



# Direct Payment Factsheet 1

## Explanation of a Direct Payment

### 1. What is a Direct Payment?

If you have had an assessment of your social care needs and it has been agreed that the Council will help to meet some of your needs for care and support, then you will be given a Personal Budget. This is an allocation of funding which is sufficient to meet your assessed needs.

You can take a Personal Budget in two ways:

- **Managed Personal Budget** - the Council uses the money to arrange and pay for the care and support you need
- **Direct Payment** - the Council gives you the money to arrange and pay for the care and support yourself

You can also ask your social care worker to arrange some services for you with a Managed Personal Budget and arrange some of them yourself using a Direct Payment. This is known as a **Mixed Package**.

### 2. Benefits of a Direct Payment

Using a Direct Payment gives you freedom, choice and control to arrange the services you want from the care and support providers or Personal Assistant's you prefer at times that suit you to meet your support needs.

Having a Direct Payment means that you can buy services from care and support providers of your choosing. You can also use the money to employ a Personal Assistant to give you support when you want it or buy things that help you to meet your support needs.

### 3. Who can get a Direct Payment?

Anyone who is eligible for long-term social care support and is offered a personal budget can request to have a Direct Payment to meet their support needs.

### 4. Direct Payments for people without mental capacity

Some people do not have the mental capacity to request a Direct Payment. If someone cannot understand, retain and use the information needed to make a decision about Direct Payments, he or she cannot receive one. People may not have mental capacity for different reasons, for example because they have dementia or a learning disability.

However, if someone does not have mental capacity to receive a Direct Payment, someone else can request to receive one on their behalf. This other person would receive, manage and take on all of the responsibilities of the Direct Payment and would be known as the **authorised person**. To become an authorised person a number of conditions must be met. Your social care worker must be in agreement that giving the Direct Payment to the authorised person is an appropriate way to meet the care and support needs of the person who has been assessed.

### 5. Direct Payments for people who need help to manage them

Managing a Direct Payment involves a number of tasks and responsibilities. These include opening and managing a separate bank account and making payments to the people

who provide care and support services. Some people may not be able to do these things without help.

Help and support to manage the Direct Payment can be provided in a number of ways. A family member or friend can do this, or there are specialist organisations (Direct Payment Support Services) that can provide support around managing the Direct Payment. Someone else can agree to open a bank account and manage the money. This person or support service would become the **nominated person** for the Direct Payment.

Some people also need help and support with the tasks and responsibilities associated with becoming an employer. These tasks include things like running payroll and paying taxes for the people that they employ. A Direct Payment Support Service can provide this if required and your social care worker can help you with accessing this.

You can talk to your social care worker about the sort of help and support you might need to manage a Direct Payment. Your social care worker will provide you with a list of accredited Direct Payment Support Service providers that you can use. If you do need to use one of these, the cost of doing so will be agreed as part of your support plan and the money will be included in your Personal Budget. See our Factsheet [Using a Direct Payment Support Service](#) for more information.

## **6. What Direct Payments can be used for**

Your social care worker will have carried out an assessment of your needs and given you an idea of how much money will be available to meet your needs. The social care worker will then help you to produce a Support Plan. This describes the outcomes that you want to achieve as a result of receiving some care and support to help you to meet all of your needs. The Support Plan also describes **how** your needs will be met.

The Support Plan will describe how you will use the Direct Payment to meet your assessed needs, in order to achieve the

things that are important to recorded within your support plan. You can use it to buy services, things that will help you, or to employ someone. You can use the Direct Payment in very creative ways, as long as it is agreed that they are meeting your needs and are agreed in your Support Plan.

## **7. What Direct Payments cannot be used for**

Direct Payments cannot be used for anything illegal, or anything which is not agreed and recorded in your Support Plan. There are other things that a Direct Payment cannot normally be used for, but your social care worker may agree in some circumstances. For example, it is not normally appropriate to use a Direct Payment to pay a close family member living in the same household to act as a Personal Assistant. (This though can be approved on a person by person basis in exceptional circumstances)

## **8. Using Direct Payments in long term residential care**

Direct Payments can now be used by people in long term residential care. Please see our Factsheet [Living in a care home - Direct Payments](#) for information.

## **9. Payments and personal contributions**

We pay Direct Payments every 4 weeks in advance into your Direct Payment bank account or Pre-Paid Debit Card account.

If you have been financially assessed as having to make a personal contribution, you must pay this into your Direct Payment bank account or Pre-Paid Debit Card account every 4 weeks. Your personal contribution is always used first to cover care and support costs. Our payments will make up the remainder. See our Factsheet [Direct Payments & Personal Contributions](#) for more detail.

## 10. The Direct Payment Agreement

Before the Direct Payment starts you will be asked to sign a Direct Payment Agreement by your social care worker. This sets out the roles and responsibilities on both sides. It is very important you read and discuss this with your social care worker and ask them to explain anything you're not sure of.

As part of this Agreement, there are some things that you will need to do such as:

- Open a separate bank account, or use a Pre-Paid Debit Card. Please see our Factsheet [Direct Payments - pre-paid debit cards](#) for more information.
- Keep a record of how you have spent the money (for example receipts/invoices/wage slips)
- Make your Direct Payment bank account statements and spending records available to the Council on request for Auditing purposes

## 11. Auditing of your Direct Payment

Everyone who receives a Direct Payment will receive an Audit. This is a check by the Direct Payments Auditing Team on various aspects of your Direct Payment account and how the money has been spent. Your account will be audited at around 8 weeks after you receive your first payment and then again after about one year. Following Audits will take place once a year.

You will be asked to provide bank statements and/or records of how you have spent the Direct Payment money. It is important that this requested information is provided in order for the Council to confirm that the Direct Payment is being used as outlined within your support plan. If this information is not provided, we may be required to carry out a review to see whether a Direct Payment is still an appropriate way of meeting your needs.

## 12. Misuse of a Direct Payment.

If an Audit finds that the Direct Payment money has not been used as outlined within the Support Plan, you may be asked to pay this money back to the Council. It will then be decided as to whether a Direct Payment is still the best way of meeting your support needs.

## 13. Direct Payment case study examples

### Example 1.

Mavis is an elderly woman who has assessed needs related to her physical disability.

In her Support Plan, Mavis said that she didn't want to go into care home. She would like to be able to

- have a shower each morning
- be dressed in clothes of her choice
- do her own food shopping

Mavis has a personal budget of £250 per week. She decided to take it as a Direct Payment. She uses this to employ's 2 Personal Assistants who lives locally to support her for 21 hours a week. A Personal Assistant spends an hour with her each morning helping her to shower and dress, an hour each lunch preparing and encouraging her to eat her main meal and then visits in the evening to help Mavis have her supper, get ready for bed and take her medication. Mavis makes the arrangements for her support directly with her Personal Assistants, making changes when necessary – she is in charge.

Mavis's social care worker discussed a pre-paid card with her, which she uses. She used a Direct Payment Support Service to help her with her payroll responsibilities. She also asked the DPSS to help her recruit her second Personal Assistant, as first Personal Assistant was her neighbour's daughter. These include giving her Personal Assistants pay slips and arranging to pay the right amount of tax. Mavis pays the Direct Payment Support Service a weekly amount, which comes out of the £250 per week she receives.

### Example 2.

Hannah is an 18-year-old woman with Asperger's Syndrome.

In her support plan, Hannah said that she wanted to make new friends as she had lost touch with her school friends. Hannah said she wanted to learn life skills.

Hannah has a personal budget of £30 per week. An outdoor activity centre has been identified by her social care worker.

Hannah visits the outdoor activity centre twice weekly on Tuesday and Thursday. This has enabled her to make new friends and develop new skills.

### **Example 3.**

John is 50-year-old gentleman.

In his support plan, John said that he struggled to get his food shopping due to high levels of social anxiety, his social care worker discussed employing a Personal Assistant. John was anxious about people in his home, so it was suggested that his needs could be met using Tablet device which was purchased through a one-off direct payment.

John uses his tablet to order shopping weekly and has started to use the tablet to speak to family and close friends on WhatsApp.

### **Contact information:**

If you have any questions about anything contained in this leaflet relating to Direct Payments, please contact:

The Direct Payment Enquiries Team: -

Phone: 0115 8044945

Email: [dpenquiries@nottscc.gov.uk](mailto:dpenquiries@nottscc.gov.uk)

If you need to contact someone about the support, you are already receiving contact

Nottinghamshire County Council Customer Service Centre:

Phone: 0300 500 80 80

Monday to Friday: 8am to 6pm

Email: [enquiries@nottscc.gov.uk](mailto:enquiries@nottscc.gov.uk)

Web: [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

**If you require this document in an alternative format or language, please contact**

[enquiries@nottscc.gov.uk](mailto:enquiries@nottscc.gov.uk).

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<https://www.nottinghamshire.gov.uk/global-content/privacy>

Minicom: 01623 434993

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