

About this guide

This guide will help you if you have had your needs assessed and we have agreed that you or your child is eligible for care and support that is funded by the Council. It will help you to decide whether a direct payment is the right option for you.

This guide explains....

- what a direct payment is;
- how direct payments work;
- what a pre-payment card is;
- how pre-payment cards work;
- how you can use a direct payment to meet your care and support needs; and
- how we make sure you are using your direct payment appropriately.



If there is anything in this guidance that you do not understand, please speak to your health or social care worker using the contact details provided at the end of the guide.

Redcar & Cleveland Borough Council
Adult Social Care

Public Guidance

Guide to Direct Payments and Pre-Paid Cards

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1. What is a direct payment?

A direct payment is a sum of money that the Council pays directly to you so that you can arrange and pay for your own care and support services. You can also use a direct payment to buy goods or equipment to meet your needs.

If you have had a conversation with us about your needs and we have agreed that you are eligible for council funded support, you can ask for a direct payment.

Direct payments give you much greater choice and control over your care and support. By choosing a direct payment you are not limited to using services and organisations that the Council has contracts with. This means that you can think creatively about how to meet your needs and improve the outcomes that are agreed in your care and support plan. Direct Payments are provided in line with the Care Act 2014 and associated regulations.

2. Can I ask for and receive a direct payment?

You can ask for a direct payment if you are:

- ✓ the parent of a child aged 16 or under with special educational needs and/or a disability;
- ✓ a young person aged 16 or 17 with special educational needs and/or a disability;
- ✓ an adult aged 18 or over with eligible care and support needs;
- ✓ someone who is authorised to make decisions about the care and support of a young person or adult who lacks capacity; or
- ✓ an adult who is providing unpaid care for another adult.

You need to be able to understand the benefits and responsibilities of having a direct payment to agree to receive one. If you cannot make this decision yourself, you can still receive a direct payment if someone is authorised to make this decision on your behalf and can help manage it. must have capacity to agree to receive a direct payment.

The Council will only agree to a direct payment if it is an appropriate and cost- effective way to meet your needs.

3. Is a direct payment the right thing for me?

Although direct payments have a lot of benefits, they also come with responsibilities. When you make this decision, there are a number of things that you should think about and we will talk through the options with you.

Direct payments could be for you if:

- ✓ you want control of your own care and support services;
- ✓ you want more choice in selecting the products and services that meet your needs;
- ✓ you're happy to become an employer and take on the legal and financial responsibilities;
- ✓ you're confident with money and paperwork;
- ✓ you're happy to keep receipts and invoices and provide these to the Council when we ask for them; or
- ✓ have someone that you trust to help you manage your direct payment if you are not confident in doing it yourself.

Direct payments are probably not for you if:

- ✗ you're not confident about keeping careful records and safely filing important documents, such as receipts;
- ✗ you're uncomfortable about being an employer – you might need to manage the people who care for you;
- ✗ you spend frequent or long periods in hospital; or
- ✗ You're happy to let the Council arrange your care services.

4. Direct payments for young people aged 16 or over

If you are a young person aged 16 or over, you can choose whether to continue or start receiving a direct payment. You will also need to decide whether to receive and manage the direct payment yourself, or nominate a parent, or someone else who you trust to manage it for you. Your education or social care worker will talk to you about your options.

5. What is a pre-paid card?

A pre-paid card is just like a debit card, but rather than being linked to your personal bank account, it is loaded with your direct payment money. You can then use it to pay for the things that are written down in your care and support plan. Your card will also have a unique sort code and account number so you can use it to set up standing orders and direct debits or make one-off payments.

The card is provided by Redcar and Cleveland Borough Council and EML (Formerly Prepaid Financial Services - PFS). It can be used anywhere that accepts MasterCard.

6. How does the pre-paid card work?

We will give you a pre-paid card that is in your name or your nominated representative's name. We will help you to activate your card and get your PIN number from the telephone helpline.

Once your card has been activated, we will load your card with the Council's contribution to your Direct Payment. We will do this every month (or as agreed with your social care worker). You can use your pre-paid card just like a normal debit card. The card has a unique account number and sort code so you can also use it to set up direct debits and standing orders, and to make one off payments or bank transfers.

You must only use the pre- paid card to pay for things that have been agreed with your social care worker and are written down in your plan.

You cannot use your card to withdraw cash from a cash machine (ATM).

The card does not give you any credit or an overdraft. This means that you can only spend the amount that is available on your card. If you want to use your card to pay for care and support

If you have any problems using your card, or if you lose your card or your PIN, you can contact EML (Formerly Prepaid Financial Services - PFS) customer services, or the Council's Direct Payment team using the numbers on the back of this guide.

that costs more than your total direct payment, you can load some of your own personal money onto the card. This would be in addition to any contribution you are assessed to pay towards your care.

7. Can I manage my pre-paid care on-line?

Yes, you will be able to log onto the online customer portal to manage your pre-paid card. You will be able to view your balance and see payments that have been made onto your card (credits) and payments that you have made from your account (debits). You will also be able to set up standing orders from the card account and make on-line payments or transfers.

You can also upload copies of receipts and invoices to the on-line portal. This will make it easy for you to keep records about how you are spending your direct payment.

You can log onto the pre-paid card portal at:

<https://clients.prepaidfinancialservices.com/redcarandcleveland>

8. What if I don't have a computer, tablet or smart phone?

You do not need to have access to the internet to manage your pre-paid card account. You can phone EML (Formerly Prepaid Financial Services - PFS) customer services to find out your balance or to make payments.

If you would prefer to manage your card account online, but don't have a computer, you can use public computers in Council libraries.

9. How do I pay my contribution?

If you have to pay a contribution towards your care, you will receive an invoice from the Redcar & Cleveland CareBilling Team. You will find the numerous ways to make payment on the reverse of the invoice.

You can load any additional money out of your own personal funds onto the card. You should only do this if you want to pay for care and support that costs more than the total amount of your direct payment.

10. What can I spend my direct payment on?

Having a direct payment allows you to think creatively about how to meet your care and support needs. But this does not mean that you can spend it on anything.

Your education, health or social care worker will help you to decide how to use your direct payment to meet your assessed needs. This will be agreed and written down in your care and support plan. Your direct payment must be used to meet the outcomes in your care and support plan.

The types of things that you could consider using a direct payment for include:

- ✓ employing a personal assistant to provide your care and support;
- ✓ paying an organisation of your choice to provide you with care and support;
- ✓ arranging help so that you can get out and about, for example take part in social activities or go on outings;
- ✓ buying equipment to help in your day-to-day living, for example specialist bathing equipment;
- ✓ to give your carer a respite break;
- ✓ a service or activity that supports the health and wellbeing of a carer; and
- ✓ paying someone to manage and administer your direct payment for you.

There are some things that the law says you cannot spend your direct payment on. These are written down in the Direct Payment Agreement that you sign. These include not paying for illegal activities, gambling, alcohol or tobacco, paying for services already funded elsewhere (e.g. NHS), and long-term residential care.

11. Using a direct payment to employ someone

Some people use their direct payment to employ someone to provide their care and support. This person is called a **personal assistant**. There are several benefits to employing a personal assistant:

- ✓ you choose who you want to work for you;
- ✓ you decide what you want them to do; and
- ✓ you decide when you want them to work.

Employing a personal assistant, things to think about:

- how to find the right person to employ;
- making sure that you have an employment contract with the right information in it;
- paying their wage as well as sick, holiday, maternity and paternity pay;
- paying tax and national insurance;
- setting up and paying Employer Liability Insurance
- enrolling your personal assistant into a workplace pension scheme;
- managing your personal assistant on a day-to-day basis;
- making sure that your personal assistant has the training that they need to work for you;
- dealing with problems, for example if you have to discipline your personal assistant, or if either of you are not happy with something;
- keeping records; and
- making sure they have the right training.

For more information, please read our guide to employing a personal assistant, available

When you employ a personal assistant, you will become an 'individual employer' and will have a number of responsibilities and legal obligations. This can be daunting as there are lots of things

to think about.

If you are thinking of employing a personal assistant, your health or social care worker will put you in touch with an organisation that will give you information and advice about becoming an employer. The organisation will also be able to help you with paying wages, tax, national insurance and pension contributions. If we agree that you need this service, we may include enough money in your direct payment to pay for it. Otherwise, you may need to pay for it out of your own money. You should plan for emergencies, such as if your personal assistant is unavailable. This is sometimes called a contingency or back up plan and your Adult Social Care Worker can support you to think about this.

12. Can I pay a member of my family?

Direct payments cannot usually be used to pay a close family member/partner who lives with you, to provide you with care and support. In some cases, exceptional circumstances may apply and your social care worker will discuss this with you. Any agreement to pay an appropriate family member/partner must be authorised by the Assistant Director of Adult Social Care. This process can take up to 28 days from the date of request.

If we agree that it is appropriate to pay a family member/partner, this will be a time-limited agreement, written down in your Plan, and reviewed after 6 months or earlier if necessary.

If we do not agree that it is appropriate to pay a family member/partner and you disagree with our decision, you should in the first instance talk to your social care worker.

If we agree that you need support to manage your Direct Payment, you can choose to pay a family member/partner to manage the direct payment for you – for example to arrange and pay for your services, or to keep records for you. Again, this must be written down in your Plan.

13. What is an 'exceptional circumstance'?

There is no set definition for exceptional circumstances and every case will be considered on its own evidence with your well-being as the priority. Examples could include, but are not limited to:

- your care needs are intermittent and unpredictable to an extent that recruiting someone else to meet your needs is not possible;
- significant effort has been made to find alternative means which has been unsuccessful and this is the only way for your support to be delivered; or
- it is the only way of meeting your needs due to a sudden breakdown of other service arrangements.

14. Using a direct payment to pay for respite care

If you need occasional respite care, and you would like to book a respite break, you should contact your social care worker who will make the necessary arrangements.

You can load your own money onto the card if the direct payment does not fully cover the cost of

the respite care you have chosen.

15. Using a direct payment to buy equipment or make minor alterations to your house

When you have your assessment, we may find that you need equipment or minor alterations to your home to make life easier. The council can arrange this for you, or if you prefer, you can choose to receive a direct payment so that you can choose your own equipment or tradesperson.

You can add your own money to the direct payment if it will not cover the cost of what you want, as long as it meets your assessed needs.

We cannot give a payment for equipment that is supplied by other organisations such as the NHS. If you need major alterations, we can advise on financial help but there is a different grant for this.

16. How will the Council know what I have spent my direct payment on?

Your direct payment and support plan will be reviewed regularly to ensure it continues to meet your needs. This helps us check that the support you are receiving is working well and that your direct payment remains appropriate.

It is important that you keep a record of what you have spent your direct payment on and have evidence to back this up. If you do not do this, we may stop your direct payment. The easiest way for you to keep a record is to scan or take a photograph of invoices, receipts and timesheets, and then upload them to the on-line portal for your pre-paid card.

The Council can view your online account at any time. We will do this to monitor how you are spending your direct payment. We will check to make sure that you are spending your direct payment on the things that have been agreed and written down in your Plan. We will contact you if we have any questions or concerns about how you are managing your direct payment. We may report concerns regarding the misuse of direct payments to the Council's Counter Fraud Team. Any identified instances of fraud may lead to legal action being taken.

If you do not save your receipts and invoices onto the portal, we will ask you to provide paper copies more frequently.

17. Can anyone help me to manage my direct payment?

You can either manage the direct payment yourself, or you can do it with the help of a trusted family member or friend. This could either be an informal arrangement, or you can choose to make this a formal arrangement where you nominate them to receive and manage the direct payment on your behalf. This would mean that they would have to sign the direct payment agreement to say that they agree to taking responsibility for using a pre-paid card to pay for your care and support services and keeping records about how the direct payment is being used.

If you find it difficult to manage your direct payment and do not know anyone who can help you, we can arrange for a local organisation to help you. They can manage your direct payment money, pay bills and provide monitoring information on your behalf. There may be a cost for this service and your social care worker will talk to you about this.

18. What will happen if I do not manage my direct payments properly?

If you do not manage your direct payments properly, the Council might reduce or stop your direct payments. We could also ask you to pay some of the money back to us. Examples of when this could happen include:

- ✗ If you do not provide monitoring information when asked.
- ✗ If the money is spent on things that are not in your Plan.
- ✗ If the person who is managing the direct payment on your behalf is not acting in your best interest.
- ✗ If you fail to let us know if there are any changes in your circumstances.
- ✗ If you break any other rules in the direct payment agreement.

If we are going to stop your payments, you would be warned about this in advance, unless there is an immediate concern for your safety, or if we think that something illegal has taken place. If we stop your payments, we will talk to you to make sure that you continue to receive care and support, but this might be provided by a different organisation to the one you have been paying.

19. What if I do not want a Direct Payment?

Not everyone wants the extra responsibility involved in using direct payments. If you do not think that a direct payment is for you, or if your request for a direct payment is refused, the Council will make sure that your care needs are met. We will either provide the service ourselves or will arrange for your care and support to be provided by an organisation that we have a contract with.

20. Useful contact numbers

EML (Formerly Prepaid Financial Services - PFS) Automated Customer Service (available 24 hours a day, every day)
+44 (0)203 327 1991

You can ring this number at any time of the day to:

- Activate your card
- Retrieve your PIN
- Find out your balance
- Report your card lost or stolen

EML (Formerly Prepaid Financial Services - PFS) Customer Services (available Monday to Friday, 9am to 8pm)

+44 (0)203 633 1315

You can ring this number to speak a customer services representative about your card or your online account.

Social Care Payment Team (available: Monday to Thursday, 9am to 5pm and Friday: 9am - 4.30pm)

Telephone Number: 01642 771647

Contact Details Adult Social Care

Directorate of Adults & Communities
Adult Social Care
Redcar and Cleveland Borough Council
Redcar and Cleveland House
Kirkleatham Street
Redcar
Yorkshire
TS10 1RR

Telephone: 01642 771500

For Adult Social Care email:
AccessAdultsTeam@redcar-cleveland.gov.uk

For general council enquiries email:
contactus@redcar-cleveland.gov.uk

Website: www.redcar-cleveland.gov.uk

Relay UK (for deaf, hard-of-hearing, and speech impaired people)

Office hours: Monday to Thursday: 8.30 am - 5.00 pm and Friday: 8.30 am - 4.30 pm.

If you need help in emergency when our offices are closed, you can contact the Emergency Duty Team: 01642 524552.

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