

Direct Payments for care in North Somerset Adult Social Services and Housing



What is a Direct Payment?

A direct payment is an alternative way of getting the care and support you need.

If you are assessed as needing services, you can choose to have the money and arrange your own services instead of the department arranging the services for you. This is called a direct payment.

A direct payment does not affect your entitlement to Social Security benefits (e.g. Disability Living Allowance, Income Support, Attendance Allowance) and is not liable to income tax.

Who can get a Direct Payment?

Direct payments can be an option for

- older people
- people with physical and sensory impairments
- people with learning disabilities
- people with mental health needs
- parents of disabled children
- young disabled people aged 16 and 17
- carers aged 16 and over

To have the choice of a direct payment you must

- have been assessed as needing support which Social Services agree to provide
- be willing to use a direct payment
- be able to manage a direct payment either alone or with assistance

The council is not allowed, by law, to give a direct payment to some people who are subject to certain mental health and criminal justice legislation. This is because people in these groups are required to receive specific community care services.

The final decision whether you receive a direct payment or not remains with Social Services. The local authority has a responsibility to satisfy itself that you have fully understood the responsibilities involved in arranging your care and you are able to manage the direct payment alone or with support.



Direct payments are not available to foster carers.

Why would I choose a Direct Payment?

Direct payments are a good way of having more choice and control over how your needs are met. Using a direct payment can make it possible to arrange your support very flexibly so that you can get on with living your life as you choose. You can choose to use a direct payment for all or part of your support package.

What can I use a Direct Payment for?

You must use your direct payment to arrange support that will meet the needs identified in your Community Care assessment and which Social Services have agreed. You choose what the support is, who provides it and when. This might include help with personal care needs such as getting washed and dressed, getting to the toilet, short breaks, day activities. Direct payments can also be used for equipment and adaptations that Social Services would provide.

You can decide whether to employ your own staff or purchase your support from an independent agency.

However, you cannot use a direct payment to pay for permanent residential or nursing home care.

Is there anything I cannot use a Direct Payment for?

Yes. You cannot use direct payments to

- pay for long term residential or nursing home care
- buy a service which is managed by the local authority
- buy support to meet needs not agreed by Social Services
- pay for equipment or adaptations which are the responsibility of another agency such as Health or Housing.

Direct payments can be used to employ a relative if they do not live with you.

Only in exceptional circumstances will the council agree for you to employ a relative or anyone else who normally lives with you.

This does not prevent you using the money towards the cost of a live-in carer.

What will I have to do?

You must ensure that the direct payment is used to pay for the support to meet the needs agreed with Social Services.

You will be asked to sign an agreement with Social Services. The agreement will set out the details of your direct payment.



In most cases, you will need to open a separate bank or building society account. This is because Social Services will need to see the bank statements without having unwanted access to your personal finances. You should check that the bank or building society will not charge when you are in credit e.g. don't open an account where you have to pay for each cheque.

If you are assessed to pay an amount towards the cost of your care, you must make arrangements to pay this money into your direct payment account so that you can clearly demonstrate that you are paying your assessed contribution.

You will need to keep records of how you spend the money, together with receipts, invoices, etc. These will need to be shown to Social Services at regular intervals. If you choose to employ your own staff, you will be responsible for all aspects of employment law relating to them i.e. payroll, income tax, national insurance, employer's and public liability insurance, etc. Help with managing this is available from North Somerset's Direct Payment Support Service (see section below for further information).

How much will I get?

The amount of your direct payment is based on the assessment of your needs agreed by Social Services.

If the support you choose to buy costs more than North Somerset would normally pay, you will be responsible for meeting the extra cost in addition to your assessed contribution.

Do I have to contribute to the cost of my care in addition to the Direct Payment?

The law allows local authorities to expect you to make a contribution to the cost of your care. Your financial contribution will be the same as if you were receiving the support from Social Services. We will carry out a financial assessment in line with North Somerset's Fairer Charging Policy to decide how much your contribution will be.

This contribution will be deducted from your direct payment before it is paid to you and you will have to add your contributions to the money we pay you.

If your financial circumstances change, it may effect your contribution. You must inform the Senior Finance Officer – Direct Payments of any change and your contribution will be re-assessed.

North Somerset Council will review your contribution periodically.

How will I receive my payment?

For most people, payments will be made directly into our direct payments account, usually at four weekly intervals. Payments are made in advance.

Where the direct payment is for a one-off purchase or very short term support, it is possible for you to receive your direct payment in the form of a cheque.



What help will I get to manage my Direct Payments?

When you decide to have a direct payment, your social worker/care manager will refer you to the Direct Payment Support Service.

The Direct Payment Support Service can help you with information and advice about using your direct payment. They can also help you with the practical things such as:

- **Help with paperwork**
You will have to keep a record of how you spend the money, but the forms you will use have been designed to be clear and straight forward.
- **Help to recruit personal assistants**
The Direct Payment Support Service can advise you about advertising, interviewing, preparing a job description, taking up references, and arranging for checks with the Criminal Records Bureau.
- **Advice on choosing an Agency**
You can choose which care agency you like, but if you are unsure which to choose, we can help by giving you a list of agencies registered with the Commission for Social Care Inspection.
- **Employer and Public Liability Insurance**
If you employ someone, you must have this insurance. The council will pay for it and the Direct Payments Support Service will tell you how to arrange it.

You can have as much help as you need to manage your direct payment. This help can come from:

- North Somerset Direct Payments Support Service
- Family and friends
- Peer support

You can contact the Support Service at any time at:

Direct Payment Support Service

Adult Social Services and Housing
Town Hall
Walliscote Grove Road
Weston super Mare
BS23 1UJ
Telephone: **01275 882 900**
01275 882179



Do I have to accept a Direct Payment?

No. The local authority has a duty to offer you the choice of a direct payment if you are eligible, but you do not have to accept. You can still choose to have your services arranged for you by Social Services.

Your Social Worker/Care Manager should talk to you about direct payments at any assessment or review of your needs.

What if my circumstances change?

If your needs change, contact your Social Worker/Care Manager and ask for your needs to be re-assessed.

If your circumstances change e.g. financial or personal, you must inform the Direct Payment Finance Officer.

What if I don't want to continue to receive a direct payment?

Choosing a direct payment does not mean that you have to stay with the scheme forever. You can change your mind at any time. If you decide that you do not want to continue with a direct payment, you can ask Social Services to stop the payment and arrange your services for you.

Tell your Social Worker/Care Manager or the Direct Payments Finance Officer if you want to stop receiving a direct payment.

How do I apply for a direct payment?

To be eligible for a direct payment, you need to be already receiving support arranged by Social Services or assessed as needing services. You can either speak to your existing Social Worker/Care Manager or contact care Connect and ask for an assessment of your needs.

Contact addresses and telephone numbers are at the end of the sheet.

What if you are not happy about the services you receive?

If you are unhappy about any action or decision taken by Social Services in relation to your direct payment, you should initially talk to the person you normally deal with. If you are unable to resolve your complaint in this way, you can contact:

Complaints Manager
Adult Social Services and Housing
Town Hall
Walliscote Grove Road
Weston super Mare BS23 1UJ
Telephone: **01275 882171**
Email: Christopher.orlik@n-somerset.gov.uk



If you have concerns about your personal assistant, you, as their employer, are responsible for taking the appropriate action.

North Somerset's Direct Payment Support Service can advise and help you.

If you have concerns or difficulties about the staff or service of an agency from which you are purchasing support, you should contact the agency in the first instance. If you are unable to resolve the issue with the manager of the agency, you should contact the:

Care Quality Commission (CQC)

Citygate

Gallowgate

Newcastle upon Tyne

NE1 4PA

Tel: 03000 616161

Website: <http://www.cqc.org.uk/>

What else do I need to consider?

Direct payments can give people more choice and more control over how their support is organised and who provides it. A lot of people who use direct payments say that managing their own support has given them greater confidence and self esteem.

However, having choice and control by organising your own support and, possibly, employing your own staff means accepting responsibility. Support is available to help you with this.

How to Contact Social Services

Contact either:

North Somerset Care Connect – a telephone service for older people and adults who require information relating to a range of services. It is the first point of contact for all Social Services adult care general enquiries.

Telephone: **01275 888 801**

Minicom: **01275 888 805**

Fax: 01275 888 407

Email: care.connect@n-somerset.gov.uk

Lines are open 8am to 6pm Monday to Friday

or one of the specialist teams below:

Disabled Children's Team

Weston Court,

Winterstoke Road

Weston-super-Mare

BS24 9AU

Telephone: **01934 427**

Fax: 01934 427 659

The Community Team for People with Learning Disabilities

Partnership House

Worle Parkway



Weston-super-Mare
BS22 6WA

Telephone: **01934 427 600**
Fax: 01934 427 321

The office is open Monday to Thursday between 8.45 am and 5 pm and on Friday from 8.45 am until 4.30 pm.

Mental Health Teams

You can also contact your local Community Mental Health Teams (9 am Monday to Thursday and 9 am to 4.30 pm Friday) listed below:

Community Services

Adults of Working Age Community Mental Health Team

The Coast Resource Centre
Diamond Batch
Locking Castle
Weston-super-Mare,
BS24 7AY
Telephone **01934 523 700**

Community Mental Health Team (Woodspring)

Windmill House
Windmill Road
Kenn
Clevedon
BS21 6UJ
Telephone: **01275 335 300**

Direct payments are provided by North Somerset Council.

You can find more general information about Direct Payments on the Department of Health website at <http://www.dh.gov.uk/en/Policyandguidance/SocialCare/Socialcarereform/Personalisation/Directpayments/index.htm>

The information in this leaflet can be provided in other languages and formats, including Braille and audio on request. To request a copy in a different format or language, please contact our Public Information Officer, on 01275 882 181 email elly.smith@n-somerset.gov.uk.

Information is also available on North Somerset Council's website www.n-somerset.gov.uk.

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