

Appendix 5: Copy of the Frequently asked Questions



Northamptonshire County Council

How we calculate the rate of Direct Payment/Personal Budget for those people who employ Personal Assistants

Frequently asked Questions

What is a Direct Payment?

A Direct Payment is an amount of money that is paid by the County Council to individuals (or their representatives) who have eligible social care needs. Individuals with social care needs may need to contribute towards their Direct Payment in line with the Charging policy

What is a Personal Budget?

A Personal Budget is also an amount of money that has been agreed by the County Council as an amount to meet an individual's eligible social care needs but it is usually paid through a Direct Payment

What is NASS?

Northamptonshire Adult Social Services (NASS) is the department within Northamptonshire County Council that supports adults who have social care needs.

What is PBSS?

Within NASS, we have a team who help people with managing their Direct Payments – they are called the Personal Budget Support Service (PBSS). This team did used to work in the Centre for Independent Living (CIL) but now they work in the County Council

What if I change the number of Personal Assistants I have?

If we start to use a banded calculator, we think that your rate should be set at a reasonable level so we would not need to know about any changes to the number of PAs you have, unless there was a big problem with the amount of money that you are receiving

If we start to use an individual calculator, you will need to tell us if there is a change in the number of Personal Assistants you employ, because it may affect your hourly rate.

If we carry on as we are or have a two different rates (standard and enhanced), we think that your rate should be set at a reasonable level so we would not need to know about changes to the number of PA you have , unless there was a big problem with the amount of money that you are receiving

What if I change the number of hours my Personal Assistants work?

If we start to use a banded calculator, we think that your rate should be set at a reasonable level so we would not need to know about these changes during the year, unless there was a big problem with the amount of money that you are receiving

If we start to use an individual calculator, you will need to tell us if there is a change in the number of hours your Personal Assistants work, because it may affect your hourly rate.

If we carry on as we are or have a two different rates (standard and enhanced), we think that your rate should be set at a reasonable level so we would not need to know about these changes during the year, unless there was a big problem with the amount of money that you are receiving

What if I can't recruit people to be a Personal Assistant because I need certain skills and abilities e.g. someone who uses British Sign Language?

PBSS will offer you support in this area and you can use them to help write job descriptions, advertise and support you in interviewing and taking references and organising police checks.

We are seeking views about how we should calculate rates for most people for most of the time.

Occasionally, there are exceptions and sometimes we have to change our normal ways of working to meet these exceptional circumstances.

We already do this now.

If you have been unable to recruit Personal Assistants, even with the support of PBSS, a care manager or social worker will need to discuss this with you and look at the best way to make sure you get the support you need.

This might mean, that we make some changes to your Personal Assistant rate because of your exceptional circumstances or we might, with you, see if there are other ways to meet your needs.

Any changes, for exceptional circumstances may be temporary.

What if my Personal Assistant is off poorly for a long time and I have to find someone else to support me?

If your other Personal Assistants (if you have them) are not able to cover for somebody being off poorly you may look at other ways to meet your needs on a temporary basis and you should contact Northamptonshire Adults Social Services and a care manager or social worker will discuss other options with you.

What if I don't want to use the payroll service from Personal Budget Support Service (PBSS)?

If you wish to arrange the payroll yourself or use a different payroll agency, this is your choice and we will make an additional payment as part of your Direct Payment to meet any costs you incur up to a maximum amount which would be the same as PBSS would have cost had you used them

How will I get payroll charges and Employer pension contributions paid if I use another payroll service?

If you wish to arrange the payroll yourself or use a different payroll agency, this is your choice and we will make an additional payment as part of your Direct Payment to meet any costs you incur up to a maximum amount which would be the same as PBSS would have cost had you used them. PBSS will base this on the cost in 2017/18 uplifted each year as required to reflect actual costs.

Pension contributions that you pay as an employer will need to be reported to Northamptonshire County Council and will be used to adjust your Personal Budget funding so that you are not financially disadvantaged by these changes. The adjustment will be based on the minimum contribution on qualifying earnings. Should you decide to contribute more then you will have to fund this yourself.

Have you looked at how much is paid in other areas?

Yes. Between November 2017 and January 2018, we asked other authorities that are close to Northamptonshire to tell us how much they paid and some of them answered us. We also looked at some other council's websites. There are many

differences in the rates that are paid in different parts of the country, this is due to the difference in wages and cost of living in certain areas.

In addition rates in different parts of the country also include different things, for example, some include an amount to pay an agency for help with recruitment whilst others don't, so it is difficult to compare as they do not all necessarily cover the same things.

There is not one agreed national or regional rate.

Have you looked at how other areas work out how much to pay?

Yes. Between November 2017 and January 2018, we asked other authorities that are near to Northamptonshire to tell us how their rates are calculated and some of them answered us. There are lots of differences in how Direct Payment Personal Assistant rates are calculated and some of these are included in our proposals. These include things like standard and enhanced rates, different rates for day times, night times and week-ends and use of Resource Allocation Systems or individual calculators.

What will you do if somebody has exceptional circumstances and cannot manage on the rates that the calculator works out?

We are seeking views about how we should calculate rates for most people for most of the time.

Occasionally, there are exceptions and sometimes we have to change our normal ways of working to meet these exceptional circumstances.

We already do this now.

If you have exceptional circumstances you will need to let us know and a care manager or social worker will need to discuss this with you and look at the best way to make sure you get the support you need.

This might mean, that we make some changes to your Personal Assistant rate because of your exceptional circumstances or we might, with you, see if there are other ways to meet your needs.

Any changes, for exceptional circumstances may be temporary.

How much money to the Council claim back each year from people who haven't used their Direct Payment?

In the last 3 years (up to March 2018), the County Council has needed to claim back over £5 million and this has been at least £1.5 million each year with even more in 2016/7.

Some of this may have been because people stopped having a Direct Payment and some was because people were not spending all of the money they had been given as they didn't need to.

What should I do if my Direct Payment is not enough to pay for the things I need?

You should contact us.

We are seeking views about how we should calculate rates for most people for most of the time.

Occasionally, there are exceptions and sometimes we have to change our normal ways of working to meet these exceptional circumstances.

We already do this now.

If you have exceptional circumstances you will need to let us know and a care manager or social worker will need to discuss this with you and look at the best way to make sure you get the support you need.

This might mean, that we make some changes to your Personal Assistant rate because of your exceptional circumstances or we might, with you, see if there are other ways to meet your needs.

Any changes, for exceptional circumstances may be temporary.

Will this save the Council some money?

We think that to begin with, the preferred proposals will cost the Council more money but we think that the proposals are fairer to everybody and ensure that Personal Assistants can be paid at a higher rate.

We think, that over time, the preferred proposals may save a small amount of money or avoid increases for people if they are not needed. The reason we think that the preferred proposals may save money over time is because some people will get less money as they have less on costs and we also hope to save some money through less administration (like charging people for payslips)

We want to make sure that people get the money they need but don't get too much money.

If a care manager or social worker wants me to move to any of the new rates and I disagree what can I do?

If we agree only to introduce the new rates for existing people after a discussion at your next review, nothing will change until we have had this discussion with you.

If you can demonstrate to a care manager or social worker that you need your current Direct Payment rate to meet all of your legitimate costs and you do not have lots of spare money in your Direct Payment account that you have not been using, it is likely that the worker will agree to keep your rates as they are or to increase them to the new rate if it is higher and needed.

If you cannot do this, the worker may suggest you move to a lower rate on the banded calculator. If you disagree with this you would be entitled to appeal the decision and the appeals process would then be followed. Whilst the appeal is being heard your previous level of funded support would remain

How much will be paid for people who sleep in?

The rules about how people need to be paid when they are “sleeping in” have changed and they must now be paid at least the National Living Wage hourly rate. As a result there is no longer a sleep in rate for employing a Personal Assistant overnight and the hourly rate is paid for these hours, as with day time support hours.

We will pay our agreed hourly rate for all hours that Personal Assistants sleep in and if this is not happening in your Direct Payment at the moment, please let the Care Management Teams know

What if my Direct Payment has other costs in it that are not for Personal Assistants?

We are not proposing to change the way we calculate other costs, for example money for agency support or respite care or day services so there will be no change as a result of this consultation

What about costs for training?

As an employer, it is your responsibility to make sure that your Personal Assistants receive training to enable them to carry out their role.

You can book your Personal Assistants on to courses that are run by any organisation including the County Council and you can claim the costs of training, travel and replacement Personal Assistant wages from Skills for Care.

More information about this can be found <http://www.skillsforcare.org.uk/Learning-development/Funding/Individual-employer-funding/Individual-employer-funding.aspx>

Information about courses offered by the council can be found here <http://lgss.learningpool.com/>

or you can ask PBSS about other training courses they are aware of.