

Introduction

If you decide to have a direct payment, you can choose the people who will support you with your daily living needs, instead of using the services provided by the council. You can employ a carer of your choice or you can make a direct contract with a care agency. These arrangements can help you make sure your care needs are met in your own preferred way, by giving you more control over who helps you and how they help you.

There can be risks associated with managing your direct payments. This leaflet will help you think about how to manage those risks and put plans in place to reduce them, to help you stay as safe as possible.

The information provided in this factsheet is intended to go alongside the advice and guidance you will receive from your care manager. A care manager might be a social worker, occupational therapist, community care worker or other health and social care professional.

How do I choose someone to work for me?

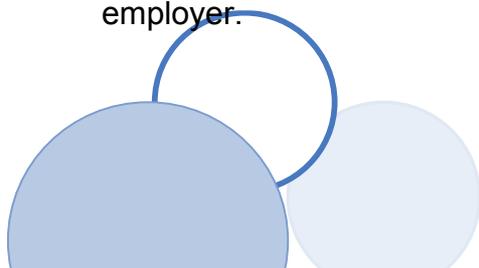
“A paid carer should understand your needs and how you like them to be met”

The role of a paid carer is a special one. In order to support you properly, they will need to know you very well and this can include matters that might be very sensitive and personal to you. This means that, while they will be your employee, they may also become a friend. This can sometimes cause problems if you have to point out failings or difficulties and so, you need to choose someone with whom you can feel comfortable and who responds well to your wishes and feelings.

Some people consider paying a friend, a neighbour or a family member to be their carer. Often these are people that they know well and trust, or who have been helping them already in other ways. This can be a good way of making sure that you get the right person. However, in most cases you cannot employ a close relative that you live in the same property with, such as your partner.

If you employ a friend or relative, consider whether you would be able to tell them if you are not happy with what they are doing, or the way they are doing it. Think about whether they have helped you like this previously and if they have, whether they might find it difficult to do so now? If you think you would prefer a more formal working arrangement, you may decide to employ a professional carer from an agency

If you need more detailed information about employing carers, please see the separate leaflet in the direct payment information series entitled ‘employing a paid carer’. It provides information on choosing the right carer, how to recruit safely, training and your responsibilities as an employer.



Will I be safe employing a paid carer in my own home?

“Being cautious and taking practical steps to protect yourself is not about distrusting people, it’s about making sure that you never have to question that trust”

Just because there is a risk associated with something does not mean you should not do it. But it is important to know and understand the risks, and not just ignore them, so that you are able to protect yourself if necessary.

Letting people come into your home, undertake personal care, and get to know your routines and how you live, can be daunting. With some forward planning you can reduce the chance of any risks becoming a problem:

- **Training:** A paid carer may support you in a variety of tasks (such as supporting you to take medication, or helping you to move safely around your home and community). This will require them to have certain level of knowledge, skill or experience. The council offers free training to paid carers in key skill areas such as health and safety, food hygiene and moving and handling. You can enrol your paid carers on these courses through your care manager. If you receive your care and support from a care agency, they will have a responsibility to ensure that all their staff are trained appropriately.

- **Safe recruitment:** Disclosure and Barring Service (DBS) checks are a way of helping employers to ensure that people providing care do not have prior convictions, which might indicate they are unsuitable for a caring position. Warrington Borough Council strongly advises that you use this service with any potential paid carers. You will need to ask the person you intend to employ to complete a DBS application. You can get one of these forms from the Independent Living Advisor service free of charge. Your care manager can put you in touch with the Independent Living Advisors. Independent Living Advisors can offer support and advice about DBS checks and any other concerns you might have, before you make an offer of employment. The council supports this process and funds the necessary checks. If you receive care and support from a care agency they will be responsible for ensuring DBS checks are carried out instead of the council.

- **Quality of care:** The Care Quality Commission checks whether care agencies are meeting government standards. You can read reports about the quality of care provided by any care agency that is registered with CQC (available at www.cqc.org.uk). If you are concerned about the quality of care provided by an agency, you can also speak to your care manager who can advise you on the best course of action to take.

What could go wrong?

“It’s your life to live as you wish. You should not be at risk, or be abused or exploited by others. You have the right to choose freedom, safety and the right to do what you want, when you want”

Anyone can experience the following types of abuse at any time of life in different circumstances:

- **Physical abuse** is not just about physical injuries; it also includes the administering of medication that is not licensed for the purpose used.
- **Financial abuse** is another name for stealing or defrauding someone of their goods and/or property.
- **Psychological abuse** invariably involves threatening or denying access to an object or person that matters to a vulnerable person unless that person complies with demands.
- **Sexual abuse** involves sex or sexual activity without a person’s consent. It is a subject that is rarely discussed in relation to vulnerable adults, but is nevertheless a reality.
- **Neglect** can often be degrading because it involves denying someone access to basic human rights, whether that is food, medicine, companionship, or aids to day living such as walking sticks or frames.

Abuse is not acceptable in any shape or form, but taking steps to protect yourself can help. Self-protection is about understanding these risks, and then taking actions to reduce or prevent those risks from becoming a problem for you.

It is important that you feel safe with the people who give you care and support. You should always feel in control and in charge of the care tasks your paid carer is doing for you. If you feel like you are not in control or you feel uncomfortable with any situation it is right to raise your concerns as soon as possible.

Where can I get help if I need it?

“It’s not easy to accept that you are being abused, and it can be even more difficult to tell someone else”

The council and other organisations can provide support for people who are concerned about abuse.

It is always difficult to tell another person that you are being abused and it can be especially difficult where the person who you are being abused by is your employee. If this happens it is important to talk to someone you can trust immediately. This could be a relative or friend or a professional person such as your care manager, nurse or doctor.

If the person who is being abused lacks the capacity to make decisions about their own wellbeing, arrangements exist under The Mental Capacity Act 2005 for professionals to share information in order to safeguard them from harm, where it is in their best interests.

The council has a duty to ensure the abuse stops as soon as possible, in order to safeguard and protect you. This means that we will investigate your concerns and hold a ‘safeguarding meeting’ if necessary. You do not have to deal with the situation yourself and you can also contact the agencies listed at the end of the leaflet for further advice and support.

What if I can't manage my direct payment money myself?

“People you trust can help manage your direct payment funds”

If you don't have capacity to manage your direct payment, then a 'suitable person' can be nominated to manage your budget on your behalf. A 'user controlled trust' may also be agreed, which means several people have responsibility for helping you manage the payments, but you still say how your money is used. If you have a suitable person or user controlled trust, the council must be satisfied that they will always act in your best interest before giving you a direct payment.

What if I'm particularly worried about a paid carer helping with my finances?

“Financial abuse can be prevented. Taking action at an early stage can create a situation in which your finances are protected”

Anybody can experience financial difficulties or financial abuse, whether or not they receive direct payments. The risks of financial abuse can be minimised by taking sensible precautions:

Pre-payment cards: To make managing your direct payment as simple as possible, the council now operates a pre-payment card scheme. This means that every month, your direct payment will be loaded onto a pre-payment card, which can be used like any other debit card to buy goods and services. You can also use it to set up standing orders and direct debits. This is an easy way for you (or the person who manages your money on your behalf) to ensure the money is spent in the right way on the services and support you need. The council will also have access to your pre-payment card records to ensure that your direct payment is always being spent appropriately.

Day-to-day finances: Only keep limited amounts of cash in your home. This way you will have a better idea how much money you are spending and there will be less risk of your money being lost or stolen.

Think about who you want to manage your money: You may want your paid carer to help you with simple financial matters, such as paying bills or going to the bank. It is important to think carefully about the person or people who you ask to help manage your finances, as this is a crucial role that can have a major impact on you. If it has been agreed in your support plan, then your carer may help you with specified tasks relating to your day-to-day finances. However, your carer should not help you manage your direct payment. An independent 'suitable person' or 'user controlled trust' should always do this, to prevent a conflict of interest.

If you want your paid carer to help with managing your finances, it is always advisable to take the following steps:

- Share your plans with at least one other trusted person, including your care manager. Your care manager can advise you about the risks attached to asking others to help you manage your money and suggest ways that any risks can be reduced.
- Before involving anybody else, your care manager or independent living advisor may be able to advise you on other ways of managing your money safely, such as setting up direct debits from your bank account.
- If another person (including a paid carer) helps you with financial matters, always insist on written or printed evidence of any transactions they undertake on your behalf.

More information about the financial aspects of direct payments can be found in 'managing your money', which is part of the direct payment factsheet series.

How can I help to make sure things go well with my paid carer?

“A good and safe working relationship is one that has clear ground rules, and is open and honest.”

If you choose to employ a paid carer directly, it is important to always remember that employers have certain responsibilities in law. There are various places where you can get advice and support to help with the legal aspects of direct payments (see end of factsheet).

At times, as an employer you may need to deal with issues in a formal manner. If you are not happy with the way your paid carer is doing things for you, or if you feel that you are not being treated right, it is important that you raise these matters with your employee and also that you keep a record of the conversation.

There are two good reasons why you should do this:

- In law you must be able to show that you have raised your concerns with your employee and have given them the opportunity to put things right and you need to consider whether they might need extra support or training in order to do what you want.
- Raising matters formally with someone can often prevent situations from getting worse.

Is there anything else I need to know about direct payments?

If you need further information regarding direct payments please see the direct payment factsheet series.

Useful contacts:

Warrington Borough Council
Access Social Care team
Tel: 01925 444239
www.warrington.gov.uk

Independent Living Advisors
The Centre for Independent Living
Beaufort Street
Warrington, WA5 1BA
Tel: 01925 240064

Warrington Domestic Abuse Advocacy Service
Tel: 01925 246891 One to one advocacy for
adults experiencing domestic abuse

Warrington Domestic Abuse Support Services
Tel: 01925 2444281

Police
Tel: 0845 4580000
In an emergency out of hours: 01925 652222

Action on Elder Abuse
Tel: 0808 803 8141
A national helpline that offers advice and support
to those who may be experiencing abuse.

Public Concern at Work
Tel: 020 7404 6609
A national helpline, which offers legal advice
regarding suspected abuse in the workplace

Care Quality Commission
Tel: 03000 616161