

Charging for Domiciliary Care (care in your own home)

KENT COUNTY COUNCIL'S POLICY
Information for service users, relatives and carers



October 2007

Care Manager:

.....

Telephone Number:

.....

Financial Assessment Officer:

.....

Telephone Number:

.....

Our documents are also available in other languages, on tape and in Braille.

**To request a copy in a different format please telephone
08458 247100 or visit
www.kent.gov.uk**

Charges for personal care in your own home

In choosing a home care provider you will want to assess and compare the quality of care provided from a range of providers. The Commission for Social Care Inspection (CSCI) registers and inspects domiciliary care providers and publishes reports on how well each one meets national minimum standards. You can get copies of these reports from CSCI through their website at www.csci.org.uk or by phoning 0870 240 7535.

The Health and Social Services and Social Security Adjudications Act 1993 gives Local Authorities the discretionary power to charge for services provided in your own home.

Kent Adult Social Services make a charge for most of the services it provides. We need contributions from service users towards the cost of services, so that we can continue to help as many people as possible.

There is no charge for an assessment of your needs or any advice you receive from us.

There are weekly charges for some of the care that Social Services arranges to help people to continue to live in their own home. The charge is not only for services we provide ourselves, but also for those that we pay other organisations to provide on our behalf. Services may also be purchased through a Direct Payment. This is where we give you an amount of money for you to spend on your assessed need.

All charges are made to the service user, not the carer or relatives.

The Charging System

Charges for personal care

You have a right to a community care assessment regardless of your financial circumstances. During the assessment process you will have an opportunity to identify the needs you have and how you would like to meet them in order that you can maintain an independent lifestyle. We will then tell you what needs we can assist you in meeting and the level of support we can provide. At this stage you will be asked whether you would like a cash payment, which is called a Direct Payment, or whether you would like us to arrange the service for you. If you choose to have a Direct Payment and would like assistance we will work with you to plan how this money is spent and to secure the service.

We will tell you how much (if anything at all) you will have to contribute towards the cost of your support services and if you do how much that will be.

Under the domiciliary charging rules, people who have savings or investments of more than £21,500 will pay the full cost of their care.

If you have savings under £21,500 you will be assessed to see if you are able to make a contribution to the cost of your support. Jointly held savings will usually be divided by 2. If you have savings or investments between £13,000 and £21,500 we will take into account an assumed income of £1 per week for every £500 or part of £500. For example, if you have savings of £14,500, we will assume a weekly income of £3; if you have savings of £15,350 we will assume of weekly income of £5.

We will ignore your savings or investments if they are less than £13,000.

Your contribution will be based on your weekly income, including pensions and benefits (for example. Attendance Allowance and Disability Living Allowance – Care Component only).

We will work out your charge from the information you give us about your income and savings.

The value of your home is not used when calculating your charge.

Income we do not take into account

When working out your charge certain types of income will be ignored. These include

- Earnings and paid expenses from work
- Working Tax Credit;
- Disability Living Allowance (Mobility Component);
- Carer's Allowance;
- The Savings Credit part of Pension Credit
- Social Fund payments
- Christmas bonuses paid with many benefits
- Winter Fuel Payments
- Payments from the Independent Living Fund
- Child Benefit
- Child Tax Credit
- Housing Benefit
- Council Tax Benefit
- Gallantry Awards
- Payments

- War Widows Pensions and War Widows Special Payments
- War Disabled Pensions (except Constant Attendance Allowance and Exceptionally Severe Disablement Allowance elements)

There is up to a £20 disregard on:

- Charitable Payments

How does Kent Adult Social Services work out the charge?

Meals and day care will not be included in this calculation and will be charged for separately.

STEP 1

We will work out the cost of the support we have agreed to provide:

STEP 2

We will calculate how much capital (e.g. savings, investments etc) you have. If you have over £21,500 you will be expected to pay the full cost of your support. If you have less than this we will calculate your income as follows.

STEP 3

We will add up all the income you have which we are allowed to take into account.

STEP 4

We will deduct from your income certain amounts including the following:

- basic Income Support or Pension Credit plus 25%
- certain housing costs (e.g. rent/mortgage/council tax)
- a standard amount of £20 per week for disability-related expenditure

Disability-related expenditure is expenditure incurred as a direct result of your disability or health problem. It is expenditure over and above what a non-disabled person spends and must be related to issues identified in your support plan.

If you are receiving a disability-related benefit, you can request an individual disability-related expenditure assessment if you so wish.

We will be left with an amount that is income available for charging. In some cases this figure will be Nil.

STEP 5

We will then charge you the lesser of the following two amounts:

- 85% of the income you have available for charging **OR**
- the cost of your support.

Couples

If you are one of a couple we will look at your income and half of any joint income and savings. We will, if you wish, assess your charge taking into account the financial circumstances of both you and your partner. We will then compare this charge to the charge worked out based solely on your own income and charge you whichever is the lowest amount.

Direct Payments

Please note if you are purchasing your services through a Direct Payment, your contribution will be calculated as described above. This will then be deducted from the amount of the Direct Payment you are given. To find out more contact the Direct Payment Support Line on: **01304 841987** or look at the website: **www.kentdp.co.uk**

Important Questions

Will my partner's income be used in my calculation?

Only your income and capital and half of any income or capital held jointly will be taken into account. However, if it would leave you better off, we can assess you as a couple.

What happens if I cannot afford to pay?

If you are in serious financial hardship, you can apply to have an "exceptional discretionary disregard" levied against your charge. If you think this may apply to you ask for further details from your care manager

Will I have to sell my house to pay for my support?

No, the value of your house is not used to calculate your charge for domiciliary care.

What happens if I refuse to tell you how much money I have?

If you do not wish to discuss your financial situation with Kent Adult Social Services you will be charged the full cost of your care.

What happens to the information that I give to Kent Adult Social Services?

Any information that you provide us about your finances will be treated as confidential. However, with your permission we may discuss your benefit entitlement with the Department for Work and Pensions and the District Council.

What do I do if my income changes?

Changes in your income may well affect your charge. You must therefore inform us if your income, benefits, savings or investments change. In addition you should note that all charges are reviewed on an annual basis to take account of changes to benefits, pensions etc.

What happens if I receive less than my usual service?

If you are paying the full cost of your service then you will be charged for the actual service you receive. If you are paying less than the full cost then your charge will only reduce if the cost of your service falls below your charge.

Will my charge ever be backdated?

Your charge will normally only apply from the date we are able to carry out a financial assessment. This will normally take place before your support service begins but if there is any delay we will only charge from the date of the financial assessment.

In some circumstances your charge will be backdated. These circumstances include:

- You receive backdated payments of a benefit (for example Attendance Allowance/DLA Care Component). If this will affect your charge then any increase will also be backdated. You may therefore be asked to give us a proportion of the lump sum you receive in backdated benefit (you will still be better off by claiming).
- you are assessed as needing a reduction in your charge

and this should have applied from an earlier date. In this case the reduction will be backdated to this earlier date and you will receive a refund

What happens if I refuse to pay?

We will take legal action to get back any money you owe us, although your services will not be stopped.

Paying for Support Services

You will be sent a bill covering the four weeks care you have just received.

Your first bill could be for longer than four weeks as there could be a delay in getting your details entered onto the billing system.

You will be expected to settle your account within ten days of receiving your bill.

How do I Pay?

We would prefer for you to set up a Direct Debit. Direct Debits are a more cost effective and efficient means of payment collection. If you choose this option we will send you a Direct Debit form to complete and return to us.

If the amount to be paid or the payment date changes, Kent County Council will notify you 10 working days in advance of your account being debited.

However, you can also pay:

- Over the counter by cash or cheque at any Post Office or bank free of charge
- Via the internet

Do not send us cash through the post

If you have any other queries about methods of payments or charges please phone us on the number on your bill.

Benefits Issues

Over £1 billion of social security benefits go unclaimed every year. We want to make sure that you don't lose out. The main social security benefits, which you may be entitled to, are listed briefly below. More detailed information is available from your local care management team

Attendance Allowance is available to ill or disabled people aged 65 or over who need help or encouragement with personal care such as washing or dressing or need to be kept an eye on because of dangers to themselves or other people.

Disability Living Allowance - is available to ill or disabled people under 65 years of age who need help or encouragement with personal care or need to be kept an eye on or who have walking difficulties. It has two parts - a Care Component and a Mobility Component.

Both Attendance Allowance and Disability Living Allowance are NOT taxed or means-tested and do not depend on you having paid any National Insurance contributions .

Carers Allowance (formerly Invalid Care Allowance)- is paid to carers who look after people getting either Attendance Allowance (any rate) or Disability Living Allowance Care Component (at the middle or higher rate). Recent changes mean that carers over 65 can also claim

this benefit. In many cases carers over 60/65 will not actually receive the Carers Allowance because it cannot be paid at the same time as State Retirement Pension. However, it is still worth claiming, as this will entitle that person to extra Pension Credit (via a Carers Addition).

Incapacity Benefit - is available to people who are incapable of work. There are now two types of Incapacity Benefit. For those claiming after the age of 20 (25 in some cases) you must have paid enough National Insurance Contributions to qualify. For those under 20 (under 25 in some cases) National Insurance Contributions do not matter. Severe Disablement Allowance, also paid to people incapable of work, was abolished for new claimants in April 2001 but some people already on this benefit will still be receiving it.

Industrial Injuries Disablement Benefit - is paid to those who have suffered disablement caused by an industrial accident or prescribed disease. How much benefit you get will depend on the nature and extent of your disability.

The War Pensions Scheme - provides benefits for disablement caused or worsened by armed forces service. You can claim for any medical condition providing you can show a link to your service - it can be psychological as well as physical. Civilians physically injured during the Second World War may also be able to claim. For more information, contact the Veterans Helpline on **0800 1692277**.

Income Support - is a means-tested benefit for people not in full-time work. You must have savings of less than £16,000. Income Support can be paid to you in full if you have no income or as a "top-up" to certain other benefits or income you may be getting. If you make mortgage interest payments you may be able to get help towards this from Income Support.

Pension Credit - from 6 October 2003 this has replaced Income Support for people aged 60 and above. Unlike with Income Support there is no upper capital limit. Pension Credit has two parts.

‘Guarantee Credit - this tops up a pensioner’s income to certain minimum levels. It can include help with mortgage interest payments.

Savings Credit - this is extra money paid to reward people who have savings or additional pensions.

Housing Benefit - is a means-tested benefit for people who live in rented accommodation. Your savings must be below £16,000 (unless you receive the Guarantee part of Pension Credit) and you must be on a low income.

Council Tax Benefit - is a means-tested benefit for people who have to pay council tax. Your savings must be below £16,000 (unless you receive the Guarantee part of Pension Credit) and you must have a low income. You can claim Housing Benefit and Council Tax Benefit whether you are working or not.

Community Care Grants - are one-off payments from the Social Fund. They are for essential items for example bedding, cookers, fridges etc. They are paid to help people who are moving from a residential setting into the community or to help people remain in the community. You must be getting (or likely to get) Income Support or Pension Credit to qualify. Any savings you have over £500 (or £1,000 if you are aged 60 or over) are taken into account. You can also get help with essential travelling costs such as visiting a sick relative.

Working Tax Credit - this came into force in April 2003 and replaces Working Families Tax Credit and Disabled Persons Tax Credit. It provides a top up to the wages of low income workers. Those with dependent children and/or a disability

need to be working for 16 hours a week. Otherwise claimants need to be 25 or over and work at least 30 hours a week. Childcare costs can be taken into account in the assessment.

Child Tax Credit - this came into force in April 2003 and replaces the child elements in Income Support, Income-based Job Seekers Allowance, Working Families Tax Credit, Disabled Persons Tax Credit and the Childrens Tax Credit. It is paid to people with children whether they are in work or not.

Documents the Financial Assessment Officer may need to see

Listed below are the kinds of documents we would like you to have ready when the visiting officer arrives. Some of these may not apply to your circumstances.

Income

- A document showing your pension book or letter showing how much you receive
- A document showing your Occupational or work pension
- A document setting out your War Pension
- Recent payslips
- Proof of Payments from a Trust Fund or Annuity
- Proof of any rent you have paid
- Benefit books or details of any benefits you receive
e.g. Attendance Allowance, Disability Living Allowance, Pension Credit, Income Support, Incapacity Benefit, Child Benefit, Housing Benefit, Council Tax Benefit
- Proof of any other income

Savings and Investments

- Bank statements
- Building Society statements or books
- National Savings Bank or Post Office books
- stock and share certificates
- Premium Bonds and National Savings Certificates
- Details of endowment policies
- Evidence of Income Bonds;
- Evidence of Trust Funds
- Evidence of any other savings

Housing Costs

- Details of your Rent and/or service charges
- Details of your Council Tax
- A letter showing your mortgage payment
- A letter showing your outstanding mortgage
- Details of any other loans

In order to claim benefits to which you may be entitled, the visiting officer may need to see some additional evidence of your identity such as Passport, Marriage Certificate, Birth Certificate, Driving Licence etc.

If someone acts for you and is your legal power of attorney or receiver, the visiting officer will need to see a copy of the legal document.

**For more information contact your nearest
Kent Adult Social Services Office**

Ashford

Civic Centre
Tannery Lane
Ashford
TN23 1PL
Tel: 08458 247100
Fax: (01233) 205700

Canterbury

Brook House
Reeves Way
Whitstable CT5 3SS
Tel: 08458 247100
Fax: (01227) 762218

Dartford

St Lawrence House
48 West Hill
Dartford DA1 2HG
Tel: 08458 247100
Fax: (01322) 289343

Dover

3-4 Cambridge
Terrace
Dover CT16 1JT
Tel: 08458 247100
Fax: (01304) 242783

Gravesend

Joyes House
New Road
Gravesend DA11 0AT
Tel: 08458 247100
Fax: (01474) 320741

Maidstone

Bishops Terrace
Bishops Way
Maidstone ME14 1LA
Tel: 08458 247100
Fax: (01622) 691135

Sevenoaks

Tricon House
Old Coffee House
Yard
Sevenoaks
TN13 1AH
Tel: 08458 247100
Fax: (01732) 743275

Shepway

Queen's House
Guildhall Street,
Folkestone CT20 1DX
Tel: 08458 247100
Fax: (01303) 220751

Swale

Avenue of
Remembrance
Sittingbourne
ME10 4DD
Tel: 08458 247100
Fax: (01795) 420016

Swanley

The Willows
Hilda May Avenue
Swanley
BR8 7DT
Tel: 08458 247100
Fax: (01322) 611036

Thanet

St Peter's House
Dane Valley Road
Broadstairs CT10 3JJ
Tel: 08458 247100
Fax: (01843) 864874

Tonbridge

Croft House
East Street
Tonbridge TN9 1HP
Tel: 08458 247100
Fax: (01732) 770319

Tunbridge Wells

Montague House
9 Hanover Road
Tunbridge Wells
TN1 1EZ
Tel: 08458 247100
Fax: (01892) 549804

If you would like to comment or complain, please contact one of our Customer Care Teams

St Peter's House
Dane Valley Road
Broadstairs
CT10 3JJ
Tel: 08458 247100

17 Kings Hill Avenue
Kings Hill
West Malling
ME19 4UL
Tel: 08458 247100

If you have a query regarding your financial assessment please contact one of our Financial Assessment Teams

**St Peter's House –
(covering Thanet,
Dover, Canterbury)**

St Peter's House
Dane Valley Road
Broadstairs
CT10 3JJ
Tel: 08458 247100
Fax: (01843) 864874

**Kroner House –
(covering Ashford,
Shepway, Swale)**

Kroner House
Eurogate Business
Park
Ashford
TN24 8XU
Tel: 08458 247100
Fax: (01233) 642973

**Kings Hill –
(covering Maidstone,
Tonbridge & Malling,
Tunbridge Wells,
Gravesham,
Dartford, Sevenoaks,
Swanley)**

17 Kings Hill Avenue
Kings Hill
West Malling
ME19 4UL
Tel: 08458 247100
Fax: (01732) 525309

If you have any questions regarding the information in this booklet please contact a member of:-

**The Adult Services Policy Team
Brenchley House
123/135 Week Street
Maidstone
Kent**

Tel:- 08458 247100