

Direct Payments

A Quick Guide

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What is a Direct Payment?

A Direct Payment is a cash payment made to you by the Council so you can arrange to pay for your own care and support, rather than receive services directly from the Council. You use the money to meet your agreed eligible needs e.g. personal care needs.

You can use the money to employ staff or pay an agency to provide the support you need as identified in your support plan.

With a Direct Payment you are in control. You decide who supports you, how they do it and when.

Who can receive Direct Payments?

- People with disabilities aged 16 and over, including people who have a sensory impairment, have learning disabilities, are disabled through illness (including mental illness) and older people.
- People with parental responsibility for a disabled child.
- Carers aged 16 and over who provide care for an adult who is eligible to receive community care services can receive Direct Payments for their own needs as Carers.
- You must be willing to receive Direct Payments instead of a service provided by the Council and be able to manage organising your own support either alone or with assistance.
- You cannot receive Direct Payments if you come under a part of Mental Health or Criminal Justice Law which says your social care services must be arranged for you.

How do I get Direct Payments and what can the money be used for?

- First, you need to have a needs assessment carried out by a Social Worker / Care Manager. For an adult this involves completing a questionnaire which helps identify your needs and the amount of money required to meet those needs and plan your support. This is called your **Personal Budget**.
- After the assessment, you can write your support plan, or this could be done with your Social Worker / Care Manager showing how you will meet your assessed needs. Once this has been agreed with your Care Manager, Direct Payments can be used to employ staff directly or to hire staff through an agency or to meet your needs in other ways.
- For a parent of a disabled child, a core assessment is carried out and the Direct Payments are agreed with your Social Worker.
- You cannot purchase services from the Council, but you can receive some services from Bolton Council and also receive a Direct Payment to provide the rest of your care.

What paperwork do I need to keep?

- There is some paperwork to do but we have tried to keep it as simple as possible.
- You will need to open a separate bank account for your Direct Payments money, but we can help you with this.
- You will also need to keep all paperwork including bank statements, invoices, payslips and receipts.
- When requested, you must submit all your paperwork to us so we can ensure you are spending the money appropriately to meet your assessed needs.
- If you employ a Personal Assistant, you will have to deduct Tax and National Insurance from their wages and send it to His Majesty's Revenue and Customs (HMRC). We can arrange for a payroll service to do this for you and send you details every month along with a payslip for your Personal Assistant.

Would I get help?

Yes. Once you decide you want to try Direct Payments, your Care Manager, or a Care and Support Advisor from Disability Positive (a company contracted to help Bolton Council support people with Direct Payments) will assist you to plan and arrange your support.

They will go through how to open a bank account and how to keep records. They can help you decide whether you would prefer to employ a Personal Assistant or use an agency.

If you choose to employ a Personal Assistant, they will explain all the necessary steps you need to follow, including recruiting someone, telling them what they need to do and monitoring how they do it, getting employer's insurance, and paying their wages.

If you prefer to use an agency, they can help you identify the questions you need to ask them.

Once you start to get your Direct Payments, your Care Manager/ Care and Support Advisor (Disability Positive) will assist you with any problems you may encounter. If at any time you find you are not happy with Direct Payments, you can return to having your care arranged by Bolton Council.

A few points to remember

- You will have to sign a contract with Bolton Council before you can receive any payments.
- You can only use the payments to meet the needs that have been assessed as eligible and agreed in your support plan. If you feel your needs have changed, you can request a reassessment.
- As with all care arrangements, you will be financially assessed to see if you need to make a financial contribution towards the Direct Payment.

Frequently asked questions

Q: I would like to employ my own staff, but I'm worried about tax and National Insurance.

A: As an employer it would be your responsibility to pay tax and National Insurance, but the Care and Support Advisor (Disability Positive) / Care Manager can put you in touch with a payroll service, who will work it all out for you.

Every 4 weeks you will need to send in the hours your workers have done, either by phone, post or email and by return of post you will receive payslips for your employees showing how much to pay them. The payroll service can even arrange to pay the tax for you via direct debit from your Direct Payment account if you choose.

Q: Can I employ a relative to help me?

A: You can employ a relative to help you, but you must first obtain prior agreement from the Council. For relatives who live in the same household this will only be agreed in exceptional circumstances.

Q: How do I find staff to assist me?

A: Care and Support Advisor (Disability Positive) can assist you with recruiting staff, including drawing up a job description, advertising for staff, interviewing, and obtaining references.

Q: What happens if I start using Direct Payments but find it doesn't suit me? What would happen to staff I have employed?

A: You can ask to go back to having services provided by the Council at any time. You may need to make your staff redundant; however, Care and Support Advisor (Disability Positive) can advise and assist you in meeting your responsibilities.

Q: How do I make sure the people I employ are honest and trustworthy?

A: The Care and Support Advisor (Disability Positive) can assist you in obtaining references from people who have previously employed your worker or who know them well. They will also help facilitate Disclosure and Barring Service (DBS) checks on your staff.

Whilst you can never be completely sure, as checks will only show up on people who have a criminal record, Care and Support Advisor (Disability Positive) can help you identify any areas of risk and ways around minimising the risk.

Q: What happens if my worker goes off sick?

A: Before you start receiving Direct Payments your Care Manager / Care and Support Advisor (Disability Positive) will discuss contingency plans with you so you know what to do. It may be that you can arrange for your workers to cover for each other, or some agencies can offer a service at short notice.

Q: What records would I have to keep?

A: Because the money you receive is public money, you need to account for how it is spent. You must keep records of all the money that goes in and out of the Direct Payments bank account, and be able to provide invoices, receipts and payroll data for all money going out. You should reconcile the accounts to your bank statements every three months. Care and Support Advisor (Disability Positive) can assist you with this.

Q: What can I spend my Direct Payments on?

A: Your Direct Payments can only be used to provide you with the support to meet your assessed needs as described in your support plan. This **must** be agreed with your Social Worker / Care Manager.

Q: If I get Direct Payments will I have to stop going to the day centre?

A: You can use a mixture of Direct Payments and services in your support plan so you could use Direct Payments to meet some of your assessed need, for example support at home, and still attend a Day Care centre

Q: What happens if my needs change?

A: If your needs change, you should notify your Care Manager as soon as possible so that your services and Direct Payments can be reviewed. You will still get regular reviews of your care needs.

Q: I care for my partner who has dementia and I sometimes need a break, can I get a Direct Payment?

A: As a carer you can have a Carers Assessment and receive a Direct Payment to meet your needs as a Carer. This could be a one-off payment to enable you to take a break. However, you cannot receive a Direct Payment to pay for personal care for your husband.

Glossary of Terms

Agency – a care agency provides care staff that will support you in your own home. The agency employs the staff directly and will send you a bill for their services.

Assessment – this is where you and a Care Manager together look at your needs. It would usually take place in your own home.

Care Manager – sometimes called Social Worker. This is the person who visits you to discuss your care needs.

Care and Support Advisor – This is a person who is employed by Disability Positive and will give advice and support in understanding what direct payments are and how they can be used, employing personal assistants and finding care.

Community Care – care provided by Bolton Council to enable you to stay in the community, under the Care Act 2014.

Personal Assistant – someone you employ directly to provide support to you at home.

Support Plan – your schedule of support to meet your assessed needs.

I'm interested, what do I do now?

If you have already had a Needs Assessment or Carers Assessment you should talk to your Care Manager and ask about Direct Payments.

For general advice please ring the Early Intervention Team on:

01204 337860, or

01204 336079

and they will put you in touch with the relevant assessment team.