



## Adult Social Care Third Party Top-Ups

### What is a third party top up?

Some independent care homes charge fees which are higher than the usual amount that Westmorland and Furness Council will pay. For a list of the independent residential care usual prices agreed by Westmorland and Furness Council please see our Schedule of Fees and Charges. If Westmorland and Furness Council is contributing towards your care home fees, and you choose to move in to 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 often referred to as 'top-up' payments. The third party payment is in addition to the weekly contribution the customer will be asked to make towards the cost of their care.

### Who can make a third party payment?

As the name suggests, this payment is made by someone other than you. This can be a relative or friend or in some cases Westmorland and Furness Council.

The general rule is that you cannot use your own money to fund a third party top-up. However there are exceptions to this:

- You can only contribute towards your own third party contribution if you own a property and it is being disregarded for up to 12 weeks for financial assessment purposes.
- If you own a property and have a Deferred Payment Agreement with Westmorland and Furness Council.

We recommend that you seek independent financial and legal advice if you are considering a third party top-up.

In some circumstances Westmorland and Furness Council will meet the difference between our usual price and the higher cost of a chosen care home. We would only do this if you have particular needs which cannot be met in accommodation at our usual price or if market pressures mean that there are no homes in the area accepting residents at our usual price.

### How do the arrangements work?

If you choose to move to a care home where a third party top-up is required, the person who will make the third party top-up on your behalf must sign an agreement with Westmorland and Furness Council. By signing this agreement the third party is demonstrating that they are 'able and willing' to make these payments.

The third party agrees to pay the difference between the usual charge Westmorland and Furness Council pay for such residential care and the actual charge. The third party agrees to pay this amount every four weeks following receipt of an invoice from Westmorland and Furness Council. The preferred method of payment is by direct debit and this can be set up so that payments are made at four weekly intervals direct to Westmorland and Furness Council.

### What happens if the care home fees increase?

It is usual for the fees charged by care homes to increase each year. The usual price agreed by Westmorland and Furness Council is reviewed on an annual basis however there are no guarantees that Westmorland and Furness Council will increase their usual price for residential care or increase in line with fees charged by care homes. By signing an agreement the third party acknowledges that the usual charge paid by Westmorland and Furness Council and the actual charge levied by the home may vary from time to time and they agree to pay the difference between the two charges for the duration of the customer's stay at the home.



### What happens if the care home approaches the third party direct for a top-up?

Where Westmorland and Furness Council are contracting with a care home they are not permitted to approach service users or any third party for any payments towards the costs of services provided.

### What happens if the third party is no longer able to pay the top-up?

If the person making the third party top-up begins to have difficulty with the arrangement it is important that they contact their local Adult Social Care team as soon as possible. If payments cannot be maintained 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, Adult Social Care will arrange a review of the person's care and support needs and financial arrangements for ongoing support.

Where a third party fails to pay their top-up the Council will pursue enforcement options to collect the amount owing.

### How to contact Community Finance:

If you live in the **Eden area**, call:

**01768 812244**

Or you can email

**eden.cfo@westmorlandandfurness.gov.uk**

If you live in the **Barrow and Ulverston area**, call:

**01229 407486**

Or you can email

**fcfo.Mailbox@westmorlandandfurness.gov.uk**

If you live in the **South Lakes area**, call:

**01539 713287**

Or you can email

**southlakes.cfo@westmorlandandfurness.gov.uk**

If you have an **emergency** during office hours, contact your practitioner or your local Adult Social Care office. We are open 9.00am to 5.00pm Monday to Thursday and 9.00am to 4.30pm on Friday.

**If you have an emergency when our offices are closed, ring our Emergency Duty Team on 01228 526690.** They cover the whole of Cumbria and work overnight, at weekends and bank holidays.

If you require this document in another format (eg CD, audio cassette, Braille or large type) or in another language, please telephone **01228 227113**

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如果您希望通过母语了解此信息, 请致电 01228 227113

Jeigu norétumėte gauti šią informaciją savo kalba, skambinkite telefonu 01228 227113

W celu uzyskania informacji w Państwa języku proszę zatelefonować pod numer 01228 227113

Se quiser aceder a esta informação na sua língua, telefone para o 01228 227113

Bu bilgiyi kendi dilinizde görmek istiyorsanız lütfen 01228 227113 numaralı telefonu arayınız

**May 2023**