

# Social Services

## Charging for Community Care



April 2020

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This guide provides information about charges for services that people receive in their own home and in the community. This includes services like day care, home care, project work and short term care stays in a residential or nursing home which are less than eight weeks.

Flintshire County Council invites you to have a full financial assessment of your ability to pay towards the services you are to receive and if you are eligible for assistance from the council.

**You must not give away any financial resources such as cash, property or deprive yourself of any assets for the purpose of reducing your ability to pay Flintshire County Council charges. If you do, Flintshire County Council may still regard those resources as belonging to you. If you have any doubt about your position you should seek legal advice.**

The guide explains:

1. What services are charged for
2. How the amount a person has to pay is worked out
3. Details for current charges for April 2020 to March 2021
4. Queries and challenging the assessment outcome
5. How charges can be paid
6. Short Term, Respite and Temporary Care
7. How a person can make sure they are claiming all their benefits to help any charges
8. What happens to the financial and personal information given to Social Services
9. Useful contacts
10. If things go wrong

## **1. What services are charged for?**

- Home care
- Day care services
- Project or support work
- Night time care
- Community living schemes
- Direct Payments and Personalised Budgets
- Short term care of stays less than eight weeks
- Temporary care stays of over eight weeks – please note residential / nursing charges will apply

You may also be asked to pay for Telecare Services but this service is not currently covered by our Charging Policy.

Meals provided in day centers are daily living expenses and are not affected by the financial assessment but are charged at a flat rate.

### **We do not charge:**

- A person under the age of 18 years old
- An adult subject to Section 117 of the Mental Health Act 1983
- Adults who are diagnosed as suffering from Creutzfeldt Jacob disease (CJD)
- Adults who have received compensation payment for effects of the drug Thalidomide

Reablement Services are non-chargeable for a period of up to six weeks.

## **2. How the amount you have to pay is worked out**

If you have community care services arranged by Social Services, the charge for these services will be based on your weekly income, the amount of savings and capital you have and the number of hours care you receive each week.

To make sure that the charges we make for community care are fair, Flintshire's Charging Policy is based on guidance and regulations from the Welsh Government which sets a maximum weekly charge currently at £100.00.

The Charging Policy is used to decide whether you will pay:

- **The full charge for your care.** This is worked out according to how much care you are receiving, but this will not be more than £100.00 per week
- **Part of the cost of your care.** The exact amount will depend on how much money you have each week after meeting certain expenses and how much care you receive, but this will not be more than £100.00 per week.
- **Nothing towards the cost of your care.**

A Welfare Benefits Officer from Flintshire County Council will arrange to visit you to complete a Financial Assistance Claim Form to help the Financial Assessment Officer work out how much you can afford to pay towards your services. We will need this information as soon as possible otherwise you may have to pay the full charge (currently £100.00 per week) for the service you receive. You can request to have a family member, friend or someone you trust to be present to support you at this visit.

If you do not have the correct information at the time of the Welfare Benefits Officer's visit, written details of what further information has been requested will be provided. You have a maximum of 14 working days to provide this further information. Please let us know if you are experiencing difficulties providing this information or we may assume that you wish to pay the maximum £100.00 per week.

### **What if I don't want to or fail to give you information on my finances?**

If you choose not to tell us your financial circumstances, you will be asked to complete the Max Charge Declaration form which will mean you are charged up to the maximum weekly cost for your services without a financial assessment being completed. If you do not provide the information we need in order to complete the financial assessment, you will be asked to pay the maximum weekly cost of your care from the day your care starts. This is currently up to a maximum of £100.00 per week.

### **Weekly income**

Your total weekly income includes:

- All social security benefits and pensions
- All occupational pensions
- Payments you receive from other sources such as payments from other people e.g. rental income

- We are not interest in money which you or your partner earns as wages

## **Capital**

Capital includes savings, investments, property and land (other than the person's home). We do not count the value of the home you live in. The Financial Assessment Team calculate your capital using government guidelines. You should contact the Team to discuss your capital if it is not held in a bank, building society or post office account, as certain sorts of assets are treated as income and not as capital.

**Below £24,000.00** if a person's capital is below this then it is ignored

**Over £24,000.00** a person with capital over this amount will be charged for services up to a maximum of £100.00 per week regardless of their income.

### **What happens if my savings and/or capital fall below £24,000.00?**

If at any time while you are receiving services, your capital/savings fall below £24,000.00 please contact your Financial Assessment Officer. They can then arrange for a Financial Assistance Claim Form to be completed. Contact details are in section 4 of this leaflet. If you fail to do this in a timely manner you will continue to be charged the maximum weekly cost and we will not backdate your assessment.

## **Deprivation of Capital**

The Local Authority may consider that individuals have deprived themselves of assets in order to reduce their charge. Deprivation of assets has occurs where a person has deprived or decreased their overall assets resulting in the reduction or removal of any charge imposed for their care and support. This means that they must have made a conscious decision to do this in the knowledge that to do so would have such an effect on their charge.

The following actions would be considered as deprivation of assets:

- A lump-sum payment to someone else, for example a gift
- Substantial expenditure has been incurred suddenly and is out of character with previous spending
- The title deeds of a property have been transferred to another person
- Assets have been put into a trust that cannot be revoked
- Assets have been reduced by living extravagantly, for example buying an expensive sports car

We will not give financial assistance to anyone who we believe has deliberately disposed of capital/savings so that they fall below £24,000.00. They will be asked to pay the full cost for their services up to a maximum of £100.00 per week.

### **The rules about capital and income for couples**

If you are part of a couple, we will take into consideration 50% of capital that belongs to both of you for each person receiving a service.

We will take into consideration 100% of income in your name unless you receive a benefit for joint use, such as Income Support or Pension Credit where we will take into consideration 50% when completing the financial assessment.

### **Income and disregards**

We disregard certain amounts from your financial assessment, this is to:

- Make sure that your net income is not reduced, after charging, below basic levels of Income Support or Guaranteed Pension Credit, plus 35% of this rate
- Make sure that all service users who have a financial assessment have a further 10% income disregard as a contribution towards their disability related expenditure
- Make sure that nobody is charged more than £100.00 per week

### **Income which will be disregarded from your assessment**

Once we have added up your total weekly income, certain amounts are then disregarded. These are:

- Yours and your partners earnings and associated working tax credit
- Any Disability Living Allowance (DLA) or Personal Independence Payment (PIP) mobility component
- Housing benefit (rent rebate) or council tax benefit
- Any mortgage, rent or council tax less any benefit paid
- £10 of any war pension or war widows pension
- £5.75 of any savings credit element of your pension credit
- War Disablement Pension is fully disregarded

Once we have disregarded any of these that apply from your total weekly income, the amount left is used to work out how much you should pay for your services.

**For example:**

**Income**

State Pension	£215.56
Occupational Pension	£29.85
Attendance Allowance	£89.15
<b>Total Income</b>	<b>£334.56</b>

**Disregards**

Personal Allowance	£74.35
Pensioner Premium	£99.40
Flintshire Disregard	£78.19
<b>Total disregards</b>	<b>£251.94</b>

**Weekly Assessed Contribution      £82.62**

Your Financial Assessment Officer will write to you to confirm the result of your financial assessment.

**3. Charges for April 2020 to March 2021**

Domiciliary Care: £18.02 an hour

Project/Support Work: £18.02 an hour

Day Centre/Care: £42.00 a day plus flat rate charge of £6.00 per day for a meal

You will be charged at the rates shown above until you reach your maximum assessed weekly charge. The Local Authority will cover the cost of any care that exceeds your maximum weekly contribution as agreed in your care and support plan.

For example, if you have been assessed as needing 7 hours home care per week and have an assessed maximum weekly charge of £50.43, the total cost of the care package is 7 hours x £18.02 = £126.14, so you will pay your assessed charge of £50.43 and Social Services will pay £75.71.

Number of hours care	Total cost of care package	Individuals charge	Social Services contribution towards the care package
1	£18.02	£18.02	£0.00
2	£36.04	£36.04	£0.00
3	£54.06	£50.43	£3.63
4	£72.08	£50.43	£21.65
5	£90.01	£50.43	£39.58
6	£108.12	£50.43	£57.69
7	£126.14	£50.43	£75.71

#### 4. Queries and challenging the assessment outcome

Should you have any questions or are unhappy with the result of the financial assessment at any other time, please contact the Financial Assessment Officer in the first instance, their contact details will be on the letter notifying you of the assessment outcome.

Or You can ask the Team Leader to review your financial assessment

Or If you feel you are unable to afford the assessed charge, the Financial Assessment Officer will explain how to apply for a waiver of charges. You can also access a copy of your current Charging Policy.

Applications for a waiver of charges are considered by a Panel. The Panel may recommend that your charge or contribution are waived in exceptional circumstances or financial hardship. Where a waiver has been given it is reviewed every year to see if your circumstances still require it.

You can choose not to pay your charge or contribution while the application for a waiver is being considered, but you must tell us that you are going to do this. You must be aware though, that if you choose not to pay and a waiver is not granted the Council will ask you to pay the arrears.



You can request a review any time after we have written to you confirming the result of your financial assessment. You must tell the Council why you want the decision to be looked at again. You can do this by either speaking or writing to a financial assessment officer.

It is important you let your Financial Assessment Officer know of any changes to your income or circumstances as this could have an effect on your weekly assessed contribution.

Financial Assessment and Charging Team

Social Services

Tŷ Dewi Sant, St David's Park

Ewloe

Flintshire, CH5 3XT

01352 701318

All financial assessments are reassessed every April in line with the annual benefit uplift, you do not need to contact us during this time. Once your reassessment has been completed we will write to you confirming your new weekly assessed contribution and the date the change will come into effect from.

## **5. How charges can be paid?**

Invoices listing services that have been provided, their costs and the total amount payable will be sent to you monthly. These will always be a month in arrears – for example, the invoice for services you received in September will be sent to you in October.

Payments can be made:

- Over the telephone (using a debit or credit card). Please be aware, to make a payment over the phone the cardholder must be present
- By standing order
- Flintshire County Council's website : [www.flintshire.gov.uk](http://www.flintshire.gov.uk)

- At Flintshire Connects Offices
- Bank transfer from your own account, online, using telephone banking or in branch

Flintshire County Council expects invoices to be paid in full following a financial assessment or you opting to pay the maximum of £100.00 per week. Payment will be due 28 days from the date of the invoice. If you have difficulty paying you should contact the Financial Assessment Officer or speak to your Care Coordinator or Social Worker

Any non-payment of an invoice will be reviewed and reminder will be sent out. Continued failure to pay invoices will result in action being taken by the Council to recover the debt.

## **6. Respite and Short Term Care**

When a stay is arranged in a care home for Short Term Care such as emergencies or Respite Care the Welsh Government Guidelines are that the charges be the same as if you are living at home.

Short Term Residential or Nursing Care for up to a period of 8 weeks will be assessed under the policy for Community Care Services. If a Short Term Care placement exceeds eight weeks, it should be treated as a Temporary Placement and will be assessed under the charging policy for Residential and Nursing Care. If a placement is known to be Temporary (whether it does or does not have an expected end date) it will be assessed under the charging policy for Residential and Nursing Care from the date of admission.

There may be some care homes whose weekly fees are greater than those agreed by the Local Authority. The difference between the rates will be charged by the care home as a 'top up fee'. For example, the Council's set weekly fee is £584.33 and you choose a care home which costs £600.00 per week. As your chosen care home costs more than the fee set by the Council a top up payment of £15.67 will need to be paid. This is in addition to your weekly assessed contribution and is often paid by a member of your family, however this can be paid by yourself if you have sufficient savings. Please discuss top ups with care homes and take this into account when making your decisions. The third party should seek legal advice to fully understand the implications of agreeing to the top up.

In some cases short term care stays may be under Intermediate Care Funding, which means there will be no charge to yourself for up to six weeks. Your Social Worker will discuss and confirm this with you when arranging the service.

## **7. Claiming benefits to help pay for charges**

Although charges have been kept as low as possible, we understand that having to pay for services may be of great concern to you.

The calculation of what you will have to pay towards the cost of the services you receive takes into account your ability to pay.

There is a commitment from the Welsh Government and Flintshire County Council that anybody who needs services should be helped to claim all social security benefits and pensions they are entitled to. This includes benefits that you may have missed out on in the past.

A Welfare Benefits Officer can help with this process and deal with all matters relating to benefits. They can offer advice and help you make claims for any benefits you are entitled to which have not yet been awarded. There is no charge for this service and it is available to everyone who has a chargeable service, whether they have to pay for their services or not.

In most cases people will be better off after claiming extra benefits, even if some of that increased income goes towards paying for care.

## **8. What happens to the financial and personal information given?**

Social Services will deal with all information confidentially and your details will be held safely and securely in accordance with data protection legislation.

You have the right to see personal records we hold about you. An administrative fee may be charged. Please ask us for more information.

## **9. Useful contacts**

A wide range of voluntary organisations provide independent advice and assistance. Contacting them will give you information on your rights.

### **Flintshire Citizens advice Bureau**

08444 772020

[www.flintshirecab.org.uk](http://www.flintshirecab.org.uk)

### **Flintshire Care and Repair**

01352 758700 [www.flintshirecr.co.uk](http://www.flintshirecr.co.uk)

Flintshire Care and Repair offer advice on housing repairs, adaptations and benefits for disabled and elderly people.

### **Age Connects North East Wales**

08450 549969 [www.acnew.org.uk](http://www.acnew.org.uk)

### **Mencap Cymru Helpline**

0808 808 1111 [www.mencap.org.uk/wales](http://www.mencap.org.uk/wales)

### **MIND**

01352 757637 [www.flintshiremind.org.uk](http://www.flintshiremind.org.uk)

### **North East Wales Carers Information Service (NEWCIS)**

01352 752525 [www.carers.org/local/wales/flintshire](http://www.carers.org/local/wales/flintshire)

### **Flintshire Disability Forum**

01352 755546

### **Social Services**

First Contact, Preswylfa, Hendy Road, Mold, Flintshire, CH7 1PZ

03000 858 858 [SSDUTY@flintshire.gov.uk](mailto:SSDUTY@flintshire.gov.uk)

[www.flintshire.gov.uk/careinfo](http://www.flintshire.gov.uk/careinfo)

## **10. Complaints, compliments and representations**

We are aware that despite our best efforts there may be occasions when you need to make a complaint. Any complaint about the services can be made to your Social Worker, their Team Manager or you can contact:

The Complaints Officer

Social Services

Tŷ Dewi Sant, St David's Park

Ewloe, Flintshire, CH5 3XT

01352 702623

A leaflet 'Your right to compliment and complain' which explains how your comments can be made and how they will be dealt with is available from the same address or online at: [www.flintshire.gov.uk/careinfo](http://www.flintshire.gov.uk/careinfo)

A wide range of information on the care and support system in Wales is available online at:

[www.dewis.wales](http://www.dewis.wales)

Mae'r ddogfen hon ar gael yn Gymraeg. Cysylltwch a 03000 858 858 i gael fersiwn Gymraeg.

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