

# Help to pay your non-residential social care and support costs

Information about how to pay for your services and  
applying for financial assistance.

April 2024



# Funding the cost of your care & support

**This booklet explains the charges for non residential social care and support services and how to apply for financial assistance.**

**Your care and support costs are your responsibility. You are liable to pay the full cost of your services, including all those detailed in your care and support plan unless you qualify for financial assistance.**

To help give you an indication about whether you will be eligible for financial assistance, you can use the Council's online ready reckoner tool by going to:

[www.leeds.gov.uk/  
PayingForCareAtHome](http://www.leeds.gov.uk/PayingForCareAtHome)

You must have a financial assessment to work out how much financial assistance you qualify for. Please see the examples of financial assessments on pages 22 to 26 to give you a basic idea of how financial assistance is calculated.

## **What are non-residential social care & support services?**

These are adult social care services provided outside a care home setting. There are many

different types of services. Some people have a mixture of services, but some people may only have one type of service. You may be having or planning to have one or more of these services to help you remain independent in the community.

## **Service types**

The services you have to pay for (subject to a financial assessment) include:

- Home Care.
- Residential College.
- Day Opportunities.
- Community Support.
- Community Short Breaks.
- Transport to Services.
- Supported Living.
- Shared Lives Day Support.
- Mental Health Staff-led Group Sessions.
- Mental Health One-to One Support
- Mental Health Housing Support Services.
- A Direct Payment for you to arrange your own services.

## How much do social care and support services cost?

Different services cost the Council different amounts depending on the cost of providing them.

You cannot be charged more for social care and support services than it costs the Council to provide and manage those services for you.

Please see page 3 for a full list of service costs and standard rates for chargeable services.

## Can I apply for financial assistance for all types of services?

Generally, yes, although there are some services for which you cannot claim any financial assistance. These are:

- Meals.
- Respite services.
- Telecare monitoring services.

## Is everyone responsible for paying all of their own social care and support costs?

There are some exceptions but in general, everyone getting a social care or support service is responsible for paying their own costs unless:

- Your services have been arranged and are provided under Section 117 of the Mental Health Act 1983.
- You have Creutzfeldt Jacobs Disease (CJD).
- You are receiving reablement support services for a **short period only**. If you need long term care and support following this short period, services will be chargeable. You will become liable to pay for your care and support costs from the date it is decided you need long term support.
- You qualify for NHS Continuing Health Care Funding.

**If your circumstances change your eligibility for Continuing Health Care Funding can be cancelled. If this happens you will be responsible for paying your care and support costs from the date the funding is cancelled.**

# Charges for means-tested care & support

Using the tables below, simply add-up the cost of all the non-residential services you receive (including all those detailed in your care and support plan) to see how much your weekly services will cost.

If you qualify for financial assistance, the total weekly amount you must pay may be less than the weekly cost of your services. See examples on pages 22 to 26.

Type of Service	Charge
Home Care	Actual cost
Community Support	£21.40 per hour / per carer
Extra Care Housing Support	£21.40 per hour / per carer
Community Short Breaks (sitting service)	£12.00 per hour
Housing Support Services	£27.30 per hour
Supported Living	Actual cost
Residential College (not a permanent resident)	Actual cost
<b>Day Opportunities</b>	
Older People	£40.25 per day
Physical Disabilities	£65.15 per day
Learning Disabilities	£65.15 per day
Autism Services	£65.15 per day
<b>Transport</b>	
Transport to Service	£8.15 per round trip
<b>Shared Lives Sitting Services</b>	
Day Support Service	£12.00 per hour
<b>Mental Health Day Opportunities</b>	
Staff-led group session	£13.70 a session
One-to-one support	£27.30 per hour



# Flat rate costs (non-means-tested services)

Some services are charged at a flat rate and you must pay for them regardless of your financial circumstances. These are:

## Respite Stays in a care home

These are short stays in a care home. Care charges are set at minimum prices based on minimum income levels.

## Meals

These are meals you might have such as lunch at a Leeds City Council day centre. Everybody has to pay for their own food. Therefore the cost of meals must be met from the general cost of living allowance (see page 18)

## Telecare Monitoring Service

### What is Telecare?

Telecare is a chargeable service that can support older and vulnerable people to live safely and independently in their own home through the use of simple sensors.

### How does it work?

Telecare can monitor you, by raising an alert if the sensor detects any problems.

If a Telecare sensor activates in your home, an alert is automatically raised to a 24-hour response centre.

### What does the response centre do if my sensor activates?

Staff at the response centre will contact you to check your safety. They will then respond appropriately - either providing reassurance or advice, or contacting a family member, mobile warden or emergency service.

### Where can I get more details about Telecare?

More details about Telecare services including costs and making a self-referral are available online at:

[www.leeds.gov.uk/adult-social-care/help-at-home/help-alarms-and-safety-in-the-home](http://www.leeds.gov.uk/adult-social-care/help-at-home/help-alarms-and-safety-in-the-home)

### I get a home care service and a Telecare alarm monitoring service. Will I get two separate bills?

Yes. However, the cost of your telecare service will be taken into account in your financial assessment for your home care service.

This means that whilst you will have to pay your Telecare bill separately, the amount you are assessed as being able to afford for your home care service will be reduced by the same amount as a disability-related expense. (see page 19).

# Flat rate costs (non-means-tested services)

The tables below show the flat rate costs everyone must pay for non means-tested services.

Respite Care	Per week
State Pension Age and over	£188.00
Aged 25 to State Pension Age	£156.70
Aged under 25	£137.80



Meal Charges	Per meal
Main meal including dessert	£7.10
Second meal (for tea-time)	£4.00



# Financial Representation

If you have the capacity to deal with your own financial affairs, we will deal with you directly regarding your application for financial assistance.

## **I have financial capacity but I would prefer someone else to deal with my application for financial assistance.**

If you wish to nominate someone else to deal with your application on your behalf, you must give your written consent. To do this both you and the person you nominate must sign a representative nomination form which must be witnessed.

Your social worker will provide you with this form and they can also sign it as a witness.

Your social worker will provide the Financial Assessment Team with a copy of the signed form so that we can legally deal with your nominated representative.

**We will not be able to deal with anyone else (including your partner) unless you give your written consent.**

**It is a good idea to make a Lasting Power of Attorney whilst you still have the capacity to do so. See Page 8**

## **What if I have lost capacity to deal with my financial affairs?**

If you are no longer able to deal with your own financial affairs we can deal with someone else on your behalf but only in certain circumstances.

**We cannot deal with anyone else unless they have the legal right to deal with your financial affairs.**

Evidence of another person's legal right to act on your behalf must be provided before a financial assessment can be started.

Your social worker will verify any necessary documents.

Your social worker will provide the Financial Assessment Team with a copy of the documents so that we can legally deal with another person on your behalf.



# Financial Representation

## I have lost capacity. What evidence does my social worker need to verify before you can deal with someone else on my behalf?

If you have lost capacity to deal with your financial affairs, your social worker must verify one or more of the following original documents:

- A Lasting Power of Attorney for property and financial affairs
- An Official Deputyship Order
- Department for Work & Pensions (DWP) Appointeeship letter (BF57 form)

## Can you deal with my DWP appointee in all cases?

No. If you have income and savings aside from any welfare benefits you get, we will not be able to deal with your DWP appointee. Your DWP appointee will need to apply to the Court of Protection to become your legal deputy so that they have the legal right to deal with all your financial affairs.

## How does someone apply to become my legal representative?

There are different application processes depending on which type of legal representation a person applies for.

## Appointeeship by the DWP

A person can apply for the right to receive and deal with the benefits of someone who cannot manage their own affairs because they are mentally incapable or severely disabled. The DWP would normally visit to arrange an appointeeship. The DWP confirms appointeeship by issuing a BF57 form. For more information go to:

[www.gov.uk/become-appointee-for-someone-claiming-benefits](http://www.gov.uk/become-appointee-for-someone-claiming-benefits)

## How long does it take?

The DWP will usually visit you and your representative within around two weeks.



# Financial Representation

## Lasting Power of Attorney (LPA)

If you **still have capacity** and you have already appointed an attorney, you must explicitly consent to your attorney acting on your behalf.

A Lasting Power of Attorney can be registered as soon as it is drafted, or at a time when you lose capacity. If you lose mental capacity, any existing LPA must be registered with the Office of the Public Guardian (OPG) before it becomes valid.

## How do I draw up a Lasting Power of Attorney?

You can draw up a Lasting Power of Attorney agreement at any time, **providing you have the capacity to do so**. You can arrange this yourself by visiting:

<https://www.gov.uk/power-of-attorney>

or you can arrange this through a solicitor.

## How long does it take to register and do I have to pay anything?

The OPG advises that it can take up to 10 weeks for the LPA to be registered, and there is a registration charge to pay, unless

you qualify for a reduction or exemption.

## Can I draw up a Lasting Power of Attorney after I have lost capacity?

No. You must have full mental capacity at the time you draw up a Lasting Power of Attorney. If you have lost capacity you cannot draw up a Lasting Power of Attorney.

## I did not draw up a Lasting Power of Attorney before I lost capacity. What other options are there?

If you have no Lasting Power of Attorney in place and a mental capacity assessment deems you as not having capacity, then someone else must make an application for Property and Affairs Deputyship to the Court of Protection.

## Can I check to see if I already have a Lasting Power of Attorney?

Yes. You can ask for a search of the Office of the Public Guardian (OPG) registers by going online to: [www.gov.uk/government/publications/search-public-guardian-registers](https://www.gov.uk/government/publications/search-public-guardian-registers)

# Financial Representation

## How to become a Deputy under the Court of Protection

If you have not made arrangements for others to manage your finances, and you lose capacity, then someone must apply for a court order to make decisions for you.

### How long does it take?

Deputyship applications may take up to 16 weeks to be dealt with.

### How to apply

If someone decides to act for you because you no longer have the capacity to make financial decisions, it is recommended that they seek legal advice. This is so that they fully understand their responsibilities, and that they are able to apply to become a deputy. The court order can be arranged through a solicitor or a person can apply to the court themselves by visiting:

[www.gov.uk/become-deputy](http://www.gov.uk/become-deputy)

## Do I have to pay anything to apply for Deputyship?

Yes. Fees are payable to the Office of the Public Guardian by the person receiving the care and support. The fees are for application, supervision and annual report. Other fees are payable depending on circumstances. You are responsible for meeting all charges relating to deputyship that are set by the Court of Protection.

## Who can apply to become my deputy?

Family members, friends or solicitors can apply to be your Property & Affairs Deputy.

## I have no one to become my deputy. What other options are there?

Where there is no one capable, willing or able to manage your financial affairs, the Council may apply for both appointeeship and deputyship and make decisions on your behalf.

**The Council makes a charge for providing this service.**



# Financial Representation

## Is the Council always the last option?

Not always. Your social worker may refer your case to *Law Desk Legal* which is a group of solicitors who will be happy to apply to become your deputy.

## Don't delay in organising financial representation if you need it.

The longer a person waits to apply for legal representation, the longer the delay in considering an application for financial assistance.

**I do not qualify for financial assistance because of the amount of money I have in savings. No-one can access my money until they are appointed as my deputy, yet I still need to pay my care fees. What can be done?**

The Court of Protection can grant an urgent interim order or an emergency court order, in certain circumstances, e.g. when someone's life or welfare is at risk and a decision has to be made without delay.



## Mental Capacity Act 2005

If the court agrees, the person applying for deputyship will be able to make necessary decisions on your behalf.

The urgent application must be for a specific decision that needs to be made without delay, **e.g. to get money from the person's bank account to pay outstanding care and support costs.**

## How do I apply for an urgent interim order?

The person applying to become your deputy can get an urgent interim order if their application has not yet been approved. Details of how to do this are online at:

[www.gov.uk/emergency-court-of-protection](http://www.gov.uk/emergency-court-of-protection)



# Advocacy Support

## Am I entitled to an independent advocate to help me with my application for financial assistance?

You may be entitled to an independent advocate under the Care Act 2014 if you meet the conditions.

### What are the conditions?

There are two conditions:

- You must have “**substantial difficulty**” in being fully involved in your assessment, care and support planning and review or safeguarding.
- There is no-one else “**appropriate and available to support**” you and represent your wishes.

### What does “substantial difficulty” mean?

To qualify you must have substantial difficulty in any one of the following areas:

- Understanding relevant information.
- Retaining information long enough to be able to weigh up options and make decisions (this is also called ‘substantial difficulty in engaging.’)

- Not be able to understand the advantages or disadvantages of options available.
- Communicating your views, wishes and feelings.

### What does “appropriate and available to support” mean?

An advocate must be able to support you and be involved in your care and support. They cannot be employed by the Local Authority or paid to support you in another role.

### I have an appropriate person to support me already, so do I need an advocate?

Only if there is a disagreement between the Local Authority and your appropriate person and all agree that the involvement of an advocate would benefit you.

### How do I get an advocate?

If you meet the two conditions above, the Local Authority must refer you for an independent advocate. In Leeds this means that your social worker will make a referral to Advonet. Advonet will then allocate an advocate to help you.

### Further information

More details about Advonet’s services are available online at [www.advonet.org.uk](http://www.advonet.org.uk) or you can telephone them on 0113 244 0606.



# How do I apply for financial assistance?

## Referral for a financial assessment

When it has been agreed that you are going to receive some services, your social worker will ask the Financial Assessments & Benefits Team to carry out a financial assessment to see if you qualify for any financial assistance.

## Requesting financial evidence

We will write to you and you will be asked to provide financial evidence for your financial assessment.

## What information will I need to provide for my financial assessment?

Examples of evidence required:

### Welfare Benefits

- Recent benefit award letters from the DWP or up-to-date bank statements showing details of these payments.

### Occupational / Private Pensions

- Letters from works pensions or annuity providers including any draw-down arrangements you may have made to access pension funds early.

## Bank statements

- Transactional bank or building society statements or pass books for **all accounts** held covering the period of at least 12 months prior to the date you began to receive services to the present day.

## Investments

- Details of any shares, national savings products, bonds etc.

## Property & Land

- Details of any property or land owned or previously owned, including your main or only home and any other income and investments.

## Disability-Related Expenses

- Evidence of disability-related expenses. (see pages 20 & 21).

If you want your disability-related expenses to be considered in your application for assistance, you must provide **the last four weeks worth of any bills or receipts which detail these additional costs.**

## How do I apply for financial assistance?

**To work out whether you qualify for any financial assistance, you must have a financial assessment.**

### Financial assistance is strictly means-tested

Please be aware that if you are making an application for financial assistance to help reduce your care and support costs, the law requires you to declare your true financial circumstances.

**Failure to do so could render you or your representative liable to legal proceedings.**

### What if I am entitled to any extra benefits?

We will also do a full welfare benefits check for you and / or your partner. If we think that you may be entitled to extra benefits we will tell you how to claim them. If you need help to claim benefits and no-one else can act for you, we will refer you to the Council's Welfare Rights Unit who will help you to make a claim.

Any extra benefits you receive are likely to affect the level of financial assistance you qualify for. You must tell us as soon as you are awarded

any extra benefits to avoid being overpaid assistance.

We will backdate and revise your financial assessment in line with your benefit entitlement date or to the date your chargeable services started.

**You must repay any resulting overpaid financial assistance.**

### What happens if I do not provide the information required for my financial assessment?

We will assume you do not wish to continue with your application for financial assistance. You will start to get regular bills for the full costs of your care and support services. (See page 3).

If you have opted to have a direct payment so that you can arrange your own care and support, you will not be paid any money until a financial assessment has been completed.

### Do I have to give my financial details?

You don't have to provide any details of your income or savings but if you don't provide all the information required, you will not qualify for any financial assistance and you will have to pay the full cost of your care and support.

# How is my financial assistance worked out?

## Income and capital

We will look at all your income and any savings or investments you have.

We will also look at any disability benefits you get to help you pay for the extra help or care you may need.

## Savings and Investments

Only savings and investments over £14,250 will counted in your financial assessment.

We will include any amount over £14,250 to work out if you qualify for financial assistance.

## Capital Limit

If you have savings or investments worth £23,250 or over (the value of your home you currently live in is ignored), or if you choose not to disclose your financial information, you will be charged the full cost of the services you receive because you will not qualify for financial assistance.

## Do you take into account all my income?

The Government tells us that we have to ignore some of your income to allow for general costs of living such as food, clothing, water charges, utility bills, telephone bills etc.

This ignored amount must also be used to pay for the things you choose to do or to buy.

Any disability-related expenses will be considered separately.

## Cost of Living Allowance

The amount the Government tells us to ignore is know as your cost of living allowance. The amount ignored depends on your personal circumstances and these are shown on page 19.

If your income (including tariff income - see page 16) is less than this ignored amount you will qualify for full financial assistance and you will not have to pay for any of your financially assessable services.

# How is my financial assistance worked out?

## Income

We will look at your income to see what needs to be included and what can be ignored.

### Examples of Income included:

- State Retirement Pension
- Occupational Pension/Private Pension
- Guarantee Credit (Pension Credit)
- Income Support
- Employment and Support Allowance (ESA)
- Armed Forces Independence Payment
- Disability Living Allowance (DLA) Care Component
- Attendance Allowance (AA)
- Constant Attendant Allowance
- Personal Independence Payment (PIP) Daily Living Component
- Industrial Injuries Disablement Benefit
- Universal Credit

### Examples of Income ignored:

- War Disability Pension
- War Widows Pension
- Earnings
- Working Tax Credit
- Savings Credit (Pension Credit)
- Disability Living Allowance Mobility Component
- Personal Independence Payment Mobility Component
- War Widows Supplementary Pension
- Guaranteed Income Payments from the Armed Forces Compensation Scheme
- Armed Forces Independence Payment Mobility
- Student Finance

If you qualify for extra benefits but you choose not to claim them, we must still include the money you could have claimed in your financial assessment. It is therefore in your own interests to claim your full entitlement to welfare benefits.

Please note that any personal debt cannot be taken account of in your financial assessment. We can refer you to organisations that can help you to manage your debt.



# How is my financial assistance worked out?

## Capital

### How much can I have in savings and investments and still qualify for financial assistance?

If you have savings and investments of £14,250 or less they will be ignored completely. If you have savings of above £14,250 to £23,250, we will need to work out a weekly amount on top of your other income to include in your assessment.

- For every £250 you have between £14,250 and £23,250, £1 will be considered as extra weekly income (known as tariff income).

### I have more than £23,250 in savings and investments. Will I still qualify for financial assistance?

No. If you have savings and investments over £23,250 you will not qualify for any financial assistance and you will be liable to pay the full costs of any services you receive.

## Money you pay out

Apart from personal debt, we will also be able to take into account some of the money you pay out, which may increase the level of financial assistance you qualify for.

- Weekly rent or mortgage (less any Housing Benefit / Universal Credit housing element or any other eligible housing support)
- Buildings insurance (where mortgage payable on property)
- Council Tax (less any council tax support)
- Disability related expenses (see pages 20 & 21)

### Proof of these costs will be required

**Please note: Equity release repayments are not taken into account.**

## Housing Cost Allowance

Apart from if you have your own tenancy, if you live with other adults who are legally liable to pay housing costs (excluding your partner), a fixed allowance of £24.20 will be taken into account which may increase the level of financial assistance you qualify for.

## How is my financial assistance worked out?

### How much do I have to pay when you have worked out if I qualify for financial assistance?

Based on your financial circumstances, we will work out the maximum amount you can afford to pay each week for your care and support services

### Do I always have to pay the maximum I can afford each week?

Not always. It depends on the level of services as detailed in your care and support plan. Your services might cost less than the maximum amount you have been assessed as being able to afford. If that is the case you will only have to pay the amount your services cost.

### What if my care and support services cost more than I am assessed as being able to afford?

You will only have to pay the amount you have been assessed as being able to afford each week.

You will qualify for financial assistance for the rest of your costs.

## How is the amount I am assessed as being able to afford worked out?

Quite simply, this amount is the difference between the amount of money you have coming in and the amount of money we are able to disregard.

**Please note: you can never pay more than the amount you have been assessed as being able to afford for all the means-tested services you receive.**

### I would like to have an idea of how much I will be liable to pay before my financial assessment takes place. What can I do?

Please have a look at the examples of financial assessments on pages 22 to 26 of this booklet to help you understand how much you might be liable to pay.

# How is my financial assistance worked out?

## Cost of Living Allowances — Ignored amounts

The tables below show you how much income (including tariff income) a person is allowed before paying anything for their services. A person with income below these levels will qualify for full financial assistance and will not have to pay for their services, except for services which are non-means-tested and charged for at flat rates (see page 5).

**If you are responsible for children who live in the same house as you, an extra £101.25 per child will be added to the amounts below.**

Single People aged 18 to 24		Weekly
Basic rate		£87.65
With a disability premium or DLA (middle or low rate care) or PIP (standard daily living component)		£136.45
With DLA (high rate care) or PIP (enhanced daily living component)		£160.30
With a carer's premium		£140.00
With a disability premium or DLA (middle or low rate care) or PIP (standard daily living component) and a carer's premium		£188.80
With DLA (high rate care) or PIP (enhanced daily living component) and a carer's premium		£212.65
Single Person aged 25 to State Pension Age (SPA)		Weekly
Basic rate		£110.60
With a disability premium or DLA (middle or low rate care) or PIP (standard daily living component)		£159.40
With DLA (high rate care) or PIP (enhanced daily living component)		£183.25
With a carer's premium		£162.95
With a disability premium or DLA (middle or low rate care) or PIP (standard daily living component) and a carer's premium		£211.75
With DLA (high rate care) or PIP (enhanced daily living component) and a carer's premium		£235.60
Single aged State Pension Age (SPA)		Weekly
Basic rate		£228.70
With a carer's premium		£281.05

## Disability-related expenses

We will take into account any reasonable disability-related expenses (DREs) unless these are already funded in your care and support plan, or if they are already funded (or should be funded) by other government agencies. For example, costs which should be funded by the NHS are not allowed.

### Have I got any disability-related expenses?

You might have DREs because you have to pay for items or services that you only have because of your disability or frailty. For example, if you pay for a gardener because you live alone and are no longer able to maintain your own garden.

### What kinds of costs might be considered a disability-related expense?

Below is a list of some examples that can be considered as DREs if they are reasonable and your disability or frailty makes them a necessity.

These are just some examples of DREs. There is no complete list and each person's DREs are considered on an individual basis.

### Household expenses such as:

- Cleaner
- Excess household energy costs
- Gardener
- Excess laundry costs

### Travel/transport\* such as:

- Public transport
- To and from respite care
- Shopping
- Taxis for essential journeys\*

\*Only transport costs which exceed any mobility awards will be considered

### Personal care and other expenses such as:

- Bed linen
- Clothing/specialist footwear
- Hair washing (not cutting or styling)
- Chiropodist

### Equipment/adaptations such as:

- Bath/shower
- Powered bed
- Hoist
- Stair lift
- Walking aid/wheelchair
- Specialist equipment
- Telecare equipment monitoring costs

Anything you pay for by choice is not a disability-related expense. Costs which are not absolutely necessary cannot be taken into account. Any cost you are likely to have incurred anyway (even if you were not disabled or frail) must be met from your cost of living allowance. (See page 18)



## Disability-related expenses

### What information do I need to provide?

You should tell us about anything you pay for which you think might be a DRE so we can consider them

You will need to provide proof of your expenses. In most cases, the last 4 weeks worth of any bills or receipts that detail these additional costs will need to be provided.

### What information must be detailed on my receipts?

Receipts must show the name and address of the person or company providing the services or equipment to you.

### Protecting public funds

As part of our duty to protect public funds and to prevent fraud, checks are carried out with other Leeds City Council Departments and government agencies to ensure the person or company providing you with a service has fully declared the money you pay them. We may need to contact the person or company providing their services to you to check this.

### Will you consider any cash-in-hand payments?

No. The Council is a public body and we must ensure we do not condone undeclared income. All payments must be declared for income tax purposes by the person you pay before we can consider them. The Council will report evidence of cash-in-hand payments to His Majesty's Revenue & Customs (HMRC).

### I pay a family member to help me. Will the money I pay them be taken into account?

No. The law does not allow for payments to family members to be taken into account as a disability-related expense.

### Will you always consider the full amount of the money I pay out?

If the amount you pay out for disability-related expenses is excessive and the goods or services can be purchased for a lower price, the lower price will be considered rather than the amount you actually spend, even if you have already spent the money.

We will advise you how to reduce your costs by choosing cheaper more affordable goods and services in future.

# Examples of financial assessments

Mary is 85 and lives alone. Her care and support plan says she needs a home care service of 10 hours per week; it also says that she should go to the day centre once a week with transport for the round trip. She also has a Telecare pendant alarm because she is at risk of falls.

## What is the weekly cost of Mary's care and support?

Mary's home care agency charges £23.91 per hour. The standard rates (see page 3) show that Mary's other weekly costs are as follows. :

10 hours home care service x £23.91 per hour =	£239.10
1 day at the older person's day centre x £40.25 per day =	£ 40.25
1 day's transport to the day centre x £8.15 per day =	£ 8.15

**Mary's care and support costs are £287.50 every week**

## Will Mary qualify for any financial assistance to help her pay her costs?

Mary's weekly income

State Pension	£169.50
Pension Credit	<u>£ 48.65</u>
<b>Total weekly income</b>	<b><u>£218.15</u></b>

## Mary's ignored amount and allowable expenses

Cost of living allowance	£228.70	(see page 18)
Telecare monitoring	<u>£ 9.30</u>	
<b>Total disregards</b>	<b><u>£238.00</u></b>	

Mary's income is less than the ignored amount (£218.15 minus £238.00) and so **she qualifies for full financial assistance** to pay her £287.50 weekly care and support costs. Mary has nothing to pay herself.

Mary should consider claiming Attendance Allowance. She could then claim extra Pension Credit. Mary needs help to claim, so she is referred to the Council's Welfare Rights Unit to help her claim the additional benefits she is missing out on.

Mary is later awarded these additional benefits which increases her weekly income by £108.55 Attendance Allowance and £81.50 extra Pension Credit to give her a new total weekly income of £408.20. Her financial assessment is then revised following this change. Please see the following examples of people with this extra income.

# Examples of financial assessments

Frank is 92. His care and support plan says he needs a home care service of 2 half hour visits per day, 7 days a weeks **with 2 carers required**.

## What is the weekly cost of Frank's care and support?

Frank's home care agency charges £25.44 per hour / per carer. Frank's weekly costs are as follows:

7 hours home care service x £25.44 per hour / per carer = £356.16

**Frank's total care & support costs are £356.16 every week**

## Will Frank qualify for any financial assistance to help him pay his costs?

### Frank's weekly income

State Pension	£175.00
Private Pension	£ 36.71
Attendance Allowance	£108.55
Pension Credit	£ 87.94
<b>Total weekly income</b>	<b><u>£408.20</u></b>

### Frank's ignored amount and allowable expenses

Ignored amount	£228.70
Excess fuel allowance	£ 8.46
Stair lift maintenance	£ 7.71
Cleaner	£ 45.00
<b>Total disregards</b>	<b><u>£289.87</u></b>

Frank is assessed as being able to afford to pay the difference between his total weekly income and his total weekly disregards (£408.20 minus £289.87 = **£118.33\*** per week)

Frank's care and support costs are £356.16 every week which is more than he is assessed as able to afford, so he qualifies for financial assistance to help him meet his costs

Total cost of services	£356.16
less	
Amount Frank can afford	<u>*£118.33</u>
<b>Financial assistance</b>	<b><u>£237.83</u></b>

**Frank qualifies for £237.83 per week financial assistance** and he can afford to pay \*£118.33 himself

With the financial assistance Frank qualifies for, he can now meet the cost of his weekly care and support.

# Examples of financial assessments

Ruby is 78. Her care and support plan says she needs a home care service of 5 hours per week with one carer required; it also says that she should go to the day centre twice a week with transport for the round trip.

## What is the weekly cost of Ruby's care and support?

Ruby's home care agency charges £26.71 per hour. The standard rates (see page 3) show that Ruby's other weekly costs are as follows. :

5 hours home care service x £26.71 per hour =	£133.55
2 days at the older person's day centre x £ 40.25 per day =	£ 80.50
2 day's transport to the day centre x £8.15 per day =	£ 16.30

**Ruby's total care & support costs are £230.35 every week**

## Will Ruby qualify for any financial assistance to help her pay her costs?

### Ruby's weekly income

State Pension	£229.03
Private Pension	£115.45
Attendance Allowance	£108.55
Tariff income on £20,000 in savings	£ 23.00
<b>Total weekly income</b>	<b><u>£476.03</u></b>

Ruby's care and support costs are £230.35 every week which is less than the amount she is assessed as able to afford.

**Ruby does not qualify for financial assistance at this time.**

### Ruby's ignored amount and allowable expenses

Ignored amount	£228.70
Excessive laundry	£ 4.74
Powered Bed	£ 5.46
<b>Total disregards</b>	<b><u>£238.90</u></b>

Although Ruby can afford to pay up to a maximum of \*£237.13 per week, her services cost less at only £230.35 per week. Therefore Ruby can afford to pay for her services herself.

Ruby is assessed as being able to afford to pay the difference between her total weekly income and her total weekly disregards (£476.03 minus £238.90 = \*£237.13 per week)

Ruby might qualify for financial assistance in the future if her care and support costs increase to more than £230.35 per week, but until then she does not qualify for financial assistance.



# Examples of financial assessments

Liam is 25. His care and support plan says he needs to live in a supported living house providing 24-hour care and support.

## What is the weekly cost of Liam’s care and support?

Liam’s supported living placement costs in his care and support plan are £1,731.50 per week

**Liam’s total care & support costs are £1,731.50 every week**

## Will Liam qualify for any financial assistance to help him pay his costs?

### Liam’s weekly income

ESA Support Group	£240.55
PIP (Daily Living)	£108.55
PIP (Mobility)	<u>£ 75.75</u>
<b>Total weekly income</b>	<b><u>£424.85</u></b>

Liam’s care and support costs are £1,731.50 every week which is more than he is assessed as able to afford, so he qualifies for financial assistance to help him meet his costs

### Liam’s ignored amount and allowable expenses

Ignored amount	£183.25
PIP ( Mobility)	£ 75.75
Extra clothing	£ 4.80
Excessive laundry	<u>£ 4.74</u>
<b>Total disregards</b>	<b><u>£268.54</u></b>

Total cost of services	£1,731.50
less	
Amount Liam can afford	<u>*£ 156.31</u>
<b>Financial assistance</b>	<b><u>£1,575.19</u></b>

**Liam qualifies for £1,575.19 per week financial assistance** and he can afford to pay \*£156.31 himself

Liam is assessed as being able to afford to pay the difference between his total weekly income and his total weekly disregards (£424.85 minus £268.54 = **£156.31** per week)

With the financial assistance Liam qualifies for, he can now meet the cost of his weekly care and support.

## Examples of financial assessments

Jenny is 42 and lives at home with her parents. She has a learning disability. Her care and support plan says she needs to go to the day centre 5 days a week with transport for the round trip.

### What is the weekly cost of Jenny's care and support?

The standard rates (see page 3) show that Jenny's total weekly costs are as follows:

5 days at the day centre x £65.15 per day =	£ 325.75
5 day's transport to the day centre x £8.15 per day =	£ 40.75

**Jenny's total care & support costs are £366.50 every week\***

### Will Jenny qualify for any financial assistance to help her pay her costs?

#### Jenny's weekly income

Universal Credit	£186.84
PIP (Daily Living)	£108.55
PIP (Mobility)	<u>£ 75.75</u>
<b>Total weekly income</b>	<b><u>£371.14</u></b>

#### Jenny's ignored amount and allowable expenses

Ignored amount	£183.25
PIP (Mobility)	£ 75.75
Powered wheelchair	£ 12.00
Excessive laundry	£ 4.74
Non-liaible housing cost	<u>£ 24.20</u>
<b>Total disregards</b>	<b><u>£299.94</u></b>

Jenny is assessed as being able to afford to pay the difference between her total weekly income and her total weekly disregards (£371.14 minus £299.94 = **\*£71.20** per week)

Jenny's care and support costs are £366.50 every week which is more than she is assessed as able to afford, so she qualifies for financial assistance to help her meet her costs

Total cost of services	£366.50
less	
Amount Jenny can afford	<u>£ 71.20</u>
<b>Financial assistance</b>	<b><u>£295.30</u></b>

**Jenny qualifies for £295.30 per week financial assistance** and she can afford to pay **\*£71.20** herself.

With the financial assistance Jenny qualifies for, she can now meet the cost of her weekly care and support

## How and when do I pay for my services?

Unless you qualify for full financial assistance you will be liable to pay for some or all of your services.

### From when am I liable to pay my care and support costs?

You are liable to pay for your care and support from the date you start to receive chargeable services.

### Will the amount I am assessed as being able to afford ever change?

Yes. Financial assistance is strictly means-tested, so if your own financial circumstances change, the level of financial assistance you qualify for will also change from the same date.

### What must I do if my financial circumstances change?

You must report any changes straightaway about the money you have coming in, or changes in your savings and investments, or the money you pay out. Any changes may affect the amount of financial assistance you qualify for. If you do not report changes as they happen, you may be overpaid financial assistance which you will have to pay back.

**Failure to report a change in circumstances, or deliberately withholding financial information, or any deliberate attempt to claim more assistance than you qualify for is fraud.**

A yearly review of your financial assessment will also be carried out to take into account any increase in welfare benefits you claim, and any changes to money we can ignore.

### When will I get my first bill?

After your services start, your first bill may take some time to be issued, but it will be backdated to the date your services started. It will include charges for all services as detailed in your care and support plan.

### Will I be refunded if I cancel my services?

If you cancel your services by choice, you will still be charged for them. This is because the Council has paid for those services to be provided to you to meet your needs.

If you decide you no longer need the services arranged for you, you must ring Adult Social Care on **0113 222 4401** to ask for a review.

You will still be charged for your services until a social worker decides to change or amend your care and support plan.

## Direct Payments

Rather than the Council arranging your care and support for you, you may have decided to opt for a direct payment to meet the cost instead. With a direct payment, you can arrange your own care and support in line with your direct payment agreement.

### Do I get a bill if I have a direct payment?

No. Instead, you must pay the weekly amount you are assessed as being able to afford straight into your dedicated direct payment account. Any money you receive from the Council will only make up the shortfall between the agreed cost of your care package and the amount you must pay yourself.

### Will I always have enough money in my direct payment account to pay for my care and support?

If you always pay the weekly amount you have been assessed as being able to afford into your account, you should always have enough money available.

### What happens if I do not report a change in my financial circumstances?

Your financial assessment will be revised and backdated to the date your circumstances changed. It is likely that this will mean you have

been overpaid financial assistance.

If you have been overpaid, you will have to make additional backdated payments to your direct payment account.

### What happens to my future assistance payments if I have been overpaid?

Your future assistance payments will normally reduce or stop until the total amount of overpaid assistance is recovered. You will be advised of any change in the weekly amount you must pay when your financial assessment is revised and backdated.

### Will anyone check I have paid the correct weekly amount?

Yes. Your direct payment will be subject to ongoing audits in line with your direct payment agreement.

If you have not paid your assessed share of the cost of your care and support, you will be sent a bill for the missing payments.

Non-payment of your share of your costs may result in your direct payment being withdrawn and your future care and support being arranged by the Council instead.

### How do I get in touch about my direct payment audit?

Please ring the Direct Payment Audit Team on **(0113) 378 8556**



# Important Legal Information

Please be aware that if you are making an application for financial assistance to help reduce your care and support costs, the law requires you to declare your true financial circumstances. **Failure to do so could render you or your representative liable to legal proceedings.**

## Deprivation of Assets

The law states that you must not give away money or property or sell it at a below market value in order to secure more financial assistance from the state. If you have done this you will be treated as if you still owned it. The money or property will be treated as “notional capital” and it will affect the amount of assistance you can get. The people you have given the asset to might also become liable to pay your care and support costs.

## Placing assets in Trust

Trusts are legal devices designed to hold assets on behalf of named beneficiaries. With a trust owning the assets, you might have been advised that those assets will no longer be counted in your application for financial assistance.

However the law states that you must not place your assets in trust in order to secure more financial assistance.

If you do this you may not qualify for financial assistance and you will have to pay all your care and support costs yourself

If you have been advised to place your assets in trust to protect your investments from being used to pay your care and support costs, you have been given the wrong advice. The law states that you must not transfer the ownership of assets like a property or savings into a trust to avoid or reduce your care and support costs.

**Financial assistance is strictly means-tested** so, if the Council believe you have given away your money or property in the avoidance of paying your care and support costs, we will decide that you have deprived yourself of your own assets to take advantage of state financial assistance and this may mean that you will not qualify for financial assistance.

The Council will use its powers to investigate thoroughly all applications for financial assistance in accordance with the *Care & Support Statutory Guidance*.

# Independent financial advice

The information provided in this booklet is for guidance only and does not constitute legal or financial advice.

Leeds City Council strongly advises you to take independent financial advice regarding your long term funding options for your care and support costs.

## Where can I get financial advice?

The Council is not allowed to give financial advice directly, but there are independent organisations and services you can go to for financial advice.

Some organisations are national and some more local to Leeds.

## Do I have to pay for financial advice?

It depends. Some organisations offer free advice and others may charge.

## Will the Council pay for my financial or legal advice?

No. Leeds City Council will not pay for any costs you have incurred for either financial or legal advice.



## Useful Contacts

**Society of Later Life Advisors (SOLLA)** which aims to meet the needs of people seeking advice about the financial issues in later life by ensuring they can find an accredited adviser local to them. Any financial advice given is chargeable.

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

Tel: 0333 2020 454

**Money Helper** which offers free impartial advice to help you manage your money.

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

Tel: 0800 011 3797

**Age UK Leeds** which provides services and support to inspire, enable and support older people.

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

Tel: 0113 389 3000

**Citizens Advice Leeds** which provides free, confidential and impartial advice.

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

Tel: 0808 278 7878

# Frequently Asked Questions

## What happens if my financial circumstances change?

You must report any changes in your financial circumstances straightaway as it might affect the amount of financial assistance you qualify for. Please telephone the Financial Assessments & Benefits Team on 0113 378 8251 to request a review.

## Why are care and support services chargeable?

To help provide and develop services to a high standard. If care and support services were not strictly means-tested, there would not be enough money to fund the services required by all those who need them.

## Do I have to give my financial details?

You don't have to provide any details of your income or savings but if you don't, we cannot assess if you qualify for any financial assistance and you will have to pay the full cost of your care and support services.

## What happens if I don't pay my care and support costs or I stop making payments?

The Council will pursue you for your debt and this may result in legal proceedings. Your credit rating (or your legal representative's) may also be affected.

## What legislation does the Council use to work out whether I qualify for financial assistance?

When undertaking financial assessments, the Council must act in accordance with:

- *Care Act 2014*
- *Care and Support (Charging and Assessment of Resources) Regulations 2014*
- *Care & Support Statutory Guidance*

You can view all this information online by visiting:

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

[www.legislation.gov.uk](http://www.legislation.gov.uk)

## Frequently Asked Questions

### How will I make sure I have enough money to pay my bills?

The financial assessment has shown that you can afford to pay your bills. Make sure you put the money aside to pay your bills ready for when they arrive.

**Remember: from the date your services start, you are liable to pay for them, including all those detailed in your care and support plan.**

### How often will I get billed?

After your first bill, you should receive regular bills every four weeks. If your weekly costs are very small, bills may be sent at longer intervals.

### Can I pay by Direct Debit?

Yes you can. This is the preferred method of payment. You should ring **(0113) 376 0360** to set-up your direct debit. Alternative payment methods are explained on the back of your invoice.

### I have a query about my bill, what do I do?

Please ring the Billing Team on **(0113) 378 8563**.

### I want to pay my bill, what do I do?

Please ring **(0113) 376 0360**

### Now that my bills have come, I have changed my mind and decided I would like to apply for financial assistance. What do I do?

Contact the Financial Assessments & Benefits Team and ask for a financial assessment.  
Please ring **(0113) 378 8251**

### I pay for my services but have been in hospital. Will I still have to pay?

No. However, you might get a bill anyway if we do not know you have been in hospital by the time your bill was issued. If this happens, you should ring the Billing Team on **(0113) 378 8563** so that your next bill can be adjusted.

### I want to cancel my services altogether. What must I do?

You must tell your social worker first. If you don't, you will still be charged for the services which have been arranged for you.



# How to Appeal

## Is there an appeals process I must follow if I disagree with a decision?

Yes. You must follow the process set out below.

## What do I do first?

If you disagree with the outcome of your financial assessment you can ask for it to be looked at again by a **different** officer. This is known as a “reconsideration.”

## How do I ask for a reconsideration?

You can write to us, you can email us or you can telephone us. Please see the contact details on the next page.

You must tell us why you think the decision is wrong and provide any additional information that you want to be considered.

## What happens during a reconsideration?

A different officer will consider your application for assistance again from the beginning. They will also take into account any additional information you have provided.

The officer will tell you whether or not the original decision has changed following a reconsideration.

They will do this by post, phone or email.

## I still disagree with the decision. What do I do next?

Following a reconsideration, if you still disagree with the decision, then you can appeal to the Financial Assessment Team Manager by post, phone or email using the contact details on the next page.

## What happens during an appeal?

The Financial Assessment Team Manager will review the previous decision made and check that the law has been applied correctly to your financial assessment.

Once a final decision has been made, you will be notified by post, phone or email.

## If I still disagree with the Council’s final decision, is there anything else I can do?

Yes. If you are still unhappy with the Council’s final decision, you can get in touch with the Local Government and Social Care Ombudsman.

## Can I go to the Ombudsman straightaway without following the Council’s appeals process?

The Ombudsman is unlikely to consider your appeal unless you have followed the Council’s appeals process first.

## Contact details

### What are the Council's contact details?

To ask for a reconsideration or to appeal you may write to the following address:

Adults Operational Services  
Financial Assessments & Benefits  
5th Floor East  
Leeds City Council  
Merrion House  
110 Merrion Centre  
Leeds  
LS2 8BB

Or you can email at:

[LBS.visitors@leeds.gov.uk](mailto:LBS.visitors@leeds.gov.uk)

Or, if you want to talk to us about any aspect of applying for financial assistance to help you pay your social care and support costs, you can telephone us on:

0113 378 8251  
(Monday to Thursday  
8.30am to 4.30pm)

### Who do I contact if I want to make a complaint rather than an appeal?

If you have a complaint about any other aspect of the financial assessment process, then you may complain to the Adults & Health Complaints Manager.

### How do I get in touch with the Complaints Manager?

You can write to the following address:

The Complaints Manager  
Leeds City Council  
Adults and Health  
5th Floor East  
Merrion House  
110 Merrion Centre  
Leeds  
LS2 8BB

Or you can email at:

[Complaints.socs@leeds.gov.uk](mailto:Complaints.socs@leeds.gov.uk)

Or you can telephone on:

0113 222 4405  
(Mondays, Wednesdays & Fridays  
9am to 5pm)

### How do I get in touch with the Local Government and Social Care Ombudsman?

You can go to the Ombudsman's website at: [www.lgo.org.uk](http://www.lgo.org.uk)

Or you can telephone them on:

0300 061 0614  
(Monday to Friday 10am to 1pm,  
except Wednesdays 1pm to 4pm)

### For More Information go to:

[www.leeds.gov.uk/  
PayingForCareAtHome](http://www.leeds.gov.uk/PayingForCareAtHome)





Leeds City Council Charging Policy

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