



A Guide to Entering a Care Home

Useful information on Entering a Care Home

May 2011

Access this and other information on the web at www.wakefield.gov.uk

Social Care Direct, your first point of contact for Social Care Services

0845 8 503 503

www.wakefield.gov.uk

wakefieldcouncil
working for you



Part 1

How the Council can help you to enter a Care Home

1. Introduction

The National Health Service and Community Care Act 1990 changed the whole way of entering a home and made Family Services responsible for helping with a person's fee.

The Health and Social Care Act 2001 has made another change. From April 2003 the Council will help people with the cost of their accommodation and personal care costs, providing they are entitled to financial help and they have been assessed by Family Services as needing care in a care home.

The Government has decided that the NHS is responsible for making a contribution towards nursing care if it is provided in a care home. This means that if you need direct nursing care, the NHS will pay for this.

Some of the decisions we make are set down in law and therefore we cannot change these. Other policy decisions, such as those about eligibility are Council decisions and are influenced through their councillors by local people.

2. Assessing your care needs

If you are thinking about care in a care home you may be entitled to help with paying your fees.

You should contact us through the Community Team in your area if you already have a social worker or care coordinator, or by ringing Social Care Direct on 0845 8503503. If you are in hospital, the Hospital Social Work Team will be able to help you.

A social worker or care co-ordinator will arrange to visit you to talk about your care needs. With your help, an assessment of your needs will be carried out. With your permission we may speak to your family and doctor or nurse too. You can have someone who is currently helping or caring for you at the assessment meeting to talk about your care needs if you wish. This will determine exactly what your care needs are, set against criteria which Family Services has established.

3. Approving your request for help with fees

An assessment of your care and health needs will be arranged for you. The assessment is made under the 'Single Assessment' and 'Continuing Health Care' criteria. Any health funding from the NHS Wakefield District is based on the complexity of need. Unless your needs are assessed as being fully health related and therefore funded totally by the NHS Wakefield District you will be required to contribute towards your care. Your social worker or care co-ordinator will put in an application for you and seek funding for your accommodation and personal care costs. If you need health/nursing care as well, a nurse from your local NHS Wakefield District will determine the level of health care you need. The NHS will be responsible for funding the cost of your health needs.

4. Estimating your contribution towards the fees

An advisor from the Welfare Rights and Assessment Team will help you to complete a 'Statement of Financial Circumstances' form. The information you give on this form will be used to decide whether you are eligible for help with the payment of your fees. This financial assessment must be carried out in line with the Department of Health's Charging for Residential Accommodation Guide.

Once the financial assessment has been completed you will be provided with a statement setting out the estimated contribution you will need to pay towards the cost of the care home fees.

If your application is approved, 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. The Council will pay the balance of the fees to the home after deducting your financial contribution.

If you choose a care home which charges more than the Council's allowable rate, you will need to find a third party to pay the difference, for example a relative or friend may be able to help you with this. Part 2 of this booklet tells you about third party contributions in more detail.

Can I appeal against the financial assessment?

The financial assessment will be completed in accordance with Department of Health guidelines and legislation. If you feel that the assessment is incorrect you should write to the Manager of the Welfare Rights and Assessment team, PO Box 190, Wakefield, WF1 1ZE.

5. Helping you in your choice of Care Home

You are free to choose any care home, which will meet your assessed needs providing we have a contract with that home or we can set one up. 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 appropriate level of care.

Your social worker or care co-ordinator will give you information (including the fees charged) about the care homes, which can cater for your needs, so that you can make an informed choice. 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 look at it on the Care Quality Commission (CQC) website (www.cqc.org.uk).

In addition, the Council has contracts with care homes in the Wakefield District and with certain care homes in neighbouring Council's areas. This 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 arising out of 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 Contracts Section, which are shown at the back of this booklet.

The CQC normally inspect homes twice 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.

What's in the directory?

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

1. details of the service it offers and for how many people
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. How much you will pay based on the cost of the Care Home you have chosen

Once you have chosen a home, the Council will look at your financial circumstances and tell you how much you will have to pay. This amount will be based on how much money you have coming in each week, and any property or savings that you have.

If you own property or land you will be given more information about the Council's Deferred Payments Scheme and advised how this affects the amount that you will have to pay. Part 2 of this booklet tells you about the Deferred Payments Scheme in more detail. You will also be told how much a third party will have to pay if the care home you have chosen is more expensive than the Council expects to pay.

7. 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.

8. 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 2011 is £22.60 per week.

The Department of Health states that a person who gets help with the cost of their fees from the Council cannot use their personal allowance, any disregarded income (i.e. mobility component of Disability Living Allowance) or any of their savings below £23,250 to contribute towards the care costs of a care home.

9. The Council's Individual Agreement

Before 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 homeowner 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 NHS Wakefield district about the financial arrangements.

10. Monitoring the care you are receiving

After six 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 a 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.

The CQC inspect homes to make sure that they have passed certain standards. A summary of the inspection reports of the care homes within Wakefield can be found in the local library or on the CQC web site (www.cqc.org.uk). A copy of a home's full inspection report is available from that home.

11. 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 must inform the care provider of this in writing. No other notice of intention to leave the care home is required. 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.

12. 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 in Family Services on 01924 302840.

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 with the care home manager, you should contact the Contracts Section in Family Services on one of the numbers shown at the back of this booklet.

You should contact the relevant NHS Wakefield District Patient Advisory and Liaison Service if you have a complaint about the nursing care that you receive. The addresses and telephone numbers are shown at the back of this booklet.

Part 2

How the Council works out the contribution you might be asked to make towards your care costs

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 'Charging for Residential Accommodation Guide'.

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 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, 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 from 11th April 2011).

If you are currently receiving Attendance Allowance or the "care component" of Disability Living Allowance, these benefits will stop shortly after you enter a care 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 Department for Work and Pensions 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 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 Department for Work and Pensions after admission to the home.

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 remaining in their home. 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.

The Council will only recommend passing this money over to a spouse where it is of financial benefit to do so i.e. where such payments will not reduce the spouse's/partner's eligibility for benefits i.e. Pension Credit. The advisor from the Welfare Rights & Assessments Team will be able to give advice on whether or not it is beneficial to the spouse remaining in the marital home to receive such payments.

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 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 Family Services before you enter a care home. They 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 continued 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 who will continue to live there who is either:
 - I). Under 16
 - 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 your 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 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. 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 introduced 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-ordinator, or by ringing one of the phone numbers for the Welfare Rights and Assessment Team, which are shown at the back of this booklet.

Whilst ever the Council is helping you with the cost of your fees and you have a property or land you will have to make a contribution towards your fees based on the weekly income that you actually receive.

6. Have you considered funding yourself?

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

You can get further advice on this from staff in the Welfare Rights & Assessment Team and/or your social worker or care co-ordinator. Your local Department for Works and Pensions can advise you on your entitlement to benefit.

It could be beneficial to: -

- Those service users who do not wish to bother with the bureaucracy of making an application to the Local Authority.
- Those service users requiring the basic levels of care who are able to find accommodation at the Department's Allowable Rate.
- 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.

7. Third party contribution

Failure to keep up the third party contribution will normally mean that the resident will have to move to cheaper accommodation. Failure to keep up assessed contributions may lead to eviction by the home. 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.

8. Useful telephone numbers and contact details

Family Services

Welfare Rights and Assessments

Mrs A Fletcher: 01924 307417

Mrs D Bean: 01924 307458

Ms A Akram: 01924 307415

Helpline: 01924 307317

Address

Wakefield Council, Family Services,
PO Box 190, Wakefield WF1 1ZE

Family Services

Contracts Section

Mr M Wakefield: 01924 304266

Mrs K Jackson: 01924 304012

Miss T Clark: 01924 306841

Miss T Southward: 01924 307766

Address

Wakefield Council, Family Services

Contracts Section

First Floor, Unit 21 Greens Industrial Estate, Calder Vale Road, Wakefield, WF1 5PH

Family Services

Complaints & Representations Section

Main Number: 01924 302840

Address

Wakefield Council, Family Services

Complaints & Representations

County Hall, Bond Street, Wakefield WF1 2QW

Care Quality Commission

CQC National Correspondence
Citygate, Gallowgate
Newcastle upon Tyne NE1 4PA

Tel: 03000 616161

Fax: 03000 616171

Email: enquiriesyorkshirehumberside@cqc.org.uk

NHS Wakefield District - Patient Advice and Liaison Service

Tel: 0845 602 4832

Email: PALS@wdpct.nhs.uk

Address

White Rose House
West Parade, Wakefield WF1 1LT



If you need this **'Guide to Entering a Care Home'** booklet translated into another language, please complete and return the form below. **Tick box for language required.**

Polish

Jeśli potrzebujesz polskiego tłumaczenia tej broszury, wypełnij i odeślij poniższy formularz.

Farsi

اگر این اطلاعات را به زبانی دیگر و یا در فرمتی دیگر میخواهید لطفاً از ما درخواست کنید

Kurdish

ئەگەر دەتەوێت ئەم نامیلکمیە بۆ کوردی تەرجومەبکریت، ئەوا تکایە ئەم فۆرمەیی خوارمۆه پێربکەر مۆه و بینێر مۆه.

French

S'il faut vous traduire ce livret en français, veuillez remplir le formulaire cidessous et nous le renvoyer.

Urdu

اگر آپ کو اس کتابچے کا ترجمہ اردو زبان میں چاہیے تو مہربانی کر کے نیچے دئے گئے فارم کو پُر کر کے بھیج دیں

Tigrinya

እዚ መጽሐፍ ብተግርጎ ክትትርጎ መልኩም እንተደለኹም፣ ነዚ ኣብ ታላቲ ዘላ ፎርም መልእኩም ምልሱዎ።

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Large print On audio tape In Braille

Another language, Please state:

Name

Address

Please return this form to: FREEPOST WF 458, Communication & Information Team
Room 217, County Hall, Bond Street, Wakefield WF1 2QL

