

**HAILSHAM HOUSE CARE SUITES  
(FOR PEOPLE WITH MODERATE/SEVERE DEMENTIA  
WHOSE PERSONAL BUDGET WOULD BE AT LEAST £375 PER WEEK)**

**Financial Protocols for making arrangements for a Direct Payment at  
Hailsham House Care Suites where the person has a Tenancy Agreement**

The Hailsham House Care Suite model is a new concept which aims to offer high quality care using Self Directed Support and which enables residents with moderate/severe dementia to draw on a number of funding streams. The service is targeted specifically at residents who would otherwise need to be placed in an EMI nursing home.

The scheme has studio and one bedroom suites (suitable for couples if required) and they all provide three additional features which cannot be provided in normal sized bedroom-based accommodation:

1. Kitchen unit and fridge (with optional cooker if required)
2. Dining table
3. Seating for several visitors

The suites are available with a Tenancy Agreement, and there is also an option for residents to purchase their suite on a 125 year lease. The aim is to have a cross-section of residents who reflect the local community. This means there will be a range of private and Local Authority funded residents.

The basis of charging is the Fairer Contribution Policy and not under CRAG which is for residential care because people will have a tenancy and may therefore, be able to claim housing benefits, DLA/AA, etc.

The concept is similar in many ways to that of Extra Care Housing. However, rather than paying for care at an hourly rate, a Direct Payment is offered. The person receives a Direct Payment from East Sussex County Council to the value of £392.00 per week (2016/2017) less their assessed charge so long as they are assessed as having care needs that include EMI/dementia at a level that would otherwise require a residential care setting. The assessed contribution based on Fairer Contribution for home care and other non-residential services will be deducted.

The person will be enabled to access all the benefits they are entitled to and will enter into an arrangement with the Hailsham House to pay the following: -

<b>Cost Element</b>	<b>Amount per Week</b>
Rent	£116.53
Service Charge	£150
Food & Drink	£40
Personal Care	£392
<b>Total Charge</b>	<b>£698.53</b>

The above figures are for 2016/17 and may need to change in line with payable benefits. If there are nursing needs the RNCC is paid on top of this directly by the NHS. The Service Charge figure covers all costs other than care and food and drink but excludes personal costs such as alcohol, cigarettes, chiropody, personal toiletries and newspapers. It does include all utility costs such as heat, light, water, cleaning, grounds and building maintenance, tv licence, telephone standing charges (but not outgoing call costs) and broadband, cleaning, laundry, waste disposal, insurance and general domestic arrangements etc.

In order for people to be eligible for this service they need to be assessed as needing care and support that is commensurate with the level otherwise provided in residential accommodation with nursing. The Council will only accept responsibility for people once they have been assessed as eligible for services and the service user or their representative have been able to put a process in place to manage the Direct Payment and the contractual arrangements that will be needed with Hailsham House.

In order for a person to sign a tenancy agreement they must have capacity or have a Registered Lasting Power of Attorney for Property and Affairs or a Deputyship awarded by the Court of Protection in place. Further information about this is at the end of this document.

If a person lacks capacity and neither instrument is in place, then they cannot sign or have an agreement signed on their behalf. A person placed must have a suitable person willing and able to manage their Direct Payment and an authorised financial representative to manage their affairs e.g. registered power of attorney In line with Public Guardianship Office Guidance.

### **Direct Payment Arrangements**

We will always make the payment for the care service by Direct Payment, net of the client contribution. This can be either to an account managed by Hailsham House if the person has capacity or their representative. For advice about this please contact the Service Placement Team on 01323 464060.

### **Fairer Contribution Issues**

Our financial assessment team will be able to provide specific advice about the issues regarding people's financial assessment for the Care Suites at Hailsham House. Please call 01323 464699 to discuss particular client's circumstances to ensure that the correct advice is given.

### **If a resident goes into hospital**

The Direct Payment should continue for up to 14 days when someone is admitted to hospital. The tenant will continue to be liable for the service charge and rent provided they are able to access sufficient benefits or have the income to pay these costs. The provider or the client representative will notify the benefits agencies and the Council of any change in a client's circumstances. Most benefits will change or cease after 28 days in hospital.

## **Issues with Couples**

If one partner in a couple is going to be placed in the Care Suites there will be an impact on the financial circumstances of the person who remains in the family home. This may be positive or negative and this will be dealt with by the Financial Assessment Team at the financial assessment visit. Note that the Care Suites can accept couples.

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## **INFORMATION ABOUT POWER OF ATTORNEY**

Lasting power of attorney (LPA) lets you appoint someone to manage your affairs in the future if you are no longer able to. This could happen if, for example, you were ill, had an accident or no longer had the mental capacity to look after your own affairs.

### **Types of LPA**

There are two types of LPA. You can choose to have one or both of these.

- **Property and financial affairs** – lets you choose someone to make decisions about your money and property.
- **Health and welfare** – lets you choose someone to make decisions about your health and welfare.

As it is such an important decision, you should consider getting independent legal advice from a solicitor (who can also give you the forms) or Citizens Advice.

- Managing affairs for someone else in England – Citizens Advice

### **Arranging LPA in advance**

You can arrange an LPA before you actually need it. For example, you may have been diagnosed as having a mental illness or a degenerative brain disease that may lead to mental incapacity such as Alzheimer's.

An LPA can give you the opportunity to have a say about your future. It will also make it easier for your LPA to act on your behalf if necessary, for example if they need to pay bills for you or help you find a care home.

### **If you care for someone who hasn't arranged an LPA**

If someone you care for is, or is becoming, mentally incapable and you want to manage their financial affairs, you will need to apply to the Court of Protection.

- Court of Protection – DirectGov
- Legal Aid – Legal Service Commission

### **Enduring power of attorney**

Before 1 October 2007, power of attorney was arranged using an Enduring Power of Attorney (EPA).

If you asked a person to be your EPA before 1 October 2007 they can still use it and apply to have it registered.

- Enduring Power of Attorney – Direct Gov

### **Further information**

Useful advice on how to choose and register a Lasting Power of Attorney:

- Mental capacity and planning ahead – Directgov

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