

Care Home Guide:

Contracts and paying
for your own care



Who we are

Age Scotland is the national 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.

Our mission is to inspire, involve and empower older people in Scotland, and influence others, so that people can make the most of later life.

Our three strategic aims are to:



Help older people to be as well as they can be



Promote a positive view of ageing and later life



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.

The Age Scotland **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.

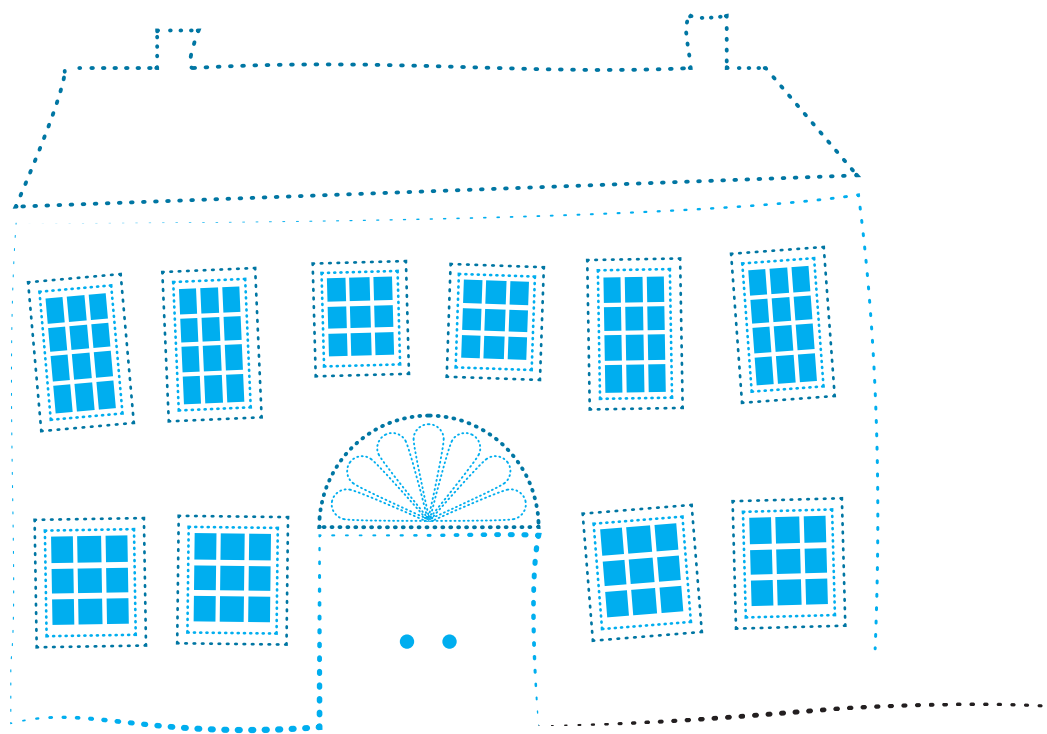
For information, advice and friendship



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 will always pay for any personal or nursing care you are assessed as needing, no matter where you will be living.

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 have a financial assessment.

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. If you would prefer to look for your own care home placement, you can ask your council to provide information about suitable care homes in your area.



For information about care homes call the **Age Scotland helpline** on **0800 12 44 222** or see information online at **www.ageuk.org.uk/scotland/information-advice/care-and-support**.

Deciding on the right care home for you

If you have decided a care home is the right choice for you, you need to find one that will meet your needs.

You can show the care plan from your care needs assessment to any care home you are considering. They can tell you if they are able to meet your needs, and whether they could offer you a place right away or if they have a waiting list. In some areas your options may be limited, but in other areas you will have a choice of care home.

When you find a care home that is suitable, it is important to visit, 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 visit the Care Inspectorate website to see the latest inspection reports for any care homes you are considering. See www.careinspectorate.com.

Age Scotland's **Care Home Checklist** suggests things to think about when you are deciding on a care home.



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(s) or guardian(s) in relevant decisions about your care, welfare and money.

For full information on Power of Attorney and Guardianship see www.publicguardian-scotland.gov.uk. Also see Age Scotland's **A Guide to Power of Attorney in Scotland** and **Legal options for someone who has lost capacity**.



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 but sometimes, for various reasons, people have to move out. The contract should explain the circumstances in which this could happen, for example if the care home could no longer care for you safely, or it was closing temporarily or permanently. If the care home wants you to leave, they should tell you the reason and give you a reasonable notice period. If you have to move because the care home is closing, you can get help from your council's social work department to find a place in an alternative care home, even if you are not receiving any funding from the council.

T&Cs





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**:

0345 600 9527 (charges may apply)

or visit their website at **www.careinspectorate.com**.

You can complain to your council if they arranged your care and you feel you are not receiving the care they assessed you as needing.



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 pay 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 if you pay for these yourself. Don't forget to factor in any transport you will need to get there 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 may benefit from legal advice to make sure they understand exactly what they are agreeing to.

They should think about how long they could realistically afford to pay your care home fees if they had to.



Benefits and social security

You should contact the department that pays your benefits before you move into a care home as they will need to know about your change of address, and some payments may change or stop.

For benefits paid by **Social Security Scotland**, contact them on **0800 182 2222**.

Call the **Department for Work and Pensions** for State Pension and Pension Credit on **0800 731 0469**, and for Attendance Allowance on **0800 731 0122**.

For Housing Benefit and Council Tax Reduction, contact your local council. You can search for the details of your council by visiting **www.mygov.scot/find-your-local-council**.

For other benefits, you can find the contact details at **www.gov.uk/report-benefits-change-circumstances**, or contact 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 (£32,750 for 2023/2024). Ask your council for a financial assessment if you think your capital is getting close to this amount.



For full information on how this assessment is carried out call the **Age Scotland helpline** on **0800 12 44 222** or see Age Scotland's guide **Care Home Guide: Funding** at **www.agescotland.org.uk**.

In some situations, you may need to move to a cheaper room or a cheaper care home where the fees could be partly paid by the council. Your council can provide help finding you a suitable room if a care needs assessment says you need to live in a care home.

In some situations, your guarantor (if you have one) may be asked to pay your fees. This would happen if you wanted to stay in your room and could not afford the fees even with help from the council.



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; complaining directly to your care home about fees may affect your relationship with them.



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 this is appropriate.

Being away from the care home

Your contract should include what happens if you are absent from the care home for a while (for example on holiday or in hospital). It should tell you how much you will have to pay if you are away, and how long they can keep your room for you.

The contract should also say how long fees will be charged for after you die. The guidance given to care home providers by 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 on **0800 12 44 222** for a copy of our publications list or download copies from our website at **www.agescotland.org.uk**.

Care Information Scotland can provide information if you need care or are planning for your future care needs. They also have a guide for people moving from hospital into a care home.

Helpline: **0800 011 3200**
www.careinfoscotland.scot

The Care Inspectorate look after the quality of care in Scotland to ensure it is a high standard. They cannot help with complaints about care home fees or contracts.

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



Trading Standards is the local council service that works to protect consumers and support business.

To find your local Trading Standards service:

www.gov.uk/find-local-trading-standards-office

Advice Direct Scotland can be contacted if you want to make a complaint: **0808 164 6000**

www.consumeradvice.scot

The Office of the Public Guardian Scotland maintains registers of Power of Attorneys and Guardianship Orders and provides advice to attorneys and guardians in Scotland.

www.publicguardian-scotland.gov.uk

01324 678300 - press option 1 for Power of Attorney enquiries, and option 4 for Guardianship enquiries (charges may apply)

Citizens Advice Scotland

You can call Scotland's Citizens Advice Helpline for advice or for details of your local office. You can also find this on their website.

0800 028 1456

www.citizensadvice.org.uk/scotland

This information guide has been prepared by Age Scotland and contains general advice only. It should not be relied on as a basis for any decision or action, nor used as a substitute for professional or medical advice.

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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 and advice we provide is free and completely impartial and in helping people access their rights and entitlements, it can be life changing.

We are an ageing population and more people than ever are coming to us for support. You can help us be there for those that need us most.



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**
- ▶ Text **LATERLIFE** to **70085** to donate £5.*



Fundraise

Whether it is having a bake sale, running a marathon or knitting small hats for the Big Knit, 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, you can help Age Scotland to continue being there for vulnerable older people in the years to come. To find out more, call **0333 323 2400** or visit **age.scot/legacy**.

* Texts cost £5 plus one standard rate message

Let's keep in touch



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 by visiting [**age.scot/roundup**](https://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.



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[**@AgeScotland**](https://twitter.com/AgeScotland)



[**@age_scotland**](https://www.instagram.com/age_scotland)



[**/Age-Scotland**](https://www.linkedin.com/company/age-scotland)

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Contact us:

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Email

info@agescotland.org.uk

Visit our website

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

