

Minister's Response to Health Select Committee on Continuing Care Re-affirms That the Majority of Older People Must Pay for Long-Term Care as NHFA Advice Line Sees A Continuing Increase in Calls From Distressed Families.

In his response to the Health Select Committee on Continuing Care Liam Byrne states that 'The Government does not believe that making personal care free for everyone is the best use of limited resources. Making personal care free for everyone would cost an estimated £8.4 billion over the lifetime of this Parliament (assumed to be 2005–08). This would consume most of the additional resources we are making available for older and disabled people.' Full response can be found at <http://www.dh.gov.uk/assetRoot/04/11/63/84/04116384.pdf>

As this Saga continues and we await National eligibility criteria for NHS continuing care the NHFA Care Advice Line continues to receive calls from distressed families being denied or trying to understand their rights to both care services and funding. So far this month NHFA advice room has handled over 1,000 calls for help and information. (See editor's notes). The most common problem areas include:

Local Authority Charging Procedures Individuals are given no guidance or information about who pays for what. What their rights are and what funding may be available. In a situation of panic families can find themselves taking on contracts with care homes direct for uncontrolled fee top-ups instead of the Local Authority taking a single contract.

NHS Continuing Care This is an ongoing saga. The Advice Line reports that many people are only receiving assessments for Registered Nursing Care Contributions and not for eligibility to NHS Continuing Care without a challenge.

12-week property disregard funding. *(Local Authorities will assist with care home costs for the first 12 weeks of living in a care home and disregard the value of a former home)* – Some Local Authorities are either not advising clients of their entitlement to the 12-week disregard, or taking their time about assessing leaving people to enter care homes alone and not with the LA 12 week support. Quite often callers remarked on the lack of help from Social Services, and their frustration at trying to place their relative in care without any support.

Other problems arising which cause older people and their families frustration include, inappropriate assessment of care needs, delayed assessment/delayed hospital discharge, lack of information provided in a timely manner, resulting in either poor or no take-up of benefits or LA funding.

Philip Spiers Director of NHFA says " Most of the problems we encounter are because of the lack of information available to people when the need for care arises. Social Services Care managers are carers not accountants and not trained to fully understand peoples' rights to care services and funding mechanisms. This problem was identified in part by the OFT investigation into the care home market and

its recommendation for a 'One Stop Shop' NHFA goes some way in providing this, a help line supported by a website provides the right advice at the right time and empowers people to challenge many of these distressing situations.”

NHFA Advice and copies of the Long Term Care Guide can be obtained from the Care Advice Line 0800 99 88 33, or from www.nhfa.co.uk

ends

Notes For Editors - NHFA advice and information is available to all regardless of means and combines financial advice with the complexities of local authority charging and assessment procedures, health authority responsibilities, DWP benefits and legal matters.

Adviser Room - Calls by subject query for July 2005.

1. Treatment of Property/12 week disregard/Deferred Loan L/A failure to consider the “nil” value of property when jointly owned and occupied by relative under aged 60. Incorrectly informing that 12 weeks funding repayable. Deferred Loan – either or not both i.e. if you do not have 12 wks LA will consider making available a Deferred Loan.	70 (7%)
2. Choice of Accommodation L/A Block booking and failing to explain and, in some cases, unlawfully denying Choice of Accommodation Directions.	17
3. Section 47 Care Assessment - L/A not explaining the assessment process and rights of everyone even self-funders to an assessment. - Long waiting lists.	14
4. Carers' Assessment/ Domiciliary Care. - Not explaining the Fairer Charging Procedures or offering Carer's Assessments.	18
5. L.A. Charging Procedures/ The Legal Framework. - Generally giving no information and directing calls to us regardless of funding status. Not operating single contract with care home and leaving Residents/relatives to pay care homes direct. Failure to give advice both on Rights/LA Procedures and Self-funding options.	281 (28%)
3rd Party Top-Ups - Not explaining or putting explanation or agreement in writing in order that client's fully understand what they are committing to. Turning a “blind eye” to residents topping up from own resources i.e. Disregarded capital. (not under LAC (2001)25) rules.	45 (4%)
6. Treatment of Couples/Liable Relative - Giving little or no information and causing unnecessary worry regarding property being disregarded and in some cases saying that a spouse through a charge on the property can meet a “top-up” being agreed. Also trying to financially assess spouse remaining at home.	48 (5%)
7. Ordinary Residence - British Passport holders returning from overseas and needing care. Also clients moving between authorities requiring funding.	1
8. Deprivation of Assets - Timing and Intention of gifting property. Single Premium Life Assurance Investment Bonds.	36
9. RNCC/NHS Continuing Care - Ongoing saga. Only carrying out RNCC assessments as standard and not conducting NHS Continuing Care Assessment unless challenged.	132 (13%)
10. Section 117 - MHA 1983 - Section 3 lifted and therefore 117 lifted losing funding. Not being sectioned and not having sections explained.	13
11. Benefits/Attendance Allowance/Pension Credit /Carer's Allowance - Explaining about AA – still being told not payable if in home or receiving RNCC -called “free care”	49 (5%)
12. Complaints: NHS/SSD/DWP – Providing guidance about Complaints procedures when they feel that they have been poorly treated.	8
13. Hospital Discharge/Delayed Discharge - Explaining Multi-disciplinary Assessment and Care Plan and the correct Discharge Procedure.	10
14. EPA/Court of Protection - Advising procedures and referring to Public Guardianship Office	26
15. Inheritance Tax – General Advice	2
16. Miscellaneous – Problems with care homes, disputes with authorities etc.	211
17. Specific Financial Advice on Funding Care Costs	52
Call total (excludes unaccounted Adviser calls, emails and letters)	1033