

Charging for Domiciliary CARE

**KENT COUNTY COUNCIL'S
POLICY**



April 2005

Name of Care Manager:

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Telephone Number of Care Manager:

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Name of Agency Providing Care:

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Where Can I get Help and Advice?

Start by contacting your local Social Services Office, or make an appointment to see us. You will find telephone numbers and addresses in this leaflet.

Staff are there to help; they will be able to tell you about the various organisations that can help you, including ourselves.

If you need more than just advice, a care manager who works for Kent Social Services will arrange to see you. The care manager will discuss your needs and wishes so they can work out what is right for you. This process is called care assessment. Where you also have health needs, this will be a joint assessment with a nurse or doctor.

Care managers are trained to help people who need care and support. They assess, advise and arrange for your care needs to be met.

They will discuss with you the services that you need. This may be to help you stay in your own home or it may be to help you choose a suitable residential or nursing home.

They may also help to arrange a short break away from your own home.

Care managers, with your agreement, can deal directly with other people on your behalf, for example your doctor, in order to provide you with the services you need.

Staying In My Own Home...

Kent Social Services is keen to help people stay in their own homes and remain as active and independent as possible.

If you meet our eligibility criteria we can provide various types of help, including:

- Personal care, eg help with washing, dressing, getting in and out of bed
- Day support, eg activities in day centres
- Meals, eg Meals-on-Wheels
- Special equipment, eg raised toilet seat, non-slip place mats
- Adaptations to your home, eg grab rails
- Assistive Technology, eg flood and temperature detectors

Please note that the above list is not exhaustive. You can find further details in the booklet “Community Care Services for Adults” (February 2004), which can also be found on KCC’s public website: www.kent.gov.uk

You may have to pay for the services you receive.

The rest of this booklet deals with how your charge for personal care in your home (“domiciliary care”) is calculated.

Charges for Personal Care in your own home

The Health and Social Services and Social Security Adjudication Act 1993 gives Local Authorities the discretionary power to charge for domiciliary services (i.e. services provided in your own home).

Kent County Council Social Services Directorate make a charge for most of the services they provide. Social Services need contributions from service users towards the cost of services, so that we can continue to help as many people as possible with the money that is available to us.

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.

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

The Charging System

Personal Care Charge

Your Community Care Assessment, will show what type and amount of care you need to help you live in your own home.

You will be told how much, if anything, you will have to contribute toward the cost of your care.

You will be asked about your weekly income, including pensions, earnings and benefits.

We will also need to know about your savings and investments.

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

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

We will ignore your savings or investments if they are less than £12,500.

If you have savings or investments between £12,500 and £20,500 we will take into account an assumed income of £1 for every £500.

If you have more than £20,500 in savings or investments you will be expected to pay for the full cost of your care. However, we can provide advice to help you make arrangements to purchase your care privately.

Disregarded Income

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

- Earned Income and paid expenses at 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
- Training Payments
- War Widows Pensions and War Widows Special
Payments War Disabled
Pensions (except CAA & ESDA elements)

There is up to a £20 disregard on:

How does KCC work out the charge?

STEP 1

The cost of the care package that you have been assessed as needing will be worked out using average figures for the whole of Kent. Meals and day care will not be included in this calculation and will be charged for separately.

STEP 2

We will calculate your charge band, using the information you have provided about your income and capital.

STEP 3

Using the criteria on the next page, we will use the cost of your services and your charge band to work out your charge.

Protected Income Level Check

The **maximum** you can be charged in band 2 is **£20.50**. This means that £20.05 will be disregarded from your Attendance Allowance, (lower rate)/DLA care, (middle rate) OR £40.10 if you are on the higher rate of either benefit. This is in recognition of extra expenditure you may have because of your disability. The maximum in band 3 is half the cost of your care package.

However, these charges will be **reduced** if they would leave you with less than the Protected Income Level (PIL), i.e., basic Income Support/Pension Credit plus 25%.

Disability-related expenditure

If you would like a more detailed individual assessment based on your income and disability-related expenditure, please ask your Care Manager about this. 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 for items specified in your care plan.

BAND 1	BAND 2	BAND 3	BAND 4
Capital Less than £12,500 AND	Capital Less than £12,500 AND	Capital between £12,500 and £20,500	Capital £20,500 or more
Income less than £156 per week AND	Income £156 or more per week OR	Half the cost of your care package subject to the PIL test	Full cost of your care package
No Attendance Allowance or Disability Living* Allowance Care (middle or higher)	Income Less than £156 per week but in receipt of AA or DLA Care (middle or higher rate)		Weekly charge
Nil	£20.50 or half cost of care package whichever is the lesser amount, subject to the PIL test	= £	= £
			Daily charge
			= £
			= £

* or equivalent, i.e. Constant Attendance Allowance, Exceptionally Severe Disablement Allowance.

Direct Payments

If you have been assessed as needing a community care service or you are currently receiving support from social services, you can receive cash in lieu of services. This cash alternative is known as a Direct Payment and is for you to use to purchase and manage your own support package.

Direct Payments provides greater flexibility and allows you to choose who provides the support and how and when the support is delivered. This gives you complete choice and control over your life.

Direct Payments can be used to employ your own staff or to purchase support through an agency. You are in complete control!

To find out more contact the Direct Payment Support Line on: 01622 694640

Benefit Issues

Over £1bn 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 people over 65 can also claim this benefit. In many cases people 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.

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 are not relevant. 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 £8,000. Income Support can be paid to you in full if you have no income or as a "top-up" to certain other benefits 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 over 60. 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 are liable 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 e.g bedding, cookers, refrigerators etc. They are paid to help people who are moving out of care into the community or 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. Child care 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 Seeker's Allowance, Working Families Tax Credit, Disabled Person's Tax Credit and the Children's Tax Credit. It is paid to people with children whether they are in work or not.

Important Questions

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

No, only your income and capital will be taken into account.

What happens if I do not receive all of the services I am supposed to have?

People who are charged in bands 2 and 3 will be contributing an assessed weekly amount that does not reflect the true cost of their care (i.e. it is much less). Therefore their charge will only alter if they do not receive more than half of their care in any one week. However, people in band 4 will have their charge altered daily as they are paying the full cost of their care package.

Will I have to pay when I am in hospital?

No, you will not have to pay for any full weeks you spend in hospital. However, if you are in bands 2 and 3 and you receive more than half of your week's care before a hospital admission you will be charged for that full week. People in band 4 will have their charge altered daily.

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.

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

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

What happens if I decline to discuss my financial situation with Social Services?

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

What happens to the information that I give to Kent County Council?

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 of 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.

Will my charge ever be backdated?

In some circumstances your charge will be backdated to an earlier date. These circumstances include:

- when your service from us started before we were able to financially assess you. For example, you started receiving a service on 1 February but we only visited you to assess your charge on 8 February. In this situation your charge will be backdated to 1 February.
- you receive backdated payments of a benefit (eg. Attendance Allowance/DLA Care Component). If this will affect your charge then any decrease will also be backdated. You may therefore be asked to give us a proportion of the lump sum you receive in backdated benefit.
- 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, though your services will not be stopped.

Which method should I use to pay?

We would prefer you to use DIRECT DEBIT as this is the cheapest method for us to process and it also means you are less likely to fall into arrears.

Paying for your Care

You will be sent an invoice covering the four weeks care you have just received.

Your initial invoice may reflect a longer period than four weeks, as there could be a delay in getting your details entered onto the invoicing system.

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

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. We would never alter your Direct Debit contribution without your consent.

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 levied, please refer to the contact number on your invoice.

For more Information Contact your nearest Social Services Office:

Ashford

Civic Centre
Trannery Lane
Ashford TN23 1PL
Tel: 0845 3302967
Fax: (01233) 205700

Canterbury

70 Stour Street
Canterbury
CT1 2NW
Tel: (01227) 451741
Fax: (01227) 762218

Dartford

St Lawrence House
48 West Hill
DA1 2HG
Tel: (01322) 277744
Fax: (01322) 289343

Dover

3-4 Cambridge Terrace
Dover CT16 1JT
Tel: (01304) 204915
Fax: (01304) 242782

Gravesham

Joynes House
New Road
DA11 0AT
Tel: (01474) 328664
Fax: (01474) 320741

Maidstone

Bishops Terrace
Bishops Way
ME14 1LA
Tel: (01622) 691640
Fax: (01622) 691135

Sevenoaks

Tricon House
Old Coffee, House Yard
Sevenoaks TN13 1AH
Tel: (01732) 585320
Fax: (01732) 743275

Shepway

Queen's House
Guildhall Street, Folkestone
CT20 1DU
Tel: (01303) 253476
Fax: (01303) 220751

Swale

Avenue of Remembrance
Sittingbourne
ME10 4DD
Tel: (01795) 473333
Fax: (01795) 420016

Swanley

The Willows
Hilda May Avenue
Swanley BR8 7BT
Tel: (01322) 611000
Fax: (01322) 611036

Thanet

St Peter's House
Dane Valley Road
Broadstairs CT10 3JJ
Tel: (01843) 860000
Fax: (01843) 864874

Tonbridge

Croft House
East Street
TN9 1HP
Tel: (01732) 362442
Fax: (01732) 770319

Tunbridge Wells

Montague House
9 Hanover Road TN1 1EZ
Tel: (01892) 515045
Fax: (01892) 549804

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

East Kent

St Peter's House
Dane Valley Road
Broadstairs
CT10 3JJ
Tel: (01843) 860000
Fax: (01843) 864874

West Kent

17 Kings Hill Avenue
Kings Hill
West Malling
ME19 4UL
Tel: (01732) 525000
Fax: (01732) 525309

Mid Kent

Kroner House
Eurogate Business Park
Ashford
TN24 8XU
Tel: (01233) 639677
Fax: (01233) 642973