

# Direct payments

Helping people live independently with more choice and control over their care and support in Slough



## Introduction

Adult Social Care Services want to help people live independently with more choice and control over the care and support they need. Everyone eligible to receive social care support, will get clear information about the cost of their care and will be helped to make decisions about how they spend that money; this is called 'self-directed support'. Direct payments is one way in which self directed support can help you to take charge of how you get the help you need.

Promoting wellbeing is not always about the council meeting needs directly. It is just as important for us to provide people with the information they need to take control of their care and support and choose the options that are right for them.

## What are direct payments?

Direct payments are payments made to you by the council to buy the services/help you need, instead of the council arranging these for you.

## Who can get direct payments?

Most people who have been assessed as needing social care support and are eligible to receive these services from the council can receive direct payments.

You could have a direct payment if:

- You are over 16 years old
- You can consent to having a direct payment to arrange your own support - you can nominate someone to receive and manage your direct payments for you, if you wish
- You lack mental capacity but have an authorised person who can receive and manage the direct payment on your behalf.

Examples of people who might be eligible to receive direct payments are:

- people with physical and sensory disabilities
- people with learning disabilities
- people who have mental health needs
- older people who may be frail
- people with long term illness
- people who may be terminally ill.

Everyone's support needs are considered individually following an assessment of their care needs to see if they are eligible to receive Direct Payments under the care and support planning process.

By law, some people may not be able to receive a direct payment; for example, if you have a court order against you which is related to drugs or alcohol. The council can give you advice if you think you may not be able to receive a direct payment.

### **Why use direct payments?**

Having a direct payment means you can:

- have control over your care and support arrangements
- make your own choices and have more flexibility
- have support to do things for yourself.

You can use the money to employ your own staff directly, or through an agency, rather than have the council make these arrangements for you.

You can choose who supports you and when you want the support. For example, you may want to arrange to have help in the evenings and at weekends, rather than during the day.

You can choose to have direct payments to manage all or just some of your support. If you only want a direct payment for part of your support, the council can arrange the rest. You can change your mind about having direct payments or having a provided service at any time by giving 4 weeks' notice.

If you choose direct payments there is advice and guidance available to help you manage your care and support.



## What can I buy using direct payments?

Direct payments must be used to pay for care and support that you are assessed as needing and are eligible to receive from social care services.

You can use a direct payment to pay for:

- support from a care agency or other independent provider to help you live in your own home
- support from a personal assistant that you choose yourself to help you live in your own home or to do different activities
- personal care needs such as getting washed and dressed
- different ways of receiving replacement care and accessing the community
- a one off payment for something specific, for example a membership fee, enrolling on an adult education course, or to purchase items that will increase your independence.

You cannot use a direct payment to pay for:

- support from a relative, partner or anyone else who lives with you
- long-term care in a care home or housing costs
- household bills, for example gas or electricity bills
- food and drink, including meals you have delivered to your home
- health needs, including treatment from the NHS
- gambling, or anything illegal
- anything other than the support you need to meet your outcomes.

## Do direct payments affect my benefits?

No, direct payments do not affect your benefits; they are not considered as financial capital (income) and cannot be taken into account if you are assessed for welfare benefits.

## How much will I get?

The amount of money you will get is based upon the assessment of your needs as well as a personal financial assessment to see if you have to contribute towards the cost of your support. Each person is assessed individually.

## Do I have to use direct payments?

No. You can choose any of these options:

- you can choose to take direct payments to meet all of your assessed support needs
- you can choose to take direct payments to meet some of your assessed support needs and let

the council arrange services to meet the rest

- you can have services arranged and provided for you by the council to meet all of your assessed support needs.

The council encourages people to take ownership of their care planning, and be free to choose how their needs are met, whether through local authority or third-party provision, by direct payments, or a combination of the three approaches.

People who use direct payments enjoy the flexibility and choice which is offered, and many say it has given them greater self esteem and confidence.



However direct payments may not suit everyone. If you change your mind about receiving direct payments you can have support arranged for you by giving 4 weeks' notice.

### **What do I have to do if I get a direct payment?**

You, your nominated or authorised person will need to sign an agreement with the council outlining your responsibilities - this is called a personal budget agreement.

When you receive direct payments there are some conditions you are required to follow. You have to:

- have your direct payment paid into a prepayment card account or into a separate bank account
- use the money to pay for the support the council has agreed you need and keep financial records
- follow the laws and regulations with regards to employing staff if you decide to recruit a personal assistant.

The council will have to satisfy itself that the needs for which it is giving you the direct payments are being met.

You will have to account for the direct payments money that you spend. We will tell you what records you need to keep and what information you'll be expected to provide and how often.

The council will review your direct payment within the first 6 months of making the first payment to ensure that you are clear about what is expected, you have all your records in place and to answer any questions that you might have.

### **What support can I get?**

#### **Managing the finances**

You can choose to receive your direct payment into a prepayment card account. The council can create the account on your behalf as well as review the spend and activity.

Or you can choose to open a separate bank account to receive your direct payments, and submit financial returns and bank statements to be reviewed by relevant council staff.

If you need to help to manage the money, you can get a friend, family member or someone else who has authority to act on your behalf to help you.

If you do not have someone who can assist you with this, you can request for a managed direct payment account. The council can set up this up with a third party provider who will hold your direct payment in a separate bank account on your behalf and use those funds to pay service invoices, Personal Assistants or any other agreed expenditure as per your care and support plan. They will also submit bank statements to be reviewed by relevant council staff. There is an additional charge for this service, but you can pay for that using part of your direct payment.

### **What is a prepayment card account and how does it work?**

- It is an online account that the council can create on your behalf and payments are made directly into the account by the council
- You can use the online account to set up standing orders, direct debits or bank transfers or you can use the card to pay for services by 'chip and pin' or using the card account details
- You can use the account to make either one-off or regular payments
- You will only be able to make purchases when there are sufficient funds in the account
- Your account and card will be set up for you by EML Payments on behalf of the council
- The account and card can be set up in your name or a Nominated or Authorised person on your behalf
- You can view all your spend activity online and this information is retained and available to print at your convenience
- The spend activity can be accessed by the Purchasing and Personal Budget Team, therefore bank statements and financial returns do not need to be submitted
- Any funding that needs to be returned to the council can be done so via transfer rather than having to write a cheque
- The account can be closed and the card can be cancelled at any time if needed.

## Employing your own Personal Assistant (PA)

If you choose to employ your own PA you will have additional responsibilities including recruiting, training and paying your staff and meeting your legal obligations as an employer.

Slough Borough Council's Purchasing and Personal Budget Team are able to provide support to help you recruit and employ a PA.

The Purchasing and Personal Budget Team will:

- Provide guidance and support to help you find and employ your own PA; including advertising on Slough Borough Council's webpage and with the job centre
- Help you to organise other employment support services such as Payroll who will work out how much National Insurance and tax you have to pay each month. There is usually a charge for this service, but you can pay for that using part of your direct payment
- Give you information about how to arrange employer's liability insurance, and provide details of companies that offer it to people who use direct payments to employ staff
- Help to arrange DBS Checks (formally known as CRB checks) for you
- Provide guidance and support to help you arrange any relevant training for your PA
- Provide you with ongoing support to assist you with employment obligations and best practice.





## Disclosure and Barring Service (DBS) Checks

Anyone you want to employ as a PA should have a DBS check to make sure there is nothing in their past that would suggest they are unsafe to work with you. The Purchasing and Personal Budget Team can arrange these checks for you, and you will need to see a copy of the DBS to confirm clearance for employment.

## Using a Care Agency

If you choose to use a care agency, Slough Borough Council's Purchasing and Personal Budget Team are able to guide you on how to search for an appropriate provider, and how to refer to the Care Quality Commission website for provider compliance with quality assurance.



## Here are some examples of how direct payments have been used and what some people have said about them

### From a parent of a DP recipient

When Richard began to receive his support through direct payments his life improved dramatically. Due to his autism he lacked social skills, making socialising difficult and preventing him from making friends. As a young man he was embarrassed to be 'tagging along' with his parents to social events. He was a lonely and unhappy young man.

Once the direct payments were in place he was able to employ two Personal Assistants his own age. They accompany him to social events and encourage him to mix with others and form friendships. One Personal Assistant luckily shared his passion for horror films so they are able to visit the cinema on a regular basis. He is also able to talk to them about issues he would find difficult to discuss with his parents.

He is much happier now he has a social life and a small group of friends.

### From a Personal Assistant

I am a parent of two disabled children and for the past 12 years I have been employed directly by Tom as his Personal Assistant. Tom has autism and I support him to do what he likes doing including going out into the community and visiting the seaside. I love working for Tom and he now feels like part of my family!

Working as Personal Assistant suits me as I have part-time flexible hours which fit around my own family responsibilities. I have learnt a lot about autism which has been helpful as my son has also been diagnosed with it.

## **I think direct payments is the right choice for me - what do I do next?**

You need to contact Adult Social Care Services on 01753 475111, option 1 or by email to [adultsocialcare@slough.gov.uk](mailto:adultsocialcare@slough.gov.uk) and ask for a social care assessment.

If you already get help from Slough Adult Social Care Services, say that you want to change to direct payments.

For further information about direct payments, contact Adult Social Care Services on **01753 475111, option 1** or email [adultsocialcare@slough.gov.uk](mailto:adultsocialcare@slough.gov.uk)



This document can be made available on audio tape, braille or in large print, and is also available on the website where it can easily be viewed in large print.

This leaflet has been developed with the support of the Co-production Network.



## Direct payments – improving social care in Slough

If you would like assistance with the translation of the information in this document, please ask an English speaking person to request this by calling 01753 475111.

यदि आप इस दस्तावेज़ में दी गई जानकारी के अनुवाद किए जाने की सहायता चाहते हैं तो कृपया किसी अंग्रेजी भाषी व्यक्ति से यह अनुरोध करने के लिए 01753 475111 पर बात करके कहें.

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Aby uzyskać pomoc odnośnie tłumaczenia instrukcji zawartych w niniejszym dokumencie, należy zwrócić się do osoby mówiącej po angielsku, aby zadzwoniła w tej sprawie pod numer 01753 475111.

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