Thinking about residential and nursing home care - money matters

April 2018
Deciding to go into a residential or nursing home can be difficult. Planning to pay for that care can be complicated.

This booklet will help you through the process. It gives information about getting help with paying for residential/nursing care, as well as advice for people who can pay for themselves.

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**Do I need a residential home or a nursing home?**

Our social worker 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
- Your doctor or hospital consultant

If you need nursing care, then we will find you a nursing home. Otherwise, we will look for a residential home. Sometimes, people do not need either and then we can help them stay at home.

**Do I have a choice of home?**

If you need us to help with the cost of your residential care, we can usually only pay up to a set amount of money. Our staff will let you know how much this is as it varies from year to year. If you choose a home which costs more, then someone else will have to pay the difference. This can be a relative or a friend (see section on third party contributions on page 11).

We also need to be sure that the home you choose will be suitable for your needs and that it complies with our terms and conditions for providing that care.

If the home you choose is full, you may have to choose another one. You can also go to another home while you are waiting for a place in the home you want.
How much will the home cost me and can I get help to pay?

This will depend upon your financial circumstances. You will need to tell us about your income and capital so we can work out how much you will have to pay towards the fees. We will pay the home for your care and you will need to pay your assessed contribution to us. You should not pay any money to the home directly.

When we have worked out how much you need to pay, 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 moved to residential care. After that, invoices will be sent to you every four weeks.

If you have more than £23,250, you will have to pay all the care fees. Some types of capital are disregarded – for example, Japanese Prisoner of War payments and certain types of investment bonds that include life insurance. These won’t count when working out how much money you have, but you still need to tell us about them. If you have income which covers the cost of the home, you will have to pay all the care fees regardless of how much capital you have.

If you have less than £23,250 and your income is less than the cost of the home, you will get some help towards the fees.

Remember, we will usually only pay up to a certain fee amount of money. We work out the amount you pay towards the fees by using national regulations which are updated every year.

The way we work out the amount you will pay is based on both your capital and income.

Capital

Capital includes money in 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 will include a charge on your capital. This will be £1 per week for each £250 between £14,250 and £23,250. Capital of £14,250 or less is ignored, but you will always have to pay something from your weekly income.
**Income**

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

It is important that you apply for all the benefits you are entitled to. This is because we will assume that you are getting them and include them as part of your income when we work out your charges.

We take most income fully into account but there are certain types of income that are either partly ignored or fully ignored.

**Income partly ignored**

This includes:

- £10 a week of a War Widows/War Widowers Pension
- 50% of an occupational pension, if the half share is paid to a partner who stays living at home

**Income fully ignored**

This includes:

- 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

All residents keep £24.90 every week for their personal needs.

If you receive Pension Savings Credit or you have qualifying income above the minimum income level for Pension Guarantee Credit, you can also keep up to an extra £5.75 per week for your personal needs.
When do I start paying you?

Because it can take a while to sort out the first bill, it is usually a big bill. You will then have to pay something every four weeks. We will tell you how much you must pay.

Remember: do not spend your money (except your Personal Expenses Allowance) before the first bill comes in.

What is the best way to pay?

We have found that it may be simplest if you:

• Ask the Department for Work and Pensions (DWP) to pay your pension and other benefits directly into your bank account. The DWP also encourages payment by this direct method.

• You can also ask the Department for Work and Pensions to pay your contribution to Norfolk County Council directly from your benefits. Please contact the Financial Assessment Team on 01603 222133 to talk about this.

• 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.

• Arrange for your weekly Personal Expenses Allowance to come to you at the Home. For more about this, see section ‘What about money for me?’

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

If you have difficulty sorting out things to do with money, please see the section ‘What if I have difficulty with money?’ for more advice.

What happens if there are any changes?

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.

Property

In some cases, the value of the house you lived in before you moved into residential or nursing care will be considered when your charges are worked out.
The property will not be considered:

• For the first 12 weeks after you enter residential care as a permanent resident (please note, if you own more than one property, only the property in which you were last living can be disregarded)

• 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 is incapacitated 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 where you think the house value should not be considered. Please let us know about these.

You should be aware that there are some circumstances where you will not benefit from the disregard of your property for the first 12 weeks of care. These are:

• You have other capital (apart from your property) that is worth more than £23,250.

• If we know that you own a property, but you have not told us how much other capital you have.

• You were not living in the property before you moved in to residential care.

• You own more than one property (we can only disregard the one you were living in).

• You are already living in a residential care home and have been funding your own residential care.
Deferred payments

If your property is considered in the financial assessment and your savings are less than £23,250, you can be considered for our Deferred Payments Scheme.

• The Deferred Payments Scheme is designed to help you if you have been assessed as having to pay the full cost of your residential care, but cannot afford to pay the full weekly charge because most of your capital is tied up in your home.

• Effectively, the scheme offers you a loan from Norfolk County Council using your home as security. It doesn't work in the same way as a conventional loan – we don’t give you a fixed sum of money when you join the scheme, but pay an agreed part of your weekly care and support bill for as long as is necessary.

• You will pay a weekly contribution towards your care that you have been assessed as being able to pay from your income and other savings. We pay the part of your weekly charge that you can’t afford until the value of your home is realised.

• The part we pay is your ‘deferred payment’.

• The deferred payment builds up as a debt – which is cleared when the money tied up in your home is released. For many people, this will be done by selling their home, either immediately or later. You can also pay the debt back from another source 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 out of your estate, or you may want to rent it out to generate income. If you do this, you will be expected to use the rental income to increase the amount you pay each week, thus reducing the weekly payments we make, and minimising the eventual deferred payment debt.

We’ll give you full details of the scheme if your property must be considered.

Other ways of funding your care while your house is being sold

You may choose to 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 will not run up a debt, be liable for interest and administrative charges 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 products which may be suitable for your personal circumstances. **Please get independent financial advice before entering into an equity release agreement.**

You may also choose to pay the full cost of your care from your available income and savings/assets - or a family member may 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 residential 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 residential 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 to become liable to pay the rent on your former home and, therefore, you may be unable to pay for this and your care fees.

**How will my benefits change?**

When you go into residential or nursing home care, some of your state benefits may change.

**If you are under pension age**

Disability Living Allowance / Personal Independence Payment (care part) will normally stop after four weeks unless you are assessed to pay the full cost of your care. In some cases, it may stop sooner. This is usually the case if you stayed in hospital shortly before moving to residential care.

Disability Living Allowance / Personal Independence Payment (mobility part) will continue to be paid to you and will not be considered when we work out your charges.

Income Support or Employment and Support Allowance – if you are already getting Income Support or Employment and Support Allowance, this will continue when you go into residential care, although the amount you are entitled to may change for example, you may lose the Severe Disability Premium.
If we work out that you will have to pay the full cost of your accommodation because you own a property, you may continue to receive Income Support or Employment and Support Allowance if your property is on the market. We will check that you are getting all the state benefits you are entitled to and help you to claim them where necessary.

If you own a property and are eligible for the 12-week property disregard, payment of Disability Living Allowance Care component / Personal Independence Payment daily living will stop after the first four weeks of this period. This will be reinstated at the end of the 12-week period.

**If you are over pension age**

Attendance Allowance will normally stop after four weeks unless you are assessed to pay the full cost of your care.

People above the state pension credit age should have income up to the Guarantee Pension Credit level of £163.00 per week. If you are not getting this amount, you should apply to The Pension Service to have your income brought up to this level. We can help you with this.

If we work out that you will have to pay the full cost of your care because you own a property, you may continue to receive Pension Credit if your property is on the market.

If you own a property and are eligible for the 12-week property disregard, payment of Attendance Allowance will stop after the first four weeks of this period. This will be reinstated at the end of the 12-week period.

**What about money for me?**

**Personal Expenses Allowance**

When we work out how much you will need to pay towards your care, we make sure that you have a small amount of money (called a Personal Expenses Allowance) left each week from your income. This is currently £24.90 per week.

This is to spend on personal things, such as toiletries, hairdressing, newspapers, etc. This amount can change each year and is set by the Government.

This money should not be used for things which we expect the home to provide for you. Nor should it be used to pay for the home’s fees if they are higher than our limits. This extra cost should be covered by a Deed of Third Party Contribution See section ‘What is a Third Party Contribution?’ on the next page.
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 should be used to cover costs associated with your property such as maintaining and insuring it. It should also cover personal things as outlined above.

Our financial assessment staff will work out this amount with you.

Will my husband or wife have to pay?

No. The amount you will be asked to pay will be based on your own income and capital.

However, we will make sure that your partner still has enough to live on, so will usually ask for details of their income and capital, too. If your stay is for respite or temporary care and you have most of the money, we may ask you to pay less towards your care so that your partner has enough money to live on.

If you are going to be staying in residential care on a long-term basis, our financial assessment staff will make sure that your partner gets all the state benefits they are entitled to.

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

What is a third party contribution?

The Council will offer you an available place in a care home which charges our usual rates. You can choose to go into a different home, which costs more than we will usually pay, as long as it meets your needs. However, someone will need to agree to pay us the extra amount for as long as you live there. This could be a relative, a friend or a charity. This is called a Deed of Third Party Contribution and is payable in addition to the assessed contribution that you will have to pay. A separate invoice will be sent to the third party for the extra amount.

The third party will be agreeing to pay the additional amount (also known as a ‘top up’) every four weeks. They must pay this from their own resources and not from your money. If it is not paid, we may have to ask you to move to a home within our fee limits.

There must also be an agreement to pay any increase in the home’s fees that is not covered by an increase in fee limits by us.

We will only agree to this arrangement if we are sure that the third party can pay this money now and for as long as it is required.
Remember: the third party payment is payable by the person who agrees to this and is in addition to the amount you will be assessed to pay.

You should also note that a third party will be asked to ‘top up’ any fees that are more than we are able to pay even if you have enough resources to pay the full cost yourself (i.e. you have more than £23,250). This is because the charging rules say that you cannot top up your own fees except in certain circumstances (see section on First party top-ups below).

First party top ups

You may top up fees from your own resources where the cost of your care is more than the council will normally pay in the following circumstances:

• For the first 12-week period - during which your property is not counted in the financial assessment. Please note if you do not enter into a Deferred Payment Agreement after this 12-week period, someone else will need to act as a third party

• If you own your property and you have entered into a Deferred Payment Agreement

• If you are receiving accommodation provided under S117 of the Mental Health Act

To top up your fees, you should only use the resources that are not considered in the financial assessment of your contribution. You must not use your Personal Expenses Allowance.

Remember for any top-ups:

• Top-ups are in addition to what we work out you will need to pay for your care.

• You must not use your Personal Expenses Allowance to pay for fees.

• Any top-up should be paid to Norfolk County Council, not to the Home.

• The difference between what the Home charges and our usual fee limits is likely to increase every year. It is difficult to predict how much this increase will be.
**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.

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. 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.

**What should I do if I am paying for myself?**

See ‘How much will the home cost me and can I get help to pay?’ (page 4) for full information on how we look at capital and income.

Other sections of this booklet may also give you useful information whether or not you are paying for yourself.

You will have to pay the full cost of your care if your capital is over £23,250 (excluding any Japanese POW payment) or your income covers the cost of the home minus any payment from the NHS if nursing care is needed.

This will change if your capital falls below £23,250 or your income drops. Because homes are expensive your capital may not last long. We therefore suggest you talk to our Customer Service Centre on **0334 800 8020** eight weeks before you think your savings will fall below £23,250 or your income will fall below the cost of your care. This will give us time to look at your care needs and, if appropriate, make arrangements before you need help with your care costs. **Please continue to pay the Home until the date the public funding has been agreed and is confirmed with you.**
If you are going to pay for care yourself, we suggest that, unless you have taken independent financial advice, you note the following:

**Going into a residential or nursing home:**

Make sure it is the right place for you.

Consider choosing a home which does not charge you now, nor is likely to in future, more than our usual fee level. Our staff will be able to tell you what this is. This is because if you need help with paying in future, we will only pay up to a fee limit. This means that unless a third party can pay the difference between our fee level and the charges for the home, you may have to move to another Home within our limits. (See Section ‘What is a Third Party Contribution?’ on page 11.)

Claim **Attendance Allowance** or a **Personal Independence Payment (PIP)** from the Department for Work and Pensions. (Remember you can only claim this if you are paying the full cost of your care).

Contact us eight weeks before you need help with your fees. Some homes may charge more for people who pay for themselves. If you are in this situation and you then need us to help you, we will not be able to pay that much. Check that the Home would reduce its fees if we must take over paying.

**What happens when my capital or income reduces?**

When your capital falls below £23,250 or if your income reduces and you do not have enough money to pay all the fees, we will help towards the cost of the home.

This is as long as everything falls within our rules and limits and that our care assessment confirms that you need to remain in care. If the cost of your care home is above the amount the Council can pay, then you will need to see if someone like a relative, friend or charity is able to make up the difference – see the section on page 11 called “What is a third party contribution”.

You will need to do the following:

- Contact us eight weeks before you think that your savings will fall below £23,250 or your income will fall below the full cost of your care. This is so we have time to sort things out. We can arrange for a financial assessment to be completed so that you will know how much you must pay towards the cost of your care. **Continue to pay the home until public funding has been confirmed.**

- You will need to tell the Department for Work and Pensions about your change in circumstances as you will no longer be able to get Attendance Allowance when you are not paying the full cost of your care.

- Make arrangements to send us your payment every four weeks when we have told you what to pay. The previous sections of this booklet will give you full information on what happens when we are helping to pay the cost of your care in a home.
Short term care or respite care

It may be possible for you to go into a residential or nursing home for a short time. This is usually if your carers need a break or are going on holiday.

This type of care is usually arranged beforehand and is for a maximum of eight weeks. The financial assessment rules which are used for long term care also apply to short term care with the following exceptions:

• Where Attendance Allowance, Disability Living Allowance or Personal Independence Payments are being received, these will be completely disregarded. However, as the eligibility for these benefits stop after four weeks of local authority support, we will make sure you are able to maintain your home (whilst you are in short term or respite care) once these benefits have stopped.

• The amount of Income Support or Pension Credit will usually remain the same, as you will be treated as normally living in your own home. However, any severe disability premium or enhanced disability premium that may have been included will no longer be paid if the Disability Living Allowance or Attendance Allowance or Personal Independence Payment has stopped. The Severe Disability Premium is included as income in the financial assessment.

• There are special rules for Income Support and income related Employment Support Allowance where one member of a couple enters a care home for a temporary period. This will be considered in considering what a person can afford to pay.

• If Housing Benefit is being paid, this will be disregarded in the financial assessment as you will still be responsible for meeting any costs associated with your main or only home.

• The value of the property in which you normally live is not considered, but any other property which you own can be counted as an asset. However, any additional amounts you may need to maintain your home during your temporary stay may also be disregarded.

• Such expenses may include, but are not limited to ground rent, service charges, standing gas and electricity water rates or insurance premiums.

• We may also reduce the amount you must pay to help your husband or wife with household and living expenses (if they are remaining at home) if you have most of the family income and assets in your name.
Checklists

**Where you are funded by Norfolk County Council** (Capital below £23,250, income below fee level):

- Social worker assesses the need for a residential or nursing home.
- You choose a registered home within our usual fee limits (unless there is a third party contribution).
- You provide us with details of your income and capital so we can complete a financial assessment.
- We make sure you are getting all the state benefits you are entitled to.
- We enter into a contract with the Home.
- You pay us your assessed four weekly charge, usually by direct debit from your bank or when you get an invoice.
- You keep the weekly Personal Expenses Allowance or Disposable Income Allowance (if you have entered into the Deferred Payment Scheme).

**Self-funding** (capital over £23,250):

- You choose a registered home within our usual fee limits (unless you will never need financial help from us).
- You apply for Attendance Allowance.
- You talk to us eight weeks before you need help with your fees.
- You claim Income Support or Employment and Support Allowance (if you are working age) as soon as your capital reaches £16,000 as long as your income is less than the amount the Government says you need to live on.
- If you are pension age, you may be able to claim Pension Credit. There is no capital limit applied to this benefit. Please contact the Pension Service who can advise you on this.
- You cancel Attendance Allowance when we take over paying the home.
If you have a house to sell and capital below £23,250, and income below the fee level:

• Social worker helps assess the need for a residential or nursing home.

• You consider whether to choose a registered home within our usual fee limits.

• We enter into a contract with the Home.

• You provide us with your financial details to enable a financial assessment to be completed.

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

• We will explain the Deferred Payment Loan to you. If you and Norfolk County Council agree to enter the DPL, we place a legal charge on your house after the first 12 weeks of permanent care.

• When your house is sold, we will usually cancel the contract with the home and you will then make private arrangements with the home for the payment of your care.

Free nursing care

NHS-funded nursing care contributions will be made by one of the Norfolk Clinical Commissioning Groups (CCGs) for Registered Nursing Care costs for all eligible and qualifying residents in care homes with nursing. This 2018/19 rate is £158.16 per week and is reviewed each year.

A Registered Nurse Assessor employed by Norfolk Clinical Commissioning Groups (CCGs) will determine if your care needs include registered nursing. We will then contribute to your care home provider towards the cost of your care on behalf of all Norfolk CCGs.

Please note that you will still have to make a financially assessed contribution towards other care costs, because the amount the CCG are responsible for will cover the registered nursing care element only.

If you have made your own arrangements for residential care in a care home with nursing (self-funding), or have had arrangements made for you by us, but we have worked out that you will pay the full cost of your care, the amount you pay will be reduced by the NHS Funded Nursing Care Contribution of £158.16 per week).

If we are giving you financial support, your Registered Nursing Care contribution will not be considered in the financial assessment.
What happens when someone dies?

When a person dies, someone must deal with the deceased person’s affairs. This is often a distressing time and there are several things that must be done by the person dealing with the deceased person’s affairs.

There are 3 things you must do in the first few days after someone dies.

1. Get a medical certificate from a GP or hospital doctor. You’ll need this to register the death.
2. Register the death within 5 days (8 days in Scotland). You’ll then get the documents you need for the funeral.
3. Arrange the funeral - you can use a funeral director or arrange it yourself.

You can also use the Tell Us Once service to report a death to most government organisations in one go.

The Department for Work and Pensions (DWP) publishes useful information on its’ website which will help guide you through the things that must be done. The website address is www.dwp.gov.uk.

We also need to know when a person in residential care has died, to prevent us from sending further invoices. When we are told that someone has died, we will ask for details of the person who is administering their estate, so that we can send the final invoice to the right person.

You can contact us on 01603 222133.

Appeals

Everyone can appeal against the amount they have been assessed to contribute towards their residential care.

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. If so, please contact us on 01603 222133 and let us know what you think is wrong.

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

You need to put your reasons for appealing in writing and send your letter to our Financial Assessment Team at County Hall, County Hall, Martineau Lane, Norwich, NR1 2UE or call 01603 222133 for more information.

The appeal, with all the evidence available, will be presented to an Appeals Panel for their consideration. You will not be required to meet with the Appeals Panel and we will tell you in writing about the outcome of the appeal.
The Appeals Panel will review the charge to make sure that:

- The charge has been raised in accordance with Norfolk County Council’s Charging policy for residential care.
- The right procedures have been followed for residential care.
- Equity and fairness is maintained to other service users who have been assessed and charged in similar circumstances.

You may be asked by the Appeals Panel to give more information about your financial assessment and you will be given time to prepare this information.

While your appeal is being considered, you will continue to get 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 the Appeals Panel reduces or waives 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, you will be told the reasons why it was unsuccessful and your financial assessment will be based on the original information you gave us.

If you are still not satisfied with the outcome of your appeal, you do not have any further right of appeal through this local appeals system – but you can complain to:

- 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 information on any of the information in this leaflet, 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 residential care, contact Client Exchequer Services:

- Phone: 01603 222133
- 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.

Thanks to Your Voice members for their help in creating this leaflet.