



# Third Party Top up for Residential and Nursing Care

» [www.wokingham.gov.uk/adult-care](http://www.wokingham.gov.uk/adult-care)



**WOKINGHAM**  
BOROUGH COUNCIL

## Top up for Residential and Nursing care:

### What is a care home top-up fee?

When Wokingham Borough Council pays for an individual's care home fees, we have to work within a budget. This means that, unless you have very specialist needs, you will probably need to choose a less expensive care home.

Wokingham Borough Council do have a funding rate. This is the rate that the council can afford to pay for a care home.

If your preference is a more expensive care home, whether it is for the facilities, location or any other reason, it is possible for Wokingham Borough Council to agree to this if somebody pays a third-party top-up fee.

**A third-party top-up fee is when somebody pays the difference between what the local authority is willing or able to pay and what the care home of your choice costs.**

They are voluntary and should only be applied when the care home you want cannot reasonably be funded by Wokingham Borough Council, and in accordance with your needs assessment.

They will sign a third party top up agreement, so it's important that the relative, friend or even a charity can afford, and are willing, to pay the top-up fee on an ongoing basis.

It's also important to consider that the care home's fees may increase, or that the person paying the top-up fee may have a change in circumstances, such as having another child or being unable to work due to ill health, that will hinder their ability to pay.

You may wish to consider moving to a less expensive care home to lessen the top-up fee.

### How do I pay a third-party top-up fee?

If you would like to pay a top-up fee you will first need to make sure you can afford it. You will be asked to provide evidence to confirm the sustainability of the third-party top up.

The sustainability needs to be for a minimum period of three years.

This fee is continuous, if the third-party is unable to continue to pay the person may have to move to a more affordable care home that can meet their assessed needs.

When you agree to pay the third-party top up fee, you will pay it to Wokingham Borough Council.

Once the amount has been agreed, you will be given a contract to sign. **Upon entering this agreement, you will be legally obliged to pay the top-up payment at the agreed amount at the agreed times.**

The agreement will also cover what will happen if the care home's fees increase or if the person's needs change, so make sure you are happy with every clause before you sign.

**Please see our Independent Financial Advice leaflet.**

### **Can more than one person pay for a third-party top up?**

Yes, but you would have to confirm % split and both (or all) third parties will need to prove sustainability.

If one or more third parties are unable to sustain the top up fee, the remaining parties would have to cover the top up or the individual may need to change care homes to one that is within the council funding.

### **What evidence is needed?**

The evidence required for a third-party top up to confirm that you are able to fund the top up for at least three years or more:

- Capital – bank statements, ISAs, Shares, investments, etc.
- Income – bank statements, payslips, confirm you are employed and confirm retirement age
- Other – evidence to support a different method of funding the top up
- Any debt that you may be paying, i.e., loan, mortgage, etc.
- Advise WBC if there are any changes

This will be reviewed yearly or more frequently if required.

If there is more than one person paying the third party top up, then everyone agreeing to pay the third party top up must provide evidence to confirm ongoing sustainability.

A delay in providing this information could mean that Wokingham Borough Council is unable to agree the funding or placement.

The care home may not hold the placement and may offer it to another person if funding cannot be agreed.

### **What happens if I have a property and enter a Deferred Payment Agreement?**

Individuals are entitled to pay their own top up under the following circumstances.

- Their property is disregarded in the first 12 weeks of staying in a care home and they wish to defer it against the property (top up will incur interest once deferred against the property).
- They have entered into a Deferred Payment Agreement with WBC and the top up has been agreed as part of this agreement (top up will incur interest once deferred against the property).

There will still need to be a minimum of 3 years equity in the property. A valuation will need to be provided to the council to confirm the equity in the property. This could be via an Estate Agent valuation.

**Please see our Deferred Payment Agreement leaflet.**

### **What happens if you are under a section 117?**

The Care Act stipulates adults who are receiving their accommodation under Section 117 MHA are allowed to make top up payments on the same basis as third parties.

### **When might a Top Up Payment be considered?**

We will state which care homes are able to meet the personal outcomes following a Care Act Assessment and will offer what is available at the time.

If you are already in a care home that is more expensive than Wokingham Borough Council's funding rate and you would like to remain in the care home.

The care manager should provide you with a third party top up factsheet.

### **What is the process?**

If you chose a home that is more expensive than what Wokingham Borough Council can afford, then the care manager will provide you with 2 other care homes as alternative options. This will be based on our funding rate.

If you would like to go ahead with your chosen home than you will have discussed and agreed a third party top up with the care manager.

You will need to provide your evidence for the third party top up to confirm sustainability. Once this has been confirmed, the Financial Assessment Team will send you a top up agreement and third-party top up terms and conditions.

You will need to sign the top up agreement and return it to Wokingham Borough Council.

You will receive separate invoices for the third party top up.

**Please note:** *that the individual still needs to pay their customer contribution invoices.*

*The individual cannot pay the third-party top ups.*

*The invoices are raised 4-weekly (13 times a year).*

*Direct Debt Mandates can be set up for each account.*

[Direct Debit mandate form \(PDF document\)](#)

### **What happens if I can no longer afford to pay the third party top up?**

You will need to contact Wokingham Borough Council via First Contact Team or the Financial Assessment team. You should do this before you have run out of money to pay the third party top up (ideally 6 months).

Please note that this may mean that the individual will need to move care homes. This is because Wokingham Borough Council has limited resources and has a set funding rate.

Wokingham Borough Council will also speak to your current care home to see if we can negotiate a lower rate. If they agree, you can stay at your current care home. If they don't, the individual will have to move to a home where the top up fee is less or within the council's funding rate.

### **What happens if third party top up fees are not paid?**

This will be in breach of the third party top up agreement that you have signed. If you have any issues with paying the top up, you must advise the council immediately.

Wokingham Borough Council will contact the relevant person to discuss why the top up has not been paid. We will look to bring the account up to date by discussing payment with the third party.

If the third party does not pay the top up, then Wokingham Borough Council may make alternative arrangements for the accommodation, the cost of which is within the personal budget.

### **Helpful links:**

Paying for your care and support: [Paying for care and support](#)

Charging for Residential Care: [Charging for residential care](#)

Deferred Payment Agreement: [Deferred payment agreements for long term care](#)

Financial Assessments: [Financial assessments](#)

Benefits you may be entitled to: [Benefits you may be entitled to](#)

Adult Social Care Duty phone number: **0118 974 6000**, option **5** followed by option **2**

**Financial Assessments Team contact details:**

Emailed to: FinancialAssessmentTeams-Mailbox@wokingham.gov.uk

**Post to:** Financial Assessment and Payments  
Wokingham Borough Council  
Adult Social Care  
Civic Offices  
Shute End  
Wokingham  
RG40 1WJ

Phone number: **0118 974 6000** option **6** and ask for Financial Assessment Team.

**Notes:**

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