

Third Party Top Up Factsheet

June 2020

Who is this leaflet for?

This information is important if you or a friend or relative will be moving into a care home setting and the council are contributing to the cost of your/their care home.

We will carry out a Care Act Assessment that will identify how your outcomes will be met. You will be offered at least 2 options of a suitable care home provision who the council identify as being able to meet your needs.

However, you might wish to choose a care home that costs more than the weekly amount of the care home identified by the council. A payment will need to be made to pay the difference between the care home fees identified by the council and the home chosen by yourself or your representative. These are called **Top Up Payments**. This top up payment is in addition to both the financial contribution required to be paid by the person receiving the care **and** to the amount the council is contributing towards the care.

If you are considering choosing a care home that is more expensive than ones identified by the council, this leaflet contains important information about Top Up Payments (sometimes called Additional Payments).

Who can make a Top Up Payment?

There are government rules about who can pay a Top Up and in most circumstances you are not allowed to pay it yourself if you are the person receiving care. This Factsheet covers Top Up Payments made by another person.

A Top Up Payment may be made by a friend or relative of the person who receives the care or, in some cases, by a charity. The person making the Top Up Payment is called the Third Party. They are not the individual or the council. Third Parties can be a member of your family but this is not a requirement. The Third Party Top Up Payment is made from the funds of the Third Party.

When might a Top Up Payment be considered?

We will state which homes are able to meet the personal outcomes following a Care Act Assessment and will offer what is available at the time.

A Top Up Payment may be considered if, for example, a family member requests that care be provided in a more expensive home than the one on offer from us, or that a more expensive room be provided in the home that has been offered by us.

We need to know that anyone offering to make a Top Up Payment is able to do so. The Third Party should seek independent legal and financial advice to help them decide if they have sufficient resources to sustain the payments for the duration of the stay in the accommodation.

How is a Top Up Payment arranged?

If your third party decides to make a Top Up Payment, and we have agreed to enter into an agreement, the third party will be given two copies of the proposed Agreement (including the terms and conditions of the Agreement) and a copy of this Factsheet for their consideration. **We suggest you and your third party seek independent legal and financial advice before deciding whether to sign the Agreement.**

If the third party decides to enter into this arrangement and make payments from their own money, they will be asked to sign both copies of the Agreement and return it to the care manager involved. Both copies will then be signed by the Council and one copy returned to the third party for their records.

As stated in the Agreement, if the third party is unable to continue the payments or if the payments cease for any reason we reserve the right to move you / the person receiving care to accommodation that is within your personal budget.

A third party can decide to pay the residential/nursing home direct if they choose not to come through the Council to facilitate the third party top up.

Further information

If you need further information, speak to your social care worker or contact Adult Social Care on:

Telephone: 01983 823340

Email: CMSupportHub@iow.gov.uk

Web: www.iwight.com/adults

Further information, help and advice:

The Isle of Wight Council does not endorse or recommend any financial services. We highly recommend that you seek independent financial advice and it is your responsibility to ensure any financial adviser you instruct is appropriately experienced and qualified. Further information in relation to independent financial advice about your own particular circumstances (including paying for your care, deferred payment scheme, court of protection procedure, lasting power of attorney procedure) can be found at:

The Money Advice Service – offering information on paying for care

<https://www.moneyadviceservice.org.uk/en>

Telephone: 0300 500 5000.

The Society of Later Life Advisers - help you find advice on how to make financial plans for care in retirement years

<https://societyoflaterlifeadvisers.co.uk/>

Other sources of information and advice:

Isle of Wight Age UK - offering advice for older people and those planning for later years

<http://www.ageuk.org.uk/isleofwight/>

Carers Isle of Wight – A wealth of advice for carers who need to help someone else

<http://carersiw.org.uk/>

Isle Help - offers free impartial, independent advice to anyone requiring help and support

<http://www.islehelp.org.uk/>

NHS Choices – a comprehensive guide to choosing and arranging care and support

<http://www.nhs.uk/conditions/social-care-and-support-guide>

Which? Elderly Care - provides information on the funding options you can explore for care homes and home care.

<http://www.which.co.uk/elderly-care/financing-care>

Court of Protection - Offers advice on people who have capacity issues.

<https://courtribunalfinder.service.gov.uk/courts/court-of-protection>

Telephone 0300 456 4600

Email courtsofprotectionenquiries@hmcts.gsi.gov.uk.

Department of Work and Pensions – Provides advice on Appointeeship (the authority needed to manage the benefits of someone who is mentally incapable of doing so themselves)

<https://www.gov.uk/government/organisations/department-for-work-pensions>