Choice of accommodation and Third Party Top Ups

What you need to know
Who is this leaflet for?

This information is important if you or a friend or relative will be moving into a care home setting and Hampshire County Council Adult Services are contributing to the cost of your care.

You may be looking at which care home you would like to choose.

Adult Services will have undertaken a care planning process and prepared a ‘personal budget’ for you that will cover the cost of meeting your eligible care and support needs.

The amount in your personal budget must be sufficient to meet your assessed eligible needs and ensure that you have at least one choice of setting that is affordable within that amount.

However, you might wish to choose accommodation that costs more than the amount in your personal budget.

If you do, a payment will need to be made to pay the difference between the care home’s fees and your personal budget. These are called Top Up Payments.

This top up payment is in addition to both the financial contribution required to be paid by the person receiving the care and to the amount the Council is contributing towards the care.

If you are considering choosing accommodation that is more expensive than your personal budget, this leaflet contains important information which you need to know about Top Up Payments (sometimes called Additional Payments).
Who can make a Top Up Payment?
There are Government rules about who can pay a Top Up and in most circumstances you are not allowed to pay it yourself if you are the person receiving care. This leaflet covers Top Up Payments made by someone else.

A Top Up Payment may be made by a friend or relative of the person who receives the care or, in some cases, by a charity. The person making the Top Up Payment is often called the Third Party as they are not the Council and are not the service user. Third Parties are often a member of the service user’s family but this is not a requirement. The Third Party Top Up Payment is made from the funds of the Third Party.

When might a Top Up Payment be considered?
The Council will meet the eligible needs of the person requiring care in a care home. The Council will state how much the Council considers is required to pay for care in the person’s personal budget and will offer at least one care home that is available to provide the care to meet the person’s eligible needs at that amount.

A Top Up Payment may be considered if, for example, a family member requests that care be provided in a more expensive home than the one on offer from the Council, or that a more expensive room be provided in the home that has been offered by the Council.

The Council will need to know that anyone offering to make a Top Up Payment is able to do so. The Third Party may wish to complete an optional financial questionnaire to help them decide if they have sufficient resources to sustain the payments. This questionnaire is available from the person you have been dealing with at Hampshire County Council.
How is a Top Up Payment arranged?

If you decide you wish to make a Top Up Payment, and the Council has agreed to enter into the agreement, you will be given two copies of the proposed Deed together with a letter and copy of this leaflet for your consideration. The Council suggests that you seek legal advice before deciding whether to sign the Deed.

If you decide to enter into this arrangement and make payments from your own money, you will be asked to sign both copies of the Deed and return it to the person you have been dealing with at Hampshire County Council. Both copies will then be signed by Hampshire County Council and one copy sent to you for your records.

As stated in the Deed, if you are unable to continue the payments or if the payments cease for any reason the Council reserves the right to move the service user to a less expensive care home that can meet their needs.

Further information

If you need further information, speak to your care practitioner or contact the Adult Services department:

Telephone: 0300 555 1386
Email: adult.services@hants.gov.uk
Web: www.hants.gov.uk/adult-services

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