

## Government Response to OFT Report on Care Homes

NHFA welcomes Government's response to the OFT report on the Care Homes Market with reservation. As with SPAIN (the coalition of voluntary organisations that instigated the OFT investigation) NHFA believes the response fails to deliver the detail of how the issues addressed in the OFT report will be tackled swiftly. Each day NHFA Advice line receives calls from Older people floundering in a care system that is so complex that even care professionals and statutory agencies get it wrong.

NHFA considers that any structure for providing advice information and advocacy to this vulnerable sector of the community must be independent from Government and be accessible through all mediums both locally and Nationally. To this end, NHFA are working closely with a number of organisations to put together through a structured approach the resource of where to turn from finding appropriate care, understanding your rights and how to pay for it.

This particularly applies to those that are Self-funding their care who without appropriate advice and guidance can find themselves in precarious situations at a very vulnerable time of their lives.

Philip Spiers Managing Director of NHFA says "We are dealing with a complex system of law, guidance, regulation and rules dating back to 1948 and unless Government invests more money to simplify it or provide adequate training resources for all those involved, without independent advice and advocacy, the problems will continue to the detriment of the most vulnerable of our older population."

*ends*

### Notes for Editors

Copy of Government's Response to the OFT Report on Care Homes can be found at <http://www.gnn.gov.uk/Content/Detail.asp?ReleaseID=167081&NewsAreaID=2>

NHFA Care Advice Line receives provides advice and information to around 100 callers each day on the **ALL** the many issues the OFT report seeks to address.

NHFA Care Advice Line 0800 99 88 33

NHFA Website [www.nhfa.co.uk](http://www.nhfa.co.uk)

## **Comments from NHFA Advice Room (Manager Paul Loom)**

The government response to the OFT study pays lip service to solving the problems that have been mentioned.

In reality the majority of people who contact us have just been asked “ has your relative more than £20,500” (sometimes even this figure is misquoted) “if so you will not receive any help from Social Services”. This means that residents who may come below the capital limit within a short time (say 6 months) are not aware of when to contact social services for financial assistance. This can often mean that relatives choose homes charging well above the standard rate and then are reluctant to move the resident when social services funding becomes available.

When people are to be funded by social services they are usual given a list of home with no prices. In some areas the homes are marked with a symbol indicating that a top-up is required but no information is given about social services responsibilities where all the homes that don't require top-ups are full.

Guidance issued to the Councils cover the responsibility of social services in relation to the mechanics of paying the home and top-ups and states that any variation to this must be with the agreement of all three parties. People are not being given this choice. Some top-ups are being met by pensioners on pension credit the minimum amount Government believes a person needs to live on.

In some circumstances relatives are quote a price by a home but this is subsequently increased after the contract has been signed when the home may decide that a relative needs more care then originally thought. This highlights “open ended” contracts where no fixed basic price is agreed or limit to future increase or the frequency of such increases. More transparency about the treatment of the Registered Nursing Care Contribution is needed, there are several different ways that care homes deal with this payment.

The response makes reference to the monitoring of social services by the CSCI. As far as we are aware CSCI does not understand or become involved with social services over disputes relating to the interpretation of Guidance relating to charging procedures (CRAG). In recent months they have been referring caller to NHFA Helpline.

From the responses we receive on the Helpline we are aware that relatives are reluctant to make a complaint to a care home as they feel that this will result in redress of either mistreatment of a resident or the resident being asked to leave. In no other area is there so little security of tenure.