

Adult social care factsheet 2

Paying for residential and nursing home care

**A guide to how much you may have
to pay for your care and support**

What is this guide about?

This factsheet is about how much you may have to pay for care in a residential or nursing home, whether permanently or temporarily. It is for all Sandwell residents who may be thinking about going into such a home, their family, or carers.

It is written to help you understand whether you will qualify for help from us, how much you may have to contribute to the cost of the home, and other sources of help and advice. It does not cover every situation but does cover all the main ones.

To make sure this factsheet does not get out of date, any money values are in our separate **Fees Costs and Allowances - ASC factsheet 9** which we publish each April.

We have a separate factsheet about how much you may have to pay towards care and support in your own home or the community, please see **Paying for community-based care and support - ASC factsheet 1**.

How we decide who we can help

If you do approach us for help, you (and/or your representative, family or friend, as you wish) will first meet with a social care worker who will **assess your needs** for care and support services and whether they mean that you qualify for help.

They will go through all the choices that may be available to you. It is our aim to support people to stay independent at home wherever possible, so

whilst residential or nursing care could be necessary and helpful for some people, other options will be offered and discussed first.

What services do I have to pay for?

Whilst many of our services may have to be paid for, some services are provided without cost to you. These are;

- People subject to an aftercare order under the Mental Health Act
- Those whose needs are primarily health-based; the NHS arrange and pay for “NHS continuing healthcare” which is free for you. If we think you may be eligible for this, we will refer you to the NHS
- Some short-term services designed to help you recover your independence, e.g. after a stay in hospital

However, for most people who qualify for our help, Sandwell Council will meet the cost of the service, and you will normally pay us a contribution towards the total cost. Unlike health and the NHS, social care has always been a means-tested service, meaning that you are expected to contribute towards your care and support costs if you can afford to do so.

What are my choices?

If a care home is thought to be best for you, you have the right to choose the home you want to go to. If you do not have capital (housing, savings, other property and assets such as shares) which exceeds the upper ‘capital limit’ set by the Government (see **Fees Costs and Allowances - ASC factsheet 9** for current figures), you are eligible for help from us.

However, your choices may be limited by the amount we can pay. We work to ensure that we provide enough funding (known as the ‘personal budget’) for you to meet the cost of at least one suitable care home, and will pay for your care up to that personal budget.

Top ups

It may be that you can find additional funding from a “third party”; a relative, friend or a charitable organisation, that will mean you can ‘top up’ the personal budget and afford a home that costs more than we can pay. You are allowed to do this in certain situations based on us having a legal agreement between you, the council, and whoever is paying the top up.

There are clear rules set by the Government in relation to top ups:

- You and the third party must be aware the weekly costs may increase
- increases in fees may not be automatically shared between the council and the third party
- if the third party fails to pay the weekly contribution, legal action will be taken against them to recover the amount outstanding
- failure to pay the third-party contribution may result in you being moved to another home which is within the council’s agreed limits.
- it is not legal for you to pay the top up from your own funds.

Self-funding

You may decide that you wish to pay for residential or nursing care yourself as a “self-funder”, because you know you have “capital assets” (property or savings for example) over the limit to qualify for help from us, or you simply do not want to be assessed by us.

If this is the case, you normally must arrange your own care and support and pay the full cost. Once your capital falls below the limit to qualify for help, you can approach us again for assistance.

Being a self-funder can in some circumstances be beneficial because you can still get certain state benefits if you are funding the cost of the placement without involving us. However, every person’s circumstances

are different, so we do recommend that you get further advice from an independent source, for example Citizens Advice, Age UK, or an independent financial advisor so that you can make an informed decision.

We would not arrange a care home place for you, nor recommend any specific home. However, we can still provide you with a care assessment and a care and support plan, as well as information and advice to help you make well-informed choices about your care and how it will be funded.

You should also be aware that the price you may have to pay as a self-funder may be different from the prices the council negotiates for people we are funding.

What will I have to pay?

If you are eligible for help from us, our financial assessment staff will work with you to collect information on your financial situation. We will also check that you are receiving all the state benefits that you may be entitled to. If you choose not to give us the financial information we need, or if you have capital over the upper capital limit set by the Government, you will be a “self-funder” and pay for your care services yourself (as above).

Using the financial information collected, we apply government rules to work out how much (if anything) you should contribute towards the cost of your care and support. This takes account of your:

- Capital - savings, stocks, shares and investments and the value of any property you may own now or have in the past
- Income – earnings, state benefits, private and state pensions, interest on investments, rental income.

The rules affecting your capital are set by the Government and may change each year, so they are shown in the separate **Fees Costs and Allowances - ASC factsheet 9**.

If you have capital below the lower capital limit, your capital is ignored in the financial assessment. If you have capital that is between the upper and lower limits, you will have to pay 'tariff income' which is an amount per week added to your income based on how much capital you have.

Your income is what mainly determines what your contribution will be. As you will be living in a care home which is meeting both your accommodation and your care needs, the bulk of your income will be expected to go towards your contribution.

The cost of homes varies considerably, depending on what facilities they offer and whether they offer residential or nursing care. How much you will personally pay depends on our assessment of your contribution – provided you choose a home whose fees are within the personal budget we have given you, the most you will be expected to pay is the full cost of the home. Depending on your capital and income, it may be less than this.

Although we cannot list all the different prices of care homes, some "typical" costs based on our council contracts are shown in our **Fees Costs and Allowances - ASC factsheet 9** to give you an idea of what you might pay. However, these prices would not apply if you are making your own arrangements as a self-funder.

Personal allowances

When we calculate your weekly contribution, we allow you to keep a personal allowance, based on an amount set by the government. This is to cover day-to-day costs that you still need to pay.

Whoever is responsible for helping you with your finances should ensure that you get this amount each week. It is normally a set rate, but in some situations (e.g. when your home is disregarded, as in the next section), government regulations allow us to give more. The amount of your 'personal expenses allowance' will be detailed on the breakdown of how your weekly contribution has been worked out (see **Fees Costs and Allowances - ASC factsheet 9** for current figure).

What if I am away from the care home?

If you have to go into hospital or are temporarily away from the home for any reason, you (and any third party) will still be expected to make normal contributions during that time, since we will still have to pay the home's fees to keep your place.

What about my own home?

As stated above, your capital, such as the value of any property or land that you own, or jointly own, will be counted when assessing your contributions. If you own your own home, this would generally mean that your capital will exceed the upper limit and you will become a self-funder. If you were the sole occupant, it is assumed that you will be selling the house to pay for your care.

Disregards

However, the value of your former home may be 'disregarded' in some cases. This includes where your former home is occupied by:

- your partner (except where you are estranged or divorced)
- a child or young person who is dependent on you and under 18
- a range of relatives, providing they are under 18 or over 60, or incapacitated

The rules here are complicated, so please contact us to get an answer for your particular situation – **contact details** are at the end of this guidance.

Deferred Payments Agreements

If you wish to keep your former home, we may be willing to enter into a ‘deferred payments agreement’ (DPA). This is a legal agreement which means we **temporarily** ignore the value of your home in calculating your contribution – in effect we are loaning you the money to meet the full cost.

A DPA can be a temporary arrangement just until your home has sold, or it can be a permanent arrangement which carries on until you die. Normally we protect our interest by placing a legal charge on the property.

Whilst a DPA is in place, your weekly contribution is based on your income and capital excluding the property; the difference between that and the full weekly cost of your care is paid by us – we effectively loan you the money.

When the DPA ends, we recoup our money from the sale of the property with suitable interest and legal fees. This is a legal arrangement, so you are strongly advised to seek independent financial advice before taking up such an option.

Please see our factsheet **Deferred Payments - ASC factsheet 8** or contact us to get more information; details are at the end of this guidance.

Can I appoint someone to deal with my financial arrangements?

Many people appoint representatives to act on their behalf in financial matters. Your representative will be asked to sign an agreement once your placement is confirmed, to ensure that anything they undertake to do on your behalf is legally binding. We can hold them responsible for any weekly contributions that are unpaid.

What if I go into a home for a short break?

If you are being cared for in your own home, but you or your carer needs a break for a short period, arrangements may be made for you to go into a residential or nursing home for a short time. Your social care worker will decide how many days we can offer you, as we have a limit of 28 days in a year per person. This type of placement is often called **respite**.

You will still be expected to pay a contribution, but it will be instead of your normal contributions for care at home, not in addition. The maximum cost payable would be the full cost of the home, which will vary according to the home and its facilities, but we do put a cap on the maximum cost used. If you are assessed to pay a contribution, you will only pay that if it is less than the full cost.

How do I pay?

We will pay the total cost of your care home direct to them. You pay your contribution to the cost to Sandwell Council in one of the following ways:

- **Direct debit** through your bank

- **Online** through Sandwell's website www.sandwell.gov.uk. We will tell you how to do this
- **By phone** using credit or debit card. We will tell you how to do this
- **Invoice** – an invoice will be sent to you every four weeks. This can either be paid by cheque, postal order or by calling in at one of Sandwell Homes Service Centres, or by post to Cashier's Service, Council Finance Offices, PO Box 2372, Sandwell Council House, Oldbury B69 3BS.

What if I think a mistake has been made?

If you think a mistake has been made in calculating your contribution, or we have not accepted DRE costs that you believe we should include, please contact us in the Community Care Business Unit (as below) to ask for a **review**.

We will look at the calculation again with any new information you give us, and if we agree with you, send you a new notification. If we believe that our calculation is correct, then we will explain it further.

If you are still unhappy after our review, you, (or your representative) can **appeal**. You may still disagree with the way we applied the rules in your case, or you may believe that the contribution is more than you can reasonably afford, particularly if you have exceptional circumstances or financial hardships.

In such situations, you can ask for your case to go to appeal and to be considered by a panel of managers who come from outside our financial assessment team for a decision. To start this process, please contact the Community Care Business Unit (numbers below) who will help you.

What if I have a complaint?

We have a complaints process for any issues you may have about the way the financial assessment was conducted (rather than the contribution it led to). You or your carer or advocate can raise issues about:

- the conduct and attitude of staff;
- disagreement with the level of provision or quality of our service;
- the time taken to undertake the financial assessment.

To make a complaint you must contact the Customer Feedback Team;

- online by creating a customer account at: www.my.sandwell.gov.uk
- Tel: 0121 569 7867
- Post: Customer Feedback Team, Sandwell Council, Roway Lane, Oldbury B69 3ES

Where can I get more information?

For further information on **financial assessments**, the amount you have to pay, or wish to have a review to challenge our decision about your assessed contribution to the cost of your care and support, please contact our Community Care Business Unit:

Email: CHT_CCBU@sandwell.gov.uk

Tel: 07341 682547 *or*
07887 826455 *or*
07887 893539 *or*
07766 780242

For more advice and information about **state benefits** you can go to your nearest housing service centre or contact Welfare Rights advice line; on Email: welfarerights_team@sandwell.gov.uk; Tel: 0121 569 3158.

For **lists of care homes**, please see:

- Information Point, our directory of care and community organisations at www.sandwell.gov.uk/informationpoint
- The Care Quality Commission Tel: 03000 6161161 email: enquiries@cqc.org.uk website: www.cqc.org.uk

For general adult social care enquiries

For any questions about the social care services we offer and whether you may be eligible for them, please contact Sandwell Enquiry on

Email: sandwell_enquiry@sandwell.gov.uk Tel: 0121 569 2266

For independent advice or support

- Age UK Sandwell Tel: 0121 500 1860 or website www.ageuk.org.uk
- Citizens Advice Tel: 0121 500 2703 (Mon – Fri, 2pm – 4pm) or website www.citizensadvice.org.uk

Other formats

If you would like help to understand this factsheet please contact Sandwell Enquiry as above.

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www.sandwell.gov.uk (website address)