



## Appendix E

# Adult Social Care

Working together to enable people to 'live well' and  
independently in Telford and Wrekin

## Telford & Wrekin Charging Policy for Adult Social Care Non Residential Services



<b>Policy Information Sheet</b>	
Name of Document	Telford & Wrekin Charging Policy for Adult Social care non-residential (community based) services
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## 1. Policy Statement

This policy explains how Adult Social Care establish the amount an Adult is required to pay towards the cost of care received in their own home, community setting or prison and ensures that a consistent approach is applied in all cases to determine a person's ability to contribute towards their care.

## 2. Purposes of the Policy

The intent of this policy is to make sure that people are charged in line with the Care & Support (Charging and Assessment of Resources) regulations and statutory guidance.

## 3. Policy Information

The main aim of this policy is to provide a consistent and fair framework for charging all people who receive care and support services in a non-residential, community based or prison setting, following an assessment of their individual needs, and their individual financial circumstances.

This policy covers consideration of capital, property, income, fees and how the financial contribution to the cost of non-residential, community based or prison based care is established and notified.

This policy applies to individuals who are receiving care in non-residential, community based or prison setting – where the individual is placed in either nursing or residential care, the Council's Residential Charging Policy should be followed.

All aspects of this policy will apply to those adults who elect to receive a Direct Payment for all or part of their Personal Budget.

## 4. Procedure Statement

This policy replaces existing provisions from the date of approval and will be applied from the approval date for all new and existing financial assessments.

## 5. Background

The Care Act 2014 Section 14 allows local authorities to charge people for care and support services that are arranged and funded by them, where it is permitted to charge.

Income received from care charges helps the council to meet its statutory funding commitments, but crucially also helps to protect, develop and extend care and support services, and ensure that high quality services are available in the right form to meet the needs of adults with care and support needs.



Section 17 of the Act allows local authorities to carry out an assessment of a person's financial resources to work out the amount, if any, that they will be required to pay towards the cost of their care.

The Act, together with the supporting regulations and statutory guidance requires local authorities to develop and maintain a policy for charging people with care and support needs that are met in settings other than care homes (non-residential).

## 6. What services we charge for

- Home Care
- Day Care
- Transport
- Telecare (Community Alarms)
- Direct Payments
- Other Chargeable Services – this applies when a person receives a service that does not ordinarily fall into the chargeable services defined above i.e. home care, day care, transport, telecare and personal assistants. The charge will be based on the people/providers that support the customer.
- Fees and charges to self-funders for brokering and the administration of care, Telford & Wrekin Appointee & Deputy Services and Deferred Payment Agreement fees.

## 7. What services we cannot charge for

Some services are excluded from the charging process as there is no legal authority to charge. These include:

- After-care services provided under Section 117 of the Mental Health Act 1983
- Advice and Assessment
- Services provided to sufferers of Creutzfeldt Jacob Disease (CJD)
- Short term reablement services
- Community equipment
- SEN Educational establishments (Residential Colleges)

## 8. What services we have agreed not to charge for

- Telecare equipment provided to meet an assessed need
- Supply, Installation and Monitoring of community alarm if the 'user' is in receipt of Housing Benefit
- Services specifically for carers

## 9. Principles of the Policy

Telford & Wrekin Council are committed to ensuring that everyone is treated fairly. The overarching principle is that people should only pay what they can afford. In



deciding to charge for care and support the council adheres to a number of principles set out in the Care and Support Statutory guidance Chapter 8 paragraph 8.2 in its approach:

- **Fairness** - the policy will be applied consistently to all individuals receiving services, regardless of how they are receiving their services, so that everyone is treated fairly and equitably. For those who are not eligible for services we will offer signposting, advice and information.
- **Ability to pay** – everyone who receives social care support will be asked to contribute towards the cost of their social care based on their ability to pay rather than on the cost of their services alone. Everyone will be offered a comprehensive financial assessment of their individual circumstances and be left with a basic level of protected income, as set out in Government guidance. Following an assessment, no-one will be asked to contribute more than is reasonable. Depending on their situation, some people will not have to contribute anything
- **Maximising benefits entitlement** – to ensure everyone is receiving all the welfare benefits they are entitled to and not missing out, everyone will receive a welfare benefits check as part of their financial assessment to identify any benefits they might be entitled to and provide them with details of how to apply.
- **Transparency and clarity** – the policy is set out in a clear and straightforward way so that everyone can understand how their contributions (if any) have been calculated, will know what their contributions might be at an early stage, and be able to judge whether or not the policy has been applied correctly in their individual case
- **Empowerment** – the policy supports the overall goal of the Council to support people to have more choice and control over their resources and the way these are utilised, so that they are able to live their lives the way they want and feel included in their community
- **Proportionality** – the charges will be based on the actual cost of the service to the Council and you will only be asked to contribute towards the value of your own care
- **Compliance with statutory duties** – the policy will be applied in a way that is fully consistent with legislation and the requirements set out in national guidance

## 10. Legal framework

This policy is based on the legal framework for charging set out in the Care Act 2014. Should there be any confusion or dispute as to the application of this policy clarification will be sought from the primary and any secondary legislation and associated statutory guidance.

### The Legal Framework

The main legislation, regulations and guidance that apply to this policy are

- The Care Act 2014 (the "Act")
- The Care and Support (Charging and Assessment of Resources) Regulations 2014
- The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014
- The Care and Support (Deferred Payment) Regulations 2014
- The Care and Support (Preventing Needs of Care and Support) Regulations 2014
- The Care and Support Statutory Guidance (as in force at the relevant time) in particular Chapters 8 and 9 and annexes A-F
- The Equality Act 2010

You can see these acts and guidance on the Government website, [www.gov.uk](http://www.gov.uk).

Any aspect of charging for care which is not explicitly mentioned within this policy will be dealt with according to the Act and the Care and Support Statutory Guidance

## 11. Introduction

This policy explains the financial assessment process and how any charges for care and support services in non-residential, community based, or prison setting are assessed and charged.

**Non-residential Care** refers to care, and support received in a person's own home, and other adult social care services provided in the community, outside of a care home. These services include but are not limited to:

- Home care (care in a person's own home)
- Day care, day activities and day opportunities
- Supported Living
- Extra Care Housing
- Transport





- Shared lives services (long & long term residential, day opportunities, overnight respite)
- Care services delivered to people in prison

In assessing what a person can afford to pay the council must apply the nationally set "upper" and "lower" capital limits in force at the relevant time. These figures can change from year to year and are published by the Department of Health and Social Care annually.

The upper limit is currently £23,250 and the lower limit is £14,250. If a person has capital over **£23,250** (or the figure in force at the time) they will be deemed as being able to afford the full cost of their care and be required to self-fund their care and contract directly with the care agency.

The self-funding person can request that Telford & Wrekin Council manage their care and support on their behalf rather than contracting directly with the care agency themselves. If the person requests the council to contract on their behalf the person will be charged an administration charge for this service as detailed in appendix 2.

If a person has eligible needs for care and support and less than **£23,250**, the council will undertake a financial assessment to determine how much the person is charged towards the cost of their care. The person will not be charged more than they can afford to pay as determined by the detailed regulations. They will also not be asked to pay more than the cost of their care.

## 12. Personal Budgets

A Personal Budget is money allocated to pay for a person's care services to meet their eligible assessed needs as identified in a Care Act assessment. A person's support plan shows the services they require to meet their eligible assessed needs and the outcomes that they want to achieve.

The amount a person will pay towards their Personal Budget is called their 'assessed contribution' and this is worked out via a financial assessment. If there is a shortfall between the person's assessed contribution and the full cost of meeting their eligible care needs, the Council will contribute to the Personal Budget to make up the difference.

## 13. Self-funder and Full cost

A self-funder is a person who:

- must pay for the full cost of their care and support due to having relevant capital above the upper capital limit in force at the time,



- is not eligible for financial support as an outcome of a full financial assessment.

Usually self-funders will source and manage their care package themselves following information, advice and guidance to find the right care, however they can ask the council to arrange their care and support on their behalf.

For those people who have assets above the capital limit and ask the council to arrange care on their behalf there will be an administrative charge to cover the costs. This charge will not be higher than the cost the council has incurred in arranging the care and support on behalf of that person.

If a person has been self-funding their care and their savings have dropped or are due to drop below our upper capital limit, then they will need to contact Telford & Wrekin Council to advise us of this. We will need to carry out a care act assessment to determine eligibility for council funding. We will also be required to complete a full financial assessment to determine the level of savings/capital the person has and their income to calculate from what date the person may become eligible for help from the council with their care and support costs.

A person who is full cost is someone who:

- chooses not to disclose their financial information to enable a full financial assessment to be undertaken
- fails to co-operate and/or does not provide a completed financial assessment form and the required evidence within 28 days of the date that the financial declaration was issued to them without good reason
- would be a self-funder but lacks capacity to source care and support themselves
- whose assessed contribution is higher than the cost of care

In these circumstance the Council will manage the person's care package and invoice them the full cost of their care.

#### **14. Start date of care charges**

The Council has the power to charge for meeting a person's care and support needs from the moment the council starts to meet those needs.

Where the financial assessment has not been completed at the time that care starts the Council will backdate any outstanding charges to the date when it started meeting the person's care and support needs.



## 15. Financial representatives and mental capacity

A person can request that the Council liaise with another person who will act as their financial representative for the financial assessment and charging process.

Whilst the Council will consider any request to liaise with a financial representative the legal responsibility for any invoice payment and associated debt recovery will remain with the person who receives the care and support.

If a person lacks capacity to manage their own finances, the council will check to see whether the person has:

- Enduring Power of Attorney (EPA)
- Lasting Power of Attorney (LPA) for property and affairs
- Lasting Power of Attorney (LPA) for health and welfare
- Property and affairs deputyship under the Court of Protection
- Any other person dealing with their affairs (e.g. someone who has been given appointeeship by the Department for Work and Pensions for the purpose of benefit payments)

If a person does have a legally appointed representative the representative must provide the council with evidence of their authority to act. They will also be required to provide any financial information required to carry out the financial assessment for the person.

The Council will then:

- Send any correspondence addressed to the Legal Representative on behalf of the person they represent
- Require the Legal Representative to sign any financial documents or contracts on behalf of the person they represent
- Require the Legal Representative to settle any invoices for care charges raised in the name of the person they represent.

If the application to be the financial representative is in process the Council will:

- defer the financial assessment until a person is appointed as the legal financial representative and they can provide the relevant information needed. The Council will backdate any assessed charges to the date of commencement of care and support services.

Where the person lacks capacity regarding financial decisions and there is no one appointed to make those decisions, where necessary and/or appropriate, financial decisions will be made following the guidance and best interest process set out in the Mental Capacity Act and Mental Capacity code of practice.



The Mental Capacity Act 2005 Code of Practice states: If the person who lacks capacity has no property or savings and their only income is social security benefits there will usually be no need for a deputy to be appointed. If the person has assets or savings from other sources an attorney or deputy should be appointed.

In certain circumstances the Council will become an Appointee or Deputy for a person who lacks capacity to manage all or part of their property and affairs. These circumstances include:

1. The individual is eligible under the Care Act for care and support provided by Telford & Wrekin Council.
2. The individual lacks the mental capacity to manage their own financial affairs.
3. The individual has no appropriate family, friends or professionals or access to organisations, or any alternatives who would be able to help them with their finances.
4. The individual does not already have an Appointee, Lasting Power of Attorney or Deputy or the existing Appointee, Power of Attorney or Deputy has been removed by the DWP/ Office of the Public Guardian.

If the Council becomes a deputy the Council will apply charges set by the Court of Protection. If the Council becomes appointee for a person who lacks capacity then a weekly administration charge is applied. This charge can be found in appendix 2 Fee's and Charges and will increase each year in line with inflation.

## 16. Minimum Income Guarantee

When receiving care and support, other than in a care home, a person must retain a certain level of income to cover their living costs. Under the Care Act 2014, charges must not reduce a person's income below a certain amount, but the council can choose to allow a person to keep more of their income. This amount is known as the Minimum Income Guarantee (MIG).

The minimum income guarantee is set by the Department of Health and Social care and is reviewed annually. The amount that a person will be entitled to will vary depending on several factors, such as a person's age, disability, relationship status and how many dependent children they have living with them.

In addition to the Minimum Income Guarantee, further allowance will be made for other expenses such as:

- rent not covered by housing benefit
- Council Tax not covered by Council Tax Reduction
- mortgages and endowments
- service charges not covered by housing benefit

Under the Care Act 2014, charges must not reduce a person's income below the minimum income guarantee.

See Appendix 2 for current MIG rates.

## 17. The Financial assessment process

### Step 1: Application and evidence

Once a person's care needs have been assessed, if eligible they will be asked to submit a financial declaration form that details all income, capital and expenditure so that a financial assessment can be completed. This will determine how much the person will be charged towards their care and support costs.

For the council to process the financial assessment in a timely manner they require the person to:

- submit their financial declaration form as soon as possible after the appointment for their care needs assessment, no later than 28 days after the form has been issued to the person.
- to submit the required evidence as soon as possible.

Any delay in submitting the financial declaration form and/or any evidence required will result in the following circumstances:

- if the person has not submitted their financial declaration and evidence within 28 days of the form being given or been in contact as the late return is due to waiting for help or evidence, the person will be treated by the council as someone who must pay the full cost of their care, until an assessment can be completed.

### Step 2: The calculation

The final charge will not be confirmed until the persons care package is confirmed. The person will never pay more than the total cost of their care and support. The financial assessment will be carried out in line with this policy and will include all income, assets and capital assets in order to calculate the weekly contribution due, leaving the person with their minimum income guarantee.

Where capital included is above the upper limit the person will pay the full cost of the care.

Where capital is below the upper capital limit the basic principles of the financial assessment calculation are:

Income	LESS	Minimum Income Guarantee	
		Disability Related Expenses	= Charge
		Allowable Household Expenses	



The full financial assessment will ensure that individuals retain a level of income, after charges have been deducted, known as the Minimum Income Guarantee.

The minimum weekly charge raised is £3 per week

### **Step 3: Notification of charges**

The council will write to the person to inform them of their weekly charge, even if it is zero. The person will be issued with a notification letter that documents the result of the financial assessment, showing how the assessment has been calculated from the information the person has given us and the charge payable by that person.

### **17.1. Property**

Your own home, the primary home that you live in, is not taken into account during the financial assessment if you are receiving non-residential services. However, any other land/property you own will be included as capital.

### **17.2. Household expenditure**

Allowable household expenditure includes:

- rent – not met by housing benefit and under a formal tenancy agreement
- mortgage – not met by DWP loan
- service charges – not covered by housing benefit
- Council Tax – not met by Council Tax support allowance
- buildings insurance
- Maintenance Orders determined by the Court or Child Support Agency (CSA)
- other regular expenses including compulsory payments for example court ordered payments.

### **17.3. Income**

A person's income will be included in the financial assessment unless the regulations require that it be disregarded, either partially or fully, or the council chooses to disregard the income.

Every person is treated individually for purposes of a financial assessment. This means that we will assess only the income and capital of the individual who is undergoing the financial assessment.

Jointly owned assets, income and expenses will be divided equally when assessing your finances; unless you inform us otherwise and provide evidence proving your share.





In some circumstances a person may be treated as having income that they do not actually have. This is known as **notional** income. This might include, for example:

- income that would be available on application but has not been applied for, such as benefits that a person is eligible for but has not claimed or where a person is eligible to receive a pension but has not arranged to draw down the maximum annuity income
- income that is due but has not been received
- income that a person has deliberately deprived themselves of for the purpose of reducing the amount they are liable to pay for their care

An example of notional income:

Mrs Jones, based on her circumstances, would be entitled to pension credit of £25 per week. Mrs Jones has made the choice not to claim this benefit and so is depriving herself of an income that she is entitled to. When completing the financial assessment, we would include the pension credit income of £25 per week.

All calculations of income and allowances will be rounded to the nearest penny.

#### 17.4. Capital

As part of the financial assessment a person will be asked about any savings, investments or assets that they own, or part own. In accordance with the regulations, some capital is included in a financial assessment in full and some is disregarded (not included) indefinitely or for a fixed period.

The following are examples of capital that will be included in the financial assessment: (this list is intended as a guide and is not exhaustive)

- Bank Accounts and Building Society Accounts
- National Savings products
- Unit Trusts
- Cash
- Premium Bonds
- Stocks and Shares
- Trust Funds
- Capital held abroad (unless transfer to the UK is prohibited)
- Property or land other than the Person's main home

The value of a capital asset which a person possesses will be calculated for the purpose of the financial assessment at its current market or surrender value (whichever is the higher) minus:



- 10% of the value, if there will be any expenses attributable to the sale of the asset
- Any outstanding debts secured on the asset, such as a mortgage or equity release.

Capital may also include **notional capital**; this is where a person may be treated as possessing a capital asset even where they do not actually possess it. For example, they may need to apply for access to the capital but have not yet done so.

The levels of capital included in the financial assessment are:

**£0 - £14,250:** Capital will be disregarded (not included) for financial assessment purposes.

**£14,251 - £23,250:** Capital will be included, and a capital income will be added at a rate of £1 for every £250 or part £250 to the financial assessment. This is called **tariff** income.

**£23,250:** Capital will be included, and the person is assumed to be able to afford the full cost of their care and support. They will be classed as self-funders or full cost.

## 18. Disability Related Expenses

Allowance will be made for disability related expenditure (DRE) for care and support at home for all people in receipt of Attendance Allowance, the Care component of Disability Living Allowance or the Daily Living component of Personal Independence Payment.

Reasonable expenditure needed for independent living by the person, where they have little or no choice other than to incur that expenditure, will be allowed. This policy will ensure that assessed charges do not result in a person being left without the means to pay for any other necessary care, support or for other costs arising from their disability.

A list of possible disability related costs and examples of reasonable evidence requirements are found in Appendix xx. This list is neither exclusive nor exhaustive and will be reviewed as part of the monitoring of this policy.

The Council may verify that items claimed for have actually been purchased, particularly for unusual items or where there is a high cost. Evidence of DRE will be requested at the Council's discretion. Where evidence is not available the assessment will take into account the person's views and a request will be made for future receipts to be retained. If, despite a request to keep receipts, a person does not do so, and there is doubt about the expenditure, the cost will not be included in the assessment.



Costs claimed which arise from personal choice for a higher quality product or service than that provided by the Council will not be taken into account. Where a reasonable alternative is available for a lesser cost, an amount equal to the lesser cost will be allowed for.

## 19. Light touch assessments

There are some circumstances in which the council is permitted, with the person's consent, to carry out a "light touch" assessment. To do so the council must be satisfied, based on evidence that the person will be able to afford and continue to afford any charges due. In considering this, the council will consider not only any evidence that the person has been able to provide but also the level of the charge the council proposes to make. In these circumstances the council will treat the person as if an assessment has been carried out.

The main circumstances in which a light touch assessment can be considered are as follows:

- The person has significant financial resources and they do not wish to have a financial assessment. In these circumstances the council will want to be satisfied that the person is able to afford the charges. This may be evidenced where the person has property clearly worth more than the upper capital limit or has clear savings or other capital assets above the limit of £23,250
- the charges for the services are small or nominal, and the person would be able to pay and would clearly have the relevant minimum income left, where carrying out a financial assessment would be disproportionate
- the person is in receipt of benefits which already show that they would not be able to pay towards their care and support costs. In this case we will ask for evidence of what benefits they receive.

Once a light touch assessment has taken place, a person will be advised of the outcome and of their right to request a full financial assessment should they wish to do so.

## 20. Reviews

A financial re-assessment will be completed by the Financial Case Management Team under the following circumstances:

- Yearly, as part of an ongoing reassessment schedule
- At a person's request, if any of their circumstances have changed
- When all welfare benefits claimed during the original assessment are being received and the Council has been notified
- If a person's capital has reduced to the threshold level
- If an error or omission has occurred in the original assessment



Every new financial year, the council will reassess a person's contribution in line with annual benefit uplift, the person will be sent a letter notifying them of their new contribution, with a breakdown of how the contribution has been calculated.

## **21. Direct Payment**

Where a person chooses to receive a Direct Payment, their assessed contribution will be determined through a financial assessment in accordance with this policy.

The Council will pay the Direct Payment, less any charge the service user is assessed to pay, directly into the designated Direct Payment account. The service user is expected to pay their weekly contribution into their nominated Direct Payments account to ensure that there is sufficient money available to meet their care needs. The payment of this contribution will be monitored through regular audits.

## **22. Refusal to co-operate with the financial assessment**

If the person refuses to co-operate with the financial assessment process they will be required to pay the maximum charge applicable from the date the chargeable services commenced unless information as to your capital and income is already available to the Council in which case those figures may be used to inform the assessment.

## **23. Non-disclosure of financial details**

A person has the right not to provide details about their financial circumstances; if this right is exercised, the person will be required to pay the maximum charge applicable from the date the service commenced. It is the person's responsibility to satisfy us that your means are insufficient to be able to pay the full cost.

## **24. Deprivation of income or assets**

A person is free to spend their income and assets as they see fit, including making gifts to friends and family. However, it is also important that the person pay the charges for their care costs that they may be responsible for. The council may look at whether assets have been removed to avoid paying towards their care. This is known as deprivation of assets. A person can deprive themselves of both income and capital.

Deprivation of assets occurs where a person must have known that they would need care and support and has disposed or reduced their income and/or assets in order to reduce the amount they are charged towards their care and support services.



Annexe E of the Care and Support Statutory guidance provides some examples of how the council would class a deprivation of assets:

- lump sum payment to someone else
- substantial expenditure has been incurred suddenly and is out of character with previous spending
- the title deeds of a property have been transferred to someone else
- assets have been put into a trust that cannot be revoked
- assets have been converted into another form that would be subject to a disregard under the financial assessment
- assets have been reduced by living extravagantly
- assets have been used to purchase an investment bond with life insurance

Deprivation will not be automatically assumed, there may be valid reasons why a person no longer has an asset. When deciding whether this is the case, The council will look at different factors, including the reasons for transfer and whether or not, at the time of transfer, the person knew that it was likely that they would need care and support services in the future.

Cases where it is considered there may have been a deprivation of assets, are considered by our senior leadership team and the Council's legal team and final decisions are made by the Director of Adult Social Care.

If the Council's view is that there has been a deprivation of assets, the council will treat the person as if they still have possession of those assets for the purpose of the financial assessment.

## **25. Change of circumstances**

A change of circumstances either by a change in type or cost of service or the financial circumstances of a person may result in a change to the financial assessment.

The person is responsible for notifying the Council of a change to financial circumstances by contacting the financial case management team on 01952 383820.

If a person does not inform the Council of a change in financial circumstance the person may be paying more or less than they need for their care and support.

- If a person does not inform the Council of a change and, as a result of that change, the assessed contribution would increase it will be backdated to the Monday after the date the change took effect.
- If a person informs the Council of a change within 1 month of it occurring and, as a result of that change, the assessed charge would decrease, this will be applied from the Monday after the date the



change took effect. If a person informs the Council of a change that took place more than 1 month ago and, as a result of that change, the assessed charge would decrease, this will be applied from the Monday after the date that notification was received by the Council.

## 26. Exceptional Circumstances

The Council retain discretion to depart from any aspect of this policy where appropriate (provided it complies with the law). If a person feels that the Council should depart from this policy in their case, they can make a request to that effect by contacting the Financial Case management team in the first instance.

## 27. Paying for care

There are several ways in which you can pay your assessed contribution. These include:

- **Direct Debit:** It's safe, secure and the easiest way to pay. Set up a Direct Debit by calling 01952 383986
- **Pay Online:** Please visit [www.telford.gov.uk/payinganinvoice](http://www.telford.gov.uk/payinganinvoice). This service is available 7 days a week, 24 hours a day. To ensure your payment is allocated correctly when you are asked to quote your reference number, you are required to enter your 7-digit Invoice Number followed by your 6-digit Account Number with no spaces in between (for example '4123456212345'). These numbers can be found on the front of your invoice.
- **24hr Payment Line:** Please call 01952 383977. To ensure your payment is allocated correctly when you are asked to quote your reference number, you are required to enter your 7-digit Invoice Number followed by your 6-digit Account Number with no spaces in between (for example '4123456212345'). These numbers can be found on the front of your invoice.
- **Via your bank:** The Council's account number is 55444860, Sort code: 30-18-55. To ensure your payment is allocated correctly when you are asked to quote your reference number, you are required to enter your 7-digit Invoice Number followed by your 6-digit Account Number with no spaces in between (for example '4123456212345'). These numbers can be found on the front of your invoice.

If a person has an enquiry only relating to the payment of a care and support invoice or to discuss a payment arrangement, please contact the councils Invoicing and Collection team on 01952 383986. Any other enquiries regarding your care and support charges should be directed to the Financial Case Management Team on 01952 383820.



## **28. Non-payment of care charges**

Failure to make payment will result in action being taken to recover the debt in accordance with the Council's Corporate Debt Policy.

A person's individual circumstances will be handled with sensitivity, however in fairness to those people who pay their assessed contributions; non-payment will be handled in line with the Council's own policies on debt management. Ultimately the Council may institute County Court proceedings to recover the debt.

## **29. Cancellation of service due to financial charge**

If a person chooses to cancel their service due to the level of assessed contribution, they will need to contact the financial case management team who will advise the social worker team. The social work team may undertake a risk assessment to ascertain any risks due to unmet needs. If risks are identified these will be discussed with the person and wherever possible measures put in place to minimise the impact of any identified risks.

## **30. Benefit maximisation**

As part of the financial assessment process and where applicable, the council may provide a person with advice regarding benefit entitlement. This may include referrals or signposting a person to relevant agencies and services.

It is the responsibility of the person, not the council, to progress any claim and supply appropriate information to relevant agencies and services. If a person chooses not to claim any benefits for which they have been advised they are entitled, the amounts calculated may still be included in their financial assessment as though they were receiving them. This could increase the charge a person is required to pay.

## **31. Financial and Legal advice**

There will be times when you need to obtain financial advice which is impartial and independent of the Council to make the right decisions. For example:

- where there are several options available and advice is needed on which one to choose, bearing in mind that the Council may not be allowed to recommend one.
- when there is potential conflict between the Council and person's interests, such as advice on how assets are taken into consideration as part of the financial assessment.
- when a person is to enter into a legal agreement. For example, the Council can provide information about the consequences of entering into a deferred



payment agreement (DPA) but cannot advise whether a person should enter into it.

- where a person wants advice on specific financial products to get the most out of an asset.

Independent financial advice is available from a number of sources. Some services are free and provided by not-for-profit organisations, such as:

- Money Advice Service: 0800 138 777
- Citizen's Advice Bureau: 0808 278 7988
- The Society of Later Life Advisers: 0333 2020 454 helps find trusted financial advisers who understand financial needs in later life.

### 32. Contact details

The Financial Case management team are responsible for completing financial assessments and notifying the relevant person of any assessed contribution. If a person has any queries or requires any further information you can contact the team via:

**Email:** [financialcasemanagementteam@telford.gov.uk](mailto:financialcasemanagementteam@telford.gov.uk)

**Phone:** 01952 383820

**Letter:**

Telford & Wrekin Council  
Financial Case management team  
Darby House  
Lawn Central  
Telford  
Shropshire

### 33. Appeals and complaints

If a person disagrees with the outcome of their financial assessment they can ask for it to be looked at again. A person can do this by telling us why they think the decision is wrong. If you think there is any additional information that should be considered, please let us know. In some circumstances this may mean completing a new financial assessment form to ensure all relevant details were considered in the initial assessment.

If a person is still not satisfied with the outcome of the assessment, they can make a complaint via our complaints procedure by contacting the Customer Relationship team:

**Online form:** [Introduction - Adult social care complaints - Telford & Wrekin Council](#)





Email: [customer.relationship@telford.gov.uk](mailto:customer.relationship@telford.gov.uk)

By phone: 01952 382006

**By letter:**

Telford & Wrekin Council  
Addenbrooke House  
Ironmasters Way  
Telford  
Shropshire  
TF3 4NT

Further information on the Councils complaints procedure can be found here:

[Introduction - Adult social care complaints - Telford & Wrekin Council](#)

### 34. How your personal data is used

We will use information about a person to process their financial assessment. As well as the information provided by the person, we may also collect relevant information from the Department for Work and Pensions and Her Majesty's Revenue and Customs.

A person's information is only shared with third parties where necessary and where the law allows it, specifically a person's information may be shared with partners in order to provide public services. The council are under a duty to protect public funds and may use any of the information provided for the prevention and detection of fraud. This may also include sharing information with other bodies that are responsible for auditing or administering public funds.

We will retain a person's information in line with our retention schedule and ensure that a person's information is kept only for as long as necessary. To find out more information on how a person's data is processed and their rights, please see our privacy notice which can be made available on request or by visiting [Terms and disclaimer - Telford & Wrekin Council](#).

### 35. Consent to share information

Under the Welfare Reform Act 2012, and associated regulations, the Council has a data sharing agreement with the Department for Work and Pensions (DWP) which enables the Council to access information relating to a person's personal, relationship (where relevant) and financial information for the purpose of:

- Helping to ensure an accurate assessment of charging for care and support services
- Supporting any application for DWP benefits
- Local Council Tax Reduction (LCTR) scheme



- Any other welfare provisions

In order to improve the quality and timeliness of financial assessments and in some cases carry out a light touch financial assessment, the Council will share information within its own systems regarding people who are also in receipt of housing benefit or council tax reduction.

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## Appendix 1: Disability related expenditure

Examples of disability related expenditure and reasonable evidence requirements:

This list is neither exhaustive nor exclusive and will be subject to ongoing review. Discretion will be given on the level of costs claimed taking into account an individual's particular circumstances. Evidence will be sought, where reasonable, at the Council's discretion.

Reference Item	Details of expenditure to be allowed	April 22/23	April 23/24
Bedding Heavy Wear and Tear - Double	Additional costs incurred for frequent replacement incurred because of incontinence or heavy wear and tear will be allowed. Expenditure up to the standard allowance will apply unless evidence is supplied to support a higher weekly amount	3.04	3.35
Bedding Heavy Wear and Tear - Single	Additional costs incurred for frequent replacement incurred because of incontinence or heavy wear and tear will be allowed. Expenditure up to the standard allowance will apply unless evidence is supplied to support a higher weekly amount	2.27	2.50
Clothing and Footwear	Additional costs incurred for specialised clothing or for frequent replacement because of heavy wear and tear will be allowed. Expenditure up to the standard allowance will apply unless evidence is supplied to support a higher weekly amount	8.10	8.91
Domestic Cleaning	The cost of cleaning where it is not included in the care plan and where the person (or anyone else living in the household) is unable to do the cleaning himself or herself will be allowed subject to a maximum weekly amount.	15.25	16.79



	Supporting evidence will be required		
Extra Heating - Multi Occupancy	Additional costs for single occupancy or multi- occupancy homes will be allowed where extra heating is required because of age medical condition or disability. The standard allowance will apply unless evidence is produced from the last four quarterly bills to show that expenditure exceeds details of the average costs held for the area and type of dwelling.	4.11	4.53
Extra Heating - Single Occupancy	Additional costs for single occupancy or multi- occupancy homes will be allowed where extra heating is required because of age medical condition or disability. The standard allowance will apply unless evidence is produced from the last four quarterly bills to show that expenditure exceeds details of the average costs held for the area and type of dwelling.	6.19	6.82
Gardening	The cost of basic garden maintenance where the person (or anyone else living in the household) is unable to maintain the garden himself or herself will be allowed subject to a maximum standard weekly amount. Supporting evidence of expenditure will be required	11.44	12.6
Laundry	Additional costs incurred because of incontinence with personal cleanliness problems will be allowed. Expenditure up to the standard allowance will apply unless evidence is supplied to support a higher weekly amount.	4.40	4.84



Shopping	The cost of shopping where it is not included in the care plan and where the person (or anyone else living in the household) is unable to do the shopping himself or herself will be allowed subject to a maximum weekly amount. Supporting evidence will be required	15.25	16.79
Community Alarm system	Actual cost unless included in Housing Benefit or Supporting People Grant	Dependent on cost	Dependent on cost

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## Appendix 2: Minimum Income Guarantee

Minimum Income Guarantee	Under 25	Over 25
Half-Couple (Both Carers) 18+ No EDP	£162.65	£162.65
Half-Couple (Both Carers) 18+ With EDP	£178.70	£178.70
Half-Couple (One Carer) 18+ No EDP	£162.65	£162.65
Half-Couple (One Carer) 18+ With EDP	£178.70	£178.70
Half-Couple 18+ No EDP	£113.60	£113.60
Half-Couple 18+ With EDP	£129.65	£129.65
Half-Couple (Both Carers) Pension Credit Age		£212.70
Half-Couple (One Carer) Pension Credit Age		£212.70
Half-Couple Pension Credit Age		£163.65
Single 18+ No EDP	£127.90	£149.40
Single 18+ With EDP	£150.25	£171.75
Single Carer 18+ No EDP	£176.95	£198.45
Single Carer 18+ With EDP	£199.30	£220.80
Single Carer Pension Credit age		£263.40
Single Pension Credit age		£214.35

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