

Direct payments: answering frequently asked questions



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Introduction

These 'frequently asked questions' on direct payments are a summary of a more detailed report available on the SCIE website (www.scie.org.uk). Designed to stimulate interest and ideas, the full document contains some of the examples from the practice survey commissioned by SCIE in 2004 and undertaken by the Centre for Social Action at De Montfort University.

The full report is aimed specifically at social care practitioners who are thinking about how direct payments legislation can be applied, and we hope that you will have a look at the full version. It provides good practice examples and links to related information, guidance and expertise in the field from service users, direct payment support services and practitioners.

The key message about direct payments – from both the report and the government – is just to do it!

Frequently asked questions

- What is a direct payment?
- Why direct payments?
- Who can get direct payments? What can they be used for?

- How will direct payments improve the way things have traditionally been done?
- How do we know that direct payments actually work?
- How can schemes be promoted and publicised?
- How can you ensure that the process runs as smoothly as possible?
- What kind of training can I get to give me more confidence in working with direct payments?
- What can be done to promote direct payments to black and minority ethnic and other marginalised groups?
- How do you introduce the idea of direct payments to service users?
- How does the assessment process work?
- What about gaining consent?
- Is employing a personal assistant complicated?

What is a direct payment?

A direct payment is money given by a social services department to an individual to buy the support they have been assessed as needing. This is in lieu of services provided by social services departments, and there is no set financial limit. Guidance on direct payments, including easy-read versions, can be found on the Department of Health website (www.dh.gov.uk/PolicyAndGuidance/OrganisationPolicy/FinanceAndPlanning/DirectPayments/fs/en). The Welsh Assembly also provides information and guidance for authorities in Wales (www.wales.gov.uk/subisocialpolicy/content/direct/practice_e.htm).

You can also access information on direct payments from the National Centre for Independent Living (NCIL, www.ncil.org.uk).

Alternatively you can access these and other websites mentioned in this summary at www.scie.org.uk

In April 2003, regulations came into force that required councils in England to offer direct payments to all people using community care services. The corresponding regulation for Wales came into effect in August 2004. Direct payments have also become a key performance indicator for local authorities.

Why direct payments?

Direct payments are a comparatively new approach to supporting disabled people to lead more independent lives and to exercise choice and control over the services they receive. Following persistent campaigning by disabled people, the 1996 Community Care (Direct Payments) Act came into effect in April 1997. This gave local authorities in England, Wales and Northern Ireland the power (but not the duty) to make direct payments.

In April 2003, regulations came into force that required councils in England to offer direct payments to all people using community care services.

For individuals, a direct payment can mean the difference between having to live in an institutional setting and having the assistance you want to be able to live in your own home.

Andrew Holman (1999) *Funding freedom 2000: People with learning difficulties using direct payments*, London: Values into Action

Who can get direct payments? What can they be used for?

Initially, people aged 18-65 who had been assessed as needing community care services were eligible. Direct payments were extended to older disabled people in 2000, and, since April 2001, have been available to carers, parents of disabled children and 16- and 17-year-old disabled young people. Everyone who is eligible has to consent to receiving direct payments and be able to manage them, with support if required.

There are many examples of how direct payments have transformed the lives of service users, giving them more independence, flexibility and choice.

“I now work full-time and my PA [personal assistant] complements, supports and enables me to live a full life. In the past, using an agency I had no control who came to my house, when, what they did or anything. Now I have control, choice and the right to live my life the way I choose.”

Service user of direct payments

Payments can be made for day-to-day needs such as dressing, cooking, driving, bathing children and support to facilitate discharge from hospital. They can also be used to make social activities possible – visiting friends, evening classes and college and gardening – as well as to help people access training and employment. In fact, they can be used to purchase anything that is perceived as an assessed need.

“We tend to involve family members and friends more with older people. They like to feel that they are supported by someone they know. Social workers assume that older people do not want the hassle. I know that older people like DPs [direct payments] as it gives them so much dignity, choice, respect and control. They like joint visits. Some use DPs for overnight stays, short-term care and many other ways in which they need part-time support without losing their pride! ‘Older person’s forum’ meets monthly to discuss any concerns, issues they may have, and the local authority always has feedback from the group.

Gateshead local authority

How will direct payments improve the way things have traditionally been done?

It is clear that direct payments require a change in culture for staff in local authorities. It requires a shift in power and more emphasis on applying resources to need rather than need to existing services.

It is a move from being the gatekeepers of services to providing the type of support that people actually want and from which they can benefit. For staff, this can lead to a dramatic increase in job satisfaction and, for care managers, the knowledge that they have been able to work in collaboration with service users to make a difference to how they lead their lives.

“Nobody promotes DPs [direct payments] better than the people using them. This became clear to me when I was working in a physical disabilities social work team and was meeting disabled people every day who were describing what a difference DPs had made to their lives and how it had given them more control. I now do training with social workers, and my co-trainer is disabled and a DP user with a PA [personal assistant] and this also promotes DPs in a very positive way. We hope to use this approach in promoting DPs to older people by encouraging a DP user in this field to share their experience with people their own age. We have a new worker we hope can follow up on this.”

Coventry local authority

“What’s being asked of you is not easy, I know that. It means a change in approach. It means going much further in treating the people you work with as individuals and tailoring support around them. It means letting them be in charge. And it means really signing up to the principles of independent living, and helping

people move away from being dependent on you for help to being dependent only on themselves. That's no small task!"

*Speech by Stephen Ladyman MP,
Parliamentary Under Secretary of State for
Community, 18 May 2004*

How do we know that direct payments actually work?

There is much evidence from service users of the incredible difference that direct payments can make to lives and lifestyles. Additionally, there is testimony from staff within local authorities who have seen the impact of working in an environment that offers choice and the opportunity for service users to have more control over their own lives.

"Direct payments allowed a disabled gentleman to employ a friend, to be able to go fishing on holiday, visit his children's school, have a life."

Isle of Wight DIAL

"DP [direct payments] for a single parent of a two-year-old. The mother has a particular condition requiring periods of rest and six-weekly hospital visits. Her DP has enabled her to pay for a live-in nanny."

Isle of Wight local authority

“Have supported individuals who have been able to employ support workers who speak the same language as they do. They have had greater flexibility on the hours they choose to be supported, more choice of activities and overall consistency.”

Southwark Choice Support

How can schemes be promoted and publicised?

Direct payments can be promoted extremely successfully when done in partnership with a direct payment support scheme or other user-led organisation. The following, based on the responses identified in the practice survey, are just a few examples of how it can be done:

- The appointment of a development manager to produce literature and publicity.
- Clear, jargon-free publicity leaflets in accessible formats, such as Braille, audio-cassette, video/DVD with sign language and subtitles, and available in local community languages. There should also be versions suitable for users with learning disabilities.
- Accessible website on direct payments. This can include advice sheets for specific local authorities, as well as links to national resources such as:
 - > Valuing People Support Team: www.valuingpeople.gov.uk
 - > ICES (Integrating Community Equipment Services): www.icesdoh.org

- > Change Agent Team: www.dh.gov.uk
- Using the media, for example, publicising direct payments in the local press, regularly placing articles about direct payments in a borough-wide free magazine, advertisements on local radio.
- Radio interviews and open-forum sessions when professionals come to talk to the public about direct payments, then open the telephone lines.
- GP surgeries (leaflets, drop-in sessions, health visitors, etc), post offices, posters in other locations.

Care managers should discuss direct payments with all eligible people at the time of assessment or review. There should also be a specific question about direct payments on the community care assessment form.

How can you ensure that the process runs as smoothly as possible?

In 2000, Scope reported that monitoring and guidance had so far been more about finances than the quality of services. This perhaps reflects concern that people will run off with the money or misuse it. However, accountability and safeguards are built into the process.

People want to be trusted to spend their direct payment money on the things that they need. They want flexibility and control.

Commission for Social Care Inspection, 2004

“I was told by my social worker, ‘Your care package is not fixed in stone – get in touch if you need to inform us about any changes.’”

Service user of direct payments

The council will have to satisfy itself that the needs for which it is giving direct payments are being met, and it should discuss with service users how it will go about this. For example, it may involve visiting service users at home.

The arrangements for how direct payments are to be used should be reviewed in the same way as traditionally received services. This is to establish whether needs are being met and whether they have changed in any way.

What kind of training can I get to give me more confidence in working with direct payments?

Good practice is not only about the mechanisms of direct payments, but also about disability rights and how to promote independent living. Training is needed at senior levels and for practitioners and should include material on independent living (www.ncil.org.uk), the social model of disability (www.viauk.org.uk – website

under development) and person-centred planning (www.valuingpeople.gov.uk/pcp.htm).

“We are introducing a new style of training where we have a day’s training followed by half-day slots to deal with the specialities eg learning disabilities, older people, mental health impairments, etc. There is a revamping of the course content, from the general overview to the specific case-focused work, with direct payment service users who have personal experience.”

Hampshire local authority

The practice survey suggests that joint training between local authorities and direct payment support organisations would be an ideal method of delivering training. This would enable participants to hear the perspectives and experiences of both recipients of direct payments and colleagues who have successfully implemented them.

What can be done to promote direct payments to black and minority ethnic and other marginalised groups?

It is recognised that, so far, few payments have been made to people from minority groups. However, examples are available of work that has been done to promote payments within and encourage take-up by these groups.

“We are working to make good contacts with black and minority ethnic groups and encourage members of these communities to take up direct payments. We started initially by inviting representatives from ethnic communities to the launch of our new website on direct payments. Through this, we recruited some service users to the scheme, which then gave us the opportunity to reach further into the community. We would ask them and their family members for ideas about places and groups we could go to make presentations on direct payments. We would encourage the DP [direct payments] user to talk about their experience of the scheme to others in their community. We would ask family members to help with translating our leaflets into community languages so that we could do more publicity.”

Brighton Direct Payment Advice Service

Although the following examples relate specifically to black and minority ethnic groups, there would appear to be some principles that can usefully be applied to other marginalised groups:

- targeting people to attend specific events where information will be provided, such as community events
- recruiting service users to schemes/local authorities and using their knowledge and expertise to inform others

- outreach work in the community
- encouragement of service users to share experiences
- use of educational material in accessible formats, such as Braille, video, easy-read (www.valuingpeople.gov.uk/index.htm; National Institute for Mental Health in England, www.nimhe.org.uk)
- employment by the local authority of specialist workers from specific community groups.

How do you introduce the idea of direct payments to service users?

The practice survey suggests that social workers need to be relaxed and have more faith in the direct payment approach. Social workers need to be flexible and move away from the traditional methods of doing things. Social workers should always discuss with service users the possibility of direct payments, instead of deciding who it may or may not be suitable for. As part of a person-centred community care assessment, it offers the person a positive choice that needs to be fully explored before a decision is made.

It is acknowledged that the assessment process for direct payments can be stressful and may require several sessions before completion. People need to be offered the time and support to make a considered decision. Maintaining or contracting traditional services while this happens should be an option.

“Care managers carry out joint visits with advisers from the support service during the initial stages.”

Croydon Direct Payments Support Service

“It was good as I had support to do my own self-assessment in advance and felt well prepared and supported.”

Service user of direct payments

How does the assessment process work?

Self-assessment is an important aspect of this process, and applicants should be able to identify their own needs. This can be facilitated through an advocate, family member or friend, and can be done in advance of the formal assessment meeting.

The process can also be facilitated by the involvement of a direct payments support service, which is generally staffed by service users. It can be helpful to have someone with first-hand experience to explain the process and deal with any concerns.

Assessments should include six main categories (taken from NCIL's *Everything you need to know about direct payments*, 2005, p 12):

1. personal and social care
2. health care
3. accommodation

4. finance
5. education, leisure, employment
6. transport and access.

The Department of Health *Circular LAC (2002) 13 Fair Access to Care Services (FACS) guidance* provides a framework for local authorities to use when making decisions on how they can provide support to adults of any age. They are required to be consistent in setting priorities that meet people's needs in order to promote independence and quality of life. The assessment for direct payments is the same as for other services. This means looking at the need for support and what social services sees as possible risks to the person's independence if they do not get a service.

What about gaining consent?

Part of the assessment is to discover if the service user is able to consent to direct payment. Assessors need to approach this creatively and with an open mind, to ensure that they are able to communicate with people who may have a variety of impairments.

It is clear that gaining consent is a gradual process and can take time to do properly. It should involve the individual direct payment user, social services, the family, advocates, friends and the direct payments support service. The process can also be supported through the use of other tools, such as videos and pictures.

The Department of Health has an easy-read guide to direct payments that was developed by Swindon People First and is available on the website (www.dh.gov.uk).

“We took this step by step, I first sat down with Jack and his mother and talked about the possibility. I took literature, the DH [Department of Health] have a leaflet and a tape [now CD] about direct payments for people with learning difficulties. Later we watched the *Values into Action* video together. It is really good, but most of the people in it have physical impairments, there are few with learning disabilities. All this gave him a flavour and made him aware of the possibilities, and gave him information to help him make his decisions.”

Nottinghamshire local authority

Is employing a personal assistant complicated?

Direct payment users have identified that they need a wide range of commitment and collaboration from services to help them make a success of employing personal assistants. The local authority should ensure that these services are available. This support can be provided directly by the local authority or through specific funding to a local direct payment support service.

“Authority works with carers’ centre to provide a wide range of support service including

payroll service. Holds consultation meetings with service users in relation to the training needs of recipients and personal assistants.”

Sefton local authority

Personal assistants can be employed to do a great variety of tasks, ranging from personal care to walking the dog, watering the plants, reading correspondence, carrying out parenting tasks and helping users to go on holiday. Direct payment support services have helped service users considerably in breaking down the barriers and complications in employing personal assistants. In some areas, Jobcentre Plus has also got in on the act to help this process.

“Employing a PA [personal assistant] through direct payment is not the same as having a care worker. They are a different type of person – in a way, it is a new profession because people have to have different skills. If users understand this, they will get more from their PAs. Otherwise it just reverts to the old way and people become dependent again.”

Service user of direct payment

Other publications available from SCIE

DIRECT PAYMENTS: ANSWERING FREQUENTLY ASKED QUESTIONS RESOURCE GUIDE 05

Sara Lewis

September 2005

CONTRIBUTING ON EQUAL TERMS REPORT 08

Michael Turner and Peter Beresford

1 904812 22 8

October 2005

DEVELOPING SOCIAL CARE: THE PAST, THE PRESENT AND THE FUTURE POSITION PAPER 04

Gerald Wistow

1 904812 23 6

July 2005

Please visit www.scie.org.uk for further details

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The full resource guide is published by SCIE. It is available in print from SCIE and on our website. All of SCIE's publications and resources are free.

This publication is available in an alternative format upon request.

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