

Appendix A

Paying for care – Financial assessment process- a short guide

This is a short guide on paying for care, not a definitive statement of the rules and regulations. Under Surrey County Council's Charging Policy for Adult Social Care Services, most services provided by or arranged by Adult Social Care are chargeable. We do not charge for:

- assessment of care and support needs
- carers services
- intermediate care (or other services paid for by the NHS)
- reablement (up to a maximum of six weeks)
- aftercare services provided under Section 117 of the Mental Health Act
- daily living equipment
- adaptations costing less than £1000
- services provided to people with Creutzfeldt Jacob Disease (CJD)

The financial assessment procedure

If the service is chargeable, we will ask the person to complete a financial assessment. The quickest way to complete a financial assessment is to use our online financial assessment tool. This is available on our website: surreycc.gov.uk/adultsocialcareonline. Using the online tool will give an immediate indication of the likely contribution. Alternatively, we can carry out the assessment by telephone, by visiting the person or by sending a hard copy form for completion. We can give benefits advice at the same time, helping the person to make a claim for benefits if required.

Residents have the right to refuse a financial assessment but they will have to pay the full cost of their care if they do so. In some circumstances, they may be required to make their own funding arrangements.

Paying for care and support services at home

The upper capital limit is currently £24,500. If the person has more than £24,500 in savings or capital, excluding the value of the home they live in, they will have to pay the full cost of their care and support or they can choose to make their own arrangement.

If the person has over the capital limit, the council can commission a care provider on their behalf but the person will need to pay the council for all of the costs incurred. If the council agrees to enter into a contract with a care provider, the person will be charged a one-off administration fee to cover our costs. They will also be charged a weekly administration fee for each week that the council continues to make these arrangements on their behalf.

If the person has less than £24,500, we will assess whether they are able to pay towards their care and support service. Most people on a very low income will not have to pay. Charges apply from the start date of the service provided.

We look at the person's income and specific items of expenditure, such as mortgage payments, rent net of any housing benefit and council tax. We also consider disability related expenditure. Many people have extra costs due to their disability. Some people find it difficult to identify these costs because they have been paying the extra money for a long time. We can help with this process. However, we also know some people may not want to talk about these costs, so we automatically allow £20 per week as a minimum. Different people have different needs and we assess the individual. Some examples of extra costs include, extra heating, extra laundry, extra clothing or bedding, special clothing or footwear, special diet etc.

How is the charge calculated?

We will look at the person's income, which will include most state benefits, pensions, disability benefits and income from most other sources. We will then deduct a Minimum Income Guarantee allowance and then deduct the specific items of expenditure and disability related expenditure. The amount of income remaining will be the amount we will ask the person to pay towards their care and support.

Paying for residential and nursing care

If the council arranges for a person to go into a residential or nursing home, they will usually have to pay a contribution towards the cost of their care and support unless they are exempt i.e., because they are receiving aftercare services provided under Section 117 of the Mental Health Act or are receiving Continuing Health Care or have been diagnosed with Creutzfeldt Jacob Disease. Charges are payable from the first day of care. The rules are different depending on whether the person is placed on a permanent or temporary basis. The following information is about permanent placements as the rules on temporary placements are more complex.

The upper capital limit is currently £23,250. If the person has more than £23,250 in savings or capital, they will often be required to make their own arrangements. The council can commission a care provider on behalf of the person needing care and support but we are not required to do so, unless the person cannot make their own arrangements and there is no one willing or able to do so for them. If the council agrees to enter into a contract with a care provider, the person will be charged a one-off administration fee to cover our costs and an ongoing weekly fee. We advise people to seek independent financial advice when they have the means to pay for their care in full, to help them make the right decision about funding their care. Choosing a home they can continue to afford is important. Some people select an expensive home and then use up all their savings, which may mean they have to move. The council will only pay for accommodation at the usual rate to meet the level of care for a person's needs.

We can give advice on the state benefits people might be entitled to claim and we can help with support planning, but we cannot give financial advice. An independent financial adviser will have access to the full range of financial products available, to help the person make the important financial decision about care planning. We encourage people to select a

financial adviser accredited with SOLLA – The Society of Later Life Advisers. These advisers hold appropriate financial, tax planning, equity release and long-term care qualifications.

If the person needs to live in a nursing home, the nursing element of their care is paid for by the local clinical commissioning group (CCG). This is known as NHS funded nursing care. NHS-funded nursing care is care provided by a registered nurse and is different to personal care. However, the remaining costs will be met either by the person or by the council and the person's contribution unless the person is entitled to Continuing Health Care.

There are complex rules around the treatment of property depending on ownership and whether it is occupied by anyone. We will generally take into account, the value of an unoccupied property after the first 12 weeks of an admission into permanent care. There are circumstances where we must not take a property into account e.g. we will not take the property into account if it remains occupied by; a partner or spouse, a relative aged over 60, a relative aged under 60 who has a disability, a divorced or estranged partner with a dependant child. There are complex rules around deprivation of property and assets.

We take most income into account when assessing contributions towards residential and nursing care. The amount of income the person is able to retain is a personal allowance, currently £24.90 for personal expenses, up to £5.75 from Savings Credit and £10 of a war widows or war widower's pension. Additionally, 50% of an occupational or private pension if it is to be made available to a spouse at home.

If the person chooses a home that charges more than the council could expect to pay for the type of accommodation that could meet their eligible care and support needs, they will have to find somebody to pay a top-up. A top-up is the difference between the amount the council would expect to pay and the cost of the home they choose. Family or friends can pay a top-up on their behalf, but the council must be satisfied that the person paying a top-up can afford to continue payments throughout the duration of the stay. If we are taking a property into account, it is possible that the top-up can be paid through a Deferred Payment Agreement.

A Deferred Payment Agreement is a binding agreement to defer paying the debt in exchange for a legal charge on a property. The debt is settled when the property is sold. Compound interest can be charged on the debt at a national rate, currently 0.95%.

The rules on paying for care can be complex, we encourage people to speak to our Financial Assessment Team if they have any queries or concerns and will also direct people to independent sources of information and advice. More information on paying for care is available on [Paying for care - Surrey County Council \(surreycc.gov.uk\)](http://surreycc.gov.uk)

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