<table>
<thead>
<tr>
<th><strong>Care Manager</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Telephone No:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Email Address:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Office Address:</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Finance and Benefits Officer</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Telephone No:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Email Address:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Office Address:</strong></td>
<td></td>
</tr>
</tbody>
</table>
Contents

1. Introduction .................................................................................................................. 4
2. Going into a Care Home ............................................................................................... 5
3. Can I give money or capital assets away? ................................................................. 6
4. What if I own my home? ............................................................................................... 6
5. Temporary Financial Assistance ............................................................................... 7
6. Deferred Payments .................................................................................................... 7
7. Who can help you look after your money? ................................................................. 8
8. What about my benefit payments? ............................................................................. 8
9. What happens to Income Support, Employment & Support Allowance and Pension Credit when one partner goes into residential care? ......................... 8
  9.1 Temporary stays ....................................................................................................... 8
  9.2 Permanent stays ...................................................................................................... 8
10. If you receive Attendance Allowance or the care part of Disability Living Allowance ......................................................................................................................... 9
11. Who pays the Care Home? ......................................................................................... 9
12. NHS funded Nursing Care ......................................................................................... 10
  12.1 NHS Continuing Health Care ............................................................................. 10
13. What financial information will I need to provide? .................................................. 10
14. Documents the Finance and Benefit Officer may need to see
  14.1 Income .................................................................................................................... 11
  14.2 Savings and Investments ....................................................................................... 11
  14.3 Housing costs ......................................................................................................... 11
15. What if I do not agree with the outcome of the assessment or the services offered? ................................................................................................................................. 11

Contact Details ............................................................................................................. 12
1. Introduction

Are you or someone you know, thinking about moving into a care home? If you are, you will probably have some important questions.

This booklet will help you with these questions. We will tell you about the help available, including financial help, and a little about some of the people who are there to help you. We will also give you important information about residential and nursing home care charging rules.

The rules about charging for residential care are complex and this booklet is designed to give you only an overview of those rules. We do not go into detail about all the different types of income and capital and how they are treated. However your own financial situation will be carefully assessed by Kent Adult Social Services staff and they will be able to discuss your individual circumstances directly with you. If you would like to find out more at an earlier stage please contact one of the Financial Assessment Teams mentioned on page 13 or one of the organisations on page 6.

If you are moving into a care home with help from Kent Adult Social Services you will be expected to contribute towards the fees.

The rules for working out a person’s contribution are laid down in law at National Government level.

The amount you contribute will depend on how much money you receive each week and how much you have in savings and other assets. Some types of income and capital are ignored and some extra allowances may be given according to your needs.

You will always be left with a small sum of money for your personal use, called your Personal Allowance.

Legal references relating to charging for Residential Care are:-
Charges for Residential Services: Part III of The National Assistance Act 1948 (Section 22).

2. Going into a Care Home

If you are considering moving into a care home and think you may qualify for financial help from Kent Adult Social Services, we will firstly need to assess that you are eligible for support. This means we will need to complete an assessment of your care needs. This is called a care assessment.

Your care assessment must show that you are eligible for help and that you require residential services before you will receive any financial help from Kent Adult Social Services towards the cost of residential or nursing care.

Your care manager will tell you how much Kent Adult Social Services is able to pay for the type of residential services that will meet your needs. You can choose to go into a more expensive home if there is someone else, like a relative or friend, who is willing to pay the extra costs. This payment is called a top up.

The person paying the extra costs (the top up) will have a separate top up contract with Kent Adult Social Services. This is called a third party contract. In some cases charities or benevolent societies may assist you with any shortfall. It is very important that whoever agrees to pay your weekly top up understands they will have to continue making these payments all the time you are resident in the home. These payments must still be made even if you have a period of hospitalisation. If they stop making the payments you could be asked to move into a different home.

If you are assessed as eligible for support from Kent Adult Social Services we will then look at your income and capital to work out what, if any, financial contribution you need to make towards the cost of your care.

If your weekly income is less than the weekly cost of a home then Kent Adult Social Services will help you financially but only if your savings and assets are less than the upper capital limit which is currently £23,000. This may or may not include the value of your home, but this is covered in greater detail later in this booklet. The upper capital limit usually changes every April. Some types of capital are disregarded. We cannot mention them all in this booklet but further details can be obtained from one of the Financial Assessment Teams mentioned on page 13.

You will need to claim all the benefits you are entitled to receive. Our Finance and Benefit Officers will help you to do this. Even if Kent Adult Social Services cannot give you financial help at this time, remember that the care assessment and any advice you need from us are still free.

If you are already in a care home and then your savings fall below the upper capital limit, you may be able to get financial help from Kent Adult Social Services. It is important that you let us know as soon as you think this is likely to happen so you do not lose out on any financial help that we are able to give. However, we may not be able to support the full fees of a more expensive home without some extra contributions from someone else, for example, a friend or relative.
Below we have listed some organisations who can give you information and advice about care home fees:

**Care Aware**
CareAware is a non profit making public information, advisory and advocacy service specialising in elderly care funding advice in the UK.  
**Tel:** 08705 13 49 25  
[www.careaware.co.uk](http://www.careaware.co.uk)

**Help the Aged**
Specialist Care Fees advisers at Help the Aged provide impartial advice, helping you find the best way to pay for ongoing care.  
**Tel:** 0500 76 74 76  
[www.helptheaged.co.uk/carefees](http://www.helptheaged.co.uk/carefees)

**Age Concern**
Age Concern publishes a number of fact sheets relating to managing money and advice about residential care.  
**Tel:** 0800 00 99 66  
[www.ageconcern.org.uk/AgeConcern/factsheets.asp](http://www.ageconcern.org.uk/AgeConcern/factsheets.asp)

---

**3. Can I give money or capital assets away?**

If you give money or capital assets away to avoid paying care fees this is seen as ‘Deprivation of Assets’ and will mean that the assessment of how much you will have to pay may still include the value of the assets that have been given away. Kent Adult Social Services can also, in some circumstances, ask the person who was given the money to pay some of the costs.

**4. What if I own my own home?**

If your stay in a care home is a temporary one, then the value of your home is not taken into account. You may even get a small reduction in your charge to help towards your usual housing costs.

If your stay becomes permanent, then the value of your home will usually be taken into account. However there are exceptions to this rule including if your spouse or partner, a relative over 60 or one who is incapacitated are still living there. Your Care Manager or Finance and Benefits Officer will be able to discuss these and any further exceptions with you.

Even if it can’t be disregarded for other reasons, the value of your home is always ignored for the first 12 weeks of a permanent stay funded through Kent Adult Social Services. After this period, unless it should continue to be ignored, the value of your home will be included when your capital is calculated. Where your total capital including your property is over £23,000 you will have to pay the full cost of your stay.
5. Temporary Financial Assistance

If you have less than £3,000 in liquid assets to pay your fees, you may be given temporary financial help, in effect an interest free loan, while your property is sold or you make arrangements to pay your full fees.

Until the property is sold, you will pay a contribution from your weekly income and we will place a legal charge on your property. This legal charge will allow us to recover our costs when your home is sold.

When it is sold, you will be required to pay back all the fees which have been paid on your behalf.

6. Deferred Payments

If you do not wish to sell your home and your liquid assets are less than £23,000 you may be considered for the Deferred Payment scheme after the 12 week property disregard period. The council may enter into an agreement with you to defer payments but you must fulfil certain conditions in order for this to be considered. Your care manager can discuss this with you.

Deferring part of your assessed contribution to your fees means the Council will cover the shortfall, although you will still be required to contribute assessed income and other assets to the fees. You or your estate will pay back the deferred contributions when you sell your home or when you leave the care home.

The Council will not charge interest while payments are being deferred, although interest will be levied after 56 days from the termination of the Deferred Payment Agreement. The agreement between you and the Council will be put in writing, signed and a copy given to you. A legal charge will be put on your home.

Under the Deferred Payments Scheme, where a top up is required, this may also be deferred until the termination of the agreement.

If you rent out your home while under the Deferred Payments Scheme, any rental income will be taken into account when your contribution is calculated. This means the council’s contribution will be less and you/your estate will have less to pay back at the end of the agreement.

If you want further details, speak with your Finance & Benefits Officer or Care Manager.

If the Council agrees your request for Deferred Payments you are strongly advised to seek independent financial advice before arrangements are finalised.

If your property is to remain empty for any period, you will need to look into issues of security, insurance and maintenance.

Effect on benefits if local authority funding only temporary

A person receiving only temporary funding from the local authority can claim Attendance Allowance or Disability Living Allowance Care Component. They may also be able to claim Income Support, Employment and Support Allowance or Pension Credit.
7. Who can help you to look after your money?

If you need help to manage your affairs, a third party can act on your behalf. This person will become responsible for claiming and receiving your income on your behalf and using this income to pay Kent Adult Social Services the weekly contribution of your fees.

If you do not have someone who can assist you then Kent Adult Social Services may be able to help appoint someone to look after your money.

You may want to consider seeking advice regarding Power of Attorney. A solicitor or the Office of the Public Guardian (a government department) will be able to advise you. You can contact the Office of the Public Guardian on 0845 330 2900 or through their website: www.publicguardian.gov.uk

8. Will benefit payments be affected?

There are a wide range of welfare benefits available. Some of these benefits are affected when you move into a care home. The money you receive from benefits will help to pay towards the fees of the home.

You may be entitled to Pension Credit if you are over 60 or Income Support or Employment and Support Allowance if under 60.

We can help you with benefits advice and with claim forms and other paperwork.

The Department for Work and Pensions (DWP) will need to know if you are in residential care (whether temporary or permanent) so that you can receive your correct entitlement to benefits.

It is your responsibility to inform The Department for Work and Pensions of any change in your circumstances including hospital admissions.

9. What happens to Income Support, Employment and Support Allowance and Pension Credit when one partner goes into residential care?

9.1 Temporary stays

Income Support/ESA
If you go into a home for a temporary stay then the DWP will consider the needs of both you and your partner when they work out your Income Support/ESA. You may get a higher amount of Income Support/ESA which includes the Severe Disability Premium.

Pension Credit
The rules are slightly different for Pension Credit. The Pension Credit you and your partner receive will remain the same if your stay is only temporary.

9.2 Permanent stays
If you go into a home permanently, then the DWP will treat you and your partner separately. Both of you may then be able to receive separate Income Support/ESA or Pension Credit payments.
10. If you receive Attendance Allowance or the care part of Disability Living Allowance

These benefits are usually affected if you go into residential care.

If you are in hospital or if Kent Adult Social Services are helping you with your fees in a care home, your Attendance Allowance or the care part of your Disability Living Allowance will usually stop after you have been there for four weeks. Kent Adult Social Services will take into account these changes, which may also affect your Income Support, Employment and Support Allowance or Pension Credit.

If you are paying the full fees yourself you will continue to receive Attendance Allowance or DLA care component. This can include a situation where the financial help you receive from Kent Adult Social Services is only temporary. This could be while you are receiving Temporary Financial Assistance (while you are waiting for your home to be sold) or if you have entered into a Deferred Payment Agreement because you do not want to sell your home at the moment (see page 7).

You need to discuss all the options with Kent Adult Social Services staff.

11. Who pays the Care Home?

If a charge is for your assessed care needs we will pay the care home direct. We then collect from you, your assessed financial contribution towards these fees and, where applicable, any top up fees from the person or organisation who has agreed the third party contract. You will receive written information about the amount you are required to pay.

If the charge is for additional facilities or services not covered by Kent's contract e.g. hairdressing or chiropody, the care home will send an invoice to you and you will pay the care home directly.

The home should not ask you for any money except for additional facilities or services that you have chosen to purchase. If you are in any doubt as to what is covered in your care contract please ask your care manager to explain.

If you decide to move homes, we must give the home four weeks notice. If you are admitted to hospital the fees will continue to be paid to the home and therefore you will continue to be charged. If there is a 3rd party top up being paid this will still need to be paid, if you are in hospital.
12. NHS funded Nursing Care

The NHS is responsible for paying for the care needed from a registered nurse for all residents who are assessed as requiring nursing home care.

From 1 April 2009 this is £106.30.

Your nursing home will automatically receive a payment from the NHS to cover the costs of your registered nursing care element.

For further details of NHS Funded Nursing Care please speak to your relevant Primary Care Trust.

12.1 NHS Continuing Health Care

Where a person’s primary need is a health need the NHS should be responsible for providing for all their needs, including accommodation, if that is part of the overall need. If this is the case they should be eligible for NHS Continuing Health Care and should not have to pay towards this. Your Care Manager will be able to explain this more fully.

13. What financial information will I need to provide?

Our Finance and Benefit Officers will ask for evidence of your income and your capital.

Your income means state social security benefits, pensions and any other money you may have coming in.

Your capital means your savings, investments and the value of any property or land you may own.

If your capital is more than £23,000 you will have to pay the full cost of the home.

If your capital is below £14,000, it is ignored when working out how much you have to contribute.

If you have capital between £14,000 and £23,000 we add to your income an additional £1 per week for every £250 between £14,000 and £23,000.
**14. Documents the Finance and Benefit Officer may need to see.**

Listed below are the kinds of documents we would like you to have ready when the visiting officer arrives. Some of these may not apply to your circumstances and may be ignored.

**14.1 Income**

- A document showing your pension book or letter showing how much you receive.
- A document showing your occupational or Work Pension.
- A document setting out your War Pension.
- Recent payslips.
- Proof of Payment from a Trust Fund or Annuity.
- Proof of any rent you have paid.
- Benefit books or details of any benefits you receive e.g. Attendance Allowance, Disability Living Allowance, Pension Credit, Income Support, Incapacity Benefit, Child Benefit, Housing Benefit, Council Tax Benefit.
- Proof of any other income.

**14.2 Savings and Investments**

- Bank statements.
- Building Society statements or books.
- National Savings Bank or Post Office books.
- Stocks and Shares certificates.
- Premium Bonds and National Savings Certificates.
- Details of endowment insurance policies.
- Evidence of Income Bonds.
- Evidence of Trust Funds.
- Evidence of any other savings.

Please note that some of the above income, savings and investments may be disregarded but we will still need to know about them all in order to make a decision on this.

**14.3 Housing Costs**

- Details of your rent and/or service charges.
- Details of your Council Tax.
- A letter showing your mortgage payment.
- A letter showing your outstanding mortgage.
- Details of any other loans.

In order to claim benefits to which you may be entitled, the visiting officer may need to see some additional evidence of your identity such as Passport, Marriage Certificate, Birth Certificate, Driving Licence.

If someone acts for you and is your legal power of attorney, receiver or court appointed deputy the visiting officer will need to see a copy of the legal document stating this.

**15. What if I do not agree with the outcome of the assessment or the services offered?**

If you disagree with the results of your care assessment or with your financial charge you should first speak to the person who completed the assessments. If this does not resolve the problem you can challenge the decision by using our complaints procedure.

Our leaflet ‘If you wish to complain’ describes how to do this, and in the back of this booklet are our Customer Care Team contact details.
For more information contact your nearest Kent Adult Social Services Office:

Ashford
Civic Centre
Tannery Lane
Ashford, TN23 1PL
Tel: 08458 247 100
Fax: 01233 205 700

Dover
3-4 Cambridge Terrace
Dover, CT16 1JT
Tel: 08458 247 100
Fax: 01304 242 783

Sevenoaks
Tricon House
Old Coffee House Yard,
Sevenoaks, TN13 1AH
Tel: 08458 247 100
Fax: 01732 743 275

Swanley
The Willows
Hilda May Avenue
Swanley, BR8 7DT
Tel: 08458 247 100
Fax: 01322 611 036

Tunbridge Wells
Montague House
9 Hanover Road
Tunbridge Wells
TN1 1EZ
Tel: 08458 247 100
Fax: 01892 549 804

Canterbury
Brook House
Reeves Way
Whitstable, CT5 3SS
Tel: 08458 247 100
Fax: 01227 762 218

Gravesham
Joynes House
New Road
Gravesend, DA11 0AT
Fax: 01474 320 741

Shepway
Queen’s House
Guildhall Street
Folkestone, CT20 1DX
Tel: 08458 247 100
Fax: 01303 220 751

Thanet
St Peter’s House
Dane Valley Road
Broadstairs, CT10 3JJ
Tel: 08458 247 100
Fax: 01843 864 874

Dartford
St Lawrence House
48 West Hill
Dartford, DA1 2HG
Tel: 08458 247100
Fax: 01322 289343

Maidstone
Bishops Terrace
Bishops Way
Maidstone, ME10 4DD
Tel: 08458 247 100
Fax: 01622 691 135

Swale
Avenue of Remembrance
Sittingbourne, ME10 4DD
Tel: 08458 247 100
Fax: 01795 420 016

Tonbridge
Croft House
East Street
Tonbridge, TN9 1HP
Tel: 08458 247 100
Fax: 01732 770 319
If you would like to comment or complain, please contact one of our Customer Care Teams

Customer Care
Brook House
Reeves Way
John Wilson Business Park
Whitstable, CT5 3SS
Tel: 08458 247 100

Customer Care
17 Kings Hill Avenue
Kings Hill
West Malling
ME19 4UL
Tel: 08458 247 100

If you have a query regarding your financial assessment please contact the Financial Assessment Team for your area.

**Thanet, Dover, Canterbury area:**

Financial Assessment Team
St Peter's House
Dane Valley Road
Broadstairs
CT10 3JJ
Tel: 08458 247 100
Fax: 01843 864 874

Financial Assessment Team
Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: 08458 247 100
Fax: 01233 642 973

**Ashford, Shepway, Swale area:**

Financial Assessment Team
17 Kings Hill Avenue
Kings Hill
West Malling
ME19 4UL
Tel: 08458 247 100
Fax: 01732 525 309

**Maidstone, Tonbridge & Malling, Tunbridge Wells, Gravesend, Dartford, Sevenoaks, Swanley area:**

Financial Assessment Team
St Peter's House
Dane Valley Road
Broadstairs
CT10 3JJ
Tel: 08458 247 100
Fax: 01843 864 874

If you have any questions regarding the information in this booklet please contact:-

Policy and Service Standards
Kent Adult Social Services
Brenchley House
123/135 Week Street
Maidstone
Kent
ME14 1RF
Tel: 08458 247 100