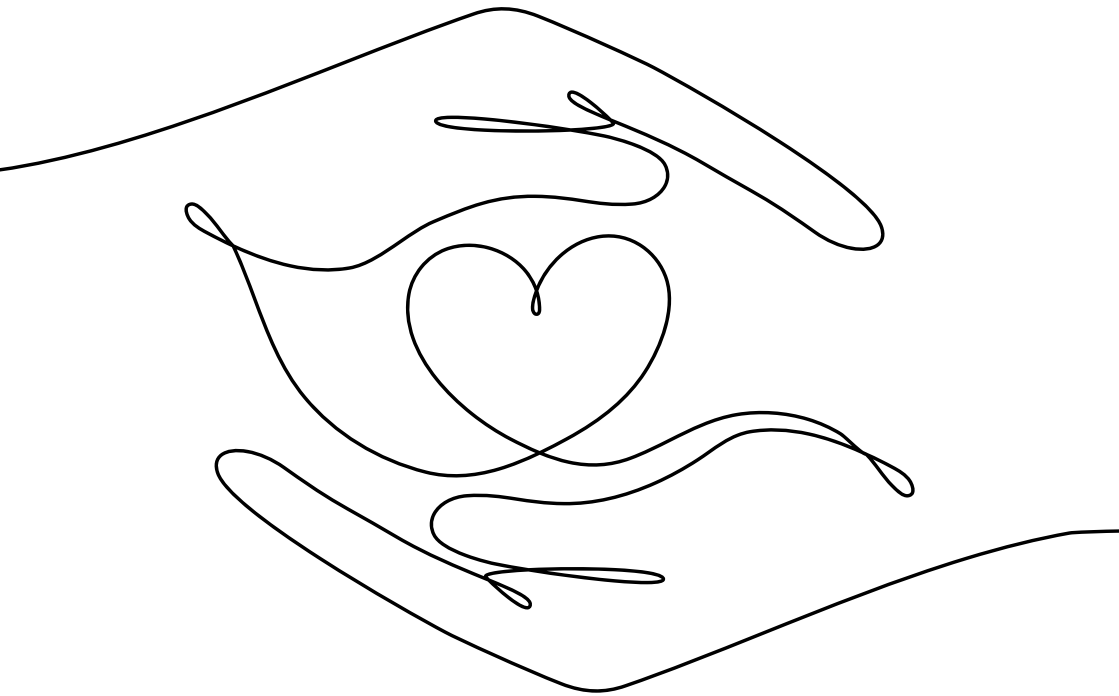


Adult Social Care

Direct Payments



Isle of Wight
Council

Contents

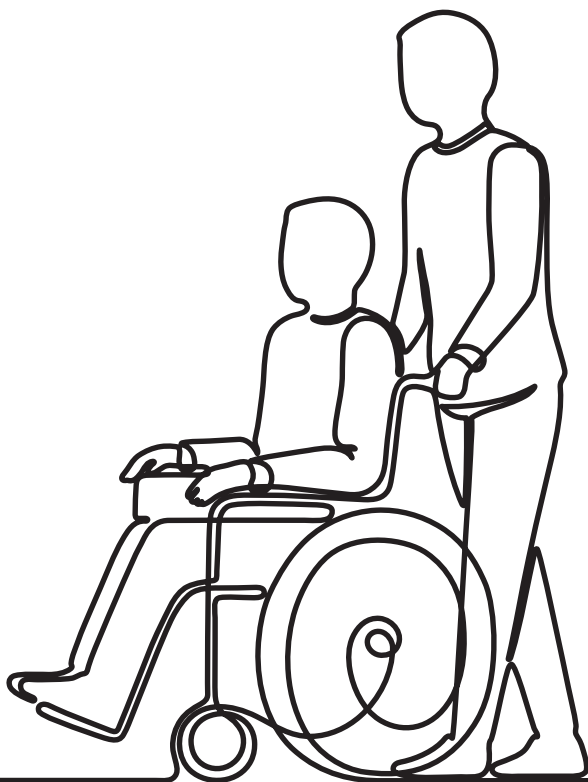
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An introduction to direct payments

Direct payments empower you with greater choice, flexibility, and control over how your eligible needs are met, how your support is provided, and who provides it. This includes purchasing and arranging assistance or services for things that are important in your life. The direct payments team is here to support you with every aspect of managing your direct payment.

Example:

Mr Simons had different agency carers coming in each week arranged by the council. Although the quality of care they provided to Mr Simons was of a high standard, he wanted the same person to support him each week. Mr Simons decided to take his personal budget as a direct payment and recruited a personal assistant who came in to support him.



Am I eligible for a direct payment?

If you are assessed as having eligible care needs, you will also undergo a financial assessment. The potential outcomes are:

No contribution required

You will not need to contribute towards the cost of your care and will be eligible for a direct payment.

Partial contribution required

You will need to pay a partial contribution towards your care and will be eligible for a direct payment.

Full contribution required as over capital limit

You will need to pay the full cost of your care and will not be eligible for a direct payment. You will need to fund your care and support services directly, but support in employing a personal assistant is still available. Funds will be paid onto your direct payment in full and you will be invoiced the contribution amount from your financial assessment. with associated costs covered by you.

If you are eligible for council-funded support, you will be allocated a personal budget. This budget represents the amount the council would spend on services to meet your eligible care and support needs. You can choose to receive this amount as a direct payment to arrange your care and support, with assistance from the direct payments team.

How can I use my direct payment?

Your care and support plan will outline how your direct payments should be used to meet your assessed care needs. There are a range of support services available, such as:

- Personal care and assistance to help you live in your own home. This can be with carers sourced through an agency, or a personal assistant that you choose and employ directly.
- Short breaks for individuals with social care needs and their carers
- Support to access activities outside of the home, such as community, social, and leisure activities, and transport.
- Equipment that the council does not usually provide - this would need to be agreed in advance.
- Support for carers.

Receiving a direct payment: the process

Empowering your journey

Contact the council at 01983 823340 to request a care needs assessment from our adult care services. This is the first step towards taking control of your care.

Collaborative assessment

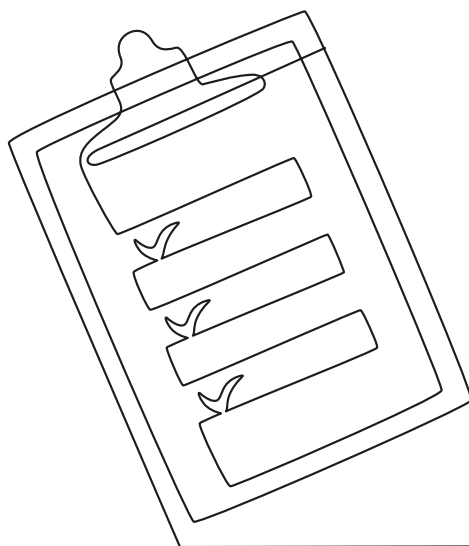
One of our dedicated social workers or social worker assistants will work with you to complete a care needs assessment, ensuring your voice is heard and your strengths are recognised.

Personal budget calculation

Based on the assessment, we will collaboratively calculate an estimated personal budget to support your identified care and support needs, empowering you to achieve your goals.

Financial assessment

We will complete a financial assessment to determine any contribution you may need to make towards your care, ensuring transparency and fairness in your personal budget.



Co-producing your plan

Together, we will co-produce a care and support plan that highlights:

- Your health and social care needs.
- How these needs will be met.
- The resources available to support you.

Meeting your needs

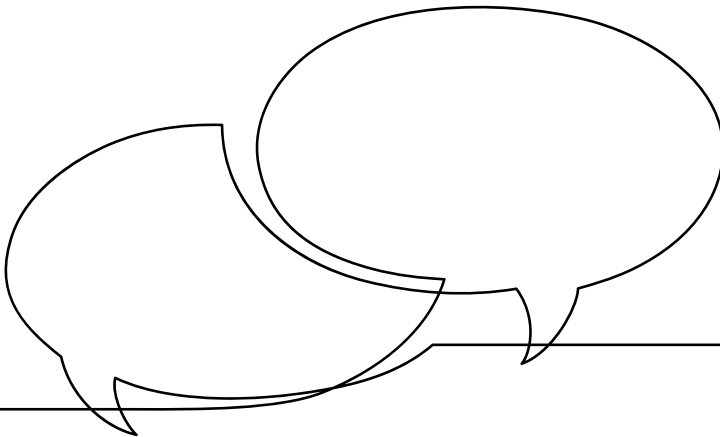
- We can assist in sourcing the right care to meet your assessed needs.
- If you prefer more responsibility and control, you can choose to source your own care and achieve the outcomes identified in your care act assessment. Our direct payments team is here to support you every step of the way.

Setting up your direct payment

We will guide you through setting up your direct payment, ensuring all necessary paperwork is completed and you have a clear understanding of how it works.

Ongoing support and review

We will conduct a six-week review of your direct payment to ensure it is effectively supporting your needs. If you have any questions or concerns, our direct payments team is always available to assist you.



How direct payments are paid

With the right support and information, most people can confidently manage their own direct payments.

Our preferred method for issuing direct payments is through a pre-paid card provided by EML Payments.

What is a pre-paid card?

If you have been assessed as having eligible care needs, you can choose to receive your personal budget as a direct payment. This empowers you to organise and pay for your care independently. We will provide you with a pre-paid card to manage the direct payment funds we transfer to you.

We will load your direct payment funds onto your pre-paid card. This card functions like a debit card, allowing you to make payments as long as there are sufficient funds on the card, ensuring you cannot go overdrawn.

While you cannot withdraw cash using your card, you can make payments through the associated online banking facility or card 'portal,' or by calling the card support team (EML) at 02036 334511.

You can then use this card just like a standard debit card to purchase the services, facilities or equipment agreed upon in your care and support plan.

What are the benefits of a pre-paid card?

- Available regardless of financial status.
- No need to open a separate bank account.
- Funds can easily and quickly be loaded onto the account.
- Impossible to go overdrawn.
- Reduces the need to carry cash.
- Can be managed by a nominated person if required.

You will have to keep evidence of expenditure from your pre-paid card.

Can you arrange for someone else to manage the pre-paid card for you?

Yes, you can nominate someone you trust to manage your pre-paid card payments on your behalf. This person will be named on the pre-paid card system, allowing the EML customer service team to recognise their authority to speak and make payments on your behalf. They can be a family member, friend, or solicitor. However, they cannot make payments to you or themselves.

What happens if I cannot make decisions regarding my care?

If you ever find yourself unable to make decisions about your everyday needs, an 'authorised person' can step in to manage the direct payment on your behalf.

This person is usually someone with Lasting Power of Attorney or a Deputy, or someone else we deem suitable to act on your behalf. This ensures that your care continues seamlessly and according to your preferences.

Can I still have a pre-paid card if I do not have access to the internet or if I am not comfortable with online banking?

Absolutely! While online banking is a convenient feature of having a pre-paid card, it is not essential. You can use telephone banking instead.

By calling EML customer support, you can request information about your account over the phone. You'll verify your identity by answering a security question you chose when you completed your card holder agreement, ensuring your account information remains secure.

Can I get support with recruiting and employing a personal assistant if I have a pre-paid card?

Yes, you can! With a direct payment, you have the option to meet your support needs by hiring a personal assistant (PA). You can choose to directly employ a PA or opt for a self-employed PA. Accurate record-keeping is important for audit purposes.

Managing a PA involves responsibilities like advertising the job, recruitment, preparing an employment contract, and handling wages, tax, National Insurance, and pension contributions. However, you are not alone in this process. The direct payments team is available to provide support and guidance. Additionally, you can use a pension and payroll company to assist with employment tasks and calculations.

You have the choice to request a DBS check, Public Liability Insurance, and Unique Taxpayer Reference (UTR) evidence for your PA(s). The Isle of Wight Council will provide you with the necessary information so you or your representative can make informed decisions.

Empowering you to manage a direct payment

Receiving a direct payment allows you to take charge of your care and make decisions that best suit your needs. While you maintain control, there are various supportive options available to help you manage your funds effectively.

Nominated or authorised person

Your friends and family can play a significant role in supporting your direct payment management. They can assist with tasks such as paying invoices, setting up standing orders, and more. You can also authorise a family member or friend to discuss your direct payment with us.

If you prefer more comprehensive support, you can designate a family member or friend to manage your direct payment on your behalf. This trusted person will handle the receipt and management of your direct payment, ensuring that all bills and invoices for your care and support are paid accurately and on time. They will also maintain records and keep receipts, with guidance and support readily available to them.

In cases where you have been assessed as not having the capacity to make decisions about your direct payment, a “Suitable Person” can be appointed to act in your best interest. This individual could be a relative or a friend.

Support from the direct payments team

Our direct payments team is here to assist you, your family, or friends with managing your direct payment. They offer advice and support to help you understand your responsibilities, how the direct payment and pre-paid card work, and the process of recruiting and employing personal assistants. They also provide support with setting up your care and support arrangements through support planning and using the 24/7 grid, giving you greater control over your budget.

Feel empowered knowing that you have a network of support to help you manage your direct payment effectively and confidently.

Recruiting staff

Empowering your choice: employing a personal assistant

Choosing to use your direct payment to employ a personal assistant (PA) can be a powerful way to meet your care and support needs. This option allows you to have greater control and flexibility over your care.

Why choose to employ your own staff?

There are many positive reasons to employ your own PA. You might already have a friend or neighbour you trust and would like to pay for their support. Alternatively, you may have specific care or cultural needs that are best met by someone you personally select.

Navigating employment law

While employing your own staff means you need to follow employment law, remember that you are not alone. The direct payments team is here to support you with information and guidance every step of the way.

Financial support

We will cover the costs and charges associated with employing a PA, including pension and payroll services, as part of your personal budget

How to find a personal assistant

Identifying the right person

You might already have someone in mind for the role of your PA, such as a relative, friend, neighbour, or another trusted individual from your support network.

Important considerations

Please note that direct payments cannot typically be used to pay a relative or friend who lives in the same household, unless you have written agreement from us.

Support from the personal assistant market team

If you do not have a personal assistant (PA) in mind, the Isle of Wight Council PA market team can assist you in finding and recruiting a PA through their PA noticeboard.

Benefits of employing a personal assistant

Comprehensive support

- Writing a job description.
- Defining employment conditions (pay rates, working hours, breaks).
- Shortlisting and interviewing candidates.
- Conducting employer checks.
- Providing employment contracts.
- Completing Disclosure and Barring Service (DBS) checks.
- Considering necessary training for your employee.
- Creating a contingency plan for holidays or sickness.

Essential checks before hiring

Before hiring, you must carry out the following checks:

- **Right to Work**

Verify that your employee can legally work in the UK.

- **DBS Check**

Conduct a criminal record check, especially if there is a child in the household.

- **Employment History**

Request references from previous or current employers.

Staying safe during recruiting

To ensure your safety while recruiting:

- Avoid placing adverts that reveal your identity or location.
- Do not interview candidates in your home or alone.
- Always ask for references and conduct a criminal record check.

By taking these steps, you can confidently recruit and employ a personal assistant who meets your needs and enhances your quality of life.



Being an employer

Once you have successfully recruited a personal assistant you will need to ensure you are a good employer and act in accordance with employment law. Although this may sound daunting there is support available through the direct payments team who will be able to provide you with the information, advice and guidance when you start out as an employer.

Key responsibilities as an employer

Support and advice is available to you through the direct payments team. Here are some key responsibilities that must be adhered to when employing a personal assistant:

National minimum wage

Ensure your employee is paid at least the national minimum wage for all hours worked. The rate often changes in April, and you can keep up to date with any increases on the HM Revenue and Customs website at www.gov.uk/national-minimum-wage-rates

Your support worker and the direct payments team can help you to calculate how much you can afford to pay your personal assistants from your direct payment.

Contract of employment

Provide your personal assistant with a written contract outlining the terms and conditions of their employment. The direct payments team is available to support you with this. You can also learn more at www.gov.uk/employment-contracts-and-conditions/contract-terms

Employers liability insurance

Obtain employers liability insurance and ensure that this meets your requirements, for example if your personal assistant is carrying out any health care tasks, you may need specific insurance which cover this. Funding will be available within your direct payment to pay for this through the pension and payroll provider you choose.

Right to work checks

Ensure that any personal assistant you employ has the right to work in the UK. You can ask PA market team to check this on your behalf or complete the check yourself. If the person has right to work on a time-limited basis, then make sure you follow up again before this expires. You can learn more at www.gov.uk/view-right-to-work

Processing a payroll

You can choose to use a payroll agency of your choice, the Isle of Wight Council can provide you with a list of options if required, or you can run the payroll yourself by registering as an employer with HM Revenue and Customs. Learn more at www.gov.uk/register-employer

You must not pay your personal assistant 'cash in hand'.

Workplace pension

Automatically enrol workers into a workplace pension scheme if they are aged between 22 and state pension age and earn more than £10,000 per year. Learn more at www.gov.uk/workplace-pensions

Statutory leave and time off

Your employees might be entitled to statutory leave conditions such as sick leave and maternity, paternity, and adoption leave. Learn more at www.gov.uk/browse/employing-people/time-off

Redundancy

If you no longer require a personal assistant, they may be entitled to redundancy pay depending on their length of employment. Learn more at www.gov.uk/redundant-your-right/notice-periods

Disclosure Barring Service (DBS) check

This is a criminal record check on a personal assistant that you intend to employ. You can process DBS checks yourself, or you can ask the PA market team to support you with processing the DBS checks for personal assistants as and when required. Funding will be available within your direct payment to for these checks.

Managing your payroll

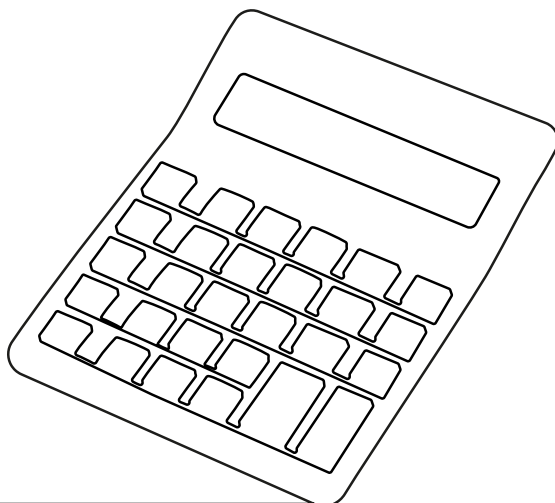
When using your direct payment to employ a personal assistant, you have two empowering options for managing payroll:

Prepaid card: self-managed

With this option, you will be equipped with an EML pre-paid card account. This empowers you to take full control of your funds, manage payroll, make necessary payments, and submit monitoring evidence. It's a great way to stay hands-on and in charge of your financial management.

Prepaid card: self-managed with payroll support

Similar to the self-managed option, you will have an EML pre-paid card account. However, you will also have the added support of a payroll provider who will handle payments on your behalf once you submit invoices to them. This option combines your proactive management with professional support, ensuring smooth and efficient payroll processing.



Using agencies

Choosing to use domiciliary care agencies (also known as home care or care agencies) can be a great way to receive the support you need.

By opting for an agency, you gain the benefit of having staff who are employed and managed by the agency, relieving you of the responsibilities of being an employer. This allows you to focus on your care and well-being.

Empowerment and control

You have the power to choose and control your care arrangements. You can select the agency that best meets your needs and preferences, and you have the flexibility to change agencies whenever you wish. You can also specify the days and times that work best for you.

Finding the right agency

- **Online resources**

You can find agencies in the local area online: www.cqc.org.uk/what-we-do/services-we-regulate/find-services-offering-care-home

- **Professional guidance**

You can ask your social worker or direct payments team

Agencies providing personal care and support are required by law to be registered with the Care Quality Commission (CQC). You can ask the agency to show you details of their registration.

Key considerations when choosing an agency

- **Cost:** Inquire about the agency's charges, including rates for weekends and bank holidays. If the agency's rates exceed the standard hourly rate, you will need to cover the difference.
- **CQC Registration:** Check the agency's latest inspection rating.
- **Staff Checks:** Ensure all staff have undergone criminal records checks (Disclosure Barring Service checks).
- **Service Management:** Confirm whether the agency employs staff directly, which means they handle tax and national insurance payments.
- **Training and Qualifications:** Ask about the training provided to staff and their qualifications and experience.

- **Transparency:** Ensure you receive copies of the hours worked by staff to pay the correct amount.
- **Feedback and Complaints:** Find out how often the agency requests feedback and how they handle complaints.
- **Risk Assessments:** Check if the agency conducts risk assessments for you and their staff.
- **Holiday and Sickness Cover:** Ask how the agency arranges cover during busy periods or staff sickness.
- How you can alert the agency if you are not happy with their service and how complaints regarding service provided will be addressed.
- If the agency will carry out a risk assessment for you and for their staff.
- How the agency arranges cover during busy holiday periods or in the event of staff sickness.

Direct employment of staff

If you find individual staff members you are happy with and wish to employ them directly, seek advice first. Be aware that the agency may charge for this.

Payment process

The agency should provide a written breakdown of costs to avoid unexpected charges. Any additional costs must be discussed with us before payment. Use your direct payment pre-paid card to pay invoices from the agency.

If your agency withdraws

If an agency pulls out, you can find another agency:

- You can find agencies in the local area online: www.cqc.org.uk/what-we-do/services-we-regulate/find-services-offering-care-home
- You can ask your social worker or direct payments team.

If you have tried finding another agency but have encountered difficulties, please contact us as soon as possible so that replacement cover can be arranged.

Keeping safe

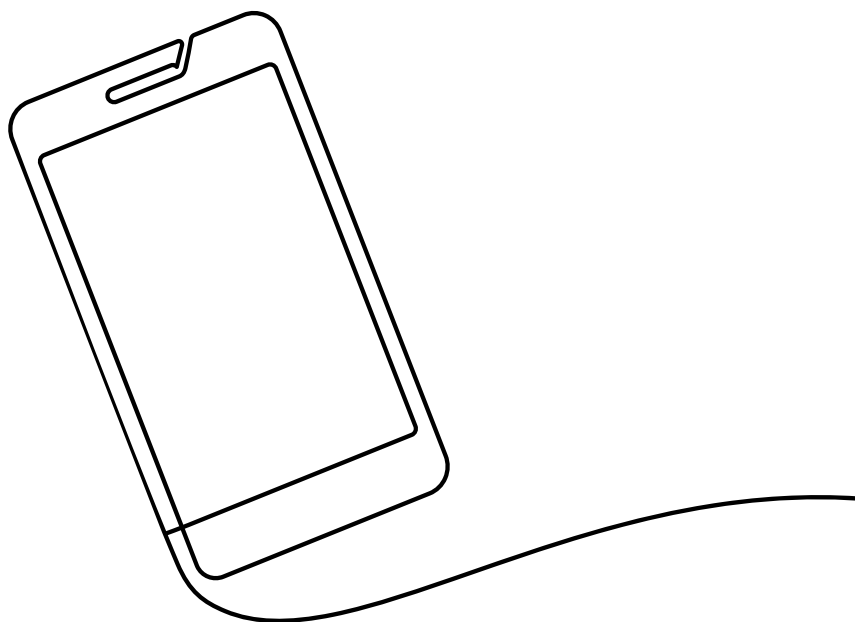
We are committed to ensuring your care and support needs are fully met. If you feel your current provision could be improved, please reach out to us to discuss a review. We are here to support you in achieving the best possible outcomes.

If your personal assistant or agency care provider is unexpectedly unavailable, please contact us immediately. We will work together to find alternative solutions that ensure your care continues seamlessly.

If you run out of money in your direct payment account

If you notice your direct payment account is running low, it's important to address this promptly to maintain your financial well-being.

Contact us for assistance and advice, and we will help you manage your account effectively.



Frequently asked questions

Paying for my care and support

Q. Will I need to pay something towards the cost of my support or activities?

A. To assess whether you need to pay something towards the cost of your care, support or activities received, we will ask you to complete a financial assessment. The financial assessment will identify if you are eligible for council funded support and, if you are eligible, whether you need to pay a financial contribution towards your care and support.

Q. What happens if things change, will I need to have a new care and support plan?

A. Your support needs and financial contribution will be reviewed each year or when a change happens to your circumstances. If you are still eligible for social care support, your care and support plan will be updated to reflect the changes to your needs.

About direct payments

Q. Who decides how much money I get?

A. To work out the amount of money you might receive, you will need to complete a care assessment of your needs with a member of the Adult Social Care team. Following the assessment, we will discuss with you what support you require to meet your identified needs and the amount of money required.

Q. Do I have to pay a pension and payroll provider for help with managing employment costs included within my direct payment?

A. If you choose to have an employed PA instead of a self-employed PA then the cost of a payroll provider supporting with employment costs is paid for by the council through your direct payment.

Q. Do you need to be good at book-keeping and numbers to receive a direct payment?

A. If you decide to receive a direct payment, there are options available to help you manage the direct payment, including support with calculating your budget and monitoring.

Q. What do I do if I feel the money I get is not enough?

A. The amount of your direct payment is based on your care assessment of your needs, and how much it will cost to deliver safe care and support to you. If you have questions related to the amount of the direct payment, please contact Adult Social Care to talk about it.

Q. If my usual day activity does not go ahead, would I be able to use my direct payment to do another activity instead?

A. Yes, providing your care and support plan allows this. Having a direct payment will give you more freedom and control over your care, to pay for other activities when unexpected changes happen, for example when day activities are cancelled.

Q. I'm worried that if I have a direct payment, I will get less support than I have now.

A. If you are worried about your direct payment and the way it is worked out, please speak with the direct payments team and a member of the team will explain how the direct payment has been calculated.

Q. Can I use my direct payment to pay for someone in my family to support me?

A. It is possible to use your direct payment to pay someone in your family to support you. The family member must not be living at the same address as you. If you are thinking about receiving your care from a family member, please speak with Adult Social Care about this as the Local Authority must be satisfied that this family member is suitable and capable of meeting your care needs.

Q. If I have a direct payment, can I access a council-arranged service too?

A. Yes, you can receive a direct payment and use council managed services like a day centre and/or a care agency. This is called a split or mixed budget. With a direct payment you have the flexibility and choice to decide how to use your budget to meet your assessed care and support needs. If you need more support to find activities after the direct payment starts, you will be able to contact your social worker or the direct payments team for support.

Q. Can I use my direct payment to pay for something not within my care plan?

A. You can use your direct payment funds to meet the agreed outcomes within your most recent care plan. If you need a copy of your care plan then please contact your social worker or direct payments team.

Q. What do I do if I use direct payment funds for something I should not have used it for?

A. You will need to get in contact with the direct payment team to arrange a refund of the payment. The direct payments team carry out regular audits of the pre-paid card transactions and will request immediate payment of any transactions that do not meet your agreed outcomes.

Employing your own staff

Q. I would like to use the direct payment to pay for my own staff and do activities I enjoy, but I don't know where to start?

A. If you decide to have a direct payment, please contact Adult Social Care first to discuss this. During the set-up of your direct payment, if you wish to employ your own PA (personal assistant or private carer), your social worker and direct payments team would work with you to organise your budget, payroll and support you to recruit your own staff. There will be on-going employment support available.

Help to find out what to do in the community

Q. If I receive a direct payment, will I be left to find the day activities myself?

A. Before you receive a direct payment, you will undergo care and support planning to help you to identify local activities, to meet your assessed needs and help you to organise how you might spend your day. If you need more support to find activities after the direct payment starts, you will be able to contact the direct payments team for support.

Ending your direct payment

Q. What happens if I no longer want my direct payment?

A. You can ask to stop receiving direct payments at any time. If your direct payment is to end, your allocated social worker or care coordinator will need to be told. They will then inform the direct payments team of the date that payments will need to stop. The direct payments team will then complete a final audit before closing the direct payment.

Useful contacts

Adult Social Care

- 01983 823340

Care Quality Commission

- www.cqc.org.uk/what-we-do/services-we-regulate/find-services-offering-care-home

Direct Payments Team

- 01983 823073
- personalbudgets@iow.gov.uk

EML Payments

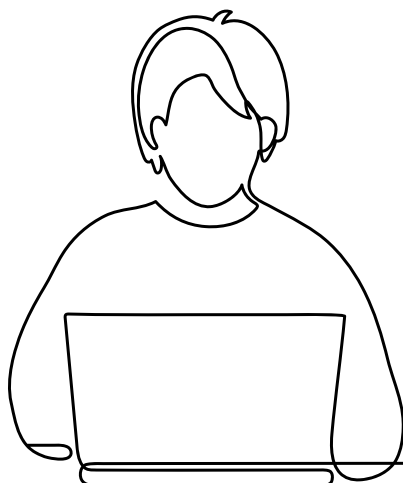
- 02036 334511

Government website

- www.gov.uk/browse/employing-people/time-off
- www.gov.uk/employment-contracts-and-conditions/contract-terms
- www.gov.uk/redundant-your-right/notice-periods
- www.gov.uk/view-right-to-work
- www.gov.uk/workplace-pensions

HM Revenue and Customs

- www.gov.uk/national-minimum-wage-rates



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- 01983 823340

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- 01983 823073
- personalbudgets@iow.gov.uk

