

Charging for care provided at home (domiciliary care)

Information for the public
Valid from 12th April 2010 until April 2011



Your contacts at Kent Adult Social Services

Case Manager:	
Telephone No:	
Email Address:	
Office Address:	

Finance and Benefits Officer:	
Telephone No:	
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Office Address:	

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1. Introduction

This booklet contains information about how Kent Adult Social Services works out charges for care provided in someone's home and the options for organising your support. Care in the home is also known as domiciliary care and includes services such as bathing, helping someone get dressed or preparing a meal.

2. Receiving support from Kent Adult Social Services

Before we can provide support to someone, we must first establish what their needs are. This is done by completing a Community Care Assessment.

You have the right to a Community Care Assessment regardless of your financial circumstances. During the assessment process you will have an opportunity to discuss the needs you have and how you would like to meet them in order that you can maintain an independent lifestyle.

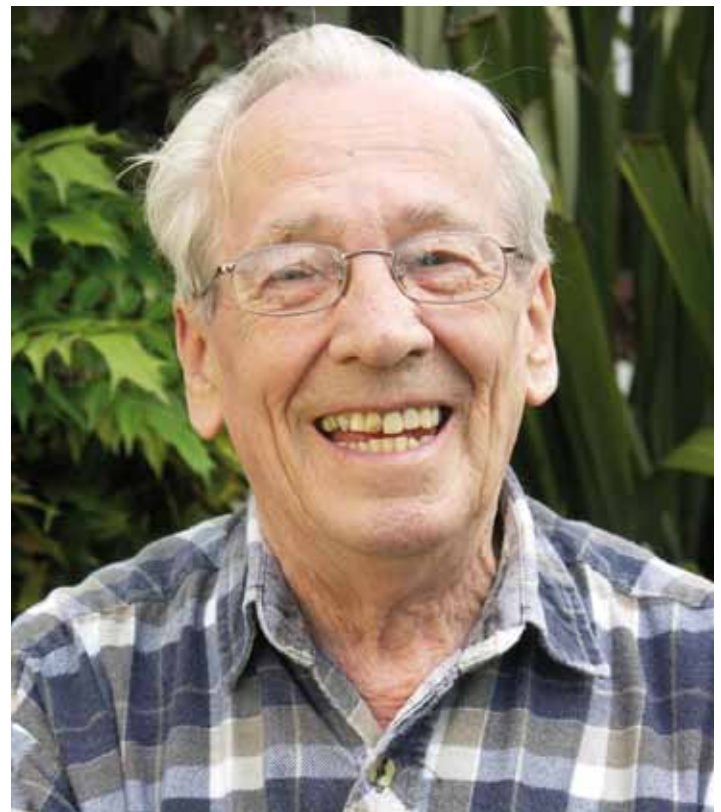
Once we have assessed your needs we will tell you if you are eligible for community care services and support from Kent Adult Social Services. If you have been assessed as eligible for community care services and would like our involvement in getting care and support, you need to be financially assessed. A Financial Assessment is an assessment of your ability to pay towards the cost of your care and support.

We make a charge for most of the services we provide. We spend around £30 million per year providing domiciliary care services to approximately 8000 residents of Kent. In order to continue to

help as many people as possible live safe, independent lives in their homes, we need users to pay towards the cost of providing their support.

We may be able to contribute to the cost of support provided following your assessment, but this depends on your financial circumstances. Everyone who is eligible for ongoing support from us will be given a Personal Budget. This is a statement of what we think your support should cost so you can decide how you want this money spent. Further information about personal budgets and organising your support can be found in section 9 of this booklet.

There is no charge for an assessment of your needs or any advice you receive from us. Any charges we make for services are made to the service user, not the carer or relatives.



3. Financial Assessment

The financial assessment is carried out by one of our Finance and Benefit Officers who will arrange a time to meet with you. They have been trained to carry out these assessments and to also advise on your entitlement to various benefits.

It usually takes place in your home. It can be carried out in another place, for example in one of our offices or in a Gateway, if you would prefer.

We work out your contribution by looking at your weekly income, including pensions and benefits such as Attendance Allowance and Disability Living Allowance – Care Component.

The value of the home in which you normally reside is not used when calculating your charge.

Under our charging policy, people who have savings or investments of more than £23,250 will pay the full cost of their care and support.

When deciding whether your savings and investments exceed £23,250 certain things are disregarded including the value of your home. We cannot list all the things that are disregarded here but this will be discussed in detail during your financial assessment. If you would like advice on this beforehand please contact one of the Financial Assessment Teams mentioned on page 19.

If you have savings under £23,250 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 two.

If you have savings or investments between £14,250 and £23,250 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 £15,750, we will assume a weekly income of £3; if you have savings of £16,400 we will assume of weekly income of £5.

If you have savings of less than £14,250 we do not take these into account when working out your contribution.

4. Failure to apply for benefits

If it appears that you are entitled to a means-tested benefit, such as Income Support or Pension Credit, we will expect you to apply for this. Your Finance and Benefits Officer can help with this.

If you fail to do so when we work out your income and any contribution you should make, we will assume you have this income and take it into account.

This does not apply to benefits such as Attendance Allowance and Disability Living Allowance as there is never any guarantee these will be awarded.

5. 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
- War Widows Pensions and War Widows Special Payments
- War Disabled Pensions (except Constant Attendance Allowance and Exceptionally Severe Disablement Allowance elements).

6. Working out your contribution

STEP 1

We will work out the value of the Personal Budget that you require.

STEP 2

We will calculate how much capital you have e.g. savings, investments, etc. If you have over £23,250 you will be expected to pay the full cost of your care and 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% (this is called a protected income level)
- Certain housing costs e.g. rent/mortgage/council tax
- A standard amount of £21 per week for Disability Related Expenditure (see page 11 for more details).

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

STEP 5

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

- 85% of your available income
- **or**
- the value of your Personal Budget.

If you have opted to receive some or all of your Personal Budget as a Direct Payment we will deduct your assessed contribution from the amount we will pay you.

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 contribution taking into account the financial circumstances of both you and your partner. We will then compare this to the contribution worked out based solely on your own income and charge you whichever is the lowest amount.



Examples of how we work out the charge for Home Care Services

Example One



Client Name: Mr A

Mr A is a 70 year old retired engineer who is severely disabled following a spinal injury. He needs visits from two carers every morning and evening. His Personal Budget is £383.56 per week and Mr A is assessed as contributing £55 per week towards it.

This is how we calculated Mr A's contribution

Capital and/or savings

Savings £17,000.00

Weekly Benefits and other income

Income from savings (tariff income)*	£6.00
DLA Care Component (Middle)	£47.80
Occupational Pension	£100.00
Retirement Pension	£97.65
Savings Credit	£10.36
TOTAL INCOME	£261.81

Weekly allowances to be deducted from Mr A's Benefits and other income

Disability Related Expenditure	£21.00
Protected Income level	£165.75
Savings Credit Disregard	£10.36
TOTAL ALLOWANCES	£197.11

Net disposable Income (Income minus Allowances)	£64.70
85% of above net disposable income	£55.00
MR A'S CONTRIBUTION	£55.00

The actual weekly amount of the Personal Budget	£383.56
The amount Kent Adult Social Services will contribute each week	£328.56
The amount Mr A will contribute each week	£55.00

* We assume an income of £1 per week for every £500 (or part of £500) in Capital and/or savings between £14,250 and £23,250.

Example Two



Client Name: Mrs B

Mrs B is 88 years old. She is often forgetful and confused. She has a carer visit every morning and two evenings a week. Her daughter goes in to help her for the remaining five evenings. Her Personal Budget is £103.52 per week and Mrs B is assessed as contributing £40.21 per week towards it.

This is how we calculated Mrs B's contribution

Capital and/or savings

Savings £3,684.57

Weekly Benefits and other income

Income from savings*	£0.00
Attendance allowance (Lower)	£47.80
Retirement Pension	£58.50
Guarantee Credit	£127.75

TOTAL INCOME **£234.05**

Weekly Allowances to be deducted from Mrs B's Benefits and other income

Disability Related Expenditure	£21.00
Protected Income level	£165.75

TOTAL ALLOWANCES **£186.75**

Net disposable Income (Income minus Allowances) £47.30

85% of above net disposable income £40.21

MRS B'S CONTRIBUTION **£40.21**

The actual weekly amount of the Personal Budget	£103.52
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The amount Kent Adult Social Services will contribute each week	£63.31
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The amount Mrs B will contribute each week	£40.21
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* We assume an income of £1 per week for every £500 (or part of £500) in Capital and/or savings between £14,250 and £23,250.

7. Documents the Finance and Benefit Officer may need to see

Listed below are the sorts of documents we would like you to have ready when the Finance and Benefits Officer arrives. Some of these may not apply to your circumstances.

Income

- A document showing how much state pension you receive
- A document showing your occupational or work pension
- A document showing your War Pension
- Recent payslips
- Proof of payments from a Trust Fund or Annuity
- 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.

Please note that some of the above income, savings and investments may be disregarded, but we will still need to know about them to make a decision on this.

Housing Costs

- Details of your rent and/or service charges
- Details of your Council Tax
- A document confirming the interest payable on your mortgage
- 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 enduring power of attorney, lasting power of attorney or appointee the Finance and Benefits Officer will need to see proof of this including a copy of the legal document where applicable.

8. Disability Related Expenditure

Disability Related Expenditure is **additional expenditure**:

- incurred as a **direct result** of a person's disability or illness
- **over and above** what a non-disabled person of the same age would spend
- incurred as a direct result of activity **identified in the Support Plan** to achieve a particular outcome.

Councils are required by Department of Health guidance to assess disability related expenditure specifically for all users whose disability related benefits are taken into account as income.

Disability benefits for the above purpose are:

- Attendance Allowance
- Disability Living Allowance Care Component (middle or higher rates only)
- Constant Attendance Allowance
- Exceptionally Severe Disablement Allowance.

A person with less than £23,250 in assets is already allowed a standard disability related disregard of £21 per week.

If a person, who is on a disability benefit, believes they have Disability Related Expenditure of more than £21 per week they can request an individual assessment. If the figure arrived at is higher than the £21 standard disregard, then this figure is used. If lower, the £21 standard figure is used.

The individual assessment is done by carrying out a more detailed Disability Related Expenditure Assessment.

Any additional need, which may incur additional expenditure, will be identified in the person's Support Plan. No reasonable additional disability related expenditure would be denied if doing so would put a person at risk as described in The Guidance on Eligibility Criteria for Adult Social Care, England 2010.

When a person asks for an individual Disability Related Expenditure Assessment, they will need to provide comprehensive information and documentation to evidence their additional expenditure. It is important to note that unless the assessment results in a figure higher than the standard £21 disregard, their contribution will **not** be reduced.

8.1. Items that may be taken into account

The items listed below are to be used as a guide to help the practitioner to complete a Disability Related Expenditure Assessment. This list is not exhaustive and there may be other items not on the list.

Housing

- Heating
- Window cleaning
- Pay for odd-jobs (e.g. changing light-bulbs, changing fuses, etc.)
- Ongoing property maintenance (e.g. guttering, fencing, etc).

Domestic

- Maintenance contracts
- Extra electricity costs (e.g. charging hoists, wheelchairs, etc.)
- Laundry costs (extra powder)
- Domestic chores (changing bed, etc.)
- Cleaning
- Food preparation and feeding as noted in the support plan
- Feeding pets
- Reasonable costs of basic garden maintenance.

Health and Well-being

- Community alarm
- Foot care
- Optician costs and glasses
- Privately arranged care
- Private domestic help.



Disability Equipment

- Wheelchair purchase - if a second powerchair is needed. The cost is spread over 10 years
- Wheelchair insurance x 2
- Annual wheelchair service for one wheelchair
- Specialist bed - the cost spread over 10 years.

Mobility

- Car insurance
- Car maintenance
- Petrol
- Paying a driver
- Saving for a deposit on a Motability Vehicle (not all vehicles are deposit free)
- Wheelchair
- Extra transport costs in addition to DLA (e.g. taxis if you don't drive).

Personal

- Additional costs of extra dietary needs due to disability or illness
- Specialist clothing or footwear or additional wear and tear caused by disability
- Additional costs of bedding (e.g. due to incontinence)
- Dealing with mail/correspondence
- Shopping for clothing, etc
- Guide communicator (for a blind person)
- Computer (for keeping Direct Payment records, online food shopping, etc.)

Other expenditure which is not met in other ways

- Communication
- Sign language interpreter
- Voice recognition software for computer (for dealing with correspondence e.g. using email).

Heating Costs

The difference between standard cost and the actual cost incurred as a result of disability is the amount which is allowed for Disability Related Expenditure. For example if the standard cost of heating is £927 and an individual can evidence £1050, the disability related amount is £123.

2010/11 Figures*

Single person - flat/terrace	£927
Couple – flat/terrace	£1221
Single person – semi detached	£984
Couples – semi detached	£1296
Single – detached	£1197
Couples – detached	£1577

* Source: National Association of Financial Assessment Officers. Annual inflationary update based on RPI fuel index increase.

9. Organising your support

9.1 Personal budgets

Everyone who is eligible for ongoing support from us will be given a personal budget. A personal budget is a statement of how much we think it should cost to meet the support needs identified during your community care assessment. Initially this figure will be an estimate and is called your estimated personal budget.

We tell you how much we think your support will cost so you can decide how you want this money spent. It gives you choice and control over your support. Your financial assessment will tell us how much you can afford to contribute to your personal budget. If we need to contribute towards the cost of your support you may want to take our contribution and organise your support yourself, or you may want us to arrange and manage your support. How much involvement you want in your support is up to you – it's your choice.

If we contribute towards the cost of your support you can take this money as a Direct Payment. A Direct Payment is a cash alternative to having services or support provided for you by us following your community care assessment. We can give you the equivalent money we would spend on your support and you can use it to make your own support arrangements enabling greater freedom, flexibility, choice and control over your life.

You may not want to be this involved in your own support and instead may want us to arrange and pay for your support. If you choose this option and you are assessed as being able to contribute towards the cost of your support, we will invoice you for your contribution.

9.2 Receiving your personal budget as a direct payment

If you would like to arrange and manage some or all of your support yourself, and we contribute to the cost of your support, you can receive our contribution in a number of ways:

- You can have the money transferred to a bank account set up specifically to receive your direct payment.
- We can regularly transfer the money onto your Kent Card. This is like a regular VISA debit card that you can use to pay for support or services. It is not a credit card so you cannot get into debt using the card.
- There may be other suitable organisations or people who can receive and manage the money for you and we can discuss this with you.

If you choose to receive your personal budget as a Direct Payment and would like assistance to plan how this money is spent and ensure you get the correct support, we can help you with this. We can also put you in contact with other organisations that can give you assistance.

9.3 Support planning

We will discuss with you the support you need and how you want to receive this support. This will be documented in your support plan. Your support plan describes what you want to change or improve about your life and how you will use your personal budget to make these changes happen. It sets out the support you want, the cost of this support and how it will be managed. If you need assistance to

put together your support plan, friends or family could help you, we can help you or we can put you in contact with suitable organisations that can support you to do this.

Once your support plan is complete we will know the actual cost of your support – this is called your Actual Personal Budget. This might be made up of a financial contribution from you and for some people, a financial contribution from us. Once everything is agreed if you are receiving your personal budget as a direct payment we will release our financial contribution to you so you can organise your support. If you are not receiving your personal budget as a direct payment, we will arrange the support you require.

9.4 Care Providers

If we are providing a service to you we might use either our own staff or contract the work to a care provider. All care providers must be registered with the Care Quality Commission (CQC). If you are using a Direct Payment to purchase services from a provider you will need to assess and compare the quality of care provider you choose.

10. Benefit information

Over £1 billion of social security benefits go unclaimed every year. We want to make sure 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 case management team or Finance and Benefit Officer.

Attendance Allowance is available to ill or disabled people aged 65 or over who need help or encouragement with personal care.

Disability Living Allowance is available to ill or disabled people under 65 years of age who need help or encouragement with personal care or who have problems with mobility. 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 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).

Employment and Support Allowance or Incapacity Benefit (for existing claims before 27/10/08) are available to people who are assessed as incapable of working.

Industrial Injuries Disablement Benefit is paid to those who have suffered disablement caused by an industrial accident or prescribed disease.

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 169 2277 or www.veterans-uk.info or email veterans.help@spva.gsi.gov.uk

Income Support is a means-tested benefit for people not in full-time work.

Pension Credit has two parts - Guarantee Credit and Savings Credit.

1. **Guarantee Credit** this benefit tops up a pensioner's income to certain minimum levels. It can include help with mortgage interest payments.
2. **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.

Council Tax Benefit is a means-tested benefit for people who have to pay council tax.

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, Pension Credit or the income based part of Employment and Support Allowance to qualify. You can also get help with essential travelling costs such as visiting a sick relative.

Working Tax Credit provides a top-up to the wages of low income workers. Those with dependent children, or a disability or in some cases people over 50 need to be working for 16 hours a week to be eligible. 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 is paid to people with children whether they are in work or not.

11. Frequently asked questions

Will my partner's income be used in my charge 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 am struggling to pay?

If you are in serious financial hardship you should speak to your case manager to discuss what options are available to you.

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

No, the value of your house is not used to calculate your contribution 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 us you will pay the full cost of your care.

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

Any information you provide us 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 should I do if my income changes?

Changes to your income may affect your contribution. You must inform us if your income, benefits, savings or investments change. 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 less than the full cost then your contribution will only reduce if the cost of your service falls below your charge. If you are paying the full cost of your service then you will be charged for the actual service you receive.

Will my charge ever be backdated?

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

- You receive backdated payments of a benefit (for example Attendance Allowance/Disability Living Allowance Care Component). If this will affect your contribution then any increase will also be backdated. You may be asked to give us a proportion of the lump sum you receive in backdated benefit but you will still be better off by claiming

- You are assessed as needing a reduction in your contribution 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.

Can I give money or capital assets away?

If you give money or capital assets away to avoid paying care fees this is seen as 'Deprivation of Assets' and will mean that the assessment of how much you will have to pay may still include the value of the assets that have been given away.

12. 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 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 via your Kent care account (i.e. your four-weekly invoice).

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 telephone us on the number printed on your bill.

13. What if I do not agree with the outcome of the assessment or the services offered?

If you disagree with the results of your care assessment or with your financial charge you should first speak to the person who completed the assessments. If this does not resolve the problem you can challenge the decision by using our complaints procedure via our customer care teams. These details are page 19 of this booklet. Our leaflet 'If you wish to complain' describes how to do this. For a copy call 08458 247100 or go to: www.kent.gov.uk/sscomplaints

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

Ashford

Civic Centre
Tannery Lane
Ashford, TN23 1PL
Tel: 08458 247 100
Fax: 01233 205 700

Dover

Thistley Hill
Melbourne Avenue
Dover, CT16 2JH
Tel: 08458 247 100
Fax: 01304 224 312

Sevenoaks and Swanley

The Willows
Hilda May Avenue
Swanley, BR8 7DT
Tel: 08458 247 100
Fax: 01322 611 036

Tunbridge Wells

Montague House
9 Hanover Road
Tunbridge Wells
TN1 1EZ
Tel: 08458 247 100
Fax: 01892 549 804

Canterbury

Brook House
Reeves Way
Whitstable, CT5 3SS
Tel: 08458 247 100
Fax: 01227 762 218

Gravesham

Joynes House
New Road
Gravesend, DA11 0AT
Tel: 08458 247 100
Fax: 01474 320 741

Shepway

Queen's House
Guildhall Street
Folkestone, CT20 1DX
Tel: 08458 247 100
Fax: 01303 220 751

Thanet

St Peter's House
Dane Valley Road
Broadstairs, CT10 3JJ
Tel: 08458 247 100
Fax: 01843 864 874

Dartford

St Lawrence House
48 West Hill
Dartford, DA1 2HG
Tel: 08458 247 100
Fax: 01322 289343

Maidstone

Bishops Terrace
Bishops Way
Maidstone, ME10 4DD
Tel: 08458 247 100
Fax: 01622 691 135

Swale

Avenue of Remembrance
Sittingbourne, ME10 4DD
Tel: 08458 247 100
Fax: 01795 420 016

Tonbridge

Croft House
East Street
Tonbridge, TN9 1HP
Tel: 08458 247 100
Fax: 01732 770 319

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

East Kent Customer Care
Brook House
Reeves Way
John Wilson Business Park
Whitstable, CT5 3SS
Tel: 08458 247 100

: West Kent Customer Care
: 17 Kings Hill Avenue
: Kings Hill
: West Malling
: ME19 4UL
: Tel: 08458 247 100

If you have a query regarding your financial assessment please contact the Financial Assessment Team for your area.

**East Kent Area: Ashford & Shepway;
Thanet & Dover; Canterbury & Swale:**

: **West Kent Area: Dartford, Gravesham &
: Swanley; Maidstone & Malling; South
: West Kent (Tonbridge, Tunbridge Wells,
: Sevenoaks)**

Financial Assessment Team
St Peter's House
Dane Valley Road
Broadstairs
CT10 3JJ
Tel: 08458 247 100
Fax: 01843 866 305

: Financial Assessment Team
: 17 Kings Hill Avenue
: Kings Hill
: West Malling
: ME19 4UL
: Tel: 08458 247 100
: Fax: 01732 525 009

If you have any questions regarding the information in this booklet please contact your case manager or finance and benefits officer.

This publication can be made available in alternative formats and can be explained in a range of languages. Please call 08458 247 100 for details.

Policy and Service Standards
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Maidstone
Kent
ME14 1RF

Tel: 08458 247 100

BB/PJ/24/03/10