



A Guide to the Fairer Charging Scheme

About this booklet

Oxfordshire County Council's Financial Assessments team has written this booklet on behalf of Social and Community Services. It explains the main features of the Fairer Charging guidance issued by the Department of Health and how it is applied by Oxfordshire County Council.

Self directed support

The way in which Oxfordshire County Council delivers Adult Social Care has changed to offer better support to adults.

At the heart of the new way to help people take control of their care and support is a system called 'self directed support'. By telling people how much money could be available for their care, and offering help and guidance with deciding how this money it to be spent, people have more control over how their needs are met.

In this new system, we will still financially assess you using the Fairer Charging Scheme to ensure that everyone receiving care is treated fairly and equally.

About the Fairer Charging scheme

Fairer Charging is the name given to a national charging scheme introduced by the Department of Health in 2002. It enables us to work out how much you can afford to contribute towards the cost of your care. We use the scheme to financially assess you if you are receiving non-residential care services.

The principles underpinning Fairer Charging are that depending on your financial assessment you may have to contribute towards the cost of the care you receive.

Who is covered by the scheme?

The Fairer Charging scheme relates to people who receive care or other services in their home or use day care services. It does not apply to residents living permanently in residential or nursing homes or who are receiving only residential respite services.

Arranging Care

If you want to receive a care service but do not have a designated Social Worker, you should first contact Oxfordshire County Council's Social and Health Care Team. That team will record your details and ask you some questions about your care needs to help establish how best they can be met before referring you to a social care team.

The Social and Health Care Team may request a Social Worker for the area in which you live to visit and assess your care needs. If you are in hospital, this assessment may be carried out by a hospital-based Social Worker. The Social Worker will inform you that you may be asked to contribute towards the cost of your care.

Free care period

Your Social Worker will assess your care needs and arrange suitable care provision for you although the start may be delayed if appropriate care is not immediately available.

For many clients Social and Community Services will provide the first four weeks of care (or up to six weeks for clients receiving reablement) free of charge. Your Social Worker will explain what free care you are entitled to receive and that we will need to financially assess the contribution you will be expected to make once that free period has ended.

Your Social Worker will then refer you to the Financial Assessments team which will contact you to arrange a financial assessment visit.

Arranging a financial assessment visit

Your Social Worker will forward details of your care package to the Financial Assessments team which will contact you, initially by telephone, to arrange an appointment for a Financial Assessment Officer to visit you.

If the Financial Assessments team cannot contact you by telephone, we will write to you explaining how you can contact us. If there has been a delay in arranging the visit because of delays within the council's teams we will assess you to pay a Nominal Charge (see page 6) once your free care period ends.

However if you do not respond to our efforts to arrange a visit or do not want to disclose your financial circumstances we will financially assess you as choosing to pay the Full Cost of your care (see page 6) once your free care period ends.

Savings and assets: how much will be charged?

From 12 April 2010 the following thresholds apply to the Fairer Charging scheme:

Savings and assets: how much will be charged?

- Up to £14,250 – we will not take account of your savings.
- Between £14,250 and £23,250 – we will add £1 for every £250 to your accountable income.
- Above £23,250 – we will ask you to pay the full charge.

In making our assessment we take account of minimum income levels set by the Government and also extra costs that you may have because of your disability. If your income is below the minimum set level you will not usually be required to contribute towards your care.

How we financially assess you

We will add together the cost of all the non-residential services and will financially assess how much you can contribute to this cost from your income and capital.

Normally, we will ask you to pay the full cost of those services only if your total relevant capital exceeds £23,250 or you choose not to disclose your financial circumstances. For most people the financial assessment shows that they should pay less than the full cost and, depending on your circumstances, you may not have to pay anything towards the cost of your care.

Nominal Charge

If we are unable to arrange a financial assessment visit before your free care period ends we will invoice you to pay a nominal charge of £30.00 per week until we are able to complete a financial assessment.

If your assessed contribution is less than £30.00 per week we will credit or refund the difference to you.

If your assessed contribution is more than £30.00 per week we will invoice you at the higher rate only from the date when we complete your financial assessment.

Full Cost Charging

If you have more than £23,250 in savings or other capital assets or do not want to disclose your financial circumstances we will usually expect you to pay the full cost of your care.

Under Fairer Charging your capital does not normally include the value of your home if that is where you normally receive your care but may include other property you own.

If you have chosen not to disclose your financial circumstances or have not responded to our efforts to arrange a financial assessment visit but later change your mind, we will review your account and credit or refund any difference to you once we have completed your financial assessment.



Having a friend or relative present during the visit

We will ask you if you would like a friend or relative to help you. If you do, we will try to make an appointment that is convenient for him or her. However, unless there are exceptional circumstances we cannot usually arrange visits at weekends or evenings after 6pm Monday to Thursday and 4pm on Fridays.

What happens during the visit?

The Financial Assessment Officer will ask you about your income, savings and other capital and expenditure, and also help you identify additional costs you may have to meet due to your disabilities. These could include extra heating, clothing or laundry that we should take into consideration when calculating how much you should pay towards the cost of your care.

In most cases the Financial Assessment Officer should be able to tell you how much we will expect you to pay towards the cost of your care but occasionally he or she may need guidance from the team managers. If so, we will inform you as soon as possible once we have completed your financial assessment.

Benefits Check

The Financial Assessment Officer will also offer you a Benefits Check. This is to help you ensure that you are claiming and receiving payment of all the state benefits to which you are entitled. If you prefer, you can ask for help directly from one of the independent agencies listed at the end of this booklet.

Please note that if you receive additional benefits or an increase in those you are already receiving as a result of the Benefits Check you must inform the Financial Assessments team so that we can take your increased income into account in your financial assessment. Most people gain from an overall increase in their income.

What if you don't want a visit or disclose your financial circumstances?

You don't have to tell us about your financial circumstances if you don't want to, but if you continue to receive care arranged by us we will assume that you have more than £23,250 in savings and will charge you for the full cost of that care.

Annual Reviews

The Department of Work and Pensions (DWP) normally increases all state benefits such as Retirement Pensions and Attendance Allowance in the second week of April. Many occupational pension schemes also increase payments in April.

Therefore, we will re-assess your contribution each year to take account of these changes. We will then write to you explaining what we think your new rate should be. If you think our re-assessment is wrong, contact the Financial Assessment team who will check your financial circumstances and if necessary, correct your assessment.

What if your circumstances change?

You must inform the Financial Assessments Team of any change in your financial circumstances as this could affect the amount we charge you.

How we take your capital into account

By capital we mean your savings, investments and other assets apart from the value of the property where you live. We may also include the value of any other property you own but in which you do not live. Please telephone the Financial Assessments Team if you need further guidance or clarification.

Disposal of capital

If you are thinking of giving away or transferring capital for any reason you should first contact the Financial Assessments team for further information or clarification. We may continue to financially assess you as if you still own it depending on why you disposed of it.

Capital less than £14,250

If you have less than £14,250 in capital we will not take it account in your financial assessment but the DWP will do so for some benefits such as Income Support.

Capital between £14,250 and £23,250

If you have capital between £14,250 and £23,250 we will financially assess you as receiving a notional income from that capital based on a tariff scale laid down by the Department of Health (DoH). Please note that the DoH considers that tariff income is what you can afford to pay from your capital rather than an expectation of the interest you actually receive.

The tariff means that for each £250 (or part £250) of your capital we will expect it to provide a notional income of £1.00 per week. For example, if you have £16,850 in capital we would financially assess you as receiving £11.00 per week in "tariff income". ($£16,850$ less $£14,250$ is $£ 2,600 =$ £11.00 per week tariff income).

Please also note that this tariff uses bands and rates different from those used by the DWP and Job Centre Plus in Pension Credit and Income Support assessments.

Capital exceeding £23,250

If you have capital exceeding £23,250 we will usually financially assess you as liable to pay the full cost of your care.

Allowances for basic living costs

We will make an allowance in your financial assessment for your ordinary living costs. We will base this allowance on the Income Support, Personal Allowance and Premium appropriate to the age of the client, plus an additional 25%. For example if you receive £140.00 per week in such benefits, your Basic Living Cost allowance will be £140.00 plus (25%) £35.00 totaling £175.00 per week.

Disability Related Expenses

As your Fairer Charging financial assessment may include disability-related pensions, benefits and allowances, we will normally allow additional costs that you incur as a consequence of your disability.

The Visiting Officer will explain them to you in more detail so that we can make as accurate a financial assessment as possible of how much you should pay towards the cost of your care.

Payments to family members

Unless there are exceptional circumstances, we will not usually allow claims for disability related expenditure relating to payments you make to your family members.

Standard allowances

For some categories of disability related expenses, for example domestic work, gardening etc, we will usually allow a standard amount. If the cost you want to claim is greater than the standard allowance we will consult your Social Worker to help establish whether your individual needs justify a higher claim.

Normal living costs

We will not usually allow your normal living costs as disability related expenses because we will have already considered them as being covered by the standard Income Support Allowances plus 25%..

Couples

Normally we will financially assess you as an individual and the information you provide usually should relate to you and no other person in the household.

However, in the process of your assessment it may become clear that your finances are limited and you are financially dependent on your spouse or partner. If you are reliant upon them or the benefits they receive on your behalf (for example a husband receiving state pension for both himself and his wife) to meet all or some of your living costs, we will ask you and your spouse to provide financial details for both of you.

If your spouse or partner is unwilling to provide this information we will charge you the full cost of your care services.

Direct Payments

The Direct Payment Scheme enables you to have direct access to money to enable you to purchase your care from providers of your own choice. Your Social Worker will assess your care needs and the Direct Payments team will make the payment arrangements with you or whoever you appoint to act on your behalf.

If you choose to receive Direct Payments we will still need to financially assess you.

What happens if you don't pay your charges?

The charges we raise under the Fairer Charging Scheme for services provided by Social and Community Services are subject to Oxfordshire County Council debt recovery procedures. We expect you to make payment to Oxfordshire County Council within 30 days of receiving your invoice. If you fail to pay the amounts we invoice you for, we will take recovery action and possibly legal proceedings.

If the county council's Legal Services team has to commence legal proceedings against you, you may have to pay legal costs in addition to your care charges.

If at any time you have difficulty in making payment you should contact the Income team on 01865 797555 to discuss your problems as soon as possible.

Mistakes in your financial assessment

If you think that we have miscalculated your charges, for example because of an error we have made or something you forgot to tell us, you should write asking for a review of your assessment review and stating why you think it is wrong.

The Team Manager will arrange a review of your assessment, make any adjustments that may be required and inform you of the outcome. You will find the address in the contacts list in the back of this booklet.

Waiver Scheme

You can ask us to waive your charges if you think that the Social and Community Services Directorate has failed to take into account specific social, psychological or health issues or exceptional circumstances.

You should ask your Social Worker for a Waiver Application Form and return it to him or her when you have completed it explaining why you think a Waiver is appropriate.

As soon as we have completed our financial review we will inform you in writing of whether your Waiver request has been successful or not and if appropriate of the appeal process you should use if you wish to pursue the matter.



Comments and Complaints

If you remain dissatisfied with the outcome of the assessment process you can ask for the decision to be reconsidered under the Complaints Procedures.

Please contact

Oxfordshire County Council
Social and Community Services
Comments and Complaints Service
Freepost RRYR-XTBE-GBTZ
County Hall
New Road
Oxford OX1 1ND
Tel 01865 323589 Fax 01865 783134
Email: commentsandcomplaints@oxfordshire.gov.uk

Contacts for further information

For queries regarding your financial assessment or allowances

Financial Assessments Team

Oxfordshire County Council Customer Services

PO Box 1479

Oxford OX4 9AL

Tel: 01865 79730 Fax: 01865 787173

Email: financialassessments@oxfordshire.gov.uk

To ask about care services

Social and Health Care Team

Oxfordshire County Council

PO Box 780

Oxford OX1 9GX

Tel: 0845 050 7666 Fax: 01865 783111

Email: access@oxfordshire.gov.uk

To contact a voluntary agency

Age UK Oxfordshire

St Edmund House

39 West St Helen Street

Abingdon

OX14 5BW

Tel: 01235 849400 Fax: 01235 849449

Email: admin@ageconcernoxon.org.uk

Oxford Citizens Advice Bureau West Oxfordshire Citizens Advice Bureau

95 St Aldates

Oxford

OX1 1DA

Tel: 0870 2200608

Email: oxfordcab@cabnet.org.uk

31 High Street

Chipping Norton

Oxon

OX7 5AD

Tel: 01608 641367

To enquire about Attendance Allowance and Disability Living Allowance

Disability and Carers Service

Warbreck House

Warbreck Hill

Blackpool

Lancashire

FY2 0YE Tel 0845 7123456

To contact the Department of Work and Pensions (DWP)

- Benefit Enquiry Line Tel: 0800 88 22 00
- Carers Allowance Unit Tel: 01253 85 61 23
- Pension Credit Application Line Tel: 0800 99 1234
- Pension general enquiries Tel: 0845 6060265
- Winter Fuel Payment Helpline Tel: 08459 15 15 15

To contact Job Centre Plus

Job Centre Plus Tel: 0800 55 6688

This is the part of the DWP which deals with claims for and enquiries about

- Bereavement Benefits
- Income Support or Incapacity Benefit
- Social Fund

What do you think of this booklet?

We update this booklet at least annually and want to know what you think about it.

- Are you reading the latest version? You can check with the Financial Assessments team – see contact details below.
- Have you found the booklet helpful?
- Did it cover what you want to know about?
- Would you like us to add anything to the booklet?
- Would you like us to change anything in the booklet?
- Do you think the way it was set out is clear?
- What do you think we could do to improve our information?

Please let us know by contacting

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Oxfordshire County Council Customer Services

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