

Cheshire West & Chester Council


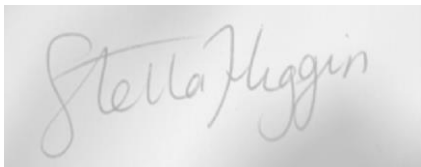
Top-Up Practice Guidance Residential & Nursing Care Home Placements



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Cheshire West
and Chester

REVIEW SHEET			
Version:	2	Date Reviewed:	13-11-2024
Next Planned Review:	3 yearly, or sooner as required		
Reason for this review:	Scheduled review		
Were changes made:	Yes		
Summary:	This policy has undergone a schedule review, and changes have been made to the Top-Up Policy.		
Responsible Officer / Author(s):	Simon Smith / Nathan Meech		
Responsible Senior Manager(s):	Phil Green		
Responsible Senior Manager(s) Signature:			
Service Area:	Adult Social Care		
Director Assistant Director Signature:			
Date Approved:	13.11.2024		
Action/s following approval:	<ul style="list-style-type: none"> • Encourage sharing the policy through the use of team meetings and supervisions • Ensure relevant staff are aware of the content of the whole policy 		
Location of Document:	Tri.X		

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DEFINITIONS

1st Party Top-Up

If the Council help to pay towards the cost of a person's care, the person will be given at least one suitable care home placement choice within their Personal Budget amount. If the person chooses a more expensive care home placement, there are specific circumstances they can contribute towards the cost in addition to their Assessed Contribution, this is known as a 1st Party Top-Up. A Financial Assessment should be completed prior to a 1st Party Top-Up been agreed.

A 1st Party Top-Up is made by the person themselves; this is in addition to their Assessed Contribution; they can do this in specific circumstances:

- Where the person is subject to a 12-week property disregard.
- Where the person has a deferred payment agreement in place with the Council.
- Where the person is receiving accommodation provided under Section 117 for Mental Health Aftercare.

3rd Party Top-Up

If the Council help to pay towards the cost of a person's care, the person will be given at least one suitable care home placement choice within their Personal Budget amount. If the person chooses a more expensive care home placement, they must arrange for someone else to contribute towards the cost. This is known as a 3rd Party Top-Up. A 3rd Party Top-Up is made by someone other than the person receiving the care (the 1st party), this is often a family member, friend, or charitable organisation.

The person paying the Top-Up may receive contributions from other people e.g., other family members, however it is the person paying the Top-Up who is ultimately responsible for ensuring the agreed amount is paid.

The Council is responsible for ensuring that the care home placement of choice meets the persons needs which will have been identified in the Care and Support Plan.

ROLES AND RESPONSIBILITIES

Social Care Worker

- The Social Care Worker must complete a Strength Based Assessment to establish a person's eligibility.

A person will meet the criteria if:

- Their needs are caused by a physical or mental impairment.
 - As a result of their needs, they are unable to achieve 2 or more of the specified outcomes.
 - As a consequence, there is likely to be a significant impact on the persons wellbeing.
- The Social Care Worker must consider all available options for meeting the persons Eligible Needs. The Social Care Worker should use the Community Led Support Resource Wheel to support this decision-making process. Only in cases where there is no other way to meet the persons Eligible Needs should a care home placement be considered.



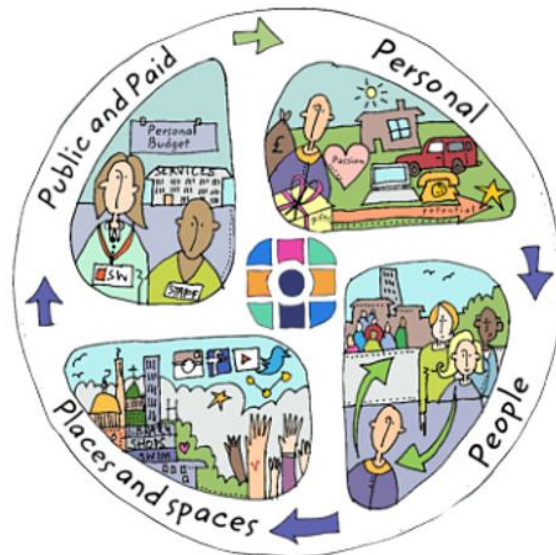
Traditional care at home and care homes should be a last resort.

Think:

- Pathway to Independence Team
- Reablement Team/ Mental Health In-Reach
- Assistive technology/ telecare
- Aids and adaptations
- Shared Lives
- Micro-enterprises – <https://www.communitycatalysts.co.uk/smallgoodstuff/>
- Direct payments
- Care at home
- Extra care housing/ supported living
- Care home placement
- Continuing HealthCare (CHC)

Cheshire West and Chester has a diverse community, voluntary and faith sector.

- Use relationships you develop at Let's Talk and Community Partnership Steering Groups to find out more.
- Spend time visiting things that happen in the local community to understand what's on offer.
- Use Live Well, social media [etc](#)



What is the person able to do?

- What do they currently have? (assets/ resources)
- What can they begin to do for themselves?
- What can they afford? Are they getting the right benefits?

Think about a person's physical and mental health strengths, their life experience, and skills that they have, and importantly what they enjoy doing.

What do these people do/ what could they do?

- Family
- Friends
- Neighbours

- *If a person lacks the mental capacity to decide how their Eligible Needs should be met, there must be a clear record in the case notes of a capacity assessment and a Best Interest Decision on the Case Management System (Liquid Logic). If a person lacks capacity and requires a care home placement the Social Care Worker should inform the admitting home that a DOLS referral should be made as soon as possible.*
- The Social Care Worker must explain to the person and those important to them, that the care home placement is chargeable and subject to a Financial Assessment and refer for a Financial Assessment.
- Legal advice should be sought if there is any dispute about the need for a care home placement raised by the person or those important to them.
- The Social Care Worker must consider Local Authority responsibilities for protection of property if the person is leaving an empty home.
- The Social Care Worker must discuss a 1st (where appropriate) and 3rd Party Top-Up with the person at the earliest opportunity once a person has been assessed as eligible for requiring a care home placement. The Social Care Worker must make clear that the Top-Up payment is in addition to both the Assessed Contribution (with exception to Section 117 cases) that may be required to be paid by the person receiving the care and to the amount in the persons Personal Budget. If the person wishes to pay a 1st Party Top-Up the Financial Assessment must have been completed.
- The Social Care Worker must direct the person or those important to them to the Residential and Nursing Care page on the Cheshire West and Chester Council website, where they can find out more about Top-Ups and care and support payments. [Residential and nursing care | Cheshire West and Chester Council](#). If a person is unable to access online resources, the Social Care Worker must provide an alternative format which is accessible to the person.



- The Social Care Worker will send the case to Resource Panel for approval.
- Once all above actions are complete the Social Care Worker must load the Care Plan onto Liquid Logic and send through a brokerage request to the Care Connections Service on the Case Management System (Liquid Logic) including any information relating to Top-Ups.
- The Social Care Worker must document the above actions in the persons case notes on the Case Management System (Liquid Logic).

Care Connections Service

- The Care Connector must discuss a Top-Up with the person at the earliest opportunity, If there is an available, more cost-effective option. The Top-Up payment required will be the difference between the preferred option and the more cost effective one that is available on the day. The person will be supported to understand that the Top-Up payment must be made by someone other than the person and is in addition to the financially assessed contribution.
- If a person/ the person identified to pay the Top-Up agrees, the following steps must be taken by the Care Connections Team.
 - Send choice letter.
 - Send relevant Top-Up letter (the person paying the Top-Up will be directed to complete the affordability calculator).
 - Send a link to/ copy of the Top-Up information from the Council website - [Top-Up Payments | Cheshire West and Chester Council](#).
- The Care Connector must document the above actions and scan the evidence in the persons case notes on the Case Management System (Liquid Logic).
- Once the person has completed the affordability calculator the Care Connections Service will take the following actions depending on the outcome of the affordability calculator:
 - Person will be informed it has been deemed it is affordable for them to pay a Top-Up.
 - A further discussion between the person paying the Top-Up and the Care Connector would take place to discuss risks and implications of not paying Top-Up.
 - Person will be informed it has been deemed it is not affordable for them to pay a Top-Up.
- If it has been deemed it is affordable for a Top-Up to be paid, or if following a further discussion regarding risks and implications of not paying Top-Up have been had the Care Connections Service must send the 1st or 3rd Party Top-Up Agreement to be signed and subsequently request the care home and Case Manager sign the Agreement.
- If it has been deemed it is not affordable for a Top-Up to be paid the Care Connector will discuss this with the person and aim to find a resolution in the form of an affordable care home placement. If a resolution cannot be found the Case Manager will be informed and escalation actions will be agreed. Where a resolution cannot be found the complaints policy/ procedure should be followed [Adult social care complaint | Cheshire West and Chester Council](#).
- The Care Connector must document the above actions in the persons case notes on the Case Management System (Liquid Logic).
- The Care Connector must upload/ scan the 1st or 3rd Party Top-Up Agreement to the persons case notes on the Case Management System (Liquid Logic) once everyone has signed it.
- The care home placement will be responsible for agreeing payment processes with the 1st or 3rd Party. The Top-Up will be paid directly to the care home placement.

- The Top-Up will be reviewed as part of the annual Review process completed by the Review Team.
- If a person contacts Adult Social Care to advise they cannot afford to pay the Top-Up the Social Care Worker will refer to the Care Connections Service to commence a negotiation with the care home placement to see if they will agree an amount which the Council would usually expect to pay for someone with the persons assessed needs. If the care home placement does not agree this amount the Social Care Worker will undertake a Review of the persons Care and Support Needs to decide what steps should be taken next.
- Ultimately this could result in the person being moved to alternative accommodation.

TIMESCALES

1st Party Top-Up

Priority Level	Stages
Emergency, Urgent/ Hospital, Routine, Low	<ul style="list-style-type: none"> • A Financial Assessment must be completed prior to a 1st Party Top-Up being agreed. • Choice letter, relevant Top-Up letter and Top-Up information must be sent prior to care home placement commencing. • Person's care home placement must not commence prior to affordability calculator being completed. • Person's care home placement must not commence prior to 1st Party Top-Up Agreement being completed.

3rd Party Top-Up

Priority Level	Stages
Emergency	<ul style="list-style-type: none"> • Choice letter, relevant Top-Up letter and Top-Up information must be sent prior to care home placement commencing. • Person's care home placement may commence prior to affordability calculator being completed. • Person's care home placement may commence prior to 3rd Party Top-Up Agreement being completed.
Urgent/ Hospital	<ul style="list-style-type: none"> • Choice letter, relevant Top-Up letter and Top-Up information must be sent prior to care home placement commencing. • Person's care home placement must not commence prior to affordability calculator being completed. • Person's care home placement may commence prior to 3rd Party Top-Up Agreement being completed.
Routine	<ul style="list-style-type: none"> • Choice letter, relevant Top-Up letter and Top-Up information must be sent prior to care home placement commencing. • Person's care home placement must not commence prior to affordability calculator being completed. • Person's care home placement must not commence prior to 3rd Party Top-Up Agreement being completed.
Low	<ul style="list-style-type: none"> • Choice letter, relevant Top-Up letter and Top-Up information must be sent prior to care home placement commencing. • Person's care home placement must not commence prior to affordability calculator being completed. • Person's care home placement must not commence prior to 3rd Party Top-Up Agreement being completed.



ESCALATION PROCESS

Top-Up Affordability Calculator

A reminder letter will be sent 48 hours after the 1st letter has been sent if the affordability calculator has not been completed.

If no response to the reminder letter within 48 hours the following steps should be taken:

- **Emergency** – send Top-Up Agreement and No Response Letter.
- **Urgent/ hospital** - Discussion between Care Connector and Social Care Worker to agree next steps. Escalation may be required to manager.
- **Routine** - Discussion between Care Connector and Social Care Worker to agree next steps. Escalation may be required to manager.
- **Low** - Discussion between Care Connector and Social Care Worker to agree next steps. Escalation may be required to manager.

Top-Up Agreement

The Top-Up Agreement will be sent within 24 hours of the affordability calculator being complete and agreed it is affordable.

A reminder letter will be sent 48 hours after the Top-Up Agreement has been sent (for online signature), an extended timescale will be required for postal returns, where possible the Care Connector will ask for the care home placement to support getting the Top-Up Agreement signed and returned where person is already in the care home placement.

If 21 days after reminder letter has been sent and the Top-Up Agreement has not been signed and returned, the following steps should be taken:

- Emergency – initiate conversation with Social Care Worker/ Practice Manager, Care Connections Service and Markets Manager and Legal Services.
- Urgent/ Hospital – initiate conversation with Social Care Worker/ Practice Manager, Care Connections Service and Markets Manager and Legal Services.
- Routine - Discussion between Care Connector and Social Care Worker to agree next steps. Escalation may be required to manager.
- Low - Discussion between Care Connector and Social Care Worker to agree next steps. Escalation may be required to manager.

RELATED DOCUMENTS / APPENDICES

There are currently no forms or appendices attached to this practice guidance.

See also;

- Top-Up Policy



Accessing Cheshire West and Chester Council information and services

Council information is also available in audio, Braille, large print or other formats. If you would like information in another format or language, including British Sign Language, please email us at:

equalities@cheshirewestandchester.gov.uk

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

Pokud byste požadovali informace v jiném jazyce nebo formátu, kontaktujte nás

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

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