

## Statutory Funding

### What is statutory funding?

This is funding by the state towards care costs. There are two different types of funding:

- Health Care
- Social Care

To access either type of funding, a needs assessment will be required. This will look at the individual's needs and will be carried out by a health or social care professional, for example a social worker.

It is possible to have both Health and Social Care funding and this is known as joint funding.

If you pay for care privately (you don't receive any statutory funding) then this is known as self-funded care.

### Health Care

NHS Continuing Healthcare is free healthcare provided to individuals who have significant healthcare needs. A person's health needs is the key factor. Eligibility to receive funding is not means tested which means it is not impacted by an individual's income or savings. If you have a health need then funding may cover all of your care costs.

To be entitled to this funding, you must have a primary health needs, rather than social or personal care needs. This may be as a result of disability, accident or illness. Funding can be provided in a variety of settings outside hospital including your own home or in a care home.

There is a two-step process to receive funding, the first step is an initial checklist assessment and depending on the outcome of this, this will be followed by a full assessment.

If an individual's health is deteriorating quickly and they are near the end of their life, it is possible to fast track assessment.

### Social Care

If an individual has social care needs then they will be eligible to social care funding. However, social care funding is means tested so unlike health care funding, an individual's income and savings will be taken into account and they might need to contribute towards the cost of their care. Therefore, funding will depend on your care needs and what you can afford.

A care needs assessment is free and if you qualify for help then the local authority has a legal duty to provide or arrange the services you need. If you qualify for help, the local authority will then carry out a financial assessment to work out if you should contribute towards the cost.

### How can we help?

This article is a brief overview of the funding available. Statutory funding is a complex area and our specialist Court of Protection team has a wealth of experience in both health and social care funding.

If you have any queries or questions about statutory funding then please contact our Court of Protection team by email on [cop@boyesturner.com](mailto:cop@boyesturner.com)