



moray Self Directed Support

Option 1/Direct Payment Information



What Can I Use Option 1 for?

Personal Assistants

You may choose to employ a Personal Assistant (PA) who will support you to meet your outcomes. Should you decide that this is the best option for you, you would become an employer or alternatively you could appoint someone to become the employer and act on your behalf. In this instance, your budget would be paid into a managed account (see page 5)

External Providers

You may wish to purchase support from external providers to meet your outcomes, eg. you may wish to use your budget to purchase services from a care provider or have regular support from alternative therapies.

One Off Payments

You may receive a one off payment to pay for things like respite, short breaks or to purchase a piece of equipment.

In the instance where you are not employing a Personal Assistant you will need to have a separate bank account which has a zero balance for the money to be paid into. If you do not have one, you would be expected to open one for this use and provide details to the SDS team by completing a bank details form. It is your responsibility to retain proof of purchase which will be audited on an annual basis.

Direct Payment Funds

Your direct payment will be paid into your account on a four weekly basis meaning that there will be 13 payments over the course of the year. A copy of this pay schedule can be obtained from your Direct Payment Co-ordinator on your request.

Responsibilities of a Direct Payment

Choosing a direct payment comes with added responsibilities and legal obligations which you must follow. You must:

- Ensure that you use your direct payment to meet the outcomes as identified on your support plan (if you do not have a copy of your support plan, please contact your social worker).
- Inform your social worker of any changes to your circumstances.
- Ensure you follow good practice in line with employment law if you employ a Personal Assistant.
- Inform your direct payment co-ordinator if you are not managing your direct payment.
- Keep your financial records for up to 6 years.
- Submit financial records on request from the SDS team for audit purposes.
- Ensure your financial records are readily available to be reviewed within one month of your direct payment ending to allow for a closing review to be carried out.

Please note that you can claim a maximum of £35.00 per year to cover any administration costs that are associated with your direct payment. In order to claim this back, you should submit any receipts to your payroll provider for reimbursement or evidence the expenditure when using a self-managed account.

Option 1 – Hospital Admittance

Agency

If you receive care from a service provider and you are admitted to hospital, the care will remain in place for a four week period before it will be reviewed. If your stay in hospital exceeds the four weeks, the service will stop and will only recommence once your date of hospital discharge has been confirmed. Your payroll provider should not invoice you during your hospital stay.

Personal Assistant

Your Personal Assistant will continue to be paid for their contracted hours whilst you are in hospital. If your stay exceeds a four week period, your social worker will carry out an assessment of your needs to determine the best course of action. In some instances the hospital may request the support of your Personal Assistant during your stay in hospital. This has been beneficial for individuals with dementia.

Option 1 – Financial Reviews

Moray Council have a responsibility to carry out an annual financial review to ensure that any public money that is given to you is spent appropriately. The misuse of payments will be investigated and payments may be stopped. Please note that Moray Council is entitled to seek repayment of any monies that have been misspent. Your direct payment co-ordinator will ask you to sign a Letter of Agreement at the time of their initial visit. By signing this agreement you are confirming that you have read and understood these terms. You will be given a copy of this letter to retain for your records and one will be returned to the SDS team to keep on file.

When the financial review is due to be carried out, the SDS team would request the following:

- Bank Account Statements (this will be obtained from the payroll provider);
- Any invoices or receipts;
- Any cheque nooks or stubs;
- Remittance advice notifications;
- The completed Direct Payment financial recording forms; and
- Any other paperwork associated with the Direct Payment Account.

With regards to any one off payments, please note that a financial review should be carried out within a three month period.

Moray Council permits a contingency to accrue in the Direct Payment Account. This is 12 weeks when employing a Personal Assistant or 6 weeks in all other situations. At the time of the financial review, any monies in excess of this will be reclaimed by Moray Council.

Option 1 Direct Payments – Bank Account (Managed Account - Employing a PA)

Managed Account

- If you choose to receive a direct payment for employing a Personal Assistant's, your money will be paid into a managed account via a payroll provider of your choosing from Moray Council's Approved Payroll List. This means that the payroll provider will make all necessary financial transactions on your behalf.
- The payroll provider will maintain your financial records and will submit these to the Moray Council on an annual basis for a review to be carried out.
- You will be asked to select a payroll provider from Moray Council's Approved Payroll Provider's list.
- Through Option 1 you will still hold control over your budget and will be responsible for the funds within the managed account.

Your Payroll Provider will:

- Pay your Personal Assistant's wages, provider fees or any other bills.
- Make any necessary payment to Her Majesties Revenue and Customs (HMRC).
- Deal with pension auto-enrolment on your behalf.
- Support you with your employees holiday pay, sick pay, maternity pay and redundancies.
- Be able to assist you with any payroll queries in relation to your package.

Option 1 Direct Payments – Unmanaged Account

An unmanaged account is an account that has been opened by yourself at the bank of your choice. You will have direct access to this account and manage your own financial transactions.

Please note that you are unable to have an unmanaged account if you are choosing to employ a Personal Assistant. Moray Council will allow the use of an unmanaged account where money is being provided for you to purchase support or equipment where a Personal Assistant is not involved.

The money will be transferred into your account to enable you to manage this spend independently. This account must have a zero balance and only be used for the purpose of the direct payment. Your account will still be subject to a financial review. You must retain a record of all expenditure for all transactions in relation to this account and submit when requested for annual review.

Option 1 – Employer’s Liability Insurance

As an employer, you are required by law to have employer’s liability insurance to safeguard both yourself and your employees.

FISH Insurance provide the insurance cover for those in receipt of SDS. Moray Council will fund this full cover. The full cover policy will give you access to 24 hour legal advice and support through employment law specialists Peninsula. Contact telephone number for Peninsula is 0844 892 2772.

Each week, additional money will be paid into your managed account alongside your SDS budget. This money should build up over the year and will be used to pay the following year’s insurance when it is due. Should you receive an invoice from FISH regarding the renewal of your policy, please forward this to your payroll provider for payment.

FISH will issue you with an insurance policy document and certificate. Please ensure that you retain this for your own records.

Should you need to contact FISH direct you can do so on 0333 331 3900 or visit www.fishinsurance.co.uk