



Direct Payments Managing Direct Payments

The information in this factsheet relates to forms of assistance available to service users who have the capacity to consent to Direct Payments but who may require help with administration of the payment.

Information and support will be given by your Care Manager as early as possible in the assessment process about what receiving Direct Payments will involve (contact details can be found at the end of this factsheet). This will enable the service users to make an informed choice as to whether Direct Payments are the right option for them. This process may involve continuing discussion over several meetings rather than a single event.

Information available for service users:

- Factsheet 'Direct Payments – General Information'
- Factsheet 'Direct Payments - Are Direct Payments right for me?'
- Factsheet 'Independent Support Agency' (contact details below)
- Factsheet 'Direct Payments - Managing Direct Payments'
- Factsheet 'Direct Payments – How to help ensure your personal safety when recruiting your own staff'

Enham Direct Payments and Support Planning Service

Enham (Head Office), Enham Alamein, Andover,
Hampshire SP11 6JS

Tel: 0845 504 0726

Minicom: 0845 504 0723

Fax: 0845 504 0725

Email: directpayments.dorset@enham.org.uk

Web: www.enham.org.uk/pages/dorset.html



Ability to manage

“Consent is different to someone being able to manage”¹

Local authorities have the responsibility to work with service users and carers to ensure that the right support is available.

Some service users will be able to manage their payments without help whilst others may need assistance and support to help them manage their Direct Payment. It is for the service users to choose who they wish to help them. Some choose to ask family, friends, advocacy or support groups to help them; others choose to buy in help, for example, with keeping records, management of personal assistants or using payroll services. The support agency is there to provide any advice and guidance needed.

Local authorities are not under a duty to make a Direct Payment if it does not appear that the service user is capable of managing a Direct Payment even with assistance.

The support agency is able to support and help service users manage their Direct Payment and give further information and advice. For information on the Independent Support Agency see factsheet ‘Direct Payments – Independent Support Agency’.

The types of assistance for people who have difficulty in managing their money are detailed below:

- **Holding Accounts**

The Direct Payment money is paid directly into the holding account. This account is operated by an organisation, nominated by the Council, who manage the money on behalf of the service user. A fee is charged for the service which can be paid from the Direct Payment.

¹ Direct Choices DOH 2004



- **Independent Living Trusts**

An Independent Living Trust might be an option for service users with high support needs such as learning disabilities or Alzheimer's or a fluctuating condition. Direct Payments would enable them to choose the care that they wish to receive, even though they are unable to manage the Direct Payment themselves, but are able to direct their choices.

Independent Living Trusts (or User Controlled Trusts) are legal arrangements by which trustees, generally family members or friends, help the service users to manage the Direct Payment, for example, by receiving and handling the money. The service users retain the control by making their own choices and preferences and directing the decision-making.

Susan, who is in her 20s, is severely disabled. She makes her views known through her actions, verbal responses, facial expressions and moods. Susan's circle of support realised she was unhappy with existing services and put together a package to enable her to live independently. Direct Payments was part of the package. The circle formed itself into a user-controlled trust fund (Independent Living Trust) which manages the Direct Payment. Susan's expressions and views guide how the money is spent, so she is in control of the use of the money. Direct Payments means Susan can live in her own house, with her own rota of support workers. She is relaxed, confident and content with a full social life and is very much part of the community.

Valuing People Department of Health 2001

- **Lasting Power of Attorney**

A lasting power of attorney (LPA) allows a person to choose someone (the attorney) to make decisions on his or her behalf. There are two types of LPA, one for property and affairs and one for personal welfare. The 'property and affairs' LPA allows an attorney to administer the person's financial affairs and that could include Direct Payments. The attorney can act as soon as the document has been registered with the Court of Protection. This could be shortly after the LPA has been made, or at a future date.



- **Enduring Power of Attorney (EPA)**

This is a document, not unlike the LPA, and is only lawful if it was drawn up before 1 October 2007.

What this means to Direct Payments.

- If you have consented and are already in receipt of Direct Payments then the attorney under the LPA or EPA can continue to receive the payments on your behalf.

Please note however that an attorney acting under an LPA or EPA cannot give consent to Direct Payments on the person's behalf.

More information about LPAs and EPAs can be obtained by contacting the Office of the Public Guardian, Archway Tower, 2 Junction Road, Archway, London N19 5SZ or via their website:- www.publicguardian.gov.uk

Compliments and complaints

Adult and Community Services staff in Dorset are committed to providing quality services to our service users, their carers and families. We welcome comments from our service users as this helps us to understand what aspects of our service people like.

If you are unhappy about the service you have received and want to make a complaint, our factsheet 'How to complain' describes the procedure. Our Complaints Officer can give you advice on the process and can be contacted on 01305 224322.

Diversity statement

Diversity is not about treating everyone in the same way, but about recognising and valuing difference, as well as recognising and addressing inequalities and disadvantage.

As an employer and service provider, Dorset County Council seeks to promote an environment that accepts and actively supports diversity in age, gender, ethnic origin, sexual orientation, religious belief, disability, culture, work style and the many other ways in which people differ from each other.



All our factsheets are available in large print and on audio cassette/CD, Braille, Easy to Read or alternative languages. Please contact the Information Office on 01305 224320.

Further information on services provided by Dorset County Council Adult and Community Services can be accessed at www.dorsetforyou.com

Social care local offices:

Bridport

St Andrews Road, Bridport, Dorset DT6 3BJ
Tel: 01308 422234
Fax: 01308 426044
Email: bridportsocialcare@dorsetcc.gov.uk

Christchurch

Loring Road (off Jumpers Road), Christchurch, Dorset BH23 2GZ
Tel: 01202 474106
Fax: 01202 478081
Email: christchurchsocialcare@dorsetcc.gov.uk

Dorchester

Acland Road, Dorchester, Dorset DT1 1SH
Tel: 01305 251414
Fax: 01305 251034
Email: dorchestersocialcare@dorsetcc.gov.uk

Ferndown

Penny's Walk, Ferndown, Dorset BH22 9JY
Tel: 01202 877445
Fax: 01202 876604
Email: ferndownsocialcare@dorsetcc.gov.uk



North Dorset

Bath Road, Sturminster Newton, Dorset DT10 1DR

Tel: 01258 472652

Fax: 01258 473161

Email: northdorsetsocialcare@dorsetcc.gov.uk

Purbeck

19 Bonnets Lane, Wareham, Dorset BH20 4HB

Tel: 01929 553456

Fax: 01929 556319

Email: purbecksocialcare@dorsetcc.gov.uk

Sherborne

Non-visiting office

Tel: 01935 814104

Fax: 01935 817207

Email: sherbornesocialcare@dorsetcc.gov.uk

Weymouth & Portland

Jubilee Retail Park, Jubilee Close, Weymouth, Dorset DT4 7BG

Tel: 01305 760139

Fax: 01305 774622

Email: weymouthsocialcare@dorsetcc.gov.uk



Information available

Other Direct Payment Factsheets available:

- Are Direct Payments right for me?
- Managing Direct payments
- Independent Support Agencies
- How to help ensure your personal safety when recruiting your own staff
- Setting up an Independent Living Trust for Direct Payments

Independent Support Agency:

Enham – Direct Payments and Support Planning Service

Tel: 0845 504 0726

Minicom: 0845 504 0723

Email: directpayments.dorset@enham.org.uk

Web: www.enham.org.uk/pages/dorset.html

Support Agencies who can provide advocacy:

- **For people with a learning disability:**

Dorset Advocacy, Portfolio House, 3 Princes Street,
Dorchester, Dorset DT1 1TP

Tel: 01305 251033

- **For people with mental health problems:**

Dorset Mental Health Forum, The Old Warehouse,
29-29a Durngate Street, Dorchester, Dorset DT1 1JP

Tel: 01305 257172

Fax: 01305 261049

Email: wdmhf@dial.pipex.com

Direct Payments Finance Team

Exchequer Services

Adult & Community Services

Dorset County Council

County Hall

Dorchester DT1 1XJ

For further information and reference: www.doh.gov.uk

