

Review and Appeal Process for Adult Social Care Financial Services

Under the Care and Support (Charging and Assessment of Resources) Regulations 2014 if you receive a service from the council for which you are being charged you have the right to ask the council to review these charges at any time if you believe you are being charged too much. If you can demonstrate that your means are insufficient for you to reasonably pay the assessed charge it may be reduced and in some cases waived altogether. However, it is for you, with help if necessary from an adviser, friend or advocate to demonstrate that your means are insufficient to reasonably meet the assessed charge.

This document is a guide on how to request a review of your financial assessment for paying for social care. This guidance is for people drawing on our service or their financial representatives who have received a letter stating that they will need to start making contributions to the cost of their care.

Guidance and support

At any point during the financial assessment process, if you do not feel that you have a full understanding of the process or understanding of disability-related expenditure, you can find our paying for your care booklet online at <https://www.gloucestershire.gov.uk/health-and-social-care/adults-and-older-people/paying-for-your-social-care/>

If you would like more information on the financial assessment process, information in another format, or a home visit from a FAB officer, you can contact the Financial Assessment Team.

Contact the Financial Assessment team on:



01452 425805



fabteam@gloucestershire.gov.uk

The review and appeals process

When you receive the letter stating the amount of your contribution for your package of care, if you are unsure of the calculations used in your financial assessment then you should call the FAB officer who completed your assessment – their number will be at the top of the letter. The officer will explain to you the income, expenditure and capital that were used in the calculation of the financial assessment and how they have arrived at the contribution that you have to pay.

Stage one: Informal review

If you do not agree with the contribution that they have calculated then you can ask for the financial assessment to be reviewed. Reasons for asking for a review include:

- You wish to provide details of additional disability related expenditure that was not included in your original financial assessment form
- You have new relevant information that you would like to be taken into account

The informal review follows these steps:

- 1) You can contact the number on the top of your contribution letter and ask for a review
- 2) The FAB team will send you another assessment form or arrange another visit with a different visiting officer to look at any additional information you would like to share. This is to be completed within 28 days of the review request.
- 3) A new contribution letter will be sent within 28 days of you submitting the form/the visit taking place. This will inform you of the revised contribution or the reason there was no change to you assessed charge

During this period you will continue be invoiced for the care and support charges but you will not be expected to pay whilst your review is in progress. You will need to set aside monies that may be due once the reassessment is completed. You should set aside the original amount in case your review does not result in a revised contribution.

Stage two: Formal review

If you are dissatisfied with the outcome the informal review, you can make a request to the council for a formal review by a FAB Lead Officer to investigate your circumstances and help resolve the matter.

You can request a review by contacting the FAB team on the number on the top of your initial review contribution letter and request a formal review.

Once this request has been made, the case will be reviewed within 28 days. The review will be considered by a FAB Team Lead officer who will:

- Review information from the Financial Assessment, ensuring the information is accurate and complete
- Establish whether the person drawing on our service has additional factors or information which should be taken into consideration
- Request the charge to be re-calculated, if appropriate

We will advise you of the review outcome and any changes to the charge, the effective date, and the service user's right to access the next stage of the process if they are still dissatisfied with the outcome and explanation provided.

This advice will be provided in writing and be ready for collection or delivery within 48 hours of the Reviewing Lead Officer's decision.

Stage three: Appeal process

If after following the review process you do not agree with the formal review outcome, you can appeal the decision. Possible reasons why you might want to appeal include:

- you don't believe that the charging policy has been applied accurately;
- you have additional information that you feel is relevant to your financial assessment that has not been considered to date.

You will need to write a letter within 28 days of the outcome of the formal review to the financial assessment lead officer providing information setting out the reason for your appeal.

You can seek support from the Citizen's Advice Bureau.

Please visit: <https://www.citizensadvice.org.uk> Or call 0800 144 8848

Where to get independent financial advice about paying for care and support:

Paying for care and support can be an expensive and long term commitment.

Before you enter into any arrangements, the Council strongly recommends that you seek independent financial advice from a financial adviser who is registered with the Financial Conduct Authority and is accredited with the Society of Later Life Advisers (SOLLA).

You can find an adviser on the SOLLA website:

www.societyoflaterlifeadvisers.co.uk

The Care Advice Line is an independent organisation commissioned by the Council to provide free, personalised and confidential information and advice about how to pay for care and support.

It can also help with information about current benefit rates and entitlements and can facilitate access to specialist financial and legal advice if needed.

The free Care Advice Line service is available to all Gloucestershire people including people who self fund all their own care and support.

How to contact the Care Advice Line:

- **Telephone: 01452 22 22 00**

Website: <https://www.thecareadviceline.org>

If you would like support in the appeal process, you may be able to get help from the council's commissioner service POhWER. Please contact your Social Worker to see if you qualify for this support.

Please visit: www.pohwer.net/Gloucestershire Or call POhWER on 0300 456 2370

Once your request to appeal have been received, the appeal will be considered by the financial panel and a written response will be provided.

The financial panel may include but is not limited to:

- Adult Social Care Complaints manager
- Assistant Head of Adult Social Care Service and Business Development – Finance and improvement
- FAB Principal Officer
- Head of Adult Social Care Services and Business Development
- Legal support

- Policy Review Officer
- Relevant Locality Integrated Social Care Manager

Other Adult Social Care staff, such as your social worker or social care practitioner will be invited to support with the panel decision and understanding your care and support needs.

The panel will make appropriate recommendations and the person drawing on our service or their representative will be informed of the outcome and any effect on their contribution towards the service charge in writing within 14 days of the panel meeting.

During this period you will continue be invoiced for the care and support charges but you will not be expected to pay whilst your review is in progress. You will need to set aside monies that may be due once the reassessment is completed. You should set aside the original amount in case your review does not result in a revised contribution.

If you are still not happy

If you are not happy that the procedure of appeal has been applied correctly, you can make a formal complaint through the Local Government Ombudsman.

Contact the Local Government Ombudsman



0300 061 0614

See website:

[Home - Local Government and Social Care Ombudsman](#)
