



SOCIAL SERVICES

Charging for Adult Social Services

*This information may also be provided, by request, in other languages, in large print, CD, or simplified version. Please contact the Innovation and Information Team on tel: **01446 704814** to make arrangements. Email socialcareinfo@valeofglamorgan.gov.uk*

The Welsh Government enables social services departments to raise income to help pay for the care and support services they provide.

The Social Services and Well-being (Wales) Act 2014 sets out the charging rules, which means that the Council may ask you to pay a contribution towards the cost of care and support services you receive from the Council.

The rules around paying for social care can sometimes appear complicated; this leaflet is intended to help you understand the rules but it does not cover every situation, so you are advised to discuss your options with your social worker or your Financial Assessment Officer.

It is recommended that you should seek independent advice if you have any concerns about your Financial Assessment.

What services do I have to pay for?

You may have to pay a contribution towards the cost of the following:

- Domiciliary (Home care) Services
- Day care services
- Supported living
- Direct payments
- Telecare and TeleV+
- Residential and Nursing Care Home – permanent placements
- Residential and Nursing Care Home - short stay placements (Up to 8 weeks in a year)
- Residential and Nursing Care Home - temporary placements (Up to 52 weeks)

Some people are exempt from charges irrespective of income: -

- People under 18 years of age
- People living with Creutzfeldt Jakob Disease (CJD)
- People provided with after care services under Section 117 of the Mental Health Act 1983
- People receiving NHS Continuing Healthcare funding

How is it decided if I have to pay a contribution to the cost of my service?

If you receive a service we charge for, the Council will need to ask you about your weekly income and savings. This is called a 'Financial Assessment'.

Following the assessment with your social worker, we will send you a financial assessment form for **you to complete and return to the Council within 15 working days**.

If you prefer, you can make an appointment for a Financial Assessment Officer to help you, and/or anyone who acts as your financial representative (Attorney or Deputy for Property and Financial Affairs), to complete the form with you.

We would expect you to be available for an appointment within 15 working days from initial contact from the Financial Assessment Team.

If you would like a visit, please do not hesitate to contact the Financial Assessment Team on **(01446) 700111** between 9am and 5pm (Monday-Friday) or in writing to:

Financial Assessment Officers
Community Care Finance,
Adult Social Services, Vale of Glamorgan Council,
Dock Office,
Subway Road,
Barry CF63 4RT.

You are able to request an extension to these timescales with agreement from the Council. As part of the financial assessment, you will be offered a benefits check, advice and practical support to apply for benefits you might be entitled to claim.

Should the Council not receive a fully completed Financial Assessment form within the above mentioned timescales, you will be charged up to the agreed maximum charge per week from the start of your service.

How much will I have to contribute to the cost of the service?

The amount you will have to pay towards your care costs will depend on your income and savings. The exact amount of your charge will be confirmed in writing to you within **5 working days** of the completion of your Financial Assessment and how your charge is calculated will be explained to you in writing in a 'Charging Statement'.

You will also be given written confirmation of:

- The date of the first payment of your charge
- Initial payment schedule
- Payment methods
- Requesting a review, if you think the amount of your charge is wrong

What will Social Services need to know?

- **Your income** - this could be earnings, state retirement pension, private pension, social security benefits. Not all your income is taken into account in the working out your charge eg earnings, Housing Benefit, Council Tax Benefit and some payments of Disability Allowance or Personal Independence Payment.
- **Your outgoings** - these are things such as your rent (after housing benefit), your mortgage (after any Income Support/Pension Credit help) and Council Tax (after Council Tax Benefit).

- **Your Savings and capital** – The capital limits are currently over £24,000 for care at home and for respite care in a care home and £50,000 for residential care (excluding respite) (21/22).

What if I don't want to tell you about my financial circumstances?

You don't have to tell us if you prefer not to do so. The Council will then charge you the subsidised cost of the services you receive up to the agreed maximum charge per week for non residential care and support and the full cost of your placement in a care home.

If you have transferred the ownership of your home or other assets (eg shares or cash) to someone else, the value of the property and assets may still be counted as your savings/capital. The Council will investigate any transfers of assets to a third party on a case by case basis. In such circumstances, the Council may refuse to fund your care costs and it also has the legal power to recover the asset from the person to whom you gave the asset.

Charges for Respite Care (up to 8 weeks)

Welsh Government Guidance states that respite care (for up to 8 weeks in a care home, as set out in your Care and Support Plan) will be included as a non-residential service. It will be subject to the current maximum charge for non-residential services which for 2021/22 is **£100 per week**.

Respite charges are calculated from Monday to Sunday for full and part weeks of respite. Respite for a period of longer than 8 weeks will be charged in the same way as for a permanent placement in a care home.

Charges for Residential and Nursing Care

If you have savings and/or capital more than £50,000, you will have to pay the standard charge for the Care Home you choose. You will not receive financial assistance from Vale of Glamorgan Council.

Once we have assessed your savings/capital as being below £50,000, we look at your income, including your pensions and any benefits, less the Personal Allowance, which is the amount of money the government says you will need when living in a care home.

- We do not count your spouse/partner's pensions and benefits or their savings.
- We do not count any Mobility Component of Disability Living Allowance or Personal Independence Payment.
- We do not count the first £33.00 of your weekly income as this is the Personal Allowance amount.
- We do not count the first £5.75 of any Savings Credit you may receive each week.

During the first 12 weeks, the Council will complete a financial assessment based on your income and capital only, not including the value of any property you live in as your only, or main home. This is called the '12 week disregard', when the value of your property is not included in the calculation of your charge. You will still be expected to pay your assessed contribution to the care home from your weekly income.

If you live alone in your own home, from the 13th week onwards, you will be considered to be a 'self-funding' resident. You will be asked to pay back to the Council the amount it has paid towards your care home placement; we will explain to you how this works and how it has been calculated.

If your spouse or partner continues to live on a permanent basis in your home after you move into a care home, the value of your property will not be included in our calculations. However, if you own a second home and/or land, the value of this land/property will take into account as capital from the first week of your permanent stay in the care home.

If someone else other than your spouse or partner will continue to reside in your home when you move into a care home, the value of this property may well (with certain exemptions) be included in your financial assessment. You should discuss this with a Financial Assessment Officer.

The Council may agree to enter into a Deferred Payment Agreement. This means you would not have to immediately sell your property to fund your care home costs. Instead you can "defer" the sale of the property to a later date. The Council will, by means of a legal charge over your property, recover the amount it has paid for your care. The legal charge is removed once the Council has received payment of the outstanding debt in full. We will give you more information about Deferred Payment Agreements, as required.

You are advised to seek legal and financial advice before entering into a Deferred Payment Agreement.

Charges for Non-residential Care & Support

The charge you will be required to pay for non-residential care and support will be based on your weekly income, the amount of savings and capital you have and the number of care hours you receive each week. This will be up to a maximum charge of £100 per week in the year 2021/2022.

Appointing someone to act for you

The Council will assume that you have the capacity to manage your own finances, unless it has been identified that you do not have the mental capacity to do so. Where you manage your own financial affairs, an invoice for the charges will be sent to your home address. The Council will provide a copy correspondence to a third party who has authority to manage your finances as long as you have provided us with the relevant written authority.

If someone is acting on your behalf, it is important that they are doing so formally, for example as an Appointee for your state benefits, Lasting Power of Attorney or Deputy under the Court of Protection. Only in these cases, will the Council contact your representative for information about your finances and then if they take responsibility to make payments, the Council will invoice them directly for the assessed charge.

How do I make payments?

Every 4 weeks the Council will send you an invoice, which are sent out in arrears. There are a range of methods for paying your invoices. Details of these methods are included on the back of the bill sent out each month and include the following payment options:

- Direct debit
- Cheque

- At any bank
- At any post office (using council swipe card)
- By debit / credit card
- Via council cash desks

What if I don't agree with the contribution I have to make?

You may request a review of your financial assessment where you believe an inappropriate decision has been made, either in the level of the charge, or in relation to the information upon which the decision to impose a charge was made. You are entitled to provide additional information for inclusion in your financial assessment, for example, if you have additional expenditure because of your illness or disability which may lead to you paying a lesser charge for your care. Any additional information is considered by the Council's Review Panel, headed by the Head of Service, to consider your request for a review.

A review form is available on request by contacting the Financial Assessment Team on **(01446) 700111** between 9am and 5pm (Monday-Friday) or in writing to Financial Assessment Team, Social Services, Vale of Glamorgan Council, Dock Office, Subway Road, Barry, CF63 4RT.

If you are unhappy with the Review Panel's decision you will be able to make a formal complaint about this to the Council in accordance with the Council's Social Services complaints procedure.

What if my financial circumstances change?

Should your financial circumstance changes, you must advise the Financial Assessment Team as soon as possible, as this may affect your assessed charge – if you are unsure, please let us know and we will be happy to advise you.

Changes which you should tell us about include: -

- Receipt of a new benefit
- Changes in capital
- Changes to income or allowable expenditure

Keeping the Council up to date with any changes will ensure you are being charged fairly and correctly.

What happens if I don't pay?

If you do not pay your charges, the Council will take all reasonable steps to find out the reasons why this has happened. Only when it is clear that your debt has occurred because of your deliberate non-payment of your care charges will action to recover the debt from you be considered, in line with the requirements of the Social Services and Wellbeing (Wales) Act 2014.

Where can I get independent financial advice?

We are aware that planning for your future care and support needs can be complicated and funding can be expensive. Taking professional advice may be helpful in enabling you (and your family) to identify the most suitable and cost effective solution.

There are a large number of organisations that will provide free general advice about the funding of care and support. These are a good place to start if you are looking for information and want to see what sort of options are available.

The Money Advice Service Tel No 0800 138 7777

<https://www.moneyadviceservice.org.uk/>

Age Cymru Tel No – Advice Line 08000 223 444

<http://www.ageuk.org.uk/cymru/>

Citizens Advice Tel no Helpline 034554 04 05 06 <https://www.citizensadvice.org.uk/wales/>

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