

Factsheet 24w ● September 2024

## Direct payments for social care services in Wales



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# 1 Information about this factsheet

This factsheet provides information on direct payments in regard to social care services and how the system operates in Wales<sup>1</sup>.

Social care services include a broad range of services, such as personal care, other help at home (such as meals on wheels), or day centres for older people.

Direct payments are cash payments that local authorities can make to individuals so that they can organise their own services to meet their social care needs. They offer an alternative to the local authority arranging social care services on your behalf. It is compulsory for local authorities to offer direct payments to older people who meet the necessary eligibility criteria.

For further information on social care assessments and services that are provided or arranged by your local authority, see Age Cymru's Factsheet 41w *Social care assessments for older people with care needs in Wales*.

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**Note:** The information given in this factsheet is applicable in Wales. Different rules apply in England, Northern Ireland and Scotland. Contact Age UK, Age NI and Age Scotland respectively for further information.

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## 1.1 Local authority social services departments

In this factsheet references to the 'local authority' or 'council' will refer to the **adult social services department of the local authority**. You might also see the relevant social services department referred to elsewhere using similar variations, such as:

- social care department;
- adult social services;
- older persons' department; *or*
- older persons' team.

Adult social services teams are responsible, among other duties, for assessing people's need for 'care and support' or 'social care' services and deciding whether those needs meet the eligibility criteria.

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<sup>1</sup> You might also have heard 'personal budgets' mentioned if you have carried out any research into direct payments. However, it should be noted that personal budgets apply in England only. In Wales there are only direct payments.

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**Note: Finding contact details for your social services department**

If you have internet access, you can search for your local authority using your postcode on the Welsh Government's website:

[www.gov.wales/find-your-local-authority](http://www.gov.wales/find-your-local-authority)

Alternatively, Age Cymru Advice can provide the contact details – see section 21.

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## 2 **Legislation covering the social care system in Wales – the Social Services and Well-being (Wales) Act 2014 and accompanying Code of Practice guidance**

This Act was fully implemented in April 2016 and is the main legislation that covers the social care system in Wales, including:

- the social care assessment process;
- related rules in regard to arranging and paying for care (be this at home and/or other non-residential services, or residential / nursing care homes);
- the guidance documents that local authorities must use when assessing needs; *and*
- the guidance documents that local authorities must use when means testing people who may need to pay towards their services.

**Many of the sections in this factsheet (and other Age Cymru factsheets on social care topics) will use this Act – and the Welsh Government guidance for local authorities which accompanies it (see section 2.1 below) – as a main source of information. References will be provided in the text where relevant.**

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**Note:** For further general information on the *Social Services and Well-being (Wales) Act 2014*, see Age Cymru's Factsheet 41w *Social care assessments for older people with care needs in Wales*.

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## 2.1 Welsh Government Code of Practice documents – guidance for local authorities to follow when conducting social care assessments

In common with many other pieces of legislation, there are Codes of Practice (CoP) that accompany the *Social Services and Well-being (Wales) Act*.

**The CoP guidance documents are backed by law and aim to assist individuals, professionals and organisations to work within and comply with the Act** – i.e. they are written in more straightforward English and are, therefore, generally easier to understand than the actual Act/regulations.

Local authorities must act in accordance with the codes of practice and their requirements when carrying out their social services functions.

## 2.2 Welsh Government regulations and guidance on direct payments specifically

The ***Care and Support (Direct Payments) (Wales) Regulations 2015*** – issued under the ***Social Services and Well-being Wales Act 2014*** – contain the rules underpinning the operation of direct payments by local authorities in Wales.

As touched upon in section 2.1 above, there are also Codes of Practice (CoP) that accompany the *Social Services and Well-being (Wales) Act*. The main Welsh Government CoP document covering direct payments is:

**Code of Practice on the exercise of social services functions in relation to part 4 (Meeting needs) of the Social Services and Well-being (Wales) Act 2014 (Including eligibility, care and support planning and direct payments)**

A copy can be accessed on the Social Care Wales 'Information and Learning Hub' website at:

[www.socialcare.wales/hub/codes-of-practice](http://www.socialcare.wales/hub/codes-of-practice)

### 3 What are direct payments?

**Direct payments consist of money made available by a local authority to an individual who requires social care services.**

**The individual with care and support needs then uses this money to arrange their own services to meet their identified needs** (i.e. the needs which the local authority's care needs assessment for the person will have identified – see Age Cymru's Factsheet 41w *Social care assessments for older people with care needs in Wales* for further information on this topic).

This contrasts with the 'traditional' way of ensuring that someone's care and support needs are met, whereby the local authority arranges services on behalf of the service user (indeed, if someone does not want to arrange their own care, then this standard model of the local authority arranging and/or providing the services will be used, rather than direct payments).

**However, direct payments can offer greater choice, flexibility and autonomy for the service user, for people who would value this.**

Local authorities do also have certain duties to offer support to people who want to make use of direct payments, but are perhaps daunted by the responsibilities involved – further information on this can be found in section 7 below.

Direct payments “**can be for all, or part, of a person's care and support needs**”<sup>2</sup>.

Carers who have been assessed as requiring support services from the local authority can also opt for direct payments – see section 6 below. Also, where someone with care needs lacks capacity, direct payments may still be available, provided a suitable, trusted, person can manage them on their behalf – see section 8.

The Welsh Government have stated that “direct payments are an integral part of meeting people's needs through care and support planning, and must not be seen as a separate, secondary, consideration”<sup>3</sup>.

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<sup>2</sup> Social Services and Well-being (Wales) Act 2014: Part 4 Code of Practice (Meeting Needs), Welsh Government.

<sup>3</sup> Ibid



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**Example:** *When Helen’s arthritis and angina got worse, her daughter requested a social care needs assessment. She was found to need regular care at home to help with personal care.*

*“I’ve always prided myself on being independent and managing on my own, but when my health problems got worse I realised I needed help to stay living at home. After my assessment, the council arranged for a care worker to come round every morning to help me get up, washed and dressed. This helped me a great deal, but I wished my care worker didn’t come so early every day – I could never have a lie-in. And having a different carer every day wasn’t ideal either.*

*I talked to my social worker and she explained about direct payments. My daughter and I read up on it and decided to go for it. I use them to employ a personal assistant, who really understands my needs and fits in well with me. I interviewed a few people before I chose her. She comes a bit later on Fridays so I can sleep in and takes me to my local cafe for breakfast once a week. The paperwork for direct payments sounded daunting, especially as my rheumatoid arthritis makes it difficult to write, but my daughter helps me fill in forms and I can then file them myself”.*

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## **4 Background information on eligibility criteria and charging procedures for local authority social care services (and how direct payments fit into the system)**

Whether you want to receive a direct payment in order to organise your own services, or for the local authority to arrange services on your behalf, the following are exactly the same:

- **the eligibility criteria that a local authority will use to determine whether your needs are of a level where you qualify for services from them; and**
- **the subsequent means testing procedure for determining if – and how much – you should contribute towards your care costs.**

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**Note:** If the local authority arranges services for you – depending on the results of their means test – you will be asked to contribute a certain amount towards the total cost of the services.

In the same way, with direct payments, the authority would calculate how much money in total is needed to secure services to meet all your needs, but – again, based on the results of the means test – you may only receive a *proportion* of this from them as your direct payment and you would be expected to make up the rest of the cost yourself.

Also see section 4.2 below for further information.

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## 4.1 Assessment and eligibility for services

### Needs assessment for the person with care needs (and, where relevant, also an assessment for their carer)

The first step in obtaining help from the local authority social services department is to ask for an assessment of your needs. The local authority will generally not be able to assist you until it has first carried out the assessment (this may be referred to by a number of similar terms, such as ‘social care assessment’, ‘community care assessment’, ‘care needs assessment’, or simply ‘needs assessment’).

**The local authority has a legal duty to carry out an assessment of anyone living in its area who *may* need community care services, once it becomes aware of this need<sup>4</sup>.**

**The right to a needs assessment is not affected by the level of your financial resources or other circumstances** (however, subsequent services provided as a result of the assessment are likely to be charged for – see section 4.2 below).

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<sup>4</sup> An older person will often be entitled to a needs assessment itself (though note that this wouldn’t necessarily mean they would be deemed eligible for services as a result – this would depend on the level or extent of their needs that are identified in the assessment).

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**Note:** If you get help from a friend or family member (a carer), your carer’s own needs and opinions should be considered and taken into account as part of your own assessment. Carers also have a right to their *own* assessment in parallel or sometimes jointly with yours.

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### Eligibility criteria for service provision

After the completion of a needs assessment, based on the results, the local authority will decide whether or not it should provide or arrange social care services for you. **The authority must use national eligibility criteria to make this decision.** Age Cymru’s Factsheet 41w *Social care assessments for older people with care needs in Wales* has in-depth information on this.

## 4.2 Financial means testing

As noted above, you may be required to contribute towards the cost of your care services and any contribution will be calculated for a direct payment arrangement using the same means-test rules as if the local authority were directly providing or arranging services.

See Age Cymru’s Factsheet 46w *Paying for care and support at home in Wales* for further information on local authority charging procedures for homecare and other non-residential social care services, including:

- types of income and capital that are taken into account in the means test (and those that can be disregarded);
- a maximum weekly charge (for non-residential care services); *and*
- your minimum income after paying your charge (and how the local authority should calculate this).

## 4.3 Information & advice and advocacy duties on local authorities

### Information & advice

**Part 2 of the *Social Services and Well-being (Wales) Act 2014* includes duties on local authorities to provide “information, advice and assistance...relating to care and support”.**

Broadly speaking, their service “**must** include, as a minimum publication of information...on how the care and support system operates in the local authority area...the types of care and support available...how to access [this] and how to raise concerns about the well-being of a person who appears to have needs”<sup>5</sup>.

In relation to direct payments, specifically, local authorities “**must** provide appropriate, accessible information and support to enable people, or their representatives, to decide whether they wish to receive direct payments. The information and support provided **must** be suitable to meet their communication needs and...sufficient for the person, or their representative, to be able to make an informed decision”.

In order to do so, “individuals need to understand what is involved in managing a direct payment. A local authority must provide, or arrange [at an early stage in the assessment and care planning process] the provision of...information and support on what receiving direct payments will involve and ensure the person fully appreciate[s] what this entails”<sup>6</sup> – also see section 7 below in regard to support services for direct payment recipients.

## Advocacy duties

The *Social Services and Well-being (Wales) Act* also contains duties for local authorities in regard to advocacy services. If you have difficulty in expressing your views and needs and feel that this would be excessively difficult in regard to discussions on services to be provided and how you will be charged, then an advocacy service may be of help. In many instances, the duties that fall on the local authority will be to make people aware of the availability of advocacy support, should they wish to utilise this – see below for suggestions of where you might be able to find a suitable service in your area.

Alternatively, **in other situations the authority will have a specific duty to “arrange an independent professional advocate” for someone**<sup>7</sup>.

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<sup>5</sup> Social Services and Well-being (Wales) Act 2014: Part 2 Code of Practice (General Functions), Welsh Government.

<sup>6</sup> Social Services and Well-being (Wales) Act 2014: Part 4 Code of Practice (Meeting Needs), Welsh Government.

<sup>7</sup> Social Services and Well-being (Wales) Act 2014: Part 10 Code of Practice (Advocacy), Welsh Government (version 2 – December 2019). A copy can be accessed on the Welsh Government website at: <https://gov.wales/advocacy-services-code-practice>

See Age Cymru's Factsheet 41w *Social care assessments for older people with care needs in Wales* for further details on the information & advice and advocacy responsibilities of local authorities.

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**Note:** You can find a list of advocacy services (within each local authority area) on our website at:

[www.ageuk.org.uk/cymru/our-work/advocacy/hope---helping-others-participate-and-engage/advocacy-services-in-wales](http://www.ageuk.org.uk/cymru/our-work/advocacy/hope---helping-others-participate-and-engage/advocacy-services-in-wales)

The Public Services Ombudsman for Wales website also has a list of organisations that may be able to offer advocacy services at:

[www.ombudsman.wales/advice-advocates](http://www.ombudsman.wales/advice-advocates)

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## 5 Do local authorities have to offer direct payments?

**If you meet the eligibility criteria, direct payments must be offered as an option by the authority when discussions about your care and support plan take place following the assessment of your care needs.**

Welsh Government guidance advises that:

“Where eligible care and support needs...have been identified and that individual, or their representative, expresses a wish to receive one, direct payments **must** be made available in all cases where they enable personal outcomes to be achieved. A local authority **must** be innovative and creative when working in partnership with recipients or their representatives to explore ways a direct payment can be used to secure the personal outcomes. Direct payments **must** only be refused where it is clear after extensive exploration that a direct payment would not secure the outcomes required”.

Furthermore, “individuals **must** not be refused a direct payment purely because they are unable to manage the payment, or apprehensive about managing one. A local authority, in partnership with the person, **must** explore all options for supporting the individual to manage a direct payment. Where areas of difficulty are identified, local authorities **must** ensure the correct level of support to overcome such barriers is available”<sup>8</sup>.

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**Note:** As touched upon in section 3 above, an individual does not have to accept direct payments.

If they prefer, they can choose to receive services provided and arranged by the local authority, or a ‘mixed care’ package, where some of the services are provided by the local authority and other needs are met through direct payments.

**This can, for example, give somebody the opportunity to familiarise themselves with having direct payments before taking on responsibility for arranging support to meet all their needs.**

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For information on how you might be able to use your direct payment, see section 12 below.

## 6 Who can have a direct payment?

### 6.1 Current eligibility

To be eligible for a direct payment:

- **Someone will need to have been assessed as needing care and/or support services by their local authority under the *Social Services and Well-being (Wales) Act 2014*; and**

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<sup>8</sup> Social Services and Well-being (Wales) Act 2014: Part 4 Code of Practice (Meeting Needs), Welsh Government.

- **the local authority will need to be satisfied that direct payments are an “appropriate way of meeting the person’s needs”<sup>9</sup>** (as outlined earlier in the factsheet, an authority should be open minded about the various possibilities for using direct payments and explore all the options fully, prior to reaching a conclusion that they would *not* be appropriate in any given case).

**Therefore, provided the above applies, people with care and/or support needs in all of the following scenarios should be able to receive their social care services via a direct payment:**

- A service user who is fully able to manage the direct payment on their own (or fully able, with the addition of appropriate support – also see section 7 below).
- A service user who lacks sufficient mental capacity to make the decision to receive a direct payment, **provided there is a ‘suitable’ person to arrange and manage the direct payment on their behalf** (if this wasn’t the case, then they wouldn’t be eligible) – see section 8 below for further information on this issue.
- Carers – i.e. ‘informal’ carers, such as family members or a friend<sup>10</sup>. A carer may be assessed as eligible for services to support them with their caring role, as well as to maintain their own health and well-being whilst doing so. If so, just as the person with care needs can opt to use a direct payment, so too can a carer.
- Where the person’s local authority is under a duty to provide them after-care services under section 117 of the *Mental Health Act 1983*<sup>11</sup> (people subject to certain other mental health legislation should also generally be eligible).

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<sup>9</sup> ‘Explanatory Memorandum to The Care and Support (Direct Payment) (Wales) Regulations 2015’ (Welsh Government), 21 October 2015.

<sup>10</sup> “In general, professional carers who receive payment should not be regarded as carers for the purposes of the [Social Services and Well-being (Wales)] Act, nor should people who provide care as voluntary work” – Social Services and Well-being (Wales) Act 2014: Part 3 Code of Practice (assessing the needs of individuals), Welsh Government.

<sup>11</sup> Some people who have been kept in hospital under the Mental Health Act are entitled to free help and support after they leave hospital – often referred to as ‘Section 117 aftercare’ as this is the section of the legislation that provides that right. Section 117 places a joint duty on health and social services authorities to provide these after-care services; whether someone’s care falls within the remit of the NHS or their local authority social services department will depend on what their particular needs are.

- People who are subject to drugs and alcohol-related provisions of certain criminal justice legislation (but *only* on “condition that payment is made to another person who is suitable and both persons agree to the arrangement”<sup>12</sup>).

## 6.2 Welsh Government plans to extend the availability of direct payments to NHS continuing healthcare

At the time of writing – September 2024 – a person receiving NHS continuing healthcare (NHS CHC) cannot receive direct payments to enable them to make arrangements to meet those needs.

However, the Welsh Government intends to enable direct payments to be used for NHS CHC in the future, with **spring 2026** being the current timescale for this change to be implemented<sup>13</sup>.

The Welsh Government’s *‘Health and Social Care (Wales) Bill: Explanatory Memorandum’* provides further information on the planned changes, as well as the rationale behind them:

“There is evidence that some people with complex health conditions are refusing CHC assessments. This can be for a number of reasons but these reasons often include...not wanting to lose the voice and control they have through local authority direct payments and the further feeling of loss of independence [and/or] concern that there may be fluctuation in CHC eligibility that could interrupt their stable package of care [and/or] concern that they may have to let one or more trusted and familiar Personal Assistants go because traditionally commissioned CHC offers less flexibility and choice in terms of the care provider”.

“If a person is assessed as eligible for CHC but refuses a CHC package, it will not automatically mean that the status quo can be maintained and that the local authority retains responsibility for meeting their care and support needs. A local authority is not under a duty to meet needs for care and support which can be provided by other means (in this case by the NHS via a package of care to meet a need for primary health care via entitlement to CHC)”.

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<sup>12</sup> Welsh Statutory Instruments: 2015 No. 1815 (W. 260) Social Care, Wales: The Care and Support (Direct Payments) (Wales) (Explanatory note).

<sup>13</sup> Health and Social Care (Wales) Bill: Explanatory Memorandum incorporating the Regulatory Impact Assessment and Explanatory Notes, Welsh Government, May 2024.



“In order to address the issues, it is proposed to amend the [NHS (Wales) Act 2006] to allow the Welsh Ministers to make direct payments to individual patients; this will enable [people] to secure services to meet their assessed needs for health care in lieu of receiving services provided or commissioned by the NHS in Wales”.

**“Initially the provision of direct payments within CHC would be focused on adults receiving CHC in their own homes only, as this is where stakeholder feedback has indicated the most demand for increased voice and control exist currently”<sup>14</sup>.**

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**Note:** NHS CHC is a package of care arranged and funded solely by the NHS to meet physical and/or mental health needs that have arisen because of disability, accident or illness.

Eligibility decisions for NHS CHC rest on whether your need for care is primarily due to your health needs – often referred to as having a ‘primary health need’ (as opposed to a need for care due primarily to social care needs that fall within the remit of social services departments, rather than the health service.

For further information, see Age Cymru’s Factsheet 20w *NHS continuing healthcare and NHS-funded nursing care in Wales*.

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## **7 Support services for people who are eligible for direct payments (and have mental capacity)**

**This section relates to those with sufficient mental capacity to choose to receive direct payments, but who want and/or need support to help them manage them** – see section 8 below for information on the rules regarding direct payments being operated on *behalf* of someone who lacks mental capacity.

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<sup>14</sup> Ibid

## 7.1 Support services provided by local authorities

Local authorities must ensure that they “develop local support services for direct payment recipients” and/or “their representative”<sup>15</sup>.

The services may be run directly by the local authority or in partnership with a local voluntary agency. Also, authorities “**must** explore, in partnership with recipients, the different models and ways support can be provided to ensure the arrangements they have in place are effective, responsive to recipients’ requirements and are person centred”<sup>16</sup>.

Services may include:

- support, information and advice from those who currently receive direct payments who can pass on what they have learnt;
- training and practical assistance, particularly help with employing care workers;
- lists of care agencies;
- help with drafting adverts and contracts;
- providing rooms for interviewing; *or*
- acting as an addressee for responses to adverts.

## 7.2 Support from a person the service user wishes to help them

Alternatively, the direct payments recipient may not require any services from a support service provided or commissioned by the local authority, as a relative or friend is able to provide the appropriate level of assistance.

As outlined above, this person can also make use of a support service themselves, in order to help them in their role.

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<sup>15</sup> Social Services and Well-being (Wales) Act 2014: Part 4 Code of Practice (Meeting Needs), Welsh Government.

<sup>16</sup> Ibid

The local authority will also want to be satisfied that the person offering support for the service user to manage the payment is an appropriate person to do so (in a similar way that someone who manages a payment on behalf of someone lacking capacity must be a suitable person, as discussed below).

## 8 ‘Suitable person’ rules where a service user lacks mental capacity

As previously touched upon in this factsheet, if someone lacks capacity – as defined in the *Mental Capacity Act 2005* – direct payments can be made to a willing and appropriate ‘**suitable person**’, who receives and manages the payments on behalf of the person who lacks capacity.

### The Mental Capacity Act 2005

The *Mental Capacity Act 2005* states that:

“A person lacks capacity if he is unable to make a decision for himself in relation to a particular matter (at the time) because of an impairment of, or a disturbance in the functioning of, the mind or brain”.

When anyone acts on behalf of another person who has lost capacity – including a ‘suitable person’ in the case of social care direct payments – they must act at all times in the ‘**best interests**’ of the person they are supporting and adhere to the statutory principles on which the *Mental Capacity Act* is based. These are:

- **A presumption of capacity** – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise.
- **The right to be supported to make their own decisions** – all practicable steps must be taken to help a person make their own decision before anyone concludes that they are unable to do so.
- **The right to make eccentric or unwise decisions** – a person is not to be treated as being unable to make a decision simply because the decision they make is seen as unwise.
- **Best interests** – any decision made or action taken on behalf of people without capacity must be made in their best interests.

- **Least restrictive intervention** – anyone making a decision for or on behalf of a person without capacity should consider all effective alternatives and choose the one that is the least restrictive of the person’s basic rights and freedoms.

There is a *Code of Practice* to accompany the Act and information booklets to assist people to understand the legislation. These are available on the GOV.UK website at:

[www.gov.uk/government/collections/mental-capacity-act-making-decisions](http://www.gov.uk/government/collections/mental-capacity-act-making-decisions)

Also, see Age UK’s Factsheet 22 *Arranging for someone else to make decisions on your behalf* for further information.

## 8.1 Suitable person options

Often, a suitable person will be a close family member or friend with existing involvement in the care of the person eligible for services (“whatever the relationship a local authority must ensure that the best interests of the person lacking capacity are prioritised above all other considerations”<sup>17</sup>). In their guidance, the Welsh Government outlines the process to be followed for appointing a suitable person, the conditions to be met by them and approaches to risk and safeguarding. The following are stated options in regard to who can meet the definition of a suitable person:

- Someone who has been appointed as an **attorney** under an *LPA (lasting power of attorney)* – though it is unlikely that a financial LPA on its own will be sufficient.
- A person who has been appointed a **deputy** for the person needing services by the *Court of Protection* (under section 16 of the *Mental Capacity Act 2005*).
- Someone who has offered to act as a suitable person and who “the local authority considers is acting in the best interests of the person lacking capacity”.
- An employee of an “organisation or third party appointed by a local authority” – for example, a support scheme provider<sup>18</sup>.

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<sup>17</sup> Ibid

<sup>18</sup> Ibid

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**Note:** “Provided that the suitable person is able to manage the direct payments, either with or without support, and is considered to have the individual’s best interests at heart, the local authority must provide the direct payments to that suitable person”<sup>19</sup>.

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## 8.2 Support for a ‘suitable person’

Someone acting as a suitable person can themselves have support to manage the direct payment, if required – i.e. they can access the same support services as discussed in section 7 above.

## 9 Switching to a direct payment if you already receive local authority services

If you have already been receiving care or support services arranged or commissioned by your local authority, you can request at any time to switch to direct payments instead. The authority will probably review your care and support package at that point, as part of the process of deciding whether you are eligible for direct payments.

### 9.1 Services during an ‘interim’ period when you are considering a direct payment

If you are considering whether to have a direct payment (or have decided that you want to use direct payments but have not yet had time to arrange your own services), you should not be left without the services you need in the meantime.

You may need to have services arranged by the local authority until you are able to put your own into place. The local authority is only relieved of a duty to provide services if it is satisfied that your needs are being met. If they are not, the local authority has a duty to provide the services directly.

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<sup>19</sup> Ibid

Obtain as much information as possible so that you can make an informed choice about whether direct payments are the best option for you. Your local authority may have its own guide, or be able to put you in touch with a support group or with other people who already have direct payments.

## 10 Your care plan when you are receiving direct payments

Following an assessment by a local authority where it is identified that you have 'eligible needs', a care and support plan must be discussed, agreed and written down. "Where some or all of the person's needs are to be met by making direct payments [the] plan **must...contain** a description of":

- "the needs which are to be met by direct payments"; *and*
- "the amount and frequency of the direct payments"<sup>20</sup>.

**The local authority must provide you with a written copy of your care plan.**

For further information on care plans in general, see Age Cymru's Factsheet 41w *Social care assessments for older people with care needs in Wales*.

## 11 The level of your direct payment

**The amount you are given as your direct payment must be enough to enable you to secure a service of a standard that meets your assessed needs and all related legal obligations.**

It should be noted that in practice, the authority will be reluctant to make a direct payment for **more** than it calculates that it would cost to provide (or arrange) the service itself. If your preferred method of securing services will be more expensive than the council's estimate of the reasonable cost of doing so, you may have to meet any shortfall yourself.

However, significantly, the authority's estimated cost should include any associated costs connected to direct payments – for example:

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<sup>20</sup> Ibid

- VAT;
- employer's National Insurance contributions;
- sick pay;
- holiday pay;
- employer's liability insurance;
- pension contributions; *and*
- potentially redundancy payments if a care worker's employment ends.

The Welsh Government's guidance addresses this issue as follows:

"In calculating the value of a direct payment a local authority must include inherent costs associated with being a legal employer or by providing sufficient financial support to purchase an adequate legal service to ensure the recipient complies with the legalities of being an employer. A local authority must also consider including, on a case by case basis, discretionary costs associated with the requirements for achieving the recipient's personal outcomes. For example, non statutory liabilities such as an ex gratia bonus payment"<sup>21</sup>.

Also see section 15 below for further information.

The local authority may agree to pay more than its estimated cost, if it is satisfied that the increased cost is justified because it is more effective in enabling the person to manage his or her own services and live independently.

You could complain if you think that the local authority has been unduly restrictive about the amount it will pay – see section 20 below.

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<sup>21</sup> Ibid

## 11.1 Your contribution towards the cost of your care

You may be asked to contribute towards the cost of care arranged using direct payments, in the same way as if the local authority has arranged or provided services – i.e. your direct payment may only cover a certain *proportion* of the total cost that the authority has calculated will be needed to meet your needs via a direct payment. This will happen if the results of their financial means test determine that you have sufficient resources to meet part of the cost yourself.

There is, however, a **maximum weekly charge** in Wales for people who receive non-residential social care services from the local authority. This is increased from time to time, though not necessarily every year. Information on the current maximum charge can be found in Age Cymru's Factsheet 46w *Paying for care and support at home in Wales*.

The above factsheet also has further details on how the maximum charge fits into the wider means testing rules for care at home and other non-residential social care services, including a **minimum income amount** that people must be left with after having paid towards their services.

## 12 Using your direct payments

**You can use your direct payments however you wish, as long as it is to meet your assessed eligible needs – that is, the needs as identified in your care assessment.**

### 12.1 Examples of how direct payments can be used

Although social services departments need to set conditions to ensure that the payments are used on assessed needs, a balance should be reached in respect of the overall aim of direct payments – i.e. they are designed to give people more choice and control over the care and support services they are assessed as needing.

As such, social services departments should not be overly constrained by existing/established patterns of service provision. For example, below is a list of some of the things you may be able to use a direct payment for, which includes traditional types of homecare alongside other methods that may suit particular people:



- Personal care – for example, getting dressed, washing and bathing, getting in and out of bed, eating and drinking, or taking medication (also see section 15 below on finding a care worker or personal assistant).
- Housework, cooking, shopping, or gardening.
- Support with communication needs.
- Meeting social needs – leisure activities, visiting friends, attending social groups or a course (for example, a computer course to learn computer skills that would enable you to keep in touch with family).
- Certain types of one-off purchases – for example, specialist homeware or equipment and adaptations<sup>22</sup>. Social Care Wales have advised that a “one-off purchase may be the key to meeting well-being outcomes. This may be instead of or in addition to buying an ongoing service. For example, buying a bike to enable a person to get out and about if they find walking hard, or buying a set of garden tools to be able to spend time gardening”<sup>23</sup>.
- Transport, such as taxis.
- Respite or temporary care in a care home.
- Since April 2016, a long term / permanent care home placement.

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<sup>22</sup> Direct payments in this context could be used, for example, to buy equipment from a different supplier to the one the local authority usually uses, or put money towards a more costly, highly specified model.

<sup>23</sup> ‘Using direct payments for one-off purchases’, Social Care Wales website: <https://socialcare.wales/resources-guidance/improving-care-and-support/care-and-support-at-home/using-direct-payments-for-one-off-purchases/> (last accessed 28 August 2024).

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**Note:** Prior to April 2016, direct payments could **not** be used to arrange long term residential care. However, the *Social Services and Well-being (Wales) Act* allows for them to be used for care in a care home as well as non-residential / homecare services. This is confirmed in the Welsh Government’s guidance accompanying the Act:

“Direct payments can be provided for any identified need for care and support a local authority is to meet. This includes community care and support **and** short and **long term residential care**”<sup>24</sup> (emphasis added).

However, it is worth noting that there was already an established policy under older legislation that people are given a choice of accommodation options when going to live in a care home<sup>25</sup>. The *Social Services and Well-being (Wales) Act* continued this principle and authorities must ensure that where a person’s needs are going to be best met in a care home “that the person has a genuine choice” of which one. Therefore, given the choice that exists in this area already, it remains to be seen what role the inclusion of direct payments as an option has. It has also been noted that “there is little explanation as to how this will work in practice [and] the potential problems that will arise by permitting direct payments to be used for long periods of residential care, would appear to outweigh any benefits”. These problems include “the potential uncertainty about the ‘ordinary residence’ of people who enter residential care using direct payments and the risk that such residents may be more vulnerable to demands by providers that they ‘top-up’ local authority payments”<sup>26</sup>.

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<sup>24</sup> Social Services and Well-being (Wales) Act 2014: Part 4 Code of Practice (Meeting Needs), Welsh Government.

<sup>25</sup> For further information on the principles behind choice of accommodation for people assessed as requiring a care home, see Age Cymru’s Factsheet 10w *Paying for a permanent care home placement in Wales* and Factsheet 60w *Choice of care home if the local authority is contributing towards your care fees*.

<sup>26</sup> The Social Services & Well-being (Wales) Act 2014: An overview (partially updated February 2022), Professor Luke Clements.  
A copy is available at: [www.lukeclements.co.uk/rhydian-social-welfare-law-in-wales/an-overview-briefing-social-care-law-in-wales/](http://www.lukeclements.co.uk/rhydian-social-welfare-law-in-wales/an-overview-briefing-social-care-law-in-wales/)

## 13 Direct payments case studies

### Case Study 1

*“David cares for his wife who has dementia. He worries about her and does not like leaving her on her own.*

*That’s a problem as he struggles to do the weekly grocery shopping. Not only does this create practical problems but it has left him feeling isolated.*

*The solution was to purchase a laptop computer with a direct payment.*

*David can now do a supermarket shop on-line and [get it] delivered. He can also Skype his daughter who lives a long distance away”<sup>27</sup>.*

### Case Study 2

*“Sophie has medical conditions that cause fatigue.*

*In an effort to conserve her energy for the tasks that are most important to her, she uses her direct payment to pay for a cleaner to clean and tidy her flat for two hours twice a week.*

*Without this support, Sophie would find that her flat being untidy would overwhelm and depress her.*

*With a few hours of support each week, Sophie can now better manage her energy and spend the time doing things she enjoys such as going for coffee with her friends”<sup>28</sup>.*

### Case Study 3

*“David has always taken pride in keeping a nice garden but is no longer able to manage by himself.*

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<sup>27</sup> ‘Using direct payments for one-off purchases’, Social Care Wales website: [www.socialcare.wales/resources-guidance/improving-care-and-support/care-and-support-at-home/using-direct-payments-for-one-off-purchases](http://www.socialcare.wales/resources-guidance/improving-care-and-support/care-and-support-at-home/using-direct-payments-for-one-off-purchases) (last accessed 26 August 2024).

<sup>28</sup> ‘Using direct payments to employ personal assistants’, Social Care Wales website: [www.socialcare.wales/resources-guidance/improving-care-and-support/care-and-support-at-home/using-direct-payments-to-employ-personal-assistants](http://www.socialcare.wales/resources-guidance/improving-care-and-support/care-and-support-at-home/using-direct-payments-to-employ-personal-assistants) (last accessed 26 August 2024).

*By employing a gardener once a fortnight, he has help to keep his garden to the standard he enjoys, can do some tasks with support and enjoy the company and conversation.*

*The direct payment is then able to support David to improve his physical and mental health.*

*David experiences a sense of pride in being able to keep his garden in good shape, and the weekly company goes a long way in tackling loneliness and isolation”<sup>29</sup>.*

## 14 Varying how you use a direct payment from week to week (due to fluctuating needs)

The Welsh Government’s guidance advises that:

“The flexibility inherent in direct payments means that recipients, or their representatives, must be able to adjust the amount of the direct payment they use from week to week. They must be able to ‘bank’ any unused payment to use as and when extra needs arise (this might particularly be relevant for those whose needs fluctuate)”.

**“As long as overall the payment is being used to achieve the recipient’s personal outcomes, the actual weekly pattern of care and support does not need to be predetermined”** (emphasis added)<sup>30</sup>.

However, if there were significant changes in needs that meant that current arrangements were not suitable, a new care needs assessment may need to take place – see section 18 below.

## 15 Issues when arranging your own services via direct payments

This section covers the issues around arranging your own services, including:

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<sup>29</sup> Ibid

<sup>30</sup> Social Services and Well-being (Wales) Act 2014: Part 4 Code of Practice (Meeting Needs), Welsh Government.

- employing your own care workers or personal assistants;
- contracting with an agency or someone who is self-employed;
- issues around paying for care from a family member;
- buying your own disability equipment; *and*
- dealing with emergencies.

## 15.1 Employing your own care workers or personal assistants – issues to consider before and whilst recruiting

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**Note:** This option potentially gives someone the greatest choice and control over their care services. **Some people worry about the responsibilities of being an employer, however. If so, see section 15.2 below.**

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### Your overall legal responsibilities as an employer, including health and safety and liability insurance

The Welsh Government’s guidance provides quite a lot of information on this issue:

- “Where a direct payment is used to employ someone, local authorities **must** ensure recipients, or their representatives, are fully aware of their legal responsibilities as an employer and that they receive the necessary support and resources to manage their employment responsibilities. This includes supporting recipients to ensure employees are legally entitled to work in the UK”.
- “Local authorities **must** support direct payment recipients to be compliant with health and safety requirements arising from their direct payment”, including supporting recipients “with health and safety assessments of their employees...particularly in relation to manual handling needs”.
- Local authorities must ensure in all cases that “**appropriate up to date liability insurance is in place and that [direct payment] recipients appreciate they have a legal duty of care for those they employ**”<sup>31</sup>.

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<sup>31</sup> Ibid

## Advertising the position

You will need to consider issues, such as:

- drawing up job adverts and job descriptions, making sure you have covered all the tasks you will want done;
- where to advertise.
- what to ask at interviews.

## Employment contracts

Drawing up a contract is a **legal requirement** and ensures that both you and the person you are employing are clear at the outset about the terms and conditions of the employment. When the contract is drawn up, it should include:

- job title and start date;
- hours and place of work;
- how much the employee will earn (this **must** meet the national minimum wage);
- whether the employment is fixed-term or permanent;
- statutory entitlement to sick pay and annual leave;
- pension scheme provision; *and*
- notice requirements.

## The costs of becoming an employer must be recognised

In reaching the direct payment amount that you will be allocated, the local authority must take account of the costs involved in becoming an employer – see section 11 above for examples of these extra costs.

## Making pension contributions on behalf of your carer(s)

You may have a legal duty as an employer to enrol an employee/s into a pension scheme and contribute towards their pension – known as ‘automatic enrolment’.

If you currently employ a carer aged 22 or over (and under State Pension age), you pay them over £192 a week or £833 a month (and they are not already in a suitable workplace pension), you must make arrangements to enrol them into a pension scheme.

If your employee does not meet the above criteria, you do not have to put them into a pension scheme. However, you must usually give them an option to join. If they do join, in some cases this means you must pay contributions to the scheme on their behalf.

It is important to contact the Pensions Regulator for information if you are in any doubt about your duties towards pension enrolment. Failure to comply with your duties can result in the Pensions Regulator issuing you with a fine (see section 21 below for their contact details).

### **Risk management**

It is advisable to always ask for two written references for an applicant, plus potentially follow up with a telephone call. You could also consider asking a family member or friend to spend some time with you and your personal assistant at the beginning of the arrangement. Also see section 19 below, which has further information on managing risks and safeguarding.

## **15.2 Contracting with an agency or someone who is self-employed (if you want to use direct payments, but do not want to be an employer)**

If you are daunted by the prospect of taking on the responsibility of being an employer, this doesn't mean that you will be unable to make use of the direct payments system. Instead, you can choose to use your direct payment to contract with:

- **an independent care agency; or**
- **a person who is self-employed.**

### **Independent care agencies**

If you decide to use an independent care agency you should be able to find local agencies by:

- searching a database of agencies on the *Care Inspectorate Wales (CIW)* website (the CIW is the body responsible for inspecting and regulating social care services in Wales – see section 21 below for contact details);
- asking your local authority social services department if they hold lists of agencies that are suitable for meeting your particular care needs; *or*
- by personal recommendation.

**You may want to approach several agencies before making a decision.**

### Contracting with someone who is self-employed

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**Important:** If you are choosing the option of a contract with someone who is self-employed, it is important to check very carefully that the contract you make with them means that they are genuinely self-employed. There can be financial consequences for you if you incorrectly engage someone on the basis of it being self-employment, when the reality of the arrangement means that the person is legally employed.

Several different factors affect whether a person is considered to be self-employed for the purposes of tax, National Insurance and employment legislation, including the terms on which they have been engaged and the amount of control you have over the work done. HM Revenue & Customs (HMRC) produces a leaflet which explains the difference between being employed or self-employed. Their website also has an online tool to determine a worker's employment status, which can be accessed at:

[www.hmrc.gov.uk/calcs/esi.htm](http://www.hmrc.gov.uk/calcs/esi.htm).

The local authority or a local voluntary or user-led organisation should also be able to help.

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**You may want to approach several self-employed people offering the services you require before making a decision.**

### Things to confirm before entering into a contract with an agency or self-employed individual

Before entering into an agreement, confirm the following with the agency or individual involved:



- the tasks you expect the staff to do and the way in which you would like them to be done;
- what the quoted price covers (some agencies add VAT or charge extra for travelling);
- what insurance cover they have;
- what training the staff have had;
- cover arrangements – for example for sickness; *and*
- what happens if you have to cancel the service suddenly.

To avoid any future misunderstandings, your contract should be as clear as possible. Agencies often use standard contracts that can be individualised. If you are making your own contract with someone who is self-employed, examples of contracts may be useful – some of the organisations listed in section 21, for example Disability Rights UK, may be able to offer further advice on this.

### 15.3 Using a direct payment to pay for care from a family member

Prior to April 2016, apart from in exceptional circumstances, people were not able to use a direct payment to pay for care from their spouse, partner or a ‘close relative’ living in the same household. The *Social Services and Well-being (Wales) Act* has relaxed this rule to an extent, where it is **“appropriate for promoting the well-being of the recipient”**<sup>32</sup>.

The current guidance advises the following:

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<sup>32</sup> ‘Explanatory Memorandum to The Care and Support (Direct Payment) (Wales) Regulations 2015’, Welsh Government, 21 October 2015.

“In promoting a person’s personal outcomes [that should be achieved through their social care services], a local authority may authorise direct payments to pay a relative living in the same household as the recipient if they provide care and support or they manage the recipient’s direct payments. When considering whether employing the relative will provide the best well-being outcome for that individual, the local authority **must** consider the views of the recipient before coming to a decision. Where appropriate safeguards are in place the employment of a relative living in the same household is often the most suitable way of providing care as it enables and supports continuity of care, recognition of personal choice and promotes early intervention”.

“In each case, the local authority, after considering the recipient’s views, **must** be satisfied that the employment of a close relative living in the same household is the best way of promoting and delivering their personal outcomes”<sup>33</sup>.

## 15.4 Equipment and adaptations

If, following a needs assessment, you are provided with a direct payment to buy equipment, take advice to ensure that the equipment you are buying is safe, appropriate and cost effective. You can liaise with the occupational therapy department of your local social services who are likely to have been involved with initially assessing your needs and identifying certain equipment as the best way to meet some or all of them.

If you plan to use your direct payment for equipment, establish whether you or the social services department will own the equipment and who will be responsible for ongoing care and maintenance.

Also see Age Cymru’s Factsheet 42w *Obtaining disability equipment and home adaptations in Wales* for further information.

## 15.5 Dealing with emergencies

If the local authority becomes aware that your assessed needs are not being met or you are at excessive risk, it has a duty to review your case and act to resolve the issue.

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<sup>33</sup> Social Services and Well-being (Wales) Act 2014: Part 4 Code of Practice (Meeting Needs), Welsh Government.

You should therefore not be left without the support that you need and should – as part of your care plan – have a named person to contact in an emergency to ask for help.

It is useful to discuss potential problems with social services when your direct payments are set up, so that contingency arrangements can be included as part of your care plan. This could cover issues such as equipment breaking down, or arrangements to cover your care needs if your care worker is sick or on leave.

Your direct payments may need to be adjusted accordingly to meet any necessary extra expenditure. Welsh Government guidance advises that:

“A local authority must have arrangements in place for making additional payments in emergencies. Recipients or their representatives must be made aware of these procedures and how they obtain additional payments if an emergency arises. This information must be made known at the outset to alleviate further pressure on the recipient”<sup>34</sup>.

## 16 Local authority monitoring of direct payments

**Although with direct payments the social services department is not providing or arranging your services, it is still responsible for making sure your long-term needs are being met and it has an on-going safeguarding duty. A balance between your right to autonomy and safety should be the aim.**

Monitoring arrangements to check that your needs have not changed (also see section 18 below) and to discuss any concerns you have should be discussed and agreed with the local authority before you start to receive your direct payments. Do not feel inhibited about expressing reservations or concerns about the services you are purchasing, or any other problems. Your payments should not be stopped automatically or arbitrarily as a result of your concerns.

There will also be financial monitoring to ensure that public funds are being properly spent. Before your direct payments begin, discuss the information you will be expected to provide and the way monitoring will be carried out.

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<sup>34</sup> Ibid

You will normally be expected to keep separate accounts, including operating a separate bank account for your direct payments. Audit arrangements should be as simple and easy to understand as possible.

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**Note:** Local authorities will generally be able to recover money provided for direct payments from the recipient if it has not been used for its intended purpose. Before you receive direct payments the circumstances when recovery may be considered should be explained to you.

You should not be penalised if you have made an honest mistake.

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## 17 Discontinuing direct payments

### 17.1 Choosing to discontinue the direct payments

You can decide at any time to stop having direct payments.

**If you choose to do so, the local authority should then arrange services for you in the traditional way instead, so that your needs continue to be met.**

### 17.2 What if the local authority wishes to discontinue the direct payments?

The local authority can decide to discontinue direct payments if it determines that:

- your needs are no longer being met; *or*
- you, or the person/people supporting you, are unable to manage your payment; *or*
- there has been misspending of the payments.

*However*, in relation to the first two bullet points above, the local authority “**must** explore all feasible options to continue to meet a recipient’s care and support needs via direct payments”, prior to making the final decision to discontinue them<sup>35</sup>.

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<sup>35</sup> Ibid

You and, if appropriate, your carer, should be fully involved in these discussions and in exploring possible amendments to provision and/or extra support to manage the direct payment.

## 18 **Periodic local authority reviews of care needs and direct payments**

Whether someone is receiving their social care services via direct payments, or local authority arranged and provided services, their care needs must be periodically reviewed.

These reviews determine if the current provision “is meeting the identified needs of the individual, and to consider if their needs have changed and if a re-assessment is required”<sup>36</sup>.

In regard to direct payments, specifically, the Welsh Government has stated that authorities should carry out a review **within six months** of the first payment being made in order to judge how the arrangement is working<sup>37</sup> (this is slightly different to a first review where someone is receiving local authority provided or arranged services – here a review should take place within twelve months of services being put in place).

Following the initial six-month review, subsequent reviews should take place at twelve month intervals.

Care needs and/or direct payment reviews can also be requested at any time by the service user themselves (or their advocate, carer or family member on their behalf).

For further general information on care needs assessments and reviews of care needs, see Age Cymru’s Factsheet 41w *Social care assessments for older people with care needs in Wales*.

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<sup>36</sup> Ibid

<sup>37</sup> Ibid

## 19 Risk management, criminal record checks and safeguarding service users

### 19.1 Managing risk

The Welsh Government’s guidance advises that local authorities “**must** work with direct payment recipients, or their representatives, to support them to take responsibility for identifying and managing any risks associated with the provision of their direct payments...recipients must be supported to make choices about the risks they are comfortable with and about positive risk taking”.

Also, “local authorities must share with recipients, or their representatives, the results of any risk assessments that were carried out as part of the care [needs] assessment. This enables the individual to share the risk assessment with their employees and care and support providers”<sup>38</sup>.

### 19.2 Criminal record checks – the Disclosure and Barring Service (DBS)

Local authorities should inform the service user (or ‘suitable person’ managing the direct payment on their behalf) about the potential benefits of obtaining a Disclosure and Barring Service (DBS) check, as part of a risk management plan. See section 21 below for contact details for the DBS.

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**Important:** If the ‘suitable person’ is not a close relative or friend of the service user, then they **are required by law** to obtain a DBS check for anyone they employ via direct payments.

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The Welsh Government’s Code of Practice advises that local authorities “**must** ensure their Disclosure and Barring Service (DBS) policies in relation to direct payments comply with current legislation and guidance”. Also, authorities “**must** ensure that DBS checks, where required, comply with DBS safeguarding guidelines”<sup>39</sup>.

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<sup>38</sup> Ibid

<sup>39</sup> Ibid

## 19.3 Safeguarding older people

**Anyone concerned that an older person may either be the victim of abuse, or at risk of abuse, should contact the local authority social services department (or, if there is a serious danger that the person may be in imminent risk of harm or the situation warrants immediate attention, the police can be called).**

The social services department must have procedures in place that they follow when someone reports abuse to them.

The regulator of social care services in Wales – the Care Inspectorate Wales (CIW) – will also have to act urgently where there is a safeguarding concern or where a criminal offence has been committed.

For further information on safeguarding and protecting older people from abuse and/or neglect, including Welsh Government procedures and guidance in relation to the issue, see Age Cymru's Factsheet 78w *Safeguarding older people in Wales from abuse and neglect*.

## 20 Complaining about a decision or service provision

You, or your representative, have the right to use the **local authority complaints procedure** if you are refused a direct payment, or are unhappy with any other action or decision taken by the local authority.

A complaint can also be made in regard to the actions of organisations that are carrying out services on behalf of the local authority.

Details of this procedure should be available on request from the authority.

Age Cymru's Factsheet 59w *How to resolve problems and make a complaint about social care in Wales* has further information on this topic, including:

- local authority social services complaints procedures and how they should operate;
- how to submit a complaint;
- what to expect when you do;

- information on organisations that may be able to assist you to make a complaint (such as Llais – a body that represents the voices and opinions of the public in regard to social care and health services); *and*
- the Public Services Ombudsman for Wales (who you may be able to elevate your complaint to if the local authority’s response is not satisfactory).

## 21 Useful organisations

### Acas (Advisory, Conciliation and Arbitration Service)

Organisation offering free, confidential and impartial information and advice to employers and employees on workplace relations and employment law.

Helpline: 0300 123 1100

Website: [www.acas.org.uk](http://www.acas.org.uk)

### Age Cymru Advice

Free and confidential information and advice on matters affecting the over 50s in Wales.

**Tel: 0300 303 44 98**

**E-mail: [advice@agecymru.org.uk](mailto:advice@agecymru.org.uk)**

**Website: [www.agecymru.org.uk/advice](http://www.agecymru.org.uk/advice)**

### Age Cymru organisations (local)

Your local Age Cymru may be able to provide advice and support on a range of issues. **Age Cymru Advice** can provide details of your local Age Cymru (see above), or visit the Age Cymru website at:

[www.agecymru.org.uk/local](http://www.agecymru.org.uk/local)

### Care Inspectorate Wales (CIW)

CIW inspects and regulates care and social services in Wales.

Tel: 0300 7900 126

E-mail: [ciw@gov.wales](mailto:ciw@gov.wales)

Website: [www.careinspectorate.wales](http://www.careinspectorate.wales)



## Carers Wales

A charity providing information, advice and practical and emotional support for carers.

Tel: 029 2081 1370

E-mail: [info@carerswales.org](mailto:info@carerswales.org)

Carers UK Helpline: 0808 808 7777

Website: [www.carerswales.org](http://www.carerswales.org)

## Citizens Advice

National network of free advice centres offering confidential and independent advice, face to face or by telephone.

Tel: 0800 702 2020

Details of your nearest CAB can be found at:

[www.citizensadvice.org.uk/wales](http://www.citizensadvice.org.uk/wales)

## Dewis Cymru

This is a website owned and funded by local authorities across Wales. The site was set up by the Welsh Government to assist in the delivery of certain provisions in the *Social Services and Well-being (Wales) Act*. The Dewis Cymru site contains an extensive database of a wide variety of services that can help people with their well-being.

[www.dewis.wales](http://www.dewis.wales)

## Disability Rights UK

An organisation run by and for disabled people working on campaigns and policy. They have a 'Guidance & Resources' section on their website which contains a range of information.

Tel: 0330 995 0400 (for general enquiries)

E-mail: [enquiries@disabilityrightsuk.org](mailto:enquiries@disabilityrightsuk.org)

Website: [www.disabilityrightsuk.org](http://www.disabilityrightsuk.org)

## **Disclosure and Barring Service (DBS)**

This service assists employers to make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups.

Tel: 03000 200 190 (English) / 03000 200 191 (Welsh)

Website:

[www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service)

## **HM Revenue & Customs**

Can provide information to those considering becoming employers.

Tel: 0300 200 3200

Website: [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

## **Llais**

A body that represents the voices and opinions of people in Wales in regard to health and social care services.

Tel: 029 20 235558

E-mail: [enquiries@llaiscymru.org](mailto:enquiries@llaiscymru.org)

Website: [www.llaiswales.org](http://www.llaiswales.org)

Contact details for your local Llais team: [www.llaiswales.org/in-your-area](http://www.llaiswales.org/in-your-area)

## **Older People's Commissioner for Wales**

Independent champion for older people across Wales.

Tel: 03442 640 670

E-mail: [ask@olderpeople.wales](mailto:ask@olderpeople.wales)

Website: [www.olderpeople.wales](http://www.olderpeople.wales)

## **Pensions Regulator (The)**

Information for employers about their duties to automatically enrol their employees into a pension scheme.

Tel: 0345 600 1011

Website: [www.thepensionsregulator.gov.uk/en/employers](http://www.thepensionsregulator.gov.uk/en/employers)

## Public Services Ombudsman for Wales

The Ombudsman looks to see whether people have been treated unfairly or have received a bad service from a public body, such as a local authority or the NHS. People who fully self-fund their care also have the right to escalate a complaint about those services to the Ombudsman.

Tel: 0300 790 0203

E-mail: [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

Website: [www.ombudsman.wales](http://www.ombudsman.wales)

## Social Care Wales

Social Care Wales is responsible for regulating and developing the social care workforce in Wales

Tel: 0300 303 3444

E-mail: [info@socialcare.wales](mailto:info@socialcare.wales)

Website: [www.socialcare.wales](http://www.socialcare.wales)

## Welsh Government

The devolved government for Wales.

Tel: 0300 060 4400

E-mail: [customerhelp@gov.wales](mailto:customerhelp@gov.wales)

Website: [www.gov.wales](http://www.gov.wales)

## 22 Further information about Age Cymru

### 22.1 Who we are

**Age Cymru is the national charity for older people in Wales. We work to develop and deliver positive change with and for older people.**

Together with our local partners:

- we provide information and advice;
- we deliver wellbeing programmes;
- we provide independent advocacy;
- we support carers; *and*

- we campaign and research.

## **Age Cymru**

Mariners House  
Trident Court  
East Moors Road  
Cardiff  
CF24 5TD

029 2043 1555

[www.agecymru.org.uk](http://www.agecymru.org.uk)

Registered Charity 1128436

## 22.2 **How we can help**

### **Age Cymru Advice: our information and advice service for matters affecting people over 50 in Wales**

Age Cymru Advice is committed to being the foremost information and advice service to older people in Wales. We aim to provide effective, accessible, high-quality information and advice while offering a free, impartial and confidential service. Age Cymru Advice can assist older people themselves, their family, friends, carers, or professionals. All of our guides and factsheets are available to download from our website, or you can contact our advice line to have copies posted to you for free.

### **Local support**

Age Cymru Advice also acts as a gateway to our local services. Face to face support via local offices and home visits may be available to people requiring additional or more specialised support.

### **Getting in touch**

If you want to talk to one of our expert advisers, in Welsh or English, call us on **0300 303 44 98**. Our advice line is open between 9am and 4pm, Monday – Friday.

(Calls are charged at the same rate as a call to a standard 01 or 02 number. They will also be automatically included in any landline or mobile inclusive minutes package).

You can also:

- email us at [advice@agecymru.org.uk](mailto:advice@agecymru.org.uk); *or*
- visit our website at [www.agecymru.org.uk/advice](http://www.agecymru.org.uk/advice)



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a hynny mewn modd sy'n gyson  
providing a consistent approach to quality information  
and advice for the people of Wales



[www.facebook.com/agecymru](http://www.facebook.com/agecymru)



[www.twitter.com/agecymru](http://www.twitter.com/agecymru)

### Sign up to our newsletter

Our quarterly newsletter contains details of our campaigns, services and how you can support our work. Sign up today by visiting:

[www.agecymru.org.uk/agematters](http://www.agecymru.org.uk/agematters)

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## 22.3 How you can help

All the information and advice we provide is free and completely impartial. In many cases our timely intervention can be life changing. We are an ageing population and more people than ever are coming to us for support. You can help us be there for those that need us most.

### Make a donation

No matter how small or large, donations make a massive difference and help us continue our important work.

Call: **029 2043 1555**

Visit: [www.agecymru.org.uk/donate](http://www.agecymru.org.uk/donate)

Every donation we receive helps us be there for someone when they need us.

- £10 helps towards a fully trained expert advice worker to respond to queries from people who need the support of our information and advice service.
- £20 helps towards the cost of us producing free information guides and factsheets that provide useful advice on issues affecting people over 50.

### Fundraise

Whether it is having a bake sale, running a marathon or knitting small hats for the Big Knit, there are so many ways to raise vital funds to support our work.

Call: **029 2043 1555**

Visit: [www.agecymru.org.uk/getinvolved](http://www.agecymru.org.uk/getinvolved)

### Volunteer with us

All volunteer roles at Age Cymru support us to improve lives. However you'd like to get involved, we'd love to hear from you.

Call: **029 2043 1555**

Visit: [www.agecymru.org.uk/volunteer](http://www.agecymru.org.uk/volunteer)

### Leave us a gift in your will

With a gift to Age Cymru in your will, you can do so much to make sure older people have the support they deserve in the years to come. Leave a world less lonely.

Call: **029 2043 1555**

Visit: [www.agecymru.org.uk/legacy](http://www.agecymru.org.uk/legacy)

