

Direct payments – Agency advice

Using an agency

You may want to use your direct payment to pay a home care agency (sometimes known as domiciliary care) to provide care and support in your own home. If you use an agency, the staff who work with you are normally employed directly by the agency, so you will not be their employer and therefore not responsible for managing them or paying their wages.

You will still have choice and control over your care, as you will make arrangements directly with them and be able to say how, when and where your support is provided.

Paying the agency

Always ensure you have fully discussed your arrangements with the agency and you have an agreement and breakdown of all costs in writing. This will avoid any unexpected costs, such as additional charges for mileage and bank holidays, which you have not previously agreed to pay.

The agency will send you an invoice for the support they have provided, normally once every four weeks or monthly. The invoice is paid from your direct payment account.

If you choose to use an agency that cannot be afforded from your direct payment budget, you will need to pay the difference using your own money, which is known as a top-up. If the total cost of the care and support is being paid in full from the direct payment account you must pay your top-up into the account before making payment to the agency. This is to ensure that the balance of your account is sufficient to pay for services to meet your assessed needs. The agency may invoice you separately for your top-up. A personal top-up is in addition to any assessed client contribution. Before agreeing to pay a top-up, you should consider whether you can afford and keep up the payments.

We advise you to discuss any additional costs with your allocated worker during your support planning. If you choose to have extra support from the agency, you will also need to pay for this using your own money.

Which agency to use

All agencies providing personal care are required by law to be registered with the Care Quality Commission (CQC) and you can ask the agency to show you its CQC registration.

Your allocated worker can also provide you with a list of registered care agencies that are used and approved by the council. However, using a direct payment gives you the flexibility of using an agency of your choice and all registered agencies are listed on the [CQC website](#).

Before you decide to buy a service from a particular agency, we recommend asking the agency the following questions. Please feel free to ask any other questions, to ensure you get the information you want before choosing the right agency for you.

- About its registration with the Care Quality Commission (CQC)
- To see a copy of their insurance and safeguarding policies
- If all their staff have a current Disclosure and Barring Service (DBS) check
- How it manages its staff and how often someone will check you are happy with the service you receive
- If they directly employ their staff and meet all their tax and national insurance payments
- How it would deal with any complaint you may have with its service
- How it arranges for staff cover during holidays or periods of sickness and if someone will discuss this with you when staff cover is needed
- What staff training is provided and the relevant qualifications and experience of staff
- If it carries out a risk assessment for you and its staff
- If you will be given copies of the hours the staff work, so you can pay the correct amount
- How much it will cost you to use and pay for the service
- How much notice you or they will need to give to end the contract

Once you've been working with individual members of staff for some time, you may think about employing them directly as a personal assistant, instead of using the agency.

We **strongly** recommend talking to a council direct payment officer before you do this, as while some agency agreements allow you to employ staff directly, you may be charged a fee as part of the conditions of your service provision.

Remember you can always ask for help if you need it.

If an agency tells you they cannot provide care for you and you are unable to find an alternative, please contact the council's advice and referral team (ART) immediately on 01432 260101 or ASCAdviceandReferralTeam@herefordshire.gov.uk.

Useful contact

Care Quality Commission –

National Customer Services Centre 0300 061 6161

If you would like help to understand this document, or would like it in another format or language, please call a direct payment officer on 01432 260060 or e-mail directpaymentadvice@herefordshire.gov.uk