



Moving into a Care Home?

Information on Charges for permanent care 2017/2018

Social Work Services

0300 100 1800

Option 1

This leaflet is a general guide and further information on charging can be found on the Council's website:

<https://www.scotborders.gov.uk/social-work-charging>

This leaflet gives information about Social Work's charging system for care homes and how it may affect you.

The information is relevant to people who have been assessed by Social Work Services and advised that they might benefit from a move into a care home on a permanent basis.

The National Assistance Act 1948 and the National Assistance (Assessment of Resources) Regulations 1992 govern the way in which the charge for your care is assessed.

Certain aspects of the assessment are subject to the discretion of Scottish Borders Council, and decisions will be made in accordance with Council policy.

If you have any questions about anything in this leaflet, contact Social Work Services (see page 27). Alternatively, the member of staff who is assessing your community care needs will be pleased to help.

The information in this leaflet applies to a care home provided for:

- older people
- people with disabilities
- people with mental health needs
- people with addiction problems.

This care may be:

- Permanent and provided directly by Social Work Services
- Permanent and purchased by Social Work Services but provided by a voluntary or private care provider
- Permanent and purchased by you from a private care provider with Free Personal Care only claimed from Social Work Services

Data Protection

Under the terms of the Data Protection Act 1998 it should be noted that any information provided to Scottish Borders Council will be held for the purpose(s) of service record provision and improvements of service. This authority is under a duty to protect the public funds it administers, and to this end may use the financial information you provide for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Section 1: Before moving into a care home on a permanent basis

Assessment

If you are looking for financial support from the Council, we ask that you have an assessment. An assessment usually involves one or more visits to you in your home. We will talk with you about the kind of help you think you need and together will agree on the care which will best support you. Normally we would look to assist people to remain at home.

Your assessment may be with someone from Social Work or Health such as a Social Worker/Care Manager, Community Care Assessor, your District or Community Nurse, or an Occupational Therapist. They will explain what will happen in more detail and will be pleased to answer any questions you may have.

As well as information about your care needs, you will also be asked for information about your finances, including your income and capital. This information is used in calculating the actual charge to you. All information will be treated in confidence.

If you have capital in excess of £26,250 as at 10/04/17 and £26,500 as at 01/06/17, you will pay the maximum charge for your accommodation. You will not have to provide information about your finances if you intend to pay the maximum charge for your care.

Examples shown on page 6 are to give an indication only of how the charge is calculated. Each case is based on individual financial circumstances.

Example 1

Client entering care home has savings of £95,000 as well as having a private pension of £850 per month in addition to state pension of £142 per week. Because the capital is in excess of £26,500 they will be asked to pay the maximum charge for their care contribution. This is in effect the contracted rate agreed by Scottish Borders Council with the home, per week

	£574.42(A)
less the payment of Free Personal Care	£171.00 (B)
Assessed maximum charge A-B per week =	<u>£403.42</u>

Example 2

Client entering care home has savings in bank accounts that in total amount to £7,400. They have a state pension of £132.50 and a small mill pension of £10.00 per week. Because their income is low the client will be entitled to claim Pension Credit by contacting the Pension Service on 0800 99 1234. They will receive £16.85 guaranteed credit and £3.09 savings credit. Capital of less than £10,000 has no effect on their entitlement. Their contribution towards the cost of their care is calculated as shown:

Income

State Pension	132.50	
Guaranteed credit	16.85	
Savings credit	3.09	
Occupational pension	10.00	total £162.44 (A)

Less personal allowance	25.80	
Less savings credit disregard	3.09	total (£28.89) (B)

Assessed client contribution (A-B) = £133.55 per week

Choice of Home

Your social worker/care manager can provide you with details of homes in the local area.

If you wish to move to a home outside the Borders, Scottish Borders Council will only pay the rate contracted by them or a Council in the area of your chosen home.

If the home is charging a rate higher than the Scottish Borders contracted rate, and this includes an additional service charge (top up), please ask if they are providing an additional service.

Scottish Borders Council, Contracts Section, must agree the contract price **prior** to your entry to the home.

Any agreement to fund this additional charge (top up) must be made between the home and a third party with Scottish Borders Council's approval. Should the third party be unable to continue to pay, you may have to move to another room or another home, as Scottish Borders Council will not fund this.

Free Personal Care and Nursing Care

Since the introduction of 'Free Personal Care' on 1 July 2002, the charge for living in a care home is calculated in two parts:

- **personal care costs**
- **accommodation costs.**

For people aged 65 and over

You may be eligible for financial assistance for Personal Care up to the value of £171 per week if you have been assessed as requiring residential care. In addition you may be eligible for a further £78 per week if you have been assessed as requiring nursing care.

You will however lose entitlement to both Attendance Allowance and DLA (Care Component) and PIP (Daily Living Component) after 4 weeks if you claim Free Personal Care.

Please inform the Department of Works and Pensions that you are moving into a care home.

For people aged 16 to 64

If you have capital in excess of £26,250 as at 10/04/17 or £26,500 as at 01/06/17 you may be eligible for financial assistance up to the value of **£78** per week, if you have been assessed as requiring nursing care. You will not lose your entitlement to DLA (Care Component)/PIP (Daily Living Component).

There is a limit to the funding the Council has available. Priority will always be given to those in greatest need and most at risk.

Contracts

There are two types of contract:

- Free Personal Care/Free Personal Nursing Care contract
- Council contract

The type of contract will depend on your financial circumstances.

Free Personal Care/Free Personal and Nursing Care Contract

This contract is usually chosen by people who have high income or capital and do not foresee having to seek financial assistance from Scottish Borders Council in the future. No financial information is required.

The contract is drawn up between Scottish Borders Council and the home you are moving to. Payments of Free Personal Care/Nursing Care will be paid by Scottish Borders Council directly to the home.

You will then be due to pay the home directly the charge you have agreed with them less the Free Personal Care/Nursing Care payment they have received from Scottish Borders Council.

Clients 64 and under

Free Personal Care/Nursing Care entitlement is for nursing care only.

You will contract directly with the home to agree a weekly charge for your care.

You will then be due to pay the home directly the charge you have agreed with them less the £78 Free Nursing Care they have received from Scottish Borders Council.

Clients 65 and over

You will contract directly with the home to agree a weekly charge for your care. You will then be due to pay the home directly the charge you have agreed with them less the £171 Free Personal Care or £249 Free Personal and Nursing Care they have received from Scottish Borders Council.

Council Contract

This contract is available to all clients (subject to agreement with each individual Care Home).

In all cases a Financial Assessment Form must be completed although if you do not wish to provide financial information you can opt to pay the maximum charge. If at a later date you do require assistance with care charges, you will be asked to provide information backdated to your entry to care.

The Council contracts annually with care home providers who invoice the Council for the full weekly agreed charge. The Council will invoice you for your assessed contribution towards the cost of your care.

Care, other than Personal Care and Nursing Care, such as 'Accommodation costs' is chargeable.

The charge to you will depend on your income and capital. If you are on a low income, you may qualify for a reduced charge, or you may be entitled to claim Income Support/ Pension Credit or other benefits. Your Community Care Assessor Finance can advise and assist you with claiming benefits.

If you are eligible for benefits at the time of application, it is important that you take up your entitlement as it will be treated as income in assessing your charge, whether you choose to claim or not.

Income

Income includes all pensions, earnings, and most social security benefits. Disregarded income is outlined below. Other disregards will depend on your individual circumstances.

Disregards

- Disability Living Allowance (Mobility Component) and PIP (Mobility Component) are disregarded in full.
- If you are in a care home and your spouse is living elsewhere, half of your personal / occupational pension or payment from a retirement annuity contract can be disregarded if you give half to your spouse.
- If you receive Savings Credit as part of your Pension Credit entitlement, you may receive a disregard up to a maximum of £6.15 per week.
- War Pension and Armed Forces Compensation Scheme payments are disregarded in full.

Capital

Capital includes all savings, shares, bonds, investments and property.

Disregards

- Ex-gratia payments of £10,000 made on or after 1 February 2001 because of imprisonment or internment by the Japanese during the Second World War are disregarded as capital.
- Ex-gratia payments made to people infected with Hepatitis C from NHS blood or blood products are disregarded as capital.

The first £16,500 of your capital is ignored. If your capital totals more than £16,500 but not more than £26,500 you will be treated as receiving income from this.

Income is calculated at £1 per week for every £250 (or part thereof) which you have over £16,500 (see table on page 12). This tariff is set by the government and is not meant to reflect the amount of interest you might earn from your capital.

If you have capital in excess of £26,500 as at 01/06/17, you will pay the maximum charge for your accommodation costs. When your capital falls below £26,500, you will be reassessed by Social Work.

Assumed Income from Capital

Your Savings	Assumed weekly income	Your Savings	Assumed weekly income
£16,500.01	£1.00	£21,500.01	£21.00
£16,750.01	£2.00	£21,750.01	£22.00
£17,000.01	£3.00	£22,000.01	£23.00
£17,250.01	£4.00	£22,250.01	£24.00
£17,500.01	£5.00	£22,500.01	£25.00
£17,750.01	£6.00	£22,750.01	£26.00
£18,000.01	£7.00	£23,000.01	£27.00
£18,250.01	£8.00	£23,250.01	£28.00
£18,500.01	£9.00	£23,500.01	£29.00
£18,750.01	£10.00	£23,750.01	£30.00
£19,000.01	£11.00	£24,000.01	£31.00
£19,250.01	£12.00	£24,250.01	£32.00
£19,500.01	£13.00	£24,500.01	£33.00
£19,750.01	£14.00	£24,750.01	£34.00
£20,000.01	£15.00	£25,000.01	£35.00
£20,250.01	£16.00	£25,250.01	£36.00
£20,500.01	£17.00	£25,500.01	£37.00
£20,750.01	£18.00	£25,750.01	£38.00
£21,000.01	£19.00	£26,000.01	£39.00
£21,250.01	£20.00	£26,250.01	£40.00
		Capital in excess of £26,500.00	Maximum charge

Property

If your stay in a care home is permanent, the value of your home will be treated as part of your capital after 12 weeks from the date you entered the home.

You will not be asked to sell your home if you do not wish to do so. However, its value will be taken into account in assessing the amount you pay for your care after 12 weeks.

If your property is sold within the 12-week period, the net proceeds will be taken into account from the date of transfer.

Deferred payments

It is possible for certain people to delay selling their homes by entering a 'deferred payment agreement'. This agreement enables the local authority to offer to pay part of the resident's assessed contribution to the care home's fees and recover that money later from the resident's estate following his or her death.

The resident may also decide to end the agreement and make a full repayment of the amounts owed to Social Work during his or her lifetime.

A Deferred Payment Agreement is a legal agreement between Scottish Borders Council and the individual and provides for the granting to Scottish Borders Council of a standard security over their home to cover the deferred amount.

Interest is not charged on deferred payments until the agreement is terminated by the resident, or 56 days after his or her death.

For further information please contact:

The Care Resource Team

Neighbourhood Services

Council Headquarters

Newtown St Boswells TD6 0SA

Tel. 01835 825080

If your spouse, partner, or an older (over 60 years of age) or disabled relative continues to live in your home, its value may be disregarded as long as they continue to live there.

What about making gifts / transferring property?

The law does not permit you to give away money or to transfer property in order to reduce the amount you pay for your care.

1. If you make such transfers, in some circumstances, we may be able to recover the cost of your care from the person who received the gift or transfer.
2. If you make such transfers, in some circumstances, we may be able to recover the cost of your care from you. You may be asked to contribute from your capital even if this is below £16,500 and normally disregarded.

Will my husband, wife, or other family members be expected to pay for my care?

Members of your family are **not** required to pay for your care except in circumstances described in 1. Above and where a third party has signed a private contractual agreement establishing personal liability.

The amount you pay for your care is based solely on **your** finances. If you have joint savings with your spouse/partner, half of the savings will count as your capital.

How much will my care cost?

Charges for care in a home vary according to the type of care provided. Costs are usually from around £574.42 upwards to £700 per week and may be more depending on location of the home and if a high level of care is required. If you are required to privately contract with a care home, the costs could be significantly higher.

How will I know what I have to pay?

We will let you know what the actual charge to you will be in writing once your financial details have been verified.

You will receive an assessment form showing how the charge has been calculated including any benefits which should have been claimed.

You will be charged from the date that you enter the care home.

Your Community Care Assessor Finance will explain the various ways you can pay the charge for your care. They will assist you in making arrangements for payment before you move to a care home this will include ensuring that if you are unable to deal with your own financial affairs, that you have an official representative to act on your behalf.

How much can I keep for my own use while I am living in a care home?

After the charge for your care has been calculated, you will be left with a small amount of money for your own use. This is called a 'personal allowance', and is set annually by government legislation.

The current rate is £26.40 per week from 01/06/17.

If you receive Savings Credit as part of your Pension Credit entitlement, part of this will be disregarded and added to your personal allowance (up to a maximum of £6.15 per week (single person) and £9.25 (couples)).

What if I decide to move to another home or I am unable to return for any reason?

Payment towards charges for termination and notice periods will fall in line with the Residency Agreement you signed on entry to the home.

What if I disagree with the charge for my care?

If you are unhappy about the charge for your care, you may ask for an explanation of how it has been calculated. If you disagree with this assessment, you have a right to ask Social Work to look at it again.

In certain special circumstances you may appeal against the outcome of your assessment.

Your Social Worker will complete and submit a form (Request for Review of Charge on Grounds of Special Circumstances) on your behalf to the Appeals Panel.

The Appeals Panel will inform you of the outcome of your appeal. If you are still dissatisfied with the outcome, you may wish to make a complaint.

Complaints may be made to:

The Customer Care Officer

Scottish Borders Council
Council Headquarters
Newtown St Boswells TD6 0SA
Freephone 0800 019 4490

You are entitled to be represented in accordance with the Social Work's complaints procedure.

You may wish to seek independent advice on making a complaint - see pages 23- 24 for details of independent agencies.

Section 2: Information for people who are resident in a care home

Financial Assessment

If we told you in your letter that your assessment included an element of Income Support or Pension Credit, please ensure that you make an application has been made for this benefit.

If you are entitled to benefits, the amount of your entitlement will be treated as income in assessing your charge, even if you choose not to make a claim. If you are in receipt of benefits please ensure that payment is continuous and that a new claim is made, for example on discharge from hospital.

Changes in circumstances

Any changes in your circumstances while you are in residential care may affect what you pay for your care (see page 20). It is important that you tell your Care Manager of any changes in your circumstances, or you may contact:

The Care Resource Team

Neighbourhood Services

Council Headquarters

Newtown St Boswells TD6 0SA

Tel. 01835 825080

The following circumstances will require the cost of your care to be re-assessed:

- you sell your property
- you receive a substantial gift of money or property
- there is a reduction or increase in your income
- your spouse, partner, carer, or an older or disabled relative who has been living in your home dies or moves out of your home; the disregard will end and the value of your home will be taken into account
- half of your personal or occupation pension or payment from a retirement annuity contract may be disregarded because you give this amount to your spouse; if your spouse subsequently moves into a care home or if you stop paying half your pension to them, or if you divorce, the disregard will end. The disregard will also end if your spouse dies.

What if I am admitted to hospital?

- If you are admitted to hospital from your care home your contribution will be re-assessed based on the income and capital you have at that time.

If you pay the maximum charge for your accommodation costs you will continue to do so. After two weeks in hospital, Free Personal Care (£171 or £249) stops and you will be liable to pay the maximum cost of care.

- If a family member is an appointee for your benefits, they must notify the relevant DWP section that you have been admitted to hospital.

What if I am in receipt of Attendance Allowance or Disability Living Allowance - Care Component or PIP – Daily Living Component?

If you are in receipt of Attendance Allowance or Disability Living Allowance (Care Component) or PIP (Daily Living Component) you must notify the relevant section (see page 22) that you are now in a care home.

If you are receiving financial assistance for your care from the Council, you will not be entitled to these benefits for four weeks from your move into a care home. Your entitlement to these benefits will end even if you only receive Free Personal Care or Nursing Care.

If you pay the full charge for your accommodation costs, and you are not in receipt of Free Personal Care or Nursing Care, you will continue to be entitled to receive these benefits.

If you are under 65 years of age and receive nursing care, with capital in excess of £26,500 you will continue to be entitled to Disability Living Allowance (Care Component) or PIP (Daily Living Component) while receiving Free Personal Nursing Care.

More information is available from:

Disability Living Allowance (DLA 65+)

Mail Handling Site A

Wolverhampton

WV98 2AH

Tel: 03457 123456

Text phone: 03457 224433

Attendance Allowance Unit

Mail Handling Site A

Wolverhampton

WV98 2AD

Tel: 0345 605 6055

Text phone: 0345 604 5312

Personal Independence Payment (PIP)

Tel: 0345 850 3322

Text phone: 0345 601 6677

The Pension Service 3

Mail Handling Site A

Wolverhampton

WV98 1AF

Tel: 0345 6060 265

Text Phone: 0845 606 0285

New Claim Tel: 0800 99 1234

Advocacy and Advice

The following independent agencies offer advocacy as well as information and advice:

Borders Independent Advocacy Service (BIAS)

Low Buckholmside

Galashiels TD1 1RT

Tel: 01896 752200

Website: www.bordersadvocacy.org.uk

Alzheimer's Scotland Borders Services

Kelso Hospital, Inch Road

Kelso TD5 7JP

Tel: 01573 226162

Email: borderservices@alzscot.org

Website: www.alzscot.org

Princess Royal Trust Borders Carers Centre

Brewerybrig, Low Buckholmside

Galashiels TD1 1RT

Tel: 01896 752431

Website: www.borderscarerscentre.co.uk

Age Scotland

Freephone: 0800 4 70 80 90

Textphone: 0333 323 2451

Website: www.ageuk.org.uk/scotland

Citizen's Advice Bureaux

Please phone for local opening hours or visit the website:

www.cas.org.uk

- **Berwick upon Tweed** - 5 Tweed Street
Tel. 01289 330222
- **Duns** - Community Centre, Station Road
Tel. 01361 883340
- **Eyemouth** - Community Centre, Albert Road
Tel. 018907 50500
- **Galashiels** - 111 High Street
Tel: 01896 753889
- **Hawick** - 1a Towerdykeside
Tel. 01450 374266
- **Kelso** - 20 Shedden Park Road
Tel. 01573 223516
- **Peebles** – Chambers Institute, High Street, Peebles
Tel. 01721 721722

The Pensions Service

The Pensions Service gives information and advice about benefits for people aged 60 and over. For more information visit:

- www.thepensionservice.gov.uk
- www.dwp.gov.uk

Contact Social Work Services

For information and advice about social work services, please contact us as follows:

Phone	0300 100 1800 selecting option 1
Website	www.scotborders.gov.uk
Emergency out of hours	01896 752111

This office is open:

Monday - Friday	08:45 to 17:00
Thursday	8:00 to 20:00
Saturday	9:00 to 12:00

All other Social Work offices are open:

Monday to Thursday	08:45 to 17:00
Friday	08:45 to 15:45

Additional contact details

Local Social Work Offices	<ul style="list-style-type: none"> ● 4-8 Newtown Street, Duns TD11 3DT 01361 886103 swdo@scotborders.gcsx.gov.uk ● Kelso Community Hospital, Inch Road, Kelso, TD5 7JP 01573 227444 swko@scotborders.gcsx.gov.uk ● Town Hall, Hawick TD9 9EF 01450 374545 swho@scotborders.gcsx.gov.uk ● Abbotsford Road, Galashiels TD1 3DS 01896 664157 swgo@@scotborders.gcsx.gov.uk ● Rosetta Road, Peebles EH45 8AF 01721 726355 swpo@scotborders.gcsx.gov.uk
Hospital Social Care and Health Team	<ul style="list-style-type: none"> ● START Team Borders General Hospital Melrose TD6 9BS 01896 826271
Sensory Services Team	<ul style="list-style-type: none"> ● Borders General Hospital Melrose TD6 9BS 01896 826272
Learning Disability Service	<ul style="list-style-type: none"> ● Church Street Earlston TD4 6HR 01896 840200
Mental Health Team	<ul style="list-style-type: none"> ● West Brig, Tweed Road, Galashiels, TD1 3EB 01896 664424

Other leaflets available from Social Work

You may also find the information in the following leaflets helpful:

- Community Care – Information for You
- Information on Charges for Care at Home Services
- Charges for Care at Home Services Appendix
- Comments and Complaints

Copies of these are available from Social Work Services.

You can get this publication on CD, tape, in large print, and various computer formats by contacting us at the address below. In addition, contact the address below for information on language translations, additional copies, or to arrange for an officer to meet with you to explain any areas of the publication that you would like clarified.

Social Work Services, Scottish Borders Council
Council Headquarters, Newtown St Boswells TD6 0SA
Tel. 01835 825080

Information on the full range of Social Work Services is available on the Council's website at:

www.scotborders.gov.uk