Care Home Guide:

Contracts and paying for your own care

Who we are

Age Scotland is the Scottish charity for older people. We work to improve the lives of everyone over the age of 50 and promote their rights and interests.

Our vision is a Scotland which is the best place in the world to grow older.

Our mission is to inspire, involve and empower older people in Scotland, and influence others, so that people enjoy better later lives.

We have three strategic aims:

We help older people to be as well as they can be

We promote a positive view of ageing and later life

We tackle loneliness and isolation

How we can help

We know that growing older doesn't come with a manual. Later life can bring changes and opportunities to your life and you may need to know about rights, organisations and services which are unfamiliar to you.

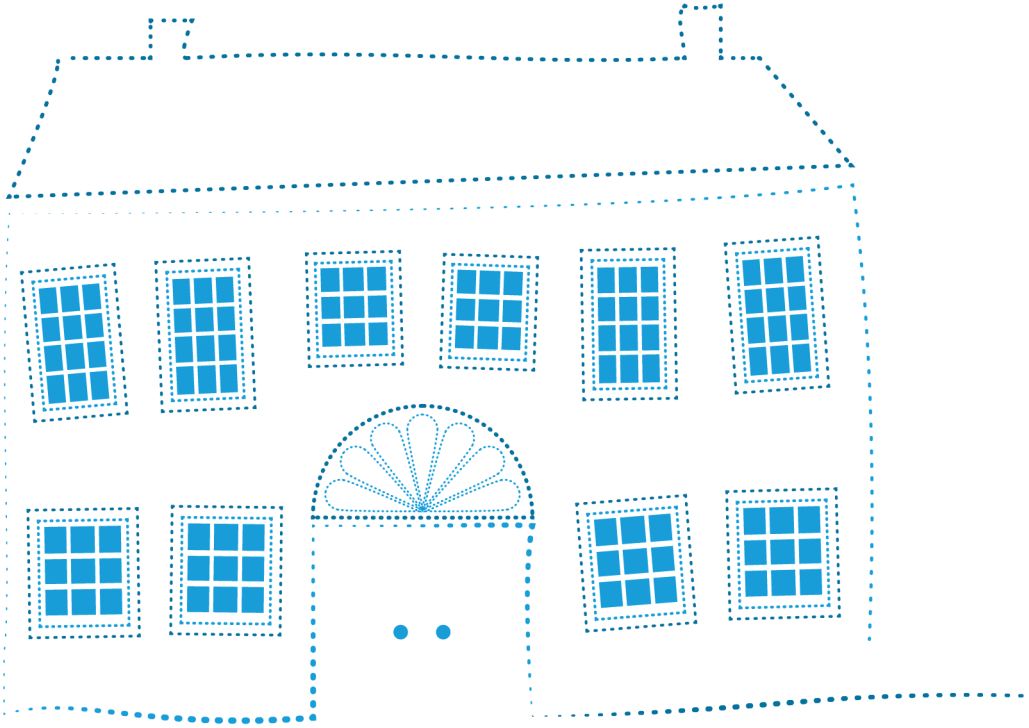
That's why we provide free information and advice to help you on a range of topics including benefits and entitlements, social care, legal issues such as Power of Attorney, housing and much more. All of our guides are available to download for free from our website, or you can contact our helpline team to have copies posted to you for free.

Our **helpline** is a free, confidential phone service for older people, their carers and families in Scotland looking for information and advice.

Later life can bring times when you just need someone to talk to. Our **friendship line** is part of our wider helpline and older people can call us for a chat. We're here to listen, provide friendship and offer support.

Call us free on: 0800 12 44 222
(Monday – Friday, 9am – 5pm)

Visit agescotland.org.uk to find out more.



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Introduction

Moving into a care home is a big decision and can be a stressful time, especially if you think you may need to pay for it yourself. This guide provides information about when you would need to pay your own care home fees, help that may be available, choosing and arranging your own care home in Scotland, and things to know about your care home contract.

Age Scotland's other **Care Home Guides** provide information about moving into a care home, your rights in a care home, friends and family and care home funding.

Ways your council can support you

Even if you think you will not qualify for help with care home fees, it is a good idea to speak to your council (or in some areas such as Highland, the health board). There are a number of reasons for this.

Advice about the right care for you

Your council can carry out a care needs assessment to see what kind of care would suit you best. This may be a care home, or it could be having carers come and visit you where you live.

Free personal and nursing care

The council should always pay for any personal or nursing care you are assessed as needing, no matter where you will be living. If your care will be provided in a care home, they will pay the care home for any personal or nursing care you need. This will be paid at a set rate and will count towards your care home fees.

A financial assessment

If a care needs assessment finds that a care home would suit you best, the council may carry out a financial assessment. This is to decide if you qualify for any other help towards your care home fees. Help that depends on your financial situation is called means-tested help. Age Scotland's **Care Home Guide: Funding** explains more about this.

Evidence you need a care home placement

Even if you know you will not qualify for means-tested help now, you may qualify in the future as your funds become lower. Having a care needs assessment provides evidence that the council agrees you need to live in a care home. You need to have a care needs assessment before you can be assessed for financial help from the council.

Help finding a suitable care home

The council has a responsibility to find a suitable care home placement for anyone it has assessed as needing to live in a care home. It doesn't matter whether you qualify for financial help. Even if you would prefer to arrange your own care home placement, you may want to ask your council to provide information about suitable care homes in your area.

For more information, call the **Age Scotland helpline** on **0800 12 44 222** or find copies of our other **Care Home Guides** at **www.age.scot/information**.

Deciding on the right care home for you

If you have decided to arrange your own care home placement, you will need to make sure that any home you are considering can meet your needs. A good place to start is to show them your care plan from your care needs assessment.

As well as telling you whether they can provide appropriate care, they will also tell you whether they have a waiting list. In some areas your options may be limited, but in other areas you will have a choice of care homes.

When you find a care home that is suitable, it is important to visit, to meet the staff and residents and get a 'feel' for the place. Some care homes may let you pay for a short stay so you can try out living there before you make a final decision.

The **Care Inspectorate** inspects every care home in Scotland around once a year. You can read the latest inspection reports for any care homes you are considering at **www.careinspectorate.scot**.

Age Scotland's **Care Home Checklist** suggests things to think about when you are deciding on a care home. Call the **Age Scotland helpline** on **0800 12 44 222** or visit **www.age.scot/information**.

The care home contract

Understanding your contract

A care home contract is usually called a residency agreement. It is different to the type of contract you would have if you rented a flat or house; the rights you have with a care home contract are from consumer law, not housing law.

You should have the opportunity to take away a copy of your care home contract and read it before you sign it. You should be given all information in the contract as soon as possible and it should be clear and easy to understand. This is an important decision about your future; get advice before you sign if you don't understand the contract's terms and conditions.

If you have a Power of Attorney or Guardianship in place, your attorney or guardian can support you to understand the care home contract. The care home should also involve both you and your attorney or guardian in relevant decisions about your care, welfare and money.

For full information on Power of Attorney and Guardianship see **www.publicguardian-scotland.gov.uk**.

Our guides on **Power of Attorney** and **Legal options for someone who has lost capacity** also provide more information.
Call the **Age Scotland helpline** on **0800 12 44 222** or visit **www.age.scot/information**.

Your rights and obligations

What if you want to leave the care home?

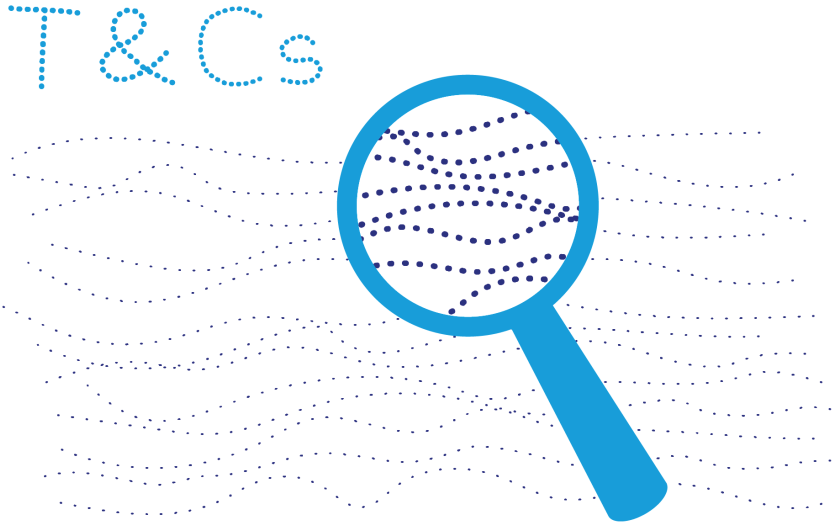
Your contract should explain what to do if you want to move out of the care home, including how much notice you must give.

What if the care home wants you to leave?

You can usually continue living in a care home for as long as you want. However, there may be situations in which you would be asked to move out. The contract should explain these, and what exactly would happen. Examples of such circumstances could be if the care home was closing, or if you could no longer pay your fees.

If the care home wants you to leave, they should tell you the reason and give you a reasonable notice period. If is because the care home is closing, the council can help you to find an alternative care home place, even if you are not receiving any funding from them.

You may also need to move out if your fees are higher than the rate paid by the council, and you need the council to start funding your care. The contract should make it clear what would happen in this situation.



What can you do if you are unhappy with your care?

The Health and Social Care Standards for Scotland say that you have the right to be treated with compassion, dignity and respect at all times, and to be fully involved in making decisions about your care and support. If you have an attorney or guardian, they should be involved too.

You should be able to raise any concerns directly with the people who are caring for you. Sometimes issues can be sorted out quickly by telling the care home about the problem. Every care home will have a procedure for making complaints, comments and suggestions.

If you think the care home has not dealt with your complaint properly, you can contact the **Care Inspectorate** on **0345 600 9527** (charges may apply) or visit **www.careinspectorate.scot**.

If your care home place was arranged by the council and you feel it is not meeting your assessed needs, you can contact them to complain and have your care reviewed.

Costs and who will pay

How much will you have to pay?

Care homes often have guide prices on their website and in their brochure. These are usually listed as weekly prices. The actual amount you will pay depends on the type of care you ask for, whether this qualifies as free personal and nursing care and the type of room you choose.

Before signing a contract, make sure the care home tells you what is included in the weekly fee and gives you a breakdown of how it is worked out. There are likely to be extra charges for services such as hairdressing and foot care, activities and outings, and transport to hospital appointments. The care home should let you know in advance when extra charges will be made, how much they will be and what they will cover.

Most care homes will charge you a deposit at the start of the contract or ask for an advance payment of weekly fees. If you have to pay a deposit, ask what it covers and how it will be refunded if you leave the care home.

Costs the council may cover

If you qualify for free personal and nursing care, the council will make a standard contribution for these services. The amount of this contribution changes each year.

The personal and nursing care payments can only begin once a contract is in place. If you are arranging your contract directly with the care home, contact the council to make sure they will be ready to make payments from the day you plan to move in.

Other regular costs to budget for

While your care home fees will cover your basic needs, like food, accommodation, energy bills and even some activities, there are likely to be things you still want to buy for yourself.

You may have favourite snacks and foods that will not be supplied regularly by the care home. If you like to have a regular magazine or newspaper subscription, you may still want to receive this. Some care homes may have a daily newspaper delivery, but you might prefer to have your own personal copy.

You will normally be given basic personal care items such as hairbrushes, combs, soap, shampoo, toothbrushes, toothpaste and shaving supplies. However, if you have favourite brands and would like to use these, you will usually need to supply these yourself.

Most care homes have activities you can attend for free, but some may be optional extras. You may also want to continue attending clubs and activities outside of the care home and will need to pay for these yourself. Don't forget to factor in any transport costs, and remember the cost may be different if you will be living in a new area.

Other money matters

Proof of finances

You may need to prove that you can afford to pay your fees for a set period of time, often three years. You may be asked to provide copies of bank statements or pension statements, for example.

Agreeing a guarantor

Some care homes want someone (usually a family member) to be named as a guarantor in your care home contract. A guarantor is someone who agrees to be legally liable for making the payments if you can't or won't make them yourself.

No-one has to agree to become a guarantor. If someone is considering being your guarantor, they should think about how long they could realistically afford to pay your care home fees if they had to. They may benefit from legal advice to make sure they understand exactly what they are agreeing to.

Even if the contract asks for a guarantor, you may be able to agree the contract without one. Make sure you understand whether this is a requirement or simply a preference of the care home.

Benefits and social security

If you receive any benefits, or you get help with your Council Tax, you should report your change of circumstances when you move into a care home. The department responsible will need to know your new address, and some payments may change or stop.

- For Benefits paid by **Social Security Scotland**: call **0800 182 2222**
- For State Pension and Pension Credit: call the **Department for Work and Pensions** on **0800 731 0469**
- For Attendance Allowance: call the **Department for Work and Pensions** on **0800 731 0122**
- For Housing Benefit and Council Tax reductions, discounts and exemptions: find the details of your council by visiting **www.mygov.scot/find-your-local-council**
- For any other benefits: visit **www.gov.uk/report-benefits-change-circumstances**

If you need help finding the right details, you can call the **Age Scotland helpline** on **0800 12 44 222**.

Planning for the future

What happens if your money runs out?

It is important to understand what would happen if you were no longer able to pay your fees.

Help from the council may be available if your capital falls below the upper limit set by the Scottish Government, which is £35,500 for 2025/26. Ask your council for a financial assessment if you think your capital is getting close to this amount. The help you get may also increase if your savings fall below the lower capital limit, which is £22,000 for 2025/26.

Call the **Age Scotland helpline** on **0800 12 44 222** for more information about how this assessment is carried out. You can also ask for a copy of our **Care Home Guide: Funding** or visit **www.age.scot/information**.

Each year, councils agree standard rates for care home funding. These are the maximum weekly amounts they will pay for residential and nursing care.

As of April 2026, these rates are:

- £930.45 for residential care
- £1074.13 for residential and nursing care

If you live in a care home that charges more than the council's rates, you will need to find a way to pay the difference in fees. If you have a guarantor (see page 11), they may be asked to pay the difference. You could also consider:

- asking the care home if they would be willing to accept the council's standard rate
- moving to a cheaper room within the same care home
- moving to a cheaper care home
- asking a third party, such as a family member or charity, to pay a top-up amount

Care home fees will increase over time

Your contract should be clear about when fees are likely to increase, the reasons for this, how the increases are worked out and how much notice you will be given. If you think a fee increase is not justified, **Advice Direct Scotland** can help you understand what options you have.

You can contact **Advice Direct Scotland** on **0808 164 6000** or visit **www.consumeradvice.scot**. They can give you information about your rights and may offer to pass your complaint to the local Trading Standards department for investigation, if appropriate.

Being away from the care home

Your contract should tell you what would happen if you were absent from the care home for a while. This could be because you were on holiday or if you needed to go to hospital. It should tell you how much you would need to pay if you were away, and how long your room would be kept for you.

The terms should also state how long fees need to paid after you die. The guidance from the Competition and Markets Authority says this should normally be no more than 3 days, and less if the room is cleared and reoccupied more quickly.

Useful contacts

Age Scotland helpline 0800 12 44 222

The Age Scotland helpline provides information, friendship and advice to older people, their relatives and carers.

If you need an interpreter, call **0800 12 44 222** and simply state the language you need e.g. Polish or Urdu. Stay on the line for a few minutes and the Age Scotland helpline will do the rest.

You can call us for a copy of our publications list. You can also read, download or order publications at **www.age.scot/information**.

Care Information Scotland

Provides information about types of care, including a guide for people moving from hospital into a care home.

0800 011 3200
www.careinfoscotland.scot

The Care Inspectorate

The regulating body for quality of care in Scotland. They regularly inspect care homes to ensure they are maintaining expected standards.

0345 600 9527 (charges may apply)
www.careinspectorate.scot

Trading Standards

The local council service that works to protect consumers and support businesses.

To find your local Trading Standards service:
www.gov.uk/find-local-trading-standards-office

Advice Direct Scotland

Provides advice about consumer rights and manages complaints about consumer services. This includes services provided by care homes.

0808 164 6000
www.consumeradvice.scot

The Office of the Public Guardian Scotland

Maintains a register of Power of Attorney and Guardianship Orders and provides advice to attorneys and guardians in Scotland.

www.publicguardian-scotland.gov.uk
01324 678300 (charges may apply)

Option 1: Power of Attorney enquiries
Option 4: Guardianship enquiries

Citizens Advice Scotland

Provides free, confidential and independent advice on a wide range of welfare topics, including your rights when moving to a care home. Use the website or number below to find details of your local bureau.

0800 028 1456
www.cas.org.uk/get-advice

This information guide has been prepared by Age Scotland and contains general advice only. It should not be relied upon as a basis for any decision or action, nor used as a substitute for professional advice. Neither Age Scotland nor any of its subsidiary companies or charities accepts any liability arising from its use and it is the reader's sole responsibility to ensure any information is up to date and accurate.

Please note that the inclusion of named agencies, websites, companies, products, services or publications in this information guide does not constitute a recommendation or endorsement by Age Scotland or any of its subsidiary companies or charities.

The original version of this guide was developed in partnership with Care Information Scotland, COSLA, Trading Standards Scotland, NHS24, Scottish Care, the Care Inspectorate and the Scottish Government

How you can help

Our vision is a Scotland which is the best place in the world to grow older.

All the information we provide is free and impartial. It helps older people access their rights and entitlements and can be life changing.

We are also a lifeline for older people who are feeling lonely and isolated. You can help us to support older people who need us most.

Together, we can make a difference.

Make a donation

No matter how small or large, donations make a massive difference and help us continue our important work.

- Call **03330 15 14 60**
- Visit **age.scot/donate**
- Complete the **donation form** and return by Freepost

Fundraise

Whether it's having a bake sale or running a marathon, there are so many ways to raise vital funds to support our work. To find out more, call **0333 323 2400** or visit **age.scot/fundraise**.

Leave us a gift in your Will

By choosing to leave us a gift in your Will, your legacy will help us to continue being there for older people for generations to come. To find out more, call **0333 323 2400** or visit **age.scot/legacy**.

Please donate today

Complete the form and return by Freepost to RSBS-KEHC-GBBC, Age Scotland, Edinburgh, EH9 1PR

Your details

Title: | Forename: | Surname:

Address:

City:

Postcode: | Date of birth:

By providing us with your telephone number and email address you are consenting to us contacting you via phone, text and email.

Email:

Home tel: | Mobile tel:

I WOULD LIKE TO DONATE

£75 ☐ £50 ☐ £25 ☐ Other (£) ☐

I wish to pay by (please tick):

MasterCard ☐ Visa ☐ CAF ☐

CharityCard ☐ Cheque ☐ (payable to Age Scotland)

Name on Card

Card No.

Expiry date | Security code

Signature | Date

I prefer not to receive a thank you acknowledgement for this donation ☐

I would like information about leaving a gift in my Will ☐

I WOULD LIKE TO MAKE MY DONATION WORTH 25% MORE

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I want Age Scotland** and its partner charities to treat all donations I have made for the four years prior to this year, and all donations I make from the date of this declaration until I notify you otherwise, as Gift Aid donations.

I am a UK tax payer and understand that if I pay less income tax and/or capital gains tax than the amount of Gift Aid claimed on all my donations in that tax year it is my responsibility to pay any difference.

Yes, I want Age Scotland to claim Gift Aid on my donations** ☐

I do not wish you to claim Gift Aid on my donations ☐

Date

Keeping in touch

We will stay in contact by post unless you ask us not to. We will never sell your data and we promise to keep your details safe and secure. You can change your mind at any time by emailing us on contact@agescotland.org.uk or calling us on 0333 323 2400.

You can read Age Scotland's privacy policy at **age.scot/privacypolicy**.

**Age Scotland, part of the Age Network, is an independent charity dedicated to improving the later lives of everyone on the ageing journey, within a charitable company limited by guarantee and registered in Scotland. Registration Number: SC153343. Charity Number: SC010100. Registered Office: Causewayside House, 160 Causewayside, Edinburgh, EH9 1PR

Age Scotland is the Scottish charity for older people. We work to improve the lives of everyone over the age of 50 so that they can love later life.

Our vision is a Scotland which is the best place in the world to grow older.

Let's keep in touch

Contact us:

Head office
0333 323 2400

Age Scotland helpline
0800 12 44 222

Email
info@agescotland.org.uk

Visit our website
www.agescotland.org.uk

Sign up to our newsletter

Our regular newsletters by email contain details of our campaigns, services and how you can support our work.

Sign up today at **age.scot/roundup**

Follow us on social media

Our social media channels are a great way to keep up to date with our work and issues that affect older people.

We are grateful to the Scottish Government for part-funding this publication

The Scottish Government

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