

Glossary of Terms

This glossary contains terms used by social care teams working within Worcestershire County Council's Adult Services and Health. The focus of the glossary is on the financial assessment pathway and the terms, which we refer to. An explanation of each term is provided.

There are cross-references shown in bold italics where the glossary contains another term that has some connection with the one being read. Some terms have relevant website addresses included at the end of the explanation.

Appointee

A person or an organisation, appointed by the Department of Works and Pensions, who can manage your welfare benefits if you are not able to do so yourself. As an appointee your authority is limited to liaising with The Department of Works and Pensions and also Worcestershire County Council, there is no legal authority in place.

Capital

Capital may include investments, savings or property. If you have *liquid capital* above the *capital limit/capital threshold*, you must pay the full cost of your social care services. If your liquid capital is below this limit, you will be eligible for financial assistance from the local authority, subject to an assessment of what you are able to pay towards your care i.e. your *client contribution*.

Capital Limit/Capital Threshold

Capital Limit is defined as a specific amount of money which you must be below to be entitled to financial assistance from the local authority with your care costs.

Client Charging Notification

The Client Charging Notification is a form used for you to confirm you agree for us to access information from the Department of Works and Pensions. The form also allows you to nominate a *financial representative*. Within the form you will need to advise whether your *capital* is under, over the *capital threshold* or you do not wish to disclose your finances. The form must be signed by the service user, Power of Attorney, Deputy or Appointee.

Client Contribution

Is the amount you have been assessed to pay as a result of your financial assessment. The client contribution will be a weekly figure that you will be asked to contribute. Depending on the care package you receive, you will be asked to pay your contribution in different ways, please refer to *financial assessment result letter* you receive.

Choice of Accommodation & Top-Up Payments (also known as Above Banding Supplements)

If you are receiving local authority support with the cost of your care and you need to live in a certain place to receive that care, such as a care home, you have the right to choose where you live (choice of accommodation).

You may choose a care home that is more expensive than the amount set out in your personal budget. If you do, a third party such as a relative or friend must be willing and able to pay the difference in cost for the likely duration of your stay. This is known as a top-up payment.

Where a person agrees to enter into a top-up payment, they will need to sign a written agreement with the local authority. This will set out what the costs are, how often they have to be paid, and what will happen if the person is no longer able to make the payment.

Declaration

Is used in two ways; for you to confirm that you agree with the information you have provided in the *financial assessment form* and for you to confirm that you agree with the financial assessment information provided in the *telephone assessment*. By signing the declaration you are agreeing the figures provided are correct and therefore agree to pay the *client contribution*. Once this is returned the financial assessment process is complete.

Deputy

Someone appointed by the Court of Protection to manage your property and financial affairs and/or to make welfare decisions on your behalf if you lack *mental capacity* to do so.

Financial Assessment

The financial assessment is used to establish if you need to contribute to your care package cost, depending on your individual financial circumstances. There are two ways we can complete a financial assessment;

- *Financial Assessment Form*
- *Telephone Assessment*

Financial Assessment Form

Is one of the ways we can financially assess you for your *client contribution*. The form is used to gather your financial information to allow us to assess if you are required to pay anything towards your care costs. This form should be provided by your social worker but returned to the Benefits and Contributions Team. On receipt of the financial assessment form you will have 2 weeks to return the completed form. You will receive the result of the financial assessment in writing, known as the *financial assessment result letter*.

Financial Assessment Result Letter

Is the letter you will receive once the *financial assessment* is complete, it will confirm the figures provided in either the *telephone assessment* or *financial assessment form* and provide you with your client contribution. Within the letter it will inform you how much you need to contribute per week and who to pay this to.

Financial Representative

A person you ask us to talk to in regards to your care and finances. You will need to inform us of who this is, when you complete the *Client Charging Notification*, which will be provided by your social worker. If you wish to withdraw, change or add a financial representatives for us to talk to, you will need to send a letter advising us of this, ensuring within the letter you have printed and signed your name. This person cannot make decisions on your behalf.

Lasting Power of Attorney (formerly Enduring Power of Attorney before 2007)

An Enduring Power of Attorney allows the attorney to manage your property and financial affairs but not personal welfare. An Enduring Power of Attorney can be used even if you still have mental capacity. If

you lose mental capacity then the Enduring Power of Attorney must be registered with the Office of the Public Guardian before it can continue to be used. Since October 2007 applications for an Enduring Power of Attorney can no longer be made. Enduring Power of Attorney made before this date remains valid, whether registered or not.

In October 2007 Enduring Power of Attorney was replaced with Lasting Power of Attorney. There are two types of Lasting Power of Attorney's, health and welfare being the first and property and financial affairs being the second. In order to be used for property and financial affairs Lasting Power of Attorney's must be registered with the Office of the Public Guardian. Once registered, it can be used whether the person has mental capacity or not. A personal welfare Lasting Power of Attorney must also be registered, however it cannot be used until the person has lost mental capacity.

Capital

Capital is any money held in accounts such as current/saving or post office accounts. Capital also includes ISA's and income bonds. This list is not exhaustive but provides an idea of types of money we consider to be capital.

Mental Capacity

This is the mental ability to understand the nature and effect of your actions and to make decisions that may have legal consequences for yourself and/or for others affected by the decision. It is assumed anyone over the age of 16 has capacity unless proven otherwise. See link below for further information: http://www.dls.org.uk/advice/factsheet/community_care/mental_capacity/Mental_Capacity.pdf

Telephone Assessment

Is an alternative way to complete the financial assessment, if you do not wish to complete the *financial assessment form*. You will need to contact the Benefits and Contributions Team to arrange this. The required financial information is taken over the telephone by one of our Benefits and Contributions Officers. Once all the information is gathered you will be sent the *financial assessment result letter*. Please note you may be asked to provide supporting documentation before the *client contribution* is confirmed.