



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Adult Social Care

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

Telford & Wrekin Charging Policy for Adult Social Care Residential Services

Effective Date 1st January 2024 and supersedes any previous
Residential Charging policy

Policy Information Sheet	
Name of Document	Telford & Wrekin Charging Policy for Adult Social Care Residential Services
Owner	Director of Adult Social Care
Service area	Adult Social Care Assurance, Transformation and Financial Management, Adult Social Care
Audience	People who use services and their representatives Members of the public External agencies Telford & Wrekin Council staff
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Approved by	Cabinet Member in consultation with DASS.
Date policy is effective from	1 January 2024
Date of review(s)	March 2024



1. Policy Statement

This policy explains how Adult Social Care establish the amount an Adult is required to pay towards the cost of a place in a residential or nursing care setting where the placement is agreed as a suitable option to meet their eligible needs.

2. Purpose of the Policy

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

3. Policy Information

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

This policy covers consideration of capital, property, income, fees and how the financial contribution to the cost of residential or nursing home care is established and notified.

This policy applies to individuals who are in residential or nursing care – where the individual is not placed in either nursing or residential care, the Council's Non-Residential Charging Policy should be followed.

4. Procedures Statement

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

5. Background

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

Income received from care charges helps the council to meet its statutory funding commitments, but crucially also helps to protect, develop, and extend care and

support services, and ensure that high quality services are available in the right form to meet the needs of adults with care and support needs.

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

The Act, together with the supporting regulations and statutory guidance, sets out a single framework model for charging people whose eligible needs are met within a care home setting (residential), and requires local authorities to develop and maintain a policy for charging people with care and support needs that are met in settings other than care homes (non-residential).

6. Principles of the Policy

Telford & Wrekin Council are committed to ensuring that everyone is treated fairly. The overarching principle is that people should only pay what they can afford. In deciding to charge for care and support the council adheres to several principles set out in the Care and Support Statutory guidance Chapter 8 paragraph 8.2 in its approach:

- **Fairness** - the policy will be applied consistently to all individuals receiving services, regardless of how they are receiving their services, so that everyone is treated fairly and equitably. For those who are not eligible for services we will offer signposting, advice, and information.
- **Ability to pay** – everyone who receives social care support will be asked to contribute towards the cost of their social care based on their ability to pay rather than on the cost of their services alone. Everyone will be offered a comprehensive financial assessment of their individual circumstances and be left with a basic level of protected income, as set out in Government guidance. Following an assessment, no-one will be asked to contribute more than is reasonable. Depending on their situation, some people will not have to contribute anything.
- **Maximising benefits entitlement** – to ensure everyone is receiving all the welfare benefits they are entitled to and not missing out, everyone will receive a welfare benefits check as part of their financial assessment to identify any benefits they might be entitled to and provide them with details of how to apply.

- **Transparency and clarity** – the policy is set out in a clear and straightforward way so that everyone can understand how their contributions (if any) have been calculated, will know what their contributions might be at an early stage, and be able to judge whether or not the policy has been applied correctly in their individual case.
- **Empowerment** – the policy supports the overall goal of the Council to support people to have more choice and control over their resources and the way these are utilised, so that they are able to live their lives the way they want and feel included in their community.
- **Proportionality** – the charges will be based on the actual cost of the service to the Council, and people will only be asked to contribute towards the value of their own care.
- **Compliance with statutory duties** – the policy will be applied in a way that is fully consistent with legislation and the requirements set out in national guidance.

7. Legal framework

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

The Legal Framework

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

- The Care Act 2014 (the "Act")
- The Care and Support (Charging and Assessment of Resources) Regulations 2014
- The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014
- The Care and Support (Deferred Payment) Regulations 2014
- The Care and Support (Preventing Needs of Care and Support) Regulations 2014



- The Care and Support Statutory Guidance (as in force at the relevant time) in particular Chapters 8 and 9 and annexes A-F
- The Equality Act 2010

Acts and guidance can be found on the Government website, www.gov.uk.

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

8. Introduction

This policy explains the financial assessment process and how any charges for care and support services in residential or nursing care are assessed and charged.

Residential or Nursing Care is when a person lives in a Residential Care Home or Nursing Care Home rather than their own home.

The cost of a care home includes the care and support provided, the accommodation and living costs in the care home.

For charging purposes, there are two types of care home stays:

- temporary – where there is an intention to return home and the stay is unlikely to exceed 52 weeks
- permanent

The length of stay may change depending on circumstances. Any decision to treat a person as a temporary resident must be agreed with them and written into their care plan. If a person's stay in a care home is for longer than 28 days, either in one stay or in multiple stays, with less than 28 days between the end of a stay and the start of the next stay, the person should contact the DWP as this may affect some of their benefits.

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

The upper limit is currently £23,250 and the lower limit is £14,250. If a person has capital over **£23,250** (or the figure in force at the time) they will be deemed as being able to afford the full cost of their care and be required to self-fund their care and contract directly with the care home, see section 8.2.

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

Once they are a permanent resident, they will pay their full weekly contribution even if they have a stay away from care on a temporary basis, i.e., in hospital.

8.1. Personal Budgets

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

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

8.2. Self-funder and Full cost

A self-funder is a person who:

- must pay for the full cost of their care and support due to having relevant capital above the upper capital limit in force at the time,
- is not eligible for financial support as an outcome of a full financial assessment.

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

Where the person's needs are to be met by care in a care home, the council may choose to meet those needs and arrange the care, but they are not required to do so by law.

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

If a person has been self-funding their care and their savings have dropped or are due to drop below our upper capital limit, then they will need to contact Telford & Wrekin Council to advise us of this. The Council will need to carry out a care act assessment to determine eligibility for council funding. The Council will also be required to complete a full financial assessment to determine the level of

savings/capital the person has and their income to calculate from what date the person may become eligible for help from the council with their care and support costs.

A person who is full cost is someone who:

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

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

8.3. Start date of care charges

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

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

8.4. Financial representatives and mental capacity

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

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

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

- Enduring Power of Attorney (EPA)
- Lasting Power of Attorney (LPA) for property and affairs



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

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

The Council will then:

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

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

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

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

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

8.5. Personal expense allowance (PEA)

People in a care home will contribute most of their income, excluding any earnings, towards the cost of their care and support. However, the council must leave the

person with a specified amount of income so that they have money to spend on personal items such as clothes and other items that are not part of their care.

This is known as the personal expenses allowance (PEA). The personal expense allowance is set by government and reviewed annually. The current personal expense allowance is set at £28.25 a week.

For Temporary or Respite care the person may be allowed additional expenses to maintain their home during their stay. Such expenses may include, but are not limited to, mortgage or rent, service charges, water rates and building insurance premiums. These will be proportioned as for any other expenses if a partner/spouse remains at the property.

9. The financial assessment process

Step 1: Application and evidence

Once a person's care needs have been assessed, if eligible they will be asked to submit a financial declaration form that details all income, capital, and expenditure so that a financial assessment can be completed. This will determine how much the person will be charged towards their care and support costs. This can be a paper copy that the person will be given following their care act assessment, or the person can complete an online financial assessment here [Calculate your contribution \(mycostofcare.com\)](https://mycostofcare.com).

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

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

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

- if the person has not submitted their financial declaration or online financial assessment and evidence within 28 days of the form being given or been in contact to advise the late return is due to waiting for help or evidence, the

person will be treated by the council as someone who must pay the full cost of their care, until an assessment can be completed.

If the person passes away before the financial assessment can be completed, the executor would then be responsible for providing all relevant financial information to enable a financial assessment to be completed. This would be for any care provided before the person's death. The estate would then be expected to settle any outstanding contributions.

Step 2: The calculation

The final charge will not be confirmed until the person's care package is confirmed. The person will never pay more than the total cost of their care and support.

The financial assessment will be carried out in line with this policy and will include all income, assets, and capital assets to calculate the weekly contribution due, leaving the person with their personal allowance.

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

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

Income LESS Personal Expense Allowance = Charge

The full financial assessment will ensure that individuals retain a basic level of income, after charges have been deducted, known as the Personal Expense Allowance.

Step 3: Notification of charges

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

9.1. Income

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

Please refer to the Care and Support Statutory guidance Annex C: Treatment of income [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/care-and-support-statutory-guidance-annex-c-treatment-of-income)

When a person receives income as one of a couple then half of this income will be included in the financial assessment unless proof that the person is not entitled to this share is evidenced

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

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

An example of notional income:

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

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

9.2. Capital

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



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

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

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

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

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

The levels of capital included in the financial assessment are:

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

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

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

9.3. Property

If a person is in temporary or respite care, the property they normally live in, will be disregarded (not included as a capital asset) for the purpose of the financial assessment.

A person moving into a care home on a permanent basis, will have the value of their home included in the financial assessment, unless any of the following apply:

- their husband, wife, partner, or former partner continues to live there, except where they were estranged since before you went into a care home
- a relative aged 60 or over continues to live there
- a lone parent who is the person's estranged or divorced partner continues to live there
- a relative under 60 who is incapacitated, receives certain disability allowances continues to live there,
- a child under 18 for whom the person is financially responsible continues to live there.

9.4. 12-week property disregard

If a person owns their own property and has less than £23,250 in savings, they may be eligible for a 12-week property disregard, which will be determined during the financial assessment.

This means the value of the person's property will be disregarded from the financial assessment for a maximum of 12 weeks. The 12-week period starts from the date the person becomes a permanent resident funded by Telford & Wrekin.

The purpose of the 12-week disregard is to allow the person time to make decisions as to how to meet their charge towards the cost of any eligible care. This time can also be used for the person to decide if they wish to apply for a deferred payments agreement or self-fund their care.

A person will also be entitled to a 12-week property disregard when a property disregard (other than the 12-week disregard) unexpectedly ends because, for example, a "qualifying relative" occupying the property has died or moved into a care home. In these circumstances the person may need time to sort out their financial situation. The council can also consider exercising discretion to apply a 12-week disregard where there is a sudden and unexpected change in the person's circumstances.

If a person owns any other property or land, then they would be classed as self-funding and would not qualify for a 12 week disregard or DPA.

9.5. Deferred Payment agreement

A deferred payment agreement (DPA) is a scheme to ensure a person does not have to sell their home during their lifetime, should they not wish to do so, in order to fund their placement in a care home.

Subject to meeting the eligibility criteria, the deferred payment agreement offers the person a loan from Telford & Wrekin Council, using their home as security. The person will pay a weekly assessed contribution, based on their income and savings, and the remaining care fees that they cannot afford to pay will be added onto the deferred payment agreement. This deferred balance will be repaid by the person when their house is sold, or by their estate upon the person passing away.

Interest and admin charges will be applied to the deferred payment (See appendix 2). The council will continue to charge interest on the deferred amount for the whole period that the agreement is in place. As stated in the regulations the interest is linked to the 'market gilt rate' plus 0.15% currently 3.18%.

You can find further information on Deferred Payment Agreements, including an application form, here:

https://www.telford.gov.uk/info/20566/paying_for_your_care/3715/universal_deferred_payment_agreement

9.6. Top up payments

Where it has been established that a person is eligible for council funded care, the Council's Brokerage team will carry out a market search to find a care provision that meets the need. Several solutions may be put forward however, the one that meets the need and offers best value overall will be the solution that is agreed by the Council and therefore sets out the "expected cost" of that care. If a person (or their representative) wishes to choose one of the other options or a new option for care that charges above the expected costs, then a top-up may be payable. This is the difference between the Council's expected costs and the actual cost of the accommodation. In most cases the payer of the top-up will be a third party such as a family member. This is known as a "third party" top-up.

In some circumstances, a person may be able to pay the top-up themselves known as a "first party" top up, but only in the following circumstances:

- if their property is subject to a 12 week disregard
- the person has entered into a deferred payment agreement

10. Light touch assessments

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

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

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

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

11. Reviews

Every new financial year, the council will reassess a person's contribution in line with annual benefit uplift that will include any changes to the Department of Health and Social care Personal Expense Allowance and Capital Thresholds, the person will be sent a letter notifying them of their new contribution, with a breakdown of how the

contribution has been calculated. This will be their annual review of their financial assessment.

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

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

12. Refusal to co-operate with the financial assessment

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

13. Non-disclosure of financial details

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

14. Deprivation of income or assets

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

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

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



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

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

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

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

15. Change of circumstances

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

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

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

- If a person does not inform the Council of a change or informs the council after 1 month of the change and, as a result of that change, the assessed contribution would increase, it will be backdated to the Monday after the date the change took effect.



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

16. Exceptional Circumstances

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

17. Paying for care

There are several ways in which a person can pay their assessed contribution. These include:

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

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

18. Non-payment of care charges

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

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

19. Cancellation of service due to financial charge

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

20. Benefit maximisation

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

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

21. Financial and Legal advice

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



- where there are several options available and advice is needed on which one to choose, bearing in mind that the Council may not be allowed to recommend one.
- when there is potential conflict between the Council and person's interests, such as advice on how assets are taken into consideration as part of the financial assessment.
- when a person is to enter into a legal agreement. For example, the Council can provide information about the consequences of entering into a deferred payment agreement (DPA) but cannot advise whether a person should enter into it.
- where a person wants advice on specific financial products to get the most out of an asset.

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

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

22. Contact details

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

Email: financialcasemanagementteam@telford.gov.uk

Phone: 01952 383820

Letter:

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

23. Appeals and complaints

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

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

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

Email: customer.relationship@telford.gov.uk

By phone: 01952 382006

By letter:

Telford & Wrekin Council
Darby House
Lawn Central
Telford
Shropshire
TF3 4JA

Further information on the Councils complaints procedure can be found here:
[Introduction - Adult social care complaints - Telford & Wrekin Council](#)

24. How your personal data is used

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

A person's information is only shared with third parties where necessary and where the law allows it, specifically a person's information may be shared with partners in order to provide public services. The council are under a duty to protect public funds and may use any of the information provided for the prevention and detection of

fraud. This may also include sharing information with other bodies that are responsible for auditing or administering public funds.

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

25. Consent to share information

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

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

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

Appendix 1 - Capital limits and tariff income Jan 2024

Upper Capital Limit: £23,250

Lower Capital Limit: £14,250

Tariff Income from Capital

Capital between these amounts		Tariff Income
Nil	£14,250	£0
£14,250.01	£14,500	£1
£14,500.01	£14,750	£2
£14,750.01	£15,000	£3
£15,000.01	£15,250	£4
£15,250.01	£15,500	£5
£15,500.01	£15,750	£6
£15,750.01	£16,000	£7
£16,000.01	£16,250	£8
£16,250.01	£16,500	£9
£16,500.01	£16,750	£10
£16,750.01	£17,000	£11
£17,000.01	£17,250	£12
£17,250.01	£17,500	£13
£17,500.01	£17,750	£14
£17,750.01	£18,000	£15
£18,000.01	£18,250	£16
£18,250.01	£18,500	£17
£18,500.01	£18,750	£18
£18,750.01	£19,000	£19
£19,000.01	£19,250	£20
£19,250.01	£19,500	£21
£19,500.01	£19,750	£22
£19,750.01	£20,000	£23
£20,000.01	£20,250	£24
£20,250.01	£20,500	£25
£20,500.01	£20,750	£26
£20,750.01	£21,000	£27
£21,000.01	£21,250	£28
£21,250.01	£21,500	£29
£21,500.01	£21,750	£30
£21,750.01	£22,000	£31
£22,000.01	£22,250	£32

£22,250.01	£22,500	£33
£22,500.01	£22,750	£34
£22,750.01	£23,000	£35
£23,000.01	£23,250	£36

Appendix 2 – Fees and Charges with effect from 1st January 2024

All fees and charges will be increased each year on the 1st of April in line with the consumer price index.

Deferred Payment fees and interest	Charge
Deferred Payment set up fee (one off)	£360
Deferred Payment annual administration charge	£120
Registering the legal charge (Land registry fees)	Costs incurred
Cancelling/ending the Legal charge (Land registry fees)	Costs incurred
Cancelling/ending the agreement	£120
Interest rate (market gilt rate plus 0.15%)	3.18%

Fees and Charges	Charge
Self-funders set up fee (one off)	£300
Self-Funders annual administration charge	£182
Telford & Wrekin Appointee services	£10 per week
Telford & Wrekin Appointee & Deputy bank and pre-payment card charges	Cost recovery basis
Telford & Wrekin apply fixed costs in the Court of protection when acting as Deputy. Full list of costs can be found here: https://www.judiciary.uk/wp-content/uploads/2017/03/practice-direction-b-fixed-costs-in-the-court-of-protection-01-17.pdf	