

direct payments the user guide



What is a Direct Payment?

A Direct Payment is a sum of money paid to you by the Trust to arrange your own support. You and your Key Worker will have discussed and agreed how your Direct Payment will meet your needs. However, as the employer, you will have flexibility and choice to ensure best use is made of the money available to you. To make it easier for you to manage this money, the Trust ask you to set up a separate bank account from which you can pay your Personal Assistant or Agency. This will also make it easier for you to keep records for the Trust. The money will be paid to you on a monthly basis for you to pay staff or services from an agency to meet the needs that have been agreed with your Key Worker.



Centre for Independent Living N.I. (CILNI)

CILNI will give advice and guidance on being an employer and all the responsibilities that come with this role including Auto Enrolment compliance for staff eligible for a pension. It is an organisation that can help you decide on a rate you can afford to pay your worker.



Finding Staff

You can decide who you want to employ to support you. This can include family and friends. However, partners or relatives living with you can only be employed in exceptional circumstances.

You need to consider who you could employ when your staff go on holiday or are off due to illness. CILNI can assist you to find staff if you have no-one in mind. In some instances, an Access Northern Ireland check (police check) will be required and your Key Worker will be able to arrange this for you.



Terms and Conditions of Employment (Contract)

The law requires you to give your employees a written statement of their terms and conditions of employment. CILNI or the insurance company can assist you with setting this up. They have documents they can tailor to your individual circumstances.

Insurance

The law requires you to have Employer's Liability and Personal Liability Insurance in place before your worker starts. The Direct Payment will cover the cost of this policy and your Key Worker can advise you further. You will need to provide The Trust with a copy of your insurance certificate on a yearly basis upon renewal.



Staff Training

Your Key Worker will help you to identify any training that your staff might require and they can access this free training for you.

Payment of Staff

Although the Trust have an hourly rate they use to calculate how much to give you, this hourly rate should not be confused with what you pay a worker. For example, Employer's National Insurance, payroll costs, holiday cover etc needs to be factored into your budget. CILNI can help you with this.

It is very important that you keep any payroll provider up-to-date with any changes, so that they can inform HMRC (taxman) promptly to avoid fines.



Health and Safety

You and your staff are jointly responsible for providing a safe working environment. Your Key Worker will be able to advise you on this.

Difficulties with staff

In the event of a difficulty arising with the person you employ, your first step is to contact the 24 hour employment law helpline that is connected to your insurance policy or Labour Relations if your policy does not include this service. If you are experiencing difficulty in following their advice, CILNI will be able to assist you further.



Staff who Leave

When staff leave, it is important they provide you with a letter of resignation and you pay them for any holidays they have accrued.

How the Trust Keeps Track of Your Direct Payment

Your Direct Payment bank statements need to be sent to the finance department in the Trust every three months. You may be asked to provide other documentation to show how you spent the Direct Payment and your Key Worker can advise you if this is required.



Managing a Direct Payment for Someone Else

You may be looking after someone who would benefit from having a Direct Payment but who is unable to give consent. You can receive and manage a Direct Payment on behalf of the person you are caring for if you are legally appointed to do so. You will need to discuss this with your Key Worker who will advise you further.



Changes in Your Needs

Your Key Worker will be required to review your needs and ensure the Direct Payment is still appropriate for you. However, if your needs change before your review, you can contact your Key Worker to ask for a reassessment, for example, if you go into hospital, become unwell, if your carer is not able to continue to provide support.




When Support is no Longer Required

When a situation arises that support is no longer required, support staff will need to be made redundant. Your insurance company or payroll provider will be able to tell you if the worker is due:

- Holiday pay
- Paid notice
- Redundancy payment

Useful Telephone Numbers



 Health and Social
Care Board

 Western Health
and Social Care Trust

 Belfast Health and
Social Care Trust

 Northern Health
and Social Care Trust

 Southern Health
and Social Care Trust

 South Eastern Health
and Social Care Trust



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