



# Regional Direct payments Policy

This document is available in Welsh

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## 1.0 Introduction

This Policy sets out how the North Wales Local Authorities will discharge their duties to provide Direct Payments to eligible people from 6<sup>th</sup> April 2016. This Policy supports the principles of empowerment and reflects the requirements and duties described within the Direct Payments Regulations and Code of Practice set out under the Social Services and Well-being (Wales) Act 2014.

This document will provide the overarching framework to which social care professionals will refer to when enabling people to take greater control of their support solutions via a direct payment.

Each of the North Wales Local Authorities will develop their own Operational Guidance that taking account of local needs will provide citizens, social care practitioners and the wider community with clear information and guidance regarding how this Policy will be implemented, reviewed and updated.

## 2.0 Legislative Context

This Policy is aligned to the Social Services & Well-being (Wales) Act 2014 (the Act), and replaces previous statutory legislation. Under the Act councils have powers to provide Direct Payments to meet the care and support needs of adults (section 50), children (section 51) and Carers (section 52).

The Code of Practice under Part 4 of the Act – Meeting Needs will underpin and inform this Policy and the practice of Local Authority Officers in relation to the provision of Direct Payments.

## 3.0 Principles

To support positive changes to ethos, culture and social care practice the following principles will underpin this Policy:

**Well-Being** – means that a person is happy, healthy and is comfortable with their life and what they do.

**People** – The focus is on what matters to the person and how they can use their own strengths and resources to do those things. Assessment is a partnership between the person and the professional.

**Partnership & Integration** – The North Wales local Authorities and health Boards will work together to assess care and support needs (and carer support needs) of the population in their area.

**Prevention** – The North Wales Local Authorities will develop preventative services and solutions that reduce the needs for formal funded support.



#### 4.0 Eligibility

The approach to determining eligibility **will** be an outcome-based approach that relates closely to the National Outcomes Framework.

All Assessments will begin with a conversation about what matters to that person within the context of their life and personal circumstances. The focus of discussions will be on the person's bespoke well-being outcomes and any barriers there are to the person achieving them. The assessor will draw on the person's strengths, assets, personal relationships and wider community networks and resources to explore all potential natural solutions.

The eligibility Regulations within the Act provide four separate conditions which must **all** be met:

- The first condition relates to the persons circumstances and is met if the need arises from the kind of circumstances which are specified in the regulations, for example, physical or mental ill health. The regulations specify different kinds of circumstances for adults, children and Carers.
- The second condition is met if the need relates to one or more of the outcomes specified in the regulations, for example, the ability to carry out self-care or domestic routines. The Regulations specify different outcomes for adults, children and carers.
- The third condition is met if the need is such that the person is not able to meet that need alone, with the care and support of others who are able or willing to provide that care and support; or with assistance of resources in the community. This condition is modified in the case of a child such that it is met if the need is one that neither the child, the child's parents nor other persons in a parental role are able to meet either alone or together.
- The fourth condition is met if the person is unlikely to achieve one or more of their personal outcomes unless the local authority provides or arranges care and support to meet the need in accordance with a care and support plan or it enables the need to be met by making Direct Payments

Any adult, child or Carer who is eligible, under the Act for funded support by the North Wales Local Authorities will also be eligible for a Direct Payment under the terms of this Policy.

#### 5.0 Body of Policy

The North Wales Direct payments Policy intends to underpin a consistent approach to the accessibility and implementation of Direct Payments, within the context of greater choice, voice and control for eligible citizens of the region.



This Policy will impact all citizens of North Wales who have eligible care & support needs that cannot be met without the provision of funded solutions from their Local Authority.

This document will enable the following key policy objectives to be achieved:

- More citizens will have choice, control and flexibility over the funded support that they need to achieve their bespoke needs and outcomes.
- Direct Payments will become the preferred method of enabling eligible people to be empowered to take greater control over their funded support arrangements
- Direct Payments can nurture a culture of enablement and this culture and associated best practice will be developed and embedded throughout North Wales Local Authorities.
- Empowering, outcome focussed, person centred practice is facilitated consistently across North Wales local Authorities
- A measurable reduction in support commissioned by the North Wales Local Authorities is achieved
- There is increased innovation and creative, efficient use of available funding across North Wales Social Services
- A co-productive approach will determine the future design, implementation and administration of the North Wales Direct Payments schemes

This document will enable the following key outcomes to be achieved:

- People enjoy good health and well-being.
- People live independent and fulfilled lives.
- Vulnerable people are safeguarded.
- Care and support is effectively delivered and coordinated.
- People have voice, choice and control.
- There are strong and vibrant communities.

## **6.0 Putting Policy into Practice**

This Policy sets out a framework within which Direct Payments will be offered, managed and administered.

The North Wales local Authorities will produce a range of supporting advice and guidance for employee's and citizen's, to assist with the interpretation of this policy, and its implementation in line with the relevant sections of the Act.

Each Local Authority will be responsible for ensuring that social care practitioners have access to ongoing training to enable them to understand and confidently implement the requirements of this Policy.

Each Local Authority will provide day to day support and advice for social care practitioners and citizens to ensure that they understand the intentions of this policy and have



opportunities to explore, challenge and discuss Direct Payments within the context of real lives.

Any person who wishes to discuss, or make a complaint about the Direct Payments scheme, or how this policy has been implemented can request representation from an advocate and/or the Council's complaints procedure.

The North Wales Regional Direct Payments Forum will be responsible for ensuring that this Policy remains fit for purpose and will report directly to North Wales Adult Service Heads (NWASH).

## **7.0 Policy Review**

This Policy will be implemented April 2017 and will be reviewed annually from this date forward in order to take account of arising legislative changes or any issues identified in practice.

The North Wales regional Direct Payments Forum will undertake the annual review and make necessary amendments under the guidance of North Wales Adult Service Heads (NWASH). Each Local Authority must follow their local consultation process and engage with local Direct Payments recipients and their representatives to attain their involvement, views and suggestions. Necessary updates will be made annually and published on Council websites.