



Free personal care and nursing care a brief guide

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Introduction

The new free personal and nursing care arrangements in Scotland come into effect on 1 July 2002 under the Community Care and Health (Scotland) Act 2002.

- **Personal care** will be provided free for people *over 65*, provided they are assessed as needing it. Personal care will be free both for older people living in their own home and for those living in care homes.

- **Nursing care** will be free for people *of any age* living in care homes, provided they are assessed as needing it.

Alzheimer Scotland – Action on Dementia will continue to campaign for equal treatment for people with dementia of all ages.

This information sheet is a brief guide to what this will mean for people with dementia who need personal or nursing care. The first part looks at what is meant by personal care, the second covers people in their own home and the third covers people already living in a care home on 1 July or who move in after that date.

What counts as personal care?

Personal care includes help with:

- personal assistance - eg help with dressing, surgical appliances, getting up & going to bed, using a hoist
- personal hygiene - eg bathing, washing hair, shaving, oral hygiene, nail care
- continence management - eg toileting, catheter/stoma care, skin care, extra laundry, bed changing
- food and diet - eg help with eating, special diets, meal services, preparing specialist meals such as pureed food
- problems of immobility as they affect personal care, and help with moving about indoors

- behaviour management and psychological support, including reminding and safety devices
- simple treatments - eg help with eye drops, creams and lotions, simple dressings, oxygen therapy.

Free personal care for people at home

People already receiving personal care services

People over 65 who are already receiving personal care services that the social work department has assessed them as needing should continue to receive these services, but will no longer have to pay for them. The social work department will agree with each person (or their carer) what level of personal and other care they currently receive and adjust what the person pays so that they no longer pay for the personal care part.

For example, it might be that only part of what someone's home help does counts as personal care, and is free, whilst other parts of the home help's service can still be charged for. Some of these are listed below under *Other services*.

For many people, this will mean that the amount they pay towards their care services goes down. However, some people currently pay a reduced amount because their financial assessment shows that is what they can afford. If this reduced amount is less than the cost of the non-personal care they get, their payment may stay the same. No-one should have to pay more, unless they get more services, until at least 31 March 2003.

People needing new services

People over 65 who need personal care services for the first time after 1 July 2002 will be assessed by the social work department, and any personal care services provided will be free of charge. People whose situation changes can be reassessed to see if they need a different package of care.

People over 65 who have been making private arrangements for personal care services can ask for an assessment from the social work department. If the social work department agree that they need personal care, the social work department will arrange appropriate services in the same way as they normally would, and the personal care element of these services will be free. For some people, the social work department's assessment may say they need less than the services they currently pay for. If this happens the person (or their carer) can ask for a review, or agree to pay for the extra privately.

As in the past, local authorities will prioritise providing any services people are assessed as needing, on the basis of their care needs.

People over 65 leaving hospital are entitled to up to 4 weeks of free home care which includes both personal and non-personal care.

Other services

Social work departments will still charge for other, non-personal, care services, such as day care, lunch clubs, meals on wheels and community alarms. They will financially assess clients to work out how much they can afford to pay.

Eligibility for and payment of to Attendance Allowance and Disability Living Allowance for people living at home will not be affected by the introduction of free personal care.

Respite and other short-term arrangements

For people over 65 the local authority will pay towards the personal and nursing care element of a respite break in a care home, or other short-term arrangements such as emergency help if a carer is ill, or a trial stay in a home. For those under 65 the local authority will pay towards the nursing cost of a stay in a care home. The local authority will decide how much they will pay based on their records or the home's records about the individual. They may still charge for the 'board & lodgings' element.

Free personal care for people in long stay care homes

The local authority will pay any contribution for personal or nursing care direct to the care home, not to the resident.

From 1 April 2002 residential and nursing homes will now both be known as care homes, and registered by the Care Commission.

People living in care homes on 31 March 2002

- Anyone currently in a care home who wants to apply for free personal or nursing care must notify their local authority.
- **People currently having care home fees funded by the local authority** (about 25,000 people over 65 in Scotland) will continue to contribute their state pension and benefit income and will not be affected by the new free personal care policy.
- **People over 65 who currently fund their own care home fees in full** (about 7,500 people in Scotland) will not need to be assessed – those now in residential homes will receive £156 for personal care per week, and those in nursing homes will get £227 per week for personal plus nursing care.
- People over 65 who currently pay part of their fees but receive a 'top up' from the local authority:
 - if the local authority pays more than £156/£227 per week they won't be affected by the new arrangements

if the local authority pays less than £156/£227 the local authority will raise the top up to £156 per week if the person is in a residential home or £227 if he or she is in a nursing home, so the person's own contribution will be less than under the old arrangements.

- **People under 65 in a nursing home and paying all or part of their fees** will receive £71 per week for nursing costs if they are paying all of their own fees. If the local authority pays a top up which is under £71 they will raise it to £71 per week.

All self-funders will continue to pay the rest of their fees, covering accommodation etc.

People moving into a care home on or after 1 April 2002

- **People moving into a care home after 1 April and paying all their own fees** will need to be assessed if they want to claim free personal or nursing care. If they are over 65 and need personal care they will get £156 per week, and if they need nursing care an extra £71, making a total of £227 per week. If they are under 65 and need nursing care they will get £71 per week.
- **People over 65 who pay some of their own fees but will get a 'top up' from the local authority** will be assessed to see if they need personal or nursing care:
 - **if the local authority pays more than £156/£227** they won't be affected by the free personal and nursing care arrangements
 - **if the local authority pays less than £156/£227** the local authority will raise the top up to £156/£227 (depending on whether the person needs just personal or personal and nursing care) so the person's own contribution will be less than under the old arrangements.
- **People under 65 who pay some of their own fees** will be assessed, and for those who need nursing care, if their local authority top up is under £71 the local authority will raise it to £71 per week.

All self-funders will continue to pay the rest of their fees, covering accommodation etc.

Attendance Allowance/Disability Living Allowance

People over 65 who get the payment for free personal care (£156 per week) will not be eligible for Attendance Allowance after the first four weeks of their stay in the home, or, if they are already in a home, from four weeks after 1 July 2002, when the new arrangements start. They must notify the Department of Work and Pensions when they start getting free personal care.

People of any age who are paying all their own fees but get the payment for free nursing care (£71 per week) but *not* free personal care can still get Attendance Allowance (over 65s) or

the care component of Disability Living Allowance (under 65s).

The mobility component of Disability Living Allowance is not affected.

Further information

The full guidance from the Scottish Executive Health Department (Circular no. CCD 4/2002 *Free personal and nursing care in Scotland*) is available at

www.scotland.gov.uk/health/freepersonalcare.

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