

# Charges & Paying for Your Services



Cheshire and Wirral Partnership   
NHS Foundation Trust



Wirral Community  
Health and Care  
NHS Foundation Trust

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## **OVERVIEW - CARE AND SUPPORT**

If you are an adult, aged 18 or over and unable to perform some of your day-to-day tasks as a result of age, illness, disability or any significant change in your life; you may be eligible for care and support.

This guide is for people who have care and support needs, their Carers, and individuals who are planning their future care needs.

There is a variety of support available to help you remain independent as long as possible. This support may come from friends/family, the voluntary sector or arranged by Adult Social Care, if you assessed as being eligible to receive care and support from Adult Social Services you will be financially assessed to make a contribution (see pages 12 to 19 Charging and Paying for Services) .

Support might be available in your local community, and this may help prevent or delay development of more care and support needs in the future.

### **Types of social care and support may include:**

#### **A) In the home, community or day care (non-residential)**

**Domiciliary Care:** support provided to enable you to live independently in your own home.

**Assistive Technology:** a range of electronic devices to support you to live independently at home.

**Day Care:** is typically a community based facility, which can support your health, care, nutritional, social and daily living needs.

**Transport:** travel assistance maybe available in certain circumstances e.g. to attend a Day Centre subject to Wirral Borough Councils' Transport Policy

**Mobile Nights:** provides personal care visits during out of hours for those who wish to remain as independent as possible whilst remaining their home.

**Night Sitting:** this service is designed to promote confidence and independence for those who require intense support through the night at home

**Supported Living:** describes the arrangement whereby, someone who wants their own tenancy or own home; have support from a "Care and Support" provider to help them live as independently and safely as possible. They will receive support and help with any aspects required to live an ordinary life as possible.

**Extra Care Housing:** comes in many built forms, including blocks of flats, bungalow estates and retirement villages. It is a popular choice among older people because it can sometimes provide an alternative to a care home

**Extra Care Independent Living:** In Extra Care Housing Schemes, people who have been identified as having a care need (the majority of whom will meet the eligibility criteria for care services), live within their own self-contained flats. Appropriate support, including personal and social care and support provision is provided by staff employed by the care

provider, in accordance with an on-going assessment of need. This supported living care is provided with a reablement focus (where appropriate), to each individual in their own home, by promoting their independence and well-being.

**Reablement:** enables individuals to regain both the confidence and practical skills to carry out daily living activities. Reablement is for a limited period.

**Respite:** Respite care means taking a break from caring, while the person you care for is looked after by someone else. It lets you take time out to look after yourself and helps stop you becoming exhausted and run down. There are lots of respite care options. They range from getting a volunteer to sit with the person you look after for a few hours, to a short stay in a care home so you can go on holiday. The person you look after could go to a Day Care Centre or a paid Carer could visit them at their home to look after them this can support and strengthen the ability of the caregiver.

**Short Term Care:** is a temporary solution that can last anywhere from a few weeks to a few months. Care is provided to a person who incurred a sudden illness, injury, or surgery but is expected to recover.

## **B) Residential Services**

**Residential Care:** if homebased care is not appropriate for the individual, residential care may be required. Residential care refers to long-term care given to adults who stay in a residential setting rather than in their own home or family home. There are various residential care options available, depending on the needs of the individual.

**Residential EMI:** are specialist elderly mentally infirm (EMI) homes for people with dementia who are no longer able to be looked after at home. To be eligible for Residential EMI care, you must have care and support needs relating to mental health or dementia - but do not require 24 hour a day oversight by a registered nurse.

**Nursing Care:** is designed for individuals with complex conditions that need specific support. These Carers are registered nurses who are highly trained in dealing with complex clinical cases. These clinicians will oversee your case management holistically and liaise with relevant health professionals as needed. Funded Nursing Care (FNC) is funded by Wirral Clinical Commissioning Group (CCG).

**Nursing EMI:** are specialist elderly mentally infirm (EMI) homes for people with dementia who are no longer able to be looked after at home. To be eligible for Nursing EMI care, you must have care and support needs relating to mental health or dementia – and require 24 hour a day oversight by a registered nurse.

[www.thelivewelldirectory.com](http://www.thelivewelldirectory.com)

## **Assessment to determine any care and support needs**

To decide on the best support for you, you must first have an assessment.

### **What is a Care Act (2014) Assessment?**

A Care Act (2014) needs assessment is free of charge and will identify your specific needs, based on:

- your health and safety
- your ability to manage personal and daily routines
- your independence
- your wellbeing
- your ability to make your own choices (Mental Capacity Assessment)

You can complete an online assessment application yourself or on behalf of someone you know using the link below; the application can also be made by professionals such as doctors or care workers. This will allow us to determine what help you may need and complete further checks and evaluations. This could range from simple advice and information to complex support needs. This is available on-line at:

**<https://citizen.wirral.gov.uk/web/portal/pages/help/assess>**

If you do not wish to use the online application process you can contact Health and Social Care Monday to Friday 8.50am to 5pm on 0151 514 2222 (**selecting option 3**)

## **Outside of these hours**

Call the **Emergency Duty Team** on **0151 677 6557** or if the situation is very serious and you or a vulnerable adult is at immediate risk of harm, you should call the police on **999**.

Once the assessment is completed we will:

- give you information about services, advice and guidance.
- determine if you are likely to need any ongoing support
- a financial assessment will then be undertaken by Wirral Borough Council to establish if you need to contribute towards your care costs
- direct you to a more appropriate source to deal with your request, if the Council is not able to help.

## **ELIGIBILITY FOR ADULT SUPPORT SERVICES**

### **For adults with care and support needs:**

You will be eligible for help from Adult Social Care if: you have care and support needs as a result of a physical or mental impairment or illness, **and** because of those needs, you cannot achieve **two or more of the following** outcomes:

- manage and maintain your nutrition
- maintain your personal hygiene
- manage your toilet needs
- clothe yourself appropriately
- make use of your home safely
- maintain a habitable home environment
- develop and maintain relationships with your family
- get and maintain work, training, education or volunteering
- make use of important facilities or services in the local community, including public transport and recreational facilities carry out any caring responsibilities for a child.

As a result of being **unable to achieve two or more of the above**, there must be, or potentially be, a significant impact on your wellbeing. Wellbeing relates to the following areas in particular:

- personal dignity
- physical and mental health
- physical, mental and emotional wellbeing
- being protected from abuse and neglect
- having control over your day to day life
- participating in work, training and recreation
- your social and economic wellbeing
- your domestic, family and personal relationships
- suitable living accommodation
- your individual contribution to society.

### **If you qualify for our help?**

After your assessment, if we agree that you have eligible care and support needs which significantly impact on your wellbeing, you will be offered support in finding ways of meeting these needs. Some people don't know that most care and support – even if it's provided by your local authority – **is not free**. So it's worth remembering that even if you qualify for help from us, you will probably still need to pay something towards it.

### **If your needs aren't eligible?**

If, after assessment, you don't qualify for help from us, we will explain why, and give you information about what can be done to meet or reduce your needs.

## **For Carers (if you look after someone):**

If you look after someone, you can ask for a Carer's assessment. This incorporates the Carer's eligibility criteria, which has three conditions:

Your needs are caused by providing **necessary** care for an adult, and as a result:

- your physical or mental health is at risk of deteriorating
- you are unable to achieve specified outcomes, **and**
- as a consequence there is, or is likely to be, a significant impact on your wellbeing.

After your assessment is complete, we will work out if you have eligible needs.

A note on what 'necessary' care is to qualify, the criteria says that you must be providing 'necessary' care to someone. If you are providing care and support for needs which the person you look after is capable of meeting themselves, it may not be considered 'necessary' support. In such cases, we will provide information and advice to you and the person you look after (if appropriate) on how they can use their own resources or what is available in the community to meet their needs. This approach helps delay the need for care and support services for you and the person you look after.

Support might be available in your local community, and this may help prevent or delay development of more care and support needs in the future.

## **PERSONAL BUDGET**

A Personal budget enables people to exercise greater choice and take control over how your care and support needs are met. The Council will calculate how much money you will need for your care and support; you will then be allocated a personal budget and will be offered guidance with deciding on how this money is to be spent. Your personal budget will be broken down into the amount you will contribute towards your care and support following your financial assessment and the remainder of the budget that the Council will pay towards your assessed need.

Depending on the services you need you may be eligible for a Direct Payment to enable you to organise your own care arrangements or you can ask the Council to manage your budget for you. Direct payments are not intended to be less than is required to purchase care and support on the open market, however if you choose a Direct Payment and manage your own care and support; this will be subject to Council review, it must be legal, appropriate and meet the needs identified within your needs assessment.

You will also be required to undertake a financial assessment to establish if you need to contribute towards your care costs.

## **CHARGING AND PAYING FOR CARE**

If you have more than upper threshold limit in capital £23,250 either in your own right or your share of any jointly held capital, you will be charged the full cost of care. If the Council agree to commission the services on your behalf you will be charged the full cost for the amount of services being received.

For Non-Residential Services only a one off arrangement fee of £60 (2020/2021) will be charged for this service.

<b>Non-Residential Services</b>	<b>Unit</b>	<b>Charge 2019/20</b>
Assistive Technology (Fall Alarm)	N/A	£2.50
Home Care	Up to 1 hour	£16.31
Home Care	Up to 45 mins	£12.21
Home Care	Up to 1/2 hour	£8.14
Home Care	Up to 15 mins	£4.07
Day Care	One day	£50.00

<b>Non-Residential Services</b>	<b>Unit</b>	<b>Charge 2019/20</b>
Day Care	One session	£25.00
Transport	One journey	£9.90
Transport	Two journeys	£18.40
Mobile Night	Per hour	£33.80
Supported Living Night	Per night	£105.27
Supported Living	Per hour	£15.55

### How your charge is calculated for non-residential services

<b>Extra Care Housing</b>	<b>Band 1</b>	<b>Band 2</b>	<b>Band 3</b>	<b>Band 4</b>	<b>Band 5</b>
<b>Hours of support received per week</b>	Between 0 and ½ hour	Over ½ and up to 5 hours	Over 5 and up to 10 hours	Over 10 and up to 15 hours	Over 15 hours
<b>Charge per week</b>	£6.80	£34.00	£102.00	£170.00	£238.00

<b>DIRECT PAYMENTS</b>	<b>RATE</b>	
1 hour	£8.72	
Sleeping Night	PA Rate £78.48	Agency Rate £105.27

## **if you have below the capital threshold of £23,250.**

If you are, or are going to receive local authority-arranged care and support other than in a care home; you will need to retain a certain level of income to cover your living costs this is called the Minimum Income Guarantee.

This is the allowance for normal living expenses which will be included within your financial assessment.

The assessed weekly charge is based upon the following calculation:

	<b>(1) Total weekly Benefits/Income</b>
<b>Less</b>	<b>(2) Allowance for normal living expenses</b>
<b>Less</b>	<b>(3) Rent, mortgage or council tax which you are liable to pay</b>
<b>Less</b>	<b>(4) Disability Related Expenditure</b>
<b>Equals</b>	<b>(5) Calculated disposable income</b>

The assessed weekly charge is 100% of the calculated disposable income.

Disability Living Allowance mobility component is disregarded within the financial assessment.

### **Disability related expenditure**

If you are in receipt of disability related benefits and you incur costs in relation to your disability, these costs will be evaluated to see if an additional allowance can be agreed as part of the financial assessment.

You will need to advise your Financial Assessor of any additional costs you may have due to your disability to see if they can be added to your care plan.

## How your charge is calculated for respite/short term care services

If you have more than £23,250 in capital (2020/2021) either in your own right or your share of any jointly held capital, you will be charged the full cost of the placement which is the amount the Department of Adult Social Services pay . The value of your home will not be taken into account if you are a temporary

<b>RESIDENTIAL SERVICES</b>	<b>WIRRAL RATE 2020/21</b>
Residential	£484.00
Residential (EMI)	£540.00
Nursing	£524.00
Nursing (EMI)	£542.00

resident.

### Respite Care

If you have less than £23,250 in capital (2020/2021), you will be assessed to pay a weekly contribution in line with the Non-Residential charging rules. If you are already in receipt of a non-residential service such as domiciliary care, transport or day services and have been assessed to pay a weekly contribution you will continue to pay your weekly charge if you receive a respite service.

If you do not currently receive any services a financial assessment will be carried out to determine if you need to make a weekly contribution towards any respite services you may receive.

### Short Term Care

You will be charged in line with the charging rules for Residential Care. If your stay is only to be temporary (8-52

weeks) and the intention is that you will return to your own home any additional personal expenses allowance or disregards within your financial assessment will be taken into account such as ongoing independent living costs such as mortgages, rent and Council Tax, building insurance, utility costs (gas, electricity and water, including basic heating during the winter) and reasonable property maintenance costs. Sufficient allowance will be made if you have a partner living at home.

### **How your charge is calculated for residential services**

If you have more than £23,250 in capital (2020/2021) either in your own right or your share of any jointly held capital, you will be charged the full cost of the placement which is the amount the Department of Adult Social Services pay.

You are entitled to keep a weekly personal expenses allowance of **£24.90** (2020/2021) and the remainder of your benefits/income are usually taken into account as part of your financial assessment.

The following benefits/income is disregarded when assessing your charge:

- Disability Living Allowance mobility component
- Guaranteed income payments made to veterans under the Armed Forces Compensation Scheme
- Charitable and voluntary payments that are made regularly
- The first £10 of any War Disablement Pension or War Widows Pension

If you are in receipt of an occupational pension this will be taken into account as part of the financial assessment however if you have a partner/spouse remaining at home they are entitled to

claim 50% of any occupational pension.

### **Payment arrangements**

You will be sent an invoice for your charge every 4 weeks. You can pay via post office/pay point, cash/cheque, standing order, direct debit, telephone and via the internet. All payment methods are located on the reverse of each invoice.

For Deferred Payment Agreements you will be issued with two invoices every 4 weeks the first invoice will be for your weekly assessed charge which is payable immediately; the second invoice will show how much is being deferred against your property and will be payable in the future.

### **RESIDENTIAL/NURSING CARE - CHOOSING YOUR ACCOMMODATION**

Where a local authority is responsible for meeting your care and support needs and your needs have been assessed as requiring a particular type of accommodation in order to ensure that they are met. You have the right to choose between different providers of that type of accommodation provided that:

- The accommodation is suitable in relation to your assessed needs
- To do so would not cost the local authority more than the amount specified in your personal budget for accommodation of that type.
- The accommodation is available
- The provider of the accommodation is willing to enter

into a contract with the local authority to provide the care at the rate identified in the person's personal budget on the local authority's terms and conditions

### **How your charge is calculated for residential services where the property is taken into account.**

If you own a property which is not subject to a disregard your assessed charge is calculated as above but will be broken down as follows:

Weeks 1 to 12 of your long term permanent placement the value of your property is disregarded therefore you would just pay an assessed charge based on income and savings capital only as above.

4<sup>th</sup> week If you are in receipt of Attendance Allowance/Disability Living Allowance or Personal Independents Payments after 4 weeks you must have this suspended (including any premiums associated with the benefit) by the Department of Work and Pensions.

13<sup>th</sup> week - from the first day of the 13<sup>th</sup> week when the property value is taken into account you will be classed as self-funding and charged the full cost of your service and therefore you are entitled to have your Attendance Allowance/Disability Living Allowance or Personal Independents Payments reinstated.

If you make use of the deferred payment scheme you can retain a disposable income allowance of up to £144 per week from your income. You may choose to take less but the Council will not force you to.

## **Top Ups**

You may wish to choose different accommodation or enhanced accommodation which costs more than the Council have assessed as your personal budget. This enhancement may come at an additional cost and you and your family/friends may decide to pay the additional sum in order for you to have enhanced living conditions, this is called a Top Up.

Disability Living Allowance or Personal Independents Payments after 4 weeks you must have this suspended (including any premiums associated with the benefit) by the Department of Work and Pensions.

The Top Up is **NOT** for care that has been assessed as a need by the Council.

If you are able to enter into a Deferred Payment Agreement Scheme you may be able to add the cost of the top up payment to the Scheme, if the Council agrees that there is enough equity in your home. You should discuss the possibility of enhanced accommodation with your care / financial assessor.

## **DEFERRED PAYMENT AGREEMENT**

### **What is the 'Deferred Payment Agreement'?**

The Deferred Payments Scheme is designed to help you if you have been assessed as having to pay the cost of your residential care – but cannot afford to pay the full weekly charge because most of your capital is tied up in your home.

Effectively the scheme offers you a loan from Wirral Council using your home as security. It doesn't work in exactly the same way as a conventional loan – the Local Authority doesn't give

you a fixed sum of money when you join the scheme. The Council will pay an agreed part of your weekly care and support bill for as long as is necessary.

You will pay a weekly contribution towards your care that you have been assessed as being able to pay from your income and other savings. The Council pays the part of your weekly charge that you can't afford until the value of your home is realised. The part the Council pays is your 'Deferred Payment'.

If you make use of the deferred payment scheme you can choose to retain a disposable income allowance of up to £144.00 per week from your income, please be aware that if you take this option it will mean that the amount you defer will be higher. You may choose to take less but the Council will not force you to.

The deferred payment builds up as a debt – which is cleared when the money tied up in your home is released. For many people this will be done by selling their home, either immediately or later on. You can also pay the debt back from another source if you want to.

You may want to rent out your own home to generate income. If you do this, you will be given the option to use the rental income to increase the amount you pay each week, thus reducing the weekly payments made by the Council, and minimise the eventual deferred payment debt.

However, you do not have to sell your home if you don't want to – you may, for example, decide to keep your home for the rest of your life and repay the debt from your estate.

### **Costs associated with the Deferred Payment Agreement**

The Council's charges are listed below and, with the exception

Type of Charge	Value
Set up of deferred payment agreement (Admin Charges)	£250
Legal Charges	£250
Any change to the detail of a deferred payment agreement (charge for each change)	£100
Repayment of a deferred payment agreement	£200

of the interest charge, will be reviewed on 1 April each year.

The loan will have interest charged on it in the same way a normal loan would be charged on money borrowed from a bank. The maximum interest rate that will be charged is fixed by the government. Currently the maximum rate to be charged is based on the cost of government borrowing, and will change on 1st January and 1st July every year.

The interest will apply from the day you enter into the Deferred Payment Scheme. You will receive regular statements advising you how your charge is being calculated and what the outstanding sum on your deferred payment account is.

In addition to the Council's charges there will be Land Registry fees and the possibility of a fee for valuing your property, both of which may vary. The cost of the valuation will depend on the amount you want to defer and the value of the property.

### **Your agreement with Wirral Council**

If you decide to use the Deferred Payments Scheme, you enter into a legal agreement with the Council by signing an agreement document. The Council then places what is called a 'legal charge' on your property to safeguard the loan and you will be charged for this expense

The agreement covers responsibilities for you and the Council, one of which is to make sure that your home is insured and maintained; if you incur expenses in maintaining your home while you are in residential or nursing care, these will be allowed for in the amount that you are assessed as contributing each week from your capital and income.

You can end the agreement at any time (for example if you sell your home) and the loan then becomes payable immediately, otherwise the agreement ends on your death and the loan becomes payable 90 days later. The Council cannot cancel the agreement without your consent.

### **Other options**

You may choose to rent out your property, which could give you enough income to cover the full cost of your care. There are advantages to this as you will not accrue a debt, be liable for interest and administrative charges and your property will be occupied. Your tenant will be paying utilities and council tax which will reduce your outgoings, if this does not give you enough income you can still enter into a deferred payment but you will defer less against your property.

There are also various equity release products which may be suitable for your personal circumstances.

You may also choose to pay the full cost of your care from your available income and savings/assets; or a family member may choose to pay some or all of this for you.

**You should take independent financial and legal advice to help you decide which course of action will be financially better for you.**

**In order to apply for the Deferred Payment Scheme you must:**

- Have capital (excluding the property) of less than £23,250.
- Be professionally assessed as requiring and be entering permanent residential /nursing care in a registered care home;
- Own or have part legal ownership of a property, which is not benefitting from a property disregard, and ensure your property is registered with the Land Registry (if the property is not, you must arrange for it to be registered at your own expense) – your financial assessor can advise on how to do this.
- Have mental capacity to agree to a deferred payment agreement or have a legally appointed agent willing to agree this

**Whilst in the agreement, you will also need to:**

- Have a responsible person willing and able to ensure that necessary maintenance is carried out on the property to retain its value, you are liable for any such expenses;
- Insure your property at your expense;
- Pay any client contribution as agreed through the deferred payment agreement. If you fail to pay the client contribution the council reserves the right to add this debt to the loan amount.
- There can be no other beneficial interests on the property, for example outstanding mortgages or equity release schemes, unless this is approved by the Local Authority.

**PLEASE NOTE:** Acceptance of any application under the scheme is subject to you meeting the criteria for entering the scheme, and the local authority being able to obtain security in your property. Until an agreement has been completed you will be liable for any contributions due and subject to the Council's

normal debt collection processes.

## **STRUGGLING TO PAY CHARGES AND OR DEBT**

If you are struggling to pay your assessed charge i.e. there is a change in your financial circumstances contact the Personal Finance Unit on 0151 666 5222 who will try to assist you or if you have accrued a debt you can contact the Collections and Recovery Team on 0151 666 3228 to discuss your options on repayment of the debt; you may ask you to complete an Income and Expenditure Form and based on the information provided will advise you of what you can afford to pay based on your income and outgoings.

## **NEED HELP MANAGING YOUR AFFAIRS**

Depending on the level of help you require and your capacity to make decisions; there are number of options available:

**Authority to Discuss:** you must have capacity to make your own decisions if you wish to nominate someone you know to act on your behalf with regards to discussing your records. This could be your bank, department of work pension or even the local authority however you will need to contact each organisation to arrange this.

**Department of Work and Pensions Appointee:** a relative or friend can apply for the right to deal with your benefits if you can't manage your own affairs because you are mentally incapable or severely disabled.

There are two types of Lasting Power of Attorney:

- **Health and Welfare**
- **Property and Financial Affairs**

**Lasting Power of Attorney:** you can give permission for a friend/family member or solicitor to apply for Power of Attorney from the Office of Public Guardian to officially act on your behalf if you lose capacity to make your own decisions. **For full details visit:** [www.gov.uk/power-of-attorney](http://www.gov.uk/power-of-attorney)

**Court of Protection:** if you lose capacity to make decisions and there is no Power of Attorney in place then either a family member/solicitor can apply for Court of Protection; if no one can be identified to apply for Court of Protection then Wirral Borough Council's Financial Protection Team may make an application for Court of Protection to deal with your affairs. **For full details visit:** [www.gov.uk/courts-tribunals/court-of-protection](http://www.gov.uk/courts-tribunals/court-of-protection)

## **COMPLAINTS**

The Department Adult Social Services makes sure that the social care needs of people in Wirral are met - providing support in a fair and efficient way.

When problems occur, it's important that we're told about them. It gives us the opportunity to put it right and to make sure that our systems are improved.

If you wish to make a confidential complaint or compliment:

Email [dasscomplaints@wirral.gov.uk](mailto:dasscomplaints@wirral.gov.uk) or 0151 666 4810

If you are not satisfied with the outcome of the investigation, you can take your complaint to the Local Government Ombudsman <https://www.lgo.org.uk/>

Find out more about our complaints procedure: