Fife Health & Social Care Partnership

Contracts Service
Moving into a Care Home
2026/27

NHS Fife

Supporting the people of Fife together

Fife Council

Contents

Moving to a care home

The Fife Health & Social Care Partnership (FHSCP) will assess your care needs and whether you meet the criteria for a nursing or a residential home.

The FHSCP will only contribute towards your care costs after you have been allocated a Social Worker and they have undertaken a full care assessment which has resulted in you meeting the criteria for long term care. This process applies regardless of your capital limits.

If you have been deemed as a funded resident, FHSCP will pay the standard rate based on the whether you have been assessed as requiring residential or nursing care. You must discuss the rates with your chosen care home as we are unable to pay more than we have assessed your rate to be. All funded residents pay a contribution towards their care home costs. (see page 6)

If you have been deemed as self-funding, you may be entitled to Free Personal Care or Free Personal and Nursing Care if you have been assessed by Fife Council and meet the criteria. The Council will pay these amounts directly to the care home, once funding has been approved. (see page 13)

When you are choosing a care home it is important to know that care home costs can vary widely. You should check the cost of the care home and any funding conditions they have, before accepting a place to make sure that you can afford to stay there.

If you do not meet the criteria for Long Term Care, you can still choose to move into a care home, but you will not be entitled to funding and you will be required to pay the full cost of your care and accommodation.

When you are moving to the home you will be asked to sign a Residents Agreement. This sets out the care homes terms and conditions of your care placement.

Reviews

Following your move to a care home, a six-week review meeting will provide an opportunity for your care plan to be updated and for you and/or, your representative, the Social Worker and a representative from the home to discuss your placement. You will be given a copy of this.

You can advise the Social Worker if there are any issues you would like raised on your behalf with the Contracts Service or alternatively you can contact the Contracts Service yourself.

Further reviews of your placement will be held throughout your stay in the care home to ensure that the placement remains a suitable option to meet your needs.

I am in an Assessment Bed or STAR Bed. Do I need to pay?

Yes – A charge will be applicable from the date of the completion of your care assessment, or after six (6) weeks, whichever date comes first.

A financial assessment will be undertaken to calculate how much you will have to pay towards your care.

Section 1
I have savings and investments of less than £36,750 and do not own property. What will I pay?

You will be entitled to local authority funding

The Fife Health and Social Care Partnership (FHSCP) will pay a standard rate to care home providers for those entitled to local authority funding, as long as they accept this rate and have a space for you.

FHSCP will enter into a contract with the Home for your care. The following are some of the clauses:

Trial period

If you wish to terminate your placement in the care home during the first 6 weeks of your stay you must give 7 days' written notice to the home.

During this notice period the Council will try to find an alternative home which you are happy with and that can meet your needs.

Conduct

You will be given a copy of the home's brochure. This includes rules and regulations which the home feels are important to ensure the safety and wellbeing of residents.

Insurance

Insurance for personal belongings may not be provided by the home, you may wish to take out your own insurance to cover these.

Complaints Procedure

Details of the home's complaints procedure should be explained to you. You also have a right to complain directly to the Council. A copy of the Council's complaints procedure is available from your Social Worker.

Termination

After 6 weeks you can end the contract, but you must give the home and the Council 14 days written notice that you are going to do so.

The Council can end the contract if:

- the fees due by someone other than the Council are unpaid for 8 weeks.
- the home does not, in the opinion of the Council, meet the requirements of the contract.

The home can end the contract if:

- it is agreed between the Council, the home and, confirmed in writing, by a Medical Practitioner, that the home can no longer meet your needs due to a deterioration in health. The home will have to give 7 days written notice to you and the Council.
- the resident's conduct is, in the reasonable opinion of the home and the Council, persistently unsociable to such an extent that it seriously affects the wellbeing of other residents. The Council will endeavour to find alternative accommodation for the resident within 14 days of the decision to end the contract.

If for any other reason the home wishes to terminate the contract, the appropriate period of notice must be given, this is usually 28 days

Top ups

If your chosen care home does not accept the standard rate, there may be an extra cost. This extra cost is known as third party top-up. This payment should not be paid by yourself, so you will need a willing third party to agree to these costs. They should sign a written agreement with the care home agreeing to pay those extra costs for the duration of your stay in the care home. This agreement is solely between the third party and the care home; FHSCP is in no way party to this agreement.

Assessed contribution

You will pay an assessed contribution towards the standard rate, based on your income and savings.

If you have indicated that your savings are below the current threshold of £36,750, then your Social Worker will request that a financial assessment is undertaken to assess how much you will pay towards your care home costs.

You or your representative will be asked to fill in a financial assessment form and provide us with photocopies of the following;

- Retirement Pension, Pension Age Disability Payment/Adult Disability Payment
- Pension Credit or any other Department for Work and Pensions Benefits
- Occupational or Personal Pensions
- Bank Accounts, Savings Accounts, etc. (6 months statements or passbook)
- Premium Bonds, Shares, National Savings Certificates
- Annuities, Savings Bonds, Income Bonds, Trusts, etc.
- Ownership of property
- Any other money or income that you may have

This list is not exhaustive, and you may be asked for further information.

You should contact the Long Term Care Financial Assessment Team (LTCFA) if you are having difficulties completing the form. Details can be found at the end of this booklet.

It is important that the information provided is accurate and up to date. We may confirm financial information from other departments within the Council.

Should you fail to complete the form, you will be charged the full cost of your care less any Free Personal and Nursing Care payments.

How we calculate your contribution

You are assessed on an individual basis.

Income that will be included are;

- State Pension, Pension Credit (Guaranteed and Savings) and any other benefits you receive
- Occupational Pensions, Personal Pension and Widows/Widowers Pensions
- any other income such as rental income
- Pension Age Disability Payment/Adult Disability Payment (Care Component) for the first four weeks of your stay in the care home as these benefits should stop after four weeks.

We do not include:

- half of your occupational or personal pension if your spouse/civil partner continues to live at home. Please note, this does not apply to your state pension.
- your husband, wife or partner's pension.
- the mobility component of Adult Disability Payment.
- up to £8.95 if your weekly income is more than the savings credit threshold of £208.07 or if you receive pension savings credit. We will add this to your weekly personal allowances. This is known as a savings disregard.
- War Pension is fully disregarded.
- Civilian War Injury Pension - £10 disregard.
- a personal allowance of £37.65 per week.

It is your responsibility or that of your financial representative to contact the Department for Work and Pensions directly to advise them of a move to a care home to discuss eligibility of benefits. Their telephone number is **0800 731 0469**.

You will be assessed based on you receiving the benefits you are entitled too, such as Pension Credit. If you are not receiving the benefits included in your assessment it is your responsibility to make a claim for the benefit. We will not refund you if you fail to claim.

Example

Albert has less than £22,750 in savings. His weekly income from his pension and Pension credit totals £238. Albert will pay £200.35 per week towards his care home costs.

Income	
State pension	£184.90
Pension Credit (Guaranteed)	£53.10
Total (A)	**£238.00**
Allowances	
Less Personal Allowance (B)	£37.65
Albert's weekly contribution (A-B)	**£200.35**

Personal Allowance/Outgoings

You will be able to keep a specified weekly amount for personal expenses. This is called the personal allowance. Personal allowance is set by the Scottish Government at £37.65 and is reviewed annually. The standard rate we pay to the care home should cover all your care needs, but you should check with the care home if you will have to pay any other charges such as outings, hairdressing, and activities.

As most of your income will go towards paying for your care, you should review any outgoings you have to ensure that you are able to pay your assessed contribution towards your care home fees.

Any periods you are not living in the home

You will continue to pay a contribution for any periods you are not living in the care home. This includes any stays in a hospital.

Paying your bills

You will be invoiced by FHSCP for your contribution towards your care home costs. The invoice will be raised from the date of entry up to the end of the financial year with an option to pay in monthly instalments. You will receive a new invoice yearly around April/May

If you have savings and investments between £22,750 and £36,750

We include savings and investments from:

- Bank, Building Society, Post Office and savings accounts
- Half of any jointly held accounts. If the joint account is with someone other than your spouse or partner, that person will need to show that they have paid money into the account
- Premium bonds (at purchase price)
- Shares (at the current market rate)
- National Savings Certificates
- Any other savings and investments

We may include:

- Savings or income bonds (full details will need to be provided)
- Money held in trust (we will need to see a copy of the trust deed)

Investments

We may be able to ignore your investment capital provided that you can prove that the investment includes an element of life insurance. We will check the date the investment was bought and only disregard this if it is not seen as deprivation of capital. (see page 15)

If you have savings and investments between £22,750 and £36,750, known as the lower and upper thresholds, you will also have to pay a contribution from your savings on top of your contribution from income. This is known as Tariff Income. Tariff Income is calculated at £1 a week extra for every £250 or part of £250 you have between £22,750 and £36,750.

When your savings reach £22,750 you will no longer pay a weekly charge from your savings, however you will still pay a contribution from your income.

Example

Sarah has an income of £167.90 and has savings of £28,000. Sarah will pay £151.25 per week towards her care home costs.

Income	
ESA support allowance	£95.55
ESA support component	£50.35
ESA enhanced disability premium	£22.00
Tariff Income from capital	£21.00
(£28,000 - £22,750 = £5,250 / £250)	
Total (A)	**£188.90**
Allowances	
Less Personal Allowance (B)	£37.65
Sarah's weekly contribution (A-B)	**£151.25**

Annual Financial Review/Change in Circumstances

If you have a change in circumstances or we receive additional information, we may need to reassess your assessed contribution. This re-assessment may be backdated to date of admission, for example if you advise that your capital levels were greater than previously advised.

We will review all residents contribution yearly in line with benefit increases. We may ask for additional information or up to date bank statements as part of this re-assessment.

You should advise the LTCFA team of any changes in circumstances that may affect your contribution, such as a death of a spouse, increase in capital or a change in relation to disregarded property. Contact details can be found at the end of this booklet.

Section 2
I have savings and investments of less than £36,750 and own property. What will I pay?

If the value of your savings and investments is less than £36,750, and you own or part own a property, you will be entitled to local authority funding for 12 weeks from the date of admission. This is known as a 12-week property disregard period.

Please follow section 1 pages 4 to 9 to see how you will be financially assessed for this 12-week period.

Following the 12-week property disregard period

Following the 12-week property disregard period, any property, land or buildings that you own will be treated as capital and their value will then be included in your total capital. If you own a part share in a property, only the value of your share is included.

We may decide not to include the value of your home if there is someone still living in your home.

This could include:

- Your husband, wife or partner
- A relative over 60
- A relative under 16 who you support financially
- A relative who is disabled
- A divorced or estranged partner who is a single parent with a dependent child
- The person who looked after you before you moved into the care home if they had given up their own home to move in and care for you.

Please note we may request evidence of the above including how long someone has been living in your home as well as contacting other departments within Fife Council.

If the inclusion of this capital results in your capital being above the upper threshold of £36,750, you will be deemed to be self-funding from week 13, whether or not your home has been sold. You will be responsible for the full cost of your care, less any Free Personal Care or Free Personal and Nursing Care. **Please see section 3.**

If you sell your home within the 12-week funding period, you will be considered self-funding from the date of sale. **Please see section 3.**

Deferred Payment Agreement

A Deferred Payment Agreement is a loan from the Local Authority to fund part of your care costs.

You can apply for a Deferred Payment Agreement when your capital (excluding the value of your home) falls below £22,750 and any 12-week funding has ended.

To be considered for a Deferred Payment Agreement, you must contact the LTCFA team to see if you meet the criteria. You must be the legal owner or part owner of the property, and the Council must be satisfied that a Charging Order can be placed against the property as a means of security for the loan.

During the Deferred Payment term, you will pay an assessed contribution towards your care based on your income and savings, as per section 1. The Council will pay the balance of the fees up to our standard rate, as a loan. This will be repaid on sale of the property or from your Estate.

If the care home charges more than our standard rate you will have to make your own arrangement with the care home to meet the extra “top up” costs.

Section 3
I have savings and investments of more than £36,750. What will I pay?

You will be self-funding

If the total value of your savings, investments and property exceeds £36,750 you will be deemed to be self-funding and responsible for the full cost of your care home fees less any entitlement to Free Personal Care or Free Personal and Nursing Care payments.

You may be entitled to Free Personal Care (worth £260.30 per week) or Free Personal and Nursing Care (worth £377.40 per week) if you have been assessed by Fife Council and meet the criteria. The Council will pay these amounts directly to the care home, once funding has been approved.

N.B. This allowance is not payable if you are absent from the care home for more than fourteen days. You will need to notify Fife Council if this happens.

When the total value of your savings and investments is approaching £50,000 you must notify us that funds are nearing the threshold and request a financial assessment to assess your eligibility to Local authority funding.

Funding cannot be backdated – it is therefore vital that contact is made before funds hit the upper threshold of £36,750. This threshold is reviewed annually; it is your responsibility to contact Fife HSCP to establish the current threshold limit.

You can do this by emailing LTCFA@fife.gov.uk or by phoning 03451 55 11 55 option 6 you should advise the Care Home in writing that you are nearing the threshold and have approached Fife Council for funding. A Financial Assessment will be carried out to determine the date of funding and calculate the contribution towards care home costs.

We will calculate the date your funds will hit the upper threshold of £36,750 and this will be the date you are eligible for Local authority funding. You will then pay an assessed contribution based on your income and savings directly to Fife Council.

Please follow section 1 pages 4 to 9 to see how you will be financially assessed once funded by FHSCP.

If you own a property, you will not be eligible for help unless we disregard the property from the financial assessment. Once capital hit the lower threshold of £22,750 a request for a Deferred Payment Agreement may be considered.

See page 11.

Depriving yourself of capital

When deciding if you are entitled to financial help, we will consider any transfer of capital or assets, and whether this was done to deliberately deprive yourself of capital to avoid paying care home fees (including to reduce Tariff Income)

Families may want to pass on savings and other capital, such as property to family members or others. Before deciding to transfer your home or capital, it is important to consider the following points:

- If we find that you have deliberately deprived yourself of capital to avoid paying care home fees, you will be assessed as if you still own it; this is known as 'notional capital'.
- If actual and notional capital exceeds the upper threshold of £36,750, we will not fund your care costs until it falls below this amount.
- When considering if you have deliberately deprived yourself of capital, we would usually consider transfers that have taken place within seven years of a move to a care home, unless evidence exists that indicates you were aware that residential or nursing care was likely to be required in the foreseeable future;
- If your capital or assets are transferred within six months of you needing residential/nursing care or whilst you were in care, we will invoice the person who received the transfer to pay for part of your care costs.

If your capital or assets are transferred within six months of you needing residential/nursing care or whilst you were in care, we will invoice the person who received the transfer to pay for part of your care costs.

Examples of deliberately depriving yourself of capital, may include:

- A lump-sum payment, such as a gift. (Please note the £3,000 gift allowance in relation to annual exemptions for Inheritance Tax does not apply to financial assessments)
- Large spending or living extravagantly, such as an expensive holiday or following a much higher standard of living than you could normally afford
- The transfer of title deeds to a person or a trust
- The transfer of money to a trust which cannot be revoked
- Money has been changed into another form that we would normally disregard, such as purchasing expensive jewellery
- Capital has been used to buy an investment bond with life insurance.

How do we decide?

There may be several reasons why you transferred capital assets, and we will consider each of them to determine if avoiding care costs was a significant factor.

The **timing** of any transfers of capital or assets and the circumstances leading up to the transfer will be considered. Using evidence that is available to us, we will consider how **healthy you were at the time** of the transfer and whether it was **foreseeable** at the time of the transfer that there may be a need for care or a move to a care home in the future.

To consider Notional Capital we will consider the following;

- Your health at the time of the transfer
- whether you have been assessed as requiring or were in receipt of certain Social Care Services at the time of the transfer
- Whether you have executed a Power of Attorney which, when considered together with the factors relating to health, may indicate that some decline in capacity is anticipated

Example

5 months prior to entering a care home, Beth transfers £20,000 in capital to her son John as a gift, which reduced her capital from £50,000 to £30,000.

At the time of the transfer, Beth was having frequent falls and was in receipt of a care at home package. At the time of the transfer, it was foreseeable that there may be a need for a move to a care home in the future. It was concluded that there were several reasons for the transfer, however there was enough evidence to suggest that avoiding care costs was a significant factor.

The options for Beth are:

- Beth's choice of care home accepts our standard rates
- Beth is still eligible for Free Personal Care or Free Personal and Nursing Care payments
- Beth will be financially assessed (as per section 1) to determine her weekly contribution to her care home costs. She will remain entitled to her personal allowance of £37.65
- As the transfer took place within 6 months, the recipient John will be invoiced for the shortfall up to the standard rate and be liable for this debt
- We will not fund Beth's care costs until such time as the Notional fees John pays reduce his capital (notional plus actual) to under £36,750

Beth's Financial Assessment

Income	
State pension	£184.90
Pension Credit (Guaranteed)	£53.10
Total (A)	**£238.00**
Allowances	
Less Personal Allowance (B)	£37.65
Beth's weekly contribution (A-B)	**£200.35**

Notional costs	
Weekly standard room rate (A)	£1,074.13
Less Free Personal Nursing Care (B)	£377.40
Total (A-B)	**£696.73**
Less Beth contribution (C)	£200.35
Beth's weekly Notional costs to be invoiced to John (A-B-C)	**£496.38**

If you disagree with us

Where we have included Notional Capital in your assessment, you can appeal our decision by contacting us in writing with your reasons.

If you remain unhappy with the decision following your appeal, you can make a formal complaint to our complaints department. Formal complaints can be submitted by visiting:

www.fife.gov.uk/kb/docs/articles/have-your-say2/make-a-complaint

Should you remain dissatisfied with the outcome of our investigation and response, you can ask the Scottish Public Services Ombudsman (SPSO) to look at your complaint.

Acting on someone's behalf

If there is no power of attorney in place, and you wish to assist someone in managing their finances, several options are available to you.

It is crucial to establish these arrangements promptly to prevent the individual moving into the care home from accruing a debt.

Available Options:

Appointee Application to the Department for Work and Pensions: You may apply to become an appointee, allowing benefits, including the state retirement pension, to be paid into an account of your choice. You will then be responsible for paying the care home bills and ensuring the resident receives their personal allowance. The **Department for Work and Pensions can be contacted on: 0800 731 0469.**

Corporate Appointee Application: In cases where no individual is willing to manage the resident's finances, we can apply to become a corporate appointee.

Guardianship Order Application to the Office of the Public Guardian (Scotland): You may apply for a Guardianship order, which authorizes a person to take action or make decisions on behalf of an adult with incapacity concerning their finances, welfare, or both.

Please inform us if you are applying for power of attorney or financial guardianship on behalf of someone and keep us updated on the progress. Further information can be obtained from the Office of the Public Guardian (Scotland) via their website **www.publicguardian-scotland.gov.uk** or by calling **01324 678300**.

Contact Details

Long Term Care Financial Assessment Team (LTCFA)

Email: **LTCFA@fife.gov.uk**

Telephone: **03451 551155 Option 6**

Web: **www.fifehealthandsocialcare.org**

Address:

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The Council's Data Protection Officer can be contacted at:

dataprotection@fife.gov.uk

Alternative Formats

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Fife Council and NHS Fife are supporting the people of Fife together through Fife's Health and Social Care Partnership. To find out more visit **www.fifehealthandsocialcare.org**

Fife Health & Social Care Partnership