

Have your say

What do you think of this Guidance?

easy - read summary

Was it clear and easy to understand?

*The draft was clearly defined
& easy to understand*

4

Was it useful?

yes.

Use the next page too.

Rule 7: Stopping a direct payment

The local council can stop the direct payment if:

- The person stops being eligible for a direct payment
- The money has not been used for support but for something else
- The money has been used to buy support from a family member and this is not allowed.

Before it stops the direct payment, the council must tell the person that it is going to do this and why.

It must also tell the person the date when the direct payment will stop. When it decides the date, the council must think about:

- any legal arrangements the person has for support
- how much time the person will need to arrange other support.

The council must tell the person in writing and in any other format that the person needs.

Question 1: What do you think?

Tell us what you think about the rules in Part 2 for

- Checking how much someone can pay towards their support
- Paying the direct payment
- Stopping the direct payment

Although I welcome a consistent approach to direct payments, policies associated with means tests, could hinder access to some individuals:

back payments should be made net of any charges.

I agree a local authority can stop cash payments after written notice stating reasons for the termination

Rule 10: When a family member cannot provide support

Sometimes a family member cannot provide support – even if they fit the rules above.

The council may decide that the person or the family member is not making a free choice about the support but feels they have to agree to it.

Sometimes a family member will be the person's guardian or will have a power of attorney (a legal paper) that means they can make decisions about the person's support. Then, the family member cannot provide the support.

Question 2: What do you think?

Tell us what you think about the rules in Part 3 about when you can and cannot use a direct payment to employ a family member to give support.

I agree with the stated list in Regulation 9 that there are acceptable instances a family member can be involved in supporting an individual, especially in difficult circumstances.

Rule 12: You cannot use a direct payment for some services

The local council does not have to give someone a direct payment if the person needs support because they:

- are homeless
- need to get away from being abused at home by a family member
- need help to stop taking drugs or alcohol

Question 4: What do you think?

Tell us what you think about not giving direct payments to people who:

- Are homeless
- Are getting away from abuse at home
- Need help to stop taking drugs and alcohol.

with caution & dependent on circumstances.

Direct payments can be given to children and families for care and support services for a child. But the council can say "No" if it thinks a direct payment will not help to keep the child safe and healthy.

Question 6: What do you think?

The rules do not say exactly when and why the council can say No to children and families if they want to use direct payments for care and support. Do you think the rules should be more specific?

In these circumstances, there should be a list of exclusions.