

# Paying for your care



*Many people will at some stage need additional care and support to help them live well. This booklet explains how we work out how much you are likely to have to contribute towards the cost of your care.*

If you would like this publication in an alternative format, for example large print, or if you need help communicating with us, for example because you use British Sign Language, or if you need help understanding information, please let us know.

**You can call us on** 0345 050 7666

**or email** [socialandhealthcare@oxfordshire.gov.uk](mailto:socialandhealthcare@oxfordshire.gov.uk)

**or write to** Social and Healthcare Team  
PO Box 780  
Oxford  
Oxfordshire

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*This booklet was produced in September 2017 and the information in it is based on current national guidance and policies and on Oxfordshire County Council's policies and procedures, including our Contributions policy which you can find at [www.oxfordshire.gov.uk/payingcare](http://www.oxfordshire.gov.uk/payingcare)*

## Assessing your needs

Before we can determine how much you will pay for your care, we need to work with you to assess your needs. This involves talking with you, your carer if you have one, and other people who know about the different aspects of your life such as your physical health, your emotional health, how you manage to look after yourself, and your current family and support networks. The needs assessment may be done over the telephone or face to face.

### Eligible care needs

Following your assessment, we will review your care and support needs to determine if you have eligible needs and are therefore entitled to support from us. We use national eligibility criteria, set by the government, to do this.

If you have eligible needs, we will draw up a care and support plan with you. This will look at what you want to achieve (also known as outcomes) and outline the ways in which you want your needs to be met.

### Personal Budgets

If you have eligible needs then you will be entitled to a Personal Budget; this is the sum of money that we believe you need to meet those needs. You may choose to receive this money in the form of a Direct Payment or a Managed Service (see explanations below).

In some circumstances, we may assess that your eligible needs can be met in other ways, for example by providing you with information and advice or other services.

## Direct Payments

Direct Payments are payments that allow you to organise care services yourself (rather than the council organising it for you). They enable you to choose the services that you want to meet your care and support needs and the outcomes set out in your care and support plan.

A Direct Payment gives you more choice, flexibility and control over the care you receive. Some people use the money to buy care from an agency, while others directly employ their own staff.

At the moment you cannot use a Direct Payment to pay for a placement in a care home.

## Managed Services

You may decide that a Direct Payment is not appropriate for you and opt to receive what we call a Managed Service. This means that the council will arrange for you to receive care from one of its approved care providers.

## Paying towards the cost of your care

Whether you choose to receive a Direct Payment or a Managed Service you will need to undergo a financial assessment to determine how much you will need to contribute towards the cost of your care.

## Topping up a Personal Budget

We will always ensure that your Personal Budget is sufficient to meet your eligible needs. However, you may choose to receive care that is more expensive than the amount given in your budget. If this is the case, there would need to be a top up of the difference. Where you receive your care will affect who can pay your top up.

If you receive your care at home, you or a third party (such as a relative or a charity) can top up your Personal Budget to buy additional support or services.

If you live in a care home, you can arrange for a third party to pay a top up to cover the cost of a home that is more expensive than the council would usually expect to pay. You may only choose to pay the top up yourself in the following circumstances:

- if you are subject to a 12-week property disregard (see page 17);
- if you have a deferred payment agreement in place with the local authority;
- if you are receiving accommodation provided under S117 for mental health aftercare.

*If your top up ceases, we are under no obligation to increase our contribution to cover the difference. For example, this may result in someone having to move to other accommodation from the care home they are living in.*

## Financial assessment – general information

After your needs assessment, if you have an eligible care need, we will assess your finances to help us determine what you will pay towards the cost of your care; most people have to pay something. We explain the calculations we use later in this document.

Your financial assessment will involve you providing information about your financial situation and it will normally take place via a face to face meeting or, we may ask you to complete a financial circumstances form. The type of financial assessment will depend on whether you receive care in your own home or in a care home.

Depending on the outcome of your financial assessment, we may ask you to contribute a certain amount towards the cost of care. We will aim to complete

your financial assessment as quickly as possible so that you understand your assessed contribution (how much you will be expected to contribute).

You do not have to disclose your financial circumstances if you do not wish to. If you do not wish to do this or if you know you will not qualify for financial help, you will have to pay the full amount of your care.

## **Is your financial assessment correct?**

If you think that we have miscalculated your financial assessment, for example because of something you have forgotten to tell us, you should write to us asking for a review of your assessment, stating why you think it is wrong. Details of the Financial Assessment Team can be found at the end of this booklet.

## **When will we begin to charge you?**

We will begin charging you your assessed contribution from the first day that you receive chargeable services.

## **How do we collect your charges for the care you receive?**

When we have completed your financial assessment we will inform you of how much and from what date we will expect you to pay towards the cost of your care. We will send you an invoice each month showing your care charges for that period. The invoices will show you alternative methods by which you can pay us but our preferred method is to collect your contributions by Direct Debit. If you want to set up a Direct Debit or discuss other payment methods, such as using your debit card, please contact Oxfordshire County Council's Income Team on: **01865 816470**.

## **What happens if you don't pay your charges?**

We expect you to make a payment to Oxfordshire County Council within 28 days of receiving your invoice. If you fail to pay the amounts on your



invoice, we will take recovery action and possibly legal proceedings. If our Legal Services team has to start legal proceedings against you, you may have to pay legal costs in addition to your care charges.

If at any time you have difficulty in making a payment you should contact Oxfordshire County Council's Income Team as soon as possible on: 01865 816470.

## Changes to your financial or personal circumstances

Once we have completed your financial assessment, you must inform the Financial Assessment Team (details at the end of this booklet) of any changes in your financial or personal circumstances so that we can ensure that your financial assessment and the charges we ask you to pay for your care are correct.

*If you fail to notify us of any changes which affect your financial assessment and charges (e.g. a change to any benefit you may receive), you may be charged at a later date.*

## How can I make sure I'm receiving all the benefits I'm entitled to?

If you want to make sure you are receiving all the benefits you are entitled to, contact the Department of Work and Pensions (if you are over 60), Job Centre Plus (if you are under 60), Age UK, or the Citizens Advice Bureau, details of these organisations are below.

- The Department of Work & Pensions – **0800 731 7898**
- Age UK – **0345 450 1276**
- Job Centre Plus – **0345 604 3719**
- Citizens Advice Bureau – **0344 4111 444**
- We can check your benefits as part of your financial assessment or you can check them yourself online at: [www.gov.uk/benefits-calculators](http://www.gov.uk/benefits-calculators)

## Annual review of your assessed contribution

The Department of Work and Pensions normally increases all state benefits in April each year. Many occupational pension schemes also increase payments from April. Therefore, we will reassess your contribution at least annually in April each year to take account of these changes in your financial circumstances and will write to you explaining what we think your new rate should be.

### **Giving away or transferring money or assets**

*If you are thinking of giving away or transferring some of your savings or other assets including your property (also known as disposal of assets) for any reason, you should first contact the Financial Assessments Team (01865 897530) to discuss your intentions before you proceed. This is because depending on when and why you disposed of it or want to do so, we may continue to financially assess you as if you still own it.*

# How we assess your financial contributions

The sections below explain how we calculate your financial contributions depending on where you receive your care.

If you are receiving or due to receive care in your **own home** you should read section one (pages 9-13).

If you are receiving or due to receive care in a **care home** you should read section two (pages 14-20).

## Section one: Paying for care at home

### If you have savings and assets over £23,250

If you have savings and assets over £23,250 then you will be expected to pay for the full cost of your care.

### What savings and assets do we include?

By savings and assets we mean bank or building society accounts, ISA's, bonds, shares, investments and any other savings and assets you may have. We don't include the property in which you live but may include any additional properties or land that you own.

### Arrangement fees

If you have more than **£23,250** in savings and assets and you want us to assist you in arranging care at home, then we will charge you an administration fee depending on the level of our involvement. There are two levels of one-off fees which we may require you to pay.

- **£150** – Where we help you find and arrange your care, but you then enter into a private arrangement with the organisation providing you with that care.
- **£500** – Where we help you find and arrange your care at home and also manage the care and support being provided to you, on your behalf.

## Independent financial advice

If you have to pay for the full cost of your care or you decide to make your own funding arrangements then you may benefit from independent financial advice.

The Financial Conduct Authority's website has a range of advice and information on finding financial advice, including how to find and choose a suitable adviser, what to expect from them, the difference between independent and restricted advisers and charging options. All advisers should be accredited by the FCA.

*My Care My Home* offers individuals and their families advice about the cost of care and funding options available to them. *My Care My Home* also offers a free advice service via telephone or home visits, aimed at helping people find a suitable care home, or care in sheltered or Extra Care Housing schemes. The full service, some of which is chargeable, is explained in detail on their website: [www.mycaremyhome.co.uk](http://www.mycaremyhome.co.uk) or you can call their Freephone number on: **0800 731 8470**, to find out more.

## What if I have savings and assets under £23,250?

If you have less than £23,250 then we will complete a financial assessment to determine how much you can afford to contribute towards the cost of your care.

## How is the financial assessment completed?

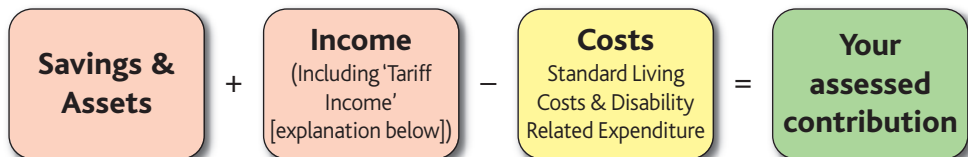
We normally complete the assessment by arranging for an Oxfordshire County Council officer to visit you in your own home to collect the financial information we need. You can find more information on how we calculate your assessed contribution below – we call this a non-residential assessment calculation.

If you would like a friend or relative to be present during the financial assessment, we will try to make a visit when it is convenient for her or him.

If you prefer to complete a financial circumstances form rather than having a visit, we can send the form to you. You will need to complete it and return it to us along with evidence of your financial details.

## The non-residential assessment calculation

The following example shows the principles of how we work out your financial assessment.



### Savings and assets

As mentioned above, we take into account most types of savings and assets although not the property in which you live.

#### **What happens if you want to permanently leave or sell your property?**

*We won't include the property in which you live in our calculations; we may include any other property you own.*

*This may affect you if, for example, you are considering moving permanently to live with relatives or into Extra Care Housing but do not want to sell the property where you lived previously. Please note that we may take the property value into account in your financial assessment and this is likely to make you liable for the full cost of your care.*

### Income

We will include almost all benefits and other income such as occupational pensions, annuities and income from property rental. We won't include any payments you receive from employment, Child Tax Credits or Winter Fuel Payments.

## Tariff income

If you have savings and assets between £14,250 and £23,250 we will financially assess you as able to contribute £1.00 per week for every £250, or part of that, you have above £14,250.

**Example:** If you have £14,550 you will be treated as having an extra £2 per week of tariff income.

This is based on a tariff scale laid down by the Department of Health. Please note that this tariff is the amount that the Department of Health considers you can afford to pay from your savings and assets rather than an expectation of the interest you may actually receive.

## Standard living costs

There is a fixed allowance for standard living costs within the financial assessment, called the Minimum Income Guarantee, which is based on rates set by the Department of Health. It takes into account the cost of everyday items such as food, fuel costs, TV licence, satellite subscriptions, water rates and other day to day living costs.

## Disability Related Expenditure

We will also make allowance for the Disability Related Expenditure you may incur due to your age or disability. This may include items such as additional fuel costs, private domestic help, gardening, laundry, incontinence pads, window cleaning, washing powders, hair washing.

For some categories of Disability Related Expenses we will usually allow a standard amount. If the cost you want to claim is greater than the standard allowance you should keep records and obtain receipts for your payments.

## Payment of Disability Related Expenditure to family members

Only in exceptional circumstances do we allow claims for Disability Related Expenditure relating to payments you make to your family members to assist you.

### Waiver Scheme

We will try to make your financial assessment as accurate as possible and understand that there are inevitably cases where although the assessment is technically correct, there may be other circumstances affecting your ability to pay for the care you need.

In exceptional circumstances, we can consider a waiver for some or all of your charges for a specific period. If this applies to you, you can ask us to consider a waiver if you think that we have failed to take into account specific social, psychological or health issues or exceptional circumstances.

You should ask your Social Worker for a waiver application form and return it to him or her when you have completed it explaining why you think a waiver is appropriate.

As soon as we have reviewed your application, we will let you know in writing if your waiver request has been successful and of the appeal process you should use if you don't agree with the decision.

### How to ensure you are receiving all the benefits you are entitled to

As part of your financial assessment we will also offer to refer you for a Benefits Check. This is to help you ensure that you are claiming and receiving payment of all the state benefits to which you are entitled. Alternatively, if you prefer, you can ask for help directly from the Department of Work and Pensions or one of the independent agencies listed on page 7.

## Section two: Paying for a care home

If you are considering going into a care home (residential or nursing home) you should first ask us to assess your care needs (also known as a needs assessment) to ensure that the home is appropriate for you. We will not provide funding or other financial assistance if we do not consider a care home to be the most appropriate type of care for you.

### If you have savings and assets over £23,250

If you have savings or assets over £23,250 then you will be expected to pay for the full cost of your care home. By savings and assets we mean bank or building society accounts, ISA's, bonds, shares, investments, additional property and any other savings and assets you may have.

### What happens if I have to pay the full cost?

If you have savings or assets over £23,250 and are able to arrange your own care, or have given somebody else legal power to represent you, we will expect you to enter into a private arrangement with your chosen residential or nursing home.

### What happens when my savings and assets fall below £23,250?

If you believe your savings or assets are likely to fall below £23,250, you should contact us to arrange a full financial assessment, the calculations we use during the financial assessment are outlined below.

If you haven't already received one we will also need to complete a needs assessment to ensure that the care home is the most appropriate care for you.

As these processes may take some time we recommend that you first contact us on: **0345 0507 666** when your remaining savings and assets have reduced to about £35,000 or are only sufficient to pay for your next three months care home fees.



*You should ask Oxfordshire County Council for help before your savings or assets have fallen below £23, 250. This is because we will not normally backdate any funding beyond the date on which you apply to us.*

## What happens if I have savings and assets under £23,250?

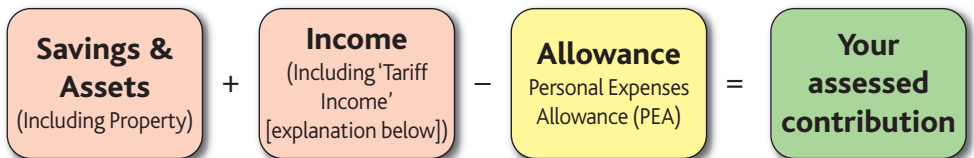
If you have savings and assets under £23,250 we will need to complete a financial assessment.

## How is the financial assessment completed?

Your Social Worker or a member of Oxfordshire County Council's Financial Assessment team will give you a Financial Circumstances form to complete. You will need to return it to the Financial Assessment Team (details at the back of this booklet) together with supporting documentation. When all of the information has been provided and the assessment completed, the team will write to you and inform you of the outcome.

## The residential assessment calculation

The following simple example shows the principles of how we work out your residential financial assessment.



## Savings and assets

We take into account most types of savings and assets including the property in which you live and any additional property you own.

## Income

We will include almost all benefits and other income such as occupational pensions, annuities and income from property rental. However, we may disregard or partly disregard certain types of income. For example, we disregard the mobility component of Disability Living Allowance and Personal Independence Payments from all assessments.

## Tariff income

If you have savings and assets between £14,250 and £23,250 we will financially assess you as able to contribute £1.00 per week for every £250, or part of that, you have above £14,250.

**Example:** If you have £14,550 you will be treated as having an extra £2 per week of tariff income.

This is based on a tariff scale laid down by the Department of Health. Please note that this tariff is the amount that the Department of Health considers you can afford to pay from your savings and assets rather than an expectation of the interest you may actually receive.

## Personal expenses allowance

The personal expenses allowance is an amount set by the Department of Health and is the minimum amount you must be left with if you are in a permanent care home placement. The Department of Health usually increases this amount annually from April.

If you have responsibility for dependants not living in the same care home or who have continuing expenses unrelated to their care home costs we may, exceptionally, be able to increase your personal expenses. Please contact our Financial Assessment Team for more information (contact details can be found at the end of this document).

## What if I own a property?

If you own your own home, this will be included in your financial assessment. However, the home will not be taken into account if one of the following people also lives in the home, and will continue to live there after you have moved into a care home:

- a husband, wife or civil partner;
- a close relative over the age of 60;
- a dependent child;
- a relative who is disabled or incapacitated.

## 12 week property disregards

If we take your home into account, we will ignore its value for the first 12 weeks; starting from the date you first became a permanent resident. This is also referred to as a 12 week property disregard. The aim of this is to give you time to decide what you are going to do with your former home. During this period you will still be expected to contribute towards your care from your income and other assets. You will also have to continue to maintain the property and meet any on-going costs that arise.

## The Deferred Payments Scheme

The Deferred Payments Scheme is designed to help you if you have been assessed as having to pay the full cost of your residential care but cannot afford to pay the full weekly charge because your capital is tied up in your home.

Effectively, the scheme offers you a loan from Oxfordshire County Council using your home as security. It doesn't work in exactly the same way as a conventional loan – the council doesn't give you a fixed sum of money when you join the scheme, but instead pays an agreed part of your weekly care and support costs for as long as is necessary.

We will financially assess your ability to pay a weekly contribution towards your care from your income and other savings using the assessment calculation above. We will invoice you on a monthly basis for this contribution.

The difference between your 'assessed weekly contribution' and the actual cost of your care home is the 'deferred payment'. The deferred payment builds up as a debt, which is repaid when your house is sold. If you decide not to sell your property during your lifetime, the debt must be repaid to the council from your estate after your death.

We will arrange payment of the full cost of your care with the care home. You will not need to make payments directly to the care home other than for personal items or services.

## **The Deferred Payment Agreement**

If you decide to use the Deferred Payments Scheme, you will have to enter into a legal agreement with the council by signing an agreement document, which we call the Deferred Payment Agreement. The council then places a 'legal charge' on your property to safeguard the loan.

If you wish to find out more about the Deferred Payment Scheme you can contact the Financial Assessment Team on: **01865 897530**.

## **Are there any costs involved in a Deferred Payment Agreement?**

There is an administration charge of £650 to cover the cost of setting up and maintaining the agreement for as long as is necessary. Other charges, such as legal costs and land registry fees, may also apply.

The loan will have interest charged on it in the same way a normal loan would be charged on money borrowed from a bank. This rate is set by the Department of Health, which is reviewed regularly. For more information please contact the Financial Assessment team using the details at the end of this booklet.

## Benefits and care home fees

Depending on the outcome of the financial assessment, your benefits may be affected. If you are funding your own care, you will still be entitled to your benefits; these can help towards paying fees.

If we are paying for your care in a care home you may not be entitled to receive all of your benefits. Any benefits you do continue to receive will be included in the council's financial assessment of how much you are expected to contribute towards the cost of your care.

If you would like further information about how your benefits may be affected if you go into a care home you should contact the Department of Work and Pensions on: **0345 606 0265**.

## Top-up fees

A top-up is the difference between the cost of the care that the council has identified will meet your eligible needs and your chosen accommodation. For example:

*The council assesses that your eligible needs can be met in a care home which costs £473 per week. You wish to choose a care home which costs £500 per week. As your chosen care home costs more than the option the council has provided, a top-up payment of £27 per week will need to be paid.*

Any top-up will need to be paid in addition to the amount you have been assessed to contribute towards the cost of your care.

If you agree a top up fee arrangement, we will confirm this within an agreement which will also include information about what will happen should any fees change, or if fees are not paid.

*If the top up fee stops being paid, we may move you to a less expensive care home that falls within your budget. We will ensure that the new home continues to meet your eligible needs. To avoid this disruption, it is important to consider whether you will be able to continue to pay the fees in a more expensive home for as long as is needed.*

## Things to note when paying privately for a care home

If you are making your own arrangements with a care home, you should make sure that they provide you with a contract detailing the home's obligations and fees. It is important to be sure what services are included in the fees, what may be charged as 'extras', and how much notice is given if fees are going to be increased.

If you are paying your own fees, make sure you are claiming all the benefits to which you are entitled.

If the home chosen provides nursing care, you will need to have your nursing needs assessed. This is because the NHS funds care provided by a registered nurse for people assessed as having such a need. You can find more information in the section below entitled 'Nursing care costs'.

## What if I choose a home that is more expensive?

You need to consider carefully the care home you choose. Some people select an expensive home and then use up all their savings. If the home you choose costs more than the option offered by the council, you will have to find someone who can pay the difference or you may have to move to a less expensive home.

## Independent financial advice

It is important that you obtain independent financial advice to help you make the right decision about funding your care.

The Financial Conduct Authority's website has a range of advice and information on finding financial advice, including how to find and choose a suitable adviser, what to expect from them, the difference between independent and restricted advisers and charging options. All advisers should be accredited by the FCA.

*My Care My Home* offers individuals and their families advice about the cost of care and funding options available to them. They offer a free telephone and face-to-face advice service through home visits aimed at helping people find a suitable care home. The full service, some of which is chargeable, is explained in detail on their website: [www.mycaremyhome.co.uk](http://www.mycaremyhome.co.uk) or call their Freephone number: **0800 731 8470**.

## **Nursing care costs**

### **Funded Nursing Care**

The NHS is responsible for providing free nursing care (delivered by a registered nurse) in a nursing care home. If your needs are being met in a nursing care home, the care home will apply for what is known as Funded Nursing Care. Once it has been confirmed by the NHS that Funded Nursing Care is appropriate for you, it will pay towards the nursing element of your care. This is a standard weekly amount set by the Department of Health which is reviewed each year.

### **Continuing Healthcare**

Following a robust assessment for Continuing Healthcare you or your relative may be awarded CHC funding for 3 months. Reviews are then undertaken yearly; CHC funding is not for life.

You can find more information on the Oxford Health web page: <https://www.oxfordhealth.nhs.uk/servicedirectory/continuing-care-oxfordshire/>

### **Care fees and the Mental Health Act**

If you have been detained in hospital for an assessment or treatment under the Mental Health Act, the NHS is responsible for any related aftercare you may need. This can include any care you need in your own home or in a care home.

# Useful contacts

## **If you have questions about your financial assessment, please contact:**

Oxfordshire County Council - Financial Assessment Team

**Tel:** *01865 897530*

**Email:** *financialassessments@oxfordshire.gov.uk*

Oxfordshire County Council

Financial Assessments Team

Adult Social Care

Abbey House

Abbey Close

Abingdon

OX14 3JD

## **For questions about Care Services, contact:**

Oxfordshire County Council Social and Health Care team

**Tel:** *0345 0507 666*

**Email:** *socialandhealthcare@oxfordshire.gov.uk*

Social and Healthcare team

PO Box 780

Oxford

Oxfordshire

OX1 9GX

United Kingdom



## **Comments, Compliments and Complaints Service**

If at any point in time you have a comment, complaint or compliment to make about your Direct Payment, please contact our Comments, Compliments and Complaints Service:

**Tel:** *01865 323589*

**Email:** *commentsandcomplaints@oxfordshire.gov.uk*

Alternatively you can write to:

Comments, Compliments and Complaints Service  
Oxfordshire County Council  
Freepost RRYR-XTBE-GBTZ  
County Hall  
New Road  
Oxford  
OX1 1ND

If you have arranged your own care, and have any complaints, comments or compliments to make about it, please contact the agency providing your care. Usually by talking to someone in the agency they can put it right. If you are unable to resolve your concerns with the agency directly, please contact our Comments, Compliments and Complaints Service for advice.

## **Voluntary information and advice agencies**

### **Age UK Oxfordshire**

**Tel:** *0345 450 1276*

**Email:** *admin@ageconcernoxon.org.uk*

**Web:** *www.ageuk.org.uk/oxfordshire*

### **Oxfordshire Citizens Advice Bureau**

**Tel:** *0344 411 1444*

**Email:** *oxfordcab@cabnet.org.uk*

**Web:** *www.caox.org.uk*

### **Community Information Network**

**Tel:** *0345 450 1276*

**Email:** *network@ageukoxfordshire.org.uk*

## Further reading

For more information on services offered by Oxfordshire County Council you may find the following sites useful:

***Live Well Oxfordshire*** – This website tells you about a range of support services across Oxfordshire for adults (18+), families and carers. It has information to help you to find your own way to meet any needs for support and care and for you, or a loved one, to lead the lives that you want.

[www.livewell.oxfordshire.gov.uk/](http://www.livewell.oxfordshire.gov.uk/)

***A Guide to Direct Payments*** – More information on Direct Payments

[www.oxfordshire.gov.uk/directpayments](http://www.oxfordshire.gov.uk/directpayments)



