

# They stopped my care funding, then asked for the money back

Rochdale council unfairly attempted to withdraw one 88-year-old's home help

**Ali Hussain**

November 25 2018, 12:01am, The Sunday Times



Robert Hollingsworth as an RAF chef in 1948

Robert Hollingsworth is fiercely independent, so it was with reluctance that he accepted he needed help with his day-to-day activities. The 88-year-old has lived in his own home in Rochdale, Lancashire, since his wife died 25 years ago.

His local authority agreed to fund a £364-a-week care package that included a home visit from social services four times a day, to help with his meals, his medication and cleaning. Yet three months later, the council abruptly stopped the funding and demanded he repay some of the money.

The retired baker was told that he must pay future costs himself, but his only income is a state pension that barely covers half the care costs.

The funding was taken away by Rochdale council because, when calculating his eligibility for state support, it incorrectly took the value of his home into account.

It took weeks for his son, Anthony, who lives an hour away, and the local legal firm JMW Solicitors to reinstate the funding last month.

According to the council, the problem had arisen “due to the gifting of an asset (property)”, after Robert transferred ownership of his home to Anthony earlier this year.

However, JMW successfully argued that the issue was a moot point. It referenced a section of the government’s 220,000-word “Care and support statutory guidance”, which states: “The value of the person’s main or only home must be disregarded where the person is receiving care in a setting that is not a care home.”

People in England are typically entitled to state funding if the value of their assets, including property, does not exceed £23,250. The council failed to appreciate, however, that this applies only if they do not live in that property, having moved into a care home, for example.

The episode affected Robert’s health and caused distress to the family. “It has been an absolute nightmare trying to sort this out,” said Anthony, 52, who runs his own packaging firm.

This is not an isolated case. JMW says it has dealt with about 30 cases this year — up from 10 last year — where a council has attempted to withdraw or downgrade care funding in an apparent contravention of the rules.

Local authorities are under intense funding pressure and care costs are an easy target. Jeremy Hughes, chief executive of the Alzheimer’s Society, has seen “more and more local authorities forced to dip into emergency reserves to pay for care”.

He added: “Eight years of government cuts to council budgets has wreaked havoc on an already underfunded, overcomplicated social care system. Families affected by dementia call our helpline at their wits’ end as they struggle to navigate the system, blindsided by sky-high care fees, passed back and forth between the NHS and local authorities, and too often denied the support they desperately need.”

Steve Blezard, a director at Rochdale council, said: “This was a genuine error for which we have apologised to Robert and his family.”

The council said it had changed its procedures to “ensure there will be no repeat of this mistake for any service user in the future”.

