

# A guide to Direct Payments For Adults

This leaflet provides a guide to the use of Direct Payments in West Berkshire and the support that is available



## Use of Direct Payments

If you're assessed as having eligible care and support needs; we will work with you to identify solutions and agree what we need to do to meet your requirements.

We will talk to you about your strengths and what you can do independently. We will also discuss how your family and carers can help you, and what resources are available in the wider community. We'll work with you to help maintain or improve your wellbeing.

You may be allocated a **'Personal Budget'**, which is the amount of money needed to meet your assessed needs.

If you choose to take your Personal Budget as a **'Direct Payment'** it means that you take responsibility for arranging and buying the care and support to meet your needs that have been agreed in your support plan ~ this would otherwise be arranged by the Council.

If you are unable to manage the Budget yourself then you can nominate someone to do this on your behalf.

Initially an **'indicative budget'** will be agreed – this is an estimate of what we think you will need to meet your care and support needs. We will use this estimate to begin your care and support planning, but this will need final approval.

The amount of available money will be limited. However, we hope that you can use this in the most flexible way possible so that you have the style and type of care and support that would best suit you.



*“Direct Payments are about providing you with more choice and flexibility about how your care and support needs are met.”*

## Stage 1 – Care and Support planning

### Agreeing the outcomes in your support plan

Developing a support plan helps you to work out what's important to you and how to use your budget in the best way to meet your agreed care and support needs.

We will look in detail with you at the type of support that you may need and help you to find out about all of the different types of local services and support that are available.

In many cases people already receive some support from friends, relatives and partners and link into wider support networks in the community. It is important for us to understand these as they may also form part of your care and support plan.

There are a number of ways in which you can use your Direct Payment:

- You can choose to employ someone as a **Personal Assistant** and we will give guidance and support with this. You will be responsible for the day to day management of your employees.
- You can fund **day activities or replacement care**. You can use the Direct Payment to pay for day activities and replacement care, providing they are outcomes agreed in your Support Plan.
- You may choose to use an **agency**. Information about agencies can be found in the [Berkshire Care Directory](#) and can also be found on our West Berkshire Directory under the 'Need help at home' section <https://directory.westberks.gov.uk>  
If you use an agency for personal care it must be registered with the Care Quality Commission: [www.cqc.org.uk](http://www.cqc.org.uk)
- You may choose to use a **combination** of the **council commissioned** support and **Direct Payments** support.

At present Direct Payments cannot be used for:

- Permanent residential care
- NHS provided services
- Housing services
- Stock items of equipment provided by the council

## Employing a Personal Assistant

If you choose to employ your own Personal Assistant (PA) you will have additional responsibilities as an Employer.

The Direct Payments Financial Reviewing Team can give guidance with this including:

- Recruitment, including Job adverts and descriptions
- Disclosure and Barring Service (DBS)
- Employers / Public Liability Insurance
- Contracts of Employment
- Access to a payroll provider
- Access to training

### Employment Law

Contact your Employers Liability Insurance company – for legal/ employment guidance

ACAS (Advisory, Conciliation and Arbitration Service) **0300 123 1100**

**Relay UK** (this used to be called the 'text relay' service) **18001 0300 123 1100** [www.acas.org.uk](http://www.acas.org.uk)

HMRC (HM Revenue and Customs) **0300 200 3310**

text phone **0300 200 3319** [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

### Assured Care and Support

(Formally Support with Confidence)

This local scheme provides a list of providers of care and support services who have been successfully approved and undergone appropriate training and background checks.

Assured Care and Support is a joint Trading Standards and Adult Social Care scheme that supports Personal Assistants to comply with national and local standards. The scheme also helps local residents find care and support.

[www.westberks.gov.uk/assured-care-and-support](http://www.westberks.gov.uk/assured-care-and-support)

Email: [assuredcareandsupport@westberks.gov.uk](mailto:assuredcareandsupport@westberks.gov.uk)

Telephone: **01635 503487**

## Stage 2 - Setting up and finalising your budget

The Council will need to agree your plan with you, agree that you (or a nominated person) can manage a Direct Payment and approve your final Personal Budget ~ this is approved by our “Resource Panel”.

Once this has been agreed you will need to sign a contract – this is referred to as **our Direct Payment Agreement**, which clearly outlines your responsibilities.

### Setting up your account

We will set you up with your own **Epayment account** to enable you to pay your care providers by standing order, direct debit or bank transfer.

You won't need to set up a separate bank account, fill in monthly returns or send us bank statements. We would require you to upload invoice details onto the account.

If you prefer, you can set up your own bank account, but this will require you completing monthly returns.

### Managing your Account

If you can't manage the budget you can nominate someone to do this for you.

The **nominated person** will have to work in your best interests, sign the Direct Payment Agreement and must not personally profit from the Direct Payment.

You can also use the council **Managed Account Service** if you are unable to or prefer not to deal with the financial aspects of the Direct Payment. You will still remain the employer and retain overall control of the budget and how it is spent.

Further information can be provided from the West Berkshire Direct Payment team:

**01635 503433** | [PBMonitoring@westberks.gov.uk](mailto:PBMonitoring@westberks.gov.uk)



*“We will set you up with your own Epayment account”*

## Stage 3 – What happens next?

‘Monitoring and review process’

As part of the terms and conditions of the Direct Payment scheme the **Direct Payments Finance Reviewing Team** will monitor and review your account.

**Regular audits and reviews** will be undertaken.

If you choose to open your own separate bank account you will need to send in financial returns and a copy of your bank statement every month.

We can, at any point, review your Epayment account or request copies of all financial records relating to your Direct Payment, including receipts and invoices. If you have your own separate bank account we can also request to see copies of the bank statements at any time.

The review aims to ensure that funds are used correctly and your needs are being met.

If a review identifies any surplus funds in your account, this will be claimed back by West Berkshire Council, unless prior agreement has been made to retain the money.

West Berkshire Council will allow up to eight weeks of payments to be kept in the account to cover any additional costs that may be incurred.



*“The review aims to ensure that funds are used correctly and your needs are being met”*

## Will I have to pay?

Adult Social Care services are chargeable.

We have to consider your individual financial circumstances to decide if, and how much, you need to contribute towards the cost of your Personal Budget.

We follow national guidance to carry out a financial assessment.

During this meeting we will ask about your finances. We do not need to know details about your partner or carers finances unless you have joint capital/joint benefits or want benefits advice. We will offer advice about the welfare benefits available to you and, if necessary, help you to make any relevant claims.

If you have to pay full cost we will not arrange a Direct Payment but can still provide guidance with employment issues.

## What if I don't want to tell you about my finances?

You do not have to tell us about your finances. However, this means you will have to pay the full cost for your support.

We will also be unable to properly advise you about any welfare benefits you may be entitled to.

*Please refer to West Berkshire Council charging policy and charging leaflets [www.westberks.gov.uk/chargesforyourcare](http://www.westberks.gov.uk/chargesforyourcare)*



*“We have to consider your individual financial circumstances to decide if, and how much, you need to contribute towards the cost of your Personal Budget.”*

## Contact information

### For enquiries about Adult Social Care: -

Telephone: **01635 503050**

Email: [adultcare@westberks.gov.uk](mailto:adultcare@westberks.gov.uk)

### For guidance and support about Direct Payments including recruiting and employing Personal Assistants

Contact the Direct Payment Financial Reviewing Team

Telephone: **01635 503433**

Email: [PBMonitoring@westberks.gov.uk](mailto:PBMonitoring@westberks.gov.uk)

## Equal Opportunities

We are committed to being accessible to everyone. If you require this document in an alternative format or translation, please call Mary Froom on **01635 503433**.