

Care Home Top-Up Payments

February 2022



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West Berkshire
C O U N C I L

Arranging care home placement to meet your assessed social care needs

This leaflet applies if West Berkshire Council has identified that the most appropriate way of meeting your assessed care and support needs would be in a care home. When developing your support plan we will calculate a rate (called your agreed personal budget) with which we can provide accommodation to meet your needs.

It is West Berkshire's policy that we will look at placements both in and outside of the geographical area.

If your identified needs are to be met through a residential / nursing placement then you can choose where you want to live as long as

- It is suitable to meet your needs
AND
- Available at the rate we agreed – your personal budget

The amount identified in your personal budget must be sufficient to meet your needs and the Council must ensure that at least one option is available that is affordable and should try to ensure that there is more than one option available.

What happens if I want to choose an alternative more expensive placement?

If you want to choose an alternative placement that is more expensive than the one that the Council has identified, your family, a friend, or in some circumstances you, must be willing and able to pay the difference between the care home fee and the amount in your personal budget for the likely duration of your stay. This is called a '**top up payment**'.

I am considering paying a top up fee, what does this mean for me?

If you are the person moving into a care home the Council will carry out a financial assessment based on your income and capital to calculate a contribution towards the cost of your Council funded care. ([*Refer to West Berkshire Council's Guidance Notes: Charging for residential and nursing care homes.*](#))

Therefore you will not be able to use your own income or capital to pay a top-up unless any of the following conditions apply:

You can only pay your own top-up (first party) payment if

- You are receiving accommodation provided under Section 117 for mental health aftercare
Or,
- You own a property that can be taken into account in your financial assessment and you have sufficient funds to cover the top-up payment during your trial period in a care home and the first 12 weeks of your permanent stay in a care home,

Or

- You own a property that can be taken into account in your financial assessment and you will be entering into a Deferred Payment Agreement with the Council. ([West Berkshire Council's Guidance Notes: Deferred Payment Agreement refer.](#))

Alternatively the top-up can be paid by someone else (third party) from their own income or savings.

Whoever is paying the top-up must be **willing and able** to meet the cost for the likely duration of the stay in the care home, being aware that this may be for some time.

The person paying the top-up payment will have to satisfy the Council that they can afford the weekly top up amount. They will need to complete a form providing details and evidence of how they intend to meet the costs of the top-up. If the person paying the top-up payment cannot satisfy the Council that they will be able to afford the top up for the likely duration of the placement, the Council will not agree to arrange care and support in the preferred accommodation.

If you have requested funding from the Council for your care home placement you should not enter into any private agreement about additional payments for care.

The contract for the placement will be held by the Council and all fee negotiations must be between the Council and the care home.

What will be in the top up agreement?

The agreement will include the following:

- The amount of the top up payment
- The amount of the person's personal budget
- How often payments must be paid
- To whom the payments must be paid
- How an arrangement is to be reviewed
- The consequences should you be unable to continue to make a payment. This could include moving the person receiving care.
- The effect of any increases in charges made by the care home
- The effect of any changes in the financial circumstances of the person paying the top-up.

It is very important that you are aware of the following:-

- The top-up payment is in addition to the contribution that the person moving into the care home pays towards their care.
- The amount set in your personal budget will be reviewed regularly and may increase to ensure that the amount is still sufficient to meet your eligible needs. However, the Council cannot guarantee that the accommodation will increase its costs at the same rate and this may affect the level of the top up payment.
- The contract for the placement will be held between the Council and the care home. Therefore care homes should not approach an individual or family directly regarding any increases in the care home fee.
- The person paying the top-up payment should be aware that the top-up amount may vary as providers review their fee levels. If fees increase, the top-up amount may also increase.
- If the person paying the top-up is unable to continue to pay the difference you may have to move to another room within the accommodation or to another accommodation that charges fees that are within the amount set in your personal budget.
- Any move to other accommodation will only happen after a community care and risk assessment of your needs to make sure that the other accommodation is suitable for you.

Other Information

If you or your family have any other questions about your rights to choose accommodation, please talk to your contact within the Care Team.

Information on charges applied to the person receiving care and support is given in separate leaflets available from your contact within the Care Team.

Information about paying for care can also be found on the Councils website www.westberks.gov.uk/payingforcare

We recommend that you get independent financial advice and information before entering into a top-up arrangement, as there may be other ways for you to pay the cost of your care.