

## **Information sheet C7 – Taking control with a direct payment**

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Direct payments are an option in which a person who needs care and support services takes control themselves of the funding agreed by the Council or the NHS. The person can then make their own arrangements to meet their needs in the way that works best for them. We recommend everyone who needs care and support to think about whether this option would suit them best (except for people who will be living in a care home).

Direct payments are available whether your care and support will be paid for by the Council as "social care" or by the NHS as "continuing health care". They are also available if your services are paid for jointly by the Council and the NHS to support you after you have been "sectioned" because of a mental health crisis. They don't affect your benefits and they aren't taxable.

### **■ How does a direct payment work?**

Direct payments can be used in different ways depending on your needs and choices.

Often people use direct payments to employ "personal assistants" to give them the support they need at home or when they go out, such as personal care or help to stay safe.

Many different arrangements are possible. There may be someone you know who would be interested in being paid to support you. There may be a person in your local community who does care and support work as a self-employed business. Or you can advertise for people interested in care and support work.

Direct payments can also be used to pay for support from an organisation. For instance this might be a home care agency providing personal care. It might be a service which supports people to do things in the local community. It might be an organisation which runs activities designed to be accessible to people with care and support needs.

Direct payments can also be used to pay for short breaks in a care home. We may also be able to give you control of the money for disability equipment that you need.

### **■ What are the benefits of choosing a direct payment?**

If you employ personal assistants, you can choose who will be supporting you.

If you pay an organisation, you will be able to agree directly with them the details of your support. This may be particularly helpful if your needs change from week to week, or if you want to do something special like taking your care workers on holiday with you.

When the Council arranges services in the traditional way, we try to make arrangements as flexible as we can, but if you manage the money you can often be a bit more flexible.

### **■ Is employing personal assistants complicated?**

Some people worry that employing people would mean a lot of form-filling and dealing with bureaucracy. But you don't have to do all of that yourself. There are organisations which can do most of the work for you, and you can pay for their services from your direct payment. We can give you details of organisations which other people are using, or you can choose an organisation yourself.

If you don't already have people in mind who you want to pay to support you, our direct payments team can help you with advertising and interviewing. They can also help with employment queries and with training for your personal assistants.

## ■ Do I have a right to a direct payment?

Almost everyone who has been assessed as needing care and support while living in the community has a right to a direct payment. The only exceptions are some people who have been required to have treatment or rehabilitation for drug or alcohol dependency.

## ■ What about people with limited mental capacity?

Some people couldn't manage a direct payment themselves (or don't want to) but having one would still give them more control over their lives. They can nominate someone else to receive the payments and manage the money for them. We will check that there are no reasons why that arrangement would be inappropriate.

If someone doesn't understand enough to make an informed decision to have a direct payment but it would benefit them, we will explore whether someone else such as a family member could control a direct payment for them. This might be someone with a power of attorney that includes the authority to make decisions about the person's care, or some other suitable person. We will need to make sure that the person controlling the money will be acting in the person's best interests.

## ■ What limits are there on how a direct payment can be used?

Direct payments must be used to meet the needs which we have assessed as being eligible for Council or NHS funding. We will usually also agree with you how you will meet those needs. If you find you need less support than we expected, you won't be able to spend the spare funding on paying for things that aren't in your care and support plan. You also won't be able to use surplus funding to increase what you pay to your personal assistants, since it would be unfair for some people to be paid more just because the person they support hasn't needed as much help as expected.

Direct payments can't be used to pay for general living expenses (e.g. fuel bills), or for health or housing services. You can't normally use them to pay your partner or a relative who lives with you.

## ■ How much would the direct payment be?

When we have completed with you an assessment of your care and support needs, we will calculate an "indicative personal budget". This will be based on how many hours of care and support you are likely to need in each week to meet the eligible needs which we have identified. This is an initial estimate of what meeting your needs might cost if you employ personal assistants, to give you an idea of how much funding you might expect. It isn't a fixed figure. Often there may be practical reasons why any viable plan would cost more than the indicative figure. Sometimes there may be a solution that costs less.

You can choose to receive direct payments for all your care and support, or only for some parts of it.

We won't usually pay more as a direct payment than what it would cost if we arranged the service ourselves. You may have to pay some of the cost of your support yourself (see Information Sheet C8). You will either pay this separately or have it subtracted from your direct payments.

## ■ How do I find out more?

Ask your social worker or care manager about direct payments. If you think you might want one, they will put you in contact with our direct payments team. You can contact the team directly on 01670 629090 or 01670 629094.