

Self Directed Support Factsheet – 3

Direct payments and personal budgets: steps to take control

This factsheet gives an outline of steps towards receiving direct payments or a personal budget and the questions you might want to ask. Councils systems can vary because they are allowed to make some decisions about how they offer direct payments and personal budgets so this factsheet is to be applied generally.

What does taking control of your support mean?

Using direct payments or personal budgets could allow people to have more control and choice over the services they receive. For example, if you are responsible for organising your own support, you could have more choice over who supports you and when, or have more control over how an agency or organisation provides support. Direct payments and personal budgets could also help people live more independently and remain in their own home. You can use direct payments and personal budgets in different ways which means you can take on different levels of responsibility. You can also receive support to manage these responsibilities.

What could be the benefits of taking control?

Direct payments or personal budgets could give you more control over the support you receive. It is important to think about what this means to you:

- Would you like to have more control over choosing the staff who support you and what time of day they support you?
- Do you think direct payments could help you to be more independent and do more of the activities you would like to do?
- Are you happy with the current council service?
- If you could receive direct payments, would you be able to change the service you currently receive?
- What are the experiences of people who use direct payments in your local area?

- Are there any deafblind people or families using direct payments locally?

What are your assessed needs?

Disabled children and adults have a legal right to an assessment of their needs. For deafblind people this should be a specialist assessment. If you are eligible to receive support from social services, direct payments must be mentioned as one of the ways to meet your needs. The same systems for eligibility criteria and charges apply whether you decide to receive a service or a direct payment from your council.

Are you eligible for services?

Each local council has its own eligibility criteria which they use to decide who should receive services, direct payments or a personal budget. Eligibility criteria are used by social services to decide whether they should pay for the cost of meeting your needs. If you have eligible needs, social services should pay this cost.

Will you be charged?

Charges for social care are paid by individuals who are assessed as being able to pay for some of the cost of the support they receive. If you receive direct payments or a personal budget, councils can conduct a financial assessment and then ask you to pay a charge. Councils will usually subtract any charges from your direct payments or personal budgets and then give you the remaining amount. However, some councils may give you the full (gross) amount and then invoice you for the charge.

Can you consent to receive direct payments?

It is up to you whether you want to receive direct payments or not. Think about how you would use direct payments and if you think there are local staff, agencies or services you could use to meet your needs. The person actually receiving the direct payments should be able to agree to receive direct payments. For information on direct payments and mental capacity, see Sense's factsheets 'Direct payments: mental capacity' and 'Direct payments: receiving direct payments on behalf of an adult who lacks the capacity to consent'.

Consent and personal budgets

Some councils are starting to offer personal budgets more widely. Even if you receive a personal budget, you or someone acting on your behalf will need to make decisions about how you get the support you need.

Can you manage direct payments or a personal budget (with or without support)?

If you would like support to manage your direct payments, you are entitled to receive it. You can hand over some or all of the responsibility for managing your direct payments.

- What kind of support is there in your area for people who use direct payments?
- What will you have to do to manage any paperwork?
- Would you like to delegate all or some of these responsibilities?

What advice and support service are there in your local area?

Ask the council for any information they provide on direct payments or personal budgets and if there is a local direct payments support service who may be able to advise you further.

How much are the direct payments or personal budget?

Your social worker will tell you how much you will receive in direct payments or as a personal budget. You must say if you are not happy with this amount and you can refuse to accept it. For more information, see Sense's factsheet 'Direct payments and personal budgets: making sure you receive the right amount of direct payment'.

Can you receive an interim service?

While you prepare to use direct payments or a personal budget, you should be able to receive an interim service from the council. This means that you could receive a service provided by the council while you organise how you will purchase the support you need. Ask your social worker what the council can provide over this period.

Finding staff, agencies or services to meet your needs

You will need to find ways to meet your assessed needs.

- Do you know about staff or services that you would like to use?
- Do you think you'd like to employ staff yourself or use self-employed or agency workers?

For more information, see Sense's factsheets 'Purchasing your own support: deciding on your needs and finding support'.

Regular review of your needs and the support you purchase

When social services review your use of direct payments, they should focus on whether your needs have been met through direct payments, rather than worry about how you met your needs.

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