

# Third Party Contribution

## Choice of accommodation and option for third party top ups

### Introduction

- This leaflet tells you about your right to select the accommodation of your choice. It also explains what you will have to do if you wish to choose accommodation that is more expensive than the amount specified in your Personal Budget that the council will pay.
- You could be living in a residential care home that also provides nursing care, a Shared Lives setting or supported living. Social work staff will have told you which type of accommodation will meet your care needs.
- A personal budget is the amount London Borough of Hillingdon will pay to meet your assessed care and support needs.

### Your right to choose

- Your care planning process will have identified where your needs can best be met. Where this includes accommodation, you have the right to choose between different providers of that type of accommodation in England and your social worker or care coordinator will be able to give you a list of all the relevant settings for you.
- You may wish to live near to where you are living now or move to a different area to be closer to your family, or in a specialist home such as one run by a religious organisation.

### There are 4 conditions which need to be met for you to have your choice of setting.

#### 1. Suitability of accommodation

Social work staff will tell you which types of registered accommodation are suitable to meet the needs that are set out in your care and support plan.

#### 2. Cost

London Borough of Hillingdon will have undertaken a care planning process and agreed a personal budget with you that will cover the cost of meeting your eligible care and support needs. We must ensure that you have at least one choice of setting that is affordable within your personal budget. However, you might wish to choose a setting that costs more than your personal budget. If you do, your family or someone else such as a charity must pay the difference between the accommodation's weekly charge and your personal budget. These are called "third party top-ups" and this is explained later in this leaflet.

#### 3. Availability

The accommodation that you choose may not have vacancies. If you do not choose alternative accommodation it may be necessary for you to go on a waiting list until a place becomes available. Alternatively, you may go into a different accommodation while waiting for your choice or receive care at home. This is called an Interim Care arrangement until your accommodation of choice has a place available.



If the temporary accommodation charges are more than your personal budget, London Borough of Hillingdon will pay the difference. In this instance, no Third Party Top Up is required. If this happens and you decide to remain in that accommodation you will only be able to stay there if a third party can pay the top-up and this is explained later in this leaflet.

#### 4. Terms and conditions

The accommodation you choose may already have accepted London Borough of Hillingdon's contract for providing care. If you are choosing accommodation outside of your local area the Council will make sure that the accommodation meets the Care Quality Commission and Care Quality Standards and will enter into a spot contract with that provider before the care begins.

### Further information

If you are in hospital, you have all the rights set out in this leaflet if you are going to move directly to the accommodation of your choice, but there are some special rules for this.

- Once the medical staff are satisfied that you can be discharged from hospital London Borough of Hillingdon will arrange your move as quickly as possible. If the accommodation of your choice does not have a place available, the hospital will not allow you to stay until a place becomes available. A place in another setting will be provided while you are on a waiting list for your chosen accommodation or you can talk with your social worker about alternative arrangements.

### Your right to choose more expensive accommodation

When making your choice, you may choose a setting that costs more than the amount identified in your personal budget.

London Borough of Hillingdon must ensure that you are offered a setting within the amount identified in your personal budget, but you can choose to live somewhere that costs more. If you do, a third party such as your family, a friend or a charity must be prepared to pay the difference between the care homes fees and your personal budget for the likely duration of your stay. This is called a 'third party top-up'.

### Details of your accommodation options will be explained by your social worker. It is very important that you and the Third-Party Contributor are aware of the following:

- You cannot pay the third-party top-up yourself, as all your income and savings are considered in your financial assessment to establish your contribution towards the personal budget.
- The only circumstances where you may be able to pay top-up fees yourself are where you are eligible for a Deferred Payment Scheme. For more information about this, please contact your Care Co-ordinator or Social Worker.
- Care providers often increase their fees and this may affect the level of the third-party top-up. The third-party top-up will always be the difference between the care provider's fees and your personal budget. The third party should be aware of this.
- London Borough of Hillingdon recommends that the third party obtains independent financial advice when considering a third-party top-up.
  - The person who has agreed to the third-party top up will need to agree to a finance check. If they are deemed able to afford the third-party top up, they will sign a Third Party Agreement which legally binds them to pay the top up amount for the duration of your stay. If this is not provided, London Borough of Hillingdon will usually be unable to progress the placement.
- If the third party is unable to continue to pay the top up, you may have to move to another room within the accommodation or to another accommodation that charges fees that are within the amount set in your personal budget.
- Any move to other accommodation will only happen after an assessment of your needs to ensure that the other accommodation is right for you.

If you would like to proceed with a Third-Party Top Up, please notify your social worker or care assessor.

#### Other information

If you or your family have any other questions about your right to choose a care home, please talk to your social worker.

Information about the amount that you will have to pay towards your care costs will be discussed during the financial assessment.