

# Social services' and NHS care funding in need of urgent reform

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The social care green paper to be published next week needs to set out real and workable alternatives to the current long-term care funding system, according to community care law ([http://www.ms-solicitors.co.uk/community\\_care\\_law/index.html](http://www.ms-solicitors.co.uk/community_care_law/index.html)) expert Cate Searle.

“The current care funding system is confusing and distressing for large numbers of vulnerable people and there is an awful lot of misinformation out there,” says Cate Searle, a director of martin searle solicitors.

Under the current system, NHS continuing healthcare ([http://www.ms-solicitors.co.uk/community\\_care\\_law/nhs-continuing-healthcare-funding.html](http://www.ms-solicitors.co.uk/community_care_law/nhs-continuing-healthcare-funding.html)) is provided free, but adults must undergo a means test if they move into a home for long-term care for non-health needs (ie help with washing, dressing etc). Those with more than £23,000 in assets – almost 40 per cent of care home residents – must pay their own way if they do not have a primary health need.

“On the face of it, these rules are quite simple. But there is so much confusion in the system, people with genuine healthcare needs are frequently missing out on the funding they deserve. In many cases, social services are telling families they need to sell a home to fund care fees when they should instead be exploring the sort of needs involved.”

Cate Searle advises clients nationwide on care planning for the elderly ([http://www.ms-solicitors.co.uk/community\\_care\\_law/planning-and-paying-for-care.html](http://www.ms-solicitors.co.uk/community_care_law/planning-and-paying-for-care.html)) and how to challenge social services' and NHS care funding decisions where mistakes have been made. She also trains other legal professionals to better understand this specialist area of law.

“The level of confusion is startling. Even in hospitals, medical staff are sometimes giving incorrect information – often as an aside during assessments. This immediately puts families on the back foot when it comes to getting the care funding they are entitled to,” says Cate Searle.

Despite much media speculation, the detail of the green paper is yet to be announced. However, with the King's Fund predicting the cost of providing long-term care will almost double by 2026 due to an ageing population, rising costs and demands for better quality, health services minister Phil Hope has promised a 'radical' review. The green paper will be followed by a 16-week consultation period.

Ends

For comment on the care funding aspects of the green paper or examples of funding rules being wrongly applied contact Cate Searle on 01273 609911 or [cate@ms-solicitors.co.uk](mailto:cate@ms-solicitors.co.uk).

Notes to editors:

With offices in Brighton and Croydon, martin searle solicitors (<http://www.ms-solicitors.co.uk>) has a Legal Services Commission specialist quality mark in community care law

([http://www.ms-solicitors.co.uk/community\\_care\\_law/index.html](http://www.ms-solicitors.co.uk/community_care_law/index.html)). Cate Searle has built a nationwide reputation for her specialist knowledge of NHS care funding ([http://www.ms-solicitors.co.uk/community\\_care\\_law/nhs-continuing-healthcare-funding.html](http://www.ms-solicitors.co.uk/community_care_law/nhs-continuing-healthcare-funding.html)) over the last 10 years and regularly addresses large audiences on the subject. Her caseload is growing all the time and she is regularly able to challenge incorrect care funding decisions saving individuals and their families £10,000s.