



Derby City Council

Derby City Council

Adult Social Care Direct Payments Policy

**Supporting Independence and Choice for
People with Care and Support Needs**

July 2026

Version 1

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Introduction

Direct payments are the Government's preferred way of personalising care and support. They enable people to choose how and when they receive services, instead of the Council arranging services on their behalf.

In Derby, around 900 people currently receive direct payments to arrange their own care and support services. As part of the Council's commitment to supporting people, around £14 million is currently allocated as direct payments to meet assessed care and support needs.

Derby's approach to direct payments was previously set out across various documents, published on the Council's website. It was felt that people with care and support needs would benefit from a single Direct Payments Policy document, clearly bringing together key information on direct payments, within the legislative context of the Care Act 2014.

The Council's Direct Payments Policy provides an overview and guidance on managing direct payments for care and support needs. The policy has been written as a source of information for people who are already in receipt of direct payments, and for those who are thinking about making a request for direct payments.

As an inclusive city, one of the Council's aims is to encourage and build strong and resilient communities, where people start well, age well and live independently, for as long as possible. Direct payments are a way in which people can gain more flexibility, choice and independence over how their care and support is arranged and provided.

The Council's approach to direct payments is based on the following five principles: -

1. **Promoting the use of direct payments:** Helping people to manage their care and support, with greater independence and choice.
2. **Fairness and Transparency:** An equitable approach and providing clear information for people with care and support needs.
3. **Continuous Improvement:** Strengthening the way in which we deliver direct payments.
4. **People Focused:** Serving our local communities and involving people in shaping the care and support they receive.
5. **Efficiency:** Delivering services that meet holistic care and support needs, whilst ensuring value for money.

We hope you find Derby's Direct Payments Policy helpful and informative.

1. Personalisation and Self-Directed Support

- 1.1 Personalisation in adult social care is about people being at the heart of decision-making, ensuring that their individual needs, preferences, and aspirations drive the care and support they receive. Personalisation is a key part of the way in which diverse needs and preferences can be met flexibly and holistically.
- 1.2 Personalisation can be achieved through Self-Directed Support, where people direct their care in a way that best suits them. Self-Directed Support is where people are empowered to have more choice and control in how their care and support is provided so they can have greater levels of control over how and by whom their care needs are met. One of the aims of self-directed support is to enable people to find more creative, personalised and effective ways of meeting their eligible needs. We are committed to ensuring that personalised approaches are embedded in all our social care support and activities.
- 1.3 Direct payments provide the greatest amount of choice and control for people with a personal budget. They are funds that the Council gives to a person, or someone acting on their behalf, on a regular basis, to meet their care needs. This allows them to arrange and pay for their own care and support, instead of receiving social care services arranged by the Council.
- 1.4 Direct payments will involve more responsibility for the person with care and support needs, which will be explained later in this Policy. Once direct payments have been arranged, the Council will enter into a Direct Payment Agreement with the person, setting out the responsibilities of both the Council and the person receiving direct payments.
- 1.5 If a person with care and support needs lacks the mental capacity to consent to direct payments, they may still be available to them, if there is someone who can receive and manage the direct payments on their behalf. This person is known as a 'suitable person'. If a person with care and support needs has the mental capacity to make decisions but needs some a little help to manage their direct payments, they can ask someone who they trust to assist them. This person is known as a 'nominated person'.
- 1.6 As part of enabling personalisation of care, direct payments can be used to purchase the following:
 - Support with activities of daily living.
 - Support to access the community.
 - Support to be safe at home.

Direct payments must only be spent on meeting eligible care and support needs and achieving outcomes in Care and Support Plans.

Some examples of what direct payments can be spent on are set out below:

- Employing a Personal Assistant to provide support with personal care.
- Buying personal care or other services from a private homecare provider.
- Accessing social or educational activities in the local community.
- Respite care (for the person receiving the care and support) to provide a break for unpaid carers who are providing a substantial amount of support.
- Equipment that the Council has assessed the person as needing and is included in the Care and Support Plan.

- Transport costs, where agreed in the Care and Support Plan.

Some examples of what direct payments should not be used for are set out below:

- Anything that is illegal, gambling, alcohol and cigarettes.
- To pay household bills or for other personal expenses such as food or clothes.
- Anything that should be provided by the NHS.
- Local authority provided services such as day centres.
- To employ family members living at the same address, unless specifically agreed in advance by the Council, due to exceptional circumstances.
- Accommodation costs including rent or mortgage payments.

Please note that the above lists are not exhaustive.

- 1.7 Social care workers have a key role in ensuring that people with care and support needs are given relevant and timely information about direct payments, so that they can make an informed decision as to whether to request direct payments and are supported to receive and use them.
- 1.8 If you believe that there are exceptional circumstances which may justify a departure from this Policy, you must inform your social care worker as soon as possible setting out what those circumstances are. The Council will always consider exceptional circumstances and apply discretion, as necessary, to ensure that people are able to meet their care and support needs.

2. Who can receive Direct Payments

- 2.1 [The Care and Support \(Direct Payments\) Regulations 2014](#) made under the [Care Act 2014](#), detail the framework for direct payments in England. These regulations outline who can receive direct payments, the conditions attached to them, and the responsibilities of local authorities in managing them.
- 2.2 People can only receive direct payments if they have been assessed as needing care and support services. Direct payments are funds paid to people who request them to meet some or all of their eligible care and support needs. The following conditions must be met to receive direct payments:
 - The person agrees to receive direct payments.
 - Derby City Council is satisfied that the person with care and support needs or their suitable person or nominated person is capable of managing direct payments, by themselves or with help.
 - Derby City Council is satisfied that direct payments are an appropriate way to meet eligible needs.
- 2.3 The [Care Act 2014](#) gives carers the same legal rights to support as the people they care for. Following a carer's assessment by the Council, direct payments may be made to carers, in their own right, for their eligible support needs, as a carer. Direct Payments can enable carers to choose and plan their own support in a more flexible way, to help maintain their own health and well-being. Anyone caring for an adult can request a carer's assessment, regardless of how long they have been caring and the intensity of the caring role.

3. Requesting Direct Payments

- 3.1 A person can choose to receive direct payments even if they already have arrangements in place for adult social care support. A request for direct payments can be made to their social care worker.
- 3.2 If a person does not currently receive support from the Council, they can request an Assessment of Need by contacting Derby Direct on **tel. 01332 640777**. The Council will carry out an Assessment of Need to agree what those needs are and the funds the Council will provide to support them being met. The Council will also consider whether the person may require a specialist social care worker, for example, some deafblind people may require a social care worker qualified specifically for deafblind people.
- 3.3 Direct payments will not affect any benefits being received by a person with care and support needs and will not be counted as income in financial assessments.

4. Mental Capacity to receive Direct Payments

- 4.1 Mental capacity is the ability to make a specific decision at the time it needs to be made. Under the [Mental Capacity Act 2005](#), a person lacks capacity in relation to a matter if, at the material time, they are unable to make a decision in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain
- 4.2 Where it is identified that a person with care and support needs may not have the capability or capacity to consent to, or manage, direct payments, an assessment of capacity may need to be undertaken by the Council. Inability to consent to receiving direct payments, or capability to manage the payments, does not automatically mean that a person with eligible needs cannot receive direct payments.
- 4.3 Where a person requires care and support, but is unable to understand what direct payments are, it is possible for someone to request direct payments on their behalf. This person is known as a 'suitable person'. This is usually someone close to the person with care and support needs and may already have responsibility for helping them with their finances and managing their support. The person's social care worker will, in their professional capacity, assess whether the person requesting a direct payment on their behalf is suitable and able to secure the outcomes in the Care and Support Plan. This will include consideration of their willingness and capability to take on the responsibilities of managing direct payments and make decisions in the best interests of the person with care and support needs.
- 4.4 If the social care worker agrees that this is a safe and appropriate way to meet the person's needs, then direct payments can be paid to the 'suitable person' to manage the direct payments and arrange care and support. Consideration will also be given to the most appropriate way of issuing direct payments to the suitable person. The person's social care worker will provide monitoring and oversight of any suitable person arrangements as part of annual reviews. People are also able to raise any concerns with their social care worker outside of annual reviews.
- 4.5 The suitable person becomes the direct payments recipient and would be required to sign the Direct Payment Agreement. They would be the employer of any personal assistants and responsible for paying tax and national insurance.

- 4.6 The suitable person would also be responsible for contracting with any service providers including overseeing all related contractual obligations. The suitable person would be responsible for meeting all the monitoring requirements associated with the management of the direct payments.

5. Personal Budgets and Direct Payments

- 5.1 A personal budget is part of a person's Care and Support Plan. It sets out the total cost of meeting care and support needs and is usually calculated as a weekly figure. A financial assessment is undertaken to determine whether a person needs to make a financial contribution towards meeting their care and support needs.
- 5.2 The financial assessment looks at income, such as pensions and benefits, and 'capital', such as savings, to work out whether a person is entitled to help with care costs. Lower and upper capital limits are set by the Department of Health and Social Care and determine whether a person qualifies for financial support. People with assets above the upper capital limit are responsible for the full cost of their care. People with assets between the capital limits will pay what they can afford from their income, plus a means-tested contribution from their assets. People with assets below the lower capital limit will pay only what they can afford from their income and may receive full financial support.
- 5.3 If there is jointly held capital, such as a joint savings account, then the person with care and support needs is usually considered as owning half of the amount. The financial assessment does not count assets that are not owned by the person (for example, a partner's savings). The overall figure is broken down into how much, if any, the person must contribute towards the cost of their care (based on the financial assessment), and the remaining amount is met by the Council.
- 5.4 If a person makes a request for direct payments, the funds paid to them will be based on their personal budget, to enable them to arrange their own care. The direct payment will be sufficient to pay for a service of the same quality and quantity, as the Council would otherwise have provided through our arranged care services (commissioned care package).
- 5.5 In consultation with the person receiving care and relevant professionals, following consideration of holistic care needs, the Council may increase, decrease, suspend, or terminate direct payments, in line with a review or reassessment of the person's assessed eligible care needs. If circumstances have changed, people are able to request a financial reassessment, or care and support needs reassessment, at any time.
- 5.6 In addition, unpaid carers may be eligible to receive a carer's personal budget to support their caring role, following a carer's assessment by the Council. A carer's personal budget can be used to help cover the costs of support or activities that enable them to carry out their caring role, while looking after their own health and wellbeing. If a carer is eligible, then the Council will pay for some or all of their support. A carer's personal budget should not be used to purchase services for the person they care for.

6. Responsibilities of the Council and the Person Receiving Direct Payments

- 6.1 To receive direct payments, people with care and support needs (or, where they lack capacity, their 'suitable person' (see section 4)) will need to sign a Direct Payment Agreement setting out how the funds will be used to meet the needs and objectives in the Care and Support Plan. Any changes to care and support needs will be discussed during annual reviews between the person and their social care worker.

- 6.2 The Direct Payments Agreement sets out the conditions under which the direct payments can be made by the Council and provides details of what the recipient and the Council must do, including the following:

The Responsibilities of the Council

- To pay direct payments into an agreed account every four weeks in advance, unless agreed otherwise.
- To ensure that people have a financial assessment with a Council Financial Assessment Officer, in accordance with the Care Act 2014.
- To help with setting up a pre-paid card account or third-party managed account.
- To provide information about the direct payment support services available to help manage direct payments.
- To comply with the Care Act 2014, by keeping the Care and Support Plan under review.
- To review the operation of the direct payments within 6 months of the first payment and annually afterwards.

The Responsibilities of the Person Receiving Direct Payments

- To only use direct payments to pay for support / services that meet the agreed outcomes, as identified in the Care and Support Plan.
- To check the account every four weeks to ensure that the direct payment has been received.
- To submit bank statements to be viewed by the Council, in accordance with monitoring arrangements. This will not apply to people using a pre-paid card account, as the Council is able to access those accounts for monitoring purposes.
- To make arrangements to repay the Council any direct payment funds which are surplus and not required for needs in accordance with the Care and Support Plan.
- To notify the Council of any changes that may affect direct payments.
- To comply with all legal and good practice obligations, when employing a personal assistant.

- 6.3 The above responsibilities are not exhaustive, and the Direct Payments Agreement will clearly set out all conditions and requirements.

- 6.4 Once the Direct Payments Agreement has been signed, the Council will start to issue direct payments. In circumstances where the terms and conditions of the agreement are not being met, the Council will take reasonable steps to support the person and address the situation. If the situation cannot be resolved, the Council may decide to end direct payments and provide a commissioned service.

7. Personal Assistants (Employed and Self-Employed)

Employed Personal Assistants

- 7.1 When employing a personal assistant, it is strongly recommended that a job description is prepared by the person with care and support needs, or suitable person, prior to recruitment. The job description should include the purpose of the job, a breakdown of the main duties, as well as details of working hours and rates of pay.

7.2 When direct payments are used to employ personal assistants, the person with care and support needs must fulfil certain responsibilities, including the following:

- The personal assistant's services must be under a contract of employment.
- Pay the personal assistant as an employee and make appropriate deductions of, for example, national insurance and tax – there are payroll agencies to support with this.
- Provide pay slips.
- Purchase Employers Liability Insurance.
- Keep records, such as timesheets and a record of holidays.

Self-Employed Personal Assistants

7.3 Most people who decide to use a personal assistant directly employ them. Where a person's preference is to appoint a self-employed personal assistant, they must ensure all relevant legal and financial requirements are met. The self-employed personal assistant should be asked to provide the following:

- A contract that sets out the work to be undertaken, that makes it clear that the personal assistant is not an employee.
- A Unique Tax Reference (UTR) from HMRC.
- Evidence that the personal assistant has professional indemnity and public liability insurance.

7.4 It is important to be aware that there are differences between employed and self-employed personal assistants, as follows:

- Self-employed workers are not paid through PAYE (Payroll), and they do not have employment rights. They declare their own income to HMRC, so payroll is not required.
- A self-employed personal assistant is not entitled to any holiday pay, sick pay redundancy, or other employment-related payments.

8. Family Members Receiving Payment for Care and Support

8.1 In line with the Care and Support (Direct Payments) Regulations 2014, direct payments cannot be used to pay for care provided by a family member living in the same household, except where the Council determines this to be necessary.

8.2 Family members not living in the same household can be employed to provide care using direct payments. They will, however, have the same rights as any other employee and the same responsibilities will apply to their employment.

8.3 Where a family member is employed using direct payments to provide care, the Council requires people to manage their payments through a third-party managed account provider to avoid any conflict of interest. It is important to be aware that the person with care and support needs will remain responsible for arranging their care and being an employer. The third-party provider will support the person in meeting their responsibilities by ensuring that payments are made correctly.

8.4 For those people who are employing family members to provide care, the Council will cover the cost of the provider fee for a minimum of 12 months from the implementation date of this Direct Payments Policy (up to at least 1 July 2027), as part of the transition arrangements, with this being a new requirement. The Council will keep the payment of

fees for third-party managed account providers under review, to ensure fairness and consistency for all people using managed account.

- 8.5 All employed personal assistants must have a contract of employment in place, and receive wage slips detailing their wages and deductions, including when the personal assistant is a family member. In addition, the person must enrol with a payroll company to ensure that their personal assistant is registered with HMRC, paying the correct tax and national insurance and receiving their annual holiday entitlement.
- 8.6 Using a third-party managed account provider for employing a family member to provide care is likely to be beneficial for the person receiving care, providing them with support and helping to establish separation between the 'family relationship' and the 'employer / employee arrangement'. This will also enhance transparency, through the independent oversight of payments.
- 8.7 Any existing people with care and support needs who are paying a family member for care and not using a third-party managed account provider, are asked to inform the Council. This new requirement, and the benefits of it, will be discussed with them, as part of their annual reviews, or similar processes.

9. Care and Support - Quality Assurance

- 9.1 The person's social care worker will discuss the quality of their care and support with them during annual reviews. This will include consideration of whether the direct payments are being used appropriately and effectively to achieve personal outcomes. The person can ask for family members, friends, or advocates to be involved in the annual reviews to help evaluate whether their care and support needs are being met. People are also able to raise any concerns with their social care worker, outside of annual reviews.

10. Payment Methods and Monitoring

- 10.1 There are three options available to people with care and support needs for receiving direct payments. These are a pre-paid card account, payment through a third-party managed account provider or a designated personal direct payment bank account. In practice, some people use a combination of pre-paid cards, third-party providers and managed services.

- 10.2 Further information is set out below:

Pre-paid Card Account

- 10.3 The pre-paid card account will be the Council's method of payment, unless agreed otherwise. The main advantage for people in using a pre-paid card account is a significantly reduced burden on them, for example, there is no requirement to regularly provide up-to-date bank statements, as the Council is able to monitor the account.
- 10.4 Many people in Derby already benefit from using pre-paid cards, as an easy and convenient way of receiving their direct payments. Where appropriate, the Council will expect people to transfer to pre-paid cards from their next review, or similar processes, unless agreed otherwise.

Third-party managed account provider

- 10.5 People with care and support needs can choose to appoint a third-party managed account provider to receive and manage direct payments on their behalf, if they wish. This support is known as a 'managed account' and can include making payments for the following:
- Invoices for agencies.
 - Personal assistant wages.
 - Employer's liability insurance.
 - HMRC bills.

People with care and support needs can request a list of current third-party managed account providers from their social care worker.

- 10.6 A third-party managed account provider will only pay for costs that have been agreed in a person's Care and Support Plan.
- 10.7 Where a third-party managed account provider is chosen by a person to receive their funding and help with making payments, the Council will only pay the fees where a pre-paid card is not an appropriate way to manage direct payments, for example, if the complexity of their care arrangements requires professional support. Otherwise, the person will need to meet the cost of the fees themselves, and not from the direct payment.
- 10.8 The Council is seeking to put in place more formal arrangements with Derby's main third-party managed account providers on the sharing of individual account information, for monitoring purposes. It is anticipated that through these new formal arrangements, third-party managed account providers will provide evidence of individual expenditure via accounting reports, invoices, timesheets, and wage slips at agreed intervals.
- 10.9 The sharing of individual account information is important because local authorities must be satisfied that direct payments are being used to meet a person's needs, as set out in the Care and Support Plan. [The Department of Health's Care and Support Statutory Guidance](#) (under the [Care Act 2014](#)), states that local authorities "should have systems in place to proportionally monitor direct payment usage to ensure effective use of public money" (page 207).

Designated Personal Bank Account

- 10.10 Where a person chooses to use a designated personal bank account, the account must be used solely for direct payments.
- 10.11 In all cases, the Council must be satisfied that direct payments are being used to meet needs, as outlined in Care and Support Plans. People are required to submit copies of bank statements to the Council every three months for monitoring purposes, with additional information where transactions are not self-explanatory. Further information may be requested from the person to support the monitoring review, such as carer pay slips or invoices/receipts.
- 10.12 If a person does not provide copies of bank statements when required, the following process will be followed:
- After four weeks, the Council will send a reminder letter, with a further two weeks to respond.

- If the information is still not provided, a second reminder letter will be sent, allowing two more weeks for a response.
- Where two reminder letters have been sent to a person and they have not responded to the Council's request for monitoring information, the Council will engage with the person to move them over to a pre-paid card account, meaning that the Council will have access to account information for monitoring purposes.
- If the person is unwilling to move to a pre-paid care account, then the suitability of continuing with direct payments will be considered. This may result in the Council suspending or terminating the direct payments.

10.13 It is important to note, that direct payments will be terminated when the Council has requested information from a person, in line with this Policy, and the person has not engaged or provided the required information in the timescales set out in this policy.

11. Unauthorised and Fraudulent Use of Direct Payment Funds

11.1 All people who receive direct payments must only use the funds to meet assessed care and support needs, as identified in their Care and Support Plans. The Council has a duty to ensure that direct payments (as public funds) are being used to meet a person's needs. Any unauthorised use of direct payments will be investigated, as appropriate, and may lead to criminal proceedings being instigated.

11.2 The following examples would constitute unauthorised or fraudulent direct payment transactions:

- Purchasing personal or luxury items that are not related to care and support needs, such as holidays.
- Gambling, including purchasing lottery tickets.
- Paying for household expenses such as bills or rent.
- Submitting false information to the Council on what direct payments have been spent on.

The above list of examples is not exhaustive. The Council will seek to recover funds that are not spent on meeting needs, as set out in Care and Support Plans.

12. Direct Payment Funds held by the Person Receiving Care

12.1 Direct payments are paid into an agreed account every four weeks in advance, unless agreed otherwise. Regular checks will be carried out on all direct payment accounts to monitor any build-up of funds.

12.2 Direct payments are for regular activity, as set out in Care and Support Plans, and significant funds should not therefore accumulate in accounts. In accordance with the Direct Payments Agreement, Derby City Council reserves the right to recover any unspent funds, subject to consultation with the person receiving care, or their nominated or suitable person. The Council will not seek to recover direct payment funds that are required for assessed care and support needs.

12.3 The Council will allow people to hold the equivalent of up to four weeks of their funds, in their account, as a contingency buffer, to pay for costs associated with the employment of personal assistants such as holiday cover, national insurance, tax contributions and Employer's Liability Insurance. This will be in addition to their four-weekly payment. Any

unspent funds above this should be returned to the Council, unless it can be shown that funds have built up specifically to meet care and support needs.

Example

If a person receives funding of £400 every four weeks, then they will be able to hold up to a maximum of £800 in their direct payment account at any time, as follows:

Four-weekly direct payments funding.	£400
Four-week equivalent buffer / contingency funds.	£400
Maximum funds to be held.	£800

Based on the above example, if the person is holding £900 in their direct payments account at the time that monitoring checks are carried out by the Council, then £100 should be returned, as follows:

Maximum funds to be held.	£800
Funds held when account is monitored.	£900
Funds to be reclaimed by the Council.	£100

12.4 When the Council monitors direct payment funds, it separates out any personal financial contributions, which should be clearly identified and recorded in accounts. The Council will only reclaim a build-up of Council direct payment funds and will not reclaim any personal financial contributions. If the Council identifies that a person has overpaid in their financial contribution, then the overpayment will be refunded to them separately.

12.5 The Council will always consider exceptional circumstances and apply discretion, as necessary, to ensure that people are able to meet their assessed care and support needs. Below are examples of where exceptional circumstances could be considered:

- A hospital stay, meaning that home care and support was paused.
- A change in personal assistant or delays in finding a care worker.
- Awaiting outstanding invoices for specific items and/or services.
- Fluctuating care needs or planned respite cover.

12.6 This list is not exhaustive, and people are required to explain the reasons for any build-up of their direct payment funds to their social care worker.

12.7 If there is a regular or excessive build-up of funds, it may indicate a change in care and support needs and a reassessment could be required. If on reassessment, repayment is due to the Council, the Council will seek to recover funds, in accordance with the requirements of the Direct Payments Agreement.

12.8 The Council will continue to review and refresh its processes for monitoring and recovering any build-up of direct payment funds.

13. Adult Social Care Complaints

13.1 Derby City Council is committed to delivering high-quality Adult Social Care services. The Council takes concerns very seriously and seeks to learn and improve from each complaint it receives. Anyone dissatisfied with Adult Social Care services may raise a concern or complaint, either directly or via a representative with appropriate consent.

- 13.2 The Council will aim to respond within 20 working days of receiving a complaint. However, in more complicated cases, it may take a little longer to investigate. For more information on the complaints process, including how to make a complaint, please use the link below:

[Adult Social Care Complaints Information](#)

14. Direct Payment Policy Review

- 14.1 Derby's Direct Payment Policy will be reviewed and amended at regular intervals, including in relation to any changes in legislation regarding the use of direct payments. The policy is not intended to be exhaustive and further guidance and support can be requested from a social care worker.

15. How to contact us

Call this telephone number: 01332 640777

Relay UK: 18001 01332 640777

Deaf People can Text: 07774 333412

If you are a British Sign Language (BSL) user, you can contact us using SignVideo Web Access: <https://www.derby.gov.uk/signing-service/>

Find out more on our website:

www.derby.gov.uk

[Adult Social Care - Your Life Your Choice](#)

Write to us at this address:

Adult Social Care,
Council House,
Corporation Street,
Derby
DE1 2FS

Background Documents

[Care Act 2014](#)

[Care and Support Statutory Guidance](#)

[The Care and Support \(Direct Payments\) Regulations 2014](#)

[The Care and Support \(Personal Budget: Exclusion of Costs\) Regulations 2014](#)

Helpful Information

Age UK

<https://www.ageuk.org.uk/>

Citizens Advice Bureau (CAB)

[Direct Payments Advice](#)

Derby City Council

[Adult Social Care - Your Life, Your Choice](#)

Employer and Public Liability Insurance

[Gov.UK Website](#)

<https://www.gov.uk/employing-staff>

This is the official UK government website, with a lot of advice on employment matters.

Employment Advice

[ACAS \(Advisory, Conciliation and Arbitration Service\)](#)

08457 47 47 47

www.acas.org.uk

ACAS can help with employment matters providing independent free advice to employers and employees to solve problems.

Health and Safety

[Employer and Public Liability Insurance](#)

Take advice from your Insurers legal employment helpline. Please remember to follow the advice given or your insurance may become invalid.

Gov.UK website

<https://www.gov.uk/browse/employing-people/health-safety>

Health and Safety Executive

www.hse.gov.uk

There is comprehensive health and safety information on this website.

Workplace Pensions

Information is available on the following websites:

<https://www.gov.uk/workplace-pensions>

<http://www.thepensionsregulator.gov.uk>

<http://www.nestpensions.org.uk>

<http://www.moneyadviceservice.org.uk/en>

Glossary of terms

Assessment of Need

Used to identify a person's social care and support needs and their eligibility for care and support.

Care and Support Plans

Care and Support Plans are based on a person's needs and are drawn up following social care assessments. They are written agreements setting out how care will be provided.

Care and Support (Direct Payments) Regulations 2014

Regulations made under the Care Act 2014, detailing the framework for direct payments in England. These regulations outline who can receive direct payments, the conditions attached to them, and the responsibilities of local authorities in managing them.

Direct Payments

Funds that the Council gives to a person, or someone acting on their behalf, on a regular basis, to meet their care needs. This allows them to arrange and pay for their own support, instead of receiving social care services arranged by the Council.

Direct Payment Agreement

An agreement setting out the responsibilities for both the Council and the person receiving the direct payments.

Nominated Person

A person who is able to manage their direct payments can still receive support from a nominated person. The nominated person can have different roles and responsibilities, and it is important to agree to the amount of support that they will provide from the outset.

People / Person with Care and Support Needs

An adult who has been assessed by Derby City Council as eligible for care and support.

Pre-Paid Card

A payment card, similar to a debit card, used to manage funds for social care services. It allows people to pay for services outlined in their Care and Support Plans.

Suitable Person

Where a person requires care and support, but is unable to understand what direct payments are, it is possible for someone to request direct payments on their behalf. This person is usually someone close to the person and may already have responsibility for helping them with their finances and managing their support. Direct payments can be paid to the 'suitable person' to manage the direct payments and arrange care and support.

Third-party managed account provider

Third-party managed account providers can help to manage the funds that the Council has agreed to meet a person's care and support needs and pay the people who are providing that support.