



# **Using Direct Payments to Meet People's Care and Support Needs**

## **Policy**

**May 2023**

## **What are direct payments?**

Direct payments are one of the ways we can meet the needs of someone who is eligible for social care and support, or the needs of an unpaid carer.

Payments are made directly to a person or their representative e.g., a family member. They use the money to arrange their own care or support in a way which suits them, allowing them to choose who provides the support, where and when it is delivered.

Direct payments are not a form of income. A direct payment is provided to enable an individual with care and support needs, or a carer of a person with care and support needs, to meet their well-being outcomes identified in their care and support plan. Services and/or equipment can be purchased using the direct payment provided, for example.

Direct payments can also be used to support an individual in the fundamentals of daily living things such as personal care, dressing, cooking, driving, and support to facilitate discharge from hospital. They can also be used to facilitate social activities outside the home, visiting friends, evening classes and gardening, as well as for assistance to access training and employment. These are examples of how a direct payment can be used and are not the only ways for direct payments to be used, however, everything bought using a direct payment must help to achieve the personal well-being outcomes as set out in the care and support plan.

## **This document**

This document is the Bridgend County Borough Council (“the Council”) Direct Payments Policy. It sets out the rules and guidelines the Council works to, and its approach towards direct payments being used to support the achievement of an individual’s well-being outcomes. The policy has been informed by the findings of an independent review in which people told us what is working well and what needed to be improved in how the Council administers direct payments.

## **What is the purpose of the direct payments policy?**

Bridgend County Borough Council is committed to improving the quality of life and wellbeing of everyone who lives in the County Borough and specifically to improving wellbeing outcomes for people with care and support needs in the most effective way. For many people with care and support needs, a direct payment gives them more support and control over their own lives.

This direct payment policy also enables the Council to follow what is set out, under law, in the Social Services and Well-being (Wales) Act 2014 (“the Act”).

The Act requires that the Council assess an individual that may have needs for care and support and, where there is an eligible need identified, meet the care and support needs of that individual - adults, children and carers. The Council’s strategy is to enable individuals to live the lives they want to live. For most people this means living as independently as

possible, with or without support, in their own homes. Most people want to be involved in family and community life, and to engage in work, education and leisure when and wherever possible.

## The law

The Act is the legislation which underpins this policy. The Act is based on four principles:

- **Voice and control:** the individual and their needs are at the centre of their care, and they have a say in, and control over, achieving outcomes which maintain or improve their well-being.
- **Prevention and early intervention:** increasing services in the community to prevent people reaching a crisis point.
- **Well-being:** helping people achieve well-being and measuring the success of care and support.
- **Co-production:** which means encouraging people to become more involved in the way care and support plans are designed and delivered, as well as shaping the Council's policies and services.

Direct payments are an important way of improving the well-being of people who need care and support, and that of unpaid carers.

The Act gives the Council the legal power to make payments to meet the care and support needs of adults and children, and carers' support needs. The way the Council operates direct payments is in accordance with the Code of Practice (Part 4 – Meeting Needs) of the Act, which sets out people's rights and responsibilities to receive and manage direct payments.

The Council's policy also complies with other legislation, including the Well-being of Future Generations (Wales) Act 2015, which requires public organisations to do all they can to improve social, economic, environmental and cultural well-being. The policy also enables the Council to fulfil its duties placed under the Equality Act 2010.

## Principles

The Council's principles are:

- **Fair** - taking into account everyone's needs and situation.
- **Ambitious** - always trying to improve what we do and aiming for excellence.
- **Citizen-focused** - remembering we are here to serve our local communities.
- **Efficient** - delivering services that are value for money.

This policy applies these principles alongside what is required to meet legal obligations.

The Council is committed to working co-productively with citizens of the county borough who use Council services. The policy has been informed by the engagement and participation of people who have an interest or role in the use of direct payments. This

means the way direct payments are supported in Bridgend will more effectively meet the needs of people.

The Council is committed through this policy to working closely with organisations and community groups to support initiatives, which help to improve people's well-being in many ways, including the development of co-operatives and social enterprises led by local people.

The Council values people's feedback and will seek feedback on our services and support. This will help the Council to continually learn and improve.

## Our approach

The Council's approach to direct payments is based on four principles:-

- Promoting the use of direct payments and helping people to manage their care and support.
- Involving people in shaping the care and support they receive.
- Encouraging people to find creative, flexible, and innovative ways to achieve what matters to them for their independence and well-being.
- Considering the existing support people might have.

The law requires the Council to decide whether providing care and/or support will assist a person to meet the personal outcomes they want to achieve for their well-being. When completing an assessment, there are four things which are considered:

- The person's circumstances and if their need for care and support arises from what is set out in law. The law specifies distinct kinds of circumstances for adults, children, and carers.
- If their need relates to one or more of the outcomes stated in law e.g., the ability to conduct self-care or domestic routines. The law specifies distinct kinds of circumstances for adults, children, and carers.
- If the need is such that a person is not able to meet it on their own, or with the care and support of others who are able or willing to provide it, or with the help of other services in the community. For a child, the condition is met if the need is one that neither the child, the child's parents, or anyone else in a parental role can meet either alone or together.
- The person is unlikely to achieve the personal outcomes they want to achieve unless the Council provides or arranges care and support through a care and support plan and/or enables the need to be met by making direct payments.

Where someone is eligible for care and support, or support in the case of a carer, the Council will spend time with them or their representative to help them decide what care is best and how it could be provided, including the option of using direct payments.

The Council will:

- Take time to find out what matters to each person and what they want to achieve to improve their well-being.
- Offer direct payments as an equal option alongside other ways of providing care and/or support.
- Use direct payments where it can help prevent an individual's needs from increasing or their situation from getting worse, aiming to ensure the right help, advice and support is available when it is needed.
- Explain everything a person needs to know about direct payments and answer all questions. The Council will also explain the help and support provided throughout the time someone receives direct payments.

The Council will only refuse a direct payment where after exploring all options in detail, it is clear it would not be able to secure the outcomes the person wants to achieve.

## **Our ambition**

The Council is committed to making people aware of the benefits of direct payments. The Council will raise awareness of direct payments, by promoting their use, and by using them in more creative and flexible ways to meet people's needs.

The Council will utilise direct payments as a way of helping to prevent someone's needs from increasing or their circumstances worsening.

The Council recognises people have different needs, from short-term needs to those which are more complex and long-term. A person might need care and support for themselves, or to support them as an unpaid carer of someone who has care and support needs.

The Council is committed to delivering effective social care and/or support to all who need it and are eligible for it – adults, children, families, and carers. The Council's goal is for people to live as independently as possible for them, with or without support, and to be as involved as they wish to be in family and community life, and to engage in work, education and leisure when and where possible.

## **Our commitment**

The Council is committed to delivering the best possible care and support arrangements. The following diagram describes how the Council works and what the Council will do

before someone accesses care and support, during the process of accessing care and support, and throughout the time they receive direct payments to meet their assessed need for care and support:

| When  | What you can expect from the Council   |
|---|--|
| <p>Before accessing care and support</p>                                      | <ul style="list-style-type: none"> <li>• Easy to understand, easy to access, information for people who feel they (or a family member) might need help, including their rights under law</li> <li>• Respond quickly to queries and requests.</li> </ul>  |
| <p>After initial contact; assessment, and when accessing care and support</p> | <ul style="list-style-type: none"> <li>• Simple and straightforward access, and personal discussion with our social workers and our Direct Payments Team.</li> <li>• We will take time to discuss “what matters” to you.</li> <li>• We will involve you in working out what care and support will help you to achieve well-being for you.</li> <li>• We will be open minded, creative, and flexible in discussing and identifying ways to help you achieve what you want</li> <li>• An assessment of your needs, and if eligible for care and/or support, discuss and offer direct payments as an equal option (and at reviews and re-assessments)</li> <li>• We will tell you everything you need to know about direct payments and answer all your questions.</li> <li>• An explanation of the ongoing support we will provide</li> <li>• Financial assessment and charging implications explained</li> <li>• An offer of independent advocacy help, if needed</li> <li>• Decisions made as quickly as possible</li> </ul> |
| <p>When setting up a direct payment to meet your care and support needs</p>   | <ul style="list-style-type: none"> <li>• A high-quality care and support plan shared with you</li> <li>• An explanation of your responsibilities and obligations and how we will help you to manage them, and risks.</li> <li>• Accurate and fair payment calculations, and payment arrangements which meet your needs</li> <li>• An open, honest, and frank discussion with you about any areas you think you might find difficult.</li> <li>• Advice and assistance when you need it.</li> <li>• Agree our respective roles on managing direct payments</li> <li>• Clarity on what happens with unspent money and its use to achieve your agreed personal outcomes</li> <li>• Arrangements put in place in case things go wrong</li> </ul>   |
| <p>All the time direct payments are received</p>                              | <ul style="list-style-type: none"> <li>• Information, advice and support when you need it</li> <li>• User-friendly monitoring arrangements</li> <li>• Regular and timely information on spend against budget</li> <li>• Regular, timely, reviews to identify and overcome any problems in achieving your agreed outcomes, to discuss the use of funding, and to assess what difference the care and support has made.</li> <li>• Streamlined arrangements for agreeing adjustments in response to changing needs</li> </ul>  |

## **Raising awareness of direct payments**

The Council has a legal duty to provide information, advice and assistance and preventative services, and to promote social enterprises, co-operatives, user-led services and the third sector. The Council will work with others to ensure people are able to easily access support locally.

The Council will ensure its residents can easily access information so anyone who feels they or a family member might need help understands what social care and/or support might be available, and their rights.

The Council will publish information on its website and use social media and other means of disseminating information, including other organisations and community groups.

## **Working with you if you have care and support needs or if you are a Carer of someone with care and support needs**

The Council will work closely with you or your representative, discussing what matters for your well-being, and involving you if you require care and/or support to help achieve what matters to you.

After assessing your needs and your eligibility for care and support, the Council will offer direct payments as an option, explaining how they can offer choice and control over care and support.

## **Information and support**

The Council will tell you or someone who represents you all you need to know about direct payments. The Council's social workers and direct payments team will provide information and advice when you consider an offer of direct payments to help you understand how direct payments work and the responsibilities involved so you can make an informed decision. The direct payment's team also provides ongoing, day-to-day, help for everyone receiving direct payments.

If required, the Council will arrange for an independent advocate to help someone to make an informed decision about direct payments.

## **Well-trained staff**

The Council will ensure a consistently good service. The Council provides regular, ongoing, learning and development opportunities for our social care staff and for other front-line staff in the Council who have contact with our residents. This, together with training for new staff who join our team, ensures our policy and the law results in effective practice.

## **Working with providers and other organisations**

Personal assistants play a vital role in providing care and support and we are working to provide them with more support and training to keep their skills up to date. The Council will work with other local organisations to support recruitment of more people to work as a personal assistant and, to support the opportunities for individuals with care and support needs and carers to share a personal assistant can help make even better use of direct payments.

## Helping you manage your direct payments

When a direct payment is approved, the Council will set up an agreement with the individual with care and support needs, or the carer or their representative. The care plan will focus on the flexible and creative use of direct payments to meet the agreed well-being outcomes. It will also set out your, or your representative's, roles and responsibilities and the Council's as the operator of the direct payments scheme. The Council will ensure there is discussion before signing the agreement to ensure its contents are clear and understood, to give assurance on any concerns, and to explain the ongoing support we provide.

The Council will provide one point of contact for ongoing, day to day, support to help the individual with care and support needs/ carer manage direct payments and regular discussion to ensure they are being used effectively.

## Feedback

The Council will actively seek feedback from people about their experience of discussing or receiving direct payments. The Council will use the feedback to consider how to improve and to understand how direct payments make a difference to people's lives and help people to achieve what matters to them for their well-being.

Should anyone be dissatisfied with, or concerned about, the way the Council implements the policy, they can seek resolution via the Social Services Complaints Policy or the Council's Complaints Policy. Which is applicable will depend on the nature of the complaint.

## How to contact the Council

The Council website has helpful information and advice about all our services for adults and children, how to contact us, and information about other support available.

### Adults

<https://www.bridgend.gov.uk/residents/social-care-and-wellbeing/adult-social-care/>

### Children

<https://www.bridgend.gov.uk/residents/social-care-and-wellbeing/children-s-social-care/>



## **Direct payments**

<https://www.bridgend.gov.uk/residents/social-care-and-wellbeing/adult-social-care/direct-payments/>

## **Direct Payments Team**

The Council's Direct Payments Team have detailed knowledge of direct payments and can provide information, advice and support.

### Adults Services:

Telephone 01656 642279.

Email [contactassessmentreviewteam@bridgend.gov.uk](mailto:contactassessmentreviewteam@bridgend.gov.uk)

### Childrens Services:

Telephone 01656 642320

Email [assessmentteamduty@bridgend.gov.uk](mailto:assessmentteamduty@bridgend.gov.uk)