

London Borough of Barking and Dagenham Direct Payment Factsheet

Who is this factsheet for?

This factsheet is an introduction to direct payments and give you an opportunity to decide whether a direct payment is suitable for you.

What is a Direct Payment?

Direct payments are local council payments for people who have been assessed as needing help from adult social care, and who would like to arrange and pay for their own care and support services instead of having them arranged by the local council. Having a direct payment gives you choice and control over how you organise, buy and manage your care and support.

How can I use Direct Payments?

You must have been assessed as needing Social Care Services to receive a direct payment. You must use the Direct Payment to purchase services or items that help you to meet your Social Care Needs. A support plan will demonstrate how you can achieve the outcomes that are important to you and how you can meet your Social Care needs. You may have to prioritise outcomes and needs that are particularly important to you. A range of support services are available, and direct payments can be used to buy either all of the support that a person has been assessed as needing, or just part of that support. It can include:

- Personal care and assistance to help you to live in your own home
- Short breaks and respite care
- Support to access community, social and leisure activities
- Support for carers
- Items of agreed equipment

A person may wish to use their direct payment to employ a Personal Assistant/s (PA) to help them with meeting their needs.

How do I get a Direct Payment?

You will have a social care assessment and a financial assessment to determine if you are eligible for ongoing support from us and if you are required to make a financial contribution. If you are eligible for ongoing support, you will be allocated a personal budget. You will need to show how you intend to spend the budget within a care and support plan which will need to be agreed with your social worker.

You can choose how you wish to receive your personal budget from a range of options which includes direct payments, or you may choose to use a combination of options for different elements of your care and support. If you are required to make a financial contribution, this will pay for the first part of the care, with LBBB contributing the balance of the personal budget.

If you choose to receive all your personal budget as a direct payment your contribution will need to be paid into the pre-payment account. Without this you will not have enough money to pay for the support you need.

You can receive your direct payment into a pre-payment account set up by LBBB, this is adult social care's primary method for providing a direct payment and it will be loaded into your pre-payment account. You manage this money and use it to purchase your support. You can use the card on the internet, the telephone or face to face. It is like a debit card so you cannot run up a debt on it. You can view your pre-payment account statements online or choose to receive monthly statements to help you manage your direct payment. This is the safest and easiest way to manage your direct payment. It also makes the monitoring process much easier for you.

You may decide that you do not wish to manage your pre-payment account yourself and you can choose to have a payroll provider manage it on your behalf, a social worker will be able to advise you on what payroll providers are available. They will have access to your pre-payment account and pay for your care on your behalf.

How do I make my financial contribution to a Direct Payment?

All Direct Payments are subject to the Council's Charging policy. Following financial assessment by the Council, you must make your personal contribution towards your Direct Payment (if applicable) into your pre-paid card or bank account as per the Direct Payment Agreement 4 weekly in advance. If it is found that your personal contribution has not been paid into the Direct Payment account, you will be liable for this amount. The council will issue an invoice and follow its usual debt recovery procedure to reclaim unpaid client contributions and misspends.

Is a Direct Payment suitable for me?

A direct payment is an agreement between yourself and LBBB to use your personal budget for support as outlined in your care and support plan. LBBB have a responsibility to ensure public funds are being used correctly and therefore you will be required to keep receipts and records of how you spend your payment and regularly review how it is being spent. You are also required to ensure you make a financial contribution if you are assessed as needing to. You will then have the flexibility to arrange your own care and support that best meets your needs. If you decide to use a Direct Payment to employ a Personal Assistant, you will be responsible for complying with your obligations as an employer. LBBB has commissioned a support service, Vibrance, to assist you with this. You will also be required to obtain Employer's Liability Insurance and to follow any guidance and /or advice from the insurer to ensure you have cover.

If you do not wish to manage this responsibility yourself, you can nominate a family member or friend who is willing and able to do so on your behalf. They will be required to sign the direct payment agreement on your behalf. If you are unable to manage the payment and do not wish to nominate an individual or use a payroll provider, then a direct payment is not a suitable way to manage your care and support. In this instance LBBB can commission and manages services for you.

London Borough of Barking and Dagenham Direct Payment Policy

1. Document Summary

This document outlines the London Borough of Barking and Dagenham's (LBBD) approach to Direct Payments.

Direct Payments are the Government's preferred mechanism for personalised care and support. They provide independence, choice and control by enabling people to buy their own care and support in order to meet the outcomes agreed in their support plan.

This policy is intended to assist officers and inform social care clients of LBBD of how direct payments are managed and sets out the Council's Direct Payment offer.

2. Introduction to Direct Payments

A Direct Payment is funding given by the Council to eligible individuals so that they themselves can pay for the services that will meet their assessed eligible unmet community care needs.

In April 2003, the Government published guidance on Direct Payments. All councils have had (with certain caveats and protections in place) a legal duty to offer people who are eligible for community care services the choice of receiving Direct Payments to manage their assessed eligible care needs. This policy follows the updated Direct Payment Guidance contained within the Care Act 2014 and the Care and Support (Direct Payments) Regulations 2014.

Direct Payments promote independence, choice and inclusion by enabling people to purchase the assistance or services that the Council would otherwise provide. Except for people requiring permanent residential care, Direct Payments should always be considered when deciding how to meet a person's assessed eligible community care needs.

Everyone in receipt of services can use the Direct Payment to buy the services they require to meet their needs, as set out in their support plan. Direct Payments are offered as an alternative to traditional care services or they can be offered for part of an individual's care while other needs can be offered or brought in another way.

The Care Act 2014 introduced a new responsibility to Councils to treat Carers in the same way as those requiring care. Direct Payments can be offered to Carers to meet their assessed eligible needs.

3. Eligibility, Consent and Capacity

3.1 Who is eligible to receive Direct Payments?

- Under the legislation, councils have a power (although not a duty) to make Direct Payments to;
 - Older and disabled people aged 16 and over in line with the Council's 'Prioritising Need' policy
 - A person with parental responsibility for a child
 - Carers aged 16 and over
 - An appropriately appointed suitable person
 - People ("restricted patients") who are conditionally discharged under the Mental Health Act 1983. Such people are offenders who have been detained in hospital under the Mental Health Act 1983 and who remain liable to recall to hospital if necessary, for their own health and safety or the protection of others
 - People who are compelled to receive a service as a result of any of the following
 - legislative provisions relating to mental disorder
 - Supervised community treatment, guardianship or on leave of absence from a hospital in which they are detained under the Mental Health Act 1983
 - Supervision by a social worker or probation service as a result of a supervision
 - order made under the Criminal Procedure (Insanity) Act 1964
 - An offender released on licence under the Criminal Justice Act 1991, which includes a requirement to accept treatment for a mental health condition
 - An offender on a community rehabilitation order under the Powers of Criminal Courts (Sentencing) Act 2000, which includes a requirement to accept treatment for a mental health condition; and
 - an offender on a community order or serving a suspended prison sentence under the Criminal Justice Act 2003, which includes a requirement to accept treatment for a mental health condition

3.2 Who is excluded from Direct Payments?

Direct Payments may not an option for people that are vulnerable, for example complex Learning Disability without an appointee or criminal justice legislation as follows:

- Offenders on a community order or serving a suspended prison sentence under the Criminal Justice Act 2003, which includes a requirement to accept treatment for drug or alcohol dependency.
- An offender on a community rehabilitation order or a community punishment and rehabilitation order or a community punishment and rehabilitation order under the Powers of Criminal Courts (Sentencing) Act 2000, which includes a requirement to accept treatment for drug or alcohol.
- Offenders released from prison on licence under the Criminal Justice Act 1991, the Criminal Justice Act 2003 or the Crime (Sentences) Act 1997 subject to an additional requirement to undergo treatment for drug or alcohol dependency.

- People subject to equivalent restrictions in mental health or criminal justice legislation in any other UK Jurisdiction.

3.3 Consent and Capacity

People who receive direct payments are responsible for arranging and managing their own or another person's care. This means that they take on legal responsibilities for example, employing staff. They need to maintain appropriate records and account to the Council for how direct payment monies are spent.

Before people consent to receive direct payments, they should be fully advised about their rights and responsibilities in relation to direct payments. Consent must be given voluntarily, and no one should feel forced or obliged to accept a direct payment if they do not wish to do so.

Where there is any doubt about a person's ability to consent to direct payments, the Local Authority must assess whether the person has capacity to consent before making Direct Payments available. Clients who would otherwise have no-one to support them should be offered an advocate and in such cases, staff must refer to the Mental Capacity Act 2005 and its accompanying Code of Practice.

Inability to consent to receiving a direct payment does not mean a person with eligible needs cannot receive a direct payment provided that a suitable person is appointed to manage the direct payments on their behalf.

In the case of people who are unable (including those who lack the requisite mental capacity to consent - please refer to Mental Capacity Act 2005 and Code of Practice) to manage their own Direct Payment, an appointed Suitable Person can receive a Direct Payment to secure services to meet the assessed eligible community care needs of the individual. People may also ask non-paid carers or others to help or support them in managing their Direct Payment where they have capacity to request this. This may include helping them to secure the services they require.

The Council (Social Worker) will make the decision about whether someone is considered a suitable person to manage the Direct Payment on behalf of the person who cannot consent or is not able to manage their Direct Payment. Someone may be considered suitable if any of the following applies:

- There are no substantiated allegations of financial abuse or neglect.
- There is no reason to believe they pose a risk to the person in receipt of services.
- They can manage the Direct Payment.
- They will work in accordance with the Children's Acts (1989 and 2004) and Mental Capacity Act (2005).
- They have parental responsibility and there are no substantiated allegations of financial abuse or neglect.
- There is a suitable Trust in place whereby the representative or suitable person acts as trustee holding property for the benefit of the Direct Payment recipient.
- There is a valid registered lasting (or enduring) power of attorney and there are no substantiated allegations of financial abuse or neglect.

- There is a Court Appointed Deputy and there are no substantiated allegations of financial abuse or neglect.

3.4 Authorised Person

Where an individual lacks the mental capacity to make the decision to manage their own care and support, they will be assessed under the Mental Capacity Act 2005. In these cases, an “authorised person” can be nominated, following a best interests meeting, in accordance with the Act. The social worker will ensure the person understands the responsibility of their role and that they cannot also be paid with the direct payment. This is a meeting held with those relevant to the individual and the Council, to determine whether the decision in question is in the best interests of the individual.

The authorised person will sign an agreement to receive and manage the money on behalf of the individual. By doing so they take on the legal responsibility related to employing and managing paid staff employed through the Direct Payments scheme.

It would not be considered suitable for someone who is being paid from the Direct Payment account (e.g. as a Personal Assistant or Care Provider) to also act as an authorised person.

If an authorised person is not a close friend, spouse, partner or a relative of the person receiving support, the authorised person must complete a Disclosure and Barring Service (DBS) check prior to taking on the responsibility of managing the Direct Payment funds.

A court-appointed deputy or a person that has Power of Attorney (enduring Power of Attorney, or its replacement, Lasting Power of Attorney) can act as an authorised person to receive a Direct Payment on behalf of an individual who lacks capacity, if that person agrees to this.

Where the Council acts as Deputy for Property & Affairs or Corporate Appointee it will not act as the Authorised Person.

Where someone with capacity was receiving a Direct Payment but then loses capacity to consent, the Council will discontinue the Direct Payment to that person and consider making payments to an authorised person instead. In the interim, the Council will make alternative arrangements to ensure continuity of support for the person concerned. Where an individual loses capacity and there is a nominated person receiving the Direct Payment, then the Council will review the suitability of continuing that arrangement on a temporary basis until the appointment of an authorised person can be considered.

3.5 Nominated Person

Individuals with mental capacity who do not wish to take on the responsibility of managing the Direct Payment can choose to nominate another person to administer the money. The purpose of this arrangement is to enable people who receive support to retain control over their support and care, while not having to manage the financial

part of this, as the nominated person will do this on their behalf. Often the nominated person will be a family member or spouse.

The nominated person will sign an agreement to receive and manage the money on behalf of the individual. By doing so they take on the legal responsibility related to employing and managing paid staff employed through the Direct Payments scheme. If a nominated person is not a close friend, spouse, partner or a relative of the person receiving support, the nominated person will be required to have a Disclosure and Barring Service (DBS) check completed prior to taking on the responsibility of managing the allocated funds.

It would not be considered suitable for someone who is being paid from the Direct Payment account (e.g. as a Personal Assistant or Care Provider) to also act as the nominated person.

If a Personal Assistant is being employed, then the representative must be able to comprehend relevant legislation and the responsibilities of being an employer. In these circumstances, the representative is the employer and is responsible for all elements of the Direct Payments and employment law relating to this.

People with an episodic or fluctuating condition, may still be able to manage their Direct Payment. However, some people with these conditions may prefer to nominate an individual (e.g. a relative, friend or professional advisor) to assist them with managing their Direct Payments when their condition becomes acute.

4. Using Direct Payments

4.1 What a Direct Payment CAN be spent on - Guiding Principles?

The Council cannot draw up an exhaustive list as to how people can/cannot spend their Direct Payment. Each case must be decided on its own merits and documented in the customer's support plan, based on the following key principles. The service, activity or item proposed should:

- Be clearly linked to the outcomes identified in the Support Plan to meet the person's assessed eligible community care needs.
- Be able to show how it will keep the individual healthy, safe and well.
- Be affordable and proportionate to the assessed eligible community care needs of the person.

4.2 Examples

The Direct Payments scheme has been designed to apply to a wide range of community care services in accordance with the Care Act 2014 and the Care and Support (Direct Payments) Regulations 2014. These could include:

- Employing a Personal Assistant to help the individual with their daily living requirements.
- Usually, people will be expected to fund actual activities from their income. However, occasionally, there may be circumstances where the activity itself meets

an assessed critical or substantial need and, in such cases with prior agreement and not retrospectively, a Direct Payment may be given for the activity itself as well as for the paid support he or she will need to access that activity.

- In exceptional circumstances, to purchase equipment or an item of the person's choice that would enable them to meet their assessed eligible care need themselves. The person sources their choice of equipment and agrees with the Council that it is suitable to meet their assessed eligible care needs.
- Respite care, the purpose of respite is to provide an alternative to regular informal care, usually in order to facilitate carer relief.
- Direct payments cannot currently be used to pay for long term care home placements. However, they can be used to purchase a short-term stay, provided this does not exceed a period of four consecutive weeks in any 12-month period. It may be that respite is taken in a private residential setting, or it may take place within the home with support from a carer. A Direct payment could be made to cover the cost of the support the person will need while they are away from home, or the cost of the care provided in the home, while the main informal carer is away. Alternatively, it might also be possible to use the payment to fund the support to meet assessed eligible community care needs while on holiday (without the main informal carer).
- There may be exceptional circumstances when the main informal carer will also go on holiday but will not be providing the assessed care. General holiday expenses, such as the hire of a caravan, hotel or travel will need to be funded from the person's own income. How the respite will take place will be agreed with the person and recorded in their support plan.

4.3 What a Direct Payment CANNOT be spent on:

Working within the above guiding principles, the following are things a Direct Payment cannot be spent on:

- Permanent residential care,
- An activity or item that exposes the individual to serious risk from someone else/themselves,
- Funding support provided by anyone living in the same house except in exceptional circumstances,
- Anything that is not covered by the support plan,
- Any type of illegal activity,
- Any services provided by the NHS including incontinence related products,
- A substitute for Disabled Facilities Grants,
- A self-employed Personal Assistant,
- Gambling
- Paying off personal loans
- Redundancy pay for a Personal Assistant
- Anything else that is not an assessed eligible community care need

4.4 Employment of Personal Assistants

LBBB strongly recommends that a Direct Payment recipient planning to employ anyone (including family members) conducts an Enhanced DBS check.

If a Direct Payment is used to employ a Personal Assistant, the Direct Payment recipient must act as a responsible employer in line with employment legislation. Anyone employed through a Direct Payment will not be considered an employee or agent of LBBB. The Council (Social Worker) must ensure there is enough allocation of funds to cover requirements such as small contingency for sickness pay/holiday pay/maternity leave/replacement care, Debarring Service Check, Insurance, etc.

As an employer, it is the responsibility of the Direct Payment recipient and not the Council to ensure all legislation is adhered to and all necessary insurance from insurers who cover home employment is taken out and necessary training completed. The Direct Payment recipient must ensure that they retain enough funding from the Direct Payment to cover their potential employer responsibilities. The Direct Payment recipient is strongly urged to obtain and follow the legal advice provided by their home employment insurance provider as a failure to do so may result in them being personally liable for any award of compensation and / or legal costs related to or made by a Court or Employment Tribunal . All employers must register with HM Revenue and Customs, regardless of whether any tax and national insurance contributions are being paid. All employers are also legally responsible for checking that their employees have a legal right to work in the UK; failure to do so could result in a civil penalty (fine) and / or criminal liability.

The 2009 Direct Payment Regulations excluded the payment from being used to pay for care from a close family member living in the same household, except where the local authority determined this to be necessary.

While the Care and Support (Direct Payments) Regulations 2014 maintain this provision regarding paying a family member living in the same household for care, it provides a distinction between 'care' and 'administration/management' of the direct payment. This allows people to pay a close family member living in the same household to provide management and/or administrative support to the direct payment holder in cases where the local authority determines this to be necessary. This is intended to reflect the fact that in some cases, especially where there are multiple complex needs, the direct payment amount may be substantial.

The management and administration of a large payment, along with organising care and support can be a complex and time-consuming task. This allows family members performing this task to be paid a proportion of the direct payment, like what many direct payment holders pay to third-party support organisations, if the local authority allows this. The circumstances and payment amount should be decided and agreed with the person requiring care and support, the family member, local authority and any other person (i.e. advocate), with the local authority taking steps to ensure all parties agree.

These decisions should be recorded in the care and support plan and include the amount of the payments, their frequency and the activities that are covered. This arrangement must also be considered during allocation of the personal budget so that the amount remains enough to meet the person's needs.

5. Managing a Direct Payment

5.1 Frequency of Payments.

Direct Payments will be paid into the individual's Direct Payments bank account in line with our billing periods every 4 weeks, in advance to the nominated bank account. Payments will be made net of any contribution.

5.2 Payment methods.

The use of a pre-paid debit card account is LBBB's default option for managing Direct Payments and should be considered when setting up and/or reviewing the Direct Payment. The benefits of having a pre-paid card should be advised to all service users. This should include that the payment goes direct onto the card enabling individuals to pay for their eligible support easily. They can view and manage their account online. It also allows them to set up regular payments such as direct debits and standing orders and purchase goods and services they need in-store and online. There is no need to set up a separate bank account or send in regular statements as this is done automatically by the Council. The pre-payment accounts can be managed by a third-party payroll provider however the individual will retain responsibility for responding to audit requests and instructing the managed account provider on day-to-day transactional activity.

Service users will have the opportunity to request that the payment is made into a conventional bank account and will be made aware of this during the support planning stage of the assessment and support planning process. The Council will make available the option of advocacy support to any individual who requests that the Council considers other arrangements.

If a Bank Accounts is chosen as the preferred method of payment, Direct Payments will only be paid into a separate and appropriately named bank account, which will be used solely for the purpose of managing Direct Payments. This is to ensure that the individual does not confuse their personal funds with their Direct Payment funds and will allow efficient record keeping, monitoring and auditing, both for the individual themselves and the Council for audit purposes.

5.3 One-off payments.

In exceptional cases Direct Payments for respite, equipment and carers could be made as one-off payments as documented in the Support Plan.

5.4 Managed Accounts.

It is possible for people who have been assessed, under the Mental Capacity Act as lacking the requisite mental capacity to manage a Direct Payment to still receive one. An agreement might be reached with the Council whereby a relative or other carer can manage the person's Direct Payment account on their behalf. In such circumstances, a person who agrees to manage an account on behalf of someone, will be personally accountable for the individual's personal budget in the same way that the individual would have been had they had mental capacity to do so themselves.

5.5 Reserves

The Council will allow the Direct Payment recipient to retain an agreed reserve of 8 weeks DP monies in their Direct Payment account at any one time. The Direct Payment bank account will be audited regularly and any obvious surplus in excess of the agreed reserve will be reclaimed by the Council via pre-paid accounts or in the cases where the customer has a conventional account will need to be repaid to the Council.

5.6 Mixed Packages of Care

Individuals may want to carry on receiving some services purchased via directly provided packages of care (arranged by LBBD) whilst purchasing their other services via a Direct Payment. In addition, there may be good reasons for the Council agreeing to provide part of a person's care package directly but making a Direct Payment in respect of certain parts of the care package. In such circumstances the customer's financial contribution will always be netted off the direct payment.

5.7 Contributions to Care

All Direct Payments are subject to the Council's Charging policy. Following financial assessment by the Council, the individual must make their personal contribution towards their Direct Payment (if applicable) into their pre-paid card or bank account as per the Direct Payment Agreement 4 weekly in advance.

A Direct Payment will not be paid if the assessed contribution is greater than the Direct Payment amount. The assessed contribution is the first element of payment with the Direct Payment making up the difference to ensure the support needs can be afforded. If the assessed contribution is less than the Direct Payment, the amount of the contribution will be deducted from the Direct Payment before the payment is made. If it is found that the personal contribution has not been paid into the Direct Payment account, the individual will be liable for this amount. The council will follow its usual debt recovery procedure to reclaim unpaid client contributions and misspends.

The amount of care may vary each week; however, the weekly contribution is a fixed amount and should always be paid into the Direct Payment account first. Direct payments will continue to be paid during holidays and hospital stays and the contribution also needs to continue during this time.

When a contribution is applicable to a respite payment, that contribution should also be paid into the Direct Payment bank account.

5.8 Use of own resources

To purchase additional or enhanced services to those agreed in the support plan, the Direct Payment recipient can add to their Direct Payment from their own disregarded income or capital. Top up amounts to providers must not be paid for out of Direct payment monies or the individual's personal contribution. Top up payments should be funded by the customer (or a nominated third party) from disregarded income or capital only or by a third party.

5.9 Self-Funders

If, after the financial assessment, the individual has to pay the full amount for their services, individuals may still decide to use the Council for support and advice on how to meet their own care needs, but they would not be eligible for a Direct Payment.

6. Direct Payment Agreement

All recipients and/or suitable persons nominated must sign the Direct Payment Agreement before a Direct Payment can be made (or continue to be made). The Direct Payment Agreement sets out the arrangements between the individual and the Council as to how a Direct Payment will be spent (or continue to be spent) to achieve the outcomes detailed in the Support Plan. The agreement covers the payment, management; reviewing and auditing arrangements, which the Council, and individual will need to follow and refers to policies and other documents useful in the management of a Direct Payment.

7. Monitoring and Review of the Direct Payment

The principles underpinning ASC's approach to monitoring are to ensure the Direct Payment is being spent appropriately to support the individual, and to protect and account for public funds. In signing the Direct Payment Agreement, the Direct Payment individual accepts the responsibility of ensuring the recording of all income and expenditure and to keep appropriate records and supporting documentation for a period of six years, even if the Direct Payment has come to an end. The submission of monitoring information when requested is a key element of the Direct Payment Agreement;

- monitoring aims to be proportionate and while the process is different for each of the three payment methods, every Direct Payment is monitored for a number of indicators:
- the support being purchased is in line with that agreed in the support plan
- where a Personal Assistant is employed, there is evidence of appropriate HMRC payments being made
- evidence of employer's liability insurance where appropriate
- evidence that a payroll agency or alternative is being used to support pay calculations
- where a care agency is being used, CQC registration is evident where appropriate

- an appropriate level of contingency is being held in the account, generally four to six weeks equivalent of the Direct Payment
- any assessed personal contribution is being paid into the account.

All monitoring activity is undertaken with safeguarding in mind, ensuring that any concerns, financial or otherwise, are reported promptly and appropriately. Where concerns are identified, or where it would appear the individual could benefit from some further support in managing their Direct Payment, then a joint approach will be taken by the Brokerage Team and care management

7.1 Prepaid Cards

A prepaid card operates much the same way as the debit card that most people have for their personal accounts. Bank transfers can be made online or over the telephone, and the card can be used to purchase goods or services wherever card functionality is available.

The ability to withdraw cash is possible however LBBDD caution against this due to the lack of transparency. Where it has been agreed in advance with the Social Worker that cash withdrawals are appropriate in meeting outcomes identified in the support plan, receipts should be kept and may be asked for by the Brokerage Team to verify the purchases made. This approach ensures that funds are being spent appropriately, all employment obligations are being met and that the individual is protected from financial harm. Any cash payments must be accounted for with an original receipt, petty cash receipts are not a suitable form of evidence.

The Brokerage Team can access online, real time transaction information on each prepaid card account, largely removing the need for monitoring information to be requested from the individual.

Monthly exception reporting is run across all accounts, which allows particular transaction categories to be identified and reviewed further by the Direct Payment Team. Examples of this could be restaurants, shopping, or cash withdrawals. The occurrence of these transactions may be expected and allowable for some individuals, but often provides the first indicator that a fuller review is needed.

In addition to exception reporting, individual Direct Payments are periodically reviewed in full. While the in-depth detail of some Direct Payments may be monitored annually in line with their care management review, others will be reviewed on a more frequent basis. The latter scenario may occur where the individual is being supported to improve the management of the account, or while concerns are being investigated.

7.2 Bank Accounts

For individuals who hold separate bank accounts for the management of their Direct Payment, monitoring requests are made generally every 6 months; individuals are asked to submit copy bank statements to the Brokerage Team, annotated where transactions are not self-explanatory.

The information received is reviewed by the Brokerage Team and further information may be requested from the individual to support the monitoring review, such as carer payslips or invoices/receipts.

Where an individual consistently do not respond to monitoring requests, they may be asked to move to another payment method. If the individual refuses and/or continues to not respond, then the suitability of continuation of the Direct Payment will be considered by care management and the Brokerage Team working together. This may result in suspension or termination of the Direct Payment, and repayment of monies owed.

Where an individual wants the benefits of receiving a Direct Payment but does not wish to take on all the responsibilities of administering the account, then a managed payroll service is an effective solution. The Brokerage Team will pay the Direct Payment funds to the approved service, who will manage the account on behalf of the individual, dealing with payments for wages, HMRC etc and ensuring the account is regularly reconciled. The managed payroll service will also submit the required annual monitoring information to the Brokerage Team on behalf of the individual, and act as the first point of contact for many queries that arise. It must be noted that a payroll provider does not manage the Direct Payment and the responsibility of managing it sits with the individual or authorised person/suitable person.

For some individual this is an option of choice from the start of their Direct Payment, others may be required to move to this method when they have failed to manage their account appropriately using one of the other payment methods.

7.3 Mismanagement & Misuse

Monitoring activity may identify cases that require further review. This may be where concerns exist over how the Direct Payment is being managed, and in these circumstances the Brokerage Team will work jointly with care management to resolve the issues. Where this action does not resolve the concerns satisfactorily, or where Direct Payment funds have been identified as potentially misused, then the case will be referred for review. Following referral of a misuse case, the Direct Payment Monitoring Manager will consider the following:

- background to the case provided by brokerage or care management
- information available from case notes including any recent care management activity
- the extent of the misuse identified and the corresponding potential risks
- any further information required from the individual or their authorised/nominated person

Contact will be made with the social worker, or a request will be made to have the case allocated

The next steps will generally involve the social worker meeting with the individual to review the spend identified and discuss this in relation to the agreed outcomes within the support plan. Options for the future management of the Direct Payment will also

be considered and may involve the account being transferred to a managed payroll or commissioned service.

At all points in the process the continued wellbeing of the individual will be considered, and they will be encouraged to access additional advice and assistance through the Brokerage Team or independent advocacy services. Where concerns over fraud are highlighted, including fraud committed against other public bodies, the Brokerage Team and care management have a duty to report this to the Council's Internal Audit Investigation Team.

8. Recovery of Direct Payments

The Council reserves the right to recover Direct Payments, in line with the Council's debt recovery policy in the following circumstances:

- if the Direct Payment has not been used to meet agreed outcomes, as set out in the support plan,
- if the Direct Payment has not been used due to a temporary change in circumstances,
- if the Direct Payment recipient fails to meet any terms of the Direct Payment Agreement,
- if the Direct Payment recipient has failed to disclose other social care funding that should be considered when calculating the Direct Payment,
- if a Direct Payment has been overpaid or paid in error,
- if there is a surplus in the Direct Payment account, which has been accrued above the agreed amount,
- if the Direct Payment recipient has not met any condition which the Council has properly imposed in the Direct Payment Agreement or agreed letters.
- If, following termination of the Direct Payment, any Direct Payment monies remain in the Direct Payment account.

If, after allowances for outstanding costs and personal assistant payment contingencies, there is found to be a build-up of unused Direct Payment funds in the recipient's Direct Payment account, the recipient will be notified that these unspent monies will be recovered leaving 4 weeks payment in place.

If the Direct Payment recipient is no longer entitled to, or no longer wishes to receive a Direct Payment, and/or an overpayment has occurred due to an error on the part of the Council, the Direct Payment recipient will be notified that this overpayment will be recovered.

Where it appears that the Direct Payment recipient has been using their Direct Payment for items or services other than those specified in their support plan, or as set out in the Direct Payment Agreement, or there is evidence of deliberate misuse of funds, the Council will undertake a full reconciliation Audit to ascertain the exact amount of money that has been inappropriately used and seek to recover it.

If Direct Payments have been inappropriately used (either intentionally or unintentionally) due to mismanagement of the Direct Payment account, or the Direct Payment recipient has shown themselves incapable or unwilling to manage their Direct

Payment correctly, a review or reassessment will be undertaken as a matter of urgency. If the outcome is that the Direct Payment monies have been inappropriately used, the monies will be recovered.

9. Non-Payment of Assessed Contribution

Where monitoring shows that the individual's contribution has not been paid in full the Brokerage Team will write to the individual to remind them of their obligations and will provide the individual with assistance in resolving this. Brokerage will work with the individual or their authorised/nominated person to establish any shortfall on the DP account and to ensure that all employer obligations are being met such as HMRC payments, insurance, contractual wage payments, and that appropriate contingency planning is budgeted for.

Where the individual or their authorised/nominated person is off-setting non-payment of their assessed contribution by reducing their planned support hours, then the Brokerage Team will refer the individual to care management for review. Care management will then consider the risks to the individual of this reduced support level. Where no significant risks are identified then the Direct Payment amount may be reduced to reflect the lower level of support the individual now requires.

Where the full assessed contribution continues to be unpaid then the suitability of continuation of the Direct Payment will be reviewed and will result in suspension or termination of the Direct Payment and the provision moved to managed or commissioned services.

10. Termination of Direct Payments

If a Direct Payment recipient expresses a desire to terminate the Direct Payment, the reasons for the termination needs to be provided to the Council. They will then work with the individual to plan how their assessed eligible care needs will be met in an alternative way.

The Council reserves the right to terminate the Direct Payment if terms of the Direct Payment agreement are breached. If this happens, the recipient will be informed in writing. In such cases, the Council will then work with the individual to plan how their assessed eligible care needs will be met in an alternative way.

11. Safeguarding

People who receive a Direct Payment are entitled to make their own decisions and to take risks in the same way that any other person is entitled to make choices involving risk. It is however essential to put safeguards in place to prevent any potential abuse and to support Direct Payment recipients with making potentially hazardous decisions.

Safeguarding is everybody's responsibility and therefore it is essential that council staff, staff and volunteers of partner organisations, and members of the public remain alert and vigilant to the potential of abuse.

As with other people who receive support, those receiving Direct Payment may be at risk of abuse from family members, friends, carers, neighbours, professionals and strangers. People employing Personal Assistants may be at greater risk of abuse depending on the level of rigour and pre-employment checks undertaken during the recruitment process.

People in receipt of a Direct Payment have a detailed support plan and annual care management review, as do all people who receive support. If needs change during the year they will be reassessed, and their Direct Payment allocation may change. The Social Worker will assist the individual with appropriate contingency planning, including backup care provision and ensuring that there are enough funds set aside from the Direct Payment budget to cover expenses and bills related to the provision of Direct Payments. The monitoring approach undertaken by ASC has safeguarding at the core, with the Brokerage Team and care management working closely together to ensure any potential concerns are reviewed promptly.

12. Privacy and Data Protection

The Direct Payment Terms and Conditions they sign before the Direct Payment starts informs the individual or their authorised/nominated person that the information they supply relating to their Direct Payment: 'may be used by us in connection with the provision of other Council services to you. This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided for the prevention and detection of fraud. We may share/check the information provided with other bodies responsible for auditing or administering public funds, such as HM Revenue and Customs and the Department for Work and Pensions, in order to prevent and detect fraud.

The Data Protection Act gives you the right to see your personal information that we hold about you. We are also required under Part IIA of the Audit Commission Act 1998 to participate in the National Fraud Initiative (NFI) data matching exercise. Please see our Privacy Notice for further details; www.lbbd.gov.uk/general-privacy-notice .

The Council operates a Statutory Complaints procedure, which an individual may access should they experience dissatisfaction with their Direct Payment provision.

The Council's Brokerage Team are available to discuss any issues regarding the payments and the management of Direct Payments and can offer advice and guidance about Direct Payments.

The team can be contacted at DirectPayments@lbbd.gov.uk .

London Borough of Barking and Dagenham

Managing Your Direct Payment Factsheet

Who is this factsheet for?

This factsheet is about the direct payment records you must keep if you have direct payments from London Borough of Barking and Dagenham (LBBB). By law, we must monitor the financial records of people who have direct payments. Where you employ your own staff, you also need to follow any rules of HM Revenue and Customs about tax and National Insurance.

LBBB has a Direct Payment Team to provide information and support to people who would like to have direct payments, or who are already receiving them. The Direct Payment Team can give information on keeping direct payment records and how to recruit personal assistants and the responsibilities of being an employer. You can contact the Direct Payment Support Team yourself or ask your Social Worker to refer you.

Why Direct Payment records are important

It is important that you manage the direct payments properly so that you are able to get the care and support that you need, as shown in your care and support plan. You must provide LBBB with details of how you are spending the direct payment. It must also be clear that your assessed client contribution is being paid onto your pre-payment account, or into your dedicated direct payments bank account (your contribution should not be paid either directly to a provider or to a PA). The Direct Payment Team will contact you when they need to check your records which will be at regular intervals.

The direct payment records you keep must show how you have used the money to pay for care and support in line with your agreed care and support plan. You must keep all records such as bank statements, bills, cheque stubs, wage slips, receipts, and so on. You must also be prepared to share any, or all of these, with LBBB if we ask.

The minimum Direct Payment records you need to keep

Keeping direct payment records will help to protect you, the money you use to buy your care and support, and the people you pay to provide you care. LBBB suggests that you keep monthly records to make it easier for you to keep track of your income and spending. When you receive direct payments from LBBB you will need to keep:

- a copy of your care and support plan (your Social Worker will give you this);
- bank or building society bank statements
- bills and receipts if you have paid for services with cash

With the pre-payment account, LBBB will be able to view the bank statements online therefore reducing the amount of paperwork you need to maintain. However, you should keep these statements for your own records.

If you employ your own staff, even if they are only temporary, you will also need:

- a list of their names and addresses;
- a signed HM Revenue and Customs P45 (or use HMRC's Starter Checklist if they don't have a P45) for each of your staff and a salary and wages book, or individual deductions working sheets (please note a payroll organisation can help with this and you can find out more information from the Direct Payment Support Team)
- signed employment contracts for each person;
- Insurance documents; and
- time sheets that your carers must fill in and sign.

If you do not employ the person to provide your support, you must ensure that the person or organisation providing the support accepts and acknowledges in writing that they are not employed by you and also has relevant and sufficient insurance, skills and qualifications, DBS checks and work permits from the outset and you must check on a regular basis that such cover remains in place and, when necessary, is varied in accordance with changes to the support provided. You are reminded that an individual can be registered as self-employed but regarded as employed on a specific contract (or "set of contractual terms"). If there is any doubt about whether the terms and conditions under which a worker is carrying out their duties are those of self-employment, then you as the engager are responsible for seeking advice from the HMRC.

Giving us information about how you have paid for your care and support

Within 3 months from the date you first receive your direct payment there will be an initial check to see how you are managing the direct payment. Following this LBBB will write to you at regular intervals requesting that you return original bank statements and documents that relate to the direct payments you receive, for example: receipts and bills in a prepaid envelope. Once LBBB has completed the check these will be returned to you.

If you do not make the information available on request LBBB shall look into this and may stop the direct payment.

If you receive your direct payment through the pre-payment account, you will not be asked to send the bank statements as LBBB can view these online. However, you may be asked to send in receipts to show how cash has been used. If you need help with this, you can ask the Direct Payment Team or friend or nominated person to help you.

What does LBBB do with this information?

LBBB will securely store and use the bank statements and documents to complete direct payment monitoring. The monitoring will:

- Check that you are paying your assessed financial contribution onto your pre-payment or into your dedicated direct payment bank account.
- ensure you are using the direct payment as set out in the care and support plan.
- check if there is any money building up in the account – if you have more than 8 weeks balance on the account you will need to highlight the reasons. It could be that you have not used the direct payment due to hospital admission therefore LBBB may seek to reclaim this surplus money. Or money may be reserved to cover PA holiday pay, bills you have not yet paid or cheques that have not yet cleared. However, it may also mean that your care and support plan needs to be reviewed. Your Social Worker will look at this with you.

Further information on the way LBBB collect, store and process information, the systems used to protect personal data which you provide to LBBB and what your rights are in relation to that information is contained in LBBB's Data Privacy Notice. This is available upon request or can be found LBBB's website (www.lbbd.gov.uk/general-privacy-notice).

Making payments from your care payment account

Wherever possible, you should pay for care and support by CHIP and PIN, online banking, direct debit or cheque. Do not make any payments with your direct payment that are not included in your agreed care and support plan.

LBBB recommends that you do not make cash payments.

You must keep the original paperwork as proof of your payments (for example, wages and salary records, bills, receipts and claim forms). You should not pay any bills that are photocopied, unless you are sure you have lost the original and you have not paid it yet.

Before making a payment, you should check that:

- Any bill shows the name and full address of the person providing care;
- It adds up correctly;
- It is for a service you have already received; and
- The payment is due

Employing your own staff – Salaries and wages

As an employer it is important that you keep to relevant employment and tax laws, otherwise you could find yourself having to pay expensive interest and fines, or possibly have legal action taken against you. Also ensure you keep documents relating to insurance (public liability/employers liability). The Direct Payment Team can provide information on employing Personal Assistants.

Checking your payment account statement against your records

When you receive your bank statements you should check them against the bills and receipts you have filed. If you do not recognize a payment that has gone from your direct payment account, you should contact your bank or building society straight away.

How long you need to keep your records for

You or your nominated or authorised person must keep all supporting documents relating to the direct payment and the provision of the support for at least six complete financial years from the date of the payment, even if the payments have stopped.

What to do if things go wrong

If you have a problem and it directly affects your ability to pay for your immediate care needs, you must tell your Social Worker at once. If you have questions, you can contact the Direct Payment Team on DirectPayments@lbbd.gov.uk .

**London Borough of Barking and Dagenham
Direct Payment Agreement****Name** _____**Date Agreement Issued** _____

This Direct Payment Agreement (“the Agreement”) sets out the steps that you need to take when you receive your direct payment. Please read this and the above Direct Payment Policy (Pages 3 – 17) carefully as this agreement is legally binding.

1. Basis of Agreement

The London Borough of Barking and Dagenham (LBBD) has carried out an assessment of your eligible needs and has agreed to the social care support described in your current care and support plan (enclosed) to be provided through a Direct Payment.

Your allocation will be paid directly into your pre-payment account, or a pre-payment account managed and operated by a payroll provider, or your dedicated Direct Payment Account to enable you to buy the support you have been assessed as needing.

Pre-payment account – Refers to an online bank account that is set up by London Borough of Barking and Dagenham for the purposes of Direct Payment. It provides online access to both you and LBBD to manage and monitor the agreed social care funding.

You may only use your Direct Payment to arrange and receive the support detailed in your care and support plan.

2. Your Direct Payment Account

You will be assessed in accordance with the Council’s Adult Social Care Charging Policy to find out if you have to contribute towards the cost of your care. If you need to make a contribution, you must set up a standing order or alternative payment method every 4 weeks into your pre-payment or dedicated bank account. You must not use the Direct Payment money to pay for your assessed contribution. If contributions are not paid in a timely fashion, then corporate debt recovery will ensue.

You agree that you will either:

- Agree to use a pre-payment account that will be set up by LBBB but will be managed and operated by you, **or**
- Agree to use a pre-payment account that will be set up, operated and managed by a payroll provider, **or**
- Set up a dedicated bank account that will only be used for the Direct Payment. This is referred to as the dedicated Direct Payment Account in this document.

When you will be paid:

- The start dates of your direct payment will be agreed by LBBB.
- Payments are set out in the payment schedule.
- We have the right to stop your payment under this Agreement temporarily or permanently.
- If you are not using a pre-payment account, you must inform us if you change your bank account details.

3. General rules about how to use the money

Spending Direct Payment money

The Direct Payment is to buy the services / support as detailed in your care and support plan. You should contact LBBB if you need to make changes to your care and support plan.

If using a pre-payment account then payments can be made by bank transfer, standing order or debit card payment. You can only make cash withdrawals in exceptional circumstances, and you must retain receipts for all purchases.

If using a dedicated bank account then payments can be made by cheque, bank transfer, standing order or debit card payment only, which will be accounted for in monthly returns. You can only make cash withdrawals in exceptional circumstances, and you must retain receipts for all purchases.

4. Your responsibility as an Employer

If you employ a Personal Assistant (PA) you must ensure that, as an employer, you take full responsibility to cover payment of any employment rights that the Personal Assistant may have. This should be covered in the costing of your support. You are expected to have money in your account to cover for employee's sick pay, holiday pay, if they take maternity, paternity or adoption leave and other employer's expenses. Any bank charges/legal charges/Inland Revenue costs will be your responsibility.

All Personal Assistants should have an agreed contract of employment, which includes terms and conditions. i.e. agreed holiday / sick pay. It is important that you obtain a signed copy of the contract of employment from your Personal Assistant.

All employees must be employed in accordance with all relevant UK legislation. You are responsible for obtaining references regarding all employees and for checking that they have the right to work in the UK. As the employer, you are responsible for any sums legally due to the employee.

Anyone employed through a Direct Payment will not be considered an employee or agent of LBBD and the Council will not be responsible for any income tax or national insurance contributions, VAT or any other payment payable or legal responsibilities in relation to employees including Personal Assistants.

We will not be responsible for any claims, losses, liabilities and demands of any kind whatsoever arising out of or related to this Agreement (unless due to our negligence, or our officers or agents) including damage to property. You are responsible for ensuring that anyone employed by you maintains the necessary insurance cover in respect of the provision of the service(s) agreed.

You are required to obtain Employer's Liability Insurance cover before employing a Personal Assistant. It is important that you follow the advice of your Insurer's legal advice service when taking any action that may result in your Personal Assistant's dismissal (because of misconduct, attendance, performance, by reason of redundancy or for some other substantial reason) or which could lead to any other claims against you. Failure to properly seek and follow your insurer's legal advice could invalidate your insurance cover and result in you being personally liable for legal costs and or award of compensation made to your Personal Assistant by an Employment Tribunal or Court.

You will be expected to ensure that you have made provisions for help in emergency situations or when any employees are not able to attend, such as when they are on annual leave or off sick.

5. Unspent Money

You will be allowed to keep up to 8 weeks of unspent funds in your Direct Payment Account, excluding any funds allocated for respite care.

If you have more than 8 weeks unspent funds in your account, you need to say why the money is there and you will be subject to a financial review. If this saving is not planned, you will be required to pay the money back; alternatively, we may agree to reduce ongoing payments until the balance is used up.

- If using a pre-payment account, then an agreed amount will be withdrawn.
- If using a dedicated bank account, any money should be returned via bank transfer or cheque made payable to LBBDD.

If you fail to make payment, LBBDD will issue you an invoice to the value of the money to be reclaimed.

6. Keeping Records and financial audit of your Direct Payment account

The London Borough of Barking and Dagenham has a responsibility to ensure that public funds, including Direct Payments, are spent on the intended services.

For all Direct Payments you must keep all records e.g. bank statements, receipts, invoices and payslips for seven years to show what the money is spent on.

There is no requirement to complete a monthly return; however, receipts and invoices should be kept and provided to LBBDD on request, this will be at a maximum every 6 months or at a minimum 12 months. If using a dedicated bank account; every 6 months you must provide us with details accounting for Direct Payment spend, this will include:

- A full copy of the bank statement of the dedicated Direct Payment account
- Monthly Financial Return Forms of income and expenditure in respect of employment of staff and related costs including receipts and all invoices.

This should be sent to the following address:

DirectPayments@lbbdd.gov.uk , or

Adult Commissioning, Town Hall, 1 Town Square, Barking, Essex. IG11 7LU.

You agree to let us monitor the service received, records and receipts.

A full review will be held annually or sooner if any concerns about management of your Direct Payment are identified. You agree to provide access to all your records when your Direct Payment account is audited as part of this review.

Change of circumstances

If there are any changes in your personal or financial circumstances that might affect your Direct Payment, you need to notify us. e.g. change of address.

Ending this Agreement

LBBB has the power to recover funds and /or discontinue payments in the event of non-compliance with the terms of this Agreement. Either you or we may terminate (end) this Agreement by giving four weeks' notice in writing to the other(s).

You may have to repay money back to us. This would be dependent on the amount of time left that the Direct Payment is allocated to cover.

- We may terminate (end) this Agreement with immediate effect if we find that:
- You are not keeping to the Agreement; or
- You are using the money illegally; or
- If we find that the money has been spent elsewhere other than the use for which it was intended; or
- If we have reason to believe that future monies would be misspent; or
- If you fail to complete the returns requested; or
- If you fail to provide the documentation requested at an audit.

On termination of this Agreement we will confirm in writing that all money held in your dedicated account must be paid immediately to us and the account should be closed. If you are using a prepayment account, we will close this account.

In the event of death:

If using a pre-payment account, we will freeze this account and your Estate should liaise with us regarding any outstanding debts. If using a dedicated Direct Payment account, your Estate needs to ensure that all surplus funds held will revert back to us. In these circumstances, the account will be closed, and the closing balance forwarded to us. Your Estate must also provide us with the account's final statement and any additional information requested by us regarding how your Direct Payment has been spent.

Privacy and Data Protection

The information you supply for the purposes of Adult Social Care Direct Payments Service may be used by us in connection with the provision of other Council services to you. This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided for the prevention and detection of fraud. We may share/check the information provided with other bodies responsible for auditing or administering public funds, such as HM Revenue and Customs and the Department for Work and Pensions, in order to prevent and detect fraud. The Data Protection Act gives you the right to see your personal information that we hold about you. We are also required under Part IIA of the Audit Commission Act 1998 to participate in the National Fraud Initiative (NFI) data matching exercise. Please see our Privacy Statement for further details.

Direct Payment Agreement DECLARATION

Confirmation of agreement

By signing the below, you are confirming that you fully understand the information and accept the terms set out in the following documents:

- Direct Payment Factsheet (Pages 1 – 2)
- Direct Payment Policy (Pages 3 – 17)
- Managing your Direct Payment Records Factsheet (Pages 18-21)
- Direct Payment Agreement (Pages 22-28)

If you have not received a copy of any of the above documents, or have any questions, please do not sign the below declaration, and contact your Social Worker immediately. If the Direct Payment is managed by yourself, you are confirming that you understand your legal obligations as an employer. You also confirm that the Direct Payment will be managed as agreed on the Support Plan.

1. Who will be managing the Direct Payment?

	Please Tick	Please Complete Sections
Service User (myself)	<input type="checkbox"/>	2
Nominated Person	<input type="checkbox"/>	2 & 3
Authorised Person Court Appointed Deputy – Health and Welfare	<input type="checkbox"/>	2 & 3
Authorised Person Lasting Power of Attorney – Health and Welfare	<input type="checkbox"/>	2 & 3
Authorised Person LBBB Appointed	<input type="checkbox"/>	2 & 3
Authorised Person Appointed by the Attorney or Deputy	<input type="checkbox"/>	2, 3 & 4

2. Service User's Details

Service User's Full Name	Service User's Reference No.
Service User's Address	Service User's Signature

If a Nominated Person will be managing the Direct Payment, by virtue of the Service User signing this declaration, they are authorising the Nominated Person to manage all aspects of their Direct Payment as a Nominated Person.

Your Nominated or Authorised Person must complete the next page (page 28)

3. Nominated or Authorised Person’s Details – if the Direct Payment is not being managed by the Service User themselves

By signing the below:

- you are confirming that you fully understand your responsibilities and accept the terms which govern acting as the Nominated or Authorised Person managing this Direct Payment, as set out in the following documents:
 - Direct Payment Factsheet (Pages 1 – 2)
 - Direct Payment Policy (Pages 3 – 17)
 - Managing your Direct Payment Records Factsheet (Pages 18-21)
 - Direct Payment Agreement (Pages 22-28)

If you have not received a copy of any of the above documents, or have any questions, please do not sign the below declaration and contact the Service User’s Social Worker immediately.

- you confirm that you understand your legal obligations as the Nominated or Authorised Person to act in the best interests of the Service User and if applicable, as an employer.
- you confirm that the Direct Payment will be managed on behalf of the individual as agreed on the Support Plan.
- you agree to act as a representative on behalf of the individual.

Name of Service User you will be acting on behalf of	
Nominated or Authorised Person’s Full Name & Address	
Nominated or Authorised Person’s Contact Number & Email Address	
Nominated or Authorised Person’s Signature	
Authorised Person’s must attach proof of Deputyship or Lasting Power of Attorney with this agreement	

4. For Authorised Person’s only – Attorney or Deputy Detail’s – if the Authorised Person has been Appointed by the Attorney or Deputy for Health and Welfare

Attorney or Deputy for Health & Welfare’s Full Name & Address	
Attorney or Deputy for Health & Welfare’s Signature	