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Introduction

What is this guide about? 2

Chapter 1

Are you finding it difficult to look after yourself at home? It might have happened to you gradually. Or maybe you have had a sudden illness or accident. Either way - whether you are still at home or having a spell in hospital - this guide is for you.

You may be able to stay at home with help from family or friends. You may be able to manage with support from the Social Services Department of your local council, such as home care - and help from the NHS such as visits from a district nurse. Or you might need to move into sheltered housing or somewhere else more suited to your needs.

You may still find that you can't cope and may need to consider taking the important step of moving into a care home. Some care homes can offer you accommodation, meals and personal care

Although it might seem more relevant if you are older, younger people with disabilities may also find the information in this guide helpful. It will also be useful if you are going into a care home for a short period, perhaps because the person caring for you at home needs a break. Your relatives, carers and representatives may also find it helpful.

Thanks

The Welsh Government would like to thank Age Cymru and Counsel and Care for their help in preparing this guide. These organisations each produce a range of very helpful information on services for older people. Their contact details can be found at the end of this guide. Thanks also go to the Welsh Local Government Association who helped in the preparation of this guide.

Please note that this guide is for information only. You should not rely on it as a full statement of the law.

If you're finding it difficult to manage at home, your first point of contact should be Social Services. They are part of your council and you should be able to find their contact details in the local telephone directory or via the internet. Your doctor's surgery, Citizens' Advice Bureau or your local library may be able to help you find this information.

If Social Services think you may need their help, they will arrange for an assessment of your needs to be carried out. This assessment will look at your health and social care needs and is known as a "Unified Assessment". A social worker or care manager will usually make an appointment to see you at home or in hospital. You can arrange to go to the council offices, if you prefer. Other care staff such as a district nurse or your doctor may be involved.

You can have a friend or relative with you if you choose - it's your choice, not their's. Or you can ask Social Services to put you in touch with someone else to represent you, who may be known as an advocate.

Remember, anyone involved who visits you will carry identification with them, so please check this before allowing them into your home.

What happens next?

In the Unified Assessment of your needs, Social Services will:

- talk to you about the things you can do - and the things you can't do;
- look at the help you already have, such as the help you get from your family, friends or your neighbours;
- ask you about your hopes and wishes for the future, such as keeping up your interests locally or moving to be near to a son or daughter;
- find out any preferences about religion, culture or language that are important to you; and
- discuss the services that can be provided to help you live as independently and as full a life as possible.

If you have anyone caring for you, they have a right to ask Social Services for a Carer's Assessment to look at their needs in providing help for you.



Will I be able to stay at home?

After your Unified Assessment, Social Services must decide what help can be offered to you to meet your needs. They should give you written details of this known as a "Care Plan" which you should be asked to agree to and you should be given a copy.

There is a lot of care and support that Social Services can provide to help you to remain in your own home. You can discuss any of the types of help listed below with Social Services as part of your assessment.

The services that are available locally to help you to stay in your own home might include:

- adaptations to your home, such as ramps or grab rails;
- equipment to help you to move around your home or manage in the kitchen or bathroom;
- day care in a day centre or day hospital;
- help with personal care, for example bathing and dressing;
- help with shopping or housework;
- help with managing your bills and other paperwork;
- help with transport;
- meals on wheels;
- nursing and other health care such as physiotherapy or chiropody or specialist help with continence; and
- support for the carers who look after you.



What happens if I'm already in hospital?

After hospital treatment, the doctor who has been looking after you will decide if you are ready to leave. If you are likely to have difficulties coping at home, your doctor will usually suggest a Unified Assessment of your needs as explained earlier. This must involve you and your carers and may also involve doctors, nurses, Social Services and other care staff.

Before you leave hospital, you may have important decisions to make about your care. Your hospital stay may have been a very difficult time, particularly following surgery or a bad fall. You might be tempted to see a care home as a safe option compared with going back to your own home. But if you're not sure how your care needs will change as you recover, it is not a good idea to rush into a permanent move.

Why is it important that I leave hospital once I have finished my treatment?

Once you have completed your treatment in hospital and it has been agreed that you can leave, it is important that

in your own home. Depending on local arrangements, Social Services may be able to arrange for you to have six weeks free home care to enable this. Or the NHS and Social Services can arrange for you to go into a care home or somewhere similar for a while to help regain your independence. This type of help is known as “intermediate care” and in Wales it should be provided free of charge for up to six weeks. Social Services should offer you this option if there is any doubt about your need to move to a care home permanently. If, after six weeks or so, you feel able to return home, they will arrange that for you.

Even if you don't qualify for “intermediate care” but you are not sure whether you wish to move permanently into a care home, you can ask for a “trial run” and live there temporarily for a while. If you decide to try living in a care home, you should move there on a “temporary basis” until you can decide whether you want to live there permanently. In this case, Social Services can ask you to pay towards the cost of the care home - but the rate should be reasonable and Social Services should take into account your need to go on paying your household bills.

What if I need longer term health care?

If your assessment concludes that your needs are primarily for health care, you may qualify for “continuing NHS health care”. This may be, for example, because your condition is complicated, or because your need for health care is more frequent, intense or unpredictable. The NHS can arrange for this care to be provided in hospital, in a care home with nursing which has the facilities you need, or sometimes in your own home. If the NHS is arranging your care, it will meet all the care costs.

The Welsh Government has issued guidelines on this to the NHS in Wales and you should be able to get information on continuing NHS health care from your Local Health Board. This will explain, in more detail, who needs this kind of care and how decisions will be made. You can also ask for further information from your doctor or nurse.

Will I get any further help from the NHS after I leave hospital?

What can I do if I'm not happy with the assessment of my needs?

If you are unhappy about the way your Unified Assessment has been undertaken or you don't like the result - there are ways you can take this up with them and this is explained later in this guide.

How quickly will I be able to receive the care services I need?

Your Unified Assessment should be completed within a reasonable time. If as a result it is agreed that you need care that is arranged or provided by your Social Services, this must also be provided within a reasonable time. What is reasonable is based on your care needs. Providing you with the care you need should not be delayed by Social Services because of the arrangements or finance they need to provide your care.

Before you decide between care in your own home, moving to a care home or moving to another kind of accommodation, you may want to think about what living in a care home should, and would, be like.

What standards can I expect?

The Welsh Government has set out the requirements and minimum standards for each kind of social service, such as care homes and help in your own home. These are called the "Regulations" and the "National Minimum Standards" and there is a set for each type of service. Social Services will be able to help you get hold of copies of these if you would like to see them. The National

- the service should aim to give you as much choice and as much control over your own decisions as possible;
- the service should recognise what you can do and work with you to help you achieve your full potential;
- the service should always respect and help you to protect your individuality, your privacy, your dignity, and your self-esteem; and
- the service should help you take as much part as you want to in the life of the local community.

In relation to care homes specifically, the National Minimum Standards for Care Homes lay down what you have a right to expect in eight key areas:

- how the home should help you choose the right service;
- how the home should plan for your individual needs and preferences, such as religion, culture and language;
- how it should make sure you have a good quality of life;
- how it should provide a high quality of care and treatment;
- how it should make sure you have the right support from the staff;
- how the home should be managed;
- how it should deal with any concerns that you may have; and
- what the facilities in the home should be like.



Would it be my home for life, if I wanted that?

If you are looking for a home for the rest of your life, then generally that ought to be possible. But your needs could change and the staff in the home could find it difficult to give you the level of support you need. Most homes will try to help you stay where you are - but if they can no longer cater for your assessed needs, the home could ask you to move to somewhere which has the staff and facilities to look

Who is responsible for making sure that I get the service I need?

The main people responsible for this are the people who run the home. This could be Social Services itself, a private organisation or a voluntary body. They have the responsibility in law for making sure that the care in the home meets the Regulations and the National Minimum Standards for that type of home.

If Social Services or the Local Health Board has arranged your care, then they have, as well, a responsibility to make sure that you have the services you need. Your care needs should be reviewed at least once a year in order to check whether they have changed and whether your care home is meeting them.

There is another organisation involved. The Care and Social Services Inspectorate for Wales (known as the CSSIW)

Remember, the care home should be there to help you. You should not be put in circumstances and situations that you are unhappy or uncomfortable with. Your family, Social Services, the CSSIW and organisations like Citizens' Advice Bureau are all there to help you, if you ever wanted to resolve your concerns or to make a complaint. Information on this can be found later in the guide.

Once you have decided that a move into a care home is the best option for you, you need to start looking for the home that will suit you best.

How do I find the right home?

Nobody else can tell you which would be the best home for you. But Social Services can help you decide which will suit your care needs best. You can even ask them to arrange everything for you, if you prefer.

For example, Social Services could help you to move to a home near where you live now. Or they could help you to move closer to friends or relatives. Or they could help you move back to the area where you grew up. You are free to choose a care home of your choice provided the arrangements can be agreed.

How can Social Services help me make the right choice?

Care homes vary a great deal. So it's a good idea to get as much information as possible about different homes before choosing one. Social Services can help in several ways:

- They can give you information about the homes suitable for your needs in the local area - about exactly where they are, the services they provide

Can I enter a home that costs more than Social Services is prepared to pay?

Yes. If there are no other care home places in the local area that would meet your needs at the price Social Services would normally pay, they should increase the amount they will pay for your care. They should never ask you, or a relative, to make up the difference.

Alternatively, if the care home you choose costs more than Social Services will pay for your assessed needs - and there are other places available - you can still move to your first choice, provided a family member or friend is prepared to pay the difference. This is called a "third party top-up".

If the NHS is arranging for me to have continuing NHS health care in a home that provides nursing, can I choose which home I enter?

Healthcare, provided by the NHS is paid for by the NHS. Care services provided by, or arranged by Social Services, by law have to be charged for and a contribution that a person will need to make towards such costs will be based on their financial circumstances. In addition to the assessment of your care needs, Social Services will assess your finances to determine whether you will pay for all of your costs or make a contribution towards them.

If you are moving into a care home and making a financial contribution, social services will work out what you will have to pay towards the cost using a national set of rules. You will have to pay towards the costs from your weekly income (such as your pension).

If you have capital over an amount known as the "capital limit" you will have to pay all of your care home costs. There is more information on this later in this chapter.

If you qualify for NHS Funded Nursing Care, the NHS

contribution. This is because different forms of capital and income are treated differently in the financial assessment. Social Services will be able to tell you about these when you start to think about your choices. But it might take longer to work out the actual cost.

The national rules are as follows:

A: Capital

This refers to the value of any property, savings or investments you have. The national rules lay down a single capital limit - so that when Social Services work out your contribution they treat your capital in one of the following ways:

- Social Services will ignore any capital you have at or below the single capital limit;

such as newspapers, etc. This is known as the Personal Expenses Allowance (known as the PEA) and the current weekly amount is on the information sheet mentioned earlier. But, generally, the rest of your weekly income goes towards the cost of your care. This includes most Social Security benefits, your state pension; plus any company or personal pension you receive. Social Services can give you more details on what income they have to take into account.

Are the rules different if I choose a home run by Social Services?

No. Social Services will use exactly the same rules to work out your contribution whether the home is run by them, or by a voluntary body or a private organisation.

What happens to my own home?

If you own your own home, Social Services will take its value into account - but only after the first three months of your stay in a care home. But it will not be included if you are only entering a home temporarily or if one of the following people is still living there:

- your husband or wife, or a partner who lived with you

Social Services can choose to exclude your home's value in other circumstances, for example if someone else who is not your husband, wife or partner has been looking after you and still lives there.

Will I have to sell my home?

If Social Services take your home's value into account in calculating your capital you may need to sell it to pay your care home costs, or to use it to find another way to meet these costs (such as renting it out). If you do not wish to sell your home immediately, you can ask Social Services for what is called a "deferred payment".

If Social Services agree to this, they will pay your share of your care costs which can be repaid later. You will still have to meet these costs from your weekly income, but you do not have to sell your home in your lifetime if you do not want to. Social Services will place a "legal charge" on your home to make sure they are paid back on any future sale

What if I give away any capital before the assessment?

If you give away property to someone else, Social Services may take the view that you are trying to avoid paying your proper share of your care home costs. The same thing could happen if you spend it before you move into the home on things such as expensive possessions, holidays or gifts. Either way, they could still take all of that capital or property into account.

How much money of my own will I have when I am living in a home?

Social Service's calculations will ensure you always have a set sum of money each week to cover personal expenses known as the PEA as explained earlier in this chapter. You will also have any other income or capital which Social Services has ignored in your financial assessment. Please see the information sheet referred to earlier for the current weekly amount of the PEA.

In some cases, the PEA can be increased above the standard rate. This could, for example, be to prepare someone for more independent living by encouraging them to manage their own finances. Or Social Services could increase the allowance to take account of family commitments. This is at Social Services' discretion.

What if my husband, wife or partner depends on my income?

Married couples, unmarried couples and civil partners are assessed as single people once one of them goes to live in a care home.

Social Services will take most of your income fully into account in assessing your care home fee. They can at their discretion make sure that your partner who still lives at your home has reasonable living expenses. But if you are married or in a civil partnership and have an occupational pension, Social Services must ignore half of it, provided you are giving at least half to your partner. (It is up to your partner whether to accept any of your occupational pension. This could affect their rights to benefits - so it may be a good idea for them to take advice on this.)

Who actually pays the home?

Social Services will generally pay the home and ask you to pay your contribution to them. However, if everyone agrees, you can pay your contribution direct to the home.

If a relative or friend is financially supporting you with a third party top-up (referred to earlier in this guide), they should make this arrangement with either Social Services or the care home and pay their contribution to the one they have their arrangement with.

Where can I get more information about the calculations?

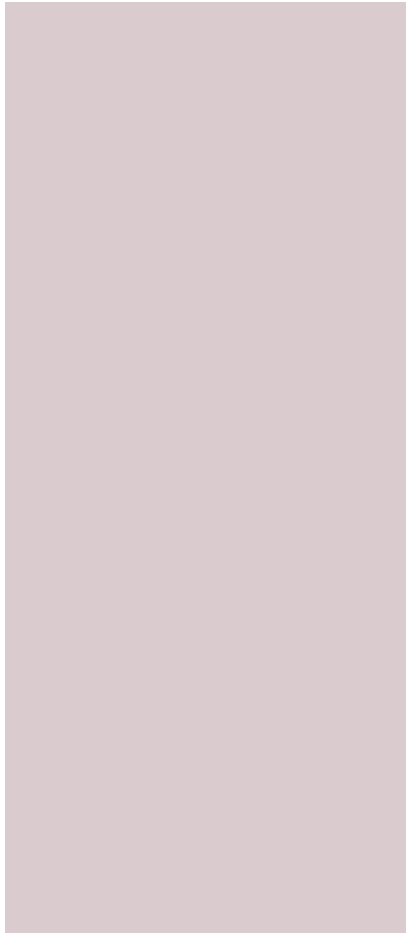
Social Services can give you details of how they have arrived at your charge. The rules they use to assess these are set out in "Charging for Residential Accommodation Guide" (known as CRAG), which is held by Social Services. This is a detailed technical guide which sets out all the types of finances you might have and how Social Services should treat these in your financial assessment. You can obtain a copy from your Social Services. In addition, some organisations like Age Cymru and Counsel and Care, have produced very useful, simple fact sheets. Their contact details are at the end of this guide.

What if my finances change?

You must tell Social Services if your income or capital

In either case, the contract should include:

- what care and services are covered by the fee;
- the fees payable and by whom;
- the additional services you have chosen over and above those included in the fees which a third party has agreed to pay for;
- how often the fees might rise, how much notice you would have and how the increase would be decided;
- what fees have to be paid if you were temporarily away from the home;
- your rights and obligations and those of the care home provider, and what happens if these are not followed;
- the terms and conditions of your stay, including what period of notice you or the care home owner has to give if this is to end;
- any restrictions (for example, keeping a pet); and
- what to do if you have a complaint.



Everyone who runs a care home is required under the Regulations and National Minimum Standards to provide a written contract or statement of terms and conditions (as appropriate) to every resident.

If Social Services and/or the Local Health Board are paying for your care then you should also have a statement of terms and conditions. This will set out the arrangements applying to your stay in the home and should cover the same sort of areas as listed above.

What if the fees of my home go up?

Social Services will need to agree, and pay any increase in fees where this increase relates to the care you receive as part of your assessed need. If someone else is making a third party top-up to pay for better accommodation or extra services, and the increases relate to these, then the person making this payment will need to pay the increase.

Social Services have the same duty to give you advice, guidance and help in choosing a home as they would have if they were paying for the service.

If I pay for the care myself, do I have to go to the Social Services?

No, you don't have to - although it is still a good idea. Even if you are paying your own care costs you will need an assessment of your needs to be undertaken before a care home can offer you a place so as to ensure the home can meet your care needs.

However, it might be possible to have an assessment undertaken by other suitably qualified or trained people who are not from Social Services if you do not want to involve them.

Can Social Services help me find
a care home?

What happens if I can only pay my care costs once I have sold my house?

Where the value of your home has formed part of your financial assessment and is to be sold to pay your care costs, its value is disregarded for the first 12 weeks of your permanent stay at the care home. This means that for your first 12 weeks in the care home Social Services will pay towards your costs but you must still contribute towards these through the income you receive such as your pension.

If I make my own arrangements, what happens when my capital falls below the capital limit?

You need to contact Social Services and ask them to assess your needs. If Social Services agree the level of care you need and you want to stay in the same home, they may be able to help you.

If you disagree with a decision made by Social Services or the NHS, there are ways for you to get things changed. And there are ways you can complain if you are unhappy about how you are treated in a care home or any other service you receive.

What if my complaint is with the Social Services or the NHS?

The Welsh Government introduced in January and April 2011 new arrangements for handling complaints. They apply to any service provided by Social Services or the NHS respectively.

If you want to make a complaint about a Social Service or an NHS service there are three main stages to follow:

- **Stage One - Local Resolution**

You should first take up your concern with the person who has made the decision or provided the service. They must try to resolve matters within a fortnight;

- **Stage Two - Formal Consideration**

You have a right to make a formal complaint through the official complaints procedure in place at your Social Services or the one in place with the particular NHS services that you have a grievance with. They will be able to provide you with details of their particular complaints procedure;

- **Stage Three - The Independent Panel**

If things still aren't resolved, you have the right to have your complaint considered by a panel that is independent of Social Services or the NHS. The Public Services Ombudsman for Wales can also consider such complaints and their details are provided at the end of this guide.

What if I am unhappy about the way I am treated in a care home?

You have the right to complain and - under the Regulations and National Minimum Standards - every home must have a complaints procedure.

You should always try to sort things out with the home first. But if this doesn't work, there are other things you can do as explained earlier in this chapter.

Alternatively, you could complain to the Care and Social Services Inspectorate for Wales, their details are provided at the end of this guide.

Remember, unless you tell the right people about your concerns, nothing can be done to put things right.

A number of organisations can give you more information about the services and help available, or give advice if you need it. Below are some you may find useful. If not given below, you can find their contact details in the local telephone directory,

Wales Council for Voluntary Action

Website: www.wcva.org.uk

For information about local voluntary groups which can offer help and advice.

Social Services Department (part of your local council)

The Relatives and Residents Association

1 The Ivories,
6-18 Northampton Street,
London N1 2HY
Tel: 020 7359 8148
(Monday - Thursday 9.30 am - 4.30 pm)
Email: info@relres.org

For advice and support to relatives and friends of older people in care homes.

Alzheimer's Society Wales Office

16 Columbus Walk,
Atlantic Wharf,
Cardiff CF10 4BY
Tel: 029 20 480593
E-mail: enquiries@alzheimers.org.uk
For information and advice for people with dementia.

Counsel and Care

Twyman House,
16 Bonny Street,
London NW1 9PG
Tel: 020 7241 8555
E-mail: advice@counselandcare.org.uk

For general information and advice on a range of topics concerned with care at home, care homes and social security benefits.

Carers Wales

River House,
Ynysbridge Court,
Gwaelod-y-Garth CF15 9SS

Tel: 029 2081 1370

E-mail: www.carerswales.org

For advice and support to people looking after relatives or a friend.

Office of Fair Trading

Enquiries and Reporting Centre,
Fleetbank House,
2-6 Salisbury Square,
London EC4Y 8JX

Tel: 020 7211 8000

E-mail: enquiries@oft.gsi.gov.uk

Website: www.oft.gov.uk

Consumer information on the care home market.

Directgov Website Services

Website: www.direct.gov.uk

Information and advice on Government services for disabled people, older people and carers.

Department for Work and Pensions

Tel: 0800 882 200

Website: www.dwp.gov.uk or www.direct.gov.uk

For information and advice in relation to social security benefits.

Care and Social Services Inspection Wales (CSSIW)

National Office,
Welsh Government,
Rhydycar Business Park,
Merthyr Tydfil,
CF48 1UZ
Tel: 0300 062 8888
E-mail: cssiw@wales.gsi.gov.uk
Website: www.cssiw.org.uk

Information and advice on registered home care providers and on care homes, and to obtain the latest inspection reports on these.

Care and Social Services Inspectorate for Wales Regional Offices

Mid and South Wales

Welsh Government,
Rhydycar Business Park,
Merthyr Tydfil
CF48 1UZ
Tel: 0300 062 8888

Government Buildings,
Spa Road East,
Llandrindod Wells
LD1 5HA

Tel: 01597 828920
E-mail: cssiw.mid&south@wales.gsi.gov.uk

North Wales

Government Buildings,
Sarn Mynach,
Llandudno Junction
LL31 9RZ
Tel: 0300 062 5609
E-mail: cssiw.north@wales.gsi.gov.uk

South East Wales

Government Buildings,
Rhydycar Business Park,
Merthyr Tydfil
CF48 1UZ
Tel: 0300 062 8548
E-mail: cssiw.southeast@wales.gsi.gov.uk

South West Wales

Unit C,
Phase 3,
Tawe Business Village,
Phoenix Way,
Swansea SA7 9LA
Tel: 01792 310420

1st Floor,
Winchway House,
Winch Lane,
Haverfordwest,
Pembrokeshire, SA61 1RS
Tel: 01437 752211

Government Buildings,
Picton Terrace,
Carmarthen,
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It is available on the following website:

<http://wales.gov.uk/topics/health/socialcare>

Social services, Local Health Boards, organisations and individuals are free to download this guide and to copy it for their use.

THINKING ABOUT A CARE HOME?

