

# Direct Payments

A Personal Budget is the amount of money that the Council has allocated to you to pay for your assessed Care and Support needs. This can either be taken as a private payment which is called a Direct Payment, or the Council can manage this budget for you and commission services on your behalf.

## What is a Direct Payment?

This is a method of paying for your social care and allows for more choice and control over how and when care can be provided. Direct Payments work by providing you with the money so you can pay for the agreed services directly.

A Direct Payment allows you to:

- have control of when the services are provided.
- have an alternative to the Council buy services for you
- have a choice of a provider other than those who have a contract with the Council.
- Have a greater independence and responsibility for choosing and organising your own care

The Council will pay the agreed amount for your care on a four weekly basis and payments are made in advance.

## What can I use a Direct Payment for?

Direct Payments can be used to pay for any service agreed to meet your Social Care assessed needs, other than residential placements or services offered directly by the Council.

Direct Payments are used mainly to employ a Personal Assistant (PA) or to pay for services traditionally associated with Social Care that cannot be bought directly by the Council. They can also be used to create more individualised ways of meeting your needs, so long as it has been agreed beforehand by the Council.

A Direct Payment cannot be used to pay for anything other than social care. For example, it cannot be used for food, utility bills or any other items which would be regarded as the normal cost of living.

## Who can have a Direct Payment?

With only a few exceptions, Direct Payments are available to anyone who is eligible for social care from Nottingham City Council.

There are responsibilities that come with having care paid by a Direct Payment; however Support Providers can be appointed to help manage this for you. The cost of the management is included in your Personal Budget. You may even know a friend or relative who may also be willing to help you manage your Direct Payment.

## **What will my responsibilities be?**

If you choose to have a Direct Payment, *you* will be responsible for your care. The Council will help you to set-up the package, but will not have any responsibility for the ongoing management of the package. The reason for this is that the contract for any services is between you and the provider of the service.

This is one of the most significant differences between having a commissioned service and taking a Direct Payment.

There is flexibility in having a Direct Payment as you may decide to have fewer hours care one week so extra can be provided the following week. It is important that you stay in control of the services so that your account doesn't run out of money.

You are held responsible for any debt accrued by either not paying your assess contribution or misuse of funds. If this happens the Council may decide to end your Direct Payment and replace it with a commissioned or provided service instead.

If you feel your needs have changed and that extra services are needed you must contact the social work team. You cannot arrange for additional care to be paid for from your current package until it has been approved. You must ensure the care provided is affordable within your Direct Payment.

You will be required to provide bank statements, receipts and/or invoices on a three-monthly basis to allow the Council to monitor that your social care money is being spent as intended.

If there is a time where a payment has been delayed and because of this charges have been made by the bank or provider - the Council will accept these costs.

## **Becoming an Employer**

If you choose to take part of your Personal Budget as a Direct Payment to employ a Personal Assistant, you will be taking on the responsibility of being an employer. This is a significant responsibility and as an employer, you will be held liable for:

- Recruiting your PA
- Making payments of Tax and National Insurance to HMRC on behalf of your PA.
- Understanding and complying with Employment Law
- Taking out the appropriate Insurance for your PA
- Organising cover for holidays and sickness of your PA
- Any training required for your PA
- Dealing with any grievances

The Council can help with some of these responsibilities. There are also a number of external organisations called Support Providers who will help as much or as little as you need them to. You may be happy to take on these responsibilities yourself, or you may know of a friend or relative who is willing to help. Any cost of these services will come from your personal budget.

## **What happens if I have a problem and what support will I have to manage my service?**

We expect yourself or your representative to manage your care and attempt to resolve any problems directly. If you feel that a provider or an employee is behaving either illegally or in a way that risks your safety then you should inform the Council.

Ultimately you control the care you receive and you can decide to arrange for an alternative provider. You will be expected to remain within the approved budget. If the new provider or employee charges a different amount, you will need to discuss this with the Social Work team assigned to you.

If you become aware of a serious problem that you cannot resolve yourself, or cannot be resolved by your Support Provider, you should contact your Social Work team who may be able to give you some advice.

## **What if I need emergency cover?**

Unfortunately sometimes things don't go as planned, as you are taking control of your care you will need to consider this.

It is sensible to discuss emergency arrangements during the support planning and to have contact details for alternative care services available.

A contingency payment can make up part of your Personal Budget. This is not included as part of the regular four weekly payment but will be paid on request.

If you believe the alternative care is likely to be needed for longer than any contingency agreed you should contact the Council to discuss increasing the contingency amount or amending your support plan.

## **Do I have to pay anything towards the Direct Payment?**

Anyone who has a Personal Budget must be financially assessed by the Fairer Charging team. Details of the financial assessment for community care packages can be found online at: <http://www.nottinghamcity.gov.uk/fairercharging>

Any assessed contribution will come off the Direct Payment made by the Council. You should pay your personal contribution into the bank account set up for the Direct Payment.

If you do not make your contribution there will not be enough money available in your Direct Payment account to pay for services. If this happens you will be responsible for any accrued debt and resolving any issues with the provider or Personal Assistant. If this is an ongoing problem we could have to discuss different ways of providing your care.

You will be visited by the Adult Fairer Charging team to determine how much money you need to contribute to your care package and how much Nottingham City Council needs to contribute to your care package.

The Fairer Charging assessment is a financial assessment and is separate to the care needs assessment that is completed by the Social Care Assessor.

## **How to get a Direct Payment?**

You may request for your Personal Budget to be given as a Direct Payment at any time. If you are interested in receiving a Direct Payment then you should discuss this with the Social Care worker helping you with your Support Plan.

## **Contact**

For more information contact the Nottingham Health and Care Point on **0300 300 3333**, Monday to Friday 8:30-5:00pm.

If your query or concern is urgent and is outside the above hours please call the Emergency Duty Team on **0115 876 1000**.

You can also email the team at [adult.contactteam@nottinghamcity.gov.uk](mailto:adult.contactteam@nottinghamcity.gov.uk).