

Financial Assessment policy for Adult Social Care and Support - Non-residential setting

Information for service users,
relatives and carers

April 2022 to March 2023



HILLINGDON
LONDON

www.hillingdon.gov.uk

Contents

Introduction	2
Making contributions - what happens?	3
How much will I have to pay?	3
How do we work out your contribution?	4
Income and capital	4-5
Costs we take into account	6
Examples of how we work out a contribution	7
Care and support services you can purchase using your personal budget	8
Care and support provided in addition to your personal budget	8
Mental Health Act 1983 - section 117	8
How do I pay my contribution?	9
Direct Payment PrePaid Card System	9
What happens if I don't pay?	9
Other frequently asked questions	10
Other information that is available	15
About your personal information	15
Equal opportunities	15
Useful contacts	16

Introduction

There are rules around whether a financial contribution needs to be made by you towards care and support provided to you whilst living in your own home, this is also known as non-residential care. These rules follow central government policy designed to make sure that people over the age of 18 are charged in a fair and reasonable way.

Non-residential care means all support and care that you receive whilst living at home, for example, home care, day care, outreach, respite care, support provided by a personal assistant and supported housing/living.

The way social care is delivered has changed, to provide more independence and choice for everyone who receives care from the council. Since early 2012, everyone who receives social care services has been moving over to a scheme, Self Directed Support (SDS) and Personal Budgets (PBs), which is designed to give them more say over the services they receive.

This booklet explains how we work out your contribution towards your care and support and it also provides answers to some frequently asked questions. Your financial contribution will depend on your financial situation. If you would still like more information after reading this booklet, please contact us or one of the voluntary organisations listed at the end of the booklet.

Making contributions – what happens?

When you have been assessed as needing care, your care manager will advise the Financial Assessment Team that a financial assessment needs to be carried out. This will not delay the start of your support.

A financial assessment form will be sent to you to complete together with a letter detailing the information required. A visiting officer can visit you at home to help you complete the financial assessment form.

The visiting officer will also help you to apply for any benefits you are entitled to from the Department for Work and Pensions and the Disability Benefits Centre.

If you fail to produce any of the information we need to see or refuse to sign an assessment form, we will charge you the full cost of your service.

The effective date of your financial assessment will be the same date that the authority starts to incur costs for your care.

We will review your contribution each year in line with increases in state benefits. You should tell us as soon as possible about any changes in your financial circumstances, as these may affect your contribution.

How much will I have to pay?

The amount that you will have to pay towards your care services will be calculated by a means tested financial assessment.

Details regarding fees and charges can be found on the council's website, in the council budget section.

If you have capital assets of more than £23,250, you will pay the actual cost of the care and support you receive. Capital assets are savings, stocks and shares, and other investments, not including the value of the house in which you live.

If you own or part own a property, other than the main or only home in which you live, the value of that property will be included in your financial assessment based on the percentage of ownership.

Please note that if you are in the UK under a sponsorship, the person who arranged for you to live in this country will be liable to pay the full cost of your care service.

If your savings and investments are below £14,250 and your income is at or below the basic Income Support or Pension Credit level, you may not have to make a contribution towards your care cost.

If your income is above the basic Income Support or Pension Credit level, you may be assessed to make a contribution towards the care and support you receive.

How do we work out your contribution?

You must give us a full statement of your financial position and we will work out the maximum contribution each week.

We work out your contribution by:

- adding together all your weekly income;
- taking away any costs for housing;
- taking away any income we have ignored;
- taking away any disability-related expenditure (DRE);
- taking away your MIG Allowance (Minimum Income Guarantee).

We will give you a breakdown of how we have worked out your contribution.

Income and capital

We will take account of:

- all the benefits you receive, except those listed under 'We will ignore';
- your State Pension and work pensions;
- income generated from any capital investment or bond
- any other income; and capital
- if you have savings between £14,250 and £23,250, we will add £1 a week to your charge for each £250 (or part of £250) that you have in capital.

If you are not claiming benefits, to which you are entitled to, we will include the benefits in your financial assessment. This is called 'notional income'.

Capital includes **all** monies you have:

- in bank or building society accounts, no allowance is made for deferred expenditure

- in National Savings bank accounts;
- in PEP or ISA accounts;
- in save-as-you-earn (SAYE) schemes;
- in cash;
- as Bonds or National Savings Certificates;
- as stocks, shares, trust funds and investments; invested in property, building and land (rental income will be included); and which someone else is holding on your behalf.

Where a person has joint beneficial ownership of capital, except where there is evidence that the person owns an unequal share, the total value will be divided equally between the joint owners and the person will be treated as owning an equal share.

We will ignore:

- the mobility part of Disability Living Allowance or Personal Independence Payment
- War Pension or War Widow's Pension
- payments to veterans, under the War Pension Scheme, are fully disregarded, with the exception of payments of Constance Attendance Allowance, which will be taken into account
- payments to someone under the War Pension Scheme who is not a veteran (e.g. surviving family members) only the first £10 per week is disregarded
- War Widow's special payment
- Child Benefit and Child Tax Credit
- the part of Attendance Allowance, Disability Living Allowance (care part) or Personal Independence Payment (daily living part) that covers your care at night
- Working Tax Credit
- Disabled Person's Tax Credit
- Maternity Allowance
- payments you receive from a charity
- the savings part of Pension Credit
- earned income from paid employment

Costs we take into account

Housing costs

If you pay a mortgage, service charge, rent or council tax, we will take these from your income before we work out your contribution. Your rent and council tax payments are the amounts you have to pay after any related benefits have been taken off your income.

Disability-related expenses

If you receive Attendance Allowance, Disability Living Allowance (care part) or Personal Independence Payment (daily living part) and you have any extra spending due to your disability or being frail, we may be able to include the expenditure in your financial assessment. We will need to ask you how these extra costs relate to your disability or being frail and will ask for proof of your spending on these items in the form of receipts, bills and invoices covering a three month consecutive period.

We may make allowance for:

- specialist washing powders or laundry
- extra costs of bedding
- special dietary needs
- special clothing or footwear
- extra heating costs
- the reasonable cost of basic garden maintenance
- the reasonable cost of cleaning or domestic help
- private chiropody (foot care) services
- buying disability-related equipment privately
- transport costs

Please note this list is not exhaustive.

What you are allowed to keep for general living expense

A person who receives care and support outside a care home, will need to pay for their daily living costs, such as rent, food and utilities.

After charging, a person must be left with the minimum income guarantee (MIG), as set out in the care and support (Changing and Assessment of Resources) regulation 2014. The amount is reviewed yearly by the Secretary of State for Health and Social Care.

Examples of the weekly MIG for a single person, in different age groups, are set out below:

Aged 18-24:	£136.45
Aged 25 up to pension age:	£156.00
Pension age and over:	£194.70

The examples are based on the pension credit age group or over receiving the Standard Minimum Income Guarantee (Pension Credit) and the remaining age groups receiving an Income Support Personal Allowance, a Disability Premium and an Enhanced Disability Premium.

Examples of how we work out a contribution

Example 1

A 27 year old man lives at home with his family. He receives Employment and Support Allowance and Personal Independence Payment (PIP) Mobility and has £63.51 per week disability related spending. He has been assessed and agreed that a personal budget of £200.00 a week will enable him to purchase his care and support.

Income each week

Employment Support Allowance	£113.55
PIP Mobility	£62.55
Total income	£176.10
Less PIP Mobility	- £62.55
Less disability-related spending	- £63.51
Less MIG	- £156.00
Total amount ignored	£282.06

The total income less the total amount ignored gives the assessed contribution - £105.96

**He will not be required to make a contribution to his care costs.
He will receive his personal budget allocation of £200.00 a week to purchase his care and support.**

Example 2

A 76-year-old woman living on her own has a State Pension, private pension and Pension Credit, and receives Attendance Allowance. She has been assessed to have £36.08 disability related expenses each week and £11.15 housing expenses ignored each week. Her care needs have been assessed and a care manager has agreed that a personal budget of £108.00 a week will enable her to purchase her care and support.

Income each week

State Pension	£128.95
Private pension	£11.65
Pension Credit (Guarantee Credit)	£100.10
Attendance Allowance	£ 92.40

Total income	£333.10
---------------------	----------------

Less the night element of Attendance Allowance	- £30.55
Less disability-related spending	- £36.08
Less housing costs	- £11.15
MIG	- £194.70

Total amount ignored	£272.48
-----------------------------	----------------

The total income less the total amount ignored gives the assessed contribution	£60.62
Weekly personal budget	£108.00

Her contribution is £60.62 per week. She will receive £47.38 per week from the council, so she has a total of £108.00 to purchase her care.

Care and support services you can purchase using your personal budget

Home care, day care, outreach, ExtraCare housing, respite care and supported housing/living that are organised and provided by the council are all examples of care and support that you can purchase using your personal budget.

Mental Health Act 1983 – section 117

If you receive after care under section 117 of the Mental Health Act 1983, you will not need to make a contribution towards your service.

If there is a change to your situation and section 117 no longer applies, then the details regarding contributions outlined in this booklet will apply.

How do I pay my contribution?

Once you have filled in and returned a finance form with the relevant proof, this will be looked at by the Financial Assessment Team who will work out your contribution towards the cost of your care fees.

The Financial Assessment Team will then send you or your representative an assessment letter giving a breakdown of your financial assessment telling you the weekly contribution that you have been assessed to pay.

If you disagree with the amount or the figures used in your assessment, you should contact the Financial Assessment Team in the first instance to discuss the amount you have been assessed to pay.

Following your financial assessment, the Corporate Collections Team will send you a bill for your contributions. Further bills will be sent to you every four to five weeks. The bill will set out clearly the period covered and the amount you need to pay.

You can pay in one of the following ways:

- via the council website by visiting www.hillingdon.gov.uk and following the online instructions
- using our automated telephone payment line – 01895 556699
- by standing order, straight from your bank account, once you have filled in a standing order form, available from the Corporate Collections team
- by bank transfer, cheque or cash payment at a bank

If you receive your care via a Direct payment which uses the PrePaid Card system please refer to the next section.

Direct Payment PrePaid Card System

If you are sent a bill to pay your contributions, you are required to pay by standing order. Otherwise, your contributions will be deducted from the amount of money you receive every four weeks. You may sometimes hear this referred to as receiving your Direct Payment 'net of contribution'. You will be expected to set up regular payments onto your Pre-Paid Card to cover your contribution.

What happens if I don't pay?

We calculate the amount you must pay towards your care and support using government legislation and guidance. If you are financially assessed to pay for all or part of your care costs, you have a liability to ensure payments are made to Hillingdon council on time. If you do not pay the charges due, debt

recovery action will be taken. This may include legal action through the county court. If you have any difficulty in making payments, you must contact the Corporate Collections Team without delay. Their telephone number is 01895 250345. Please do not ignore your liability to pay for the care and support arranged for you.

Other frequently asked questions

What is Self Directed Support (SDS)?

Self-directed support (SDS) allows people to choose the services they need and arrange to have support at times which best helps them to remain independent.

What is a Personal Budget (PB)?

The new way of providing support means everyone who is eligible will be given a Personal Budget (PB), which covers the cost of the care they require. People can spend this budget in ways that are right for them to meet their support needs. If they want to employ a personal support worker to help them remain in their own home they can do this, or if they want someone to help them attend adult education classes, or leisure activities to help them develop their skills and interests, they could do this.

Do I have to tell you about my finances? What information do I need to give you?

In order to carry out a financial assessment, we require details of your income, savings, outgoing and disability-related spending. Proof of the above will be required, for example, receipts and bank statements covering a minimum of 3 months. During the financial assessment process, if you choose not to declare any or all of your income and savings, you may be assessed to pay the full cost of your care.

What is counted as income and capital?

We take account of most types of income from state benefits. However, there are some benefits which we ignore. We take account of capital and investments over £14,250 but do not take account of earned income from paid employment. Please refer to page 4 and 5 for further information.

We will ignore the value of your property. However, if you own or have an interest in a second property, we will take this into account and you will have to pay the full cost for the service you are receiving.

What happens if I give my money or assets away?

If the council considers that you, or someone acting on your behalf, have given away some assets, for example money or your house, in order to pay

less towards your care charges, you will be treated as still owning the asset and you will be required to pay a higher fee. This is known as 'notional capital'. Depending on the value of the asset and the remaining assets you hold, this could be the full cost. If you cannot pay these fees the council will claim the money from the person(s) to whom you have given these assets, and legal action may be taken against yourself and the person in receipt of the assets. You should always seek independent financial and legal advice before making a decision to distribute your assets.

Do you take account of my partner's income?

You will be assessed in your own right and we will not take account of the income of your carer, parent or partner.

Will my contribution stay the same and what will happen if my care and support or financial circumstances change?

The amount you financially contribute towards your care will usually increase every April, in line with the annual increase in state benefits and pensions. We will review the amount you have to contribute every April and will notify you in writing of any change to your contribution. However, if you experience any change in your circumstances before April, for example your income or capital increase or decreases, you must tell us about the change immediately, so we can review your contribution. We reserve the right to backdate any changes in your circumstances to the date the change occurred, which could result in you being billed for backdated charges.

Please also note that if your Care Provider increases the cost of your care service (s), your contribution may also increase from the start date of the change. The changes may take place retrospectively. You will be notified through the monthly invoice, sent to you by the Corporate Collections Team.

What happens if I do not agree with the contribution?

If you think the contribution is wrong, you can request an appeals form. The request must be made to the financial assessment team within 28 days from the date of your financial assessment notification letter.

What happens if I want to make a complaint or comment?

If you think that you have not been dealt with properly and you want to make a complaint or comment, you should first speak to the member of staff you are in contact with or their manager. If you cannot settle the problem with them, you can contact the council's complaints department by:

Telephone: 01895 277801 or 01895 277143

Email: complaintsmailbox@hillingdon.gov.uk

How do I know if I am receiving all the benefits I am entitled to?

You may be entitled to receive benefits you have not claimed. When we work out your assessed contribution, we will do a benefit check to make sure you are receiving all the benefits you are entitled to. If we think that you are entitled to any other benefits, we will put you in touch with the appropriate organisation or you may wish to make contact directly. Contact details are provided at the end of this booklet.

What is Reablement? Will I have to pay for Reablement?

Reablement is intensive short-term support provided in your own home, by the Reablement Team, which helps you to regain skills which you may have lost due to being ill or following a period in hospital. You do not have to pay or contribute towards the reablement service, which can last up to six weeks. You will only be given reablement if you meet the criteria for this service.

People who have a reablement service usually find afterwards they can manage very well on their own or with a small amount of help. If you still need support, our Social Care Team will assess if you are eligible for help. A financial assessment will then need to take place.

What is Home Care and will I have to pay for it?

Home Care, which normally follows a period of reablement is provided in your home, usually by a home care assistant. The home care assistant will help you to live as independently as possible in your own home. This service is an example of care and support that you can purchase using your personal budget. This service is not provided in addition to your personal budget.

You will only have to contribute the amount you have been financially assessed to pay, based on your income and capital.

What is respite care? Will I have to pay for respite care?

Respite care is provided to allow your carer to have a short break. This care may be in the home, community, residential home or nursing home setting. This service is not provided in addition to your personal budget.

You will only have to contribute the amount you have been financially assessed to pay based on your income and capital.

What is Day Care? Will I have to pay for Day Care?

Traditionally day care is provided in a day centre or building based setting but with the introduction of personal budgets and self directed support, people can have more choice and independence about the type of services they receive. There will be day opportunities at a resource centre for adults with learning disabilities and complex needs that live with carers and

there are day services for older people that people may choose to access and purchase with their personal budget, or people can employ a personal assistant to access community resources. Transport costs, if applicable will be built into the costings of your personal budget. These services will be subject to a financial assessment but you will only contribute the amount you have been assessed to pay based on your income and capital.

What is Outreach? Will I have to pay for Outreach?

Outreach is an example of care and support that you can purchase with your personal budget. This can include support to access community services in a similar way to day care as described previously. Transport costs, if applicable will be built into the costings of your personal budget. These services will be subject to a financial assessment but you will only contribute the amount you have been assessed to pay based on your income and capital.

What is Supported Living/Housing? Will I have to pay for Supported Living/Housing?

Supported Living/Housing is an example of care and support that you can purchase with your personal budget. You will normally have your own flat and a tenancy agreement with the landlord or live in a shared house with a tenancy agreement. You will be responsible for paying your own rent and council tax and can claim Housing Benefit towards the rent and a reduction in your council tax if applicable. You will normally be responsible for paying your own utility bills such as electric, gas and water or you will pay a set amount to your landlord for these services. You may be asked to pay a service charge to your landlord for the upkeep of communal areas or grounds. There may be staff on site or staff that come to visit regularly to support you with daily living tasks such as budgeting, shopping and accessing local services. The care and support you receive will be subject to a financial assessment but you will only contribute the amount you have been assessed to pay based on your income and capital.

What is Extra Care Housing? Do I have to pay for ExtraCare?

Extra Care Housing is a type of supported housing intended to enable people to live as independently as possible in their own home. If you live in Extra Care in Hillingdon you will have the security and privacy that comes with having a tenancy, as well as access to on site personal care day or night should you need it.

This service is an example of care and support that you can purchase using your personal budget. This service is not provided in addition to your personal budget.

You will only need to contribute the amount that you have been financially assessed to pay, based on your income and capital.

You will be responsible for paying your rent and any service charges separately.

What is the Hillingdon Shared Lives Scheme (HSL)?

HSL employs people from the local community who can provide supported accommodation for adults on a long-term, short-term or respite basis. The financial contribution will be the same, as if you were living in supported accommodation and you can claim Housing Benefit towards the rent. You will have a tenancy agreement with your landlord (carer) and you will have to pay them an amount towards food and amenities, plus any rent that is not covered by Housing Benefit. We can help you to claim Housing Benefit, if you are eligible.

The Care Act 2014 – Care and support is changing

The Care Act came into force on 1 April 2015. The Care Act intends to modernise the care system and help to make care and support more consistent across the country. The Care Act introduces a new national level of eligibility criteria for accessing care and support from your council; this is to make care and support more consistent across the country. There is a new right for carers to receive support, if they meet certain eligibility criteria and changes to deferred payment agreements for people who want to use the value of their property to pay for residential care.

The Care Act also gives local authorities the right to charge an administration fee to those who receive care and support and have assets in excess of £23,250 or have chosen to pay the full cost of their care charges.

Please note, this is a brief summary of the Care Act and is not intended to replace the full Act. For details of the full Act, please visit www.gov.uk

Verification

Verification checks will be carried out for any applicant who applies for funding via the Financial assessment process. The enhanced checks are to ensure that public money goes to those who are entitled to receive funding and protects the public purse. The checks will be carried out by the Business Assurance Counter Fraud Team on behalf of the Financial Assessments Team. The checks will include, but are not limited to, gathering information held by:

- The council e.g. Electoral roll, Council Tax records, Social Care records;
- Other local authorities and Government agencies;
- Land Registry and credit referencing agencies: and
- Employers, financial institutions and other non-governmental organisations.

In some circumstances, Hillingdon council may carry out an unannounced residential visit to check the details provided within your application. Where necessary, further documentation and evidence may be requested from you to support decision making within the verification process.

Data may also be shared between departments, in line with our privacy notice.

Other information that is available

Information about non residential care

You may want to discuss your needs with someone who is already involved in your care, for example, your doctor, district nurse, care manager or support worker. Alternatively, you can contact Hillingdon Social Care direct on 01895 556633. You may want to get advice on a particular point from a friend, solicitor or accountant, or from a Citizens Advice or voluntary organisation.

The information given in this booklet is for guidance only. It does not replace the charging regulations and legislation. You can only get information on your own circumstances from the Financial Assessment Team. The contact details are overleaf.

If you have any questions about anything in this booklet, or if you need any more information about anything to do with your care, please talk or write to a member of staff from one of the teams listed overleaf.

About your personal information

Please view our Privacy notice, which can be found online on:
www.hillingdon.gov.uk/privacy

Equal opportunities

We will provide services to everyone no matter what their sex, race, religion, sexuality, ability or disability.

Useful contacts

Financial Assessment Team

4W/09 Civic Centre, Uxbridge, UB8 1UW

 01895 250207 or 01895 556278
or 01895 250882

 financialassessment@hillingdon.gov.uk

Hillingdon Social Care Direct

 01895 556633

 socialcaredirect@hillingdon.gov.uk

Adult Social Care Corporate

Collections Team

 01895 250345

 ascrecovery@hillingdon.gov.uk

Attendance Allowance Helpline

 0800 731 0122

Employment Support Allowance Claimline

 0800 055 6688

Personal Independence Payment (PIP) Claimline

 0800 917 2222

Personal Independence Payment (PIP) ongoing claims and enquiries

 0800 121 4433

Universal Credit helpline

 0800 328 5644

Carer's Allowance Helpline

 0800 731 0297

Pension Credit Claim line

 0800 99 1234

Disability Benefits Unit

 0800 121 4600

Pension Service General Enquiries

 0800 731 0469

AgeUK Hillingdon

2 Chapel Court, 126 Church Road,
Hayes, UB3 2LW

 020 8756 3040

Disablement Association of Hillingdon (DASH)

Wood End Centre, Judge Heath Lane,
Hayes, UB3 2PB

 020 8848 8319

Hillingdon Carers

Luther Bouch House, 126 High Street,
Uxbridge, UB8 1JT

 01895 811 2016

Hillingdon Hospital

 General enquiries:
01895 238 282

Citizens Advice Bureau

The Colonnade, Civic Centre,
High Street, Uxbridge, UB8 1UW

 0344 848 7903

Addiction, Recovery, Community Hillingdon Service (Arch)

Old Bank House, 64 High Street,
Uxbridge, UB8 1JP

 01895 207 777

Office of the Public Guardian

PO Box 16185, Birmingham,
B2 2WH

 0300 456 0300