

Kent County Council

# Your guide

## Your guide to funding yourself in a care home (includes residential and nursing care homes)

April 2022

[www.kent.gov.uk/careandsupport](http://www.kent.gov.uk/careandsupport)



# About this booklet

This booklet provides advice for people on some points to consider regarding finances before choosing a care home.

It also provides advice for people already living in a care home who are paying for their own care and what they may be able to do if their capital and savings drop below £23,250.

This booklet is available in alternative formats and can be explained in a range of languages. Please call:



Telephone: 03000 41 61 61

Text relay: 18001 03000 41 61 61

## Your right to information and an assessment

If you are thinking of going into a care home permanently it is advisable to first speak to us.

We can provide free information and advice on a range of services that you might want to consider. Also, if required, we will complete a free assessment of your care needs.

Following an assessment of your care needs, we will be able to advise you of whether we think you need to live in a care home.

We will then undertake a free financial assessment to see if you are eligible for financial help from us or likely to become eligible in the future.

If you have capital and savings below £23,250 you may qualify for financial help from us towards the cost of the care home fees if we decide you need this type of care. We normally fund up to certain financial limits sufficient to meet your needs.

### **1. Is the value of my former home taken into account when deciding if my capital/savings are above £23,250?**

Once you are in a care home permanently, the value of your interest in your former home will be included unless it has been continuously occupied in part or whole before you first moved in is still occupied by:

- your spouse
- your partner
- an estranged or divorced partner if she/he is a lone parent with a dependent child
- a relative who is 60 or over
- a relative who is incapacitated
- your child who is under 18.

We may conclude a relative is "incapacitated" if the relative is receiving one (or more) of the following benefits: incapacity benefit,

severe disablement allowance, disability living allowance, personal independence payments, armed forces independence payments, attendance allowance, constant attendance allowance, or a similar benefit. If the relative does not receive any disability related benefit but the extent of incapacity is equivalent to that required to qualify for such a benefit, medical or other evidence may be needed before a decision is reached.

If your home can't be disregarded then the value of your interest in your former home will be added to your other assets and savings.

We will ignore the value of your former main or only home in the financial assessment for the first 12 weeks of a permanent stay provided:

- you own your former main or only home
- our assessment determined you have eligible needs, and
- the assessed needs are best met in a care home, and
- your capital (excluding the value of your former main or only home) is below £23,250.

If your stay was initially temporary, the 12 weeks start from the date it is decided it is permanent.

This 12-week period aims to give you time so you can decide how best to pay for your care and whether or not to sell your home.

### **This is called a '12-week property disregard'**

You are not entitled to the 12-week property disregard if you have been living permanently in a care home for longer than 12 weeks when you approached us for assistance towards paying the care fees.

If you have been living permanently in the care home less than 12 weeks, the property disregard period is adjusted. For example, if you were permanent in the care home for nine weeks when you approached us for a needs assessment, provided you have eligible needs and the decision is your needs are best met in care home, the property disregard period will be three weeks.

During the 12-week property disregard period, you will still be assessed against your income and other assets and will be liable to pay a contribution based on these.

If your former main or only home is sold before the 12-week property disregard period ends, the released capital is not disregarded and is included in the financial assessment from the date the sale completes.

When working out the value of your interest in your former home, we will deduct any mortgages etc. still outstanding and 10% of the costs associated with sale.

## **2. I am already living in a care home and paying the full cost of my care but my capital/savings will soon fall below £23,250 – what should I do?**

If you know that your capital/savings will soon drop below £23,250, then it is important that you let us know when you have about three months of capital/savings left. This ensures we have enough time to complete the relevant assessments.

Find our contact details at the end of the booklet or visit:  
[www.kent.gov.uk/careandsupport](http://www.kent.gov.uk/careandsupport)

We will carry out a needs assessment with you to see if your needs are best met in a care home.

If we think they are, discussions will take place with your care home to see if they can accept the price we would normally expect to pay to meet your relevant level of need.

If not, and your preference is to remain in the care home, you may be able to stay in the home if there is a relative or friend willing to pay the extra cost (Third Party Top Up).

If neither of these options are available, we will normally arrange for you to move to an alternative care home.

Once it has been agreed you are eligible for assistance towards the funding of your care home we will pick up the funding from the date you contacted us (assuming it has been verified your capital was below the threshold at this point) or the date you capital was below the threshold (if this was after the date you contacted us).

### **3. What happens after the 12-week property disregard period?**

After the 12-week property disregard period, the value of the property is taken into account. It may take your assets well over £23,250. In this situation, it will be expected that you make your own arrangements with the care home and pay the full cost of your care.

During the 12-week property disregard period, if you do not wish to sell your former home to cover this cost of your care home fees or if you are actively marketing your former home but having trouble finding a buyer, you may wish to consider the deferred payment option.

### **4. What is the deferred payment option?**

You may be eligible to enter into a deferred payment agreement with us if you meet the criteria where we pay the care bills on your behalf and your former home is used as security. The debt which accrues is paid off at a later date.

 Visit the website [www.kent.gov.uk/careandsupport](http://www.kent.gov.uk/careandsupport) and look at the charges for care and support/get help towards the cost of your care for information about deferred payments.

## **5. I have heard that the NHS pay for some people to stay in a nursing home, could this apply to me?**

Under NHS Continuing Healthcare rules, if you qualify, the NHS does fund the full cost of a stay in a nursing home (and very occasionally in a care home or persons own home). When we assess your needs we will decide if it is worth making an application for this type of funding and assist you with this process.

For further information visit the NHS Continuing Healthcare website at:

 [www.england.nhs.uk/healthcare](http://www.england.nhs.uk/healthcare)

For everyone else, the NHS pays what is called Funded Nursing Care (FNC) towards the cost of nursing home care. If you are currently self-funding in a nursing home, the NHS will be paying the FNC direct to your nursing home. Even if we take over funding, the FNC will continue to be paid direct to the nursing home from the NHS.

## **6. Am I entitled to any benefits?**

Even if you have capital above £23,250 upper limit for local authority help, you may still be entitled to Pension Credit (which even though it is means tested, has no upper capital limit) and also non means-tested benefits like Attendance Allowance or Disability Living Allowance or Personal Independent Payment. All these benefits are administered by the Department for Work and Pensions (DWP).

 For more information visit [www.gov.uk/dwp](http://www.gov.uk/dwp)

## **7. Can I give some of my capital away so I can qualify sooner for financial help?**

This is called this 'Deprivation of Assets'

If you give money or capital (e.g. your house) away to intentionally avoid paying the full care home fees then the assessment of how much you will

have to pay will still include the value of the assets that have been given away.

We will discuss with you, and may require evidence, if you could have reasonably foreseen your need for care and support at the time you gave away the assets and was the transfer for the sole or main purpose to be eligible for support from us sooner than expected.

We can also, in some circumstances, legally ask the person who was given these assets to pay some or all of the costs of your care home.

## **Independent financial advice**

In addition to the advice you receive from us, it is advisable to get independent financial advice. Ideally this should be before you move into a care home. This should help you to maximise your income and safeguard your capital/savings as far as possible.

### **Useful sources of information**

#### **Age UK**

Age UK is the new name for Age Concern and Help the Aged who have merged organisations.

 [www.ageuk.org.uk](http://www.ageuk.org.uk)

#### **Independent Age**

Independent Age gives advice and information to older people, their relatives and carers across the UK.

 0800 319 6789

 [www.independentage.org](http://www.independentage.org)

#### **Money Helper**

Money advice service set up by government. You can find information on choosing the right care services, paying for care, finding a financial adviser, work, pensions and retirement, budgeting, benefits, insurance, debt and borrowing, homes and mortgages.

 [www.moneyhelper.org.uk](http://www.moneyhelper.org.uk)

## The Care Quality Commission

The independent regulator of health and social care in England.

 03000 616161

 [www.cqc.org.uk](http://www.cqc.org.uk)

If you use an Independent Financial Adviser we advise you to use one accredited by The Society of Later Life Advisers (SOLLA)

You can find out more on their website at:

 [www.societyoflaterlifeadvisers.co.uk](http://www.societyoflaterlifeadvisers.co.uk)

 0333 2020 454





# Kent County Council Adult Social Care

Your guide for people funding themselves in residential and nursing care homes

## How to get in touch with us

If you would like more information on any of the topics covered in this booklet, or you would like to have your needs assessed or report abuse, you can contact us in the following ways:



**03000 41 61 61** (if you live in Kent)



**01634 33 44 66** (if you live in Medway)



Kent and Medway **out of hours** service: **03000 41 91 91**



Text relay service: **18001 03000 41 61 61**

A text relay service is available for deaf, hard of hearing and speech impaired customers and is available 24 hours a day, 7 days a week.



[www.kent.gov.uk/careandsupport](http://www.kent.gov.uk/careandsupport)



[social.services@kent.gov.uk](mailto:social.services@kent.gov.uk)

Visit your local gateway ([www.kent.gov.uk/gateways](http://www.kent.gov.uk/gateways))

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[socialservicesleaflets@kent.gov.uk](mailto:socialservicesleaflets@kent.gov.uk)

