

FACT SHEET TWO

Financial Help for people going into temporary Residential or Nursing Care

Please note that Warwickshire County Council Social Services have changed their name to Adult, Health and Community Services. For convenience this leaflet refers to Warwickshire County Council [WCC].

WHO IS THIS FACT SHEET FOR?

This Fact Sheet tells you which benefits you can claim if you are going *temporarily* into a Residential or Nursing Home (This includes planned and unplanned stays).

It covers adults of all ages.

For permanent stays see Pb7 Fact Sheet One.

WHAT FINANCIAL HELP IS AVAILABLE?

Very few people have enough weekly income to afford the fees of a Residential Care or Nursing Home. WCC can help to pay for the cost of a stay. You will need to apply to them for a “care needs assessment” so that they can decide if a temporary stay in a Care Home is appropriate. You may already be getting a care package at home and this can be reviewed to include some respite care as well. Alternatively they can discuss with you whether a trial stay in a Care Home would help you decide whether you need to move there permanently.

If WCC agrees that a temporary stay is appropriate and you have less than £13,500 in savings, they will meet the cost but they may ask you to pay a contribution towards this [this figure may change].

Make sure you are claiming all the benefits to which you are entitled so that you have enough income to do this.

WHICH BENEFITS ARE AVAILABLE?

You will be getting some social security benefits already. Most of these can continue when you go into a Home. There are also other benefits which you can claim for the first time when you go into residential care.

You should already be getting one of these *Income Replacement* benefits.

- * Retirement Pension if you are over pension age [60/65], *or*
- * Incapacity Benefit, Employment & Support Allowance or Severe Disablement Allowance if you are under pension age and too sick or disabled to work, *or*
- * Widows Pension/Bereavement Allowance if your spouse has died.

All of these continue to be paid in full when you go into residential care.

You may also be getting one or more *Disability* Benefits. These are:

- * Industrial Injuries Benefit if you have an industrial illness or accident at work,
- * WarPension/Armed Forces Compensation Scheme if your disability was due to being in the armed forces,
- * Attendance Allowance [AA] if you are 65 or over and need a lot of looking after, *or*
- * Disability Living Allowance (DLA) Care Component to pay for your care needs,
- * DLA Mobility Component if you have difficulty walking, or need someone with you when outside.

If you stay in Care lasts for more than 28 days your Attendance Allowance/DLA Care will stop until you go home again.

NB: This does not happen if you are in a Home and paying the full cost yourself without help from WCC.

You could also lose your Attendance Allowance/DLA Care Component if you have regular stays in residential care which are less than 28 days apart (for example you go in every fortnight for a weekend). If this happens, you keep your Attendance Allowance/DLA for the first few stays, but once you have spent a total of 28 days in a residential Home your Attendance Allowance/DLA Care will stop every time you go back into residential care. However it can be paid for each day you spend back at home. You need to think carefully about how much respite care you need and always tell the Disability Benefits Unit (0845 712 3456) if you regularly use respite care.

If there is always at least 29 days between your stays in residential care your benefit is not affected and you keep the whole amount. Thus you could use respite care less often to protect your benefits.

Even if frequent temporary care is needed Attendance Allowance/DLA Care can be protected by creating occasional breaks. Ask your Social Worker/Home Manager for advice, or for them to contact Warwickshire Welfare Rights Advice Service (WWRAS).

DLA Mobility is not usually stopped, but if you are fully funded by the NHS, it is not payable if in care over 28 days.

NOTE: Periods spent in any publicly funded Care (including hospital) are linked and so you may reach the 28 day limit more quickly if you go in and out of hospital and residential care. Speak to the Home Manager for advice.

Don't forget to tell the JobCentre Plus [JSP] Office (if aged under 60) or Pension Service each time you go into, or leave, temporary care so that they can pay you the correct amount. You need to separately notify the Disability Benefits Unit if you get AA/DLA.

Income Support, income-related Employment & Support Allowance or Pension Credit

Income Support, income-related Employment & Support Allowance (ESA[ir]) and Pension Credit top up other benefits to help you pay your residential care Home fees.

Income Support/ ESA (ir) are payable to people aged under 60, Pension Credit is paid to those aged 60 and over. If you are aged under 60, but your partner is aged 60 or over, Pension Credit is the benefit to claim.

If you are getting either benefit before you enter a Home let the DWP know about your stay - your Income Support / ESA (ir) may go up whilst you are in the Home. Conversely if you were not entitled while living at home you may now be entitled, and you should make a claim.

Capital

“Capital” means both savings and other assets (e.g. stocks and shares or property) that you own. Your own home does not count as capital. Income Support, ESA (ir) and Pension Credit have different capital rules.

Claim Income Support / ESA(ir) if you have capital below £16,000.

Pension Credit has no upper capital limit, so claim and see if you are entitled.

For Income Support, ESA (ir) and Pension Credit there is a lower capital limit - £6,000. This means they fully ignore the first £6,000 of your capital, but then they have a formula to take the rest of your capital into account as weekly income.

So, for instance, any capital above £6,000 means your Pension Credit will be reduced - but overall you may still get more weekly money.

To find out exactly how much you can claim ask your Social Worker/Care Home Manager to ring WWRAS for advice.

People on Income Support, ESA (ir) or Pension Credit, even temporarily, can claim grants to help with one-off costs from the local Social Fund - get advice on how to claim.

Council Tax Benefit (CTB)

If you are already getting CTB you can continue to get this for up to a year away from your home if you are in temporary care.

However if you are going into a Home for a trial period to see if you wish to stay there permanently, you can only get CTB for 13 weeks and you will be liable for your full Council Tax. Remember to reclaim CTB if you go home.

Housing Benefit (HB)

If you rent your home you can get HB to help meet the cost.

If you are already getting HB it can continue for up to a year away from home. However if you are going into a Home for a trial period you can only get HB for 13 weeks.

NB: If you don't already get HB or CTB you may now qualify. Claim if:

- * your income is low, and
- * your capital is less than £16,000 [unless you get the Guarantee Credit of Pension Credit]

HOW DO I CLAIM THE CORRECT BENEFITS?

All you have to do is tell the appropriate JSP or Pension Service Office that you are going into Care.

If you think you might be entitled to any other benefits ring your local office for a claim form. For Attendance Allowance/DLA ring 0800 882200 for a claim pack. You could contact a local advice agency to help you fill in the forms.

If you do not feel able to deal with benefit matters yourself you can ask somebody to do it on your behalf. This person can become your appointee for benefit purposes. Just write to the JSP or Pension Service Office giving their name, address and date of birth. If the JSP/Pension Service agrees to make them your appointee they can sort out everything to do with your benefits.

HOW MUCH WILL I HAVE TO PAY TOWARDS THE COST?

If WCC fund your stay they will normally ask you to pay a contribution towards the cost. This is currently:

- * the same rate as your planned home care charge (if you already receive this service) *plus*
- * an amount per day for food *plus*
- * day care and transport charges (if you go to a Centre)

Charges can be waived if there is a special reason for doing so. Ask your Social Worker if you think this might apply to you.

WILL MY CARER'S BENEFITS BE AFFECTED WHILE I AM IN TEMPORARY CARE?

Most of your carer's benefits are not affected by your temporary stay in residential care.

Their **Carers Allowance** continues to be paid unless **either** your Attendance Allowance/DLA Care stops, **or**, you go into temporary care for more than 4 weeks in any 6 month period.

Your carer should inform the DWP of your stays in Care so that they can pay the correct amount. If you only go into Care for part-weeks the Carers Allowance can continue so long as your carer looks after you for at least 35 hours a week. The rules are complicated so ask your Social Worker/Home Manager to ring WWRAS for advice if you regularly use respite care.

Income Support/ESA (ir)

If your carer is your partner or dependant child any Income Support or ESA (ir) you are getting should increase if you go into temporary care because you are having to pay for two homes.

Let the JSP know when you are going into residential care and for how long so they can increase your Income Support/ESA (ir). If you want to know how much you can get ask your Social Worker to ring Warwickshire Welfare Rights Advice Service.

*NB: the figures in this Fact Sheet are correct
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