



# Deprivation of assets

## What is “deprivation of assets”?

Deprivation of assets occurs when you intentionally reduce your assets to avoid using their value towards paying for your care.

The Council may decide that you have done this deliberately and calculate your assessed payments as though you were still in possession of that property.

This will mean that you would be expected to pay as if you had that asset still available to you.

Further information on how we assess your contributions for care can be found in our factsheet [Paying for Support](#).

## What are my assets?

An asset may be money (including savings) or property (eg your home). Transfer of assets could include:

- giving away money
- transfer of property deeds
- spending money in a way you wouldn't usually
- gambling
- using savings to buy possessions which you know are excluded from the calculations towards contributions.

## When can assets be legally distributed?

Timing is key. If at the point of giving away your assets you know that you need, or may need, care, you will be deemed to have intentionally reduced your assets to avoid them being used in calculations towards your cost of care.

To give assets away legally you will need to have no current, ongoing or likely social care needs.

Be aware though that the Council can ask if you have ever owned a property and the recipients of the property could be asked to pay a contribution towards your care instead.

The Council is also able to recover any debt assessed as owing to them via legal proceedings.

The Council will need to determine that avoiding social care costs was a significant reason for your giving away these assets.

Of course there are some ways to use your assets that would not be classed as deliberate deprivation for example:

- giving assets a long time before the care need was present or expected
- giving tax free money to family to avoid inheritance tax
- helping family members who are struggling
- a property in which a spouse or partner continues to reside
- going on a holiday post-retirement when you are still in good health.

**If in doubt, ensure you receive independent financial and/or legal advice before utilising your assets or gifting them.**

Providers you might find helpful are listed on the [Nottingham Help Yourself](#) website and include:

### Money Advice Service

Telephone: 0800 138 7777

Typetalk: 18001 0300 500 5000

Email: [enquiries@moneyadviceservice.org.uk](mailto:enquiries@moneyadviceservice.org.uk)

Website: [www.moneyadviceservice.org.uk](http://www.moneyadviceservice.org.uk)

### **Citizen's Advice Bureau**

Telephone: 03444 111 444

Website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### **The Society of Later Life Advisers**

Telephone: 0333 2020 454

Email: [admin@societyoflaterlifeadvisers.co.uk](mailto:admin@societyoflaterlifeadvisers.co.uk)

Website: [www.societyoflaterlifeadvisers.co.uk](http://www.societyoflaterlifeadvisers.co.uk)

### **Which?**

Telephone: 01992 822 800

Website: [www.which.co.uk/after-life-care](http://www.which.co.uk/after-life-care)

### **Independent Age**

Telephone: 0800 319 6789 or 020 7605 4200

Email: [charity@independentage.org](mailto:charity@independentage.org)

Website: [www.independentage.org](http://www.independentage.org)

Alternatively you can phone us on 0300 500 80 80 where our advisers can guide you through the options.

### **Contact information**

Phone: 0300 500 80 80 - Monday to Friday, 8am to 6pm (Calls cost 3p a minute from a BT landline. Mobile costs may vary).

Email: [enquiries@nottscg.gov.uk](mailto:enquiries@nottscg.gov.uk)

Website: [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

Minicom: 01623 434993

Use these contact details if you need the information in a different language or format.

### **Emergency contacts**

Emergency Duty Team: 0300 456 4546

Monday to Thursday: 5pm to 8.30am

Operates 24 hours at weekends from 4.30pm on Fridays to 8.30am on Mondays.

Operates 24 hours during all public holidays.