

Additional charges third party (top-up) payments

Some independent care homes charge fees which are higher than the usual amount that Social Services can contribute.

The maximum amount that Social Services can contribute is often referred to as 'the standard charge'. If Social Services is contributing towards your care home fees, and you choose to move into a home which charges a higher fee, the difference between the two amounts is paid by a third party, usually a relative. Third party payments are sometimes referred to as 'top up' payments/additional costs.

Who can make a third-party payment?

As the name suggests, this payment is made by someone other than yourself or Social Services. This can be a relative or friend.

The general rule is that you cannot use your own money to fund a third-party payment.

However, in certain specific circumstances you may make a third-party payment from your own capital. These are:

- When you are eligible for the 12-week property disregard; or
- Where Social Services has agreed to a deferred payment until your house is sold.

We recommend that you seek independent financial and legal advice if you are considering these options.

Apart from these circumstances, there are no clear guidelines available on what is allowable in all circumstances and how you can use your own money. If you need further advice about how a top up to your care home fees might be arranged, please discuss this with your care manager.

How do the arrangements work?

If you move to a care home where a third-party payment is required, the person who will make the third-party payment on your behalf must sign a contract with Social Services before the contract with the care home is signed. In doing so, they must confirm that they have the financial means to make the third-party payments (including any future increases) for the whole time you will live at the care home.

Payment is made direct to the care home.

If the third party fails to keep to the commitment to pay the agreed amount, then you may have to move to a new care home where the fees are within the Social Services “standard costs”.

Can a third-party payment be required after entering a care home?

If you are already resident in a care home, and no third-party agreement was required at the time you became a resident, the care home may seek to introduce a third-party payment at a later date. Such changes in arrangements will require the drawing up of a new contract and will require the agreement of all parties. As such this will mean the existing agreement will end and you will be entitled to 28 days notice in such an event.

What happens if the care home fees increase?

It is usual for the fees charged by care homes to increase each year. The amount that Social Services can contribute to your fees may not increase at the same rate as the home fees increase.

What happens if we are no longer able to pay the third-party payment?

If the person making the third-party payment begins to have difficulty with the arrangement it is important that they contact Social Services as soon as possible.

As detailed in the third-party agreement, this may result in the care home resident having to move to other accommodation, subject to a full assessment of their care needs. Once contacted, Social Services will arrange a review of those needs and financial arrangements for ongoing support.