



Direct Payments information
from Devon County Council
Adult and Community Services

Devon's Own
DIRECT PAYMENTS
Book of Rules

APRIL 2008

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Section One: Introduction to Direct Payments

The Community Care (Direct Payment) Act 1996, which came into effect in April 1997, signalled the introduction of Direct Payments, giving local authorities in England, Wales and Northern Ireland the power to make Direct Payments.

The aim was to provide disabled people aged 18 - 65, assessed by the local authority as needing community care services, with cash rather than services to meet their assessed needs.

This was extended to older people in February 2000, and in 2001 the Carers and Disabled Children Act widened the eligibility to include carers, parents of disabled children and disabled young people (aged 16 or 17 years).

The Health and Social Care Act 2001 reinforced the previous Acts and gave local authority Social Services directorates the power to make cash payments to individuals instead of the community care services they had been assessed as needing. Recipients of Direct Payments use the money to secure services to meet their assessed needs and become responsible for arranging and directing those services.

The Act confirms the principles of Independence, Choice and Flexibility as the way that individual service users' needs are met. Direct Payments can therefore provide the opportunity to create innovative care packages with high levels of individual choice.

Independently Secured Services

A Direct Payment is one of a number of options that are available to service users. If a Direct Payment is appropriate, the responsibility of the local authority is to ensure that the service user has the means to independently secure services but is no longer responsible to arrange, direct, manage or be involved in the day to day organisation of those services. This includes all assistance, which is personal to the individual (dressing, washing, support in the community etc) and day services.

Who can make Direct Payments?

Direct Payments can only be made by the local authority Social Services directorate. The 2001 Act does not authorise any other body, such as

health, education or housing authorities to make Direct Payments. However, there may be circumstances in which another authority contributes funds towards a Direct Payments package organised by the local authority (e.g. payments under Section 28 of the NHS Act 1977).

The individual circumstances must be considered carefully, ensuring that the person's social and clinical needs are clearly identified, and all organisations who have responsibility to the individual are engaged in determining the most appropriate way for that person to receive services.

Where can I find out more about Direct Payments?

By contacting:-

- Direct Payments Team
- Care Direct

(See Appendix 1)

Section Two: Policy - Adult Services Including Carers

Information for Direct Payment users and carers

Who can get a Direct Payment?

The Direct Payments legislation states that the following groups of people (who are assessed by the local authority as needing a service) are eligible to be assessed for a Direct Payment:

- Those who have been assessed as requiring community care services
- Those who would otherwise be provided with a carer's service
- Those with a parental responsibility for a disabled child
- A disabled child aged 16 or 17

The term "disabled" includes people with any kind of impairment, for example, those with a physical or sensory impairment, learning disability and people whose impairments arise through illness.

What are the eligibility criteria for receiving a Direct Payment?

To be eligible for receiving a Direct Payment, the service user should meet the following criteria:

- be assessed as needing a community care service
- be willing
- be able to state preferences and make choices
- be capable of managing the Direct Payment alone or with assistance (see 'advocacy and support arrangements' within this section)
- be legally competent to be responsible for directing their services

For more information on the eligibility criteria for social care services please refer to Factsheet 8 at the following web link:

www.devon.gov.uk/index/socialcare/factsheets/direct_payments_factsheet.htm

What are Direct Payments?

Direct Payments give the service user an alternative way of meeting their needs. Rather than Social Services arranging to have the assessed needs met the service user can receive money to buy their own support.

How to get Direct Payments

When the service user has their needs assessed by Social Services he/she will be offered the opportunity to use Direct Payments to meet these needs. For more information contact the Direct Payments team or Care Direct (see Appendix 1).

What can Direct Payments be used for?

Direct Payments can be used to purchase any service which the service user has been assessed as needing. In Devon, people assessed as needing a service could receive a Direct Payment for:

- Personal assistance at home or in the community

This includes all assistance, which is personal to the individual, i.e. one to one assistance within the home or within the community.

Devon works to an upper cost threshold which is usually the cost of placing someone with the same needs in a residential or nursing home. The threshold is also subject to whether the package includes other funding sources apart from the Local Authority, for example funding from the Independent Living Fund. In such cases we will always look at an individual's needs and the costs and determine what the maximum amount payable will be.

- Live-in care

Direct Payments may be used to purchase live-in assistance within the service user's home. If the amount of live-in assistance totals more than 83 hours a week, the Direct Payment should be calculated at the 24 hour rate. There are however exceptions to this. The assessment will identify if a 24

hr personal assistant is inappropriate, for example where the service user or personal assistant may be at risk with one personal assistant providing support 24 hours per day 7 days per week. This will be taken into account when the care assessment is completed.

- Short term breaks
- Respite care

Short term breaks may take the form of breaks in residential establishments or other appropriate venues as agreed in the local authority care plan.

However Direct Payments cannot be used for the provision of residential care for longer than a four week period in any period of twelve months.

Any period of less than four weeks is to be added to any succeeding period of residential care but only where the two periods are separated by a period of less than four weeks.

- Day activities and enabling
- Day Services

Service users who have been assessed as needing day services may prefer to use Direct Payments to meet their assessed needs. They may wish to purchase daytime activities/assistance in the community including an independent sector day centre rather than attend a DCC day centre. In these cases the amount of Direct Payments may need to be renegotiated.

The amount of the Direct Payment is calculated by the amount of hours they have been assessed as needing for day services, times the hourly cost of providing these services.

Each service user's needs should be considered on an individual basis.

- Mixed Packages

It is possible to have a combination of a Direct Payment and a service package managed by the local authority. For many people, a combined package provides them with a combination of security and flexibility and allows them to build confidence. At a later stage they may wish to transfer more of their care package to a Direct Payment.

Transition from Young People to Adults

Children and Young people who are in receipt of Direct Payments may continue to receive them on reaching the age of 18. The Independent Living Advisor can explain how this will work in practice, see Appendix 2, or contact the Direct Payments Team, see Appendix 1.

Examples of how Direct Payments have been used

There are many imaginative ways that Direct Payments can be used to fulfil a person's assessed needs. Some examples of how existing Direct Payment users have used their payments are as follows:

1. Direct Payments for both a personal assistant and a live-in carer
Direct Payments are used to pay a personal assistant for 12 hours per week to provide a service for an individual who suffers from obsessive compulsive disorder. The person's needs require supervision in the areas of dressing, washing, bathing and other personal needs. Other areas of need requiring less intensive help are those of eating, drinking and administering medication. The service user also has a live in carer who provides care and support outside of the hours that the personal assistant is employed. The carer now also receives Direct Payments for 4 hours per week to enable her to have a break from her caring role. This is enough time to allow her to go into the local town and have some time to herself. The person she cares for does not go out and the carer finds her role stressful and tiring.
2. Help for a parent with mental health problems
Ms B has borderline personality disorder, depression and seasonal affective disorder. Some days she is able to manage the activities of daily living, other days she is unable to manage anything. She is married with 2 children, the eldest having severe autistic spectrum disorder. She often does not cope and will take herself off to bed. Her partner cares for her and the two children when she is not well however is self employed and finds coping an emotional and financial strain. Direct Payments are used to provide additional help in the house and childcare support. This is a jointly funded arrangement with the child care team.
3. Enabling a live-in carer to take a break
Mr M has paranoid schizophrenia, diabetes and physical disabilities, some sustained as a result of his schizophrenia. He lives with a close relative in her 70's who is his sole carer. Mr M has difficulty meeting his needs due to the nature of his illness and local community resources

are not appropriate for him. Mr M has considerable needs around personal care, provision of meals, medication administration and clinical appointments, management of risk and monitoring his mental state. Direct Payments are used to employ an assistant from an agency to provide support to Mr M specific to his needs. This allows the carer to have a break from her caring role as well as providing some specific time for Mr M that is acceptable to him and meets his specific needs.

4. Support with communication difficulties

Mr S was born with a condition that means he is unable to communicate verbally. He is reliant on a wheelchair and requires carers to help with all aspects of personal care, showering, dressing and feeding.

He spent 32 years living in residential care and 5 years ago came to the decision that he would like his own home with his own carers to support him.

This has recently happened and he is now choosing to use Direct Payments which will enable him to select his own support carers. It is of particular importance to have regular staff who can understand what Mr S is saying.

Direct Payments have enabled Mr S to have a full social life, enjoy going to music shows and the theatre and just getting out and about. Having Direct Payments means he can arrange for his carers to come to work for him, fitting in with his social activities and his life rather than Mr S arranging his life around his care.

5. Specific support needs

A person receiving Direct Payments for the care of a dog for the disabled where the dog has been specifically trained to assist the person concerned, the Direct Payment can be used to cover the regular checks needed by a vet.

6. Support to live independently for a young service user with learning disability

Miss M is a young service user with a learning disability. She had been living for some time as a full time resident in a care home in Exeter, 15 miles away from her family. She chose to have a Direct Payment to fund a care package that would enable her to live closer to her family but still independently.

The Council provided a bungalow that had been specially adapted for her use, which she started paying rent for in May 2007.

To live independently from her family she needed to have a team of carers set up that could cover her care 24 hours/day 7 days/week. A Direct Payment was considered her best option to fund the care package as it provides enough flexibility to allow creativity in managing the complex care package, making it workable in the long term.

Her sister is her main carer and representative and dealt with the setting up of the Direct Payment. She is now acting as the employer, recruiting all carers and managing the care package.

They use Direct Payments to cover all employment costs as well as having a sufficient amount factored in to fund social activities and short respite breaks.

She was able to move into her bungalow in November 2007.

Miss M's sister said that "Direct Payments has enabled them to set up a lifestyle that the whole family, including Miss M, had always hoped for and that it has been life changing for them all."

What can Direct Payments not be used for?

- To purchase permanent residential care
- To undertake an assessment of the service user's needs
- To relieve the directorate of its statutory responsibilities to a service user who is perceived as troublesome or difficult
- To purchase in-house services.

Who cannot be employed using a Direct Payment?

Regulations prevent people from using Direct Payments to secure services from:

- Their partner, i.e. the other member of a married or unmarried heterosexual or same sex couple
- A close relative living in the same household (parent, parent in law, aunt, uncle, grandparent, son, daughter, son in law, daughter in law, stepson or daughter, brother, sister or spouse or partner of any of these) except when the service from such a person is necessary to meet the person's need for a service or in the case of a child, securing the service from such a person is necessary for promoting the welfare of the child concerned. (see '**exceptional circumstances**')

Exceptional circumstances

Government guidance states that the local authority may, at its discretion, agree to the employment of a family member, or partner living in the same household as the Direct Payment recipient in exceptional circumstances. (Family members living elsewhere are permitted to be employed through Direct Payments).

Care should be taken before agreeing such arrangements, which could be open to abuse. The funding authority needs to be certain that:

- There are genuine, overwhelming reasons why the family member needs to be employed
- There is a contractual arrangement for care-giving by the family member
- There is no substantial risk of financial abuse.

Regarding the employment of co-resident family members, written confirmation is required from Devon County Council. For further advice contact the Direct Payment Team on **01392 383157/383126** or visit: www.devon.gov.uk/index/socialcare/factsheets/direct_payments_factsheet.htm

The following criteria may be accepted as exceptional circumstances as long as adequate evidence can be produced to substantiate the situation:

- For reason of ethnicity or religious belief, specific limitations apply to who may acceptably be employed to deliver the care, and there is no likelihood of being able to recruit an appropriate carer locally
- That delivery of personal care by a third party would cause genuine distress to the cared for person
- There is a need for live-in care, but no appropriate accommodation available
- Care needs are intermittent and unpredictable, and recruitment or use of an agency to meet such needs is impracticable
- Substantial effort at recruitment has been unsuccessful due to exceptional local workforce pressures or geographical isolation

- This was the only practicable way of meeting the care needs during a temporary breakdown of other service arrangements .

Who does not qualify for a Direct Payment?

- Patients detained under the mental health legislation who are on leave of absence from hospital
- Conditionally discharged patients subject to home office restrictions
- Patients subject to guardianship under mental health legislation and those covered by the new power of supervised discharge introduced by the Mental Health (Patients in the Community) Act 1995
- People who are receiving any form of aftercare or community care which constitutes part of a care programme initiated under a compulsory court order
- Offenders serving a probation or combination order subject to an additional requirement to undergo treatment for a mental health condition or for a drug or alcohol dependency
- Offenders released on licence, subject to an additional requirement to undergo treatment for a mental health condition or for a drug or alcohol dependency
- People subject to equivalent Scottish mental health or criminal justice legislation
- In certain circumstances an assessment of an individual's capacity or ability to take on the responsibility of managing Direct Payments is required.

Support and Advocacy Available

Devon County Council recognises that individuals with significant support and assistance needs, can and do manage and organise successful Direct Payment arrangements with appropriate support from a third party or independent organisation.

Assistance:

Independent Living Advisors

Independent Living Advisors (see Appendix 2), employed by Devon County Council, are able to offer initial advice with setting up a Direct Payment and employing a personal assistant and ongoing support;

- Direct Payments arrangements
- Job descriptions, advertising and recruitment of staff, liaison with care agencies
- Health and safety advice, including legal responsibilities regarding moving and handling
- Support in setting up and managing a Direct Payment including any Independent Living Fund contributions
- Risks to the Direct Payment recipient or personal assistants
- Support in all aspects of employment legislation including, payment of wages, tax and national insurance liabilities, employers liability insurance and signposting to further information on these topics
- Contingency arrangements
- Criminal Records Bureau checks
- Any related issues to ensure the success of the person's own care plan
- How direct payments can be used (see examples)
- Links with other staff and statutory agencies.

There is a separate document called 'A Guide to Employing a Personal Assistant' which the Independent Living Advisor will be able to provide, or visit the Direct Payments page: www.devon.gov.uk/directpayments.htm

There are independent living organisations in Devon who are able to help service users explore all possibilities and maximise their personal resources, financial resources and gain access to all appropriate community facilities.

Agents/Payroll Support

An individual can nominate an agent to act on their behalf to either receive the Direct Payment and/or take on the employment/payroll responsibilities. The key question when an arrangement is being considered is, will the individual remain in control of **directing** his or her own service and making key decisions, for example, deciding who their personal assistant will be. Many successful Direct Payment arrangements exist where an individual can clearly choose their personal assistant(s), but they are unable to comprehend employment legislation or the complexities of payroll arrangements. An agent will be responsible for these elements of the Direct Payment.

Trusts

Although the Direct Payment recipient should be able to direct his/her care package, it is possible to administer the Direct Payment via a trust.

Establishing a trust requires the appointment of at least two trustees. Good practice promotes the appointment of the older/disabled person themselves as a trustee to ensure they have a central role in decision-making. At least one trustee must be designated as independent by the Local Authority (i.e. not a family member or friend). The trust has responsibility for managing the Direct Payment account and trustees are designated signatories. A Deed of Trust should be drawn and should clearly state the responsibility of the trust to fulfil the administrative tasks associated with managing Direct Payments.

The use of trusts is an alternative way of managing a Direct Payment. In these cases, it is important that the service user remains in full control of the way in which the services are delivered. In some situations when a disabled person has limited communication it will be necessary for their wishes to be interpreted. The important principle to address when considering a Direct Payment is: will it secure the greatest degree of independence for the recipient? An independent living advocate should be involved in these discussions to provide an independent view on whether or not a Direct Payment is in the service user's best interests.

Advocacy

The experiences of the handful of independent living schemes across the country before 1 April 1997 highlights the importance of independent advice, support, information and guidance about all aspects of independent living for people managing their own personal assistance.

Organisations in Devon who may offer advice/information include:-

- Take a Break Scheme through Carers Link
- Learning Disability Advocacy – Devon People First, Mid & North Devon
- Living Options
- National Centre for Independent Living website
- Devon Independent Living Network
- Devon Link-up for clients with learning disability
- Age Concern - for clients over 50
- Scope – for clients with Cerebral Palsy

Arrangements in emergencies

It is important that each person receiving a Direct Payment has made contingency plans to meet potential emergencies (an additional one week of payment is given to each Direct Payment recipient for such an eventuality). The local authority does however retain a responsibility to commission services should a Direct Payment package break down.

Who can services be bought from?

Although the local authority holds a list of approved providers, which can be shared, people who receive Direct Payments are under no obligation to use them but are free to make their own arrangements subject to the proviso that any provider who requires to be registered is in fact registered. Any services purchased must be cost effective.

What to do if things go wrong

If criminal activities are involved (theft or fraud, for example) then the service user should tell the police immediately. If the problem directly affects their ability to pay for immediate care needs then contact Social Services or the Independent Living Advisor at once even if the situation does not cause an immediate problem. Failure to do so could put the right to purchase care through Direct Payments at risk.

Complaints Procedure

All arrangements in relation to Devon County Council's complaints procedure apply to Direct Payments just as they apply to a direct service. The service user may wish to complain about the assessment of need, for example, or the fact that a Direct Payment has been denied. As in all disagreements, it is good practice to attempt to resolve the disagreement

informally before the complaint reaches a formal stage. For more information visit: www.devon.gov.uk/compliments_and_complaints.htm

If the service user is not happy with any aspect of Direct Payments, please contact the Direct Payments Team on 01392 383677, e-mail: direct.payments@devon.gov.uk or write to: Direct Payment Team, Ground Floor, The Annexe, County Hall, Topsham Road, Exeter, EX2 4QR as hopefully any issues may be resolved directly with the Team.

If this is not appropriate, please contact Customer Services free on 0800 212 783 or email the Customer Services Team on sscomp@devon.gov.uk or write to: Customer Services, The Annexe, County Hall, Topsham Road, Exeter, EX2 4QR. Further information on the Social Services Complaints and Representations Procedure can also be requested at the above address.

However, if the Direct Payment recipient has a complaint about services they have independently purchased, they should address this with the service provider/employee concerned.

Section Three: The Direct Payment Process Information for Care Managers

What are the Care Manager's responsibilities?

The Care Manager is responsible for:

1. Assessing the needs of the service user
2. Offering the choice of a Direct Payment
3. Assessing risk
4. Liaising with any advocacy, support service and the direct Payments Team/Independent Living Advisors
5. Arranging through brokerage direct services in the event that the Direct Payment package breaks down
6. Reviewing the assessed needs of the service user

What is the Care Manager not responsible for?

The Care Manager should not be involved in the recruitment process or any other employment issues. If the Direct Payment user wishes to employ a carer the Direct Payment Team will contact an Independent Living Advisor to advise on employment issues.

What criteria should be considered to decide whether a Direct Payment is appropriate?

The possibility of a Direct Payment should be discussed early on in the assessment process and the following criteria applied to decide whether a Direct Payment is appropriate:

- Assessed as needing a service:

A service user is only eligible to receive a Direct Payment if he/she would normally receive a service. Therefore the eligibility and level of service threshold should be applied in the normal way.

- Willing:

The service user must agree to and understand what a Direct Payment means and the conditions attached to it.

A Direct Payment cannot be made against a person's will and should not be used simply to appease what the assessor perceives to be a "difficult" service user.

- Able:

The Direct Payment recipient must have the ability to express a preference about the way in which they wish to have services provided. A good way of judging their ability to make decisions would be to look at what decisions they currently make in their lives.

- Capable of managing:

Some of the responsibilities that Direct Payment recipients may undertake include the day to day control of personal assistants, payment of bills, managing a bank account, submitting quarterly returns and making arrangements to cover for emergencies. Not all service users will be able to or would wish to manage alone. In these cases the assessor, independent living advocate and service user need to decide whether or not they are able to manage with assistance.

- Legally competent:

The Direct Payments agreement is legally binding upon the local authority and the service user. The potential Direct Payment recipient must therefore have an understanding of the nature and effect of the Direct Payments arrangement.

What if there are doubts about whether a Direct Payment could work?

If the care manager has doubts about a person's long-term ability to use a Direct Payment or there are professional concerns, it may be appropriate to set up a formal trial period to give the service user the opportunity to demonstrate their ability to manage a Direct Payment. The service user must be made aware that there is no guarantee that the Direct Payment will continue beyond the trial period.

Consideration should be given as to whether a trial period would make things more difficult for the service user who may, for example, have more difficulty recruiting staff for a short period.

For individuals with a fluctuating condition, a Direct Payment may well be successful if a friend, relative or third party is willing to provide greater assistance when their condition worsens.

Lasting Power of Attorney

A person with Lasting Power of Attorney cannot make the decision to receive a Direct Payment on the service user's behalf. The service user must be able to meet the eligibility criteria in their own right before a Direct Payment can be agreed. However, what an Enduring Power of Attorney can do is manage an existing Direct Payments package, where the service user becomes unable to do so.

Advance directives

Advance directives enable a person to set out in advance the reasonable arrangements they would wish to see put in place during times when they are unwell, based on their own knowledge and experience of what helps them. It can be useful to record such arrangements in conjunction with other people including family, friends and advocates. It is also helpful to try to ensure that any formal care plan refers to the advance directive. Doing both these things enables more people to be aware of the wishes of the person who is making their preferences known through their advance directive. There is increasing recognition of the potential usefulness of advance directives and they are currently referred to in NHS guidance.

Who makes the final decision as to the appropriateness of a Direct Payment?

The final decision about whether a Direct Payment is appropriate rests with the service user's care manager. The assessment process should take into account the views of all relevant parties as well as all formal and informal support networks. The decision needs to be made on an individual basis and the assessor must avoid making blanket judgements about groups of people.

If the care manager decides that a Direct Payment is inappropriate, the reasons for this should be clearly recorded and shared sensitively with the service user and any informal support networks.

The service user should also be made aware of the complaints procedure should they wish to challenge the decision (see Section 2).

There may be circumstances when the service user does not wish to continue to receive services by means of a Direct Payment. It should be made clear to all potential Direct Payment recipients early on in the assessment process that they are under no obligation to continue to receive a Direct Payment should they not wish to. They should be made aware that in such circumstances their assessed needs would then be met by a direct service.

Setting Up a Direct Payment

If a Direct Payment is decided upon the care manager must follow the flowcharts as shown on pages 27 and 28 and read the supplementary guidance on the website.

Direct Payments for Non-English speaking people

The Direct Payment agreement for people who do not speak English needs to be **verbally** translated into their own language. The Direct Payment agreement should remain in its English version and should only be signed by the Direct Payment recipient once they have clearly understood it. This process must be witnessed by an independent person. The attestation clause to be used is as follows:-

“Signed by the above-named (recipient of Direct Payment) after this agreement has been read to (him) or (her) and translated into (specify language) and who then appeared perfectly to understand this agreement in the presence of (name of witness)”.

Direct Payments for people who are unable to read / understand the written agreement

The Direct Payment should be read out to people who are unable to read or understand it themselves. The attestation clause is to be signed (by making his mark he/she being incapable through illiteracy of writing his/her name) by the above-named (recipient of Direct Payment) after the nature of the above agreement had been fully explained to him/her and he/she appeared to perfectly understand the same in the presence of (name of witness).

Confidentiality & Bank Accounts

It is essential for the local authority to ensure that the monies made available are being used to meet the needs and objectives outlined in the assessment. It is not appropriate for the local authority to have access to records from the Direct Payments recipient's standard bank account. The authority therefore expects that every Direct Payment recipient has a separate and exclusive bank account for their Direct Payment. Overdrafts are not allowed.

How to substantiate and record exceptional circumstances?

Any decision to allow the employment of a co-resident family member must be fully documented on the service user's case file. The following information will need to be recorded:

1. The reason for the application of "exceptional circumstances". This should be one or more of the reasons listed in Section 2
2. The name(s) of family member(s) to be employed
3. Authorisation from the Practice Manager to apply for "exceptional circumstances"
4. A date for review of the exceptional circumstance arrangements
5. A multi-disciplinary team may be involved in the discussions
6. Agreement to 'exceptional circumstances' must be made by an Adult & Community Services panel

At each review, the above information needs to be verified and the arrangement renewed if necessary.

All situations where exceptional circumstances have been applied should be subject to regular recorded monitoring visits by the Independent Living Advisor to ensure that the circumstances and delivery of care remain appropriate. Any concerns must be documented and immediately reported to the appropriate Care Manager/Care Direct/DP team.

See section 2 for further detail on exceptional circumstances.

The Care Manager's responsibility when difficulties arise

The monitoring or review process may identify various difficulties for the Direct Payment recipient or the client/representative may contact the Direct Payment Team to state the service user's needs are not being met, the recipient regularly contacts the assessor to seek emergency assistance, or the Direct Payment has not been used for its intended purpose.

Careful consideration should be made about what support is needed to rectify these difficulties.

Independence for many disabled people, who have received direct services for many years, may at first cause anxiety and concern. Care Managers should not consider withdrawing a Direct Payment at the first sign of difficulty. The Department of Health practice guidance suggests that the following questions may be asked to determine whether the Direct Payment is still a viable option:

- Have the person's needs changed?
- Is the amount of money sufficient to enable the person to secure the relevant services?
- Is the person still able to manage Direct Payments?
- Does the person wish to continue receiving Direct Payments?
- Has all the money been spent on the services for which it was intended?
- Have services which the service user has paid for been received?
- Has the money been spent wisely?

Discontinuing Direct Payments

Either the service user or the local authority may decide that they no longer wish to continue with the Direct Payment. Four weeks notice is required in writing. If a decision to discontinue is made, a full and frank discussion should take place with all relevant parties involved. These discussions should be recorded fully and sent to all those involved.

Discontinuing Direct Payments temporarily

Some service users may not need their Direct Payment for a short but significant period as a result of hospital admission or some other unforeseen eventuality. If this is longer than two weeks, careful consideration should be given as to whether to discontinue the Direct Payment for that particular period. It may be more appropriate to recoup any overpayment when a money tracker form is submitted rather than to disrupt regular payment systems.

Whether a Direct Payment is discontinued temporarily or permanently, careful consideration should be given to any on-going contractual responsibilities with an independent provider.

Retainers for personal assistants

If the service user is away from home and does not need a personal assistant they may wish to continue to employ them. For example Direct Payments will continue to be paid for up to four weeks, in the case of a hospital admission. If the absence is likely to be longer than this the Direct Payment Team should be contacted on the following number: **01392 383126 or 01392 383157**.

Review

The Direct Payments Team needs to ensure that a review of payment takes place within 12 weeks of the start of the Direct Payment. This will normally be carried out by telephone.

Direct Payments risk assessment: moving and handling

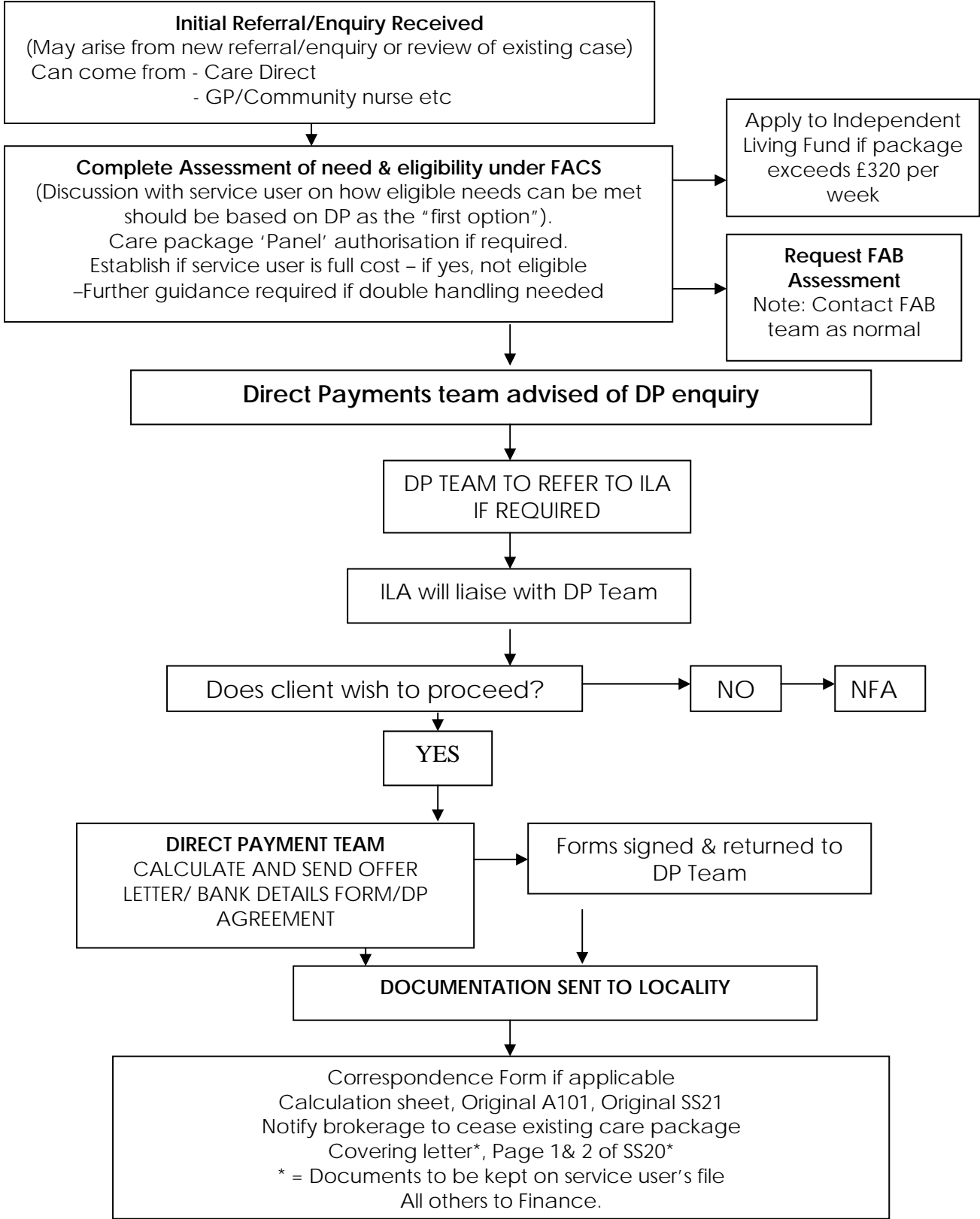
Assessors and care co-ordinators have been concerned about the responsibilities of the local authority when completing an assessment when issues relating to moving and handling have arisen. It is essential that the assessment process identifies all issues which relate to the service user's needs and difficulties. Issues about risk and moving and handling must not be ignored and must be recorded appropriately. At the point where the service package agreement is being negotiated, these factors will be taken into account and will help to determine the level of support/number of hours each week and any equipment required for a particular care package.

Once the service user agrees to receive a Direct Payment, it is their responsibility to ensure that all of the issues that have arisen during the assessment process are addressed. The service user's legal obligations as an employer must be fulfilled either alone or with assistance. Devon Adult

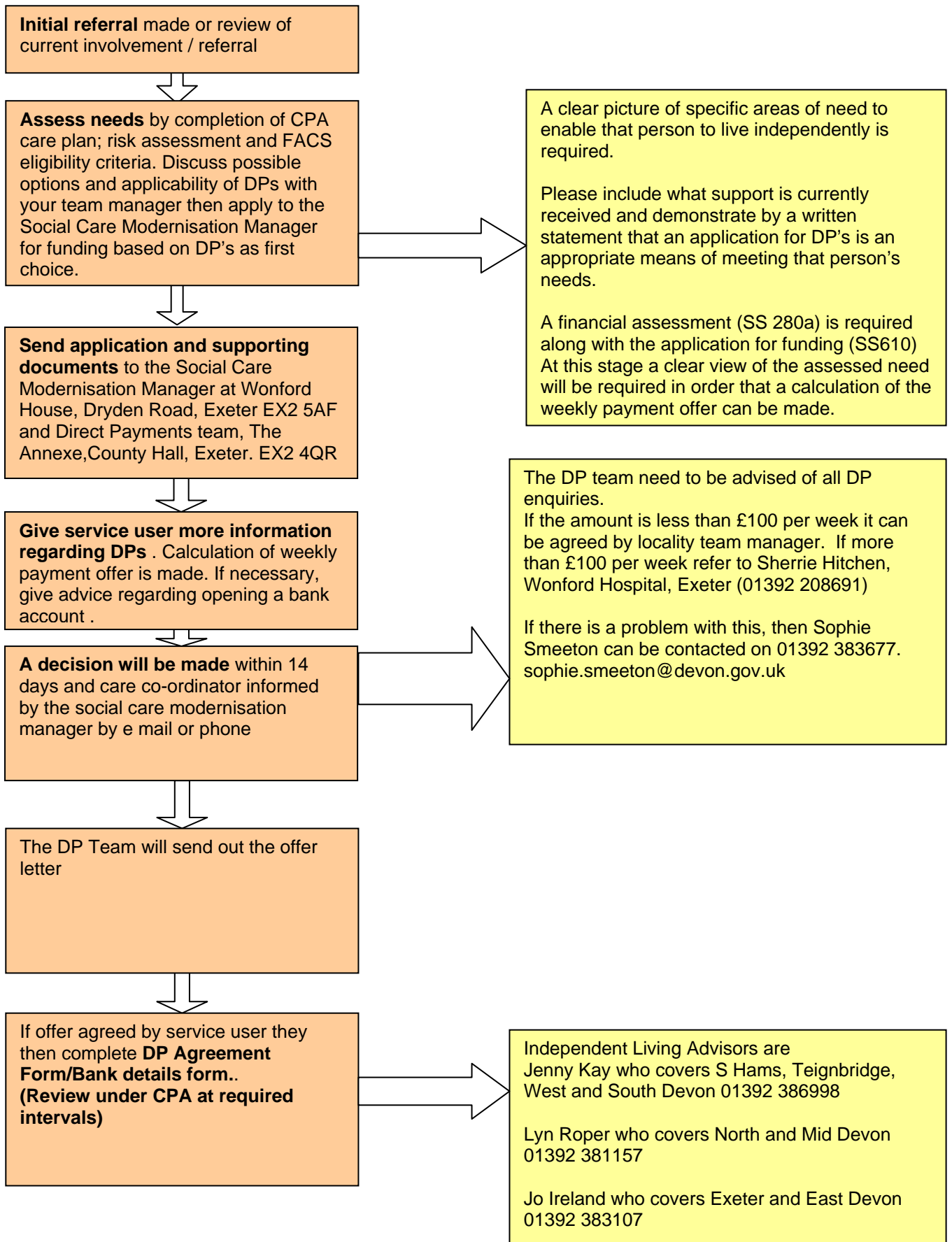
& Community Services' Independent Living Advisors will advise service users about their obligations regarding health and safety around lifting and handling procedures as a Direct Payment recipient. However the local authority does not discharge its responsibility unless it is satisfied that the service user has the means to secure a service which meets their assessed needs.

Devon County Council can offer access to training courses, see Appendix 3.

Direct Payment Process for Care Managers



DEVON PARTNERSHIP TRUST DIRECT PAYMENTS (DP's) PROCESS



Section Four: Equipment & Minor Adaptations Guidance

Principles & Practice Guidance on the use of Direct Payments for Community Equipment & Minor Adaptations

Definitions Used in this Guidance Document

Service User

This is the person who has been assessed and will use the equipment and is usually the person who is the recipient of the Direct Payment. If the service user is unable to manage the Direct Payment (due to their condition or age e.g. children) then their carer or a third party can receive and manage the Direct Payment on their behalf.

Prescriber

This is the professional care worker who assessed the service user for community equipment and manages the application for a Direct Payment on their behalf.

Community Equipment

This is equipment including minor adaptations which would normally be directly provided by the Community Equipment Service. This may be core equipment issued from stock or a special item of equipment which has been approved by the CES Lead or delegated person. The range of equipment considered for a Direct Payment must be for an assessed social care need only. Fair Access to Care Services criteria must be applied for adults, irrespective of whether the service is to be secured by direct provision or Direct Payment.

Overall Principles

Any person of any age (including children under 18 years old) who has an assessed eligible social care need (other than permanent residential or nursing care) can request to have this need met by Direct Payments. This right extends to the purchase of equipment where it is required to meet an eligible assessed social care need. If a service user requests a Direct Payment to meet social care needs, the Local Authority has a duty to make a reasonable Direct Payment offer, adequate to meet that need.

Assessment

The assessment of need must be carried out following standard care management processes and documentation. Fair Access to Care Services criteria must be applied for adults, irrespective of whether the service is to be secured by direct provision or Direct Payment.

Direct Payments for equipment must therefore be offered if all of the following are satisfied:

- The assessment results in an eligible social care need for equipment
- The service user requests this need to be met via a Direct Payment
- The service user is “willing and able” to manage the Direct Payment with or without assistance

Calculating the Direct Payment Offer for Equipment

The Direct Payment offer will be equivalent to the normal purchase cost of the equipment by Devon County Council which would have been supplied direct from the Community Equipment Service if the service user had accepted direct provision.

This includes any direct costs in respect of postage and packing, delivery, installation and demonstration of the equipment by the supplier and also ongoing maintenance and warranty if required.

Before making a formal Direct Payment offer in writing, the Prescriber will require authorisation from their locality CES Lead or delegated person.

Installation, Maintenance and Insurance

Set-up, installation and demonstration shall be the sole responsibility of the equipment supplier and should include guarantee, extended warranty and any after-sales support which may be needed. Any associated costs for these should be included in the Direct Payment but be clearly identifiable.

Any ongoing maintenance costs, where required, will be included in the Direct Payments calculation, offer and agreement. The service user will have the option to choose whether to receive a maintenance service from the Community Equipment Service, or to receive a cash equivalent within the Direct Payment to contract with the external equipment provider. The

Service Manager, Community Equipment Store (Devon) will provide an estimate of the maintenance cost for this purpose.

If the service user chooses to contract with an external provider for maintenance, (see above) the Prescriber must recommend that an extended warranty to cover replacement parts costs is taken out. The service user would meet the cost of this.

The Prescriber must advise the service user to take out insurance to provide cover for:

- Any accident or personal injury e.g. to care assistant or any third party
- Fire and theft

The cost of such insurance must be borne by the service user.

Re-Use of Equipment and Ownership

The equipment purchased by the Direct Payment shall be the property of the service user for as long as it is required to meet their assessed need. The Direct Payment shall be deemed as 'gifted' to the service user

The service user is contractually required to notify Devon Social Services of any material change in circumstances. In practice this would be any change of circumstances which means the equipment no longer meets the service user's needs, is no longer needed at all, or any permanent change of address.

When the equipment is no longer needed by the service user, the Community Equipment Service request first refusal to recover the equipment to recycle and re-issue it.

Topping Up and Purchase Options

The Service user may top up the Direct Payment to purchase a more expensive item of equipment, providing the equipment is appropriate to meet the assessed need. This must be supported by advice from the Prescriber who must check that the equipment is appropriate whilst confirming that the money has been spent appropriately.

Leasing of equipment may be considered and is acceptable under Direct Payment legislation as long as the Prescriber accepts that it is a cost

effective way of meeting need. Leasing would probably be an ongoing Direct Payment rather than a single Direct Payment for a purchase.

When the equipment is no longer needed by the service user, the amount of money provided as a Direct Payment and any money the service user contributed to top-up their purchase of a specific upgraded piece of equipment will NOT be reimbursed to the service user.

A Direct Payment may not be used to purchase services directly from Devon County Council.

It is suggested that the service user purchases equipment from reputable traders which are members of the BHTA (The British Healthcare Trades Association) who trade in accordance with the BHTA Code of Practice.

Section Five: Money & Finance Policies

Calculating the Direct Payment

If the service user does **not** intend to employ a personal assistant the amount received will be calculated according to the hourly/daily rate paid to providers of domiciliary or day care. This equates to the same amount that Devon County Council would spend if we provided the service.

Personal Assistant

If the service user decides that he/she wishes to employ someone the amount needed will be calculated by allocating an hourly rate. The service user will be given an explanation as to what this hourly rate is and can request a copy of the calculation. The hourly rate includes provision for holiday, sickness pay, training and unsociable hours. If the service user is unable to recruit a person they should contact the Direct Payment Team so that the situation can be reviewed

A one off payment is available to help with:

- Advertising
- Recruitment
- Employers liability insurance
- CRB (Criminal Records Bureau) checks
- Setting up a trust

The Independent Living Advisor will give advice and information about what the current payment rates are.

The amount payable is detailed on the schedule of payments which forms part of the signed agreement.

Contingency Payment (emergencies)

If the service user receives a one-off Direct Payment only, they will not receive a contingency payment. For ongoing Direct Payments he/she will receive a contingency payment with the first payment. This will be the same amount as one week's Direct Payment. This contingency payment should be kept in the Direct Payment account – it is to use in emergency situations, such as:

- If an unpaid carer is ill and a replacement has to be employed
- To pay the first period of sickness pay for a personal assistant until it can be reclaimed from the Inland Revenue.

The Care Manager can provide useful contacts for accessing domiciliary help at short notice. A useful website address is:

www4.devon.gov.uk/private/caredirect/view_page.php?pid=50

If some or all of the contingency payment has to be used, the local Social Services office should be contacted and they will arrange for the amount spent to be replaced.

Other legitimate expenses

Reasonable costs arising from a Direct Payment can be met either out of the Direct Payment or by requesting additional funds. For example, receipt books, photocopying, stamps, disposable gloves or aprons if not supplied by Health. Whilst it is permissible to pay someone to process payroll transactions, this does not include members of the same household.

Travel expenses

It is quite reasonable to request expenses that will be incurred by the personal assistant whilst they support/assist the individual if this is part of an individual's assessed need. For example, costs incurred if accompanying an individual on public transport, mileage for essential journeys etc. This amount must be entered on to the money tracker form as an extra, and detailed on the care plan.

Other expenses

Occasionally requests are agreed for Direct Payments to be used to arrange more unusual services. For example, a Direct Payment might be used to provide a washing machine for a user so that their carer or paid assistant can ensure their personal care requirements are fulfilled. The rule is that such purchases must fulfil the needs expressed in the care plan. If you have any concern or doubt about what is appropriate please contact the Direct Payment Team on **01392 383126/383157**.

Expenses which are not legitimate

Requests made by service users to have such expenses as food for carers and telephone costs added to the value of their Direct Payment. The local authority does not recognise these expenses as being a legitimate part of the Direct Payment.

Opening and Managing the bank account

A separate current bank account (not deposit or savings) must be opened to manage the Direct Payments. Direct Payments will be paid into this account and payments for care will be paid out of it. In this book we call this the Direct Payment Account. This account must only be used for payments for the service user's care. A letter is available from the Direct Payment Team or Independent Living Advisor to give to the bank or building society if there is a problem opening a second account.

If the service user and their partner both have Direct Payments they should have separate bank/building society accounts (however it may be possible to have a joint account).

How will payments be made?

Payments will be made four weeks in advance, a schedule of payments will be sent to the service user when he/she first starts using Direct Payments and at the beginning of each financial year.

Will the service user be required to contribute towards Direct Payments?

All people who are assessed for social care services are also financially assessed to determine if they are required to contribute towards their package of care. A welfare benefit check is included when a visiting officer from the Financial Assessment Benefit team (FAB) visits the service user or their carer at home. If the service user is required to contribute towards their package of care then the amount payable will be deducted from the payment made.

If the service user is in receipt of monies from the Independent Living Fund (ILF), this may have a bearing on whether they are charged for local authority services. For those people who received ILF funding prior to April 1993, no additional contribution is required. These issues should be discussed with the Financial Assessment Benefit team (FAB) and it may be helpful, with the service user's consent, to liaise with the ILF worker.

For more information on ILF see **Section Seven: The Independent Living Fund.**

Direct Payments used to purchase services under section 117 of the Mental Health Act 1983 incur no charge.

Monitoring Direct Payments

Monitoring of the Direct Payment is the responsibility of the service user and the County Council's Direct Payment Finance Team. There may be circumstances when additional input from the care co-ordinator is required.

Record Keeping

It is important that Direct Payments are managed to ensure that the service user gets the care agreed in their plan. He/she will be advised how frequently they need to send in these forms. All financial records need to be kept for a period of seven years (that is, the current year's records, plus the previous six years). This must be done even if Direct Payments have stopped.

Three types of trackers

1. The New Format – Money Tracker plus Bank Statements.
Now used by the majority of clients as the forms are simpler than the old format. Mainly tick-box input required, with each item shown on the Bank Statement, entered in the appropriate box on the appropriate sheet – as either 'Money In' or 'Money Out'
2. The Alternative Format – Bank Statements only.
Appropriate in two main circumstances:
 - a. the client finds completion of the return too difficult – they send in the Bank Statements, we complete for them and then send them a copy if requested
 - b. entries on each Bank Statement are mostly identical i.e. money paid in and money paid out each month. Easy to identify each item and easy to monitor. Just query any unusual entries
3. The Old Format
Used by clients who have complex care plans that can be itemised fully in the old style return.

Also used by those who have used them from 'day-one' and prefer them to the new format. If that is the client's preference – we will agree to this approach.

The service user can keep written records or use a computer. The information in this section applies to both.

With computerised records precautions need to be taken against losing or not having access to the records if the computer breaks down. Paper copies of monthly records should be kept or the data saved to the hard drive of the computer and backed up each time it is updated. This will save reconstructing any lost, corrupted, or inaccessible records.

Although we will not routinely ask for receipts, invoices and supporting paperwork these must be kept in the event that we may wish to see them.

Options can be discussed with the Direct Payment Team.

Payments

All payments for care should be made by cheque where possible. **Do not** make cheque payments from the Direct Payment bank or building society account that are not for services to meet assessed social care needs.

If cash is given to anyone to make purchases on behalf of the service user, they should be asked to sign a petty cash receipt for the amount handed over. This will help to avoid any unnecessary disputes about the amount of cash paid and received. Small duplicate cash books can be purchased from most stationery suppliers. Original paperwork must back up each payment made i.e. invoices, receipts.

Before making the payment the service user should check that:

- The invoice(s) show the name and full address of the supplier
- It adds up correctly
- It is for services you have already received
- The payment is due and you haven't already paid it

As soon as the cheque has been written, the date, cheque number and amount should be written on the invoice, receipt or claim. This helps to ensure that it is not paid again.

How the service user's financial records will be checked

We need to be able to check the care payment records to ensure that the payments made relate to the purchase of the care needs and are reasonable.

If we note that funds are accruing over and above the agreed ceiling (including the contingency payment but excluding the weekly contribution) then we may contact the service user to see if their care needs have changed. They may be asked to repay money they have not needed to spend. In the same way, if the amount in the account is significantly less than we would expect then we may also contact the service user to establish if there has been a change in their care needs.

Note: We usually allow 7 x normal weekly payment to be left in the bank account. For example if the weekly payment is £100 then we will allow £700 to remain in the bank account.

What if money is accrued above the threshold?

If reserves are building up to buy an agreed purchase, then a note of this should be made on the return so that we are made aware of any specific circumstances.

The Health and Social Care Act 2001 gives the local authority the power to seek a repayment if the monies made available have not been used to purchase the services identified in the agreement. It may also be necessary to require repayment if the monies made available were used to purchase a service from any of the people identified as being excluded. The intention of this power is to enable the authority to recover money, which has not been spent for the purpose for which it was intended, or to recover monies that have not been spent at all. We will always give a full explanation as to why we are requesting repayments of an amount from your Direct Payment account.

What happens if an overpayment is made?

If this is the case we will write to the service user to explain what has happened and agree with them as to how the amount may be repaid i.e.

instalments. If we do not hear within two weeks of the date of the letter we will send you an invoice for the full amount.

Keeping in touch when things change

Whilst Direct Payments are about independence, it is vitally important that if circumstances change the service user or their representative notifies the Direct Payments Team as soon as possible. It is in everyone's best interest to ensure that all significant absences, i.e. hospital admission, or long periods away from home are notified so that payments can be amended, if necessary.

Executors, Appointees and Wills

We recommend that the service user considers appointing a person who has Lasting Power of Attorney to be a signatory to the account and oversee payments on their behalf – should he/she need to go into hospital for example. The cost of setting this up will be paid by the person concerned and not Devon County Council. We also strongly advise that they have a will in place to enable an Executor (who can be the same person as the Enduring Power of Attorney) to handle their affairs.

Death of a Direct Payment user

Once Devon County Council has been notified of the death we will work with the Executor to look at closing the Direct Payment account. We understand that this might take some time to do and if required we will ensure that an Independent Living Advisor is available to answer any questions and help reconcile and close the account.

NB No Direct Payment can commence until the Direct Payments Team have received the following completed documents:

- Direct Payments agreement
- Bank detail form (A101)

Section Six: Financial Assessment

All people who are assessed for social care services are also financially assessed to determine if they are required to contribute towards their package of care. A welfare benefit check is included when a visiting officer from the Financial Assessment Benefit team (FAB) visits the service user or their carer at their home.

The following is a list of benefits to which individuals may be entitled. More information on specific benefits can be obtained on the following websites or by contacting the relevant departments directly.

www.direct.gov.uk

www.dwp.gov.uk

www.hmrc.gov.uk

www.socialsecurity.gov.uk

Information and advice may also be obtained from local voluntary organisations, a list of which is held on www.devon.gov.uk or from Care Direct on 0845 1551 007 or from the Independent Living Advisors.

Non-means-tested, Contribution-based Welfare Benefits

- Bereavement Benefits
- Incapacity Benefit
- Jobseeker's Allowance
- Maternity Allowance
- State Pension

Non-means-tested, Non-Contribution-based Benefits

- Attendance Allowance
- Child Benefit
- Carer's Allowance
- Industrial Injuries Disablement Benefit
- Incapacity Benefit
- Severe Disablement Allowance
- Statutory Adoption Pay
- Statutory Maternity Pay
- Statutory Paternity Pay
- Statutory Sick Pay

Means-tested Welfare Benefits

- Child Tax Credit
- Council Tax Benefit
- Housing Benefit
- Jobseeker's Allowance (Income-based)
- Income Support
- Health Service Benefits
- Pension Credit
- Discretionary Social Fund
- Regulated Social Fund
- Working Tax Credit

Section Seven: The Independent Living Fund

Background

The Independent Living Fund (ILF) was first established by the Government in 1988 following concern that certain Social Security changes could prevent severely disabled people from living in the community. The Fund was originally intended to be a temporary measure pending the introduction of Care in the Community legislation in 1993. It was therefore closed from 31st March 1993. However, the original Fund demonstrated the popularity of direct cash payments to disabled people. So, from April 1993, two new Funds were established

- The Independent Living (Extension) Fund - to continue payments to those people who qualified under the old scheme
- The Independent Living (1993) Fund - to consider the award of payments to new applicants

What is the 93 Fund?

The 93 Fund is a discretionary, budget limited trust fund financed by the Government. It is administered by a Board of Trustees. The Fund provides cash payments to severely disabled people to help them live independently in the community rather than enter residential care. The payments enable the disabled person to meet the cost of employing personal assistants (PAs) or a care agency to provide personal and domestic care as part of a package of care jointly funded by the local authority.

Who can qualify?

To qualify for payments from the Fund the disabled person must

- Be living in the UK
- Be at least 16 and under 66 years of age. Disabled people who first apply before the age of 66 can continue to receive payments after that age
- Be living alone or with other people who cannot fully meet their care needs

- Be assessed by the local authority as being at risk of entering residential care or be capable of leaving residential care to live in the community
- Be able to live in the community for at least 6 months
- Receive the care component of Disability Living Allowance (DLA) at the highest rate; **note** an applicant must have been awarded the highest rate of DLA care **before** an application can be accepted
- Have savings of no more than £18,500, including partner's savings (if applicable). Savings of up to £11,500 will be ignored
- Have income that is insufficient to cover the cost of the care needed. Receipt of Income Support or Pension Guarantee Credit is not necessarily a criterion, as a full financial assessment is carried out

In addition

- The local authority must either be contributing or going to contribute at least £320 per week of services **or** contribute at least £320 per week allowance under the Direct Payment Scheme. The £320 minimum contribution is net of charges paid by the service user to the local authority
- The 93 Fund will contribute a maximum of £455 per week
- The total combined contribution from the local authority and the ILF must not exceed £785 per week for the initial six-month period. After this period, the local authority may increase its contribution, but the Fund's award will remain at the maximum of £455 per week
- Any award from the fund which exceeds £375 per week must be matched pound for pound by the local authority, over and above their £320 contribution
- The total cost of a care package may exceed £785 per week because the service user's contribution, or any contribution from a third party, (e.g. health) is not included in this limit

What do the ILF payments cover?

It is intended that payments will allow the disabled person to employ a PA or a care agency to enable the disabled person to live independently. Payments from the Funds can be used to pay for:

- Personal care which may not necessarily be at home – the Funds will consider the costs of a PA to accompany a client when they are away from home. This could be to go shopping or on a social outing if the Funds are satisfied that the PA will be providing assistance with personal care i.e. feeding/drinking, toileting in the same way that the client would be assisted at home
- Domestic care. The domestic duties must relate to the Fund user and not other members of the household
- The Funds can consider an amount toward the costs of having a live in carer, if 24-hour care is required
- Funds may be used to cover the employment related cost of a PA accompanying a disabled person on holiday. However, the cost of travel, accommodation or expenses cannot be paid by the Funds for the fund user or their PA. The local authority contribution must continue to be met during the fund user's holiday
- Day centre care at private day centres may be considered by the Funds
- Respite care, provided this is in the Fund users home or in a setting that is not registered as a care home i.e. former foster carers home or a PA's home
- Transport. The escort element of transport can be included as a personal care need

The following cannot be funded:

- Nursing care
- Respite care that is taken in a residential care home or nursing home
- Equipment or running cost of equipment
- Child care costs

Note: Payments cannot normally be used to employ a relative or partner living in the same house as the Fund user. A close relative living at a separate address can be employed as a PA using payments awarded by the Funds.

What services should the local authority provide?

The local authority must provide payments under the Direct Payments Scheme or services worth at least £320 per week after any charge recovered from the applicant. Examples of services that can count are:

- Home care including domestic and personal care
- Day centre care where this is part of the care package and applicant attends regularly
- Travel costs such as transport to day centre
- Respite care non-residential
- Respite care where more than half the programme is spent at home and the pattern of respite is regular
- Community meals service which is net of applicant's payment

Services/Funding that cannot be included as part of the local authority minimum £320 per week contribution include:

- Supporting People monies
- Any amount paid by the Fund User as part of their local authority assessed charge.

Calculation of applicant's contribution

The applicant would generally be expected to contribute the following towards the overall cost of care:

- Half of the Disability Living Allowance care component
- All of the Severe Disability Premium when paid with Income Support or Pension Guarantee Credit

- All of the Special Transitional Allowance when paid with Income Support (valid only for persons continuously receiving Income Support since 1988)
- Income above Income Support level – all earnings of the applicant and their partner * will be ignored when calculating Independent Living assessments. (*A partner may also include a registered civil partner, or someone with whom the disabled person lives as though they were civil partners).

Payments from the 93 Fund are disregarded as income in calculating entitlement to means-tested benefits.

Carers Allowance is a benefit paid to carers who provide 35hrs of (informal) care per week. The Funds care assessment will take account of the 35hrs care provision when assessing a Fund users needs.

How to apply

- Application forms are available from the Independent Living Fund.
- The form includes a declaration by the local authority that services or Direct Payments worth at least £320 will be provided.
- A joint assessment visit will be carried out by the local authority and Independent Living Fund worker.
- The Fund's visiting social worker will then send in a written report and make recommendations about the care package.

When the application is accepted

- The Trustees will make an award of up to £455 per week.
- The applicant must then provide names, addresses and national insurance numbers of any carers who are privately employed or the employing agency if appropriate.
- The Fund will then make payments 4 weeks in arrears directly into the applicant's bank or building society account.
- Each case is normally reviewed every 2 years.

The Independent Living (Extension) Fund

The maximum payment from the Extension Fund is £785 per week, and there is no upper limit on the contribution made by Social Services.

For further information and application forms contact

The Independent Living Funds

PO Box 7525

Nottingham

NG2 4ZT

Telephone: 0845 601 8815

Website: www.ilf.org.uk e-mail: funds@ilf.org.uk

APPENDIX 1: Direct Payment Contacts and Information

Direct Payments Team

Ground Floor
The Annexe
County Hall
Topsham Road
Exeter
EX2 4QR
Telephone: 01392 383157/ 383126
Fax: 01392 382363
Email: direct.payments@devon.gov.uk

Care Direct

Telephone: 0845 1551 007
Telephone (Minicom): 0845 1551 020
Mobile Phone Text Message: 07773 333 231
Opening Hours: 8am – 8pm weekdays, 9am – 1pm Saturdays
Website: www.devon.gov.uk

Independent Living Advocacy Organisations in Devon, see page 15

National Centre for Independent Living

250 Kennington Lane, London, SE11 5RD
Telephone 0207 587 1663
Website: www.ncil.org.uk

DoH Community Care (Direct Payments) Act 1996 Policy and Practice Guidance

For copies : DoH, PO Box 777, London, SE1 6XH

Website: www.doh.gov.uk/directpayments

Updated August 2006

Easy Guide to Direct Payments (from the DoH for learning disability)

To order free copies, write to DoH Publications, PO Box 777, London, SE1 6XH or fax 01623 724524, e-mail: doh@prologistics.co.uk

Website: www.doh.gov.uk/directpayments

Information on carers Direct Payments

Website: www.doh.gov.uk/directpayments

New Employer's Helpline (for queries about being an employer)
0845 60 70 143 (calls are charged at the local rate)
www.hmrc.gov.uk

Employing People a guide to the Government rules and regulations which apply when you employ people
www.businesslink.gov.uk/employment

Eligibility Criteria for Social Care Services, Factsheet 8
www.devon.gov.uk/index/socialcare/factsheets/direct_payments_factsheet.htm

Complaints Procedure for resolving a disagreement informally
www.devon.gov.uk/compliments_and_complaints.htm

Domiciliary help at a short notice
www.4.devon.gov.uk/private/caredirect/view_page.php?pid=50

If you need to find out more about a particular benefit, below is a list of useful telephone numbers:

- Benefit Enquiry Line 0800 88 22 00
- General advice for people with disabilities and their carers
Textphone: 0800 24 33 55
- Disability & Carers Service (for AA or DLA): 08457 123456
Textphone: 08457 224433
- DWP Public Enquiry Line: 0207 712 2171
- Forms Completion Service (Benefit Enquiry Line): 0800 44 11 44
- Language Line Enquiries: 0207 520 1400
- Interpreters to non English speakers Language Line: 0845 310 9900
- Local Pension Centre: 0845 606 0265
- National Insurance: 0191 213 5000
- New Deal for Lone Parents Helpline: 0800 86 88 68

- Pension Credit Application Line: 0800 99 1234
Textphone: 0845 606 4064
- Pensions Information Line: 08457 313233
(for leaflets on pensions) Textphone: 0845 604 0210
- Pension Service Centre, Burnley: 0845 606 0265
Textphone: 0845 606 0285
- Retirement Pensions (Pensions Direct): 0845 301 3011
Textphone: 0845 301 3012
- Tax and Benefits: 0845 608 6000
- Tax Credit Helpline: 0845 300 3900
- Tax Credit Payment Helpline: 0845 302 1429
- Veterans Helpline: 0800 169 2277
- For enquiries about War Pensions Textphone: 0800 169 3458
- Warm Front Team: 0800 072 0150
Textphone: 0800 072 0156
- Winter Fuel Payments: 0845 915 1515
Textphone: 0845 601 5613

APPENDIX 2: Independent Living Advisors

Jo Ireland
(covers Exeter and East Devon)

Office Telephone: 01392 383107

Email: jo.ireland@devon.gov.uk

Address: Ground Floor, The Annexe, County Hall, Exeter, EX2 4QR

Lyn Roper
(covers North Devon, Torridge & Mid Devon)

Office Telephone: 01392 381157

Email: lyn.roper@devon.gov.uk

Address: Alexandra Lodge, 5 Old Road, Tiverton, EX16 4HQ

Jenny Kay
(covers Teignbridge, South Hams, West Devon & Mid Devon (rest))

Office Telephone: 01392 386998

Email: jenny.kay@devon.gov.uk

Address: Abbey Rise, Whitchurch Road, Tavistock, PL19 9AS

APPENDIX 3: Training Courses supported by Devon County Council – available for Personal Assistants

Safeguarding Adults	1 day	free
Moving and Handling	2 days	tba
Conflict Resolution	1 day	£30
Basic Food Hygiene	1 day	free
Basic First Aid	½ day	free
Infection Control	½ day	free

Contact: Catherine Knight, Supervisor, Training Admin.
Telephone: 01392 382596
Email: catherine.knight@devon.gov.uk

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