

# Managing a Direct Payment

## Adult Social Care Factsheet D2

This factsheet is designed for people who have arranged with their Care Manager to manage their own care using a Direct Payment. It is also useful for customers who are thinking of doing this themselves, although you should also read the 'Direct Payments – introduction' factsheet.

The factsheet contains information on the following topics:

- 1) Receiving a Direct Payment
- 2) Spending Your Direct Payment
- 3) Key Questions You Might Have.

It also includes links to other sources of information.

### **1) Receiving a Direct Payment**

The Council will pay its share of the Direct Payment into your account every four weeks. You will receive this payment four weeks in advance.

You will need to open a bank account in your name for this money to be paid into. This should only be used for your Direct Payment. This is to avoid confusion with other money that you might have. We can give you advice on how to get a bank account, if you need it, as can AgeUK Cheshire and Cheshire Centre for Independent Living.

### **Direct Payment - Responsibilities**

There are a number of things you are responsible for if you have a Direct Payment:

- You must pay your weekly contribution to your care first. The Council will then top this up to the appropriate amount to meet your care needs.
- You need to arrange to buy the services that you have agreed with your Care Manager yourself.
- You are responsible for ensuring that the services that you buy are suitable for your needs.
- You need to inform the Council of a change in your circumstances (for instance, if the amount of money you have regularly coming in changes)
- You need to keep records of your Direct Payment spending (see below).

### **Record Keeping**

You must allow the Council to see all your financial records to allow us to check that your Direct Payment is being used as agreed. This includes keeping receipts and bills. We have to do this because the Council has a responsibility to ensure that public money is spent properly.

AgeUK Cheshire and Cheshire Centre for Independent Living have some simple forms to help you with your record keeping. They can also advise you on how to fill them in.

Checking of records will take place 12 weeks after the Direct Payment is set up and then at other stages (see below). However, we could ask to see your information at other times as well.

### Review

At an agreed time a meeting will take place called a 'Review'. This is where a Care Manager looks at the services you are receiving to check if they are still meeting your care needs and that you are managing your Direct Payment appropriately. If this is not the case the services you receive might need to change. A review would normally involve a face to face meeting.

## 2) Spending Your Direct Payment

There are a range of things which you can choose to spend your Direct Payment on as long as these are agreed within your support plan. Some examples are:

- You can employ a Personal Assistant
- You can pay a care provider (e.g. that offers personal care or domestic support)
- You can pay for a respite (or short break) service which allows your informal carer to have a break

- You can pay for day services which are not run by the Council.

You can also use Direct Payments for other things which help you meet your care needs as agreed with your Care Manager. This might mean seeing family and friends, keeping active, or purchasing equipment that would help you manage better at home (if this would not be provided by our equipment service). However, one thing that it cannot be used for is buying illegal services or activities.

Here are some examples below. Please note that your Care Manager must agree that the service is right for your care needs. This means there is no automatic right to them.

- Travel to and from home to an agreed care service
- Assistance for carrying out any changes to your home that will mean that you are safer, more comfortable and there is greater convenience (excluding those covered by other funding sources).
- Provision of meals either at home or elsewhere but not the purchase of the food itself)
- Obtaining a telephone and any special equipment necessary to use a telephone
- Alternatives to traditional day care such as Computing Courses,

Cookery Courses, Religious Events, Concerts, Day trips, P.A. to accompany, Swimming, Gym Membership.

### Choosing Care Services

There are many ways you can find out about services in your local area. One good way is to use the internet. Here are some examples of websites that can help.

- The **Care Quality Commission** is the Government organisation that regulates care homes. Their website includes details of all care homes across the UK and you can also view their latest inspection reports [www.cqc.org.uk/#carehomes](http://www.cqc.org.uk/#carehomes). The same information is also available on the NHS Choices website <http://www.nhs.uk/CarersDirect/Pages/CarersDirectHome.aspx>
- AgeUK Cheshire and the Cheshire Centre for Independent Living run a **North West Register of Personal Assistants** which you can use to find someone to provide care for you [www.nw-pa.org/](http://www.nw-pa.org/).

If you don't have access to the internet, or need more support, Cheshire East Council funds two organisations to provide advice to customers on Direct Payments. These are:

For people 65 and under -  
**Cheshire Centre for Independent Living**

Address: First Floor, Sension House, Denton Drive, Northwich, Cheshire, CW9 7LU

Tel: 0845 340277 or 01606 331853

Email: [office@cheshirecil.org](mailto:office@cheshirecil.org)

Web: [www.cheshirecil.org](http://www.cheshirecil.org)

For people 65 and over -

**Age UK Cheshire**

314 Chester Road, Hartford, Northwich Cheshire CW8 2AB

Telephone: 0845 053 0280

Email:

[brokereast@ageukcheshire.org.uk](mailto:brokereast@ageukcheshire.org.uk)

Web: [www.ageukcheshire.org.uk](http://www.ageukcheshire.org.uk)

Staff from these organisations can help you with choosing and buying care services that meet your support plan. Your Care Manager can also provide information as well such as giving you guidance on what you can and can't buy with your Direct Payment.

### Buying Services from the Council

It is not possible to buy services from the Council with a Direct Payment. This is because of Government rules.

However, it is possible to have a mixed approach. This would be where you would receive services from the Council as well as a smaller amount of money as a Direct Payment. You should speak to speak to your Care Manager to understand how this could work.

### 3) Key Questions You Might Have

#### **Can I get a friend or relative to help me set up my Direct Payment?**

If someone is unable to express their wishes or preferences about the support they receive, it is possible for their Direct Payment to be paid to a 'Suitable Person'.

This is a trusted person who will make decisions about how the Direct Payments is used. This can be especially useful for people with severe learning disabilities, head injuries or dementia. You should speak to your Care Manager as a first step if you are thinking about this.

Before Cheshire East Council makes Direct Payments to a 'suitable person', we must be very sure that the person getting the support lacks the ability to manage the Direct Payments themselves.

We must also be completely sure that it would be in their best interests to have Direct Payments – and that the Suitable Person will always act properly.

The suitable person will have to make similar arrangements as a person managing care themselves. For instance, it is important that this person has a separate bank account for this money to avoid it being confused with other sums. They will also have to keep accurate records in the same way as well.

#### **What if my needs change?**

Some flexibility is allowed over what you buy with your Direct Payments as your needs will vary over time. However, if you wish to change the services you buy significantly you should speak to your Care Manager about this.

In an emergency, the Council can step in and provide help if needed. This might mean taking over managing of a person's care services.

#### **Will the amount I get as a Direct Payment change over time?**

The amount you receive as a Direct Payment is likely to change over time. This is because:

- Your social care needs may change
- Your financial position may change
- The costs of services in your local area may change.

The Council must always make sure that the money you have as a Direct Payment can meet your care needs. However, this will be judged against services in general in your area. If the specific service that you use becomes more costly, it does not necessarily follow that the Council will increase its Direct Payment contribution. Similarly, we may feel that other services could meet your needs and adjust your Direct Payment amount accordingly.

#### **Will I be taxed on my Direct Payment?**

You do not have to pay tax on your Direct Payment as it is to meet your care needs. Tax is only relevant to the services that you purchase with it. For instance, if you employ a Personal Assistant they might have to pay tax on their earnings.

### **What happens if I start having Direct Payments and find it does not work for me?**

If this is the case you just need to tell your Care Manager that you no longer wish to have Direct Payments. We will speak with you to arrange services ourselves to meet your needs.

### **Can I put extra money into my care?**

One further benefit of Direct Payments is that, if you wish to, you can use your own money for your care to give you even more support. For instance, you might use a Direct Payment to employ a personal assistant, but you might also want to contribute some extra money in order to have extra hours from them.

### **What happens if I am not happy with the service I am getting?**

If you have a complaint, the first step is to complain to the care provider. They have a procedure to deal with your complaint. If you are unhappy with the way your complaint is then dealt with, you might then want to speak to your Care Manager about this.

You also have the option of taking the matter to the Local Government Ombudsman if you are still not getting

the service you want from the care provider. You can contact them on 0300 061 0614 or you can look at their website [www.lgo.org.uk](http://www.lgo.org.uk) for information.

If you are unhappy with a personal assistant that you have employed yourself then you need to discuss the issues with them to see if you can come up with a solution. You might also want to speak to Age UK Cheshire or the Cheshire Centre for Independent Living for advice.

### **Other Useful Leaflets**

Some national organisations provide some very good sources of information on using a Direct Payment. We have listed some examples below. Please ask your Care Manager for copies if you do not have access to the internet.

Employing a Personal Assistant

[www.skillsforcare.org.uk/nmsruntime/saveasdialog.aspx?IID=1795&SID=840](http://www.skillsforcare.org.uk/nmsruntime/saveasdialog.aspx?IID=1795&SID=840)

Choosing Home Care

[www.caringdirect.com/pdf/Choosing%20Care.pdf](http://www.caringdirect.com/pdf/Choosing%20Care.pdf)

Direct Payments – Questions/Answers

[www.scie.org.uk/publications/guides/guide10/files/guide10.pdf](http://www.scie.org.uk/publications/guides/guide10/files/guide10.pdf)

### **Further Information**

Our website contains further information about services, see

[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk).