

Top-Up Arrangements

If you are eligible for funding from the Council, a top-up payment allows you to be accommodated in care homes that charge more than the Council is able to pay.

When making your choice of care home, you may choose a setting that costs more than we will pay towards your care and support. There are many reasons why a care home may cost more, such as commercial business reasons or because it considers it provides accommodation of a superior standard.

We have a duty to provide you with funding to meet your eligible care needs. We must ensure that at least one care home is available that is affordable from the funding available. However, you can choose to live somewhere that costs more if you wish. If you do, your family, a friend or someone else such as a charity, must be willing and able to make a top up payment to cover the difference between what funding is available and what the care home charges. This top-up must be sustainable for the duration of your stay.

We will never force you into having to pay a top up fee if no suitable accommodation is available for the funding provided by the Council. In these circumstances, the funding must be made available to meet the costs of the care homes that meet your assessed eligible needs.

All top-up payments are payable to the council. If your care provider asks you to pay them directly, please ask them to contact the Income Services Team on 01904 554684, and we will tell them how our payment system works.

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

- The amount of Council funding will be reviewed regularly and may increase to ensure the amount is still sufficient to meet your eligible needs. However, we cannot guarantee that the care homes will increase their costs at the same rate and this may affect the level of the top up payment.
- The top up will always be the difference between the care home's fees and the funding provided by us.
- Whoever is paying the top-up will need to sign a written agreement that they are **willing and able** to meet the difference in cost and will



continue to do so throughout your stay. Prior to signing the agreement, the person paying the top-up will have to satisfy us that they can afford the top up required by the care home. A financial circumstances questionnaire asks for details of their assets and liabilities, as well as their income and expenditure. If the person paying the top-up cannot satisfy us that they will be able to afford the top up for the likely duration of your stay, we will not agree to arrange care and support in your preferred care home.

- The person paying the top-up should be aware that the top-up amount may vary as providers review their fee levels.
- 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 care home or to another care home that charges fees that are affordable from Council funding.
- Any move to a different care home will only happen after an assessment of your needs - to make sure that the other care home is right for you.

First Party Top-Ups

If you are in residential care, you can only pay a top-up yourself in the following circumstances:

- You are having planned short breaks as part of a package of non-residential care;
- You are residing in a care home on an Temporary or Emergency basis;
- You are in permanent care and the value of your property is being disregarded for the first 12 weeks;
- You have sufficient income that is disregarded from the financial assessment to pay a top-up;
- Your care and accommodation is aftercare under Section 117 of the Mental Health Act.

If you receive aftercare under Section 117 of the Mental Health Act, then we will meet the cost of care in a care home to meet your specific needs. The



Council is obliged to offer you accommodation at the rate it has agreed to fund.

Should you require alternative accommodation at a higher cost, then you may be assessed to top-up the funding to the higher amount, providing you have the capacity to make that decision, or a legally appointed representative can make that decision at the time. You will be financially assessed to see whether you can afford a top-up from your income, your savings, or property, in which case you may be eligible for a deferred payment agreement. During the time the Section 117 is in place, you will only be responsible for the top-up costs relating to your choice of accommodation.

Third Party Top-Ups

Paying a top-up can be a significant financial commitment. We will want to know that you are willing and able to make the top-up payment for the likely duration of the care contract. We will require assurance that you can afford this top-up and will ask you to fill out a financial questionnaire and to sign a written agreement confirming you are willing and able to make the payments.

The written agreement will include the following:

- The total cost of the care home fees;
- The amount of the top up payment;
- The amount of funding paid by the Council;
- How often payments must be paid;
- How payments will be collected;
- How often the agreement will be reviewed;
- The consequences should you be unable to continue to make a payment. This could include moving the person receiving care into a difference care home;
- 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;

We recommend that anyone considering making a top-up payment seeks independent financial advice.

