

## THIRD PARTY CONTRIBUTION



## AGREEMENT TO PAY

## To be completed by the third party payee

I agree to make a third party contribution towards the cost of residential care for:

**Name of resident:** \_\_\_\_\_

**Name of care home:** \_\_\_\_\_

**Payable from date:** \_\_\_\_\_

Gross care home fee £ \_\_\_\_\_ per week

Less: Derbyshire County Council fee £ \_\_\_\_\_ per week

**Third party contribution** £ \_\_\_\_\_ **per week**

In agreeing to this contribution I understand that:

- The third party payment is in addition to the contribution the resident is required to make from their resources towards the Derbyshire County Council fee.
- The third party contribution may increase because the fee charged by the care home may be increased.
- The third party contribution will be itemised and included in the resident's accommodation charge unless agreed otherwise.
- Payment must be paid every four weeks to the care home or, if arranged, directly to the Council.
- I will notify you immediately if I am unable to pay.
- If I cannot continue to pay the third party contribution this may result in the resident being moved to a less expensive room or care home and I will remain liable for the contribution until a move takes place.

I confirm I have read the information overleaf and understand my responsibilities as a third party payee.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_ **Post Code:** \_\_\_\_\_

**Relationship to resident:** \_\_\_\_\_

*This authority is under a duty to protect the public funds that it administers, and to this end may use the information you have provided to this authority for the prevention and detection of fraud. This authority may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information see <https://www.derbyshire.gov.uk/nfi> or contact the Data and Information Manager, Adult Care, Derbyshire County Council, County Hall, Matlock, Derbyshire DE4 3AG.*

## THIRD PARTY INFORMATION SHEET

### When is a third party needed?

If the preferred care home charges a fee higher than the amount we would expect to pay for the resident's care, the additional top-up amount can be paid by a third party.

Third party top-ups must be agreed at the beginning of the placement and admission can only proceed once an agreement has been reached. When someone agrees to become a third party payee they are entering into a contractual agreement to make these payments from their own resources.

The person agreeing to the arrangement must satisfy themselves of their responsibilities. We will not carry out a financial assessment for the third party payee but we will need to be satisfied that the arrangement is sustainable. Please talk to a member of Client Financial Services if you have any queries and consider taking independent financial/legal advice appropriate to your circumstances.

### Who can be a third party payee?

Usually, the third party is a relative, friend, legal representative or in some cases, a charity. If the resident owns a property which is included in their financial assessment and they are eligible for a loan under the Deferred Payment scheme, they may pay their own top-up fees (known as a first party payment). There is a separate leaflet about Deferred Payments which should be read if the resident owns a property which is included in the financial assessment.

The regulations do not allow a resident who has total capital of less than £23,250 to pay their own top-up fees (except where the resident qualifies for aftercare services under section 117 of the Mental Health Act 1983 as they are not required to contribute towards the Derbyshire County Council fee). Top-up fees also cannot be paid from the Personal Allowance (currently £25.65 per week) as this must be available for the resident's use.

### Will the amount of third party payment change?

It is important to realise that homes can increase their fees at any time, sometimes when needs change or when a resident moves room. Fees paid by the Council are reviewed at least annually but if any increase does not meet the new fee required by the care home, the third party payment may increase. Where the fee does increase, the provider should give 28 days' notice of this so that all parties involved in the contract can reach agreement.

Where the payee agrees to the revised third party contribution a new purchase order will be created and a revised agreement must be signed by the payee.

If the payee becomes unable or unwilling to meet an increased fee it may be possible to negotiate with the care home. After negotiations, if the payee is still unable or unwilling to meet the increase, the home can request, with 28 days' notice, that the resident finds alternative accommodation. Similarly, if the payee defaults then the Council can ask the resident to move to a less expensive room or even move to another home providing they are able to meet assessed needs.