



Nottinghamshire
County Council

Paying to live in a Care Home in Nottinghamshire

April 2008 - March 2009



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Please note:

The financial information in this booklet can change. To check the up-to-date figures visit our website www.nottinghamshire.gov.uk/carehomes

The Social Services Department of Nottinghamshire County Council no longer exists. Adult social care services are now dealt with by the Adult Social Care and Health Department.

This booklet is to help you if you are thinking of moving into a care home and need help to pay for it.

It tells you how the amount that you must pay is worked out and answers some of the questions that you may have.

Who decides if I can live in a residential or nursing home?

Nottinghamshire Adult Social Care and Health Department has special teams to help you arrange the care you need to continue to live independently. If you, or someone acting on your behalf, feel that you need help with your care needs you can ask the Adult Social Care and Health Department to carry out a **Community care assessment**.

This means that you and Adult Social Care and Health Department will reach agreement about the needs that you have and the services that should be arranged for you. This agreement is reached by talking to you, any carer that you may have and, with your permission, people such as your doctor or hospital consultant.

If independent living is not possible, the Adult Social Care and Health Department can arrange a place for you in a residential care home or nursing home.

Do I have to pay?

Everyone who goes into a care home must pay something toward the cost of their care, unless it is “continuing care” paid for by the NHS.

See Part 2.4
‘Self-funding a
stay in a care
home’

If you are able to afford the full cost of your care from your savings and income, you can make your own arrangements.

If you need help to pay for your care, you must not go into the home until a panel of Adult Social Care and Health Department managers has agreed that funding can be arranged for you.

2.1 Choosing a home

The Adult Social Care and Health Department will provide you with information to help you choose a home. Most homes are under contract with the Adult Social Care and Health Department to provide places at a fixed cost and to the agreed standards of service.

You do not have to choose a home from the information provided by the Adult Social Care and Health Department. Instead you can choose a different home (including one in a different part of the Country) as long as it meets your needs and is willing to take you under the Adult Social Care and Health Department’s normal contract arrangements.

This means that it must not cost the Adult Social Care and Health Department more than they would normally pay to help someone with similar needs.

See Part 2.3
‘Third Party
payments’

You can also choose a more expensive home if there is someone else, like a relative or friend, willing to pay for the extra cost. But be sure that this arrangement is likely to last or you may have to move again later.

2.2 Working out the cost of care

(when shared between yourself and the Adult Social Care and Health Department)

The following notes assume that you will be staying permanently in any home that you choose.

The cost of care depends upon whether you stay:

- in a private residential home
- in a private nursing home
- in a Local Authority care home.

Who pays?

Everyone receiving care funded by the Adult Social Care and Health Department must make some payment toward the cost of their care.

If you can not afford the full cost, the Adult Social Care and Health Department will make a financial assessment of how much you can afford to pay from any income, capital and benefits you are entitled to claim. The Adult Social Care and Health Department will pay the rest, up to a standard limit for the type of care provided for you. Your social worker will be able to tell you what the current amount is for the type of care that you need.

If the home that you are thinking of is more expensive than the Adult Social Care and Health Department limit and you still want to live in this home, a relative or friend can make up the extra cost for you. However, please be sure that this arrangement is likely to last or you may have to move again.

How much will I have to pay toward the cost of living in a home?

The amount you pay will depend on how much income and capital (savings and investments) you have. We will visit you to help you fill in a **statement of financial circumstances** and to sign to say that the details on it are complete and correct to the best of your knowledge. These details will be used to carry out a **financial assessment**, so that the Adult Social Care and

◀ If your stay is temporary, please see Part 4.5 'Temporary care'

◀ If you can afford to pay the full cost you will be called 'self-funding'. This is explained fully in Part 2.4

◀ If someone makes up the extra cost for you, their payment is called a Third Party payment (see Part 2.3)

Health Department can tell you how much you should pay before you go into a home.

The Adult Social Care and Health Department is working in partnership with the Pension Service to help people get any extra benefits that they may be entitled to. The person who visits you to collect your financial details may either be from the Adult Social Care and Health Department or from the Pension Service (on behalf of Adult Social Care and Health Department).

If you pay the whole cost, you are 'self-funding' and should read Part 2.4

What rules do the Adult Social Care and Health Department use to decide if they will share the cost?

The Department of Health sets the rules for how the Adult Social Care and Health Department must treat your income and savings. They tell the Adult Social Care and Health Department how to work out the amount that you must pay through a means test:

- if your weekly income is greater than the weekly charge made by the home, plus a small amount for personal expenses, you must pay the whole cost
- if your capital (savings and investments) is over £22,250, you must pay the whole cost until your capital reduces to below £22,250.

2.3 Third Party payments

Who is a Third Party?

A Third Party is someone who agrees to pay a "top up" to enable a relative or friend to go into a home that charges more for care than the Adult Social Care and Health Department expect to pay for someone with similar care needs. This "top up" is **in addition** to the amount that you are asked to pay from your own income and savings.

Your social worker will explain why you need to pay a top up. If you think this is unreasonable and you want to get independent advice you can contact Nottinghamshire Welfare Rights Service (see page 33).

The amount of the “top up” is agreed at the time that you go into the home, but can be reviewed by the home as long as they give notice.

The person who agrees to become a Third Party will be asked to sign an agreement form and will be sent an invoice for the agreed amount every four weeks.

Can I make Third Party payments from my own money?

This is not usually allowed. Third Party payments must normally be made by someone else from their own money.

The only people who may be able to be their own Third Party are those who own a property whose value is being taken into account. Even then, they can only be their own Third Party if:

- they are in the “12 week disregard” period OR
- they have entered into the Deferred Payment scheme.

The home makes a charge for “extras”. Are these Third Party payments?

No. You can pay for things like hairdressing, entertainment, newspapers, stationery and so on from your personal allowance or from your own savings.

The home should make a separate agreement with you about what things they can provide for you and how much they will cost you.

What if my Third Party stops making payments?

It is very important that the person who agrees to make Third Party payments is able to continue to do so for as long as you are in the home.

If regular payments are not made, the Adult Social Care and Health Department may have to ask you to move to a home which still meets your needs but costs less.

2.4 Self-Funding a stay in a Care Home

If you need to go into a care home, and you have capital (savings and assets) worth more than £22,250, it is likely that you will be expected to fund your own stay without help from the Adult Social Care and Health Department.

However, this is not always the case, and so you should always check with the Adult Social Care and Health Department before you make arrangements to enter into a contract with a care home on your own.

If you are responsible for funding your own care, there are a few things that you should consider:

How much will I have to pay towards the cost of living in a home?

Residential care

If you are receiving residential care, you will have to pay the whole cost.

Nursing care

If you are receiving nursing care, you may be able to get help with part of your care costs through your Primary Care Trust (PCT). They will make a 'determination' of your nursing needs and decide which level of payment should be made for you. These payments will be made directly to the home and may mean that you have to pay less from your own money.

Continuing care

You may be able to get your care costs paid by the NHS if you meet the 'continuing care' criteria. For more information contact your Primary Care Trust (see your phone book for contact details).

Can I claim Social Security benefits to help with my care costs?

Yes. You may be entitled to Attendance Allowance, Disability Living Allowance, Pension Credit or Income Support in addition to the State Retirement Pension or Incapacity benefit.

Attendance Allowance (AA)

If you are aged 65 or over, you may be entitled to Attendance Allowance to help you to pay for the care that you need.

Disability Living Allowance (DLA)

If you are under 65 years of age, you may be entitled to Disability Living Allowance to help you to pay for the care that you need and/or help with mobility costs.

You can claim AA or DLA by ringing the free telephone number **0800 88 22 00**.

Has your AA or DLA been suspended because you have been in hospital or in residential care?

Once you are paying for your own care, without financial help from the Adult Social Care and Health Department, you can ask for your AA or DLA to be reinstated. You need to write to:

**Disability Benefits Unit
Warbreck House
Warbreck Hill
Blackpool
FY2 0YE**

Your letter should include your name, address and National Insurance number. You may choose to use the following words:

“I am writing to request that you reinstate my Attendance Allowance/Disability Living Allowance with effect from *(insert date)* because from this date I am self-funding my stay in residential care. I have entered into my own contract with the care home, without financial involvement from the Local Authority.”

Should you be getting a higher rate of AA or DLA?

Attendance Allowance

There are two rates of AA, lower and higher.

If you want to apply for the higher rate of AA, you should write to the above address stating that you now have day and night time care needs or supervision needs and request a ‘supersession’ to the higher rate.

Disability Living Allowance

There are three rates for the care component of Disability Living Allowance – Low, Middle and High.

- To meet the requirement for the middle rate you must require frequent attention or continual supervision in the day or night.
- To meet the requirement for high rate, you must have day and night time care needs or supervision needs as well.

Pension Credit

If you are over 60 years of age, you may be entitled to receive Pension Credit on top of your Retirement Pension and other income.

If you do not already receive Pension Credit, you can make a claim using the free telephone number **0800 99 12 34**.

Income Support

This can be paid if you are under 60 **and** have savings under £16,000 **and** your weekly income is less than the levels set by government.

(Please note - If you meet the criteria for Income Support, you should double check whether you can get help from Adult Social Care and Health Department to pay for your care).

What happens when my savings reduce to £22,250?

Remember that you are entitled to ask the Adult Social Care and Health Department to help you to pay for the care that you need once your savings fall below the threshold. This is £22,250 from April 2008 and increases each year.

As your savings approach this level, you should contact your the Adult Social Care and Health Department for advice.

Making the most of your capital

It is always worthwhile seeking advice about investing any large amounts of money that you have, for example from the sale of your property, which you may need to meet the cost of long term care.

You may wish to discuss this with an Independent Financial Adviser (IFA), with your bank, or with Help the Aged Care Fees Advice on **0500 76 74 76**.

If you need any advice or assistance in relation to your entitlement to benefits you can call the Nottinghamshire Welfare Rights Service Advice Line on 0845 601 5943 between 11am and 1pm each day.

You may wish to look at the Age Concern website for helpful guidance on a range of topics including residential care (www.ageconcern.org.uk).

How does the Social Security welfare benefits system help with the cost of my care home?

Retirement Pension and Incapacity Benefit

Neither of these benefits is affected by you going into a residential or nursing home, but they will be taken into account when the Adult Social Care and Health Department work out how much you must pay toward the cost of your care.

Income Support

This is a means tested benefit and is paid if you are under 60 and cannot afford the cost of the home from your own income and you have savings of:

- less than £16,000

AND

- your weekly income is below government set levels.

Pension Credit

This is a means-tested benefit and is paid if you are over 60 and cannot afford the cost of the home from your own income, and your weekly income is below government set levels. There is no limit on the capital you have.

Income Support and Pension Credit are taken into account when the Adult Social Care and Health Department work out how much you must pay toward the cost of your care.

Attendance Allowance/Disability Living Allowance (Care Component)

These benefits can be paid if you have a disability that means that you need care from someone else during the day and/or at night. Attendance allowance is paid to people who are aged 65 or over and Disability Living allowance is paid to people who are aged under 65.

Attendance Allowance and Disability Living Allowance (Care Component) are not paid if you are getting help with the cost of your care from 'public funds'.

Public funds are where:

- the Adult Social Care and Health Department help you with the cost of your care (and you will not be repaying those costs when you sell your house)
- the care home is subsidised by a grant from the Local Authority or the Health Authority.

If you are getting help from the Adult Social Care and Health Department to pay your fees, these benefits will stop four weeks after you go into the care home. If you are staying in the home permanently, they will be taken into account in the financial assessment done by the Adult Social Care and Health Department for as long as you are entitled to get them. If your stay is temporary, they will be ignored.

If you own a house, which is being taken into account, you may be able to keep getting Attendance Allowance/Disability Living Allowance (Care Component) after four weeks. See the chart in appendix 1 - “I own a property and I am having long term care”. The person who does your financial assessment will explain this to you.

Disability Living Allowance (Mobility Component)

This benefit is not affected by your stay in a care home.

How do I claim Attendance Allowance or Disability Living Allowance?

The person who collects your financial details will help you to fill in the claim form. If you have not asked the Adult Social Care and Health Department for assistance, you can obtain a form by ringing the Department for Work & Pensions – Freephone 0800 882200 between 8.30am and 6.30pm Monday to Friday and 9.00am to 1.00pm on Saturdays.

How do I claim Income Support or Pension Credit?

The person who collects your financial details will help you and your partner fill in the forms. Otherwise you can ring the Department for Work & Pensions local office.

Please note: If you are having a temporary stay, Income Support or Pension Credit is worked out for each day of your stay.

But, if you are a permanent resident, Income Support or Pension Credit will only be paid from the next benefit cashing day after your admission.

The amount that you are asked to pay will take account of this difference.

Remember: You will need to provide up-to-date bank statements and evidence of work pensions etc. to send with your claim.

Do I have to sell my house to claim Income Support or Pension Credit?

The value of your house will count as part of your savings unless someone who is living there is one of the following:

- your partner
- a relative who is incapacitated, or aged over 60
- your estranged partner – when the sale value can be ignored for six months, or longer if the Department for Work & Pensions agree.

The value of your house is ignored for as long as you are trying to sell it. Once it is sold, your Income Support will stop if you are left with £16,000 or more after paying fees and costs – but you will not have to repay any Income Support. Your Pension Credit may still continue, depending on your weekly income. This differs from the Adult Social Care and Health Department rule that does require the money to be paid back.

The value of your house is ignored completely if you are having a temporary stay.

See Appendix 1 – ‘What help can I get with the cost of my care?’

Who counts as my partner for Income Support or Pension Credit?

Income Support or Pension Credit considers your partner to be someone to whom you are married or living with as your husband or wife. Gay and lesbian partnerships are now also recognised.

If you are going into permanent care you are considered as a single person for benefit purposes.

How are my savings and income worked out?

The savings and income rules are set down by the Department for Work & Pensions. If you have a partner, the income and savings of you and your partner are separated. This means that you will keep your own income such as Retirement Pension, and half of your joint savings

How much Income Support or Pension Credit will I receive to help with my share of the costs?

Income Support or Pension Credit is not an easy calculation! The Adult Social Care and Health Department will be able to tell you the amount you actually have to contribute toward the cost of care – this will include any Income Support or Pension Credit that you receive. (The Department for Work & Pensions must send you a full breakdown of the Income Support or Pension Credit calculation if you ask them to.)

Remember: Once you have paid your share of the cost of your care, you will be left with a small personal allowance only. This personal allowance goes up each year and is £21.15 for the year 2008/09.

Can my partner, who remains living at home, ask the Department for Work & Pensions for financial help?

When you move to a care home, your finances are separated from your partner's. The partner remaining at home may also be entitled to claim Income Support or Pension Credit. The Adult Social Care and Health Department will help both you and your partner to claim and will explain how much will be paid.

What if I need to go into hospital after going into a home?

If you are permanently resident in a care home and need to go into hospital, you will still be charged for your place at the home for as long as you continue to receive payments from the Department for Work & Pensions.

You will need to tell the Department for Work & Pensions when you go into hospital and when you come out. Your benefits will not normally be reduced until you have been in hospital for 52 weeks.

During the time that you are in hospital, your social worker will check that your current care home still meets your needs.

However, if you are still getting Disability Living Allowance or Attendance Allowance as a 'self-funder' in a care home, these will be affected after four weeks.

What happens if we both move into a care home?

If you are moving in as permanent residents, you will each be treated as a single person for benefit purposes, even if you are sharing a room. You will each need to complete an Income Support or Pension Credit claim.

Remember: The amount you are charged will include all the benefits that you are entitled to claim. They will be included in your charge even if you don't claim them.

- If these benefits appear on your financial assessment, you must check that the actual payment you get is the same as the amount included in the assessment so that you do not lose money.
- If there is any delay between you getting the benefits and getting the first invoice from the Adult Social Care and Health Department, you will need to put this money aside in your bank or building society.

4.1 Income

How does the Adult Social Care and Health Department work out my income if I am a single person?

As a general rule, all of your income will be treated as available to meet the cost of the home.

How is my income worked out if I am married or living with an unmarried partner?

A married couple, or partners living as a couple, have their income treated separately when one of them moves permanently into a care home. From the date that one or both move into a care home they are considered as two “single” people, each with their own personal money.

This may mean that a wife whose husband moves permanently into a home may be left with only a small retirement pension. She will then need to claim Income Support or Pension Credit to help with her own living costs.

How are occupational pensions treated?

If the person going into care has an occupational pension, they can choose to give half of it to the partner staying at home. The person going into the home will then get more help from the Adult Social Care and Health Department, but the person staying at home may get less Income Support or Pension Credit. The person who does your financial assessment will talk to you about this. You can get independent advice from the Nottinghamshire Welfare Rights Service (see page 33).

How much will I have left once I have paid my share of the costs?

You will have a small personal allowance left to pay for items such as clothing, letter writing materials, stamps, telephone calls and so on. This amount is set each year by the

government and increases every April. (From April 2008 the amount is £21.15 per week). In addition you can keep up to £5.25 of any savings credit element of your Pension Credit **OR** you can keep £5.25 in some other circumstances.

The Adult Social Care and Health Department may decide in special circumstances, to award more than the usual personal allowance. If you feel that you have special circumstances, speak to your social worker.

4.2 Capital

What is Capital?

Capital includes any savings that you have in bank accounts, building society accounts, stocks and shares and similar investments. It can also include any property or land that you own.

How is my capital worked out if I am a single person?

There is a lower limit, below which your capital will not be taken into account:

- for the Adult Social Care and Health Department this is £13,500 (as at April 2008)
- for Income Support or Pension Credit it is £10,000.

There is also an upper limit above which you will not get any financial help:

- for the Adult Social Care and Health Department this is £22,250 (as at April 2008)
- for Income Support it is £16,000
- there is no upper limit for Pension Credit.

If your capital is between these two limits, then the help that you get will be reduced:

- for the Adult Social Care and Health Department – £13,500 to £22,250
- Income Support – £10,000 to £16,000
- Pension Credit – £10,000 to no upper limit.

Please note: If you go into a home temporarily, the lower and upper capital limits stay the same for the Adult Social Care and Health Department but, for Income Support they reduce to £6,000 and £16,000 and for Pension Credit the lower limit is £6,000 and there is no upper limit.

How is my capital worked out if I am married or living with an unmarried partner?

Jointly owned savings, investments or property are shared equally between both partners in the financial assessment. Where it can be shown that savings, investments or property have always belonged solely to one partner, they are kept by that partner.

What happens if my capital falls below £22,250 and I am already living in a home?

If your weekly income is not enough to pay for the cost of the home, you can ask the Adult Social Care and Health Department to start to help once your capital falls below £22,250.

The Adult Social Care and Health Department will carry out an assessment of your care needs. If it is agreed that you need residential care, they will then look at the cost. You may have to move to a less expensive room in the same care home, or to a less expensive home, if the cost is above the Adult Social Care and Health Department limits.

4.3 Deprivation of income and savings

What does “deprivation” mean?

If you give away savings, property or other things that count as capital this will be investigated as deprivation.

If you give away savings, property or other assets, or sold property for less than its value before going into a care home, then the Adult Social Care and Health Department may treat you as though you still have it. The person that you gave them to may become legally liable and the Adult Social Care and Health Department may recover any unpaid charges from that person. This may involve proceedings in the County Court.

Remember: The Adult Social Care and Health Department must make sure you receive the care that you need even if it takes some time to decide who must pay for it.

This procedure is explained in Part 6.2 - How to Complain

You can use the Adult Social Care and Health Department complaints procedure if it is alleged that you deliberately gave away an asset but you disagree.

You can get independent advice about deprivation from Nottinghamshire Welfare Rights Service (see page 33).

4.4 Your own home

Does the value of my home count toward the capital limit of £22,250?

First 12 weeks of your stay: The value of your property will not be taken into account for the first 12 weeks of your stay as a permanent resident. You will not be asked to make any decision about putting your property up for sale during this period.

If you choose not to put it on the market, you will not be able to claim Income Support but you may still be able to claim Pension Credit.

If you do choose to put it on the market, and have less than £16,000 in savings, you will be able to claim Income Support, or if over 60, Pension Credit regardless of savings.

You will not be worse off whichever decision you make during

the first 12 weeks of your stay.

Your Attendance Allowance will stop after the first four weeks of your stay. You can reclaim Attendance Allowance again at the beginning of the 13th week as long as the value of your house is enough to enable you to repay any debt to the Adult Social Care and Health Department.

From week 13 onward: Your share of the sale value of your house will be taken into account unless:

- your husband or wife or partner still lives there
- a family member aged over 60 is still living in it
- a close relative lives there who is “incapacitated” (i.e. receiving Attendance Allowance, DLA Care or Incapacity Benefit, or is long term sick).

The Adult Social Care and Health Department **may** also ignore your share of the house value in other circumstances if it is reasonable to do so.

Do I have to sell my house?

Yes, in most cases. But you can choose not to sell your house straight away. The Adult Social Care and Health Department may be able to offer you a **Deferred Payment Scheme**. This would mean that your house could remain unsold for the whole of your stay in a residential or nursing home. We will send you full details of this scheme when we do your financial assessment.

Once the value of your house is taken into account, the Adult Social Care and Health Department will put a “legal charge” on it until it is sold. This works in a similar way to a mortgage and means that the Adult Social Care and Health Department can recover the cost of your residential or nursing care from the money that you get from selling your house.

It does not affect your ability to sell in any way.

Please note: If your house is not sold until after your death, interest will be charged on the amount due to the Adult Social Care and Health Department – after 56 days if you are using the Deferred Payment Scheme, or from the day after your death if you are not using this scheme.

◀ See Appendix 1 - ‘What help can I get with the cost of my care?’

What if I think it is unreasonable to be asked to sell my house?

If you feel that your particular circumstances mean that it is unreasonable for the Adult Social Care and Health Department to take the value of your house into account, you can ask for them to refer your case to their Disregard Panel.

This will give you the opportunity to explain why you feel that your house should not be taken into account, either in person or in writing. Your social worker will be able to give you full details of how the panel works. You may wish to ask for independent advice about this from Nottinghamshire Welfare Rights Service (see page 33).

What happens if I am trying to sell my house?

The Adult Social Care and Health Department will help you to pay the care home costs until you sell your house. Once the house is sold, you must tell the Adult Social Care and Health Department. They will ask you to pay back all or part of the financial help that they have given you. The actual amount that you have to pay back will depend on the profit that you make from the sale, after allowing for any outstanding mortgage and legal fees etc.

What if I own my home with someone else?

The value of your share depends on your ability to sell your share (not the whole house). If you own the house jointly, it may be difficult to sell just your share. If the other owner wants to remain in the house, the value of your share will usually be very low as a buyer will be very difficult to find.

If my partner, husband or wife has moved into a care home and I now decide to sell our house to move elsewhere, can I use the proceeds to buy my new house?

Usually you can. Your own needs are also important. You should, however, ask for advice from the Adult Social Care and Health Department in this situation.

How is the value of my home calculated if I have a tenant who is paying me rent?

The sale value of your house is still taken into account in full if you have let out all or part of your house under a legally binding lease or tenancy agreement. This means that you will have to pay for the full cost of the care home if the value of your house is over £22,250. However, you may be able to get help from the Adult Social Care and Health Department until the house can be sold.

You may find that the rental income can help you to pay your full care costs without needing help from the local authority or having to sell your property. If you are thinking of renting out your house we advise you to take legal advice.

What do I do if I lived in a rented house?

If you lived in a rented property before becoming a permanent resident in a residential or nursing care home, you will need to end your tenancy arrangement as soon as is practical. You must make sure that you talk to your social worker about your plans before taking any action.

Before handing in the keys, make sure that you have had final readings for gas and electricity.

If you are claiming Housing Benefit, this can continue to be paid for up to four weeks after you become a permanent resident in a care home. If you are not able to give up your tenancy within four weeks, the Adult Social Care and Health Department may be able to help cover your rent after that for an extra two weeks.

What if I own more than one property?

The value of both properties will be taken into account unless you are entitled to have one disregarded because it is lived in by any of the people mentioned in the paragraph “from week 13 onward”.

The “12 week disregard period” only applies to the property that was your main address before going into a care home. The value of any other property is taken into account from your date of admission.

Do I have to carry on paying Council Tax if my home is empty?

No. You should tell your district council that you are now living permanently in a care home.

If you have a second property, you may still have to pay Council Tax for that one. Nottinghamshire Welfare Rights Service will be able to advise you (see page 33).

4.5 Temporary care

What is temporary care?

“Temporary” care is where your stay is less than 52 weeks. In exceptional cases your stay may be classed as temporary if it is unlikely to be substantially more than 52 weeks. Talk to your social worker about this.

Do I have to pay towards the cost of temporary stays in a care home?

Yes. The Adult Social Care and Health Department will require you to contribute towards the cost of your stay.

What are the savings rules for temporary stays in a care home?

The savings rules used by the Department for Work & Pensions are different for temporary stays. Their savings limit for Income Support is £16,000 but there is no upper limit for Pension Credit.

The limit for assistance from the Adult Social Care and Health Department is still £22,250 whether you are having a permanent or temporary stay.

Are the costs that I have at home taken into account in working out my share of the temporary care costs?

If you are staying temporarily in a care home, your share of the charge takes into account some of your costs at home, such as standing charges on gas, electricity and phone, plus any insurance payments.

Is my Attendance Allowance/Disability Living Allowance stopped when I am in temporary care?

Attendance Allowance and Disability Living Allowance Care component stops being paid after 28 days stay in the care home or after short stays that add up to 28 days.

You can sometimes organise your stay in the home with the social worker to make sure that periods in temporary care do not go over the 28 days. For further advice about this you can talk to Nottinghamshire Welfare Rights Service (see page 33).

If you pay for your own temporary care, without help from the Adult Social Care and Health Department, these benefits are not withdrawn.

◀ See Part 3
'Benefits'

Can I claim any additional Social Security benefits to help with my share of the costs of temporary care?

If you are already receiving Income Support or Pension Credit, your benefit payment is likely to stay the same. You should notify your local benefits office that you have gone into residential care on a temporary basis.

If you are not receiving Income Support or Pension Credit, the Adult Social Care and Health Department will help you to check if you should be receiving it whilst you are at home and whilst you are in the care home.

How much will I have once I have paid my share of the cost of temporary care?

You will have a small personal allowance left each week to pay for clothing, stationery, stamps and so on. This amount increases every April. (From April 2008 the amount is £21.15 per week).

The Adult Social Care and Health Department may be able to increase your allowance if you have special circumstances. If you have additional expenses at home that you cannot pay, discuss these with your social worker.

How is my share of the temporary care cost worked out if I have a partner and perhaps children who remain at home?

Only your own income is taken into account by the Adult Social Care and Health Department. If you have no income of your own, or your income is very low - for example, a small retirement pension - that is all that is taken into account.

Your partner's income can not be taken into account when the Adult Social Care and Health Department work out how much you should pay toward the care costs.

What if my income is the main household income?

If your income is the main household income, then the Adult Social Care and Health Department will work out how much you need to keep so that you can continue to meet your partner's and children's needs.

These costs will be taken into account when your share of your care costs is worked out.

4.6 Changes of circumstances

What if my circumstances change?

If any of your financial details change whilst you are in residential care, you must make sure that the Adult Social Care and Health Department and the Department for Work & Pensions are informed.

We will need to know things like:

- significant increases or decreases in capital
- any increase in income from whatever source
- if your spouse or partner moves out of the house you own, or if they die
- if you move to a new care home or permanently leave residential care.

(The above are just examples and there may be other things that you need to tell us.)

If there are changes in your finances that you do not tell us about, this may result in you paying too much for your care or in you receiving an extra bill relating to a change that happened months ago.

To avoid this happening, always report any change as soon as it happens.

The address to send details to for the Adult Social Care and Health Department is:

**Adult Care Financial Services
3rd Floor, County Hall
Loughborough Road
West Bridgford
Nottingham
NG2 7QP
Tel: (0115) 977 2426**

5.1 Help to manage your money

Some people in residential or nursing homes find it hard to keep on top of all the financial aspects of their stay. Claiming benefits and making sure that payments are made promptly, and for the correct amount, can be confusing.

For some people in this situation it makes sense to ask someone else to take responsibility.

What kinds of things could I ask someone to look after for me?

Things like:

- claiming and renewing claims for benefits
- cashing pensions
- paying the bills
- reporting any changes in circumstances to the Adult Social Care and Health Department and the Department for Work & Pensions
- managing bank accounts.

What types of arrangements are there?

Appointee

If you are entitled to Social Security benefits or pensions but are mentally unable to manage your own affairs, you can have your benefits dealt with by an “Appointee”.

An Appointee is usually a close relative or friend. They should have regular contact with you and should be trusted by you.

An Appointee is responsible for:

- finding out what benefits you are entitled to
- filling out any relevant forms
- replying to any correspondence from the Department for Work & Pensions
- reporting any changes of circumstance
- ensuring that benefit payments are used for your welfare
- paying bills for your care
- paying your personal allowance money to you.

If there is no relative or friend who can act as Appointee, then the Director of the Adult Social Care and Health Department can act for you.

In this case, you must give full details of your bank accounts, work pensions or private pensions to the Adult Social Care and Health Department, so that it can be passed to the Department for Work & Pensions. If you do not provide these details, you may lose benefits.

It is important to remember that an Appointee can only help with benefits paid by the Department for Work & Pensions.

An Appointee does not have any powers in respect of bank accounts or private pensions.

An Appointee can give up their duties by giving a month's written notice to the Department for Work & Pensions.

Power of Attorney

There may be a variety of reasons why you might want someone to act for you.

As long as you are mentally capable, you can ask your solicitor to set up a Power of Attorney. The person you appoint can then show this document to banks, building societies and so on to confirm that they are entitled to act for you.

Please note: A Power of Attorney becomes invalid if the person whose affairs are covered becomes mentally incapable. To cover this eventuality, a person may make a Lasting Power of Attorney.

Lasting Power of Attorney

You can appoint someone to have Power of Attorney and ensure that they are able to continue to act for you if you become mentally incapable.

The document can be drawn up by a solicitor.

Giving someone Power of Attorney is a very important decision and you should think carefully about it.

A Lasting Power of Attorney gives great power and responsibility over your affairs to another person.

The Lasting Power of Attorney must be registered with the Office of the Public Guardian as soon as it is made. Your next of kin and other relatives must be informed of the Lasting Power of Attorney to allow them chance to object if they see fit.

**You can
obtain more
information
from the
Public
Guardianship
Office on
0845 3302900**

Court of Protection

The Court has a range of powers to ensure that the finances of people who are mentally incapable are protected.

The court appoints a “Deputy” to act in place of the person concerned and provides a “schedule” of things that the Deputy is authorised to do.

The Deputy must apply for extra authority from the court if they want to do other things. The Deputy must also provide accounts at the end of each year to show the court how the money has been spent for the benefit of the “patient”.

It is important to remember that fees may be payable to the court for its services.

Things to remember:

- any decision to put another person in control of your finances must be carefully considered. It is a big step to take. Discuss it with family, friends or advisers

- all of the options listed above, except Appointee and Court of Protection, must be made by you before you become mentally incapable
- all of the powers end on your death. Making a will is a very sensible way of protecting your finances after your death.

5.2 How to pay your fees

Direct debit

This is the way that the Adult Social Care and Health Department recommends for people to pay their part of the care fees. Once the Direct Debit agreement is set up, there is nothing more that you need to do. Payments for the agreed amount will be taken direct from your bank account every four weeks. If there is going to be any change to the amount, you will be notified in writing before the new amount is taken.

Most people have their benefits paid directly into their bank account by the Department for Work & Pensions. You will need to check that the account which you have can support Direct Debit payments.

Invoices

In exceptional circumstances you may be allowed a period of time when you receive invoices for your care fees. These will be issued on a four weekly basis.

Redirection of work pensions

Work pensions are taken into account when the Adult Social Care and Health Department works out how much you must pay toward the cost of your care. In some cases, it is possible to have work pensions re-directed so that they come to the Adult Social Care and Health Department instead of your own bank account.

◀ You can get more information about this from Adult Care Financial Services on (0115) 977 2426

What happens if I don't pay?

If you do not pay your fees, you will be contacted by the Adult Social Care and Health Department to find out whether there is any problem. If there is a problem, the Adult Social Care and Health Department will try to help you sort it out. If there is no problem, but you still do not pay your bills, then the Adult Social Care and Health Department will take action to recover any debts. This could mean court action if all else fails.

6.1 Further information

Where to go for help

Contact the Customer Service Centre and explain your situation. They will put you in touch with the Assessment and Care Management team for your area.

Address: **Customer Service Centre, PO Box 9320,
Nottingham NG15 5BL**

Telephone: **08449 40 40 40**

Calls cost 3p/min from BT landlines. Mobile costs may vary.

Email: **customerservice.centre@nottscc.gov.uk**

Hospital

If you are in hospital, you can contact the Social Work Team based at the hospital.

Nottinghamshire Welfare Rights Service

If you want independent advice or have a query about benefits contact the Nottinghamshire Welfare Rights Service

Advice Line: **0845 601 5943**

11.00am – 1.00pm Monday to Friday

Information about non-residential charges

The following leaflets provide information on non-residential charges:

- Charges for services from the Adult Social Care and Health Department
- Paying for care in your own home
- Self funding your stay in a care home
- Fairer charging for people with Learning Disabilities

You can get copies of these leaflets from:

- the Customer Service Centre
- County Contact offices
- the County Council website
www.nottinghamshire.gov.uk/socialcarehealthpublications

6.2 How to complain

If you have a complaint about the way in which your accommodation charges have been handled, you can contact:

**Principal Finance Officer
Adult Care Financial Services
3rd Floor, County Hall, Loughborough Road
West Bridgford, Nottingham NG2 7QP
Tel: (0115) 977 2426 Fax: (0115) 977 2412**

**Customer Relations Service
County Hall, Loughborough Road
West Bridgford, Nottingham NG2 7QP
Tel: 0844 9 80 80 80**

(Calls cost 3p/min from BT landlines. Mobile costs may vary.)

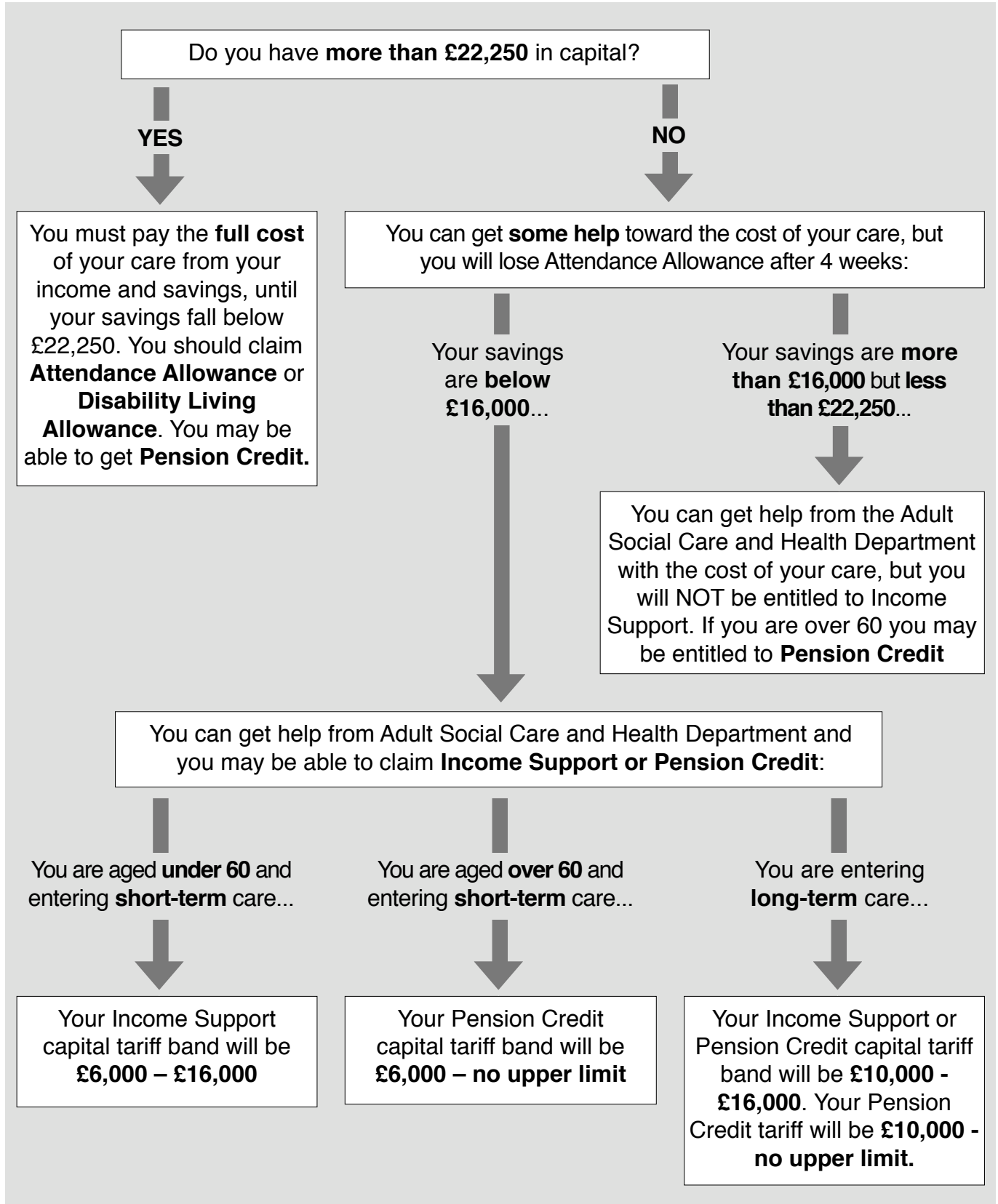
Fax: (0115) 977 2787

Whoever you contact, your complaint will be thoroughly investigated and the findings explained to you.

If you have a complaint about the care provided by the home, please contact Customer Relations Service.

What help can I get with cost of my care?

I don't own a property OR I am having short-term care:



I own a property AND I am having long-term care:

Do you have **more than £22,250** in savings as well as your house?

NO

YES

You can get **some help** from Adult Social Care and Health Department (ASCH) towards the cost of your care until your house is sold.

The amount of help you get from ASCH will depend on how long you have been in residential care.

Up to 12 weeks...

From 13 weeks...

You must pay the **full cost** of your care from your income and savings. You should claim **Attendance Allowance or Disability Living Allowance (care)**. You may be able to get Pension Credit.

The value of your house will **NOT** be taken into account, but you will lose Attendance Allowance or Disability Living Allowance (care) after 4 weeks.

Is your house on the market?

The value of your house **WILL** be taken into account.

Is your house on the market?

NO

YES

NO

YES

You cannot claim Income Support but ASCH will still help you. You may be able to claim **Pension Credit** if you are over 60.

You should claim **Income Support** when your savings are below £16,000. If you are over 60 you can claim **Pension Credit** regardless of savings

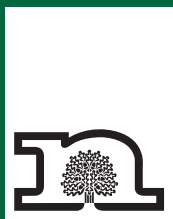
You cannot claim Income Support but you may get **Attendance Allowance or Disability Living Allowance (care)** re-instated. You may also be able to claim **Pension Credit** if you are over 60.

You can claim **Income Support** if your savings fall below £16,000. If you are over 60 you may claim **Pension Credit** regardless of savings.

AND

You can get **Attendance Allowance or Disability Living Allowance (care)** re-instated.

Please contact us if you would like further copies of this publication, or you need the information in a different language or format:



Customer Service Centre, PO Box 9320,
Nottingham. NG15 5BL

phone **08449 80 80 80**

Calls cost 3p/min from BT landlines. Mobile costs may vary.

e-mail **customerservice.centre@nottsc.gov.uk**

website **www.nottinghamshire.gov.uk**



INVESTOR IN PEOPLE

Published by Nottinghamshire County Council

Printed by Design Publications & Print

Design by Information Team, Adult Social Care and
Health Department

Ref: ASCH/119e/04.08



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