

15 High Street
PEEBLES EH45 8AF
Tel. 01721 721463

Exchange Street
JEDBURGH TD8 6BH
Tel. 01835 862246

High Street
SELKIRK TD7 4LB
Tel. 01750 21426

44 High Street
HAWICK TD9 9EF
Tel. 01450 375991

2 Church Street
EYEMOUTH TD14 5DH
Tel. 01890 750247

Leithen Road
INNERLEITHEN EH44
Tel. 01896 830200
(Thursday & Friday only)

73 High Street
COLDSTREAM TD12 4AE
Tel. 01896 882486
(Friday only)

Opening Times:

Mondays to Thursdays from **9.00am to 4.30pm**

Fridays from **9.00am to 3.30pm.**

This leaflet is also available in large print and on audio-cassette.

Copies are available from:

Social Work Services
Tel. 01835 825080