

## USEFUL CONTACTS

Lorne Anderson  
Financial Assessment Officer  
Community Care  
Education and Social Care Department  
Kantersted Office  
Seafield Road  
Lerwick  
ZE1 0WZ  
Tel: 01595 743826

Duty Social Worker  
Education and Social Care Department  
92 St Olaf Street  
Lerwick  
ZE1 0ES  
Tel: 01595 744421

Department for Work & Pensions  
Charlotte House  
Commercial Road  
Lerwick  
ZE1 0LQ  
Tel: 01595 732000

## USEFUL CONTACTS (cont)

Citizens Advice Bureau  
Market House  
14 Market Street  
Lerwick  
Tel: 01595 694696

Advocacy Shetland  
Market House  
14 Market Street  
Lerwick  
Tel: 01595 743929

### Complaints

If you are dissatisfied with the service provided you can make a formal complaint to the Chief Social Work Officer, Education and Social Care Department, 92 St Olaf Street, Lerwick, ZE1 0ES who will respond within 28 days.

A complaints leaflet is available at all Social Care offices and establishments.



## DEFERRED PAYMENT SCHEME

Deferred payments were introduced on 1st July 2002 under the Community Care and Health (Scotland) Act 2002. Deferred Payments allow people to avoid selling their homes up-front to meet their care home fees, by entering into a legal agreement to have part of their fees paid by their local authority. Accrued debt would be settled from the resident's estate, or sooner if the property is sold.

Currently the Council allows people who take up permanent residence in a care home to retain their property, with repayment of the debt being secured from the resident's estate, by placing a charging order on the property.

Deferred payments give residents the option to enter into an agreement voluntarily rather than to have a charging order imposed.

*Deferred Payments form part of the financial assessment for permanent residents who own property. This assessment is undertaken by Lorne Anderson who is the Community Care Financial Assessment Officer, employed by the SIC Education and Social Care Department.*

Eligibility criteria for Deferred Payment Agreements is restricted to any person who:

- has been assessed as in need of a place in a care home, and for whom the Shetland Islands Council has agreed to provide or has secured the provision of a residential place.
- has capital at or below the lower capital limit (£14,500 in 2011/12), when his/her resources are assessed via a financial assessment under the National Assistance (Assessment of Resources) Regulations 1992 (as amended) but excluding his/her home from that assessment.
- would not normally have his/her home disregarded from such a financial assessment.
- does not wish to sell his/her home, or is unable to sell it quickly enough to pay for care home fees.
- owns his/her home and can grant the authority a standard security against this property.
- has a residence which is already subject to one or more standard securities but the Shetland Islands Council is satisfied that the person has sufficient income to meet the costs of existing securities, while at the same time making the assessed contribution to care costs.

If a resident chooses to opt for a deferred payment, he/she would be responsible for obtaining a valuation of the property. The valuation must be provided by a person who is, in the reasonable opinion of Shetland Islands Council, qualified to make such a valuation. The Council reserves the right to obtain its own valuation of the property if there is some doubt. There would be no re-evaluation of the property once the resident had entered into the agreement. The Deferred Payment Agreement would apply to the resident's main residence only.

Whatever course of action you anticipate taking, you may find it helpful to consult a solicitor.

**Note:**

Staying in residential care can affect benefits payable by the Department for Work and Pensions. In order for a resident to avoid overpayment or underpayment of Government state benefits, he/she is required to report **all** changes in circumstances to the Department for Work and Pensions.