BEDFORD BOROUGH COUNCIL
CHILDREN’S & ADULT SERVICES

POLICY DOCUMENT
CHARGING AND FINANCIAL ASSESSMENT FOR ADULT CARE & SUPPORT SERVICES POLICY

Director Of Adult Services: Kate Walker
Policy Approval: Adult Services Management Team (ASMT)
Approved/Implemented: April 2018
Review Date: April 2019

This Policy Supersedes:
BBP41 – Residential & Nursing Care Charging Policy (2014)
BBP18 – Charging & Contributions For Non Residential Care Policy (2014)
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1. Introduction

1.1 Bedford Borough Council’s Charging and Financial Assessment for Adult Care and Support Services policy has been designed to comply with The Care Act 2014. Its aim is to produce a consistent and fair framework for charging and financial assessment for all service users that receive care and support services following an assessment of their individual needs and their individual financial circumstances.

1.2 For the purpose of this policy, an adult is a service user aged 18 and above.

2. Legislative framework

2.1 The Care Act 2014 provides a single legal framework for charging for care and support. It enables local authorities to decide whether or not to charge a service user when it is arranging to meet a service user’s care and support needs or a carer’s support needs.

2.2 Section 14 of The Care Act 2014 provides local authorities with the power to charge adults in receipt of care and support services, where the local authority is permitted to charge for the service being provided.

2.3 Section 14 of The Care Act 2014 provides local authorities with the power to charge for services meeting carer’s needs by providing services directly to the carer.

2.4 Section 17 of The Care Act 2014 permits local authorities to undertake an assessment of financial resources. The financial assessment will determine the level of a service users financial resources and the amount which the service user is required to pay towards the cost of meeting their needs through care and support services.

2.5 Pursuant to regulations issued under Section 14 of The Care Act 2014, local authorities are not permitted to charge for the provision of the following types of care and support:

- Community Equipment (aids and minor adaptations); a service which consists of the provision of an aid, or minor adaptation to property, for the purposes of assisting with nursing at home or aiding daily living. An adaptation is minor if the cost of making the adaptation is £1000 or less;
- Intermediate care (including reablement support) services for 6 weeks;
- Care and support provided to people with Creutzfeldt-Jakob disease;
- Any service or part of service which the NHS is under duty to provide. This includes Continuing Healthcare and the NHS contribution to Registered Nursing Care;
- After-care services/support provided under Section 117 of the Mental Health Act 1983.
• Services which local authorities have a duty to provide through other legislation;

• Assessment of needs and care planning, including the cost of the financial assessment as these constitute ‘meeting needs’

2.6 Bedford Borough Council will refer to Care and Support Regulations (Statutory Instruments) and Care and Support Statutory guidance and annexes issued under The Care Act 2014, in all regards for specific guidance in relation to charging and financial assessment and as such these statutory regulations form the basis of this policy, except where the Council exercises its power of discretion as set out within the regulations.

3. Policy objectives

3.1 The principles underpinning this policy are:

• Where the authority is required to arrange care and support for free, it does so.

• That service users will only be required to pay what they can afford.

• That financial support towards care costs will be determined through financial assessment.

• To provide clear and transparent information so service users know what they will be charged.

• To apply the rules consistently to avoid variation in the way people are assessed and charged.

• To promote wellbeing, social inclusion and support the vision of personalisation, independence, choice and control.

• To support carers to look after their own health and wellbeing and to care effectively and safely.

• To be person-focused, reflecting the variety of care and caring journeys and the variety of options available to meet service user’s needs.

• To apply charging rules equally so those with similar needs or services are treated the same and to minimise anomalies between different care settings.

• To ensure that the charge to the service user for services provided is no greater than the cost of that service being delivered to the council.

• To encourage and enable those who wish to stay in or take up employment, education or training to plan for the future costs of meeting their needs.
• To ensure that where a service user lacks capacity to undertake a financial assessment that the local authority consults a suitable person defined as having 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 or any other person dealing with that person’s affairs (e.g. someone who has been given appointeeship by the Department of Work and Pensions (DWP) for the purpose of benefits payments).

4. Charging and financial assessment for care and support in care homes on a permanent basis

4.1 The Council will charge for care and support delivered in a care home on a permanent basis

4.2 Service users requiring permanent care and support in a care home must initially satisfy an eligibility assessment for care and support. Only where a service user has an eligible care and support need will a financial assessment be required.

4.3 All service users requiring permanent care and support in a care home must have a financial assessment. Service user’s financial circumstances will determine whether the service user is eligible for financial support from the Council towards permanent care costs.

4.4 Service users will be made aware at the outset of the maximum amount of funding the Council makes available towards care and support provided by care homes. This is known as ‘the Local Authority Rate’. This rate is inclusive of any assessed service user contribution but excludes the registered nursing care contribution (RNCC) paid by the NHS.

4.5 Charges will apply from the date the service user moves into the home. If the financial assessment has not been completed prior to this date, a standard minimum charge per week will apply. Once the financial assessment has been completed, any overpayment or deficit of contribution will be adjusted in subsequent invoices.

4.6 Where a service user is eligible to receive local authority funding support, but decides to reside in another local authority area, Bedford Borough Council will match the local authority rate for the area where the service user decides to live.

4.7 Service users that would like to live in accommodation that costs more than The Local Authority Rate can do so providing the additional costs can be met by a Third Party or in certain circumstances, by the service user themselves. This additional cost is known as a Third Party Agreement or ‘Top-up’. This additional cost must be sustainable for the duration of the placement and the local authority has the right to refuse a service user using their assets for this purpose if the costs cannot be met over a sustained length of time.

4.8 Where a service user chooses more expensive accommodation than the Local Authority Rate and the additional fee is to be paid by a Third Party, the Third Party must confirm that they are able to meet the costs of the additional fee for the duration of the agreement including any
price changes that may occur. The Third Party will be asked to enter into an agreement with the provider for the additional fee required.

4.9 The service user whose non-housing assets are below the upper capital limit, but owns property, is entitled to a 12 week property disregard for their main or only home when they first enter a care home as a permanent resident or when another property disregard has ended.

4.10 Service users who own a property or other valuable asset over which security can be taken may be eligible to defer care costs against the value of the property/asset. This is known as a Deferred Payment Agreement.

4.11 In accordance with the Care Act 2014, The Council operates a Deferred Payment Scheme to allow people to defer the sale of their home where it is needed to fund care home fees for as long as they use the service. Please refer to the Council's Deferred Payment Scheme Policy.

4.12 The financial assessment will take into account income, capital and the value of any assets. The charging methodology will take into consideration any mandatory disregards of income, capital and property as defined in the Charging for Care and Support Statutory Guidance and regulations.

4.13 The financial assessment will take into account statutory amounts required to be retained by the service user from their income. These are known as Personal Expenditure Allowance (PEA) and Disposable Income Allowance (DIA). These amounts are dependent upon the service user’s financial circumstances and are reviewed annually by the Department of Health. Where the service user has no income, the local authority is not responsible for providing one. Financial assessments will be updated annually.

4.14 Following the financial assessment, the service user will be informed of the weekly amount they are required to contribute towards their care costs. Contributions are payable from the date care commences. Service users will be invoiced by the Council on a monthly basis in arrears for their care costs.

5. Charging and financial assessment for care and support in care homes on a short-term or temporary basis

5.1 The Council will charge for care and support delivered in a care home on a short-term or temporary basis.

5.2 Following an assessment of a service user’s eligible care and support needs, a decision may be taken that the service user would benefit from a short term or temporary stay in a care home. This applies to a person whose need to stay in a care home is intended to last for a limited period of time and there is a plan to return home.

5.3 A short-term resident is someone provided with accommodation in a care home for a period of not more than 8 weeks. A temporary resident is where the person’s stay should be unlikely to exceed 52 weeks or in exceptional circumstances unlikely to substantially exceed 52 weeks.
5.4 Where a person’s stay is intended to be permanent, but circumstances change and the stay becomes temporary, then the Council will assess and charge as a temporary stay.

5.5 Service user’s that have a short-term or temporary stay that becomes permanent will be assessed for a permanent stay at the date permanency is confirmed and the support plan is amended.

5.6 The Council will make a standard charge for all service users having a short-term or temporary stay in a care home and will charge from the date of admittance.

5.7 If the service user requests a full financial assessment for their short-term or temporary stay, the Council will undertake a full assessment and the charge determined by the full assessment will replace the standard charge.

5.8 The financial assessment for short term or temporary stays will completely disregard the service user’s main or only home where the service user intends to return to that home.

5.9 The financial assessment will treat income and capital in the same way as if the service user was entering a care home on a permanent basis with the following exceptions:

- Eligibility for these benefits ceases after 4 weeks of local authority support.
- The financial assessment will be adjusted where the stay extends into this period.

5.10 The Council will ensure that where a spouse or partner resides in the same residence as the service user, that the spouse/partner will have an income of at least the basic level of income support or pension credit to which they would be entitled to in their own right.

5.11 The Council will ensure that where housing benefit is paid that this is disregarded.

5.12 The Council will ensure that payments made by the service user to keep and maintain their home such as rent, water rates and insurance premiums are disregarded. Similarly expenses that the service user would normally incur and would continue to pay should also be disregarded such as household related disability related expenditure (e.g. community alarm services).

5.13 Contributions are payable from the date care commences and the service user will be charged per night.
6. Charging and financial assessment for care and support in other care settings including a person’s own home

6.1 The Council will charge for care and support delivered in other care settings including a person’s own home.

6.2 Service users requiring care and support in their own home or other care settings must initially satisfy an eligibility assessment for care and support. Only where a service user has an eligible care and support need will a financial assessment be required.

6.3 Where a service user has an eligible care and support need, the Council will calculate how much the personal budget might be using the Council’s rates for providing the care. Once the indicative budget is known the care and support planning process has determined the care required to meet the person’s needs, the personal budget will be agreed.

6.4 Service users are likely to choose varied forms of care and support to meet their specific needs as defined in their care and support plan. Where a service user has capital in excess of the higher capital limit and is therefore required to pay the full cost of their care and support they are still entitled to request services to be arranged by the Council. The Council will charge an annual administration fee for arranging and administering personal accounts for all service users that are able to pay the full cost of their care and support. This will be charged to the service user as an annual fee.

6.5 Service users have the option to take their personal budget as a Council commissioned service or as a direct payment or a combination of both.

6.6 The Council will undertake a financial assessment to determine the amount a service user can contribute towards their care and support costs. The Council will undertake a financial assessment based as a minimum on income, capital, housing costs and disability related expenditure (DRE). Service users with capital in excess of the higher capital limit will be responsible for meeting all of their care and support costs. Evidence will be required to fully substantiate a service user’s financial circumstances. Please refer to Appendix D of this policy for guidance in relation to DRE.

6.7 Where a service user has capital in excess of the higher capital limit and will continue to receive services directly provided by the Council, they will be required to sign a Full Cost Agreement to confirm that they are willing and able to pay all charges due. This will be deemed a light-touch assessment.

6.8 The Council will ensure that service users retain at least the ‘Minimum Income Guarantee’. This retained income level is designed to promote independence and social inclusion and is intended to cover basic needs such as purchasing food and clothing. Direct housing costs will only be considered where the service user is liable for such costs, i.e. holds the tenancy agreement or is party to the mortgage. The ‘Minimum Income Guarantee’ ensures the service user retains income equivalent of Income Support or Guaranteed credit element of
Pension credit, plus a buffer of 25%. Please refer to Appendix A for details.

6.9 The financial assessment will refer to care and support statutory guidance for all disregards in respect of income and capital when making a determination of the service user’s financial resources.

6.10 Following the financial assessment, the service user will be informed of the weekly amount they are required to contribute towards their care and support costs. Service users will not be charged more than the amount determined by the financial assessment. Contributions are payable from the date care commences. Service users will be invoiced on a monthly basis in arrears for their care costs.

6.11 All financial assessments will be reviewed with the service user or their financial representative on an annual basis and the changes applied from the Monday following the re-assessment, unless a change has happened that the service user should have notified the council about. In cases where the service has not notified us as required the charges will be back dated to the point of change (see 11.1).

7. One off payments

7.1 Service users who receive one-off payments or services that are eligible for financial assessment will be subject to a financial assessment under the same criteria. The cost of the one-off payment or service will be divided across the time period for which the one-off payment applies and the service user will be assessed and charged accordingly.

7.2 If the one off payment applies for a one-off purchase with no time frame, the service user will be charged for the expected lifetime of the purchase, with a maximum charge period of 12 months from the date of assessment.

7.3 One off payments for items costing less than £100 will not be financially assessed except if the service user is provided with 2 or more one off direct payments within the same 12 month period or the one off payment is made in addition to other services covered by this policy.

8. Carers

8.1 Where a service is provided directly to the person with needs, even if it also meets a carer’s needs, the adult with needs is liable to pay any charges and must agree to do so. This would apply to replacement care in order to allow the carer to take a break from their caring role for example respite, home care or a live in carer for a short period of time.

8.2 Where a carer has capital in excess of the higher capital limit, the carer will be deemed self-funding and not eligible for financial support from the Council.

9. Self-funding

9.1 The self-funding threshold is the amount of assessable capital as defined by legislation, that a service user has, above which they are required to meet the full cost of their
care. This is the upper capital limit. Service users and carers with capital above this limit are not entitled to financial support from the Council.

9.2 Service users who have been assessed to pay the full cost of their care and service users who choose to fund their own care are still eligible to receive care management support e.g. assessment of needs, support plan advice and annual reviews from the Council and there is no charge for these services.

9.3 Where the service user’s capital subsequently falls below the self-funding threshold, the service user should be advised to notify the Council in order for a financial assessment and assessment of need to be undertaken.

9.4 Service users who request that the authority arranges care to meet their needs will be charged an annual administration fee for this service.

9.5 Where the Council pays a provider on behalf of a self-funding person, the full cost of the services paid on their behalf will be charged to the person.

10. Non-disclosure of information

10.1 Service users have the right to choose not to disclose their financial details. Any service user who chooses not to disclose their finances or declines a financial assessment will be assumed to be able to meet the full charge of their service from the date the services commenced and will be invoiced accordingly.

10.2 In cases where the service user/representative does not supply the Financial Assessment Officer with the required information, the Financial Assessment Officer may contact the Department for Works and Pensions to enquire what benefits the person is receiving and may contact other departments within the Council.

10.3 If the person is in receipt of means tested benefits, the Financial Assessment Officer will undertake an assessment based on this information. No disability related expenditure will be allowed in these assessments. If the person is not in receipt of any means tested benefits, a full cost assessment will be undertaken and the full costs of the services will be charged to the service user.

11. Changes to Circumstances

11.1 Service users or their representatives are responsible for notifying the Council of any changes in circumstances which may affect charges. A service user may request a financial re-assessment if their circumstances have changed.

11.2 Any changes to contributions identified in a reassessment of charges will be backdated to the date of the change in the financial circumstances.

12. Welfare Benefits

12.1 Where the service user and/or their carer may be entitled to claim additional benefits, the Council will refer the person to the Citizen’s Advice Bureau for a benefits check.
13. Deprivation of Assets

13.1 ‘Deliberate deprivation’ is a term used when someone is assessed as having given away or sold assets in order to not have to use those monies to pay for their care. This can relate to income, capital or property, there are no specific time limits on this if it can be shown the action was to avoid paying for care.

13.2 Bedford Borough Council follows the Department of Health guidance on deprivation of assets, if we as the Local Authority believe that someone has deliberately deprived themselves of monies we can carry out the financial assessment as if that person still has the assets they have given away.

14. Protection of property

14.1 The local authority must take all reasonable steps to protect the moveable property of a person with care and support needs who is away from home in hospital or care home and cannot arrange to protect their property themselves. The local authority must act where there is a risk that the property will be lost or damaged. This may include a person’s private possessions including looking after pets.

14.2 Where the authority incurs costs associated with protecting a person’s property, the authority will charge the person for the cost of arranging these services and any ongoing costs associated with protecting the property concerned.

15. Exclusions from the charging policy

15.1 The Council exercises its discretion not to levy charges in respect of the some services but may revise this decision as resources require. The following services are excluded from charging:

- Drug and alcohol rehabilitation provided in rehabilitation establishments.
- Prisoners with eligible needs assessed under the Care Act

16. Cases of Hardship: Waiving Charges and Write-Off

16.1 If a service user falls behind with payments the council’s debt recovery procedures will be instigated.

16.2 The service user/representative should contact the Customer Finance Team if they have any difficulty paying the assessed contributions.

16.3 If the service user advises the Customer Finance Team that they are having financial difficulties, the financial assessment should be checked for errors and a reassessment of charges should be initiated.

16.4 The Customer Finance Team will notify the Team Manager or Senior Practitioner of the care team if the service user notifies them that they are having financial difficulties.
16.5 The Care Management Team will need to contact the service user to ascertain the details of the financial difficulties.

16.6 Decisions to waive fees wholly or in part or for a period of time must be made by an Assistant Director or the Director.

16.7 The charging policy is a framework for making decisions – the Director of Adult Services has discretionary powers to deal with all personal circumstances. Where a service user has difficulty meeting charges this must be discussed with a member of the Senior Management Team to determine whether to waive charges or recommend the write-off of the debt in line with the current Council procedure and scheme of delegation. Each case will be treated individually.

16.8 The Director can use this discretion in the following circumstances:

- For abnormal expenditure caused by serious or long term illness or disability
- Where there is exceptional need not recognised in the normal financial assessment procedure

16.9 All or part of the weekly charge can be waived for up to a period of six months and reviewed regularly.

16.10 Only the Director of Adult Services can recommend debt for write-off. All normal Council debt recovery procedures will be followed before considering write-off.

17. Recovery of Debt

17.1 The Care Act 2014 consolidates the Council’s powers to recover money owed for arranging care and support for a customer. These powers can be exercised where a customer refuses to pay the amount they have been assessed as being able to pay or have been asked to pay (where the cost of care and support is less than their assessed contribution).

17.2 The powers granted to the Council for the recovery of debt also extends to the service user or their representative where they have misrepresented or have failed to disclose (whether fraudulently or otherwise), information relevant to the financial assessment of what they can afford to pay.

17.3 The Council will approach the recovery of debt reasonably and sensitively and will only take court action as a last resort.

17.4 The initial stage of debt recovery will involve discussing the debt with the service user or their representative. Care managers will be advised of the debt and will become involved as appropriate. In all cases the desired outcome is to prevent debt escalating and for the service user to enter into affordable repayment of the debt as well as being able to pay ongoing costs as they arise.

17.5 The Council will give regard to the level of debt and the cost of recovery and will not proceed where the cost of recovery would be disproportionate.
17.6 The Council will only proceed with court action where all alternatives have been exhausted. At this stage the Council will proceed with action through the county court.

17.7 All debt that arises from 1st April 2015 must be recovered within 6 years from when the sum became due to the Council.

17.8 Debts that accrued prior to the 1st April 2015 should be recovered within 3 years as set out under S56 of the National Assistance Act 1948.

17.9 Where a person has a debt and meets the eligibility criteria for the Deferred Payment Scheme, the person will be offered this as an option. The authority may agree to enter into an agreement just for the amount outstanding and not the continuing amount due depending upon the individual circumstances.

18. Monitoring And Review

Monitoring and two yearly review of this policy is the responsibility of the Policy Governance Group. (This meets on an adhoc basis as and when required.

19. Equalities Impact Assessment

An overall equalities impact assessment concerning all policies has been approved by the Adult Services Operational Management Group in conjunction with the Policy and Partnerships Manager and can be found in the policy library.

**Appendix A**

**Allowances and Disregards (2018/19 to be updated in line with Department of Health rates)**

**Minimum Income Guarantee (Income Support Threshold + 25% buffer)**

**Table 1 - Single Adults**

<table>
<thead>
<tr>
<th>Allowance</th>
<th>18 – 24</th>
<th>25 – Pension Age</th>
<th>Pension Age</th>
<th>Lone Parent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not entitled to any premium</td>
<td>£72.40</td>
<td>£91.40</td>
<td>£189.00</td>
<td>£91.40</td>
</tr>
<tr>
<td>Entitled to CP</td>
<td>£115.65</td>
<td>£134.65</td>
<td>£232.25</td>
<td>£134.65</td>
</tr>
<tr>
<td>Entitled to DP</td>
<td>£112.75</td>
<td>£131.75</td>
<td>N/A</td>
<td>£131.75</td>
</tr>
<tr>
<td>Entitled to DP + CP</td>
<td>£156.00</td>
<td>£175.00</td>
<td>N/A</td>
<td>£175.00</td>
</tr>
<tr>
<td>Entitled to DP + EDP</td>
<td>£132.45</td>
<td>£151.45</td>
<td>N/A</td>
<td>£151.45</td>
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<tr>
<td>Entitled to DP + EDP + CP</td>
<td>£175.70</td>
<td>£194.70</td>
<td>N/A</td>
<td>£194.70</td>
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</table>

**Key**

CP = Carer’s Premium  EDP = Enhanced Disability Premium  DP = Disability Premium
Table 2 – Couples

<table>
<thead>
<tr>
<th>Allowance</th>
<th>Under Pension Age</th>
<th>Pension Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not entitled to any premium</td>
<td>£71.80</td>
<td>£144.30</td>
</tr>
<tr>
<td>Entitled to CP</td>
<td>£115.05</td>
<td>£187.55</td>
</tr>
<tr>
<td>Entitled to DP</td>
<td>£100.55</td>
<td>N/A</td>
</tr>
<tr>
<td>Entitled to DP + CP</td>
<td>£143.80</td>
<td>N/A</td>
</tr>
<tr>
<td>Entitled to DP + EDP</td>
<td>£114.50</td>
<td>N/A</td>
</tr>
<tr>
<td>Entitled to DP + EDP + CP</td>
<td>£157.75</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Key

CP = Carer’s Premium  EDP = Enhanced
DP = Disability Premium  Disability Premium

It is expected that the Minimum Income Guarantee will cover costs such as:

- Water rates
- Transport, including bus fares and transport to and from Day services
- TV licence and subscriptions to satellite or digital TV companies
- Repair and replacement of household items
- Repair and maintenance of buildings
- Gardening – other than basic gardening costs allowable under disability related expenditure
- Other expenditures such as personal debt (including county court judgements) and arrears
- Social and leisure activities

This list is neither exhaustive nor exclusive.
**Income disregards**

The following income should be partially disregarded:

The first £10 of:

- War widows and war widowers pension;
- Survivors Guaranteed Income Payments from the Armed Forces Compensation scheme;
- Civilian War Injury Pension; and
- War Disablement pension and payments to victims of National Socialist persecution (paid under German or Austrian law)

The following income should be disregarded in full (please refer to Care and Support Statutory Guidance, Annex C for the full list of disregards):

- Armed Forces Independence Payments & Mobility Supplement;
- Child Support Maintenance Payments, Child Benefit and Child Tax Credit;
- Disability Living Allowance (Mobility Component) and Mobility Supplement;
- Personal Independence Payment (Mobility Component) and Mobility Supplement;
- Savings Credit Disregard; and
- War Widows and Widowers special payments
- Payments made to Veterans under the War Pension Scheme with the exception of Constant Attendance Allowance

**Earnings**

Any income earned by the service user will be disregarded from the financial assessment.

**Property Disregards**

The value of the service user’s *main or only* home must be excluded from the financial assessment if it meets the following criteria:

- The person is receiving care in a setting that is not a care home; and
- The person’s stay in a care home is temporary and they intend to return to their property or they are taking reasonable steps to dispose of the property in order to acquire another more suitable property to return to.
- Where the person no longer occupies the property but it is occupied in part or whole by the following:
- The service user’s partner, former partner or civil partner, except where they are estranged;
- A lone parent who is the service user’s estranged or divorced partner;
- A relative as defined in Annex B, paragraph 35 of the Care and Support Statutory Guidance, who is:
  - Aged 60 or over, or
  - Is a child of the service user aged 18 or under, or
  - Is incapacitated (the relative is receiving disability benefits or has equivalent level of incapacity to qualify for disability benefits; evidence of incapacity will be required.

This mandatory disregard only applies where the property has been continuously occupied since before the person went into a care home.

**Appendix B - Assessment of Income & Capital**

For full details please refer to Annex B & Annex C of the Care and Support Statutory Guidance

When calculating a service user’s contribution to the cost of their care, the financial assessment takes account of income the person receives and any capital they have.

All income and capital (including property, investments and savings) requires evidence of ownership and up to date bank statements.

Income for the purposes of financial assessment includes retirement pension, pension credit, and benefits such as income support, universal credit, attendance allowance, occupational pensions and trust funds. Where a share of a pension has been transferred to the service user’s partner only the non-transferred share will be taken into account.

Where income is received on a joint basis, it is assumed that each person is entitled to 50% of the income.

Capital includes property, bank and building society accounts, national savings certificates, bonds and shares. Where capital is joint owned, only the percentage owned by the service user is taken into account.

Where a person has chosen to withdraw funds from their pension pot in order to manage the funds themselves, this may be treated as capital.

**Tariff Income**

Where the service user receiving care and support has capital at or below the higher capital limit, but more than the lower capital limit, they will be charged £1 per week for every £250 in capital between the two amounts. This is called tariff income.
**Trusts**

Where funds are held in trust, the financial assessment will seek to determine whether income received or capital held in trust should be included or disregarded. Copies of trust documents (e.g. Trust Deed, Will Settlement etc) are required to be produced as part of the financial assessment.

**Appendix C - Household Expenses**

**Housing Costs**

Allowable housing costs (e.g. rent/mortgage/council tax) will only be allowed in the financial assessment where the service user is liable to pay these costs. Where the service user is not liable for these costs but contributes towards these through a private agreement or similar, then the service user will be expected to meet this expenditure from their guaranteed income.

**Single person with legal liability to pay**

<table>
<thead>
<tr>
<th>Allowable housing costs</th>
<th>Allowance</th>
<th>Evidence required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortgage payments / Rent</td>
<td>Allow full amount less any Housing Benefit or Mortgage Interest payments made</td>
<td>Evidence required</td>
</tr>
<tr>
<td>Council Tax</td>
<td>Allow full amount less any Council Tax Benefit paid</td>
<td>Evidence required</td>
</tr>
<tr>
<td>Water Rates</td>
<td>To be paid from Basic Income Support plus 25% buffer</td>
<td>Disregard</td>
</tr>
</tbody>
</table>

| Insurance | To be paid from Basic Income Support plus 25% buffer | Disregard |
| TV Licence | To be paid from Basic Income Support plus 25% buffer | Disregard |
| Community Alarm Systems | Actual cost unless included in Housing Benefit or Supporting People Grant | Evidence required – bills from provider |
| Telephone Line rental | Maximum £4.37 per week in line with BT (£18.99 per month) (Revised Feb 2017) | |
| Loans including hire purchase and catalogues | To be paid from Basic Income Support plus 25% buffer | Disregard |
**Non Dependents and Couples**

For the purposes of assessment, a couple is either:

- a legally married husband and wife; or
- two individuals who effectively live together as a couple but who are not legally married; or
- Civil Partnership

<table>
<thead>
<tr>
<th>Rent</th>
<th>Where legal liability to pay. In excess of any housing benefit in payment</th>
<th>Cost should be divided between a ‘Couple’ as defined above</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For non-dependent living in property (Service User)</td>
<td>Where there is no legal liability to pay, an allowance of £14.80 per week (in line with Housing Benefit rules) can be made if client indicates requirement to contribute.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mortgage Payments</th>
<th>Where legal liability to pay. In excess of any Income Support/Pension Credit Mortgage Interest Payments</th>
<th>Cost should be divided between a ‘Couple’ as defined above</th>
</tr>
</thead>
<tbody>
<tr>
<td>For non-dependent living in property (Service User)</td>
<td></td>
<td>No allowance made</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ground Rent</th>
<th>In excess of any Income Support/Pension Credit Payments</th>
<th>Cost should be divided between a ‘Couple’ as defined above</th>
</tr>
</thead>
<tbody>
<tr>
<td>For non-dependent living in property (Service User)</td>
<td></td>
<td>No allowance made</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service Charges</th>
<th>Where legal liability to pay. In excess of any Income Support/Pension Credit Payments</th>
<th>Where legal liability to pay. Cost should be divided between a ‘Couple’ as defined above</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-dependent living in property (Service User)</td>
<td></td>
<td>No allowance made</td>
</tr>
<tr>
<td>Service Description</td>
<td>Notes</td>
<td>Allowance</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------</td>
<td>-----------</td>
</tr>
<tr>
<td>Council Tax</td>
<td>Where legal liability to pay. In excess of any Council Tax Benefit, Cost should be divided between a ‘Couple’ as defined above</td>
<td></td>
</tr>
<tr>
<td>Non-dependent living in property (Service User)</td>
<td>Where there is no legal liability to pay, an allowance of £6.56 per week (in line with Council Tax Benefit Rules) can be made if client indicates requirement to contribute.</td>
<td></td>
</tr>
<tr>
<td>Water Rates</td>
<td>To be paid from Basic Income Support plus 25% buffer</td>
<td>Disregard</td>
</tr>
<tr>
<td>Insurance</td>
<td>To be paid from Basic Income Support plus 25% buffer</td>
<td>Disregard</td>
</tr>
<tr>
<td>Loans including hire purchase and catalogues</td>
<td>To be paid from Basic Income Support plus 25% buffer</td>
<td>Disregard</td>
</tr>
<tr>
<td>TV Licence</td>
<td>To be paid from Basic Income Support plus 25% buffer</td>
<td>Disregard</td>
</tr>
</tbody>
</table>

**Telephone Line Rental**

Maximum £4.37 per week in line with BT (£18.99 per month) (Revised Feb 2017)

**Heating (2018/19 – to be updated in line with NAFAO guidance)**

An allowance should be made for excessive fuel costs incurred by a service user. The Government has identified typical annual fuel figures for six scenarios. Any fuel costs above these amounts should be allowed as an expense.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Single Person in flat or terraced property</th>
<th>£1129.28 per year</th>
<th>£21.65 per week</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Couple in flat or terraced property</td>
<td>£1489.90 per year</td>
<td>£28.57 per week</td>
</tr>
<tr>
<td></td>
<td>Single Person in semi-detached property</td>
<td>£1199.43 per year</td>
<td>£23.00 per week</td>
</tr>
<tr>
<td></td>
<td>Couple in semi-detached property</td>
<td>£1580.80 per year</td>
<td>£30.32 per week</td>
</tr>
<tr>
<td></td>
<td>Single Person in detached property</td>
<td>£1459.28 per year</td>
<td>£27.99 per week</td>
</tr>
<tr>
<td>Couple in detached property</td>
<td>£1923.64 per year</td>
<td>£36.89 per week</td>
<td></td>
</tr>
</tbody>
</table>

If type of property is unknown use *

Appendix D

Disability Related Expenditure (DRE)

Bedford Borough Council assessment of DRE is based on the good practice guidelines developed by the National Association of Financial Assessment Officers (NAFAO)

Disability Related Expenditure (DRE) is reasonable additional expenses that a service user incurs because of their illness or disability and where the service user has little or no choice other than to incur the expenditure to maintain independent living. The service user’s support plan should identify disabilities or medical conditions that indicate that additional allowances should be given.

Disability related expenditure will only be taken into consideration if disability related benefits are in payment. It is not possible to list every item/service allowed under DRE as each service user’s DRE is individually assessed.

Disability related benefit will be taken into consideration from the date of the award.

DRE will only be taken into account if it is identified as part of a service user’s support plan.

Costs of Disability

Allowable Disability Related Expenditure (DRE) will be for services deemed necessary as a result of disability, ill health or for health and safety reasons.

(a) If service user has DRE of less than £20 per week, allow lesser amount.

(b) If service user has DRE of more than £20 per week, but does not have supporting evidence, allow £20 maximum in total

(c) If service user can provide supporting evidence and it is considered reasonable, allow actual amounts in line with Policy. If DRE exceeds £35 per week refer to support plan/Service Manager to consider reasonableness
<table>
<thead>
<tr>
<th>ITEM</th>
<th>AMOUNT</th>
<th>EVIDENCE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Privately Arranged Care</td>
<td>Actual cost if Social Worker confirms requirement as part of the Support Plan and Council supported care is reduced accordingly. Personal care tasks include – bathing, washing, feeding, helping to get dressed.</td>
<td>Allow £20 in total</td>
<td>Details of personal help provided will be required</td>
</tr>
<tr>
<td>Private Domestic Help</td>
<td>Up to maximum of £20 per week. Payments allowed where no-one else in the household able to undertake domestic tasks – shopping, cleaning, ironing. (Costs based on approximately 2 hrs per week)</td>
<td>Allow £20 in total</td>
<td>Details of personal help provided will be required</td>
</tr>
<tr>
<td>Laundry/ Washing Powder</td>
<td>Up to a maximum of £5.00 per week. Payments above £5.00 allowed in exceptional circumstances following confirmation from Service Manager</td>
<td>Additional laundry costs identified as a result of incontinence or other health problems.</td>
<td></td>
</tr>
<tr>
<td>Dietary</td>
<td>Discretionary as special dietary needs may not be more expensive than normal – up to a maximum of £5 per week. Payments above £5 allowed in exceptional circumstances</td>
<td></td>
<td>Details of special purchases</td>
</tr>
<tr>
<td>Gardening</td>
<td>Discretionary up to a maximum £5 per week based on individual costs of garden maintenance and no-one else in the household able to do gardening. Evidence required</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wheelchair</td>
<td>£3.80 per week manual £9.23 per week powered</td>
<td>Evidence of purchase. No allowance if equipment is provided free of charge</td>
<td></td>
</tr>
<tr>
<td>Equipment Type</td>
<td>Cost Calculation</td>
<td>Evidence Requirement</td>
<td>Notes</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>----------------------------------------------</td>
<td>--------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Powered bed</td>
<td>Actual cost divided by 500 (10 yr. life) up to a maximum of £4.25 per week</td>
<td>Evidence of purchase</td>
<td></td>
</tr>
<tr>
<td>Turning bed</td>
<td>Actual cost divided by 500 (10 yr. life) up to a maximum cost of £7.36 per week</td>
<td>Evidence of purchase</td>
<td></td>
</tr>
<tr>
<td>Powered reclining chair</td>
<td>Actual cost divided by 500 (10 yr. life) up to a maximum cost of £3.34 per week</td>
<td>Evidence of purchase</td>
<td></td>
</tr>
<tr>
<td>Stair-lift</td>
<td>Actual cost divided by 500 (10 yr. life) up to a maximum of £5.95 per week</td>
<td>Evidence of purchase</td>
<td></td>
</tr>
<tr>
<td>Hoist</td>
<td>Actual cost divided by 500 (10 yr. life) up to a maximum of £2.91 per week</td>
<td>Evidence of purchase</td>
<td></td>
</tr>
<tr>
<td>Specialist Holidays</td>
<td>Actual additional cost in excess of normal costs for a similar holiday divided by 52. Additional cost must be related to disability.</td>
<td>Evidence of actual cost for comparison purposes (ONS family spending survey)</td>
<td></td>
</tr>
</tbody>
</table>
| **Prescription Charges.** | Cost of an annual season ticket divided by 52 or actual cost of prescriptions, whichever is less.  
From 1st April 2016 (to be reviewed in line with NHS changes)  
Single item - £8.40  
3 monthly pre-paid prescription - £29.10  
Annual pre-paid prescription - £104 per year (£2 per week) | 2015/16)  
For those not eligible for free prescriptions. |
|--------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| **Transport.** | Discretionary based on costs that are greater than those incurred by a person without a disability.  
**If mobility component awarded only costs above the mobility component should be allowed.**  
Transport to and from day centre should be treated as DRE and allowed if DLA mobility not in | Additional transport costs related to disability.  
Up to £10 allowed without proof.  
Payments above £10 per week receipt, proof of payment |
| **Specialist Clothing/Footwear** | If specialist clothing/footwear is required that costs more than non-specialist alternative.  
**Confirmation required by Service Manager** | Proof of purchase required  
Allow expenditure above £23.50 per week (ONS family spending survey 2015/16) |
| **Mobile Phone** | Mobile phone use is often part of everyday living and therefore will only be allowed if there is evidence that a mobile phone is disability related and a requirement of the support plan.  
**Confirmation required by Service Manager** | Receipts/ proof of spend.  
Allow maximum of £10 per month |
<p>| <strong>Internet</strong> | Internet access is often part of everyday living and therefore will only be | Copy of bill required. |</p>
<table>
<thead>
<tr>
<th><strong>Adult Services</strong></th>
</tr>
</thead>
</table>

**Allowed if there is evidence in the support plan that the use of the internet is disability related and a requirement of the support plan.**

Allowance will be made to cover the basic package.

**Confirmation required by Service Manager**

<table>
<thead>
<tr>
<th><strong>Other Disability Related Expenditure</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proof</strong>, including receipts or any other evidence reasonably required.</td>
</tr>
</tbody>
</table>

**Allow cost of basic package up to a maximum of £25 per month (£5.75 per week) (in line with BT Total Broadband Option 1, February 2017)**

**Receipts**

It would not be reasonable to expect new service users to have kept every receipt for items purchase; however, certain receipts and supporting evidence may be required. Where receipts have not been kept, this should be done for future expenditure.

Receipts will be required for services, for example, laundry services, gardening, cleaning and domestic services.

Any monies paid to family and friends for providing additional personal assistance will not be allowed in the financial assessment unless this forms part of the assessed needs in the support plan.

If there is a duplication of care being provided privately and by the council then no DRE will be given for that particular service item.

Other disability related expenditure will be compared with the most recent [ONS Family Spending](https://www.ons.gov.uk) report in order to evaluate that the costs incurred are higher average.
Appendix E – Costs of Services 2017/18

Rates will be adjusted in line with directions from the Department of Health, Department of Work and Pensions or Council decisions in relation to fees.

Capital Limits as defined by the Care Act Statutory Guidance (April 2015)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Limit</td>
<td>£23,250</td>
</tr>
<tr>
<td>Lower Limit</td>
<td>£14,250</td>
</tr>
</tbody>
</table>

Standard Minimum charges for permanent residential care (in line with benefit rates April 2017)

<table>
<thead>
<tr>
<th>Age Category</th>
<th>Weekly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>60+ Pension Credit Age</td>
<td>£134.45</td>
</tr>
<tr>
<td>Working age</td>
<td>£80.75</td>
</tr>
</tbody>
</table>

Standard charges for temporary care home stays (in line with benefit rates April 2017)

<table>
<thead>
<tr>
<th>Age Category</th>
<th>Weekly Charge</th>
<th>Nightly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>60+ Pension Credit Age</td>
<td>£93.45</td>
<td>£13.35</td>
</tr>
<tr>
<td>Working age over 25</td>
<td>£61.75</td>
<td>£8.82</td>
</tr>
<tr>
<td>Working age under 25</td>
<td>£46.55</td>
<td>£6.65</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Care Home related standard costs</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Expenses Allowance</td>
<td>£24.90 per week</td>
</tr>
<tr>
<td>Registered Nursing Care Contribution (NHS)</td>
<td>£156.25 per week (April 2016)</td>
</tr>
<tr>
<td>Full weekly cost of George Beal House</td>
<td>£1,443.50 per week</td>
</tr>
<tr>
<td>Full weekly cost of Brookside, Highfield, Parkside, Puttenhoe, Rivermead and Southway</td>
<td>£597.00 per week</td>
</tr>
<tr>
<td>Banding Tool</td>
<td></td>
</tr>
<tr>
<td>Residential Low</td>
<td>£535 per week</td>
</tr>
<tr>
<td>Residential Medium</td>
<td>£535 per week</td>
</tr>
<tr>
<td>Residential High</td>
<td>£595 per week</td>
</tr>
<tr>
<td>Nursing Care</td>
<td>£595 + RNCC per week</td>
</tr>
<tr>
<td>Hotel Costs</td>
<td>£250 per week</td>
</tr>
<tr>
<td>Maximum Local Authority Rate (pension age +)</td>
<td>£595 per week</td>
</tr>
<tr>
<td>Maximum top-up to be deferred</td>
<td>25% of Maximum Local Authority Rate – Maximum top-up £148.75 per week</td>
</tr>
<tr>
<td>Escorts to and from appointments for Council run Care Homes (3 hours min)</td>
<td>£10.60 per hour</td>
</tr>
</tbody>
</table>
## Non Residential Fees

<table>
<thead>
<tr>
<th>Service</th>
<th>Charge Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Domiciliary care provided by Council carers – charge per hour, per carer, minimum charge 15 minutes</strong></td>
<td>£15.90 no change</td>
</tr>
<tr>
<td><strong>Day opportunities at Kempston Centre</strong></td>
<td>£57.70 per day £28.85 per session</td>
</tr>
<tr>
<td><strong>Day opportunities at Gadsby street</strong></td>
<td>£57.70 per day £28.85 per session</td>
</tr>
<tr>
<td><strong>Transport to and from Kempston Centre or Gadsby Street</strong></td>
<td>£12.80 per day £6.40 per journey</td>
</tr>
<tr>
<td><strong>Day opportunities at Goldington Road and Conduit Road day centres</strong></td>
<td>£24.90 per day</td>
</tr>
<tr>
<td><strong>Transport to and from Goldington Rod and Conduit road day centres</strong></td>
<td>£12.80 per day £6.40 per journey</td>
</tr>
<tr>
<td><strong>All other services</strong></td>
<td>Maximum cost of the service to the council</td>
</tr>
<tr>
<td><strong>Minimum charge for non-residential care</strong></td>
<td>£2 per week</td>
</tr>
<tr>
<td><strong>Personal Budget Management – self-funders (arrangement fee and admin costs)</strong></td>
<td>£50 per annum</td>
</tr>
<tr>
<td><strong>Personal Health Budget management (NHS)</strong></td>
<td>£150 per annum £50 per one off payment</td>
</tr>
<tr>
<td><strong>Hot Meals</strong></td>
<td>£5.20 per meal paid directly to provider</td>
</tr>
<tr>
<td><strong>Meals at Goldington and Conduit Road Day Centres</strong></td>
<td>£5.20 per meal</td>
</tr>
</tbody>
</table>

## Meals at Kempston Centre

<table>
<thead>
<tr>
<th>Service</th>
<th>Charge Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Meals at Kempston Centre</strong></td>
<td>£5.20 per meal</td>
</tr>
</tbody>
</table>

## Appendix F - Appeals and Complaints

The service user has the right to ask for a review of their financial assessment and the charges which have been determined as part of Bedford Borough Councils financial assessment process.

Service users not satisfied with the calculation of outcome of their financial assessment should discuss their concern with the Financial Assessment team the first instance to ensure that the assessment has been conducted and calculated correctly.

These should be directed to:

Customer Finance Team  
Business Support Unit  
Borough Hall  
Cauldwell Street  
Bedford  
MK42 9AP

01234 718833

Or email to BSU.CustomerFinance@bedford.gov.uk

An officer independent of the disputed assessment will reassess the information provided by the customer at the time of the assessment. Any information omitted form the initial
assessment will be considered upon submission however the Council is under no obligation to backdate the outcome to the date of the original assessment. The only exception to this is where benefit income has stopped without prior knowledge of the service user.

If the service user still remains dissatisfied with the assessed charge then they are able to request a review of charges by the Financial Assessors line manager. The line manager will review the information used by the Financial Assessment Officer and scrutinise the application of the criteria and policy and the decision. The manager should then write to the service user with their decision and state the reasoning behind it. The manager should inform the service user that should they remain dissatisfied with the decision then they are able to complain using the Council’s complaints procedure.

If the service user still remains dissatisfied with the assessed charge then they are able to complain using the Council’s complaints procedure.

During the investigation of the complaint, the assessed charge will remain payable and can be pursued according to the Council’s debt recovery processes.

If the outcome of a complaint is that the service user has overpaid then the overpayment will be refunded.

In considering a complaint about charges then the following issues may be considered:

- Whether this policy has been applied correctly
- Whether the customer will suffer exceptional hardship as a result of having to pay charges for services
- Whether the policy has impacted unfairly on the customer

The outcome of a complaint may be that none, some or all of a charge is waived.

The decision to waive charges will be made by the officer who has an appropriate level of authority under the Council’s Scheme of Delegation. This may not be the officer who investigates the complaint.