Understanding Social Care Charging

This Factsheet tells you how we work out charges for community based (non-residential) care services and how we work out whether you will be charged or not. This Factsheet is guidance and is not Hertfordshire County Council’s full charging policy. We use national guidance called ‘Care and Support Statutory Guidance’ which makes sure that you do not have to pay more than you can afford for the services you receive. You can get an idea of whether you will need to pay towards your care costs on our website www.hertfordshire.gov.uk/payingforcare

If you need help to understand this information, please contact us on 0300 123 4042.

An interpreting service is available for those who need it. If you would like independent advice on funding your care please call HertsHelp on 0300 123 4044.

Types of care and how much it costs
Hertfordshire County Council sets the charges for social care each year from April. The figures provided in this booklet are correct for the dates between 14 April 2019 and 11 April 2020.

Home care – Support at home services
Home care and Support at home services are charged at £20.24 per hour (£5.06 per 15 minutes, or £10.12 per 30 minutes or £15.18 for 45 minutes).
The following table shows how we work out the number of minutes to charge for each homecare visit, for care you have received.

<table>
<thead>
<tr>
<th>Visit duration</th>
<th>Charged as</th>
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<tbody>
<tr>
<td>From</td>
<td>To</td>
</tr>
<tr>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>21</td>
<td>35</td>
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<td>36</td>
<td>50</td>
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<td>51</td>
<td>65</td>
</tr>
</tbody>
</table>

The care you receive each week is added up to work out your charge. You are not charged more you can afford to pay.

Live-in care
Charges are based on the cost of the service but the charges are limited to the amount you have been assessed to pay.
Short breaks (respite care)
Short breaks are charged weekly (Sunday to Saturday). If your stay spans two weeks you will be charged your weekly assessed contribution for each week, regardless of the number of nights.

Day Services
Day service charges are £20.98 for a half day, or £41.96 per day. If we provide transport to the day service, the charge is an extra £4 per day. There is no reduction in your charge if you don’t use the transport on some days. You can cancel your transport arrangement with us and make your own arrangements to travel to the day centre if you wish.

Flexicare / Supported Living
Charging for this care is based on need (low, medium or high). The provider may also charge you separately for housing related support. The rates for Flexicare and Supported Living are:

<table>
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<tr>
<th>Banding</th>
<th>Flexicare</th>
<th>Supported Living</th>
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<tbody>
<tr>
<td>Low band</td>
<td>£57.57 per week</td>
<td>£27.24 per week</td>
</tr>
<tr>
<td>Medium band</td>
<td>£163.12 per week</td>
<td>£108.96 per week</td>
</tr>
<tr>
<td>High band</td>
<td>£287.85 per week</td>
<td>£254.24 per week</td>
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</table>

Your band will be agreed at your social care assessment.

Telecare
Telecare is charged at £3.25 per week. Telecare uses technology such as remote monitoring, pendants and emergency alarms to enable you to live independently at home.

Direct Payments
A direct payment is a cash payment that we pay direct to you if you have eligible care and support needs. Instead of the council arranging your care, having a direct payment means you can have more choice and control over arranging your own care and support, including who helps you and at what time.

If you choose this option you will receive a payment every four weeks. If you have to pay a contribution towards your care we will deduct this from the amount paid to you and you will need to pay your contribution into your direct payment account or onto your pre-paid card. Your social worker can provide more information on Direct Payments.

We do not charge for:
- Carers’ services (support for carers).
- Services to prevent admission to hospital.
- Short periods of enablement / intermediate care.
The financial assessment

We will send you a financial assessment form, which you will need to complete and return to us with evidence of your income, savings and outgoings. We use the form to work out how much, if anything, you will be charged. We will also check whether you may be entitled to other benefits and arrange for someone, for example from the Department for Work & Pensions (DWP) or the council's Money Advice Unit, to help you fill in the claim form. If you do not want to tell us about your finances we will charge you the full cost of the services you receive.

We will base any charge on a financial assessment of your income, benefits, expenses, capital and savings. We will send you a letter with a breakdown showing how we have calculated your financial assessment. You can tell us if you think your financial assessment is wrong. You can also appeal if the charge will cause you financial hardship.

Charges for care will leave you with enough money to meet your essential household expenses, including any extra expenses relating to a disability.

You will not be charged for care services if:
- Your care follows a compulsory stay in hospital in relation to your mental health (this is called Section 117 aftercare)
- You are in the final stages of a terminal illness (for example you a life expectancy of less than 3 months). Your social worker will need to approve this
- You are assessed as eligible for NHS Continuing Health Care (CHC). If a retrospective decision is made by the NHS to fund your care and you have already paid care charges for that period, you will receive a refund.

Your savings and capital

If you own the home you live in, its value is not taken into account when we work out your charge for non-residential care services. However the value of any other property you own, whether in this country or abroad is taken into consideration as capital. You will need to tell us about all of your savings and capital even if we are not going to take it into account in the financial assessment.

- If the total amount of your capital is less than £14,250, your capital will not be taken into account when we work out your charge
- If your capital is valued at more than £14,250, but less than £23,250, we include £1 per week for every £250 of savings you have above £14,250. This is called tariff income
- If your capital is valued above £23,250, you will need to pay the full cost of your care. The amount you will pay is based on how much it costs to provide you with services.

Tariff Income represents an amount a person with capital over a certain limit should pay towards their care, not the interest earning capacity of that capital.
An example of Tariff Income
Thomas has savings of £15,000. This is £750 above the £14,250 limit. £750 divided by 250 is £3. We will include £3 per week as income when working out Thomas’ assessed charge.

Disposing of savings or capital

If you have disposed of savings, capital or income in order to avoid or reduce your charge for care, we can by law still treat you as having that asset, or in some cases ask the recipient of the asset to make payment instead.

This means that you may be charged up to the full cost of your care. We reserve the right to take civil legal action against anyone who has disposed of their asset or received the asset.

Disposing of assets can include:
- Transferring title deeds of a property to another person.
- Spending money on a valuable personal possession such as jewellery or a painting.
- Making large gifts.
- Paying off a debt that is not due to be paid by you.

When deciding whether someone has deprived themselves of assets in order to avoid or reduce their care charges we will take into account their circumstances.

This includes:
- The reasons for the transfer of capital,
- The date that it took place,
- Whether the person was fit and healthy and did not foresee the need for care.

It will be for the person to prove that he or she no longer owns the asset and to satisfy us that the disposal of capital was not done to reduce care charges.

What counts as savings and capital?

Savings and capital include
- Money held in bank, building society and post office accounts
- Savings certificates
- Stocks, shares, bonds and unit trusts
- Premium bonds
- Property in this country or abroad (not the home you live in)
- Cash
- Trust funds
- ISAs

We will ask to see evidence of your savings and capital such as bank statements.
Minimum Income Guarantee (your protected income)

You will always be left with a certain level of income. This is worked out using figures provided by the Department of Health, and takes account of:

- Your age
- What benefits you get or could get
- If you are single or part of a couple
- If you live alone or with somebody else
- If you get, or could get, certain premiums in your state benefits such as Enhanced Disability Premium and Carers Premium
- If you care for a child who lives with you.

As well as your protected income, there are other types of income we won’t take into account when we work out your charge. This includes wages from employment or self-employment:

- Savings Credit element of Pension Credit
- Disability Living Allowance (mobility component)
- Personal Independence Payment (mobility component)
- Armed forces Independence Payment (mobility component)
- Working Tax Credits
- Child Tax Credits and Child Benefit
- War Disablement Pensions
- War Reparations Payments (the first £10 is disregarded)
- War Widows Supplementary payments
- Certain charitable and voluntary payments
- Christmas bonus and Winter Fuel Payments

Income we count in full

- Employment and Support Allowance
- Attendance Allowance *
- Disability Living Allowance (care component) *
- Personal Independence Payment (daily living component)
- Income Support
- Guaranteed Credit of Pension Credit
- Incapacity Benefit
- Job Seeker’s Allowance
- State Retirement pension
- Severe Disablement Allowance
- Widowed Parent’s Allowance
- Occupational (works) or private pensions
- Rental income from property (unless the capital value is taken into account)
- Other income not specifically disregarded by legislation

*If you receive the high rate of Attendance Allowance or Disability Living Allowance (Care Component), we will make an allowance in your financial assessment of
£28.95 per week. No allowance is made if you receive the high rate of Personal Independence Payment (daily living component).

**Living as a couple**
Income and capital held in your name and half of any income or capital held in joint names, will be taken into account. However, we can assess you as a couple which may leave you better off. We will carry out both assessments (a single person’s assessment and a couple’s assessment) and offer the assessment with the lower charge. If your partner does not want to tell us their financial circumstances we can only offer you a single person’s assessment.

**Your essential living expenses**
Essential living expenses include costs such as:
- Rent payments (net of housing benefit)
- Ground rent
- Service charges
- Council Tax (net of Council Tax reduction)
- Additional heating costs arising from your disability (see Disability Related Expenses below)
- Mortgage payments not covered by benefits (conditions may apply)

We will consider making an allowance for reasonable expenditure where you have no choice other than to meet the expenses in order to maintain independent living. We ask for evidence of any expenditure you ask us to take into account. We will not take certain costs such as telephone rental costs or contents insurance into account as these are expenses faced by everyone. We will deduct the money you need to meet your essential expenses from the income we take into account for charging purposes. If this leaves you with an amount that is equal to, or less than, your Protected Income (see pages 6 & 7), you will not be charged for your care, unless you have savings over the capital limit of £23,250. If you are left with more than your Protected Income, the difference between the two is called your Maximum Assessed Contribution. The amount you will be charged will be the lower of your maximum assessed contribution, and the weekly cost of your services.

**Disability Related Expenses (DRE)**

When we work out your charge for services, we allow up to £20.50 per week of Disability Related Expenditure (DRE) if you provide receipts in your financial assessment. If you feel that your DRE is higher than £20.50 a week, you can ask us to review the amount of DRE we allow. This can be done at the same time as your financial assessment, but you can also request this at any time.

**What is a Disability Related Expenditure?**
Disability Related Expenses are costs that arise from a disability or long-term health condition. If you have to spend money on items and services that help you manage your disability or long-term health condition, then you may qualify to have these costs included in your financial assessment. This will then reduce the amount we will ask you to pay towards your care.
How to identify my Disability Related Expenditure?

- Disability Related Expenses are specific to your disability or long term health condition so they will be unique to you
- Consider your day to day life, equipment, aids, services or special food that costs more than a normal diet
- Think about different times of the year to see if you use some items or services more than others e.g. extra heating in winter months
- Review your bills and receipts
- Check your care plan to see if you pay for anything not included there
- Think what is different comparing yourself to your friend or neighbour who hasn’t got a disability or long term health condition

Examples of Disability Related Expenditure
Everyone’s costs are different and the list of examples doesn’t contain everything you could possibly claim. If you have Disability Related Expenditure that is not listed, you should still include it in your claim. If you are unsure whether a cost counts as DRE or not, put it on the form anyway. Make sure you include your bills, receipts and invoices as we will need them to help you.

<table>
<thead>
<tr>
<th>Disability Related Expenditure</th>
<th>Example</th>
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</thead>
<tbody>
<tr>
<td>Community alarm</td>
<td>You pay for a community alarm</td>
</tr>
<tr>
<td>Dietary needs</td>
<td>You have a condition such as coeliac disease that means you have to eat/drink special foods, and this is more expensive than normal diet.</td>
</tr>
<tr>
<td>Clothing and footwear</td>
<td>You have a disability which necessitates specialist clothing or footwear, or you need to replace your clothing more often. You need your clothing altered, for example buttons replaced with Velcro.</td>
</tr>
<tr>
<td>Bedding</td>
<td>You need to use special bedding such as incontinence or anti-allergenic sheets, or you need to replace your bedding more often because of incontinence.</td>
</tr>
<tr>
<td>Gas, electricity and water costs</td>
<td>You need to use more heating due to your condition or use more electricity because you spend a lot of time at home (this is over and above the normal use). You use more water than average due to extra laundry and are on a metered connection.</td>
</tr>
<tr>
<td>Domestic help, cleaning and garden maintenance</td>
<td>You pay someone to do these tasks as you cannot do them yourself due to a disability and there isn’t someone in your household who can do these tasks.</td>
</tr>
<tr>
<td>Purchase, maintenance and repair of your disability equipment</td>
<td>Costs in relation to purchase, maintenance and repair of disability equipment such as: wheelchairs, hoists, stair-lifts or home adaptations like grab-rails and ramps, if you have bought or hired these yourself (or you had to make a contribution to top up Disabled Facilities Grant). IT equipment such as adapted computers and communication aids, or specialist software.</td>
</tr>
<tr>
<td>Special gadgets you need in the kitchen or around the house such as food preparation machines, bedside tables, bath boards, sliding sheets, special cutlery (if not provided by Occupational Therapy).</td>
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<td>----------------------------------</td>
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<tr>
<td>Transport costs</td>
<td>You are unable to use public transport and use taxis instead. Transport costs are not always allowed. For example, if you have a benefit like the Disability Living Allowance or PIP (Mobility component), then this benefit should be used to pay for transport costs. Parking costs would normally be covered by using the Blue Badge Scheme</td>
</tr>
</tbody>
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**Fuel costs (gas and electricity)**
We already make an allowance in your financial assessment that covers the ordinary costs of living – including fuel costs. If your costs are higher than average, we can then make an allowance for the difference.

To work out if we can make an allowance, we will need to know how much you spend on gas and electricity over the course of a whole year. You will need to show us your fuel bills for a whole year, and we can use this information to work out the average weekly amount you spend on gas and electricity.

If you do not have a full year's worth of fuel bills, a recent bill should have a forecast which tells you what you can expect to pay in the next 12 months.

**Regular expenses**
We will ask for evidence of your regular expenses to see how much you spend and how often. This will allow us to work out your average weekly expense.
For example, Elsie cannot clean her flat and this is not covered in her care plan. Elsie spends £12 per week for a cleaner to help her. Elsie has provided the receipts for the last 4 weeks showing her expenditure. We have awarded £12 of DRE per week.

**One-off expenses**
Larger, one-off expenses are usually for equipment or adaptions, such as wheelchairs or hoists.
Always do your research and check with your social worker if the equipment you need can be provided or funded. We will consider this and any cheaper alternatives available on the market. We cannot consider DRE for equipment purchased using grants or funded by the NHS.
For example, Rahul spent £3,000 for a powered wheelchair. We have found that a similar wheelchair costs £2,500, so we can only consider £2,500. We have divided £2,500 by 500 (10 years life expectancy of the wheelchair) and arrived at £5 DRE per week.

**How to submit a claim for Disability Related Expenses**
You can tell us about any disability related expenses on your financial assessment form. You don't have to wait until you receive a form and can ask us to consider DRE at any time. You can tell us by letter or by email. When you ask us to consider making an allowance please remember to provide evidence of your expenses.
Financial Assessment examples

What ‘your maximum assessed contribution’ means
We will show you how we have worked out the amount that you need to contribute towards your services.
Your ‘maximum assessed contribution’ is the most that we calculate you can afford to pay towards the services you receive each week. This amount is compared with the cost of services you receive each week, and we charge the lower amount.

Example 1
Mr A has 1 hour of home care, 1 day each week at a day centre and transport to and from the day centre.
The weekly cost of Mr A’s services is £66.20 (£20.24 for 1 hour home care, £41.96 for 1 day at a day centre, £4.00 for transport there and back).
Mr A’s ‘maximum assessed contribution’ is £68.00. At the moment Mr A will only pay £66.20 for his services because this is less than his maximum assessed contribution.

If Mr A needs to increase his home care to 3 hours each week the weekly cost of his services will increase to £106.68 but he will only pay £68.00 because that is the most that we calculate he can afford to pay.

Example 2
Mrs B has 4 hours home care per week and 2 days at a day centre (but doesn’t use our transport).
The weekly cost of Mrs B’s service is £164.88.
Mrs B’s maximum assessed contribution is £104.50.
Mrs B will pay £104.50 per week as that is the most she can afford.
If Mrs B decides to go to the day centre just once a week she will still pay £104.50 because the cost of her services (£122.92) is still higher than her maximum assessed contribution.
If Mrs B decreases her care to 3 hours of home care and 1 day at day centre the cost of her services will be £102.68. She will then pay this lower amount per week because it is less than her maximum assessed contribution.

Example 3
Mr C has a direct payment of £150 per week.
Mr C’s calculation sheet shows that his maximum assessed contribution is £85.
Mr C will pay £85 per week as that is the most he can afford.
He will get £65 per week paid into his direct payment account by the council and needs to pay £85 from his own money into that same account bringing the total to £150. This will ensure there is enough money available to pay the carer/s.
How you can pay your care charges

Managing your finances yourself
If you can manage your own financial affairs we will contact you directly to carry out the financial assessment to work out how much you have to pay towards the cost of your care.

Somebody else manages your finances
If you cannot manage your own financial affairs, or you would prefer someone else to deal with them please speak to your social worker. We can sometimes help with this, or signpost to other organisations that can help. Once we have completed your financial assessment, we will send you a letter telling you what you can expect to pay each week. If you believe that the financial details are incorrect, please telephone the number given in the letter and tell us why. We will then review the assessment.

The easiest and safest way to pay your charge is by Direct Debit. Most people pay by Direct Debit. We will send you a Direct Debit form. We will invoice you every four weeks. Every invoice that we send you also explains how payment can be made. You can pay by cheque, standing order, credit or debit card or pay online at: https://www.hertfordshire.gov.uk/actweb/payments/invoicepay.cfm

If there are changes to the care services you receive
If you don't receive care services in a given week, perhaps because you go into hospital or go on holiday, you will not be charged for that week.
If you get a reduced care service in a particular week, we will only reduce your charge if the total cost of the services actually provided in that week is less than the weekly charge you have been assessed to pay.

If you get an invoice for a service you have not had
If your invoice is wrong because you have been charged for a service you have not received, please call 01438 843 434 (choose option 1, then option 2, then option 2 again) as soon as possible.
We will make an adjustment on the next invoice, to credit you for the services you have not received. You will still need to pay the original invoice.

What to do if you think your financial assessment is wrong
We calculate your charges based on information in the Care Act 2014, Care and Support Statutory Guidelines, and charging regulations.

Contact the Income Team by post, email or telephone, and explain why you feel the financial assessment is wrong. Our contact details are on every letter we send you. You can ring us on 01438 843 434 if you do not have one of our letters to hand. If, after we have responded to your query, you are still not satisfied, you have the right to request a review.
Annual review of your charge
Each year, we review the amount you will have to pay and let you know of any change to your charge. This review is an estimate and may not always be accurate, so this is a good time to check your assessment and see if your details are up to date. A correction form is sent to you as part of the annual review and you can use this form to tell us if your circumstances have changed. You are required to let us know of any change in your financial circumstances as it may affect your financial assessment. If you do not tell us of a change in your circumstances it may result in a backdated charge to you.

Confidentiality and privacy
We will treat the information you give us as confidential. We will not share your information with any other person or organisations without your permission, except for the purposes of the detection and prevention of fraud, including benefit fraud, or where statute requires us to share your information.

Having your say
We would like you to tell us how well we have worked with you and what you think of our care services. Our staff will ask you for your views at various stages in your contact with us. Please ask for a Have Your Say form to tell us confidentially what you think. Your comments are important to us so that we can check whether people are satisfied with the service they receive and if not we will look to make improvements.

Where to get help with common queries

Charges
- I have a question about my financial assessment or Telecare charges. Contact the Income Team on 01438 843 434 (choose option 1, then option 2, then option 1),
- I think you have charged me for the wrong services or charged for a service not received. Contact the Care Payments Team on 01438 843 434 (choose option 1, then option 2, then option 2)
- If you have a query about your Direct Payment. Contact the social care helpline number on 0300 123 4042 and ask to speak to the Direct Payment Team

Services
- I have an issue over the standard of care that I am receiving, or
- I want to change the services I am currently receiving
Speak with your social worker if you have one, or call 0300 123 4042

Bills
- I want to speak to someone about paying my bill (you can also check the back of each invoice you receive for options),
- I want advice about paying my bills by Direct Debit or some other method,
- I am having problems paying my bills,
- I have received a reminder about paying my bill and want some explanation.
Contact Serco on 01992 555 341. Serco collect payments on our behalf.
Contacts:

Age UK Hertfordshire
- Advice, support and services for older people in Hertfordshire
  Telephone: 0300 345 3446
  Website: www.ageuk.org.uk/hertfordshire

Society of Later Life Advisers
- Independent Financial Advice signposting
  Telephone: 0333 2020 454
  Website: www.societyoflaterlifeadvisers.co.uk

Department for Work & Pensions
- For benefit information and advice
  Website: www.gov.uk/browse/benefits

Carers in Herts
- Confidential advice, support and information for carers
  Telephone: 01992 586969
  Website: www.carersinherts.org.uk

Citizens Advice Service - Free, independent and confidential advice
  Website: www.hcas.org.uk
  Advice line: 03444 111 444 10am - 4pm Monday to Friday

Mental Capacity Act - Making decisions for someone else, information about the Mental Capacity Act, Lasting Power of Attorneys, Court Appointed Deputies.
  www.gov.uk/make-decisions-for-someone

Independent Age – Independent impartial advice
  Advice line: 0800 319 6789
  Website: www.independentage.org

Contact Us
For adult care services and to comment or complain:

- [Website](www.hertfordshire.gov.uk/adults)
- [Email](contact@hertfordshire.gov.uk)
- [Phone](0300 123 4042)
- [Textphone](01992 555506)

British Sign Language (BSL) video interpreting service available.

Money Advice
Factsheets and advice on benefits and debt issues

- [Phone](0300 123 4040)
- [Website](www.hertfordshire.gov.uk/money)

If you need help to understand
Call [0300 123 4042](tel:0300%20123%204042) if you would like help to understand this information or need it in a different format. You can also ask to speak to someone in your own language.

Find a local community service:
- [Website](www.hertfordshire.gov.uk/directory)

or drop into your local library

HertsHelp
Independent information and advice on local community services, finances and care funding.

- [Phone](0300 123 4044)
- [Email](info@hertshelp.net)
- [Text Hertshelp to 81025](tel:Text%20Hertshelp%20to%2081025)
- [Textphone](0300 456 2364)

If you are worried that you or someone you know is at risk of abuse or neglect Call us on [0300 123 4042](tel:0300%20123%204042) (24 hours a day)

Calls to 0300 cost no more than a national rate call to a 01 or 02 number.

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Hertfordshire