

# Our Care Guide & Services

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**What is the difference between social care and healthcare**

- This can be a grey area but generally speaking the following help to explain the difference
- Nursing care is defined as a healthcare need and is associated with the treatment, care or aftercare of someone with a disease, illness, injury or disability
- Social care relates to the assistance of daily living for example maintaining independence, social interaction and supported accommodation such as a care home
- In theory, if you or your relative has a continuing healthcare assessment and your needs are healthcare related, i.e. as a result of disease, illness, injury or disability, then this qualifies as a nursing care need and should be free to the individual, provided for by the NHS
- If not, and your needs are, for example, age-related support; then this is a social care need
- In practice though, many people who have healthcare and nursing care needs are being cared for through the social care system
- It is worth noting, however, that if a local authority takes responsibility for care that should be provided by the NHS then this could be illegal, as highlighted by a landmark case back in the late 1990's

*Your local authority and the NHS can help with assessing your social and health care needs. The important point here is that you should be assessed or considered for both assessments if applicable*

Social care services might typically include:

- *equipment*
- *help in your home*
- *community support and activities*
- *day centres*
- *home adaptations*
- *residential care*
- *financial support*
- *information and advisory services, and advocacy*
- *support for carers*

**Assessing your level of care needs**

- If you need help with everyday tasks your local authority has a legal duty to carry out an assessment to find out what help you need
- Social care, have a duty to assess everyone regardless of wealth
- This is called a care needs assessment
- There is no charge for this
- It's simply a straightforward way of working out your individual care and support needs so that your local authority or trust can decide the best way to help you

*Contact your local authority*

**How does a care needs assessment work**

- The Care Act places your wellbeing at the centre of your support needs
- For example, you might want to stay in your home, and this must be taken into consideration
- Assessment and planning will take into account what is important for you, balancing wellbeing and risk
- The assessment looks at the impact on other areas of your life and how this affects your general wellbeing

Contact your local authority

**What happens at the care needs assessment**

- Together you will explore how difficult you find it to carry out activities in your everyday life, such as washing and dressing, managing your toilet needs or living safely in your home. These are known as care outcomes
- If someone already helps you with these activities, this still counts as a need you have, so you should make sure that the assessor knows you find it hard to carry out these tasks either with or without help
- They need to know how many care outcomes you are unable to achieve to work out whether you are eligible for support
- The Care Act 2014 imposed a general duty on local authorities to fully consider a person's wellbeing when assessing and providing care and support services
- It's a good idea to take a friend or family member with you to the assessment so that they can help you explain how your condition affects you
- If there isn't anyone who could go with you and you would find it very difficult to understand the assessment or to explain your needs, the council must arrange an independent advocate to help you at the assessment

*The assessment will be carried out by a care specialist on behalf of the local authority or NHS*

*This could be an occupational therapist, a nurse or a social worker, or a combination to avoid having to undergo multiple assessments from different agencies*

*Wellbeing is described in the guidance that accompanies the Care Act as relating to the following areas:*

- *Personal dignity*
- *Physical and mental health and emotional wellbeing*
- *Protection from abuse and neglect*
- *Control over day-to-day life*
- *Social and economic wellbeing*
- *Suitability of living accommodation*
- *The person's contribution to society through work, training, education or volunteering*
- *Domestic, family and personal relationships*

**What happens after the care needs assessment**

- Once your care needs assessment has been completed, your local authority or trust will decide what care services it can provide or arrange for you, or that you can organise yourself through a direct payment from the local authority
- This decision is made by comparing your care needs with a set of nationally agreed criteria which all local authorities must use. The assessor must also take into account how these needs affect your general well-being when they decide if you need support

*You can find out about the eligibility criteria on your local authority's website*

**Agreeing a package of care**

- Detailed information about the care services you need will be included in your care plan, which you'll get a written copy of
- Care services can include:
  - Residential care or nursing homes
  - Disability equipment and adaptations to your home
  - Home care help with things like cleaning and shopping
  - Day care for your child if either you or they have a disability
  - Day centres to give you or the person who cares for you a break
- Councils will offer a personal budget, which is an agreed amount of money that is allocated to you personally following an assessment of your care and support needs. This is support that you decide and control, in other words you control the money for your care and support. A personal budget is a statement of the amount of money needed to meet your eligible social care needs. It allows you (or your representative) to control the financial resources for your support and the way the support is provided to you

*Your local authority is responsible for your personal care needs*

*Please note health care needs are the responsibility of the NHS*

**Reviewing your care and support plan**

- Once your care and support plan has been agreed you have a right to ask for a review at any time if you think your care and well-being needs or your financial situation has changed
- Even if nothing has changed, the local authority must review it regularly, usually once a year

*The local authority is responsible for this*

**Benefits you can claim when you have care needs**

- If you have care needs or a disability or you are caring for someone who does, there are benefits to help you manage with the extra costs. Most of these benefits aren't affected by income or savings and you may be able to keep them if you have to go into a care home
- It is important to speak to somebody regarding benefits such as:
  - Council Tax support
  - Council Tax discounts and exemptions
  - Housing Benefit
  - Discretionary Housing Payment
  - Attendance Allowance
  - Personal Independence Payment
  - Disability Living Allowance
  - State Pension and Pension Credit

*Your local council or Solicitor should be able to help*

*King's Lynn and West Norfolk for example have a benefits advice and review team –  
Tel: 0800 7312253*

### **Paying for long term care - Who pays for what**

- This all depends on your health and mobility, what level of help and support you need, the value of your savings, assets and income, and what local authority or NHS funding you might be entitled to
- You could end up paying for all of it, some of it or nothing at all
- If you have a disability or complex medical problem, you might qualify for free NHS continuing healthcare (CHC) if you're an adult, or free NHS continuing care (CC) if you're under 18
- Your local authority may be able to help you with the costs of a care home, or if you prefer, and it's appropriate, they can help you stay in your own home by providing carers, support for carers, equipment and specialist services
- Exactly how much funding you receive will depend on:
  - Your individual needs (based on a care needs assessment)
  - How much you can afford to pay towards the costs of care yourself (based on a financial assessment)
- A deferred payment agreement is an arrangement with the local authority that lets people use the value of their homes to help pay care home costs. If you're eligible, the council will help to pay your care home bills on your behalf. You can delay repaying the council until you choose to sell your home, or until after your death
- A 12-week property disregard is where your local authority must disregard the value of your property for the first 12 weeks of you moving into a care home on a permanent basis, provided your other savings total less than the upper savings threshold for care

*The NHS and local authority will need to assess you to determine what funding is available to you*

*Important point here is that the local authority will only pay for social care (see social care services on Page 2 of this guide) and can't provide nursing care*

*Deferred payment agreements need to be discussed with your local authority and the care home*

### What is NHS continuing healthcare (full funding)

- Where a person's primary need is a health need, the NHS is regarded as responsible for providing for and fully funding all their needs in any setting, this could be in:
  - A hospice
  - A care home or
  - Your own home
- In England, the NHS can arrange care for you or you can choose to receive funding for your care as a direct payment, known as a personal health budget
- A personal health budget gives you more choice and control over how you plan and pay for your healthcare and wellbeing needs
- As a guide, eligible health needs might include:
  - Mobility problems
  - Terminal illnesses
  - Rapidly deteriorating health
  - Long-term medical conditions
  - Physical or mental disabilities
  - Behavioural or cognitive disorders
  - Complex medical conditions that need additional care and support
  - There are plenty of grey areas and you might have other conditions that mean you qualify
- What costs are covered
  - NHS continuing healthcare or continuing care covers personal care and healthcare costs, such as paying for specialist therapy or help with bathing or dressing
  - It might also include accommodation if your care is provided in a care home, or support for carers if you're being looked after at home.

*The only sure way to know if you're eligible is to ask your GP or social worker to arrange an assessment*

*If you have been assessed for full funding, but turned down, ask the NHS Continuing Care Team why NHS funded nursing care has not been awarded (see below)*

**What is NHS funded nursing care**

- NHS-funded nursing care is care provided by a registered nurse for people who live in a care home
- The NHS will pay a flat rate contribution directly to the care home towards the cost of this registered nursing care
- NHS funded nursing care is a non-means tested contribution towards your nursing costs
- You may be eligible for NHS-funded nursing care if:
  - you are not eligible for NHS continuing healthcare but have been assessed as needing care from a registered nurse
  - you live in a care home registered to provide nursing care

*You should be assessed for NHS Continuing Healthcare first. Only after that should a decision be made about NHS funded nursing care, not the other way round!*

**What are advocacy services**

- They help people, particularly those who are most vulnerable in society to:
  - access information and services
  - be involved in decisions about their lives
  - explore choices and options
  - defend and promote their rights and responsibilities
  - speak out about issues that matter to them
- An advocacy service is provided by an advocate who is independent of social services and the NHS, and who isn't part of your family or one of your friends
- An advocate's role includes arguing your case when you need them to, and making sure the correct procedures are followed by your health and social care services

*SEAP is an organisation that provides advocacy support*

*Some advocacy services help people with a specific condition. For example, Diabetes UK offers an advocacy service for vulnerable people with diabetes, and is available in many areas of England and Wales*

*Age UK gives advice and information to older people and their carers, family, friends and other people involved in their care. Some branches offer advocacy services*

*Carers UK has a free advice line for carers, call 0808 808 7777 or visit the Carers UK website for advice on many aspects of caring. It doesn't provide an advocacy service, but can give you information on where to go for help*

*Advocates from the charity VoiceAbility can help you get your voice heard and involved in making key decisions about your care and health needs*



**Who are the care quality commission (CQC)**

- They are the independent regulator of health and adult social care in England
- They make sure health and social care services provide people with safe, effective, compassionate, high-quality care and encourage care services to improve
- Their role is to:
  - Register care providers and monitor, inspect and rate services
  - Take action to protect people who use services
  - Speak with an independent voice on major quality issues in health and social care

Their website is <http://www.cqc.org.uk>

**What other options can I consider before moving into a care home**

- If living at home independently is becoming difficult it's worth considering your other options first. Some of your other options may be:
  - adapting your home to make life easier
  - getting some support at home to help you with things that are becoming difficult
  - moving into sheltered housing, where you can live independently with more support on-site
- Live-in care helps people live well at home for longer by providing specialist care in the comfort of the home. By choosing 24 hour care at home, you can:
  - Stay in control over life for longer
  - Benefit from having your routines, privacy and preferences respected and listened to
  - Maintain relationships and family life, seeing friends and family in a relaxed and familiar environment for everyone
  - Keep up with hobbies, interests and clubs in your local community
  - Use home surroundings to stimulate care, such as the ground-breaking SPECAL method for dementia

*As discussed earlier arrange an assessment of needs with a social care professional, who will look into your needs to see what support can be provided*

*Live-in care can be funded by the local authority or through self-funding ie yourself.*

*It is important to check the Care Quality Commission's website for information on the Live-in care provider*

*Make sure to look into all the options and seek advice to make the right decision for you*

### Choosing a Care Home

- Think of it like buying a house: you need to get a feel for what's out there before making a decision. You should make list of local homes and visit a few to get an idea of what they're like
- As a starting point, ask your friends and family - they may be able to point you towards a care home with a good reputation. You could also look in the telephone directory
- Some homes may invite you to spend the day there so you can get a feel of what it's like. You may be able to move on a trial basis before you decide whether to stay
- Before you visit, make a list of all the questions you want to ask and all the things you want to look out for – it's easy to forget things and doing as much research as you can is important. It's useful to ask about the level of care provided, the fees and waiting list

*CareHomeAdvisor.com is a website where you can search for care homes, and find out how they are rated by the Care Quality Commission, NHS Choices, Your Care Rating, Food Standards Agency and the Health & Safety Executive*

*It can help you understand your various options and help you make an informed decision*

*Alternatively, you can go direct to the Care Quality Commission's website*

### More information on living independently

- Most Councils will have an information and signposting website, areas covered are:
  - Things to do
  - Housing and Care Homes
  - Out and About
  - Learning and Volunteering
  - Health and Wellbeing
  - Money matters
  - Care and Support at home
  - Staying Safe
  - Looking after someone
  - Advice and advocacy
  - Dementia Guidance and Services

*In West Norfolk for example "Ask Lily" provide signposting support and information for Older People living in the area – Tel: 01553 616200*

*Try asking your Council if there is an equivalent close to you*

### **Safeguarding people**

- Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. It's fundamental to high-quality health and social care
- What safeguarding means for people who use care services
- Safeguarding children and promoting their welfare includes:
  - Protecting them from maltreatment or things that are bad for their health or development
  - Making sure they grow up in circumstances that allow safe and effective care
- Safeguarding adults includes:
  - Protecting their rights to live in safety, free from abuse and neglect
  - People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening
  - Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account

*You should contact the social care department at the appropriate local authority if you are concerned about a child or a vulnerable adult*

*If you can't get through to your council, you can call the Care Quality Commission on 03000 616161*

### What is a Lasting Power of Attorney and Deputyship

- A lasting power of attorney (LPA) is a legal document that lets you (the 'donor') appoint one or more people (known as 'attorneys') to help you make decisions or to make decisions on your behalf
- This gives you more control over what happens to you if you have an accident or an illness and can't make your own decisions (you 'lack mental capacity')
- You must be 18 or over and have mental capacity (the ability to make your own decisions) when you make your LPA
- There are 2 types of LPA:
  - Health and welfare, used to make decisions about:
    - your daily routine, for example washing, dressing, eating
    - medical care
    - moving into a care home
    - life-sustaining treatment
    - it can only be used when you're unable to make your own decisions
  - Property and financial affairs
- Where an LPA has not been made and an individual then lacks mental capacity, a deputy will need to be authorised by the Court of Protection to make decisions on their behalf. There are 2 types of deputyship
  - Property and financial affairs deputy
    - You'll do things like pay the person's bills or organise their pension
  - Personal welfare deputy
    - You'll make decisions about medical treatment and how someone is looked after

*We work closely with Attorneys and Deputies in providing financial advice. If you have not made a lasting power of attorney, we can recommend someone*

**Long term care planning advice from Allen Tomas & Co**

- Allen Tomas & Co Financial Management Ltd hold the CF8 Long Term Care Qualification and are authorised to advise in this area
- We will review a client's income, expenditure, tax position, existing pensions, savings and investments assets, liabilities, risk profile, care needs and wishes
- We can advise clients, family, attorneys, deputies on the most suitable financial solutions which can include long term care annuities, pension and investment management
- Allen Tomas & Co strongly believe in cash flow and sound investment management principles to deliver the most appropriate financial advice for the care recipient

*Please contact Allen Tomas & Co Financial Management and arrange an appointment with a qualified Independent Financial Adviser – Tel: 01485 541998*