



Norfolk County Council

**Your guide to moving to a NORSE run Housing
with Care Scheme**

April 2023

Your guide to moving to a NORSE run Housing with Care Scheme

The decision to move into Housing with Care can be a difficult one to make and planning to pay for your care and housing charges can be complicated.

This booklet will help you through the process. It gives information about getting help with paying for Housing with Care in a NORSE run scheme, as well as advice for people who can pay for themselves.

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What is Housing with Care?

Housing with care is an alternative to residential care or a care home.

In a housing with care scheme you're the tenant of a self-contained flat. You have care and support available 24 hours a day, so you can lead as independent a life as possible.

Housing with Care schemes are made up of groups of independent flats within a large complex that offers community facilities such as a café, shop, gardens and hairdresser.

To be eligible for Housing with Care, you should have both a care need that can't be met in your own home, and a housing need because where you live now is no longer suitable or safe for you.

Our social care staff will talk to you about what you find difficult to do and will assess your needs. With your permission, they will also talk to other people, such as your relatives, other carers, hospital staff, district nurse and your doctor or hospital consultant.

Housing with Care flats are part of your district council's social housing properties. Some of the rules that apply to social housing (like applying to be on the housing register in a district council area) also apply to Housing with Care. However, our staff will discuss this with you and will put your name forward to the appropriate district council housing department to get you on the list.

How much will I have to pay for Housing with Care?

This will depend upon your financial circumstances. You will need to tell us about your income, savings, bonds and other money or property you own. We can work out how much you will have to pay towards the care provided in the Housing with Care flat.

You will also need to pay housing costs such as rent, council tax, utilities (water, heating, lighting), food and some communal service charges. You may be eligible for Housing Benefit and Council Tax Support to cover some of these costs.

If you have more than £23,250 in savings and investments, including a property, you will have to pay the full cost of your care. However, your accommodation, food and extras costs will affect what you pay for your care. The cost of your care will

depend on which Housing with Care scheme you choose, but it will be capped at **£344.89 per week**. We will confirm the actual cost for your care as part of your financial assessment.

We ignore some types of capital – for example, Japanese Prisoner of War payments and certain types of investment bonds that include life insurance. These won't count when we work out how much money you have, but you still need to tell us about them. If your income can cover the costs of your Housing with Care, then you will have to pay all of your care fees regardless of how much capital you have.

If you have less than £23,250, what you will pay is based on both your capital and income. We will do a financial assessment to work out the maximum weekly amount you need to pay for your care.

The care in Housing with Care schemes is charged for by the week, not the hour. It includes both the personal care and support you need, and the general and emergency help available to you 24 hours a day by dedicated care staff.

We will base the amount you have to pay on your own income and capital. We do not currently charge for care for your husband, wife or partner if they live with you in the Housing with Care flat and do not have care needs themselves. Please be aware that we are currently taking a look at our policy around this, so this might change in the future.

If your husband, wife or partner starts to need care **after** moving into Housing with Care with you, we will need to give them their own financial assessment. We can then work out how much they would need to pay towards their care.

To find out what would happen in your situation, please contact our Financial Assessment Helpline on 01603 222133.

Income

Income includes state benefits such as the state retirement pension, Employment and Support Allowance, Pension Credit, annuities and occupational pensions.

It is important that you apply for all the benefits you are entitled to get to help you pay for everything you need, including your care. We can help you claim benefits.

We take most income into account. However, there are some types of income that we completely ignore and others where we only take a part of the income into account.

We ignore the first £10 per week of the following:

- War Widows and War Widowers pension

- Survivors Guaranteed Income Payments from the Armed Forces Compensation Scheme (SGIP)
 - Civilian War Injury pension.
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- Payments to victims of National Socialist persecution (paid under German or Austrian law).

We also ignore:

- War Disablement Pension (except Constant Attendance Allowance)
- Disability Living Allowance / Personal Independence Payment - Mobility component
- War Widows Special Payments – introduced in April 1990 for ‘pre-1973 War Widows’
- Christmas bonuses
- Charitable and voluntary payments that are paid regularly

Capital

Capital includes money in your bank and building society accounts, stocks, shares, bonds, National Saving Certificates, Premium Bonds and cash. In some cases, houses, property and land can also be included.

When we work out how much you will have to pay, we treat some of your capital as income. If you have capital of between £14,250 and £23,250, we add £1 a week to your income for every £250 you have. We call this ‘savings income’. We ignore capital of £14,250 or less.

If you have capital of £14,250 or less, you will probably still have to pay something towards your care as we also take your income into account when doing our financial assessment.

Property

In most cases, we will take into account the value of the house you owned and lived in before you moved into Housing with Care, when working out how much you will need to pay towards your care.

However, there are some circumstances where we won’t include it. For example:

- If you go back to your home
- If your partner, former partner or civil partner is still living there, unless you are estranged

- If a relative aged over 60 is still living there
- If a relative who receives disability benefits is still living there
- If a child under 16 maintained by you is still living there
- If a divorced/estranged partner who has a dependent child is still living there

There may be other reasons you think we should not take the value of your house into account. Please let us know about these.

Please note, if you own or partially own more than one property, we do take the value of these other properties into account.

Can I avoid paying for care by giving away my money or assets?

The financial assessment is designed so that we don't ask people to pay more for their care than they can afford.

However, as the costs of care can be quite high, we can understand why some people consider giving away their home or money, perhaps to relatives, friends or charities, so that these won't be taken into account in the financial assessment.

Unfortunately, there are serious implications to 'gifting assets' in this way, for both the person giving away the assets and the person receiving them.

Where someone deliberately tries to avoid paying for care and support by reducing their assets - such as money, property or income – we call this 'deprivation of assets'.

There are lots of different things that can count as a deprivation of assets, such as:

- giving away a lump sum of money
- suddenly spending a lot of money in a way which is unusual for your normal spending
- transferring the title deeds of your property to someone else
- putting money into a trust or tying it up in some other way
- using savings to buy possessions, such as jewellery or a car, which are not included in the financial assessment
- gambling the money away.

We know how important it is for people to give gifts to their family and to plan for the future and there may be a very good reason why someone no longer has an asset. We therefore look very thoroughly at every case.

There are two things we look for:

- Whether avoiding paying for care and support was a significant reason for giving away your asset
- Whether you knew at the time that you needed or may need care and support.

If we have evidence that it's more likely that not that you have deliberately reduced your assets to avoid paying for your care, we can either include the assets you no longer have in the financial assessment or claim care costs from the person who now owns the asset.

If you're thinking about gifting any assets, particularly transfer of a property, please seek legal advice to make sure it's done properly.

Can I use the value of my home to help with care costs?

If your property is included in the financial assessment and your savings are less than £23,250, you can be part of our deferred payments scheme. This lets people use the value of their home to help pay care costs.

- The deferred payments scheme can help if you have to pay for the full cost of your Housing with Care each week but cannot afford to pay because most of your money is tied up in your home.
- How it works is that Norfolk County Council offers you a loan using your home as security. It doesn't work in the same way as a normal loan. Instead of giving you a fixed sum of money we pay part of your weekly care and support bill.
- We work out how much you can afford to pay each week towards your care, based on your income and savings. You then pay this amount towards your care and we pay the rest. The bit we pay is your 'deferred payment' and we will carry on paying this until your house is sold.
- Most people will pay back the loan by eventually selling their home. You can also pay the loan back another way if you want to.
- However, you do not have to sell your home if you don't want to. You may, for example, decide to keep your home for the rest of your life and repay the loan out of your estate, or you may want to rent it out to generate income. If you do rent out your home, you will need to pay some of the rent you receive towards your care. This reduces the amount we have to pay and so, in turn, reduces the amount of loan that you have to pay back.

If we do decide to include your property in our financial assessment, we will give you full details of the scheme.

Other ways of funding your care

You can rent out your property, which could give you enough income to cover the full cost of your care. There are advantages to this as you won't have to use a deferred payment and be in debt, you won't have to pay for interest and administrative charges on the deferred payment loan and your property will be occupied. Your tenant will be paying utilities and council tax, which will reduce your outgoings.

There are also various equity release schemes which may be suitable for your personal circumstances. **Please get independent financial advice before entering into an equity release agreement.**

You can pay the full cost of your care from your available income and savings/assets - or a family member can choose to pay some or all of this for you.

You should take independent financial and legal advice to help you decide what will be financially better for you.

What to do if you do not own your home, but rent it

If you enter Housing with Care on a short-term basis or for temporary care, you should maintain your tenancy. If you get Housing Benefit, your district council can continue to pay this to you for up to a maximum of 52 weeks, providing there is a realistic intention to return to the property. The amount you get may change after the first four weeks and you should check this with your district council housing office.

If you enter Housing with Care permanently, you will need to decide if you should carry on renting your home. If you get Housing Benefit, this will usually stop once you do not intend to return home. This means that you will start having to pay the rent on your former home and be unable to pay for both this and your care fees.

What about money for me?

Minimum Income Guarantee (MIG)

We make sure you have a Minimum Income Guarantee (MIG) every week to pay your day-to-day living needs such as heating, lighting, water, food and anything else you need for your home. The MIG from April 2023 is:

- £214.35 per week up for people over State Pension age
- £187.13 a week for people aged 18 to State Pension age

We also need to make sure you can pay for any rent or council tax that is not already covered by your housing benefit or council tax support. We will leave you money on top of the MIG to pay for these.

If you have less than £23,250 in savings and investments, and your weekly income is less than the Minimum Income Guarantee (MIG) for your age group, we will not ask you to pay towards the cost of your care service.

Disposable Income Allowance

If you enter into a Deferred Payment Agreement, we will leave you with an amount of up to £144 a week. This is called a Disposable Income Allowance and you should use this to cover the costs associated with your property such as maintaining and insuring it.

The deferred payments officer will work out this amount with you.

Disability related expenses (DRE)

Disability related expenses (DRE) are extra costs you might have which are directly related to your illness or disability.

Once we have looked at your basic costs, we then take into account the amount you spend on disability related expenses. If you have disability related expenses it reduces the amount we ask you to pay towards your care.

Disability related expenses must be directly related to people's disability or illness and be more than the average cost a person without a disability or illness spends on the same item.

You can claim something as a disability related expense if:

- You are in receipt of a disability benefit such as Disability Living Allowance – care, Personal Independence Payments – daily living or Attendance Allowance.
- It's something that is necessary to you. This means it's not a choice and your day-to-day life would be negatively affected if you did not pay for the expense.
- The costs are reasonable. This mean if it costs more than the amount an average household would pay for the same item
- It is directly related to your disability, medical condition, or care need.

You can't claim for things that the NHS pay for such as wheelchairs, specially made boots/shoes and podiatry for people with diabetes, peripheral arterial disease and rheumatoid arthritis etc. If you need these things, please speak to your GP.

Here is some more information about what we can include as Disability Related Expenses and the type of proof we need to see:

- Basic cleaning or domestic help that is not already included in your care plan and where you have no one who can help you for free.
- Basic garden maintenance that is not included in your care plan.
- Special or additional clothing or footwear you need because of your illness or disability. This would need to cost more than average cost of clothing or footwear. We cannot include this if it's something that the NHS provides.
- Community alarms.
- Some special equipment and repair or maintenance of equipment if this is not available from NHS or Adult Social Services.
- Utility costs (electricity, water, gas or other fuel) above the national household average for your household's income.
- Incontinence items not paid for by or available from the NHS. We may ask you prove that you have had an evaluation from the NHS Continence Clinic.
- Internet access for blind, partially sighted people or people who live alone and are socially isolated. We may have to ask Adult Social Service to confirm that you need this.
- Any other items that you need, with reasonable costs, that directly relate to your illness or disability, for example:
 - Specialist washing powder or laundry costs
 - Chiropody/podiatry not provided by the NHS
 - Special food to meet your dietary needs that cost above the national average for food
 - Service animals, included genuine companion animals – limited to reasonable basic insurance, yearly vaccinations and flea/worm treatment costs
 - Mobile phone, laptop and tablets - special equipment, software or apps only

Benefits

Housing with Care is not the same as moving into residential or nursing home care, so you can keep all the same benefits you have living in your own home now.

The only exception might be if you are receiving Carers Allowance for someone else or someone else is getting Carers Allowance for looking after you. If we have assessed you as needing Housing with Care, it is unlikely that you would be able to

continue to care for someone else for at least 35 hours per week. Your own care needs should be taken care of by NORSE care staff in Housing with Care, so it is also unlikely your previous carer will need to spend 35 hours per week caring for you.

How and when do I pay you?

When we have worked out how much you need to pay for your care, we will send invoices to you or the person who helps you with your finances. The first bill may be a large one as it will be back-dated to the date you started to have the care. After that, we will send you invoices every four weeks. We will tell you how much you must pay.

A simple way to pay is to ask the Department for Work and Pensions (DWP) to pay your pension and other benefits directly into your bank account. You can then arrange a direct debit from your bank account to pay us. We can send you this form. Payment will usually be every four weeks. You will continue to receive invoices if you choose to pay by Direct Debit. Payment is taken from your bank account 14 days after you receive the invoice.

Alternatively, you can ask the Department for Work and Pensions to pay us directly from your benefits. Please contact the Financial Assessment Team on 01603 222133 option 3 to talk about this.

The amount you must pay may change each year in line with fees and benefits.

If there is any change in the amount of money you have – if you inherit some money, for example – please let us know straight away. This is so we don't charge you too much or too little.

What if I have difficulty with money?

Managing money is complicated and many people will find it difficult to understand it all. If you are not sure about something or would like to see what it all means for you, we suggest that you go to see a financial adviser or a solicitor. They can help you work out what would suit you best.

If you would rather that someone else sorted things out for you, there are several ways of doing that.

You can ask someone to get your pension for you. This person will need to be an agent or appointee. To find out about which would be the right thing for you, please talk to the Department for Work and Pensions.

Our Money Support Services team can help you with budgeting advice and support, managing your debt, DRE claims and benefit entitlement. You can contact them by email mss@norfolk.gov.uk or telephone 01603 223302 (Option 4)

If you would like someone to manage all your financial affairs for you, then you can ask a solicitor to set up a Lasting Power of Attorney for you, or do this yourself online at www.gov.uk. This means that the person or people you choose, will then manage all your finances for you.

However, you cannot use a Lasting Power of Attorney if you are not able to give instructions to the person who is managing things for you - i.e. if you are confused and cannot legally agree to this.

Finally, you should be aware that if you become unable to manage your own affairs, your relative or solicitor could apply to the Court of Protection for a Deputyship Order.

The appointed Deputy will be able to look after all your finances on your behalf. This might be the case if, for example, you had Alzheimer's disease.

Going into a Housing with Care scheme checklist

Social care practitioner assesses your need for Housing with Care and gets you a place on the district council's Housing with Care waiting list ✓

You provide us with details of your income and capital so we can do our financial assessment ✓

We make sure you are getting all the state benefits you are entitled to ✓

The district council and/or the housing association who owns the building will invite you to look at the Housing with Care scheme you have chosen and will offer you a tenancy ✓

**Please do not sign the tenancy agreement until
you know how much the care is going to cost**

If you own a property, we will explain the Deferred Payment Scheme to you ✓

We charge for four weeks care at a time. You can pay by direct debit from your bank or when you get an invoice ✓

You pay your rent, service charges and, in some cases, your gas and/or electricity, to the Housing Association ✓

You pay council tax to your district council ✓

You pay for your own food at the NORSE facilities on site at your Housing with Care unit or you cook your own food in your flat ✓

What if I disagree with my financial assessment?

Everyone can ask us to look again at the amount we have asked them to pay towards the cost of the care. People can also ask us to take another look at their disability related expenses (DRE), if they think something is incorrect.

You may wish to point out any mistakes that you think we have made. You may think we have made a wrong decision because we have missed some information, or we do not know something about your circumstances, including any exceptional expenses because of an illness or disability. If so, please contact us on **01603 222133, Option 2** and let us know what you think is wrong.

We will then look at your charges again and correct any errors where we can. If our original decision is found to be incorrect, we will update your contribution and tell you the revised amount. If our decision is found to be correct, we will tell you why. If you are still not satisfied with the decision, you can appeal against it.

Appeal process

The appeal process has two stages.

Stage 1

If you want to appeal against your financial assessment, you need to put the reasons you disagree in writing or email to the financial assessment team. A senior member of this team will then consider your request based on the evidence you provide.

We aim to complete this review in 14 working days from receiving your request.

If the senior member of the financial assessment team agrees to change your assessment, we will amend your financial details and write to you telling you what your new contribution will be and when it will start from.

If they disagree with your reasons for the appeal, we will write to you and pass your evidence onto Stage 2 of the appeal process. If you have an additional evidence to submit at this point, you can do so.

Stage 2

The financial assessment manager will give all the information you have provided to the Complex Case Review Panel (CCRP) for them to look at. The CCRP meets twice a month.

The CCRP is made up of Senior Finance Managers, Senior Adult Social Care Managers and NP Law.

You won't need to come to the CCRP meeting, and we will write to you to tell you the outcome of your appeal.

We aim to reply within 14 days of the date the group meets.

The Complex Case Review Panel will review your charge to make sure that:

- We have raised your charge in line with our charging policies
- We have followed the correct procedures when working out your contribution
- We are fair to other service users who we have assessed and charged in similar circumstances

During your appeal

The Complex Case Review Panel might ask you to give them more information about your financial assessment. If so, they will give you time to prepare this information.

While your appeal is being considered, we will carry on sending you invoices based on your original financial assessment. You should continue to pay any invoices to avoid running up any debts on your account.

If your appeal is successful and CCRP reduces all or part of your contribution, any overpayments you have made on your account while your appeal was being considered will be either refunded to you or credited to your account.

If your appeal is rejected, we will tell you the reasons why it was unsuccessful, and we will base your financial assessment on the original information you gave us.

If you are still not satisfied with your financial assessment after the appeal process, you can make a formal complaint to Norfolk County Council's compliments and complaints team.

- Web: www.norfolk.gov.uk/complaints
- Email: complimentsandcomplaints@norfolk.gov.uk
- Phone: 0344 800 8020 (local rate)
- Text: 07789 920916
- Letter: (or by filling in a complaints form) and posting it to: Compliments and Complaints Manager, FREEPOST IH 2076, Norwich NR1 2BR
- In person at County Hall, Martineau Lane, Norwich, NR1 2DH

More help and information

For more help or further information about moving to a NORSE run Housing with Care Scheme, contact us on **0344 800 8020**.

We can give you:

- Information about the care and support we can provide
- Advice on how to access services
- Copies of this and other leaflets - including large print, tape, Braille and translations
- Urgent help at any time - not just office hours

If you are in hospital, please ask ward staff to contact the hospital social work team.

For community care information, you can also visit our website www.norfolk.gov.uk.

For more information on charging for Housing with Care, contact the financial assessment team on:

- Phone: **01603 222133**. Option 2
- Email: fab@norfolk.gov.uk



If you would like this document in large print, audio, Braille, alternative format or in a different language, please call **01603 222133** or **Textphone: 01603 763585** and we will do our best to help.