

If you require Council Information in another format, please contact Customer Services on 01793 463725

আপনার যদি অন্য কোন আকারে বা রূপে তথ্যের দরকার হয়, কাস্টমার সার্ভিসেসকে (01793) 463725 নম্বরে টেলিফোন করুন।

Bengali

如果您需要用其它语言或方式咨询这方面的信息，请拨打我们的顾客服务热线：(01793) 463725。

Chinese

જો તમને બીજા ફાર્મટ (પત્રક) માં જાણકારી જોવતી હોય તો કૃપા કરી ગ્રાહક સેવા પ્રતિનિધિનો ટેલીફોન નંબર (01793) 463725 ઉપર સંપર્ક કરો.

Gujarati

यदि आपको अन्य फार्मट (प्रपत्र) में जानकारी चाहिए तो कृपया ग्राहक सेवा प्रतिनिधि से टेलीफोन नंबर (01793) 463725 पर संपर्क करें।

Hindi

Per informazioni in altro formato, contattare il Servizio Clienti chimando il numero: 01793 463725

Italian

別の構成・形式で資料をご使用される必要がある場合には、次の番号の弊社顧客サービスまでお問い合わせ下さい。電話：01793 463725

Japanese

Jeśli chcesz uzyskać informacje w innym formacie, prosimy o kontakt z Wydziałem Usług dla Klientów pod numerem telefonu 01793 463725.

Polish

ਜੇਕਰ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਫਾਰਮੈਟ ਵਿਚ ਜਾਣਕਾਰੀ ਚਾਹੀਦੀ ਹੈ ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਕਸਟਮਰ ਸਰਵਿਸਿਜ਼ ਨਾਲ ਟੈਲੀਫੋਨ ਨੰਬਰ (01793) 463725 ਤੇ ਸੰਪਰਕ ਕਰੋ।

Punjabi

Hadaad u baahatid macluumaad hab kale ku qoran fadian la soo xinir Adeega macmiisha (Customer Services) oo kasoo wac lambarkan (01793) 463725

Somali

اگر آپ کو کسی دیگر زبان یا بڑی لکھائی وغیرہ میں معلومات درکار ہوں تو براہ مہربانی کسٹومر سروسز سے ٹیلی فون نمبر : 01793 463725 پر رابطہ قائم کریں۔

Urdu

Swindon Social Services

DEFERRING PAYMENT OF CARE FEES



Ref: SS0022 / 2479 / A17 / 05

Introduction

This leaflet explains how residential and nursing home care fees may be deferred for some residents. Moving into a care home is a big step and it can have major financial implications. Social Services may be able to help you with your care home fees but the Government expects that everyone should pay what they can afford. National regulations set out how these charges are calculated. If you own more capital than the minimum limit set by the Government you will be expected to meet the full costs of your care. This scheme allows you to postpone the sale of your home by agreement with the Council.

If you have a home to sell that is included in a financial assessment, but you do not want to sell it immediately, you can defer all or part of your fees by making a Deferred Payment Agreement with the Borough Council. The Council will then fund your care fees for the time being free of interest, then recover the money when your property is sold in due course. You will still be expected to contribute from any other assessed income or assets in the meantime. More information about the scheme is set out below.

What property can be used to defer payments?

You need not be the legal owner of the property to use all or part of it to defer payment. You may, for example, have a 'beneficial interest' in the property. This means that you own a share of its value even though you are not registered on the deeds as the owner, but you must have lived in the property as your main home before going into residential care. You may only defer the sale of the property which is your main home.

Contact details:

If you would like further information about deferring charges for Residential Care please contact :

The Financial Assessments and Benefits Team:

The Financial Assessments and Benefits Team

Social Services

Civic Annexe

Euclid Street

Swindon SN1 2JH

Telephone: 01793 465560 E-mail: fabteam@swindon.gov.uk

Useful contacts:

Age Concern

Age Concern, Swindon

14 Milton Road

Swindon SN1 5JE

Tel: 01793 692166 E-mail: swindon@ageconcern.org.uk

For more information about Age Concern, see their national

website: www.ageconcern.org.uk.

Citizens Advice Bureau

Swindon and District CAB

Faringdon House

1 Faringdon Road

Swindon SN1 5AR

Tel: 08450 505155 Fax: 01793 613270

Advice and information on a range of issues, including benefits and welfare rights, legal issues, money and debt.

www.adviceguide.org.uk

Commission for Social Care Inspection

Customer services enquiries

Tel: 0845 015 0120

www.csci.org.uk

Will my benefit entitlements be affected by a deferred payments agreement?

Any entitlement to Attendance Allowance and the care component of Disability Living Allowance maybe affected by entering into a deferred payment agreement.

Can I make top up payments and defer some charges?

Residents who enter into a deferred payment agreement can make top up payments to enable them to live in more expensive accommodation than the local authority would normally pay for.

Note

The deferred payment facility was introduced by sections 53 and 55 of the Health and Social Care Act 2001 and came into effect in England on 1st October 2001.

You are advised to seek independent financial advice if you wish to enter into a deferred payment arrangement. This will be important if you plan not to sell your property as you may need to take a number of considerations into account, such as the state of the local property market; whether it might be best to sell the property and invest the money to your best advantage; insurance and safety of the property if it is empty; the pros and cons of renting; the effects on your benefits. If you rent out the property the income will be used to contribute towards your residential care costs but will reduce the amount of the loan.

Your views or requests for alternative formats

If you have any comments about this leaflet or you need this information on audio tape, braille or translated into another language please contact the Customer Liaison Officer.

Tel: 01793 463496 **Email:** YourCommentsCount@swindon.gov.uk

What property can not be used to defer payments?

Some property must not be taken into account in financial assessments. It will be disregarded if it is occupied by:

- Your partner (husband, wife, or someone who has lived with you as though you were married); or
- A relative who is aged 60 or over, or a younger relative who is 'incapacitated'. Relative includes parent, parent in law, brother, sister, son, son-in-law, daughter, daughter-in-law, step-parent, stepson, step-daughter (or the spouse or partner of those previously mentioned), grandchild, grandparent, uncle, aunt, nephew, or niece. The term incapacitated is not defined but should apply to someone receiving an incapacity benefit or disability benefit or who would fulfil the medical conditions to receive one of these benefits); or
- A child under 16 years whom you are liable to maintain (This assessment is made by the local authority).
- A lone parent who is the claimant's estranged or divorced partner.

The Council may also use its discretion in certain other cases not covered by the terms 'partner' or 'relative' above, where there is an overriding care issue. Property must not be taken into account for the first twelve weeks after you have been admitted to permanent residential care.

Must I decide whether to defer payments before I am admitted to care?

Your main home will be disregarded in any financial assessment for the first twelve weeks after you enter into residential care. This allows some time for you to consider your options on whether to sell the property or to enter into a deferred payments agreement.

When must the property be sold?

The property does not need to be sold until the charge becomes due for repayment. This is either 56 days after death of the

resident or at such earlier date notified by you, such as for example where you wish to sell the property but for some reason cannot do so immediately. Even after that date the sale of the property can be postponed under certain conditions, but interest becomes payable from that date.

Can I be forced to sell my home?

Someone living in a care home cannot be forced to sell a property without a court order. The deferred payments scheme enables you and the Council to make an agreement to avoid having to sell your property before you are ready, and without resort to the courts.

What if I want to sell my home?

If you do not want to defer payments but prefer to sell your home immediately the Council cannot insist on you entering into a deferred agreement and must give you a reasonable period of time to arrange the sale. In such a case placing a legal charge might not be appropriate or relevant. We will ask you to complete a loan agreement.

Will the scheme cost me more money?

The local authority cannot charge interest on any deferred payments under this scheme for the period of the agreement, which can extend to up to 56 days after death of the resident. If the property remains unsold after that date interest is then chargeable. The Council will however charge you for the costs of Land Registry searches and legal costs in setting up the agreement.

What interest will I have to pay?

You will not pay any interest for the period for which you and the Borough Council have agreed to defer payment of fees. This is either up to 56 days after death of the resident or such earlier date you notify us (if, for example, you want to sell the property earlier). Interest becomes due after the agreed deferral period and is then

chargeable at a 'reasonable rate' that will be specified in the agreement and is related to the Bank of England Base Rate.

When does the scheme not apply?

You cannot defer payment if you have sufficient income or other assets apart from the value of your home to meet the costs of your care. Nor can payment be deferred where the property should not be taken into account, such as during the first twelve weeks after your entry into residential accommodation, or where the home is occupied by a spouse or by certain other relatives.

Can the scheme apply to existing care?

Yes, charges for existing residential care can be deferred where a property whose value has been included in the financial assessment has not yet been sold. That sale can now be postponed if this scheme applies in that case.

Is the Council obliged to enter into a deferred payment agreement?

The Council is not obliged to agree to defer payment in this way but it must give written reasons for declining such a request. An example of a reason for not agreeing to defer payments might be if the high level of support in one case were to limit the Authority's ability to assist other cases.

Can I sell the property without refunding the Council's deferred costs?

The Council will place a legal charge over the property when the agreement is made. This will need to be cleared by payment of the deferred fees before you can receive the net balance of the proceeds from the sale.