

A guide to Direct Payments



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

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Contents

Introduction	Page 3
About the Choosing and Purchasing Team	Page 3
About Direct Payments	Page 4
What is a Direct Payment?	Page 4
What are the benefits of a Direct Payment?	Page 4
Managing your Direct Payment	Page 5
How is the Direct Payment amount worked out?	Page 6
Are there any things that a Direct Payment can't be used for? ..	Page 6
What if I'm not happy having a Direct Payment or can't manage? ..	Page 7
What you will need to do	Page 7
We can help you with	Page 8
Employing someone as a Personal Assistant	Page 8
Why choose a PA	Page 8
What you will need to do	Page 9
We can help you with	Page 9
Contacting the Choosing and Purchasing Team	Page 12
Contacting Adult Social Care	Page 12

Introduction

This booklet is for people who have chosen to receive their personal budget from Adult Social Care in the form of a Direct Payment.

This booklet tells you what you will need to do to manage your Direct Payment, and how Stockport Council's Choosing and Purchasing Team can help you with this.

About the Choosing and Purchasing Team

Stockport Council's Choosing and Purchasing Team is here to help you with managing your Direct Payment, give you advice and answer any queries you may have about Direct Payments.

The next sections in the booklet tell you more about these things and how the Choosing and Purchasing Team can support you.

Telephone: 0161 218 1953

Email: choosing&purchasing@stockport.gov.uk

About Direct Payments

What is a Direct Payment?

A Direct Payment is money transferred to you by the council to pay for your care and support. It must be used to meet your needs as outlined in your support plan. The money is paid every 4 weeks (usually into a bank account or onto a pre-payment card).

A Direct Payment is one way you can choose to manage your personal budget (the amount of money you have been allocated to meet your care and support needs).

What are the benefits of a Direct Payment?

- Direct Payments offer you the option to take control over your support
- You will have a lot more choice in choosing the services and support you require
- Direct Payments can be used flexibly and differently from week to week to meet your needs
- You can choose to employ your own Personal Assistant

Managing your Direct Payment

You can either manage the Direct Payment yourself or you can nominate a person to manage it on your behalf.

If you choose to have a Direct Payment, you (or your nominated person) will arrange and pay for your support using this money. You can also use a Direct Payment to employ an individual to support you – a 'Personal Assistant' (see the section 'Employing someone as your Personal Assistant' for more information).

You can manage your Direct Payment in a number of different ways:

- Receive the money into a bank account (this must be a separate account only used for your Direct Payment)
- Receive the money on a pre-payment card. This works like a debit card
- An Individual Service Fund - where the money goes to the service provider you want to provide your care and support. You decide how to spend the money but the provider manages it on your behalf and is accountable to you. The service you receive is delivered exclusively by that provider
- A Managed Account - where the money goes to a service provider of your choice. You decide how to spend the money but the provider manages it on your behalf and is accountable to you. The money can be used to pay for services delivered by one or many service providers, which may or may not include the one that manages the money for you. The service provider may charge you a fee for this service

You can also choose a combination of these options.

How is the Direct Payment amount worked out?

The Direct Payment amount can be all or some of your personal budget.

Your 'indicative' personal budget is worked out as part of your assessment and is based on your needs. It gives you a 'ball park' figure for you to consider when starting your support planning. During the support planning process, you agree with Adult Social Care how your needs will be met and the indicative budget is adjusted and becomes the actual budget. Your actual budget may be higher or lower than your indicative budget.

The financial assessment will determine how much the Local Authority pays towards your personal budget amount and how much your contribution will be. You can then decide whether to receive all or part of your personal budget as a Direct Payment.

Are there any things that a Direct Payment can't be used for?

The Direct Payment must be spent on meeting your care and support needs as agreed in your support plan.

Direct Payments cannot be used for:

- Short term support (such as Intermediate Care or Reablement services)
- Aids, adaptations or equipment up to £1000 where the equipment should legally be provided by the Council
- Completion of tasks that are considered to be the responsibility of the NHS, e.g. dental, chiropody or physiotherapy services
- Services that are directly provided by Stockport Council (although can be used to pay for services provided by another local authority)
- Paying household bills, such as rent, food or utility bills
- Paying for anything which is illegal
- Paying for gambling, including lottery, bingo and raffle tickets

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- Paying for alcohol or cigarettes
 - Paying for non-statutory liabilities, such as tips, bonuses or ex gratia payments

Stockport Council has the right to claim back any money that has been used inappropriately.

What if I'm not happy having a Direct Payment or can't manage?

If you are not happy with the Direct Payment, contact the Choosing and Purchasing Team. They will review your situation and can help you to change how your personal budget is managed.

Managing your Direct Payment - what you will need to do:

- Set up a separate bank account solely for your Direct Payment (if this is how you choose to manage it - see section on page 5 'Managing your Direct Payments')
- Pay your contribution to the Direct Payment into this account (if applicable)
- Spend your Direct Payment on things that meet the outcomes agreed in your care and support plan
- Arrange payments for the services you receive
- Keep a record of what you spend, your receipts and bank statements. You will need to send these to the Council with a completed spending record when we request them – the first check will be after 4 months, thereafter every 6 months
- If you choose a pre-payment card to manage your Direct Payment you will not need to complete the spending record, but you should keep all receipts in case of a query

We can help you with:

The Choosing and Purchasing Team can provide you with guidance and information on:

- Opening a bank account solely for the holding of Direct Payments money
- Budgeting
- Completing your quarterly returns of expenditure

Employing someone as a Personal Assistant

You can choose to spend your Direct Payment on employing a Personal Assistant (PA). This means that you become their employer. There are some responsibilities that come with employing someone, but the Choosing and Purchasing Team can help you with these. You can employ someone you already know as your PA, as long as they do not live in the same household as you.

You can also use the money to pay a self-employed PA who will be responsible for their own Tax and National Insurance contributions.

Why choose a Personal Assistant (PA)?

Employing your own PA can have lots of benefits such as:

- More flexible support
- You are in control – you choose the person that will support you, what help you need and when to have it
- Familiarity of having the same person always supporting you and building up a close working relationship

Employing someone as your PA - what you will need to do:

- Comply with employment law and health and safety law
- Make sure your PA complies with health and safety law
- Have employer liability insurance
- Make sure your PA's time sheets are completed and sent to the Choosing and Purchasing Team promptly
- Let us know if your PA starts or leaves their job with you
- Pay your employee when agreed (including the required HMRC payments) using your Direct Payment
- Make sure your Personal Assistant has the right training and keep a record of the training they receive
- If you have a Moving and Handling Plan your PA must do the moving and handling training provided by the Council. This helps keep you safe, but also ensures your employer's liability insurance is valid in case an accident does happen
- Check your PA's car insurance - If your PA will be using his/her own vehicle when working for you, then they need to have their car insured for business use. You should check that this insurance is in place

We can help you with:

The Choosing and Purchasing Team can give you support and information on all aspects of employing staff, including:

Recruiting your PA

The Choosing and Purchasing Team can help you to recruit a PA. Some people do choose to recruit their PAs independently, e.g. by placing adverts at the Job Centre.

Choosing and Purchasing can provide support throughout the whole recruitment process:

- Help you write job descriptions and person specifications for your new personal assistant(s)
- Assist with advertising for your PA
- Help to shortlist candidates, and arrange and attend interviews
- Check people's backgrounds when you have decided who you want to employ (DBS checks and references)
- Help you prepare a contract of employment

Employment law and insurance

If you decide to employ your own Personal Assistant, the Choosing and Purchasing Team can give you access to advice and support on all aspects of Employment Law. We will set up your Employers' Liability Insurance. The insurance provider supplies an expert legal advice helpline which you can contact in case of any issues.

Safeguarding

The team can advise you if you are feeling unsafe or feel unsure about an aspect of your PA's behaviour or conduct.

Health and safety

The Choosing and Purchasing Team can advise and support you on all aspects of Health and Safety in relation to your employment of a Personal Assistant.

Contingency planning

The team can advise you on alternative arrangements available in case of the unexpected, such as if your PA is unwell or cannot make it to a shift.

Payroll Service

A Payroll Service is available to make it easier for you to use your Direct Payments to employ a PA. They help by working with you to pay your personal assistant's wage bills and will take away the worry of calculating your employee's tax and National Insurance.

Training for your Personal assistant

There is a range of free training available for PAs, including:

- Emergency First Aid
- Safeguarding Adults
- Moving and Handling
- A range of e-learning courses – your PA can do any relevant to your support

Contact the Choosing and Purchasing team to find out more and arrange training for your PA.

Further information

The Choosing and Purchasing Team will provide you with the following documents with more detailed information and guidance:

- A guide to employing your own PA
- Payroll Service application Pack and guide
- Pensions information for employers of PAs
- A guide to Health and Safety information

Contacting the Choosing and Purchasing Team

You can contact the Choosing and Purchasing Team whenever you have a question or need some advice about managing your Direct Payment or employing your PA, or if there is an issue that you need help resolving.

Telephone: 0161 218 1953

Email: choosing&purchasing@stockport.gov.uk

Contacting Adult Social Care

If you need to contact Adult Social Care for any other reason, please get in touch with our contact centre:

Telephone: 0161 217 6029

Minicom: 0161 217 6024

Email: adultsocialcare@stockport.gov.uk

Out of office hours: 0161 718 2118

Please keep this booklet for future reference



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