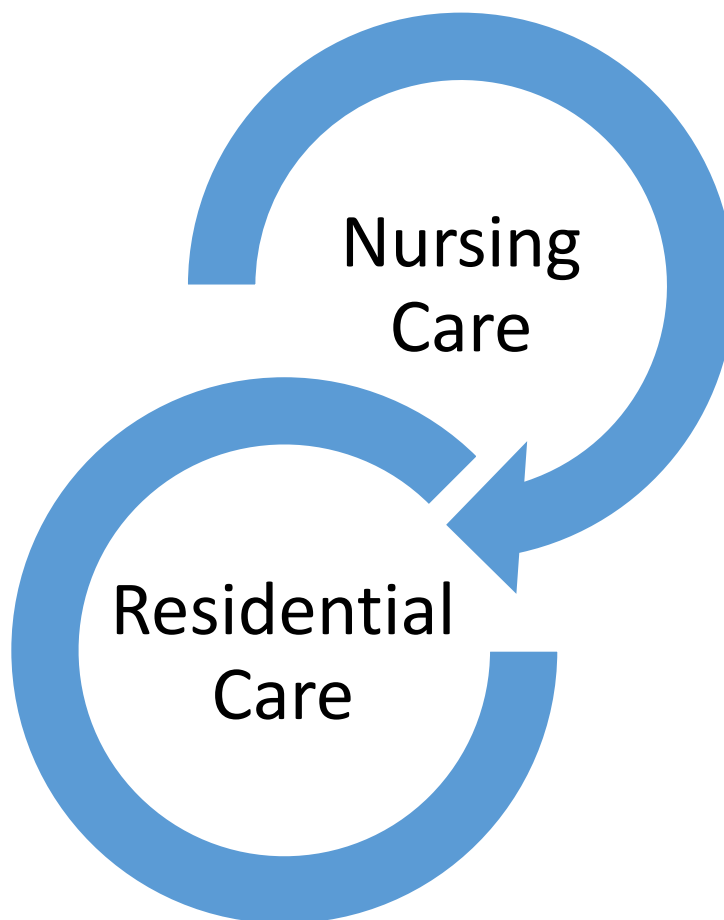


## Thinking of moving into a care home?



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## Introduction

This booklet is for people who may need to move into a care home and to assist their carers/relatives.

This booklet is primarily aimed at people considering entering a care home. This type of care will not be suitable for all people. West Dunbartonshire HSCP will be able to advise you on other types of accommodation and services that are available to help people remain at home.

You may wish to go through this booklet with a relative or carer, or someone who can give you support or advice.

## Moving to a care home

A care home is a place where people can live and be looked after by trained staff in homely surroundings.

- Care homes have staff who have been trained to look after you in accordance with set standards.
- Nursing care homes have trained nurses and additional equipment if you need it
- Residential care homes do not provide nursing staff, but can ask a community nurse to visit you if needed
- Care homes are registered and inspected by The Care Inspectorate, inspection reports are available to prospective residents and their relatives and can be accessed here: <https://www.careinspectorate.com/>

West Dunbartonshire HSCP will assess your care needs. If it is decided that you need to move into a care home we will assess whether you require a nursing home or residential home.

## Who needs to pay?

Everyone pays a contribution towards their care and accommodation.

Information on care home fees and Free Personal Care or Free Personal Nursing Care amounts are available from

<http://www.wdhscp.org.uk/adults-and-older-people/moving-from-your-own-home/care-homes/charges-for-residential-and-nursing-homes/>

These rates change every April.

Your contribution will be based on your income and on any savings and investments you may have.

If you have savings & investments of more than the upper capital limit you will be treated as a self-funder. Please see Self-Funding section of this booklet for more details.

So that we can accurately calculate your contribution towards your care you will be asked to complete a Financial Assessment form.

You will also need to provide the following:

- Bank/Building society statements for all accounts held
- War Pension letters (if applicable)
- Department of Work and Pensions award letters
- Evidence of any investments

All benefits due and occupational pensions continue to be paid to the client in the same way as before their admission.

The client/family representative should contact the DWP to advise of any admissions to hospital prior to admission to a care home to prevent any overpayment of benefits.

If you decide or fail to complete the Financial Assessment form you may be charged the full cost of your care less any Free Personal Care or Free Personal Nursing Care payments

## Local Authority Funding

If you have savings and investments that are less than the upper capital limits you will be classed as being local authority funded.

We will pay the care home the standard rate including any Free Personal Care or Free Personal Nursing Care payments. You will pay an assessed contribution based on your income and savings.

You should also review your current outgoings and contact the relevant companies to advise that you will be moving into care. You will be able to keep a specified amount for personal expenses. This is called the personal allowance.

We assess you on an individual basis.

We include information from:

- State Pension, Pension Credit, if under pension age we include ESA, Universal Credit.
- Occupational Pensions
- Widows/Widowers pensions
- Annuity income
- Attendance Allowance and Personal Independent Payment/Disability Living Allowance (care component) for the first 4 weeks of your stay in the care home unless you have been in hospital for more than 28 days.

We do **not** include:

- Your husband, wife or partners income.
- The mobility component of Personal Independent Payment/Disability Living Allowance.
- War Pensions
- 50% of your occupational or personal pension if your spouse continues to live at home. (please note that this does not apply to couples who are not married or are in a civil partnership)

We include savings and investments from:

- Premium bonds
- Money in bank, building society, Credit Union. Post Office and savings accounts
- Half of any jointly held accounts (**if the joint account is with someone other than your spouse/partner, that person must show that they have paid money into the account or are on the account as an administrator only**)

- Shares
- Income bonds
- National Savings Certificates
- Gilt

Full details can be found in the CRAG rules. Which can be accessed on the following web site: [https://www.sehd.scot.nhs.uk/publications/CC2022\\_01.pdf](https://www.sehd.scot.nhs.uk/publications/CC2022_01.pdf)

## Investments

We may disregard your investment capital provided that you can prove there is an element of life assurance. You will need to send us the documentation showing that life assurance is included.

### If you have savings and investments between the Upper and Lower Capital

If you have savings and investments between the Upper and Lower Capital limits you will contribute all your weekly income except your personal allowance. You will also pay £1 a week extra for every £250 or part of £250 you have between the lower figures and the upper capital figure.. This is called Tariff Income. The amount you pay will reduce as your savings reduce provided your savings are spent on acceptable expenditure.

#### Example 1

Jane is over 65, has less than £18,500 in savings and has an income of £182.60 from her pension and Pension Credit. Jane will pay £151.60 per week towards her care home costs.

<b>Income</b>	
State pension	£134.63
Pension Credit (Guaranteed)	£47.97
<b>Total (A)</b>	<b>£182.60</b>
<b>Allowances</b>	
Personal Allowance	£31.00
<b>Total (B)</b>	<b>£31.00</b>
<b>Jane's contribution is (A-B)</b>	<b>£151.60</b>

## Example 2

Paul is over 65 and has an income of £186.20 from his pension and Pension Credit. He has savings of £20,500. Paul will pay £160.94 per week towards his care home costs.

<b>Income</b>	
State pension	£178.20
Pension Credit (Guaranteed)	£0.00
Pension Credit (Savings)	£13.04
Tariff Income from capital of £20,500 ( $£20,500 - £18,500 = £2,000$ divided by £250)	£8.00
<b>Total (A)</b>	<b>£199.24</b>
<b>Allowances</b>	
Personal Allowance	£31.00
Savings credit disregard (maximum amount of £7.30)	£7.30
<b>Total (B)</b>	<b>£38.30</b>
<b>Paul's contribution is (A-B)</b>	<b>£160.94</b>

## Self-Funding (Capital & Investments over the Upper Capital limit)

If the total value of your savings and investments exceeds the Upper Capital limit you will be responsible for the full cost of your care home fees less any entitlements to Free Personal Care or Free Personal Nursing Care Payment.

You will not be entitled to Free Personal Care or Free Personal Nursing Care payments if we have not carried out an assessment of your needs or if we assess that you do not require 24 hour care.

- Some homes need you to prove that you have enough money to cover the care fees for a particular length of time
- The fees you pay are more expensive than the standard rate that the council pay
- We will pay any Free Personal Care or Free Personal and Nursing Care payments directly to the care home.
- **When the total value of your savings and investments is approaching £35,000 you must contact the Care Contract Team by emailing [CommCare-Finance@west-dunbarton.gov.uk](mailto:CommCare-Finance@west-dunbarton.gov.uk) or by phoning 01389 812311/812331/812324 and we will issue a new Financial Assessment to allow us to carry out a Capital Depletion.**
- During the capital depletion we will ask you for evidence of all the capital you held for the last 18 months.
- Once this has been received we will ascertain a date for the change in funding and calculate the new client contributions from that date.
- Should the care home require a Third Party Top up which is above the standard rate then this will need to be paid by someone other than the client. This should be discussed with the care home



## Periods you are not living at the home

You will continue to be charged for any periods you are not living in the care home, this includes any hospital stays

You're Free Personal Care or Free Personal and Nursing Care payments will stop after 14 days and you will be expected to pay the full costs of the care home. Payments will re-commence on your return to the care home.

## Paying for your care

If you are resident in a West Dunbartonshire Council care home, the care contract team will issue a monthly invoice for your client contribution.

If you are resident in a private care home, the care home will issue their own invoices for the client contribution. They will discuss all the payment options available including third party top ups if applicable.

## Depriving yourself of Capital

It is common to want to pass on savings and other capital such as your home to your children or others. However, before deciding to transfer your home or capital you should consider the following points:

- If you have moved an asset or capital out of your name we will question such action.
- If we find that you have deliberately deprived yourself of capital to avoid paying care home fees (including to reduce Tariff Income) we will assess you as if you still own it; we call this 'notional capital'. We will include the value of this capital when we work out your contribution.
- If you gave away capital within six months of your admission to 24 hours care or whilst you were in care, we can ask the people who received it to pay towards the client contribution.

We will also look at other ways you might have deliberately deprived yourself of capital, such as:

- A lump-sum payment has been made to someone else (for example, as a gift or to repay a debt for someone else)
- A lot of money has been spent on something (for example on an expensive holiday)
- Money has been spent on third party top-up care home costs
- The title deeds of a property have been transferred to someone else
- Money has been put into a trust which cannot be revoked
- Money has been changed into another form that we would normally disregard (for example, personal possessions)
- Capital has been used to buy an investment bond with life insurance.

## If you own a Property

West Dunbartonshire HSCP currently use the Deferred Payment Agreement

A deferred payment agreement will be a legal agreement between the local authority and the individual, which defines the portion of a person's care home fees to be deferred and provides for the grant to the local authority of a standard security over the home to cover the deferred amount.

You are automatically entitled to a Deferred Payment Agreement if you have capital under the Upper Capital Limit and you do not wish to sell your property immediately.

We will place a Charging Order over the property as security and you will be responsible for the legal costs associated with this (around £600).

During the Deferred Payment term, you will pay an assessed contribution towards your care based on your income and savings. The Council will pay the balance of the fees up to our standard rate.

You must supply financial information to allow a financial assessment to be completed.

The Deferred Payment will be repaid from the sale of your property or from your Estate.

Your property will be disregarded for the first 12 weeks of your stay in care. If your property sells within this time then the disregard will end.

## Acting on someone's behalf

If you are over 18 and there is no power of attorney and you want to help someone to manage their money there are options open to you. It is important that these arrangements are put in place as soon as possible to prevent the person moving into the care home building up a debt.

The options:

- You can apply to the Department for Work and Pensions to become an appointee. Benefits including the state retirement pension can be paid into an account you choose and you will become responsible for paying the care home fees and making sure the personal allowance is paid to the resident. Their telephone number is 0800 731 0469. We can cancel any appointees and access to funds arrangements if it can be shown that the money is not being used to pay care home fees
- If the resident is in a Council care home and is only receiving state benefits we can apply to the Department for Work and Pensions to have those benefits paid directly to the care home. We will make sure that the fees are paid and that the resident is given their personal allowance
- The Council can apply for access to funds if we cannot identify anyone willing to manage the resident's finances or you can apply to the Office of the Public Guardian (Scotland) for access to funds if the person in the care home is unable to manage their money and has savings or income such as a private pension
- You can apply to the Office of the Public Guardian (Scotland) for a Guardianship order which authorises a person to take action or make decisions on behalf of an adult with incapacity in relation to either their finances, welfare or both

- You must advise us if you are applying for power of attorney or financial guardianship on behalf of someone and keep us updated on the progress. You can get further information from the Office of the Public Guardian (Scotland) through their website [www.publicguardian-scotland.gov.uk](http://www.publicguardian-scotland.gov.uk) or by phoning 01324 678300