

Your Legal Questions

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As they are such a cause of concern, I am continuing to answer some of the most commonly asked questions relating to care home funding. I would, however, always recommend seeking independent advice.

Q. Is there any financial help I can claim that is not means tested?

A. If you are self funding, Attendance Allowance is a non means tested, non taxable benefit paid at the lower rate of £47.10 per week for anyone needing care in the day OR night and £70.35 per week for anyone needing care in the day AND night. Also, if you receive nursing care in a care home, you may be entitled to an NHS Nursing Care contribution towards registered nursing care, currently £106.30 per week. If you need primary health care, you may be entitled to full funding from your local Primary Care Trust under their Continuing Care eligibility criteria.

Q. What happens if I run out of money?

A. Once your capital reduces to £23,000, you can seek Local Authority (L.A.) assistance. If the home costs more than the L. A. usually pays, and will not reduce its fees, you could be in the difficult position of having to move to cheaper accommodation unless a third party contribution is forthcoming.

If running out of funds is likely, you should arrange a L. A. Assessment to make sure that the L. A. will step in to help and check that the home owner can continue to accommodate you at L. A. funding rates.

Q. My partner needs care, how does this affect me?

A. Only the partner receiving care should be means tested. Property occupied by a partner is disregarded and only 50% of any private pension should be taken into account. The L.A will take into account also 50% of any joint savings.

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