

# Moving into a Care Home

INFORMATION FOR RESIDENTS AND FAMILIES CONSIDERING A PLACEMENT

East Lothian  
**Health & Social Care Partnership**



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East Lothian Health and Social Care Partnership offer a range of services to support people with a variety of different needs. For some people, it may be that a move to a care home is the most suitable and appropriate way of providing them with the support they require in a safe, caring and dignified way.

## Getting Started

### **Different types of care home: Residential or Nursing Care**

Nursing homes and residential homes provide different levels of care based on resident's level of need. Residential homes provide care for people who are more able, while nursing homes provide care to residents with more complex needs.

Both residential and nursing homes provide assistance with personal care on a 24-hour basis, including help with washing, dressing, toileting, medication and mobility. They also provide help with eating, drinking, communication, and provide a range of social activities of your choice.

Residential homes can provide low levels of nursing support, for example administering medication via injection, or managing complex dressings. However, they generally do not employ nursing staff. If nursing support is required, local NHS services are usually called in to carry out these tasks.

Nursing homes, however, employ nursing staff to enable them to provide medical care for people with a higher level of need. These homes are more suitable for individuals who have an illness or condition that requires frequent medical attention. They also have a range of specialist equipment available for moving and handling for those with serious mobility issues, or who are unable to get out of bed.

To determine the type of home that will best suit you, your social worker will carry out an assessment of your needs, and allow you, and your family, the chance to discuss the options available to you.

To arrange an assessment, you, or a family member can call **01875 824 309**

Trial visits to a care home can be arranged, allowing you to see if a care home environment is right for you.

Trial visits also allow the home manager to decide whether they are able to meet your needs. When assessing a new resident, the home manager must ensure they can meet the needs of all residents in the home and consider this before

accepting any new residents. The final decision as to who is accepted into a care home lies with the home manager.

### **Where to find information on a care home**

All care homes are registered with the Care Inspectorate. The Care Inspectorate regularly monitors and grades the quality of care provided by the homes.

You can look at a care home's Inspection report on the Care Inspectorate website. Inspection reports provide information on what the home does well, and what may require improvement.

The Care Inspectorate uses the *Health and Social Care Standards* to grade a care home's performance. The standards outline what people should expect when using health and social care services.

They aim to ensure that services provide better outcomes for everyone, ensure that people are treated with respect and dignity, and ensure that basic human rights are upheld.

For more information, visit the Care Inspectorate website at [www.careinspectorate.com](http://www.careinspectorate.com)

### **[Paying for your care](#)**

#### **The Financial Assessment**

If you are entering a care home, you will have to contribute towards your fees. In order to calculate your contribution we will ask you to fill in a financial assessment form. You can ask someone else to fill in the form but you, your Attorney or Financial Guardian will need to sign it to confirm the information is accurate.

Your contribution will be based on:

- your income
- any property you own
- any savings and investments you have
- how much capital you have
- the care home you choose

When completing the form, you will need to provide us with copies of:

- bank and building society statements
- evidence of any, income, capital or investments
- the terms and conditions of any trusts
- Documents about any Power of Attorney or Financial Guardian.

We will review your charges every year to include any increases in costs or any changes to your income or savings.

If you decide not to fill in the form, you will be charged the full cost of your care less any Free Personal and/or Nursing Care payments.

### **Free Personal and Nursing Care Payments**

If the Local Authority assesses you as needing to live in a care home, and you live in Scotland, you are entitled to receive a weekly payment from the Scottish Government towards your care fees. This is called the Free Personal and/or Nursing Care payment.

Free Personal and/or Nursing Care payments will only begin from the date of your social work assessment.

The amount you will receive is as follows:

<b>Your Care Home Type</b>	<b>Amount Received</b>
Residential Home	£177
Nursing Home	£257

The Health and Social care Partnership will pay this to the care home and not directly to you. This amount will be deducted off the final cost of your weekly placement.

### **How we calculate your contribution**

Using the information you have provided in the financial assessment form, we will assess what you are required to pay by measuring where your savings, investments, and any property you own, sits on thresholds that are agreed nationally.

The thresholds help to determine if you will be **Local Authority Funded** or **Self-Funding**.

**Local Authority funded** means that the Health & Social Care Partnership will fund your placement minus your assessed personal contribution.

**Self-funding** means that the Local Authority will only pay your Free Personal and/or Nursing Care Payment towards your placement.

The thresholds change yearly and are outlined below.

<b>Your Savings</b>	<b>Do you own property</b>	<b>Funding Type</b>
Below £17,500	No	You will be <b>Local Authority Funded</b> and will contribute all your weekly income except your personal allowance of £27.75 a week.
Between £17,500 and £28,000	No	<p>You will be <b>Local Authority Funded</b> and will contribute all your weekly income except your personal allowance of £27.75 a week.</p> <p>You will also pay £1 a week extra for every £250 or part of £250 you have between £17,500 and £28,000. The amount you pay will reduce as your savings reduce.</p> <p>When your savings reach £17,500 you will no longer pay a weekly charge from your savings but you will still pay a contribution from your income.</p>
Over £28,000	Yes	<p>You will be <b>Self Funding</b> if you have capital, including property, which in total are above the upper threshold.</p> <p>You will receive your Free Personal and/or Nursing Care payment towards the cost of your care. You will be responsible for any remaining fees due to the care home.</p>

## **Your Personal Expenses Allowance**

When the Local Authority calculates your contribution, they will deduct an amount known as the Personal Expenses Allowance which you will keep to use towards your weekly living costs.

The Personal Expenses Allowance increases yearly based on average earnings and is set by the Scottish Government. In 2019/20 this amount is £27.75.

## **Choosing a care home: Local Authority Funded residents**

People who are Local Authority Funded can choose a care home from a list of the providers who accept our standard rates. The majority of care homes in East Lothian accept the standard rates, although some private homes only accept self-funding residents. You can also choose to look at care homes outside of East Lothian if you wish.

You can choose a more expensive care home than if you wish but you will need someone other than yourself who is willing to pay the extra costs (also known as a top-up). The person willing to pay the extra costs will need to sign a written agreement confirming this, and be willing to do this for the duration of your stay at the home.

Once you have chosen your home, the Local Authority will pay the care home the standard rate including your Free Personal and/or Nursing Care payment. You will pay the home directly for any contribution you are assessed as being required to make.

## **Choosing a care home: Self-Funding residents**

People who are Self-Funding can choose any care home want to go to. However, you should be aware of the following:

- You should check the cost of the care home before accepting a place to ensure that you can afford to move there. Rates can vary between homes.
- You will need to work out how long you will be able to afford to stay in the home. Some homes need you to prove that you have enough money to cover the care fees for three to five years
- The Local Authority will pay any free personal and/or nursing care contributions to the care home.

## **Resident agreements**

Prior to a placement starting, your chosen care home will provide you with a Residents Agreement.

The agreement will outline:

- the aims and objectives of the service
- information on your accommodation
- what care you can expect to be provided with
- the terms and conditions set out between yourself and the home
- how to pay your fees
- periods of notice
- any extra services not covered by the agreed fee

## **Self Funding Residents: Reassessing your finances**

If you are a self-funding resident and the total value of your savings and investments approaches £28,000 you must ask the Local Authority for a financial review in order for us to consider you for Local Authority Funding, and therefore help towards your care home fees.

At the financial review will ask you for evidence of all the capital you held at the date of your admission to care, the income you have received since being in care, and all the care fees paid. We will also ask for details of personal expenditure.

From the date we determine that you are eligible for help with funding, we will calculate your weekly contribution based on your income and savings and we will pay the balance of the fees up to our standard rate.

If you are in a more expensive home that does not accept our standard rate, you will need someone who is willing to pay the extra costs for as long as you are there. In some circumstances, you may have to move to a different home.

## **Selling your home**

If you need to sell your home and have savings of less than £28,000, the Local Authority can contribute towards the cost of your fees for up to 12 weeks or until you sell your home, whichever is sooner. You will not have to repay the fees paid by the Local Authority in this period.

After the 12 week period you will be due to pay the full cost of your care home placement, even if your home has not been sold. You will continue to receive your Free Personal and Nursing Care Payment however.

### **Interim Funding**

If you have been unable to sell your home in the 12 week period and your savings fall below £3,000, you may be able to apply for Interim Funding. This is a short-term loan from the Local Authority to fund part of your care costs until your property is sold.

To be considered for Interim Funding your property must be on the market for sale, you must be the legal owner of the property and the Partnership must be satisfied that the property is suitable for lending purposes.

We will also place a Charging Order on the property as security for the loan and you will be responsible for the legal costs associated with this.

During Interim Funding, you will pay an assessed contribution towards your care based on your income and savings. The Partnership will pay the balance of the fees up to our standard rate. If the care home charges more than our standard rate, you will have to make your own arrangement with the care home to meet the extra costs.

The Interim Funding loan will be repaid from the sale of your property or from your Estate.

### **Deferred Payment Agreement**

If you do not wish to sell your property immediately and your savings are below £17,500, you may be able to apply for a loan from the Local Authority to fund part of your care costs. This is known as a Deferred Payment Agreement. The money loaned to you will be repaid from the eventual sale of your property or from your estate.

To be considered for this:

- You must make an application to us in writing through your solicitor
- You must be the legal owner of the property
- The local authority must be satisfied that the property is suitable for lending purposes

- You must provide us with a survey of the property (mortgage valuation)
- You must arrange for your solicitor to set up a legal agreement called a Standard Security
- You must pay the legal costs associated with this.

During the Deferred Payment term, you will pay an assessed contribution towards your care based on your income and savings. The Partnership will pay the balance of the fees up to our standard rate.

If the care home charges more than our standard rate you will have to make your own arrangement with the care home to meet the extra costs.

### **Depriving Yourself of Capital**

It is common to want to pass on savings and other capital such as your home to your children or others. However, before deciding to transfer your home or capital you should consider that moving an asset out of your name does not mean you will receive financial help from the local authority.

Before providing financial help we:

- Will look at whether you have ever owned property
- Will look your spending levels and any extravagant purchases
- Will undertake checks on transfers and consider the timing of these
- May ask the people who received it to pay for your care
- May consider any transfer as “notional” capital, and still require you to fund your care fees until it falls below a certain level

We consider each case individually and on its own merit.

We will decide if paying care fees was a significant factor in your decision to transfer capital and if it was your intention to ***deliberately*** deprive yourself of the capital to get help with care fees.

We will also consider the ***timing*** of any transfers of capital and the circumstances leading up to the transfer including looking at:

- How healthy you were at the time of the transfer and any medical evidence
- Whether the need for care or the move to a care home foreseeable at the time of the transfer of the capital

- What explanation you can give for the transfer of the capital other than to intentionally deprive yourself of available capital to pay for care.

### **If you disagree with us**

You can challenge our decision not to fund care home fees due to deliberate deprivation of capital. We will make every effort to communicate with you and we will meet with you to explain our decisions.

You have the right to ask for meetings with us at any stage in this process and we will make every attempt to resolve your complaint. You also have the right to ask for a meeting with a more senior manager.

If your complaint remains unresolved, you can make a formal complaint to our complaints department.

### **Department for Work and Pensions Information**

When you move into a care home, you or your financial representative must advise the Department of Work and Pensions (DWP) of the date of admission.

The DWP will assess whether you are still entitled to the benefits that you are currently receiving, and whether you are entitled to receive any additional benefits.

The local authority assesses your financial contribution to your care home costs based on you receiving the appropriate benefits; therefore you should ensure that you claim the benefits you are entitled to. The Local Authority is unable to do this on your behalf.

If you have a spouse or partner remaining at home, they should also contact the DWP to discuss eligibility of benefits in their own right.

The DWP can be contacted on **0345 606 0265**.

### **Additional care home charges**

The fees paid to the care home should cover all of your care needs but you should discuss with the care home whether you will have to pay any other charges such as outings, hairdressing and activities.

The personal expenses allowance is set by the Scottish Government and cannot be increased to cover additional expenditure for example to buy cigarettes or alcohol. Any additional charges should be detailed in your Residents Agreement.

### **Paying your bills**

The Local Authority will pay our portion of your care home fees to the care home every 4 weeks. The care home will invoice you for your assessed contribution and you should pay this directly to the home.

### **Any periods you are not living in the home**

You will continue to be charged for any periods you are not living in the care home. This includes any stays in a hospital.

Your Free Personal and/or Nursing Care contributions will stop after 14 days and you will be expected to pay the full costs. Payments will start again when you return to the care home.

### **Acting on someone's behalf**

Some people who enter care homes may not have the capacity to make decisions for themselves. There are various legal measures that you, or others, can put in place to support you to make important decisions and to manage your finances.

### **Welfare Power of Attorney**

You can grant Welfare Power of Attorney to someone you trust to make decisions for you regarding your welfare. It can grant the person you nominate the power to decide where you live, and what type of support you receive.

This must be put in place while you still have the capacity to do this, and is an important planning tool to consider.

The document is normally drafted by a lawyer and must be registered with the Office of the Public Guardian.

Although Welfare Power of Attorney may be put in place some time before it is needed, your nominated person will only be able to act on your behalf once you

are no longer able to make decisions for yourself. It will detail what powers you wish the nominated person to have and how your incapacity will be established.

### **Welfare Guardianship**

If a person has lost the capacity to make decisions for themselves and has no Welfare Power of Attorney in place, family or trusted individuals can instead apply for Welfare Guardianship. This, again, gives authority for other people to make decisions on your behalf.

Private applications must be made through the Sheriff Court. Any application must be accompanied by reports from doctors and a Mental Health Officer.

Legal Aid is available for welfare guardianship applications, whatever your financial circumstances.

### **Financial Power of Attorney**

Financial Power of Attorney can be put in place to allow a trusted individual to manage your finances on your behalf. This can only be done if you still have the ability to make decisions for yourself.

The document is normally drafted by a solicitor and registered with the Office of the Public Guardian. You can outline the range of powers available to the nominated person and decide when they can begin to act on your behalf.

### **Financial Guardianship**

If a person is no longer able to make decisions for themselves, financial guardianship can be applied for. Applications must be made to the Sheriff Court and require medical certificates confirming the Adult lacks capacity.

If there is no one available to act on your behalf, the Local Authority will nominate someone else, usually a solicitor, to do this.

The Office of the Public Guardian, who oversee financial guardianships, require the person managing the finances to:

- submit an inventory of the Adults affairs
- draft a management plan
- keep extensive financial records
- submit accounts on an annual basis
- seek approval for large transactions

Guardians can claim remuneration from the Adults' estate.

### **Other options**

- Appointeeship can be applied for from the DWP In cases where a resident is only in receipt of state pension or benefits. Benefits or state pension can then be paid to a nominated individual (a benefits appointee), or an organisation (a corporate appointee).
- Access to Funds can be used to access funds for daily living expenses is needed. A designated bank account will be opened on behalf of the resident. It is not suitable, however, in cases where the resident's financial circumstances are complex.
- Intervention Orders can be used for "one off" transactions such as selling a house or dealing with inheritance. Applications are made to the Sheriff Court by the individual/local authority. It is not suitable to ongoing management of finances.
- Management of residents funds: Care homes and hospitals are able to manage up to £10,000 of a resident's funds. Care homes are monitored by the Care Inspectorate and hospitals by the NHS health board.

### Planning for the future

Once you have been admitted to a care home you may want to consider what you wish to happen, and who should be informed, in the event of your death. You may also consider what measures you wish to take in the event of your health deteriorating.

Staff at a care home will work with you to ensure that this information is included in your care plan.

Some residents choose to put in place a **Do Not Attempt Cardiopulmonary Resuscitation order (DNACPR)**.

When you arrive at the care home, you should make sure to discuss your preferences with the care home manager, and provide them with any relevant documents, including copies of any Power of Attorney (Welfare or Financial) documents.

### Frequently Asked Questions:

**How much will I need to pay towards the care home fees?**

There is a minimum charge for living in a care home which all residents need to pay. This is currently £139.50 per week. This amount is based on income from state pensions and is set by the Scottish Government annually. People who have more income or capital will be asked to pay more than this. Different care homes have different fees, so the maximum amount you will need to pay will depend on which care home you go to.

### **How is the amount I need to pay worked out?**

You will be asked to fill in a financial assessment form. ELC will then work out how much you need to pay based on your income and capital, e.g. savings, investments or property. ELC will write to you to let you know what you will need to pay.

### **When will I find out how much I need to pay?**

The financial assessment process usually takes a few weeks and it may be that you have already moved into a care home before you are notified of the final calculation. In the meantime you will be asked to pay the minimum contribution of £139.50 per week. Once the final amount is calculated this will then be backdated to when you moved in.

### **Will ELC pay anything towards my care home fees?**

If a social worker has assessed you as needing to go to a care home, ELC will pay at least the nationally set amounts for free personal and / or free nursing care. If you do not have savings over the threshold of £28,000, ELC will pay most of the rest of your care home fees, minus your own contribution which will be at least £139.50 per week. If you choose to go into a care home without an assessment from social work, you will need to pay the full amount of the fees.

### **What will happen to my pension when I move into a care home?**

Your pension will continue to be paid to you going forward, and will not go straight to the care home or the council. It will be up to you to arrange to pay your care home fees to the care home (private care homes) or to ELC (council care homes).

### **What will happen to my house?**

If your spouse lives in your joint home, the value of your home will not be taken into account, meaning your spouse can continue to live there. There are different rules for non married partners and other people who live in your house which will need to be looked at on an individual basis.

### **Will my family have to pay the care home fees?**

Your family's finances are not taken into account when working out how much you need to pay towards your care home fees.

### **Will I have any money left once I have paid the care home fees?**

When ELC calculates the amount you need to pay towards your fees, they will leave you with an amount each week for your own expenses. The minimum amount you will be left with is set nationally by the Scottish Government each year, and in 2019/20 this is £27.75 per week. This is called the Personal Expenses Allowance.

### **What happens to Attendance Allowance / Carer's Allowance / Disability payments?**

Attendance Allowance and Carer's Allowance will stop 4 weeks after moving into a care home, or 4 weeks into a hospital admission. Disability Living Allowance/Personal Independence Payments (care component) will also stop after 4 weeks, but the Mobility component should continue to be paid going forward, as this part is not affected by living in a care home. It is your responsibility to notify the DWP about your change in circumstances.

### **What happens if I don't keep up with the Care Home fees?**

Care Homes run by private companies will refer to ELC should Care Home fees not be paid and arrears start to accumulate. It may be that Adult Support and Protection Procedures are required as non payment could put your placement at risk.

## Care homes in East Lothian

East Lothian has 17 care homes, 11 of these are nursing homes and 6 are residential homes.

East Lothian Health and Social Care Partnership owns three residential care homes – Eskgreen in Musselburgh, Crookston in Tranent, and The Abbey in North Berwick; and one nursing home – Belhaven in Dunbar.

Further information on these homes and their admission policy can be found in our leaflet “*East Lothian Health & Social Care Partnership: Our Own Homes*”. All of the other homes in the county are run by private organisations.

### **Nursing Homes**

<b>Adamwood</b>	43 Ravensheugh Road, Musselburgh Tel: 0131 665 8032	Self-Funding
<b>Astley House</b>	14-16 Dirleton Avenue, North Berwick Tel: 01620 892037	Standard Rate & Self-Funding
<b>Belhaven</b>	Beveridge Row, Dunbar Tel: 01368 862246	Standard Rate & Self-Funding (ELC Owned)
<b>Drummohr</b>	47a Drummohr Gardens, Wallyford Tel: 0131 653 3737	Standard Rate & Self-Funding
<b>Fidra</b>	67a Dirleton Avenue, North Berwick Tel: 01620 897600	Standard Rate & Self-Funding
<b>Hilton Lodge</b>	60 Court Street, Haddington Tel: 01620 822291	Self-Funding
<b>Haddington Care Home</b>	Mill Wynd, Haddington Tel: 01620 674880	Standard Rate & Self-Funding
<b>Lammermuir House</b>	East Links Road, Dunbar Tel: 01368 862999	Standard Rate & Self-Funding
<b>Muirfield</b>	Main Street, Gullane EH31 2AA Tel: 01620 842116	Standard Rate & Self-Funding
<b>Tranent Care Home</b>	1 Coal Neuk Court, Tranent, EH33 1DR Tel: 01875 616560	Standard Rate & Self-Funding

**Tyneholm Stables**      Pencaitland, EH34 5DJ      Standard Rate & Self-Funding  
Tel: 01875 340823

## **Residential Homes**

**Carberry**      Whitecraig, EH21 8PY      Standard Rate & Self-Funding  
Tel: 0131 665 2882

**Crookston**      Sanderson's Wynd, Tranent      Standard Rate & Self-Funding  
Tel: 01875 824170      (ELC Owned)

**Eskgreen**      Shorthope Street, Musselburgh      Standard Rate & Self-Funding  
Tel: 0131 665 8281      (ELC Owned)

**Florabank**      18 Florabank Road, Haddington      Standard Rate & Self-Funding  
Tel: 01620 823259

**St Anne's Care Home**      Windsor Gardens, Musselburgh      Standard Rate & Self-Funding  
Tel: 0131 665 5591

**The Abbey**      Old Abbey Road, North Berwick      Standard Rate & Self-Funding  
Tel: 01620 892014      (ELC Owned)

## **Useful organisations**

**Care Inspectorate**      Website: [www.careinspectorate.com](http://www.careinspectorate.com)

**Age Scotland**      Tel: 0800 12 44 222  
Website: [www.ageuk.org.uk/scotland](http://www.ageuk.org.uk/scotland)

**Silver line Scotland**      Tel: 0800 4 70 80 90

**East Lothian Health & Social  
Care Partnership Contact Centre**      Tel: 01875 824 309

**Carers of East Lothian**      Tel: 0131 665 0135  
Website: [www.coel.org.uk](http://www.coel.org.uk)

**EARS Advocacy**      Tel: 0131 478 8866  
Website: [www.ears-advocacy.org.uk](http://www.ears-advocacy.org.uk)

**Office of the Public Guardian**      Website: [www.publicguardian-scotland.gov.uk](http://www.publicguardian-scotland.gov.uk)