

Please refer to the Care Act 2014 Guidance for more detailed information:
www.gov.uk/government/publications/care-act-statutory-guidance

General Guide to Paying for Care in a Residential or Nursing Care Home

If you are considering whether your needs would be best met by residing in a care home environment, you should make contact with Swindon Borough Council Adult Care Team by calling 01793 463333 or 445500. Following this call, your details will be passed to a Care Manager or Care Co-Ordinator, if appropriate, to discuss your situation further. Please be mindful that the Care Manager/Co-Ordinator will have to assess your needs to determine what type of care might be appropriate. They will also have to consider whether the Council are able to assist with arranging this type of care and confirm whether the Council would assist with any contribution towards the cost of this care. The processes that must be completed before Swindon Borough Council can consider any financial assistance towards the cost of your care is as follows:-

Needs Assessment

Your Care Manager/Co-Ordinator will arrange to discuss your needs & goals with you to understand your situation fully.

This assessment could identify a number of outcomes, for example:-

- No care and support needs identified
- Signposting to other agencies/charities where appropriate
- Equipment purchase or provision of equipment which could assist with the needs identified
- Care and support provided in the home
- Day Care/Day Centre Attendance
- Consideration of suitable alternative accommodation which may include:-
 - Supporting living
 - Sheltered accommodation
 - Residential accommodation (i.e. a nursing or care home)

The following information is provided for individuals where a move to residential accommodation is required

Once the care plan has been agreed, the Care Manager will identify the cost of meeting this need and make an application for the Local Authority to agree that they are willing to make a contribution towards the cost.

You will be provided with details of suitable care homes for you to consider. You may wish to exercise your choice to reside in a more expensive care home than those Swindon Borough Council identify as suitable. If you choose to do this you should also see our leaflet providing further information on Third Party Contributions or Top Ups.

At the appropriate time, the Care Manager/Co-Ordinator will refer your details to the Financial Assessment and Benefits (FAB) Team for a financial assessment to be conducted.

Application for Local Authority Contribution

The Care Manager will apply to the Council, on your behalf, for a decision and agreement around the personal budget (the total cost of your care) and to confirm that the Council would consider making a contribution towards that care. **Please note, the Local Authority will only pay a contribution toward the cost of your care where appropriate. Depending on your financial circumstances, you will be required to pay either a contribution towards the weekly care fees OR the full cost of the care (as explained below).** Once this personal budget and local authority contribution agreement is in place, you will be contacted with details of the Providers that may be able to accommodate your needs

Financial Declaration & Assessment Process

At the appropriate time, the Financial Assessment & Benefit (FAB) Team will make contact to discuss the Financial Assessment process. A financial declaration form (RN1) must be completed with details of your full financial circumstances (to include details of benefits, income, capital, savings & investments and details of any expenses you will remain liable for following your move into permanent residential or nursing care). Evidence of all details declared will be required. The RN1 form can be completed using a link to our on-line form:-

https://www.swindon.gov.uk/info/20011/adult_social_care_and_support/941/paying_for_residential_and_nursing_home_care

If you would prefer, a form can be sent via post or email.

Capacity of the Individual

In cases where an individual lacks capacity to deal with financial matters, there will be a requirement for someone to act under a Department for Work & Pensions (DWP) Appointeeship, Registered Power of Attorney (POA) or Deputyship order.

Please visit the <https://www.gov.uk/website> and use the search tool to find more information regarding Attorney, Deputy and DWP Appointee and how to make an application

Refusal to Make a Financial Declaration

You, or your legal financial representative, can refuse to make a financial declaration. In such cases the individual would be assessed as liable to pay the full cost of their care. You can still request a full financial assessment be conducted, at any time in the future, by completing the financial declaration form and providing the required information to enable the assessment to be done.

Financial Assessment

The details provided on the financial declaration will be used, in line with the Care Act 2014, to conduct our assessment and confirm the correct contribution you will be required to pay toward the cost of your care. This is called your “assessed Client Contribution” and it will be backdated to the appropriate date (usually the start date of your placement). In most cases you will be asked to pay this contribution to the Provider who will issue invoices.

The assessment is completed as below:-

- Total income LESS
- Disregarded income PLUS
- Tariff Income LESS
- Personal Expense Allowance LESS
- Any other expenses we agree EQUALS
- Assessed Client Contribution

Interim Contribution pending the Financial Assessment

As an interim measure, pending the assessed Client Contribution being confirmed, the Provider may be asked to collect a “standard minimum contribution” (SMC). The SMC is based on your age and is based on the minimum income you would expect to receive under State Benefit rules. The current weekly SMC with effect from 10th April 2023 is:-

- £172.80 for a person of pensionable age
- £96.40 for a person under pensionable age

When the assessed client contribution is known it will be backdated to replace the SMC from the appropriate date, usually the start date of your placement.

Income

All income should be declared on the RN1 form. Certain income may be disregarded in the financial assessment. The assessment officer will consider any relevant disregards when completing the assessment, in line with the Care Act 2014.

Where you have capital valued between £23,250 and £14,250 we will include an additional income from capital. This is called “tariff income”. Please see below for more details on how this is calculated

If the person moving into residential care is in receipt of an occupational, employers or private pension AND has a spouse/partner who remains living at home, it may be possible for us to disregard a % of that pension so that it remains available to your

spouse or partner. You will be asked to complete a declaration to confirm you meet the qualifying criteria which is:-

- you will no longer live with your spouse/civil partner/partner and they remain resident in the home you occupied as a couple prior to your move to residential accommodation
- they have required, and will continue to require, at least 50% of the/these pension/s to be made available to them to enable them to meet day to day living expenses
- you paid that least 50% of the/these pension/s to them prior to moving to residential accommodation, and will continue to do so following your move

On receipt of a signed application, the disregard will be considered as part of the client contribution assessment process. If the spouse/civil partner/partner moves, ceases to require this assistance, or the percentage they require reduces at any time, the Local Authority must be notified immediately in order that this can be reconsidered

Expenses

It is your duty to declare any expenses you wish us to consider, so please ensure that all expense information is included on your financial declaration.

Examples of ongoing expenses that may be considered are:

Where your placement is permanent and you will not be returning home

- Rent/ground rent/service charges - considered ONLY for any compulsory notice of tenancy termination period. If there is a tenant remaining in the property then they would become liable to pay the full rent/service charge
- Mortgage – your % liability only
- Utility bills – only where no-one else continues to occupy the property (if there is an occupier of the property, they would become liable to pay these costs) AND only the standing charge up to the utility cut off date or tenancy end date (or longer if the property is owned)
- buildings & contents insurance – your % liability only
- ground rent, service charges, gas boiler cover or home serve policies – your % liability only
- Council Tax – you should apply for an exemption from the date you vacated the property if you lived alone. If someone remains resident they would become liable to pay Council Tax and they may wish to claim a discount if they are the only adult resident

Expenses will also be considered where your placement is “temporary” and a decision is yet to be made as to whether you may be able to return home

Where expenses are a joint responsibility, we will apportion the expense equally between the number of people liable to make the payment

NOTE: if you have been in receipt of assistance to pay your rent or council tax you should ensure you notify of your move to residential accommodation as this will affect your entitlement

Example of ongoing expenses that **would not** normally be considered are:

Debts (including credit cards and loan repayments, rent or mortgage arrears), life insurance policy payments, charitable donations, telephone bills & satellite or cable television packages

Personal Expense Allowance

In line with the Care Act 2014, after paying your assessed client contribution towards the cost of your care you will be left with a “minimum personal expense allowance” of £28.25

Tariff Income

Tariff income is calculated where you hold a capital balance between £14,250 and £23,250. Tariff income is calculated as shown below and included as a weekly income available to you in our assessment.

If your capital is assessed as below £14,250 there will be no tariff income.

If your capital is assessed as being between £14,250 and £23,250, a tariff income will apply and is calculated as a £1 income for each £250 of savings or part thereof, you hold above £14,250. For example, if you held total capital of £19,000, tariff income would be calculated as below:

£19,000 less £14,250 disregard = £4,750 divide by £250 = £19.00 tariff income.

If your capital exceeds £23,250 you will be assessed as liable to pay the full cost of your care

Capital Thresholds

If you hold over £23,250 in total capital, savings & other investments, you will be classed as “self funding” and will therefore be required to pay the full cost of your care.

If you hold capital valued at between £23,250 & £14,250 you will be assessed to determine the correct contribution you are required to pay towards the cost of your care. Tariff income will be included as an additional income available to you in that assessment

If you hold capital of below £14,250, this is fully disregarded from the client contribution assessment. You will still be assessed to determine the correct contribution you are required to pay towards the cost of your care.

NOTE: capital investments that include an element of Life Insurance may be disregarded from our assessment of capital.

Capital held in joint accounts will be apportioned equally between the joint account holders, unless you can provide evidence that you have registered the ownership of the capital as a different % split with HMRC for tax purposes. You may wish to seek independent financial advice with regards to managing joint accounts

When Capital Falls Below the £23,250 Threshold

Approximately 3 to 4 months before your capital reduces below the £23,250 threshold, you should contact Swindon Borough Council Adult Care Team by calling 01793 463333 or 445500 to advise that capital is depleting. Swindon Borough Council Adult Social Care Team will refer your details to a Care Manager/Co-Ordinator to start the process of arranging a needs assessment (see above). NOTE: the Provider will continue to invoice for the full cost of your care until the full process above has been completed and your assessed Client Contribution has been calculated

Notifying the Department for Work & Pensions

When moving to a residential care home you should contact the Department for Work and Pensions on 0800 7310469 to advise them of this move. Certain State Benefit entitlement may be affected by this change in your circumstances. For example, our understanding is that any Benefit paid to assist with your care needs (such as attendance allowance or the care component of disability living allowance or personal independence payment) will cease 28 days after any move to a care environment where you are not paying the full cost of that care. This includes any stay in hospital of 28 days or more.

If you are one of a couple, we would advise that your partner also contacts the Department for Work and Pensions to request a review of their State Benefit entitlement as your move may affect their entitlements. For example, they may no longer receive carers allowance for looking after you

Billing of the Client Contribution

You will usually be required to pay your Client Contribution directly to the Care Home who will be notified of the amount you are required to pay (with the exception of residents in Fessey House and Tony Long House who will be invoiced directly by Swindon Borough Council).

Up to 6 weeks Subsidised Care

In certain circumstances, if you are receiving certain types of care (i.e. intermediate or rehabilitation care) charges may not apply for a short period. This could be for any period, up to a maximum of 6 weeks. Your Care Manager/Care Co-Ordinator, will advise you if this type of care is in place.

Notifying Changes in Circumstance

You have a duty to notify this Department immediately should there be any changes that may affect our assessment. This could include:-

- changes to your income, benefits, capital
- Changes in your occupation of an owned property (i.e. someone moving in or out of the property)
- Changes to any property ownership (i.e. selling the property)
- Any other change that may affect our assessment

How Property or Land Affects an Assessment

If you own, or part own, any property or land, this may have an impact on the financial assessment. Please see our leaflet “Property or Other Security & Deferring Payment of Care Fees” for further information.

NOTE: This leaflet is designed to act as a guide only. All figures included in this leaflet are correct as at April 2023 and are subject to an annual review (usually April of each year). Last updated 12/06/23