

## Chaaaaaarge!!!



### **A brief guide to How Local Authorities Charge for Services**

#### **Background**

Under the Care Act 2014, local authorities may charge for certain services provided to people who need care and, in some cases, their carer.

There are specific rules about how authorities calculate the charge, when they do it, and who is responsible for paying the costs. This guide gives basic information only and is not comprehensive. For more information, contact The Carers Centre.

#### **When is the charge assessed?**

Any financial assessment can only take place after the assessment is completed and the support plan is agreed: otherwise you wouldn't know what you might be paying for. As an example, when you go shopping, you would usually decide what you want to buy before you work out what it's going to cost.

#### **Who is charged for the service?**

Broadly speaking, it's whoever is going to receive the service. But it's not quite as clear cut as that.

If you are the carer and need a respite break, the service is not yours. It's for the person you care for because you won't be providing that care during the break.

General rule: if it's hands on care, the person receiving the care receives the service and is assessed for the charge.

#### **So how is income taken into account?**

The rules are pretty complex, and for a full description it would take more space than we have available here. However, the basic issues are:

- If the service is for the individual being cared for, only their income can be taken into account. This does not change where there is a partner or spouse involved. If the carer has separate income of any kind, it must be ignored. Where the service is for the carer, only the carer's income can be considered.
- **Joint** income is taken into account. However, only half can be considered, and only if there is no adverse effect on the carer. In practice, there are very few examples where there would be a joint income.
- Some income is disregarded. For example, Mobility Component of DLA and PIP cannot be taken into account for care costs. However, it may well be considered to be available for transport costs to access some services. There are other rules about this.

### **And Savings/Capital...How are they treated?**

Again, the rules are pretty complex. But the main principles are that:

- Only the capital of the individual receiving the service can be taken into account. Joint savings/capital are taken to be 50% of the total.
- Capital is usually taken to be owned by the person in whose name it is held. However, it is important not to move money around to avoid charging: in those cases ("Deliberate Deprivation of Assets"), the council can charge you on the basis that the money is still available to you.
- For care services that do not mean a move into residential services, your house cannot be treated as capital.

### **Where can I find out more?**

Under the Care Act 2014, all local authorities *must* publish information to help people understand the charges they may have to pay.

Leicestershire County Council

[http://www.leicestershire.gov.uk/sites/default/files/field/pdf/2016/6/17/charging\\_policy\\_social\\_care.pdf](http://www.leicestershire.gov.uk/sites/default/files/field/pdf/2016/6/17/charging_policy_social_care.pdf)

Leicester City Council

<https://www.leicester.gov.uk/media/179202/asc-charging-policy-2015.pdf>

(policy unchanged so far)

At present, there is no information about charging on the Rutland County Council website.