Guide to entering a Care Home

Useful information on entering a Care Home
Part 1
How the Council can help - Paying towards care in a Care Home

1. Introduction
People have to pay towards the cost of their care in a care home from their income, capital and assets, unless they are eligible for financial help towards this from the council or the NHS. This booklet explains how the council will determine if you are entitled to help with paying your care home fees.

The Council’s duties around care and support are governed by the Care Act 2014. Any assessments for nursing and health related needs remain the responsibility of the NHS.

2. Assessing your care needs
Before going into a care home we will need to assess your care needs. This means that we will want to talk to you and your family and friends about the things that you need help with. When we do the assessment you can have someone with you at the meeting, such as a carer, friend or relative. If you find it difficult to understand things or don’t know someone who could help you, you may be eligible for an independent advocate to support you during the assessment.

As part of our assessment, we may need to talk to your doctor or nurse or other people who are involved in your care and support.

We use all this information to establish if you have any eligible care and support needs. Once your assessment has been completed, we will advise you if you have eligible care and support needs.

If you are already in contact with a Social Worker or Care Co-ordinator you should speak with them initially to discuss this, if not you should contact Social Care Direct on 0345 850 3503.

If you are in hospital, the Hospital Social Work Team will be able to help you.

3. Assessing your health needs
Some people have needs requiring nursing care and may need a nursing home with a registered nurse available.

If you do have health needs you may be eligible for help towards the cost of your fees from the NHS. An assessment will need to be completed to consider your needs and eligibility for NHS Continuing Healthcare. This assessment usually involves you and your representative, either your Social Worker or Care-Coordinator from the Council and also a representative from the responsible NHS Clinical Commissioning Group. Any funding from the NHS is based on the level of your needs.

The responsible Clinical Commissioning Group will assess your health needs and if you are eligible, they will advise you of the amount they will pay towards the cost of your health/nursing care. You may still be required to pay towards the cost of your
care, even if the NHS makes a financial contribution.

If needed your Social Worker or Care Co-ordinator can help you to start the assessment or if you are already in a residential care or nursing home, the home can assist you with this. You can also ask your local Clinical Commissioning Group directly for an assessment.

4. Calculating your contribution towards the cost of the care home

If you are assessed as needing care in a care home and you want to find out if you will be eligible for any financial help from the Council a financial assessment must be undertaken.

While you are waiting for the Council to work out exactly what you should pay you must pay an interim amount for your service, which is currently £103.55 per week if you are under 65, or £142.35 per week if you have reached the age of 65. When the financial assessment is completed, your contribution is backdated to the start of the placement and you may have more to pay. You should therefore ensure that income and capital is not spent until this has been agreed to allow you to pay any arrears due.

The Council’s Personalisation and Assessment Team will contact you or your representative to begin the process of a means tested residential financial assessment. This will either be by post to request information, to arrange an appointment to see you or to confirm the contribution based on existing information already held by us. You are not automatically entitled to financial help until the assessment is completed.

Based on the information you give, we will be able to tell you how much you will have to pay towards your care home fees. The amount you have to pay will be based on how much income you have, and any property or savings you have. This is called your financial assessment contribution.

If you are eligible for financial help your Social Worker or Care Co-ordinator will tell you the amount the Council would expect to pay for the level of care which you have been assessed as needing. This is called the Council's Allowable Rate. You will usually be asked to pay your financial assessment contribution direct to the care home. The Council will pay the balance of the fees direct to the home after deducting your financial assessment contribution up to the allowable rate.

If you are assessed as not being eligible for any financial help once your financial assessment contribution has been completed then you will be responsible for paying the full cost of your care home fees. The Council will pay the balance of the fees direct to the home after deducting your financial assessment contribution up to the allowable rate.

Every person will have different financial and personal circumstances. You may want to consider getting independent advice about your situation e.g. Age UK, Citizens Advice or an independent financial advisor. You can find some useful contacts at the back of this booklet.

When choosing a home you need to think about what will happen if you need any help to pay for your care fees in the future. The Council may not be able to pay for all of your care fees in the future in your choice of care home if the fees are above our Allowable Rate. You will also need to keep all receipts and financial documents.

What happens if I don’t want to tell you my finances?

You don’t have to give us information about your financial circumstances but if you don’t then you will be responsible for paying the full cost of your care fees.

If in the future you then ask the council for financial support you will need to provide details of all income, capital, assets and care fees paid from the date of admission to the care home (or prior if you have had care services in the community) and funding will not be backdated.

Choosing a care home above the Council’s allowable rate

Some care homes charge more than the council’s usual price because they offer more expensive accommodation.

If you want to stay in a more expensive care home you can, so long as somebody else makes up the difference in price. This person is known as the ‘third party’ and the payment they make is a ‘Third Party Contribution’ (or ‘top up’).

Government rules say a resident cannot fund their own Third Party Contribution, even if they have capital they can use, unless they are fully funding their own care or have a Deferred Payment Agreement with the Council.

The third party must show and agree that they can reasonably expect to be able to pay the top up for as long as the arrangement lasts i.e. for the length of time you are in the care home. Failure to keep up the third party top up payment will normally mean you will have to move to an alternative care home at the Council’s Allowable Rate.

Can I appeal against the financial assessment contribution?

The financial assessment contribution will be completed in accordance with the Government’s guidelines and legislation. If you feel that the financial assessment is incorrect you should write to the Manager of the Council’s Personalisation and Assessment team, Wakefield Council, County Hall, Bond Street, WF1 2QW.
5. Helping you in your choice of Care Home

If you have been assessed as eligible for social care support and in need of residential or nursing accommodation you have a right to choose the care home you live in.

You can choose any care home so long as it has a vacancy, can meet your assessed needs and it accepts the council’s terms and conditions for care homes. Alternatively, you can ask the council to help you find a home that is suitable for you. In all cases we can only contract with care homes which meet the appropriate standards and are able to provide the correct level of care. Remember that if the home you choose costs more than the Council’s Allowable Rate to meet your needs, then a third party will need to pay the difference.

Your Social Worker or Care Co-ordinator will give you an information booklet of the care homes that the council contracts with and will also tell you what your allowable rate is. You are encouraged to visit a number of homes, which meet your assessed care needs. You should ask what facilities are being offered, and if there are any additional services or items you may want to pay extra for. You may also wish to discuss mealtimes, visiting arrangements etc. You should also ask the home for a copy of its latest inspection report or alternatively find it on the Care Quality Commission website (www.cqc.org.uk).

The Council has contracts with care homes in the Wakefield District and with certain care homes in neighbouring Council areas. The Council’s contract sets out the principles and standards upon which the provision of care is to be based. Each of the contracted care homes will have copies of a leaflet entitled ‘Your Rights’. This leaflet sets out the additional rights of residents under the care home contract. You can get a copy of this leaflet from the care home, your Social Worker or Care Co-ordinator, or by ringing one of the phone numbers for the Care and Support Commissioning team. These are shown at the back of this booklet.

The CQC normally inspect homes at least once a year to make sure that they have passed certain standards. A copy of a home’s full inspection report is available from that home.

You can also read reports via the internet on the CQC directory website.

When you search for a care home or care service you will find:

1. details of the service it offers
2. reports about the care home or care service
3. a quality rating for the service making it easier to compare it with others.

The reports say what the service does well and list any improvements they need to make. They can help you make an informed choice about which service is the right one for you.

The services available in the directory are:

- Care homes
- Domiciliary care (home care) agencies
- Nurses agencies
- Adult placement schemes

As this is a very important decision to make, you should not feel rushed. Take time and talk about it with the important people in your life before making your choice.

6. Deprivation of assets

Where the council feels that someone has given away an asset (e.g. cash, savings, or property) with the intention of paying less towards their care costs, the council will treat that person as still having that asset when working out what they must pay towards their care. This might include gifts to children, grandchildren and other family members or assets given away by your Power of Attorney, Appointee or representative. There is no specific time limit to pursuing deprivation or a specific amount allowed for gifts.

7. Your personal allowance

When working out how much you will pay towards the cost of your care, you are entitled to keep a fixed amount of your weekly income for your personal needs. This is called your ‘personal allowance’ and is set by the Department of Health in April of each year. The current rate as at April 2019 is £24.90 per week.

8. The Council’s Individual Agreement

When you enter a care home you or your representative will be asked to sign an Individual Agreement, setting out the amount which you, the council, and any third party will pay towards the care home fees. The care home provider is not allowed to ask you to sign any other agreement with financial implications.

If you also need nursing care you will be given additional information by your local Clinical Commissioning Group (CCG) about the financial arrangements.

9. Monitoring the care you are receiving

After six to eight weeks in the care home your Social Worker or Care Co-ordinator will carry out a review of your care. This will be done with you, your family or your representative if you wish. Following the initial six-week review your care needs will then be reviewed annually. If your care needs change at any time then either you or the Care Home Provider can contact a Social Worker or a Care Co-ordinator to arrange for a reassessment of your needs.

If you are receiving nursing care a nursing review will be carried out by an NHS Registered Nurse after you have been in the care home for twelve weeks. After this you will have a nursing review on an annual basis.
If, following reassessment, it is decided that you need registered nursing care as well, you may have to move to another care home where nursing care can be provided unless your existing care home is registered to provide nursing care. Your Social Worker or Care Co-ordinator can advise you of this.

10. Helping you if you wish to leave the Care Home

If you decide to leave the care home within the first six weeks 'settling in' period, you do not need to give notice to the care home. However, if you decide to leave after the first six weeks settling in period, you must give one weeks notice in writing to the Care Home Manager telling them that you intend to leave.

11. Helping you with any complaints you may have

If you have a complaint about the service provided by the Council you should contact the Complaints and Representations Team on 0345 8 506 506

If you have a complaint about a care home you should try to resolve it with the Care Home Manager first. If this is unsuccessful or if you do not wish to discuss this with the Care Home Manager, you should contact the Care and Support Commissioning team in Adult, Health and Communities on one of the numbers shown at the back of this booklet.

You should contact the West Yorkshire Patient Advisory and Liaison Service if you have a complaint about the nursing care that you receive. The address and telephone number is shown at the back of this booklet.

Part 2

How the council works out the contribution you will pay towards your care home fees.

1. Introduction

The Council has to determine whether you are eligible for help with the payment of your fees. This is in line with the Department of Health’s ‘Care Act 2014’.

This section of the booklet summarises a number of the most important financial matters which may apply to you.

2. Your income

When working out your financial assessment contribution we will normally include all of your income (e.g. State Retirement Pension, Occupational Pension(s), Private Pension(s), Pension Credit, Income Support, Attendance/Disability Living Allowance/Personal independence Payment, etc.) and tariff income i.e. £1 per week for every £250 of your savings between the lower and upper capital limits currently £14,250 and £23,250 (these may increase in April each year).

If you are currently receiving Attendance Allowance or the “care component” of Disability Living Allowance/Personal Independence Payment, you must inform the Department for Work and Pensions (DWP) that you have moved into a residential care home, as these benefits will stop shortly after you enter the home. You will then start to pay less and the Council will pay more towards your fees to take account of this.

If at a later date you leave the care home or your financial circumstances change and you no longer need help with the payment of your fees from the council, you will need to tell the DWP as soon as possible. They will be able to advise you how to reclaim the benefits that you were getting before you entered a care home.

Any “mobility component” of Disability Living Allowance/Personal Independence Payment being paid to you before you entered a care home is not taken into account when working out what you will pay towards your fees. Also this allowance may carry on being paid by the DWP after admission to the home.

Please note if your weekly income (minus statutory allowances) is greater than the Council’s Allowable rate you will be responsible for self-funding your placement. The allowable rates vary dependent on the category of assessed need. The ‘Older people’ rate is £524 per week (April 2019).

3. Occupational Pension

The following regulations only apply to married couples and civil partnerships and are not allowed when a spouse is living in the same care home as the resident receiving the occupational pension.

A resident is able to pass 50% of an occupational or private pension to his or her
spouse/partner. If 50% of an occupational or private pension is passed to the spouse/partner this amount will be ignored in the financial assessment i.e. the council’s contribution to the care home will increase accordingly.

Please be aware that the transfer or receipt of half the occupational pension may have an impact on any benefits you or your spouse/partner are in receipt of. You should check with the relevant agency or contact us for further guidance. An advisor from the Personalisation & Assessment Team will go through the options when they visit to complete your detailed financial assessment.

4. Your capital

When working out what you will pay, your capital will be taken into account. Capital includes monies held in bank and/or building society accounts, stocks, shares and the value of property or land which you own (see section 5 if you own property or land). If you have capital of MORE than £23,250 you will not qualify for help with your care costs and you will have to pay your care fees in full.

If you think that you will need help with your fees in the future i.e. your money will fall below the upper capital limit within the first six months of entering a Care home, you must seek advice from the Council before you enter a Care home. We can then make sure that you are arranging to go into a Care home which is appropriate for the amount of care that you need.

Failure to do this may result in the Council not being able to fund your continuing placement, if it is then determined that the placement is not appropriate for the amount of care that you need, and will not meet your assessed care needs.

If you have capital assets between £14,250 (lower capital limit) and £23,250 (upper capital limit) you may qualify for help with the cost of your care depending on your income. The first £14,250 of your assets will be fully disregarded and any capital asset between £14,250 and £23,250 will be taken into account in the Council’s assessment of your finances. The Department of Health rules require that you contribute £1 per week for every £250 of these savings towards the cost of your care. This is known as tariff income.
5. If you own property or land

If you own property or land, the value of this will normally be taken into account when working out how much you will be asked to pay towards the cost of the Care home fees, unless:

a) You are entering a Care home on a temporary basis

b) The property is shared with a husband or wife, partner or civil partner who will remain in that property, or

c) There is a relative as defined by the legislation who will continue to live there who is either:
   I). A child of the resident aged under 18
   II). Aged 60 or over, or
   III). Incapacitated

If any of the above circumstances apply, the value of the property or land will be disregarded until the circumstances change.

If you own property, and none of the above situations apply, you will be eligible to have the value of your property disregarded by the Council for up to 12 weeks, starting from the day of your admission to permanent residential care. This change is designed to offer you a ‘breathing space’ between entering residential care permanently and deciding how best to fund your move.

After this initial disregarded period, the value of your property or land may take your capital over £23,250 in which case you will be liable for payment of the full care fees.

However, you may not have enough weekly income to pay the full fees until the property is actually sold. If this is the case the Council can make a contribution to the Care home in respect of your share of the fees until the property is sold. A legal charge will need to be put against your property. You will then have to pay this back to the Council once the property has been sold and you will become responsible for paying your own fees in full.

The Council has a Deferred Payments Scheme, which means that, instead of having to sell your property straight away in order to fund your Care home fees, you can wait until later to do so. You will still get help from the Council with the cost of your fees.

The Council’s contribution is called a ‘deferred contribution’ and you, or your estate, must pay this back when your home is eventually sold.

Provided that you meet the criteria, you can take advantage of the Deferred Payments Scheme. Further information is set out in a booklet called Paying for Your Care in a Home - The Council’s Deferred Payments Scheme. You can get a copy from either your Social Worker or Care Co-coordinator. The Department for Work and Pensions can advise you on your entitlement to benefit.

It could be beneficial to:

- Those service users who do not wish to make an application to the Council.
- Those service users who have a third party willing to assist with fees.
- Those service users who have a property to sell and therefore require funding on a temporary basis until that property is sold.
- Those service users already self-funding who can continue to receive benefits described in this section.
- Those service users with substantial personal weekly income.

6. Have you considered funding yourself?

It may be possible to fund accommodation costs and personal care costs solely from State Benefits and private income. In certain circumstances this may benefit you financially because certain benefits such as Attendance Allowance, Disability Living Allowance/Personal Independence Payment (Care Component) and Severe Disability Premiums are only payable if you fund yourself.

You can get further advice on this from staff in the Personalisation & Assessment Team and/or your Social Worker or Care Co-coordinator. The Department for Work and Pensions can advise you on your entitlement to benefit.

7. What happens if a care home is not available at the Council’s Allowable Rate?

If there are no rooms available at a care home at the Council’s Allowable Rate, the Council will pay the difference between the Council’s Allowable Rate and the cost of the care home (including the top up). Your social worker or care coordinator will continue to seek to find a room at the Council’s Allowable Rate at which time you may have to move to less expensive accommodation at the Council’s Allowable Rate.

If you wish to continue with the current accommodation, arrangements will need to be made to pay the difference i.e. the top up. The third party must show and agree that they can reasonably expect to be able to pay the top up for as long as the arrangement lasts i.e. for the length of time you are in the care home. Failure to keep up the third party top up payment will normally mean you will have to move to accommodation within the council’s allowable rate.
8. What your family or friends need to know about paying the Third Party Contribution (top up)
A relative or friend may agree to pay a top up for you from their own money if you have chosen a home above the Council’s Allowable rate. The third party must show and agree that they can reasonably expect to be able to pay the top up for as long as the arrangement lasts i.e. for the length of time you are in the care home. Failure to keep up the third party top up payment will normally mean you will have to move to accommodation at the Council’s Allowable Rate.

9. Will the Third Party Contribution (top up) amount change?
Care homes can change their rates over time, but they must let the council know so that we can check if the third party contribution needs to change. Before agreeing to make third party contributions the third party must understand it is likely the amount they pay will increase over time. If a care home increases its rates there is no guarantee that this increase in cost will be shared equally between the council and third party.

10. What happens if the Third Party Contribution (top up) is not paid?
If the third party contribution is not paid you will have to move to less expensive accommodation. The council will also seek to recover any unpaid contributions from the third party. If an appointee, financial representative or family member is responsible for the residents finances they must ensure that the resident has access to their weekly personal allowance. An increase or decrease in the resident’s income will lead to a re-assessment of their contribution towards the cost of their care. Any change in income will not affect the need for a third party contribution as this is calculated separately.
You can contact Turn2us a national charity, to find out if you could be eligible for help towards your top up fees.

11. What if you are having difficulties paying your care home fees?
If you are having difficulties paying the care home you MUST contact the Personalisation & Assessment Team detailed at the back of this leaflet as soon as possible.

12. What happens if your care home fees are not paid?
If you or your representative, appointee, deputy or third party top up do not pay your care home fees this may lead to:
- You being asked to leave the care home
- A safeguarding investigation
- County Court Action being taken to recover the debt and/or to evict you from the care home

13. Useful telephone numbers and contact details

Adults, Health and Communities - Personalisation and Assessment Team
Address:
Wakefield Council
Adults, Health & Communities Personalisation & Assessment Team
County Hall
Bond Street
WF1 2QW
Telephone: 01924 307317

Adults, Health & Communities - Care Support and Commissioning Team
Address:
Older People and Physical Disabilities
Adults, Health & Communities
Room 238
County Hall
Wakefield WF1 2QW
Telephone: 01924 304021

Learning Disabilities and Mental Health
Address:
Adults, Health & Communities
Room 238
County Hall
Wakefield WF1 2QW
Telephone: 01924 306838

Corporate Services - Complaints & Representations Section
Address:
Wakefield Council, Corporate Services, PO BOX 700, Wakefield One, Burton Street, Wakefield WF1 2EB
Telephone Number: 0345 8 506 506

Care Quality Commission
Address:
CQC Customer Service Centre
Citygate, Gallowgate
Newcastle Upon Tyne NE1 4PA
Telephone: 03000 616161
Fax: 03000 616171

NHS Patient Advice Liaison Service (PALS)
Address:
Pinderfields Hospital
Aberford Road
Wakefield
WF1 4DG
Telephone: 01924 542972
Email: myh-tr.palsmidyorks@nhs.net
Information, Advice and Guidance

Age UK
Call Age UK Wakefield District: 01977 552114
www.ageuk.org.uk/wakefielddistrict

Citizens Advice
For telephone advice or for an appointment please call the advice line 03444 111 444
Monday to Friday 9am - 5pm
www.wakefielddistrictcab.co.uk

DIAL - Disability Information and Advice Line
01977 723933/34
www.dialwakefield.co.uk

Carers Wakefield District
01924 305544
www.carerswakefield.org.uk

Money Advice Service
Free and impartial money advice, set up by government
0800 138 7777
www.moneyadviseservice.org.uk

General Information and Advice
www.connecttosupport.org/wakefield
www.wakefield.gov.uk - see section on health, care and advice

Social Care Direct
Telephone: 0345 8 503 503.
Fax: 01924 303455
Minicom: 01924 303450
(type talk welcome)
Email: social_care_direct@wakefield.gov.uk