



Factsheet 1: Direct Payments

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

Having a Direct Payment gives you the freedom to choose which care and support providers you use and control over what support you receive and when you receive it. You can also use the money to employ a Personal Assistant 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 given 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 a Direct Payment, they 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 few conditions must be met.

The social care worker must agree 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 several tasks and responsibilities. These include opening and managing a dedicated bank account and making payments to the people or organisations who provide the care and support. Some people may not be able to do these things without help.

Help and support to manage the Direct Payment can be provided in several ways. A family member, friend or a specialist organisation called a Direct Payment Support Services can open a bank account and manage the money and the payments for care and support. This person or support service would be the **nominated person** for the Direct Payment.

Some people also need help and support with the tasks and responsibilities associated with employing a Personal Assistant. These tasks include things like creating payslips and paying taxes for the people they employ, and a Direct Payment Support Service can provide this support if required. Your social care worker can help and advise you about different Direct Payment Support Services.

6. What can a Direct Payment 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, to achieve the things that you have said are important to you. 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 written in your Support Plan.

7. What can a Direct Payment not be used for?

Direct Payments cannot be used for anything illegal, or anything which is not agreed and written in your Support Plan. There are other things that a Direct Payment cannot normally be used for but which 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.

8. Direct Payments in long term residential care

Direct Payments can be used by people in long term residential care. Please see our factsheet ***Direct Payments & Living in a Care Home*** for information.

9. Payments

We pay Direct Payments every 4 weeks in advance into your dedicated Direct Payment bank account, Pre-Paid Card account or to the Direct Payment Support Service if you have chosen one to manage the Direct Payment on your behalf.

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 everyone's roles and responsibilities. It is very important that you read and discuss this with your social care worker and ask them to explain anything you're not sure about.

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

- Open a dedicated bank account, or choose to use a Pre-Paid Card. Please see our factsheet ***Direct Payments & Prepaid Cards*** for more information.
- Keep a record of how you have spent the Direct Payment 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 Quality Assurance 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.

If you use a Pre-Paid card or a Direct Payment Support Service to manage your account, you will not be asked to provide us with any information as we can access it on your behalf.

If you have a dedicated bank account, we will ask you 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 so that we can confirm that the Direct Payment is being used as agreed within your support plan, and also so that we can support you with any problems you may have in managing the account.

If someone fails to provide us with the information we request we treat it as a breach of the Direct Payment Agreement. A review is done to determine whether a Direct Payment is still an appropriate way of meeting their needs, and this may result in the Direct Payment being stopped and the Council taking action to recover all Direct Payment money we have paid. For more information about what happens at an Audit, please see our factsheet ***Direct Payment Auditing***.

12. Misuse of a Direct Payment

If an Audit finds that someone is using their Direct Payment for things which were not agreed within their Support Plan, they 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 their 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 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

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 Phone: 0300 500 80 80 - Monday to Friday: 8am to 6pm (Calls cost 3p a minute from a BT landline. Mobile costs may vary).

Enquiries: www.nottinghamshire.gov.uk/contact

Website: www.nottinghamshire.gov.uk

Deaf / hard of hearing:

- Text relay service: Dial 18001 0115 9774050 from your textphone or the Relay UK app.

SignVideo

Download the SignVideo app to communicate with Nottinghamshire County Council in British Sign Language via an interpreter. Visit www.nottinghamshire.gov.uk/contact-us for more information.

Phone 0300 500 80 80 if you need the information in a different language or format.

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