

# **Charges for care in your own home and in the community**

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# Charges for care in your own home and in the community

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# **Charges for care in your own home and in the community**

## **Introduction**

This guide provides information about charges for services that people receive in their own home and in the community and the way these are calculated.

## **What services are charged for?**

### **Chargeable services;**

- Residential care
- Domiciliary care and support
- Day services
- Night time support
- Work opportunities
- Supported Living schemes
- Shared Lives
- Direct payments / Citizen directed support / Support budgets

You may also pay flat rate charges for such things as;

- Telecare services. The cost of this will be taken into account as an expense within the financial assessment.
- Meals provided in day centres are also charged separately. These are daily living expenses and are not affected by the financial assessment.

You will be charged separately for these flat rate charges.

### **Non chargeable services;**

- Transport to day services
- Carer services
- Time limited Reablement services

Charges do not apply to;

- A person under the age of 18 years,
- An adult subject to Section 117 of the Mental Health Act 1983.
- Adults who are diagnosed as having Creutzfeldt Jacob disease (CJD)

# **Charges for care in your own home and in the community**

## **How the amount a person has to pay is worked out**

If you have domiciliary care services arranged by Community Support Services the charge for these will be based on your weekly income, the amount of savings and capital you have and the total cost of your care package each week.

To make sure that the charges we make for domiciliary care are fair, Denbighshire's Charging Policy is based on guidance and regulations from the Welsh Government which sets a maximum weekly charge.

## **The Charging Policy is used to decide what someone will pay**

This could be;

1. Nothing towards the cost of their care
2. The full charge for their care. This is worked out according to how much care they are receiving up to a maximum of £100 per week
3. Part of the cost of their care. The exact amount will depend on how much money they have each week after meeting certain expenses and how much care they receive but this will not be more than £100 per week.

Charges are reviewed annually. Please see our latest leaflet entitled 'Fees and Charges for Community Support Services'.

A financial assessment officer from Denbighshire County Council will ask you to provide different items of financial information to help them work out how much you can afford to pay towards your services.

For example, we will ask you for bank statements and benefit letters and we will need this information as soon as possible. If you think you will need longer than 3 weeks to provide these, please let us know. Our contact details are at the end of this document.

If you would like help with filling in the form, please contact us and we will arrange for somebody to help or to visit you if necessary. If someone is completing this form for you, we will need your consent for us to talk to them about this.

# **Charges for care in your own home and in the community**

## **What if I don't want to, or fail to, give you information about my finances?**

If you choose not to tell us your financial circumstances or don't provide the information we need, you will be asked to pay the full cost of your care from the day your care starts. This will be up to a maximum of £100 per week.

## **Weekly income**

Your total weekly income includes:

- all social security benefits and pensions
- all occupational pensions
- payments you receive from other sources such as payments from other people
- we are not interested in money which you earn as wages

## **Capital and Capital Limit for Domiciliary Care**

Capital includes savings, investments, cash held at home, property and land (other than the person's home). We do not count the value of the home you live in. The financial assessment team calculate your capital using government guidelines. You should contact the team to discuss your capital if it is not held in a bank, building society, or post office account, as certain sorts of assets are treated as income and not as capital.

### **Below £24,000**

If a person's capital is below this, then it is ignored.

### **Over £24,000**

A person with capital over this amount will be charged for services up to a maximum of £100 per week

If at any time you are receiving services and your capital/savings fall below £24,000 please contact your financial assessment officer. They can then arrange for a financial assessment to be completed. Contact details are in the last section of this leaflet.

We will not give financial assistance to anyone who we believe has deliberately disposed of capital/savings so that they fall below £24,000. They will be asked to pay the full cost for their services up to a maximum of £100 per week.

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## **The rules about capital and income for couples**

If you are part of a couple, we will only take into consideration capital that belongs to you. If your capital is held jointly with someone else, we will usually take half of it into consideration. We will take into consideration all of the income in your name unless you receive a benefit for joint use, such as Income Support or Pension Credit, where we will take half of it into consideration when assessing you.

We will ask whether or not you are willing to have your finances assessed as a couple, as this could benefit you. If you agree to be assessed as a couple, we make a 'better off' calculation. This means that we will assess your finances individually, then as a couple, and use the calculation that works out best for you.

## **Income and disregards**

The Welsh Assembly Government has provided guidance for the way that local authorities carry out financial assessments for domiciliary care and support in order to:

- make sure that a person's net income is not reduced after charging below basic levels of Welfare Benefits plus 35% of this rate,
- makes sure that all persons who have a financial assessment have a further 10% income disregard as a contribution towards their disability related expenditure
- makes sure that nobody is charged more than £100 per week.

## **Income which will be disregarded from your assessment**

Once we have added up your total weekly income, certain amounts are then disregarded.

These are:

- yours or your partner's earnings and associated working tax credit
- any disability living allowance (DLA) mobility or Personal Independence Payment (PIP) mobility
- housing benefit (rent rebate) or council tax reduction
- any mortgage, rent or council tax
- War Disablement pension is fully disregarded
- £10 of any war widows pension

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- any payments for private care costs, provided these are agreed as necessary by the social worker
- the savings credit element of your state pension credit up to a maximum set by Welsh Government. This is to ensure that after the assessment has been completed a person has sufficient money to live on.

### **What to do if your circumstances change or you are not happy with your assessment.**

There will be instances where a financial review or reassessment will be necessary, such as;

- Where your income or capital has changed,
- there has been a change in your circumstances or
- there has been a change to your Care and Support plan.

You or your representative should contact the Financial Assessment Officer who will revise the financial assessment as necessary. The contact details are at back of this document.

You will be told of the outcome in writing. It is possible that after the financial review or reassessment there will be no change in the amount we have assessed you to contribute each week.

### **Request for a Review**

If you do not agree with the financial assessment, the charges applied or the contribution we have asked you to make, you can appeal. The request for review may be made any time after we have written to you. You must tell the Council why you want the decision to be looked at again. You can do this by either speaking or writing to a Financial Assessment Officer.

You can ask someone else to ask us to look again at the decision, but they must be acting on your behalf and have your permission to do so.

Where you have given money or property to someone else in order to reduce your charge or contribution, the 'liable transferee', i.e. the person to whom the money or property has been passed, may request a review of the decision to charge them, in the same way as you can.

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You or the person acting on your behalf should contact the Financial Assessment Officer who will:

- Check that the financial information used in the calculation is correct
- Look at any new information provided by you or your representative
- Check that the assessed contribution has been calculated correctly
- Decide whether the decision was fair and correct.

You will be told in writing of the outcome of the review.

### **Waiver**

If you feel that you cannot afford to pay the charge or contribution we ask you to make, you or a representative may ask for the charge or contribution to be waived. Applications for a waiver of charges are considered by a Panel. The Panel may recommend that your charge or contribution are waived in cases of exceptional circumstances or financial hardship.

Where a waiver has been given it is reviewed every year to see if your circumstances still require it.

You can choose not to pay your charge or contribution whilst the application for a waiver is being considered, but you must tell us that you are going to do this. You must be aware though, that if you choose not to pay and a waiver is not granted, the Council will ask you to pay the arrears.

### **Appeal**

You can appeal against the waiver decision. Appeals are considered by the Head of Community Support Services. If you wish to appeal you must include a reason as to why you are unhappy and include new additional information to what has previously been considered in order for the Head of Community Support Services to review the application.

If there is no new information to be considered, the Local Authority does not have to accept the appeal.

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## **Complaints**

If you or your representative feel that the correct process has not been followed or feel that relevant information has not been considered, you will be able to make a formal complaint to the Council, which will be considered through its formal complaints procedure.

You or your representative can make a complaint where you consider the Council has not made a properly considered decision when carrying out the review, for example:

- Not following the charging policy for care and support services
- Not following the Social Services and Well-being (Wales) Act 2014
- Not properly considering information provided.

In all cases you will be told in writing of the outcome of your complaint.

## **Right to appoint an advocate**

You have the right to invite someone of your choice to support you to participate fully in the financial assessment and charging process, allowing you to express your views, wishes and feelings. This support can be provided by your friends, family or wider support network. Alternatively, you may wish to use an advocate. Contact details are provided at the end of this document.

## **How charges can be paid**

Bills listing services that have been provided, their costs and the total amount payable will be sent on a monthly basis. These will always be a month in arrears. For example, the invoice for services you received in September will be sent to you in October.

There is a range of methods of payment which are explained on the reverse of your bill and these include direct debit, over the telephone, by post or at One Stop Shops.

Direct Debit is the preferred method of payment.

Denbighshire Community Support Services expects invoices to be paid in full following a financial assessment or client opting to pay up to a maximum of £100 per week.

## **Charges for care in your own home and in the community**

If anyone is having difficulty paying, they should contact the Financial Assessment Officer, or speak to their care coordinator or support worker.

Non-payment of an invoice will be reviewed and reminders will be sent out. Continued failure to pay invoices will result in action being taken by the local authority to recover the debt.

Flat rate charges such as Telecare and other Housing Related services may be charged directly by the service provider. These charges will be taken into account in the financial assessment for other services, but are not subject to the maximum weekly charge for care and support as set by Welsh Government.

Support Budgets, Direct Payments and other outcome focussed services are a more flexible way of delivering non-residential services, which can be varied to suit the individual. Charges for these services will be a contribution towards the full cost, with a maximum weekly contribution as set by Welsh Government. The individual's contribution is always counted first towards the cost of their Support Budget or Direct Payment before any funding support provided by the Council. In effect, the Council will top up the individual's contribution with additional funding up to the value of the Support Budget or Direct Payment. Your weekly contribution will not vary during the year if you do not receive all the support agreed in your care and support plan, but will be reviewed annually. This includes for absences such as being in hospital, on respite or on holiday for a week or more.

## **Claiming benefits to help pay for charges**

We understand that having to pay for services is likely to be of great concern to service users, even though the charges have been kept as low as possible.

The calculation of what people will have to pay towards the cost of the services they receive takes account of their ability to pay.

Welsh Government and Denbighshire County Council Community Support Services are committed to help anybody who needs services to claim any social security benefits and pensions they are entitled to. This includes benefits that people may have missed out on in the past. For help or information relating to claiming benefits, contact Citizens Advice. Their contact details are listed under 'useful contacts' in the last section of this document.

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Please note that any extra benefit income received will be counted, for financial assessment purposes, from the date of the award letter you receive from the Department for Work and Pensions, advising you of any award or increase in benefits. Because of this, we will not backdate charges to the date of the claim for benefits.

## **What happens to the financial and personal information given?**

Community Support Services will deal with all information confidentially and your details will be held safely and securely. The Council is under a duty to protect the public funds it administers and to this end, may use the information you have provided for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information see [the privacy statement on Denbighshire County Council's website.](#)

## **Useful contacts**

**For more information on Community Support Services or Advocacy contact details, please contact:**

**Single Point of Access (SPoA)** on 0300 456 1000 or email [spoa@denbighshire.gov.uk](mailto:spoa@denbighshire.gov.uk)

**For information about the waiver of charges process, or to make a comment or complaint about any aspect of your services, please contact:**

**Customer Connections Team** – by phone for free on 0800 032 1099 or write to us at:

Customer Connections  
Community Support Services,  
Denbighshire County Council  
PO Box 62,  
Ruthin  
LL15 9AZ

**To make a complaint:**

Tell a member of staff in Community Support Services or make a complaint on line [via the Denbighshire County Council website.](#)

## Charges for care in your own home and in the community

For information about the financial assessment calculation and information on charges, please contact the:

### **Finance, Income & Assessment Team**

Community Support Services,  
Denbighshire County Council,  
PO Box 62,  
Ruthin LL15 9AZ

Call us in Rhyl on 01824 706392 or Ruthin on 01824 712403

Email: [fao.team@denbighshire.gov.uk](mailto:fao.team@denbighshire.gov.uk)

**For information and advice about claiming benefits you may be entitled to, please contact:**

**Citizens Advice**, who provide a free, confidential, impartial and independent advice service on a wide range of subjects, as well as specialist advice on debt and welfare benefits.

Opening hours: Various across Denbighshire, please check the website for details.

[Website for citizens advice Denbighshire](#)

- General advice line, telephone 03444 77 20 20
- Denbigh; freephone 0808 278 7933 or email [denbigh@dcab.co.uk](mailto:denbigh@dcab.co.uk)
- Rhyl; freephone 0808 278 7933 or email [rhyl@dcab.co.uk](mailto:rhyl@dcab.co.uk)
- Ruthin; freephone 0808 278 7933

### **Conwy and Denbighshire Mental Health Advocacy Service (CADMHAS)**

Specialist mental health advocacy, access to information regarding welfare rights, housing, debt and many other issues, signposting to other agencies, and support to access these services. Representation at care planning meetings and Independent Mental Health Act Advocacy (IMHA).

How to contact them: Monday to Friday 9a.m to 5 p.m. telephone 01745 813999

[Website for Conwy and Denbighshire Mental Health Advocacy Service](#)