

# FACTFILE: GCE HEALTH & SOCIAL CARE

## ADULT SERVICE USERS



### Planning and providing for adult service users

**Students should be able to:**

- demonstrate knowledge and understanding of the Carers and Direct Payments Act (Northern Ireland) 2002 and assess its impact on service users and carers.



### Course Content

The Carers and Direct Payments Act (Northern Ireland) 2002 is a piece of legislation that makes provision for the assessment of carers' needs; for services to help carers; for the making of direct payments to persons in lieu of the provision of personal social services or carers' services; and for connected purposes.

#### Background

The Act aims to support both:

- carers and
- service users

The first part of the Act focuses on carers. Carers play a vital role in the day to day care of their family members, friends and neighbours who are ill or disabled, or vulnerable. The significant support they provide eases the burden of statutory services, but carers may find it very hard to cope with the day to day ongoing pressures of caring.

The second part of the Act focuses on enabling people who are ill, disabled or vulnerable to take control of their care through the use of direct

payments. Direct payments are cash payments given to persons in lieu of services that would otherwise have been arranged for them by HSC Trusts, so that they may arrange the provision of their own services.



## Understanding the main provisions of the Carers and Direct Payments Act for 'carers'

Carers have the right to their own assessment, even if the person they are caring for refuses an assessment of their own needs, or have refused services. This was a very significant development for carers as it became a statutory right.

Trusts must inform carers of their right to an assessment.



Trusts can also now provide services to carers to help them continue to care for their loved one

The carer's ability to care is assessed.

The carer must be an informal carer and be someone who provides or 'intends to provide a substantial amount of care on a regular basis for the person cared for.

Services provided to the carer may include physical help, for example around the house, or training or counselling for the carer.

A child who is a carer also has the right to be assessed 'to determine whether he is a "child in need"'.

Trusts can make payments to carers to purchase services as long as they have been assessed as needing these services.

Assessment must take a holistic approach and assess the impact of caring on all aspects of the carer's life.

Carers may be provided with services such as respite, equipment, education and training or services that would support their mental and/ or physical health and well-being.



## For service users – 'Direct payments'

Direct payments to service users aim to promote independence. Where a service user does not have the ability to manage direct payments for example due to dementia, a learning disability or ill health, a trusted person will be appointed to manage the direct payments on their behalf.

Direct payments enable service users to, for example, make arrangements that suit their needs, choosing who cares for them and when.

Trusts however have a responsibility to ensure that public money is spent wisely, appropriately and cost effectively. This means regular auditing of the service users' accounts is carried out.



Direct payments can only be made to service users who have 'been assessed as needing personal social services and for whom a Trust has decided to provide those services'. Therefore the service users must be deemed as eligible for the services.

Service users may wish to use direct payments to buy in the services of health, social care or personal assistants as direct employees. This option gives them the most direct control over the assistance they receive, but it also carries the most responsibility (for example to pay tax, national insurance contributions and statutory sick and maternity pay and to keep detailed records which can be inspected), so it will not be everyone's choice.



Service users can use direct payments for short breaks in residential accommodation, attending college, attending social events, and getting out and about if these are included in their support plan.

It is important to note that the service user or person managing the direct payments cannot pay for care provided by a spouse, civil partner or anyone who already lives in the same house. Direct payments help to ensure that service users' needs are met in a flexible way giving greater control over their everyday lives.

Mark schemes for AS 5: Adult Service Users and A2 3: Providing Services are also useful.

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Direct payments help service users to do what is important to them, be more independent, have greater control over their lives and be anchorage of decision making. Therefore they have more choice in how they live their everyday lives.



## Activities

Access '[social care tv](#)'

1. Select a short film from the Social Care TV series e.g Dignity in Care to explore the key issues for people with care and support needs.
2. As a group view the film "Supporting carers: the cared- for person" This film follows the story of Linda Rounds, who needs constant care after a car accident. Linda's teenage daughter was looking after her, but this was having a negative impact on the family. Following a visit from a social worker Linda found out she was entitled to direct payments. She used the money to pay her friends to be her personal assistants, helping her to feel comfortable with her carers, and giving her daughter more freedom.
3. Follow the viewing of the film with a group discussion to focus on the impact of direct payments for both service users and carers.
4. Research the way the Carers and Direct Payments Act (Northern Ireland) 2002 has positively affected the lives of both service users and carers and also the difficulties faced in having their rights met under the Act
5. Past paper question:  
"Considering concerns about the quality of institutional care, many service users now decide to remain in their own homes with the support of their families. Discuss how The Carers and Direct Payments Act (Northern Ireland) 2002 enables individuals to remain at home supported by their carers.

