

Residential and Nursing Care Accommodation Charging

2023-24

<http://www.wokingham.gov.uk/>

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1 What is Residential Charging?

1.1 What is Residential Charging?

Wokingham Borough Council charges for care using “Care and Support Statutory Guidance” issued under the ‘Care Act, 2014’.

When applying residential charges, this includes customers permanently living in residential or nursing care accommodation.

1.2 Getting help

If you (or someone acting on your behalf), feel that you need help with your care needs you should contact our Health and Social Care Hub on 0300 365 1234. We will discuss your situation with you and give you advice and support. Even if you do not need financial support you can still ask for advice and support to help you make arrangements.

To find out more, please visit our website at:
<http://www.wokingham.gov.uk>

1.3 Who can get financial help?

If you are a Wokingham resident and are assessed as having eligible needs, you may be entitled to receive financial help. More information is available in our ‘eligibility criteria’ leaflet.

If you are not a Wokingham Borough resident you may need to contact your local Social Care Department to see if they will help with funding.

2 Financial Assessment and Contributions

2.1 How do you know my financial position?

Once you have discussed your needs and eligibility, your Care Assessor will refer you for financial assessment.

We will then ask you or your financial representative to complete a ‘financial assessment form’ to provide us with full details of your financial position including your income and capital.

2.2 What happens if I refuse a financial assessment?

You do not have to give us information about your financial circumstances. However, if we can't assess your financial position then we will be unable to confirm you are eligible for financial assistance. This is likely to mean that you will need to pay the full cost for your placement.

If you refuse a financial assessment but later change your mind, please contact us.

2.3 What if I have savings or capital above £23,250?

If your savings, investments and assets are more than £23,250 you be assessed to meet the full cost of your services. We can still tell you how to apply for benefit entitlements to assist in paying for your placement, just contact the Financial Assessment Team.

2.4 My savings are under £23,250, why do I have to contribute?

Customers are required to pay a contribution from their income such as pensions and benefits plus a 'tariff income' on any savings between £14,250 and £23,250. If we help with funding, we will pay the difference between what you have been assessed to contribute and the cost of the placement. For example, if we assessed that you need to contribute £200 per week from your income and the placement was £600, the 'Council funded' element would be £400 per week.

2.5 What proof is required to support my Financial Assessment?

We will need to see proof of all the income, savings and expenses that you have told us about. For example; benefit award letters, bank statements, pension slips, share certificates, building society pass books, service charge statements and proof of ground rent. We have to see original documents.

If any information or documents are not available, we will ask you to send it to us as soon as you can.

If you would prefer to come and see us rather than post the form and documents, you can visit our offices at Shute End. We can go through the form with you and copy and return the documents to you. When you come to the offices please ask to see the Financial Assessment Team. Our opening times are 9.00 a.m. to 4.30 p.m.

2.6 Do you need my partner's financial information?

Details regarding income and benefits are only required for the person receiving the service. However you must tell us about any joint accounts, savings or investments. Jointly owned savings are generally treated as shared equally between both partners.

2.7 How do you calculate my contribution?

We take into account most income including pensions, benefits, annuities etc. We ignore some or part of some benefits. We also add a tariff income if you have savings between £14,250 and £23,250. From there we deduct a £28.25 personal allowance. The remainder of any income is usually the charge. If you own a property that is taken into account, the calculations will be different (more information can be found in our Deferred Payments Leaflet).

2.8 What is 'tariff income'?

'Tariff income' is a way of calculating a weekly income from all of your savings and investments. It is not based on the actual interest or dividends you receive.

To calculate your 'tariff income':

If you have savings and / or investments of £14,250 or less you have no 'tariff income'. If you have savings and / or investments between £14,250 and £23,250 your tariff income is £1 per week for every £250 (or part of £250) you have saved or invested.

The table below shows some examples of how much will be added to your income if you have savings of that amount.

Total Savings	Added tariff income	Total Savings	Added tariff income
£14,251	£1	£18,000	£15
£14,751	£3	£20,000	£23
£15,251	£5	£21,000	£27
£15,751	£7	£22,001	£32

2.9 Do you have any examples of how you calculate a contribution?

Below are some examples of how a charge may be calculated. These figures are for illustrative purposes only and not true financial assessment calculations.

2.9.1 Contribution Calculation Example 1:

Income

State Pension = £125 weekly

Works Pension = £55 weekly

Total Income = £180 weekly

Allowance

Personal Allowance = £28.25 weekly

Contribution

Total Income £180 minus Personal Allowance £28.25

Contribution = £151.75 weekly

2.9.2 Contribution Calculation Example 2:

Income

State Pension = £130 weekly

Works Pension = £15 weekly

Pension Savings Credit = £10 weekly

Total Income = £155 weekly

Allowance

Personal Allowance = £28.25 weekly

Pension Savings Credit Allowance = £6.50

Total Allowances = £34.75 weekly

Contribution

Total Income £155 minus Total Allowances £34.75

Contribution = £120.25 weekly

2.9.3 Contribution Calculation Example 3:

Income

State Pension = £100 weekly

Works Pension = £50 weekly

Tariff Income on £18,000 Savings = £15 weekly

Total Income = £165 weekly

Allowance

Personal Allowance = £28.25 weekly

Contribution

Total Income £165 minus Personal Allowance £28.25

Contribution = £136.75 weekly

2.10 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, hairdressing, stamps etc. This amount is set each year by the government (current allowance is £28.25 per week). In addition, in certain circumstances you can keep an additional £6.50 and any savings below the lower government threshold (currently £14,250).

2.11 Why is the personal allowance only £28.25?

The Personal Expense Allowance is a national amount set by the Department of Health.

2.12 My partner still lives at home, how can I assist them?

The value of the property your partner still lives in is not counted as capital in your financial assessment.

If you are married you can pass over 50% of your occupational pension(s). Your partner may need to apply for benefits in their own right to boost their income or help with rent and Council Tax. If you would like advice from us on what their benefit entitlement might be we will need to know their financial position. From there we can discuss what entitlements they may be able to apply for.

2.13 What is 'notional' capital/income?

We may take account of capital or income you no longer possess. When this happens this is referred to as 'notional'. This may happen if we have concluded that you have disposed of 'deprived' yourself of savings or assets.

2.14 What does 'Deprivation of Assets' mean?

Giving away savings, property or other things to reduce your capital, to reduce the amount payable for your care, is known as 'deprivation of assets'.

In these circumstances we treat you as though you still have the capital. The person to whom you gave the assets may become legally liable and we would recover any unpaid charges from that person. This may involve proceedings in the County Court.

2.15 What if my circumstances change?

You should report any change of circumstances to us so that we can assess if there is any change required to amount you need to pay. We need to know if you move home or your financial circumstances change for example - if you start getting welfare benefits, or your

investments and savings increase or decrease, you must let us know straight away as this may change your charge. Contact the Financial Assessment Team by phone or in writing to arrange a reassessment. Full contact details are at the end of this leaflet. If you are unsure what changes to tell us about please contact us for advice.

2.16 When will my contribution be reviewed?

We will normally change your contribution annually in April and review it following any changes of circumstances you tell us about.

2.17 What if I disagree with the calculation of the contribution?

First of all, contact the Financial Assessment Officer who has calculated your contribution and explain why you think the charge is wrong. Contact details will be included in the statement you will receive following the financial assessment.

If you are still not satisfied, you can contact the Senior Financial Assessment Officer to review the financial assessment.

If you remain unhappy, you can raise the matter with the Council's Corporate Customer Services Team, who will respond. You can ask for a leaflet which will explain the procedure for making a complaint at any time.

3 Choosing a home

3.1 What if my savings are close to or approaching the limit?

If you are moving into a residential or nursing home and you have less than two years' worth of funding and your choice of home is more expensive than the Council recommends, you should discuss your plans with your assessor before proceeding.

If you are already paying for your care and your funds are approaching £23,250, you need to give the Council adequate notice so that an assessment of your care needs and a financial assessment can be arranged – six months is recommended.

3.2 What if I choose a more expensive home?

It is possible for you to choose a home whose fees are higher than what is available, providing you have a 'Third Party' who is willing to pay the extra:-This is known as a "Third Party Top Up".

You need to be aware that you cannot usually use your own money to pay any 'Top Up' except in certain circumstances where you enter into a Deferred Payment Agreement. This is because you will already be contributing your available money towards the placement.

3.3 What are 'Third Party Top Ups'?

A third party is someone who agrees to pay a 'Top Up' to enable a relative or friend to go into a residential or nursing home of their choice, whose charges are more than we can agree to pay. The 'Top Up' is the additional amount between how much we will agree to pay and how much the care home provider will accept for the placement.

You cannot usually use your own money to pay any 'Top Up' except in certain circumstance. This is because you will already be contributing your available money towards the placement costs met by the Council.

The third Party will need to sign a 'Top Up' agreement and the payments can be paid to Wokingham Borough Council or directly to the home.

It is important the third party budgets for increases in the 'Top Up' in the future, particularly in the event that the total fees charged by your chosen home rise faster than the amount the Council pays towards the placement.

It is very important to understand that if the third party payments cease for any reason - we will review the situation, which could result in you being moved to a home whose costs can be agreed with us.

If your home is being taken into account the rules on 'Top Ups' are

different. If this applies to you find out more information in our Deferred Payment Leaflet.

4 Nursing Care and NHS funding

4.1 What is Continuing Health Care?

NHS continuing healthcare is for individuals who have ongoing health care needs. For someone in a care home, the NHS pays the care home fees, including board and accommodation. NHS continuing healthcare is free, unlike support provided by local authorities which is subject to a financial assessment.

4.2 Is there any diagnosis or prognosis that guarantees an automatic right to NHS Continuing Healthcare?

No. Eligibility for NHS Continuing Healthcare is based on needs, not any specific diagnosis.

4.3 Who is eligible for NHS-Funded Nursing Care ('FNC')?

You should receive NHS-'FNC' if:

- You are resident within a care home that is registered to provide nursing care; and
- You do not qualify for NHS continuing healthcare but have been assessed as requiring the services of a registered nurse

If you are eligible for NHS-funded nursing care the NHS will arrange for the payment to be made directly to your care home and this payment should be reflected in the care home fee actually charged to you if you pay privately. If you receive financial assistance towards the placement costs the amount charged to the Local Authority by the provider will be net of the 'FNC' element. The Weekly 'FNC' rate is a standard rate that usually changes in April each year.

5 Moving

5.1 What If I am a tenant?

If you are claiming Housing Benefit and /or Council Tax Reduction you must inform the Benefits section at the Council if you enter a care home. If you are going into a care home for a short break only, then this benefit can continue for up to a year. If you are a tenant entering permanent residential care, leaving a vacant property, it is not advisable to give up your tenancy straight away (in case the placement is not suitable and you wish to return home). Housing Benefit and Council Tax Reduction can be paid whilst you are assessing the suitability of the care home.

We recommend that the decision to give up your tenancy should be taken at the six week review - when your Care Assessor will meet with you and your family to consider whether the place within the care home is suitable for you.

If the place in the care home is suitable, then this is the time to give your landlord notice. It is also advisable that you inform Wokingham Borough's Council Tax section, to see if they can exempt your vacant home from Council Tax.

5.2 What happens to my Attendance Allowance?

You will need to tell the Department that pays the Attendance Allowance that you have changed address and whether you have a financial representative.

Attendance Allowance, the care component of Disability Living Allowance, the daily living component of Personal Independence Payment and the Severe Disability Premium element of Pension Credit or Employment Support Allowance are only payable for the first four weeks of hospital or care home stays when the Local Authority assists with funding. The same happens if we help with the cost of your placement.

If you are paying for your placement after 12 weeks, either through

a Deferred Payment Agreement or in another way you will be repaid Attendance Allowance from week 13. They will pay this once you tell them the dates of funding that we give you following the financial assessment. If you didn't already have Attendance Allowance you will need to contact them to make a new claim. If you were being paid at the low rate but now need 24 hour care you will need to ask them for the form to apply for the high rate.

Please note that Attendance Allowance is taken into consideration when assessing your care contribution.

5.3 What if I 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 income and the placement is reserved for you. Your benefits will not normally be reduced until you have been in hospital for 52 weeks.

During the time that you are in hospital, if your circumstances have changed an Assessor will check that your current care home still meets your needs.

6 Bills, Invoicing and Payments

6.1 How do I pay my contribution?

We will invoice you for your care on a four-weekly basis in arrears.

We recommend people pay their contribution by Direct Debit. Once the Agreement is set up, there is nothing more that you need to do. If there is going to be any change to the amount, you will be notified in writing before the new amount is taken.

If there is a 'Third Party Top up' this can be paid to Wokingham Borough Council or directly to the care home.

6.2 How does the care home get paid?

If we take on the funding, the care home will invoice us. You will

then receive an invoice for your assessed financial contribution from the Council.

6.3 When will I get my first bill?

You should expect to receive your first bill within 8 weeks. Your first bill may be for odd days and bills after this will normally be at 4 weekly intervals.

6.4 Will you take my contribution directly from my bank account or pension?

We are not authorised to take benefits or pensions at source or from your bank account. Your income will continue to go into your bank account as normal. We will then invoice you for your required contribution.

6.5 What if I have paid for the care home privately and now you have taken over?

From the date we take over we pay the provider and then invoice you for your contribution. We will write to you to tell you what your required contribution is. If you have overpaid the care home privately because the dates overlap with the date we have taken over, you should contact the home to request a refund.

6.6 What if I don't have access to the bank account to pay the contribution because I am waiting for Power of Attorney?

You would need to ring us for advice. You may be able to access the money in other ways to pay any care liabilities. For example, applying for urgent interim order whilst waiting for a deputy application.

7 Managing Money

7.1 Can I get help to manage my money?

Some people find it hard to manage their financial affairs. Claiming benefits and making sure payments are made promptly and correctly, can be confusing.

For some people in this situation it makes sense to ask someone else to take responsibility. The kinds of things you can ask people to do for you are:

- Claiming and renewing claims for benefits
- Cashing money
- Paying bills
- Reporting changes of circumstances
- Managing bank accounts

7.2 What types of arrangements are there?

- **Lasting Power of Attorney** - A Lasting Power of Attorney (LPA) is appointed by you to make decisions on your behalf should you lose mental capacity and will replace the existing Enduring Power of Attorney (EPA). You may give a LPA authority to deal with matters concerning your personal welfare as well as your finances - unlike an EPA which is solely for financial purposes. - For further information contact the Office of the Public Guardian, Citizens Advice Bureau (see Useful Contacts) or seek legal advice
- **Enduring Power of Attorney** - As long as you are mentally capable, you can ask a solicitor to set up an Enduring Power of Attorney. The person you appoint can then show this document to banks, building societies to confirm they are entitled to act for you. Should you lose your mental faculties, the person you have chosen must register the Enduring Power of Attorney with the Office of the Public Guardian - www.publicguardian.gov.uk (see Useful Contacts).
- **Appointeeship** - If you feel 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, with whom you have regular contact and trust. It is important to remember that an Appointee can only help with benefits and does not have any powers in respect of bank accounts or private pensions.

- **Corporate Appointeeship** - In the absence of a relative or friend who can act as an Appointee, then the General Manager of Community Care can act for you. This is available if your only income is state benefits such as income support or state pension. Please note - we are unable to access any bank/building society accounts without your agreement.
- **Court of Protection** - The Office of the Public Guardian has powers to ensure that the finances of people who are mentally incapable are protected. The court appoints "Deputies" to act on the persons behalf, they provide a schedule of things that the Deputy is authorised to do. They must provide accounts each year to the Court showing how what has been spent is for the benefit of the client.
- **Corporate Court of Protection** - In the absence of a relative or friend who can act as a Deputy (financial), then the General Manager of Community Care can do so.
- **Independent Mental Capacity Advocate (IMCA)** - This is a new statutory service. Its purpose is to help vulnerable people who lack capacity who are facing important decisions made by the NHS and Local Authorities about serious medical treatments and changes of residence. NHS bodies and Local Authorities have a duty, under the Mental Capacity Act 2005, to instruct and consult the IMCA in decisions involving people who have no family or friends.

7.3 Financial Advice

Under the Care Act, Councils must support people to make informed, affordable decisions about their care. If you would like more information about independent financial advice and care planning, please contact us or ask for our leaflet that helps to explain your options.

8 Comments and complaints

We try to make sure that we always provide a good service, but we do recognise that there may be times when things go wrong. If you are unhappy or worried about your situation please contact Wokingham Customer Services on (0118) 974 6000, who may be able to help you. If you remain unhappy please ring or write to:

Corporate Customer Services Team
Shute End, Wokingham, RG40 1WN

Telephone our Health and Social Care Hub on **0300 365 1234**

Or

Go to our website www.wokingham.gov.uk and use our online form in the 'Contact Us' section

9 Useful contacts

WOKINGHAM BOROUGH COUNCIL

Adult Social Care Team - Assessing and setting up care

Email: ASCMailboxAssessmentTeam@wokingham.gov.uk

Tel: 0300 365 1234

Financial Assessment Team - Calculating contributions

Email: FinancialAssessmentTeam-Mailbox@wokingham.gov.uk

Tel: (0118) 974 6000 Option 6 and ask for The Financial Assessment Team

Adult Social Care Finance - Raising bills, Paying providers

Email: ASCMailboxFinance@wokingham.gov.uk

Tel: (0118) 974 6000- Option 6 and ask for The Payments Team

Direct Payments - Independent management for care services

Email: DPWokinghamCard@Wokingham.gov.uk

Tel: (0118) 974 6000 - Option 6 and ask for The Direct Payments Team

Accounts Receivable - Direct Debit and Payment Arrangements

Email: AccountsReceivable@wokingham.gov.uk

Tel: (0118) 974 6000 Option 1 then Option 5

OTHER ORGANISATIONS

Age UK - able to provide useful fact sheets

Website: www.ageuk.org.uk

Tel: 0800 678 1174

Citizens Advice Bureau

Website: citizensadvicewokingham.org.uk

Email: contact@cawokingham.org.uk

Tel: 0808 278 7958

The Government Website

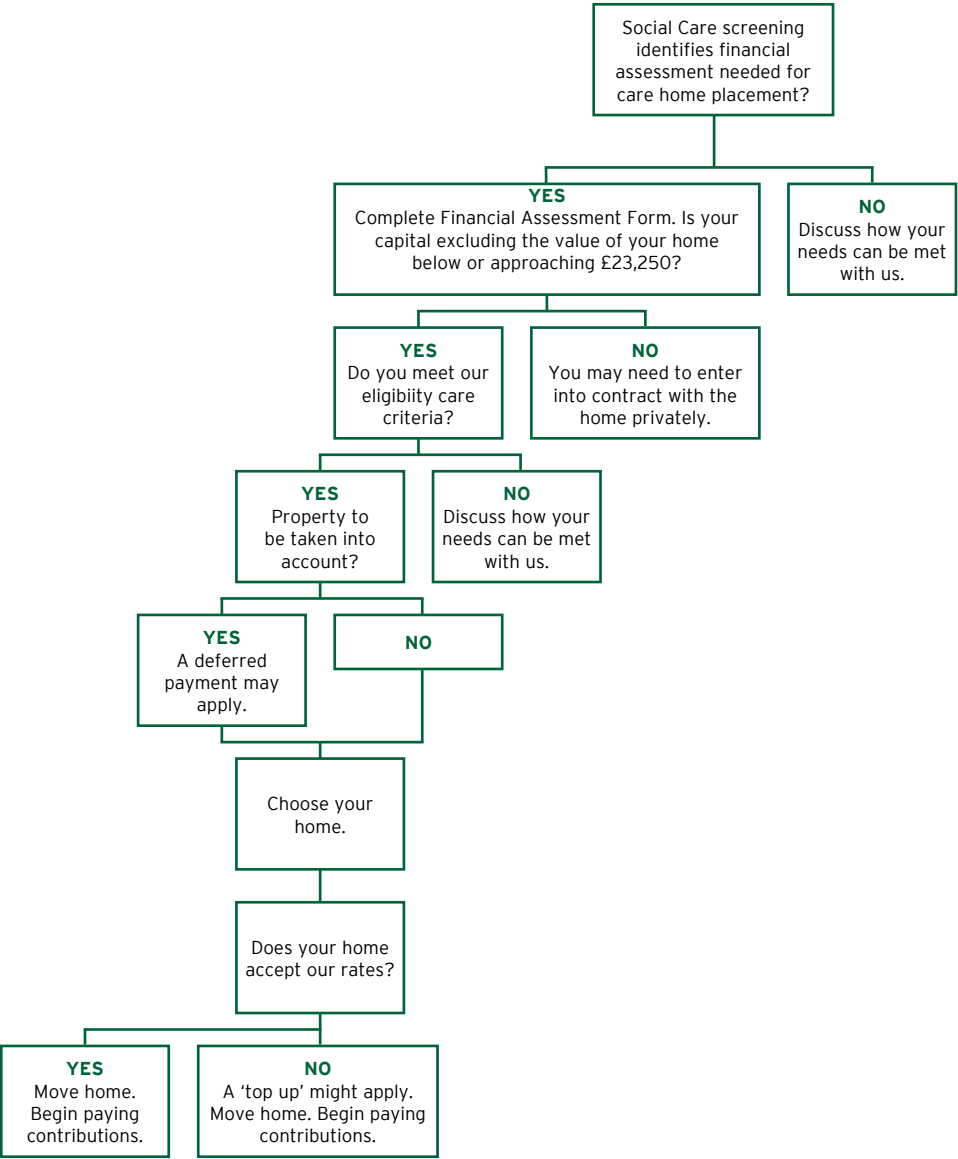
For government information including benefits and the Office of the Public Guardian. Website: www.gov.uk

The Care Quality Commission (CQC)

Website: www.cqc.org.uk

Tel: 03000 61 61 61

10 Flowchart



This publication is produced by Wokingham Borough Council. If you would like some help understanding it, please call (0118) 974 6000

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