

Social Services and Well-being
(Wales) Act 2014



Gogledd Cymru **Gyda'n Gilydd**
North Wales **Together**

Gwasanaethau ddi-dor i bobl ag Anableddau Dysgu
Seamless services for people with Learning Disabilities

Direct Payments - A summary of the Code of Practice

The rules for supporting Direct Payments



This document was written with support from the
Welsh Government.

It is an easy read version of
The Social Services and Well-Being (Wales) Act (2014)
Part 4. Direct Payments.

Code of Practice.



All Wales Forum
Fforwm Cymru Gyfan

How to use this document



This is an easy read document.
But you may still need support to read it.
Ask someone you know to help you.



Words in **bold blue writing** may be hard to understand.
You can check what the words in blue mean on **page 15**.



Where the document says **we**,
this means North Wales Together.

For more information contact:

Website: LDTransformation@flintshire.gov.uk

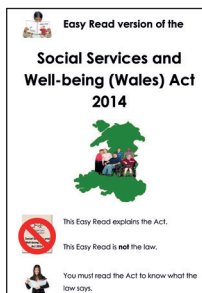


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Introduction

Many people in Wales need care and support from services.



In Wales, we have a law called **The Social Services and Well-Being (Wales) Act 2014**. You can read about the law [here](#).

This document explains **The Social Services and Well-Being (Wales) Act**.



A **Code of Practice** is a list of rules about what an organisation must and must not do.

It is a short version of the **Code of Practice** for meeting people's care and support needs.



The full **Code of Practice** can be found on the Welsh Government website, **here**.

What is a Direct Payment?



A **Direct Payment** is money from your Local Authority to help you or your carer manage your own support.

Direct Payments are sometimes called a **personalised budget** or **support budget**.



Direct Payments mean you can choose:

- What help you get



- When you get the help



- Who you want to help you



Direct Payments can be used to pay for things like:

- Personal care



- Support to live in your own house



- Support to go out



- Equipment you might need



You can use **Direct Payments** to pay a personal assistant to help with some of these things.

Who can have a Direct Payment?



Anyone who needs help from support services can get a **Direct Payment**. These things should be listed under **Direct Payments eligibility**.



You must show that you will be able to manage a **Direct Payment** properly.



You can have help to manage a **Direct Payment** if you need it.



You can have a mixture of **Direct Payments** and care arrange by your local authority if you want.

Direct Payments can help you to:



- Have your say about the type of help you want and who you want to help you.



- Have control over your own well-being.



- Get the help you need before there is an emergency.

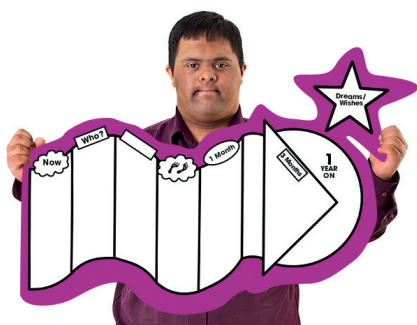


- Be more involved in planning what help you need by working together with Local Authorities.

What Local Authorities must do



- Support you to talk about the things that are important to you and what you need help to achieve.



- Let you know that you can have **Direct Payments** if it will help you to reach your goals.



- Give you information in a way that helps you to decide whether you want **Direct Payments** or not.



- Help you to find a **representative** if:
 - You are not able to manage your **Direct Payments** by yourself.
 - You don't want to manage your **Direct Payments** by yourself.



A **Representative** is a person you choose to act or speak up for someone else.



- Support you to manage your **Direct Payments** for as long as you need help.



- Make sure you are involved in planning your own care and support.



- Be open to new ideas about different ways you might get the support you want.



- Stop **Direct Payments** when your care or support is not helping you to reach your goals.

Local Authorities must not:



- Refuse to give you **Direct Payments** if it would help you to reach your goals.



- Refuse to give you **Direct Payments** just because you can't manage it yourself.



- Refuse to give you **Direct Payments** because you don't want to manage it yourself.

Using Direct Payments to pay for a personal assistant



If you use your **Direct Payments** to pay a personal assistant, you will be an **employer**.

An **employer** is a person or organisation who pays others to work for them.



The law says there are certain things an **employer** must do to look after the people that work for them.



Your Local Authority must help you to understand what those laws are and support you as an **employer**.



A personal assistant can live in the same house as you as long as:

- Your Local Authority checks that you are happy for that person to help you.



- Your Local Authority believe that they are the right people to help you to reach your goals.



As an employer you need to make sure your personal assistant has passed a Disclosure and Barring Service (DBS) check.

This will tell you:



- If they have a criminal record



- If they should not work with certain groups of people.

For example,
children or older people.

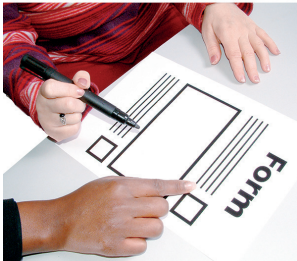


Your Local Authority can help you to do the DBS check and to pay for it. This is to make sure you are following the law and staying safe.

Managing money



Your Local Authority will tell you if you have to pay some of the cost for your care and support.



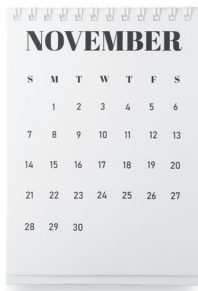
You will need to fill out forms to tell the Local Authority how you have spent your **Direct Payments**.



The Local Authority will give you support to make sure all forms are clear and easy to fill out.



The amount of support you need might be different from one week to another.



You don't have to spend the same amount of your **Direct Payments** every week.



You can save **Direct Payment** money until a time when you need more support. You should talk about this with your Local authority.



You might need to pay money back to the local Authority if:

- You don't spend it



- You spend it on something other than your care or support.

Hard words

Code of Practice

Written rules about what an organisation must and must not do.

Employer

A person or organisation who pay others to work for them.

Representative

A person chosen to act or speak up for someone else.

Thank you to Mark Cooper,
Flintshire County Council and
All Wales Parent and Carer Forum
for their help in making this guide.





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