

Direct Payments

What you need to know

Information about Direct Payments money that can be paid directly to people eligible for social care services, as an alternative to having services arranged by the council.

This booklet provides answers to the most frequently asked questions about Direct Payments in Hampshire.

**For a copy of this publication in another language or format – (e.g. large print, audio format or braille)
Please phone 0845 603 5630
Or email: adult.services@hants.gov.uk**

Section 1: Introduction to Direct Payments

What are direct payments?

Direct Payments is money paid directly to you by Hampshire County Council so you can arrange services or buy equipment for yourself, to meet your eligible social care needs.

How can I get Direct Payments?

Telephone: 0845 603 5630

Or contact your local

- ✓ Adult Services Office
- ✓ Children's Services Office

See page 10 for contact details

Who can receive direct payments?

The majority of people eligible for social care services from the council have the right to Direct Payments:

- ✓ Older people who have been assessed as needing community care services
- ✓ Disabled people aged 16 and over
- ✓ Families with disabled children (contact children's services)
- ✓ Disabled parents (contact children's services)
- ✓ Carers, in place of receiving carers' services including those with short as well as long term needs.

To receive Direct Payments you **must be eligible** for social care services from the council, choose to have Direct Payments **and** be able to manage the money, with support if necessary.

There are a few people excluded from the scheme, under legislation. A care manager can tell you more about this.

What does eligible mean?

In 2002, the Department of Health issued guidance called 'Fair Access to Care'. This guidance helps Local Authorities, like Hampshire County Council, decide who their 'most needy' members of the community are by setting out 'Eligibility Criteria'. The 'Eligibility Criteria' provides a scale by which we can assess an individual's care requirements.

We will carry out an **assessment** and if your needs are identified as being 'critical' or 'substantial' you will be **'eligible'** and qualify for help from Adult Services.

We cannot provide help for needs which are not 'critical' or 'substantial' but we will give you advice and information about ways you can manage your needs or get help for them elsewhere.

Please ask a care manager if you would like more information about 'Fair Access to Care' and 'Eligibility Criteria'.

Section 2: About Direct Payments

Why should I consider Direct Payments?

Direct Payments put you in control of your own lifestyle. **You** can employ people or buy services **you** choose, to provide the assistance that **you** need.

For example you could choose to:

- ✓ **Arrange** for an agency to provide your care
- ✓ **Pay a personal assistant** to provide personal care and support
- ✓ Pay for equipment that will help you to live a more **independent** life.

What does 'arrange' services mean?

Once you know what services you want to buy **you** can employ people directly or contact people that can provide the services for you. You can **choose** what services you have and when they are delivered.

What are the benefits of asking a care agency to arrange services for me?

- ✓ Someone else has the responsibility of employing the workers

What are the benefits of employing a personal assistant?

You have control over

- ✓ who works for you
- ✓ when the care workers arrive
- ✓ how much time they spend with you
- ✓ what tasks they carry out

What is a personal assistant?

A **personal assistant** (sometimes referred to as a PA) is someone who assists in daily personal tasks. A **personal assistant** could help by:

- ✓ Providing personal care such as washing and dressing
- ✓ Helping with daily activities such as making drinks and general domestic duties
- ✓ Helping you to get out and about such as driving and escorting you to social events.

A **Direct Payments support worker** can explain this in more detail.

What is personal care?

Personal Care includes washing, dressing, using toilet facilities and essential food preparation.

Section 2: About Direct Payments - continued

What is support work?

Support Work includes:

- ✓ Prompting and encouraging someone to wash and dress
- ✓ Helping someone to take part in social activities and community involvement

What would employing someone involve?

If you employ someone directly you will need to:

- ✓ Find someone suitable to provide the care and support that you need. This could involve putting an advert up yourself or you could get advice and support from a direct payments support worker (contact details are on page 12).
- ✓ Interview the people that apply for the job
- ✓ Choose the people you want to work for you
- ✓ Use your Direct Payments to pay for wages, holiday pay and other employer related expenses including employers' liability insurance
- ✓ Draw up an employment contract
- ✓ Meet your legal responsibility regarding tax and national insurance contributions.
- ✓ You can use a **payroll service** to help. You can pay for this using your Direct Payments.

If you choose to employ someone we advise you to get a CRB check. A **Direct Payments support worker** can tell you more about employing people (see page 12 for details).

What is a CRB check?

A Criminal Record Bureau check. This check will give us information about whether the person you wish to employ has a criminal record. Please ask a Direct Payments support worker about this (see page 12 for details).

What happens if I want to pay a family member to provide care for me?

You can choose who you employ but this **must be agreed** as part of the care and support plan. You will have to accept the responsibilities involved in employing and managing your own staff.

You **cannot** use your Direct Payments to pay someone on a casual cash basis – proper employment and financial records must be kept at all times.

Can I have a mix of provided services and Direct Payments?

Yes, you could choose to manage some of your own services and have other services managed by a care manager. For example you may prefer to have a care manager arrange care from an agency and have a direct payment for support assistance.

How do I complain about the care or support I receive?

If you are dissatisfied you must talk directly to the person or organisation you are paying to provide your care or support.

A **Direct Payments support worker** can help you with this (see page 12 for details).

What happens when my care worker wants to take their holiday?

Current employment law says that employees are entitled to paid holiday. Our Direct Payments Support Workers will explain this and help you agree a plan, so you can make arrangements for these temporary absences. This will include paying for holiday pay and the cost of a replacement worker.

What if my PA is off sick?

Our Direct Payments Support Workers will help you agree a plan, so you know what to do if this happens.

What do I do in an Emergency?

Our Direct Payments Support Workers will help you agree a plan so you know what to do in an emergency.

If your plan fails you can contact Hampshire County Council

Telephone: 0845 603 5630

Can I use Direct Payments when I go on holiday?

Whilst you are on holiday, you can use your Direct Payments to pay your PA, in the same way as you do whilst at home. You cannot normally pay for the personal assistant's accommodation or travel costs whilst on holiday.

How do I get the money?

You will need to set up a separate bank account, so we can pay you the money. This account must only be used for Direct Payments.

You will need to agree to the terms and conditions of having a Direct Payment, by signing a **Direct Payments Agreement**, before we can pay you the money.

What is a Direct Payment Agreement?

The agreement is a document, which sets out the conditions of having Direct Payments. It also sets out what will happen if these conditions are not met.

The agreement will be explained by a care manager when you choose to have Direct Payments.

Section 2: About Direct Payments - continued

How much money will I get?

The amount will depend on your assessed and eligible needs. Direct Payments are an alternative to services arranged and provided by us. Your **financial contribution** combined with the Direct Payments we pay you, should be enough for you to buy services to meet your assessed needs.

Will I have to pay anything?

The Financial Assessments and Benefits (FAB) team will carry out a financial assessment. FAB will discuss your individual situation, advise you on what benefits you may be able to claim, assist you with **disability related expenses** and tell you **if** you need to make a **financial contribution** to help pay for your care.

If you are asked to make a **financial contribution**, this will be deducted from your Direct Payments before you receive them. You will be expected to pay your **financial contribution** into your Direct Payments bank account so you have enough money to meet your assessed needs.

You will be responsible for paying your bank charges, for example charges for added benefits or overdrafts.

What are disability related expenses?

As part of your Financial Assessment you can claim for disability related expenses. These must be expenses directed related to your disability and you must provide evidence that you have paid for these services. These expenses could include heating, cleaning and gardening. The FAB team can explain this in more detail.

Section 3: Getting the money and spending it

Can someone manage the money for me?

The Direct Payments support service can help you with budgeting. You can also nominate someone such as a partner, family member or friend to:

- ✓ Help you manage the money, or
- ✓ Manage the money on your behalf.

Your care manager will be able to tell you more about this.

Will Direct Payments affect my benefits?

No, Direct Payments are not classed as income and cannot be taken into account when you are assessed for welfare benefits.

There are three agencies that can provide care, can I use the more expensive one?

Yes, in addition to your financial contribution, you can **add your own money** to make up the difference between **cost effective** services and your **preferred** services.

What do you mean by cost effective services and preferred services?

Cost effective services are services that meet your needs and provide good value for money.

Preferred services are services **you** want to use.

We will **not** fund the costs of more expensive services, if better value services can be purchased elsewhere to meet your needs.

Do you want to know what I have spent the money on?

Yes, Direct Payments are public money and should be spent on meeting your assessed eligible needs. This means that we **do** want to know how the money is spent. You will need to keep evidence of how you spend the money, such as bank statements, time sheets, invoices and receipts. You will be expected to show these to your care manager and send copies to the finance team when you are asked for them.

Keeping these records shows us that you are able to manage the money and use it to meet your needs.

What can I buy with Direct Payments?

You **must** use the money to meet your assessed needs so you can buy any of these things:

- ✓ Services to meet your personal care needs such as: showering, washing, dressing and assistance with toileting, transfer and moving

Section 3: Getting the money and spending it - continued

- ✓ Support for daily living activities such as: developing or maintaining essential social and community contacts
- ✓ Support for maintaining a healthy lifestyle such as: help to prepare a well balanced diet to meet your particular needs.
- ✓ Short term breaks or respite care
- ✓ Equipment and adaptations that would otherwise have been provided by Hampshire County Council.

If you are unsure please ask a care manager.

What happens if I don't spend all of the money?

If HCC think you need to pay any **unspent** money back, you will be told.

Is there anything I must not buy?

You **cannot** use Direct Payments for any of these things:

- ✗ Long Term residential care
- ✗ Nursing care or medicines
- ✗ Alcohol and tobacco products such as cigarettes or cigars
- ✗ Gambling such as horse racing, bingo or lottery
- ✗ Equipment that would otherwise be provided by the NHS

- ✗ As a substitute for a Disabled Facilities Grant.

If you are unsure please ask a care manager.

What happens if I spend the money on something that does not meet my assessed needs?

We will talk to you about this, discuss your needs and what you want to achieve. We will ask you to pay the money back, if it has **not** been used to meet your assessed care needs.

Section 4: Managing Direct Payments and meeting your needs

How will you know that my needs are being met?

Your needs could change at any time, so to make sure Direct Payments are meeting your needs, we will keep in contact with you.

You should tell us:

- ✓ If your needs are not being met because we may be able to arrange more support or help for you.

Care managers will:

- ✓ Check your financial records to see what services you are buying to meet your needs
- ✓ Monitor and discuss your care and support arrangements
- ✓ Carry out reviews
- ✓ Re-assess your needs if your needs change.

The **Direct Payments Team** monitor your financial records and will:

- ✓ Tell the Care management team if they have any concerns.

Doing this means that if your needs are not being met we know and can help you.

What should I do if I am having difficulties managing my Direct Payments?

Do not worry, we know that sometimes people need help. It is important to tell someone so you can get the support you need.

You should contact:

- ✓ Your local Direct Payments support service (see page 12 for details)

What should I do if my needs change?

You should tell Hampshire County Council as soon as possible Telephone: 0845 603 5630

Will you ever stop my Direct Payments?

Yes, we will stop your Direct Payments

- ✗ Temporarily, for example, if you are in hospital for an extended period (this is explained in the Direct Payments agreement).
- ✗ If you are **not eligible** for social care services, due to changes in your circumstances
- ✗ If **you choose** not to have Direct Payments
- ✗ If you are in breach of your Direct Payments Agreement
- ✗ If you cannot manage Direct Payments (even with agreed support)

Will I know when my Direct Payments are going to stop?

Yes, before we stop your Direct Payments HCC will discuss the situation with you.

If you are having difficulties managing your direct payments HCC would expect you to get support. If this does not help we will work with you to look at all of your options.

What happens if you stop my Direct Payments?

HCC will arrange services for you if you are eligible for social care support.

Where can I get more information?

There is a Department of Health document called 'A guide to receiving direct payments from your local council - a route to independent living (March 2008)'

If you would like a copy contact:

DH Publications Orderline
PO Box 777 London SE1 6XH
E-mail: dh@prolog.uk.com

Tel: 08701 555 455 Fax: 01623 724 524
Textphone: 08700 102 870
(8am to 6pm, Monday to Friday)
www.dh.gov.uk

Please quote 282882/ 'A guide to receiving direct payments from your local council'

There are also Direct Payments advice sheets. These are available at www.hants.gov.uk/direct-payments or from a Direct Payments Support Worker (see page 12 for contact details).

What are the contact details for my local Adult and Children's Services Office?

Aldershot

Old Town Hall, Grosvenor Road,
Aldershot GU11 3DP
tel 01252 314221
Textphone 01252 313369

Alton

Park House, High Street,
Alton GU34 1EN
tel 01420 544255
textphone 01420 549635

Andover

Chantry House, Chantry Way
Andover SP10 1LW
tel 01264 387400
textphone 01264 335708

Basingstoke

Sun Alliance House, 37-41 Wote Street,
Basingstoke RG21 7LU
tel 01256 362000
textphone 01256 814276

Eastleigh

Russell House, 26-28 Romsey Road,
Eastleigh SO50 9AN
tel 023 8061 8722
textphone 023 8065 2998

Fareham

The Health Centre, Civic Way, Osborn Road,
Fareham PO16 7EP
tel 0845 600 45 55
textphone 01329 827838

Gosport

133 Stoke Road, Gosport PO12 1SD
tel 0845 600 45 55
textphone 023 9258 1096

Havant

Town End House, PO Box 61
East Street, Havant PO9 1UB
tel 023 9247 1644
textphone 023 9244 0000

Hythe

West Shore House, West Street,
Hythe, Southampton SO45 6AA
tel 023 8084 6953
textphone 023 8084 8990

Lymington

Avenue Road, Lymington, SO41 9YB
tel 01590 625000
textphone 01590 625129

Petersfield

Tilbrook House, 2-4 Grenehurst Way,
Petersfield GU31 4AZ
tel 01730 265462
textphone 01730 265462

Romsey

Former Magistrates Court
Church Street, Romsey SO51 8AQ
tel 01794 526000
textphone 01794 511585

Winchester

Corinium House, 10-14 Andover Road,
Winchester SO23 7BX
tel 01962 869313
textphone 01962 878209

Hampshire County Council is currently introducing a contact centre, called Hantsdirect, to improve the way the public contact the County Council and the level of service they receive when they do. We want to make it quick, easy and convenient for you to access the services you require and have your request or query dealt with quickly and efficiently.

As a result, when you use some of the numbers listed in this book, you may be re-directed to Hantsdirect. Over time, these numbers will be phased out and replaced by Hantsdirect. At time of going to print, we do not have the new Hantsdirect numbers in order to be able to publish them. However, updates will be published on our website: www.hants.gov.uk/hantsdirect and on leaflets and other communications published in the near future.

Section 5: Support

Direct Payments Support

We have a contract with Southampton Centre for Independent Living and Enham to provide Support Workers to help you with Direct Payments. Carers Together also have a contract to provide support for Direct Payments users who are parents of disabled children, carers of disabled adults or young carers.

Direct Payments Support Workers can:

- ✓ Help you make a decision about whether Direct Payments will be right for you.
- ✓ Support you to manage your Direct Payments.

Please contact them to discuss your individual situation, they are waiting to help you.



Southampton Centre for Independent Living Ltd (SCIL)

Unity 12, 9-19 Rose Road, Southampton,
SO14 6TE

www.southamptoncil.co.uk

Telephone: 023 8033 0982

Text phone: 023 8020 2649

Fax: 023 8020 2648

Email - directpayments@southamptoncil.co.uk

Areas covered: New Forest, Eastleigh, Romsey, Havant, Petersfield, Fareham, Gosport



Enham

Enham Place, Enham Alamein, Andover,
Hampshire, SP11 6JS

<http://www.enham.org.uk/>

Telephone: 01264 345862

Minicom: 01264 345862 ext. 5601

Fax: 01264 333638

Email - direct-payments@enham.org.uk

Areas covered: Basingstoke, Winchester, Andover, Alton, Aldershot

Carers Together

Carers Together, 9 Love Lane, Romsey,
Hampshire, SO51 8DE

Telephone: 01794 519495

Carers Active Listening Line

CALL - 08000 3 23456

email - admin@carerstogogether.org.uk