



Managed by



# Welcome to the Direct Payments Information and Advice Service

Telephone : Direct Line 0121 709 7591

Community Advice Hub 0121 705 3588

Email : [directpayments@ageuksolihull.org.uk](mailto:directpayments@ageuksolihull.org.uk)

Face to Face

Community Advice Hub (Solihull) Thursday 10.00am – 2.00pm

Community Advice Hub (Chelmsley Wood) by appointment

Visit our webpage at [www.ageuksolihull.org.uk](http://www.ageuksolihull.org.uk)

Age UK Solihull Registered Charity Number 1055887  
Registered Office : Lower Ground Floor, The Core, Solihull B91 3RG



**Age UK Solihull is commissioned by Solihull Council to provide a Direct Payments Information and Advice Service. Age UK Solihull is independent and impartial.**

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## Getting Started

- **Direct Payments** are monetary payments made to individuals who request to receive one to meet some or all of their eligible care and support needs.
- Direct Payments can offer greater flexibility, choice and control than support being arranged for you by the local authority, for example you may want to employ your own Personal Assistant, providing you with the support at the times you want. Or you may decide you want to use money to buy support from a care agency, or find an alternative to the types of respite support the local authority could arrange for you. You could also make one-off purchases such as a lap-top to help you communicate or a gym membership to improve your health and wellbeing.
- Direct Payments can be used in a wide range of innovative and creative ways as long as they are safe and legal and meet your assessed needs.
- Local Authority's duties with regard to Direct Payments are now regulated by the Care Act 2014, guidance can be found at <https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>





## Duty of the Local Authority – Key Points

1. If the local authority has a duty to meet your needs it must help you decide how your needs are to be met, through the preparation of a care and support plan or support plan for carers. The plan must describe what needs you have, and which needs the local authority has a duty to meet.
2. Everybody whose needs are met by the local authority will have a personal budget as part of the care and support plan/support plan that identifies the cost of their care and support and the amount that the local authority will make available.
3. When someone has a personal budget they can take some or all of the budget as a direct payment (there are certain exceptions such as people subject to a court order for a drug or alcohol treatment). During the care planning stage local authorities must inform you of the needs that could be met via direct payments.
4. Local authorities cannot force you to take a direct payment.
5. Local authorities must consider requests for direct payments made at any time. The request should come from the person requiring care and support or a person nominated by them, or where the person has been assessed as lacking capacity an authorised person can request the direct payment on their behalf.
6. The amount of your direct payment must be sufficient to meet the needs the local authority is under a duty to meet.
7. The direct payment amount will reflect whether you are required to make any financial contributions, or are requesting a direct payment for only a part of your care and/or support requirements.
8. The local authority should proportionally monitor direct payment usage to ensure effective use of public money. The local authority must review the making of direct payments initially within six months, and thereafter every 12 months.
9. The local authority should have regard to whether there will be costs such as recruitment costs, Employers' National Insurance Contributions, DBS checks



and any other costs. If these costs will be incurred their amount must be included in the direct payment.

10. If you are using your direct payment to employ a personal assistant (PA) or other staff, the local authority should ensure that there are clear plans in place of how needs will be met in the event of the PA being absent, for example due to sickness, maternity or holiday. Local authorities still have a duty to ensure your needs are being met, even if you make your own arrangements via the direct payment.
11. Your direct payment cannot ordinarily be used to pay for care from a close family member living in the same household except where the local authority deem this to be necessary, however this does not include payment for administration and management of the direct payment. (NB. In Solihull this support is available from Ideal for All, therefore you would need to discuss with your Social Worker when you are completing your Care and Support Plan).
12. Your direct payment cannot be used to purchase long-term care home placements but can be used to fund short stays as long as they do not exceed a period of four consecutive weeks in any 12 month period.
13. You can decide at any time to terminate your direct payment. The local authority must only terminate your direct payment as a last resort.



## Becoming an Employer

You do not have to employ a Personal Assistant with your direct payment, you can purchase your care from a Care Agency of your choice which some people find easier, however, your personal budget may not cover the full cost unless this has been calculated in your care and support plan. For more information on Care Agencies visit the Care Quality Commission website [www.cqc.org.uk](http://www.cqc.org.uk) or ask your Social Worker for a list of local agencies included on their Framework.

**We can provide a list of Care Agencies but this may include agencies not on the Council's Framework.**

When you employ a personal assistant, this means you become an employer and this can be daunting as there are lots of things to think about. It may be useful to see how other people manage this. Being the Boss [www.beingtheboss.co.uk](http://www.beingtheboss.co.uk) is a website that shares information based on the experiences of disabled people who employ personal assistants. The organisation in-Control provides factsheets and information which you may find useful [www.in-control.org.uk](http://www.in-control.org.uk) and Skills for Care provide lots of materials for employers and PAs

<http://www.skillsforcare.org.uk/Employing-your-own-care-and-support/Information-hub.aspx>

When employing a PA there are many things to consider:

### **Job Description and Person Specification**

A Job Description lists the tasks you would like someone to do. The Person Specification lists the skills and qualities you would like your PA to have. You should be aware of the requirements of the Equalities Act.

**We can provide you with templates and support if you require this.**

### **Advertising the job**

There are many ways to advertise including word of mouth, Job Centre, local press and websites. Think about how to attract the applicants you want through your advert. Do you want applicants to send a CV or complete an application form? Never give your home address.

**We can provide you with a template and, if required, support to draw up an advert. We would normally advertise on [www.indeed.co.uk](http://www.indeed.co.uk) and applications would come directly to Age UK Solihull and then forwarded to you to make a shortlist.**

### **Interviewing**

After drawing up a shortlist, candidates will then be contacted for interview. You may want a friend or support worker to accompany you to the interviews for a second



opinion, however, it is your choice. Do not interview in your home, find a space where you will not be alone with the candidates.

**We can provide you with suggestions for interview questions and offer space for interviews, usually at one of the Community Advice Hubs or the office of a local voluntary organisation.**

### **Offering the position**

When you are happy with your choice of PA you will need to contact them and offer them the position, you will also need to contact the unsuccessful candidates and give feedback on why they were not made an offer on this occasion. This may be easier by letter or email. Make the successful candidate aware that you will need proof of their legal right to work in the UK, two satisfactory references and a satisfactory DBS check (if you are doing one). Please note DBS Checks are mandatory if the PA is for a child or will be working in a household unsupervised where there are, or may be, children.

**Age UK Solihull provide a DBS check, current cost £60.00. We always advise a DBS check is carried out.**

### **Keeping Records**

It is recommended all recruitment records are kept for a period of 6 months in case of any challenge or dispute.

### **Contract of Employment**

As an employer you must provide your employee with a Contract of Employment laying out their legal terms and conditions. You should draw up two copies, both should be signed by both parties and one should be given to the employee and the other kept by yourself. You may want to look at the ACAS website [www.acas.org.uk](http://www.acas.org.uk)

Things to consider:

- A probationary period
- Working Time Directive
- Period of notice
- Holiday Pay
- Sick Pay
- Family Friendly Policies
- Health and Safety
- Disciplinary and Grievance Procedures
- Pension and auto-enrolment
- Salary
- Training



- Confidentiality
- Dismissal

**We can provide you with a template.**

### **Pension Automatic Enrolment**

All employers have a duty to comply with new workplace pensions law, this is called automatic enrolment. This includes individuals that employ workers for their own care and support. General guidance is:

- Only workers over the age of 22, and whom are paid more than £192 a week or £833 a month (these amounts are reviewed every year) have to be automatically enrolled.
- Currently the employer must pay a minimum contribution of 1% of the workers earnings as a pension contribution rising to 3% by 2019.

Bespoke support and guidance on automatic enrolment for individuals that employ workers for their own support and care can be obtained from The Pensions Regulator website

<http://www.thepensionsregulator.gov.uk/employers/automatic-enrolment-for-people-who-employ-their-own-care-and-support.aspx>

The cost of employer pension contributions should be included in your Care and Support Plan.

### **Insurance**

Employer's Liability Insurance and/or Public Liability Insurance is essential if you receive direct payments.

It's a good idea to have comprehensive house insurance to cover your property and its contents. You may want to include cover for accidental damage. You should tell your insurer that you are employing people to work in your house. As an employer you have a legal duty to insure against accidents or injury to your staff, or accidents or injury caused by them while they are working for you.

You may also need to think about travel or car insurance, for example if your personal assistant is going to be using your car.

**We have information on companies who provide ELI and/or PLI for employers or PAs.**

- **Fish Insurance 0500 432 141 [admin@fishinsurance.co.uk](mailto:admin@fishinsurance.co.uk)**
- **Premier Insurance 01476 514 478 [enquiries@markbatesltd.com](mailto:enquiries@markbatesltd.com)**

### **Covering PA sickness and leave**

You will need to consider how you will manage if your PA is sick or is taking a holiday. This should be considered as part of your Care and Support Plan.



## Paying your Personal Assistant

It is your responsibility to register as an employer with HMRC you can do this by contacting them at [www.hmrc.gov.uk](http://www.hmrc.gov.uk) or 0845 607 0143.

You can manage your payroll yourself or your nominated person can do this. Solihull Council commission Ideal for All to provide managed accounts on its behalf. Ideal for All can be contacted at [www.idealforall.co.uk](http://www.idealforall.co.uk), email [info@idealforall.co.uk](mailto:info@idealforall.co.uk) or telephone 0121 558 5555. If you have a managed account you must produce monthly timesheets signed by the employer and the PA.

**We can provide you with forms to set up your managed account.**

You must ensure that you pay your PA at least the National Living/Minimum Wage currently:

- £7.50 per hour - 25 yrs old and over
- £7.05 per hour - 21-24 yrs old
- £5.60 per hour - 18-20 yrs old
- £4.05 per hour - 16-17 yrs old

Average rates of pay are between £7.60 - £9.00 per hour. It may be that in order to secure the services of a more experienced PA you would like to pay a higher hourly rate. This is acceptable but you will need to either top up the account with your own personal funds or the amount of hours you can afford will decrease.

You must also ensure that the hourly rate calculated in your care and support plan covers all extras and on-costs:

- PA Allowances – When employing a PA, extra costs have to be taken into consideration such as holiday pay, sickness pay, employer's national insurance, a small allowance for mileage and cover for the PA's holiday. Therefore at least £3.00 per hour needs to be added on to the PA's hourly rate to reflect these allowances.
- DBS (previously CRB check).
- Employer's Liability Insurance – this needs to be included as an extra one off cost in the support plan.
- Mileage – This is priced at up to 0.45p per mile. You can decide to pay more but the extra amount is taxable.
- Extra costs for expenses – this is advisable to put in if there is going to be a lot of extra costs of going to places of interest.



- PA Training – this should be taken into consideration when writing the support plan. An estimated amount of £100 can be calculated into the support plan to cover training but if more specific courses are needed then this amount will need to increase (NB in Solihull funding may be accessed via SWICDA from the Workforce Development Fund and therefore may not be required within your plan).

Example of how to calculate support plan costs:

Mrs Jones has completed her personal budget questionnaire and has been offered a personal budget of £10,000 per year. She would like to employ a personal assistant to provide the care she needs along with helping her to access the local community and take trips to the sea side in the summer. She is looking at paying £10 per hour to the PA.

Already we know the hourly rate so need to add on £3 per hour to cover the PA's holiday/sickness pay/holiday cover/employer's NI. Therefore we need to allow for £13 per hour.

Item	Unit cost	Cost per week	Total per year
PA hours – 13.5 hours per week	£13.00 per hour	£175.50	£9126.00
DBS check	£60.00	£1.15	£60.00
Employer's liability insurance	£135.00	£2.59	£135.00
PA training	£100.00	£1.92	£100.00
Mileage for trip to sea side (110miles each way) two trips per year.	£0.45 per mile	£3.85	£200.00
PA expenses for accessing community	£5 per week	£5.00	£260.00
Contingency fund for extra PA hours/ expenses			£119.00
<b>TOTAL</b>			<b>£10,000</b>



## Audits of your Direct Payment

A direct payment must be used in ways that meet your needs as assessed in the Care and Support Plan you agreed with your Social Worker. The local authority will want to audit the way you spend your direct payment. This audit must be proportionate and should reduce in regularity over time.

The local authority will ask you to provide financial records, e.g. bank statements and invoices, receipts, wage slips and timesheets. You will need to evidence what you have spent your direct payment on. You will need to keep these records for at least seven years. You can contact the Direct Payments Monitoring Team for more Information on 0121 704 6413.

## Managing your Personal Assistant

It's a good idea to start with good working practices and explain to your PA exactly what is expected of them and how you will manage them.

### **Induction**

A proper induction is essential in helping your PA settle in and developing good working practices and relationships. A simple record of the induction should be kept.

### **Supervisions and Performance Appraisals**

Regular times, maybe once a month or once every 3 months should be set aside for formal supervisions and performance appraisals. Keep a record of these meetings. Any disputes or grievances can be dealt with during these meetings. You can get further information about employer/employee disputes from ACAS or your nearest CAB.

### **Day to Day Management**

Communication is key to day to day management and can prevent problems from arising. Think about professional boundaries and set these out from the start. Give your PA support and the opportunities to develop their skills.

**We can provide you with more information on management of your PA or you can visit the Skills for Care website for information and a Common Induction Standards Pack [www.skillsforcare.org.uk/individualemployers](http://www.skillsforcare.org.uk/individualemployers)**



## Training and Qualifications

It is important your PA has the right training to do the job. SWICDA (Solihull Workforce in Care Development Association) supports Direct Payments employers to access training and funding for training for their PA. Contact 0121 770 8915 or email [info@swicda.org.uk](mailto:info@swicda.org.uk)

## Being Abused

If you are being abused or neglected by your PA you should report this immediately. You can call the Safeguarding Adults Team on 0121 704 8007, ring the Police or talk to us.

**We have a Safeguarding Policy that you can request.**





## Support from the Direct Payments Information and Advice Service provided by Age UK Solihull

Age UK Solihull has been commissioned by Solihull Council to provide the Direct Payments Information and Advice Service. We want to make your life easier by giving you the knowledge and skills to manage your Direct Payment and employer responsibilities effectively.

Some people who receive a Direct Payment will be able to manage the process by themselves with the correct information and advice, some people may require a small amount of support in certain areas and others require support throughout the process. We will personalise our support level to your individual needs but will always encourage self-management where appropriate. We will:

- Aim to contact you within 2 working days of your referral into the service.
- Offer you an initial appointment with a trained Direct Payments Caseworker at one of the Community Advice Hubs (North Solihull and Central Solihull) or, if appropriate, a home visit.
- Provide you with appropriate and proportionate information and advice about Direct Payments.
- Provide you with information and advice on how to manage your Direct Payment and use the Managed Accounts and Payroll Service or manage your payroll independently.
- Support you to open a bank account if necessary.
- Support you to register with HMRC as an employer.
- Provide information, advice and appropriate support with the recruitment of Personal Assistants and being an employer.
- Complete a DBS Check with your PA.
- Information about insurance providers.
- Provide templates for the recruitment process and support you to complete these where necessary.
- Provide a secure place to interview.
- Provide information about where to access employment law specialists and mediation services.
- Information about where to find and how to fund training for your PA.
- Support you to access advocacy or other services that can assist with conflict resolution.
- Assist you to access wider sources of support to meet your needs.
- Provide an ongoing service to those who require substantial support.



## Complaints

Age UK Solihull believes that those using its services should find it easy to make a complaint and/or register a concern. It is our policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services. This leaflet is intended to ensure that complaints are dealt with properly and that all complaints or comments by service users and their relatives and carers are taken seriously.

When dealing with complaints it is not our intention to apportion blame, consider the possibility of negligence or to provide compensation. It is not part of our disciplinary policy.

We will listen to your complaint or concern and aim to deal with it swiftly, openly, fairly and honestly, you will be able to fully express your concerns and will not be discriminated against.

If you require assistance and/or support to make a complaint or express concerns we can provide you with an Advocate who works independently from the service you receive. The Advocate will ensure you understand your rights, explain choices and, if you wish, represent your views.

If you make a written complaint it will be acknowledged within 5 working days and any investigation will be concluded within 28 days. We will aim to keep you fully updated on the progress of your complaint.

If you wish to make a complaint or express concerns about the Direct Payments Information and Advice Service, in the first instance you may contact the Community Advice Hub Team Leader, Amie Westwood on 0121 705 3588. You may prefer that the Team Leader visits you in your home, please request this. You may also speak in confidence to the Head of Services, please telephone 0121 704 7840 and ask for Lucy Garratt.

For a full copy of the Age UK Solihull complaints procedure please ask.

The named manager with responsibility for following through complaints is Lucy Garratt.

## Compliments and Suggestions

Age UK Solihull welcomes any suggestions you may have regarding our services and we also like to know when we are doing a good job. We may contact you to ask you about the service you have received, this is in order for us to maintain high standards, make improvements and ensure you are receiving good outcomes.



## Local Case Studies

Mabel is 86 years old and lives in the Olton area of Solihull on her own. Up until recently she was well and able to manage her own lifestyle. She recently had a fall which has left her unable to do daily tasks and to look after herself. Her family contacted social services and decided to have her care package paid to them as a Direct Payment in order for them to manage her care services. This allowed them to have more choice and control about who was coming into Mabel's property.

Mabel's family employs her grand-daughter to provide her with support twice a week with cleaning, washing, ironing and cooking fresh meals. Mabel always prided herself in her 'home cooked meals' and she is able to continue to do this with support. She is also encouraged to do tasks for herself where she is able to and is happier to have a friendly face coming rather than lots of different people.

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Daniel is 25 years old and is diagnosed with Autism Spectrum Disorder. His family recently assisted him to purchase his own flat and he was awarded a Direct Payment to help him develop independent living skills, social interaction and work experience with a view that he would be able to move in full time.

Daniel decided to use his Direct Payment to employ a care agency who provided him with 2 personal assistants to work with him over 3 days per week to learn how to cook, clean, wash and iron his clothes and how to pay bills to develop his independence. They also assisted him to visit his local pub and gym to develop friendships and knowledge of his local area.

He also used some of his Direct Payment to attend a local farm where he could develop skills such as how to grow crops, look after farm animals and how to then turn the produce into items to sell. This provided Daniel with work experience skills to allow him to find paid employment in the future.

Daniel used his Direct Payment to develop his own services to meet his needs and adapted his care support to slowly move into his own flat. He has now fully moved in and visits the gym and local pub on his own and has a small part time job in a local shop. He still has a weekly visit from the care agency to provide him with a small amount of support with cleaning and to assist him to pay his bills.



## Document/Template List

**Please note : Age UK Solihull is not the employer and therefore any documents/templates that are personalised for your own use must be checked thoroughly as correct by yourself as the employer. Age UK Solihull does not take any responsibility for any incorrect information contained within any personalised documents/templates.**

- Care Agency list
- Care Home list
- Job Description template
- Person Specification template
- Application Form template
- Covering letter (Application Form)
- Recruitment Advert template
- Shortlist template
- Interview question samples and checklist
- Invite for interview letter sample
- Offer of job template
- Turning down an applicant template
- Reference Request template
- Contract of Employment template
- Disciplinary Procedure template
- Health and Safety Checklist
- Employee Employment History form
- Employee Absence Record
- Ideal for All PA Bank Details form
- Ideal for All New Employee form
- Ideal for All New Employer form



- Timesheet templates
- Skills for Care Common Induction Standards
- Supervision template
- Performance Appraisal template
- Self-appraisal template
- Age UK Solihull Complaints Policy
- Age UK Solihull Safeguarding Policy





## Further sources of support

Organisation	Description	Telephone	Email/web address
Advance Credit Union	Managing finances, new accounts and savings.	0121 350 8883	<a href="mailto:info@advancecu.org.uk">info@advancecu.org.uk</a>
Argonaut Community Enterprises	Employment opportunities for disabled people	0121 753 5673	<a href="mailto:info@argonautenterprises.co.uk">info@argonautenterprises.co.uk</a>
Being the Boss	Website support for people who are employing PA's		<a href="mailto:mail@beingtheboss.co.uk">mail@beingtheboss.co.uk</a>
BID Services	Sensory Impairment	0121 246 6100	<a href="mailto:info@bid.org.uk">info@bid.org.uk</a>
Brighter Life Care	Breaks for young people with disabilities/illnesses	07415 120 320	<a href="mailto:brighterlifecare@gmail.com">brighterlifecare@gmail.com</a>
CEA Cinema Card	£6.00 per card and allows carers to take people with disabilities to go to the cinema for free.	N/A	<a href="https://www.ceacard.co.uk/howtoapply.aspx">https://www.ceacard.co.uk/howtoapply.aspx</a>
DIAL	Disability information and advice	0121 770 0333	<a href="mailto:enquiries@dialsolihull.org.uk">enquiries@dialsolihull.org.uk</a>
Mobility exemption pass (M6 Toll)	Those on high rate mobility DLA and road tax exempt may be able to use M6 toll for free.	0330 660 0790 (select Option 2)	<a href="https://www.m6toll.co.uk/pricing/exemptions/">https://www.m6toll.co.uk/pricing/exemptions/</a>
One Front Door	Adult Social Care	0121 704 8007	<a href="mailto:connectcc@solihull.gov.uk">connectcc@solihull.gov.uk</a>
People in Action	Person centred care services and day opportunities	024 7664 3776	<a href="mailto:admin@people-in-action.co.uk">admin@people-in-action.co.uk</a>
SoLO	Learning disabilities – leisure activities, support planning	0121 779 3865	<a href="mailto:info@solihullsolo.org">info@solihullsolo.org</a>
Midway Care Group	Learning Disabilities	0121 706 9902	<a href="mailto:info@midwaycare.co.uk">info@midwaycare.co.uk</a>
Solihull Action through Advocacy	Advocacy – Learning Disabilities	0121 706 4696	<a href="mailto:office@solihulladvocacy.org.uk">office@solihulladvocacy.org.uk</a>



Solihull Carers Centre	Support for carers	0121 713 8960	centre@solihullcarers.org
Take A Break Warwickshire	Short breaks for children with disabilities/illnesses and adults with learning disabilities	02476 644 909	<a href="mailto:info@tabw.org.uk">info@tabw.org.uk</a>
Skills For Care	Adult social care workforce development	0113 245 1716	<a href="mailto:info@skillsforcare.org.uk">info@skillsforcare.org.uk</a>
Fish Insurance	Disability insurance specialists	0500 432 141	<a href="mailto:admin@fishinsurance.co.uk">admin@fishinsurance.co.uk</a>
Premier Insurance	Insurance	01476 514 478	<a href="mailto:enquiries@markbatesltd.com">enquiries@markbatesltd.com</a>
Capitol Mobility	Mobility products	0121 705 5255	<a href="mailto:capitol@capitolmobility.com">capitol@capitolmobility.com</a>
Solihull Community Housing	Housing services	0121 717 1515	
Wheelchair Assessment Team	Wheelchairs	0121 329 0900	jointequipmentservice@solihull.gov.uk
Children's Disability Team	Children Social Care	0121 704 6777	
SWICDA	PA Training	0121 770 8915	<a href="mailto:info@swicda.org.uk">info@swicda.org.uk</a>
Citizen's Advice Solihull Borough	Employment Advice	0121 704 7810	