



# **Living permanently in a care home – savings over the upper threshold but no access to funds**

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## **How the council can help**

- If you do not qualify for support with the cost of your care home place from the council under the financial assessment but you do not have access to your funds due to a lack of mental capacity and no one else has the required legal authority to act on your behalf the council will organise and pay for your care home place whilst access to your funds is being arranged.
- When a Lasting Power of Attorney has been registered or a Court of Protection Deputy has been appointed your Attorney or Deputy will need to notify the council. The costs paid by the council to the care home on your behalf will then be recovered from your funds.

## **Deferring the cost of your care home if you own a property**

- If you still do not qualify for assistance under the financial assessment, the council will then end its involvement and your Attorney or Deputy will need to make on-going arrangements directly with the care home or apply under the Council's Deferred Payment Scheme, see the Deferred Payment Scheme Information Sheet.  
<https://www.leicestershire.gov.uk/sites/default/files/2022-12/deferred-payment-scheme-information-sheet.pdf>
- Please note that care homes often charge significantly higher care fees for privately funded residents, rather than the rate charged to the council.

## **Lasting Power of Attorney**

- If you have granted a Lasting Power of Attorney for property and finances and have now lost capacity the Lasting Power of Attorney needs to be



registered. If there is no Lasting Power of Attorney for property and finances an application for Court of Protection Deputyship for property and finances will need to be made. There will be a cost involved for both of these options and they may take some time to be awarded. You may wish to take legal advice about these options and the following link might be helpful.

[http://alzheimers.org.uk/site/scripts/documents\\_info.php?documentID=154](http://alzheimers.org.uk/site/scripts/documents_info.php?documentID=154)

## Disability Benefits

- Whilst you are funding your own care home placement you can still be paid Attendance Allowance, Personal Independence Payment or Disability Living Allowance. If you don't have a current award you may be able to make a claim Attendance Allowance or Personal Independence Payment. If you do have a current award which is not at the higher/enhanced rate you might want to seek advice as to whether it could be increased. See Attendance Allowance, Personal Independence Payment and Disability Living Allowance factsheet.

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/27/Living-permanently-in-a-care-home-Attendance-Allowance-Personal-Independence-Payment-and-Disability-Living-Allowance.pdf>

## Means-tested benefits

- Depending upon your income and as your capital decreases you may be entitled to Pension Credit, or Universal Credit. See Pension Credit or Universal Credit and Contributory ESA fact sheet.

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/27/Living-permanently-in-a-care-home-Pension-Credit.pdf>

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/27/Living-permanently-in-a-care-home-Universal-Credit-and-CESA.pdf>

## When your savings go down

# Adult Social Care



- When your capital reaches approximately £25,000 please contact the council's Customer Service Centre on 0116 305 0004 to have your eligibility for local authority assisted funding reviewed.

## **Independent Financial Advice**

- Your Attorney or Deputy may wish to take financial advice on how best to invest your money. Whilst Leicestershire County Council cannot signpost you to a particular financial advisor you will need to ensure that the financial advisor you choose is an appropriately qualified Independent Financial Advisor for financial advice about funding care. The Society of Later Life Advisors (SOLLA) is a not for profit organisation and will be able to help you find an accredited financial advisor.

<http://www.societyoflaterlifeadvisers.co.uk/>

## **Your savings and assets**

- The upper threshold for local authority support for a permanent care home placement is capital/savings over £23,250. Capital includes things like savings, investments, the value of property and land. Some types of capital can be disregarded in calculating your total therefore; it is advisable to request a financial assessment to check if your total capital that is included is above the upper threshold. Please see the Council's Charging Policy for further information

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2022/1/31/lcc-charging-policy-care-act.pdf>