

NHS Personal Health Budget Holder Contract Guidance - Easy Read version

Money Management Services



Explainer / reference guide (read only) for
Money Management Services Contract.

This document does not need to be signed
and is not a legally binding agreement.





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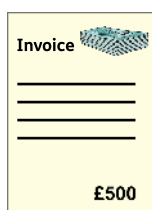
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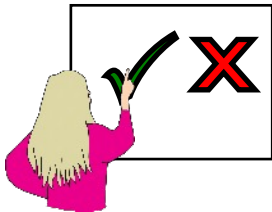
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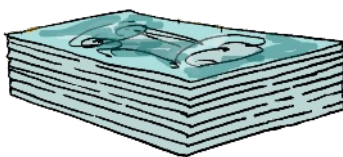
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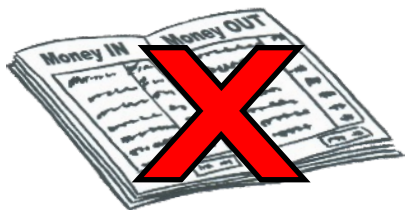
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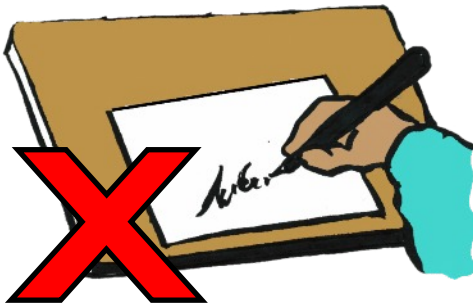
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Introduction



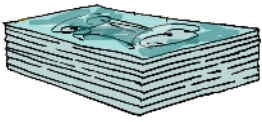
This document will help you to understand what is included in the non-easy read PHB Holder Contract, at the front of this document, which needs to be signed by the PHB Holder.



This document does not need to be signed by the PHB Holder, and is not a legally binding contract.



A **Personal Health Budget** is often called a PHB.



A PHB is NHS money you can use to support your health and wellbeing needs such as:

- treatments



- equipment



- personal care.



A PHB lets you to create an individually agreed **Personalised Care and Support Plan** or **PCSP**.

A **Personalised Care and Support Plan** is about what is important to you



It offers people of all ages greater choice and flexibility over how their assessed health and wellbeing needs are met.



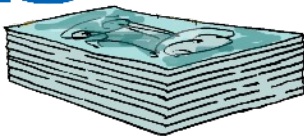
You can choose your service provider from the **PHB Support Services Directory**.

The **PHB Support Services Directory** is a list of trusted support service providers for people who have a PHB.



You and your provider will make a Personalised Care and Support Plan and set up this contract, or agreement.

NHS



Money management

There are 2 ways to manage your NHS money.



1. Direct payment

NHS will give you money to pay your provider.



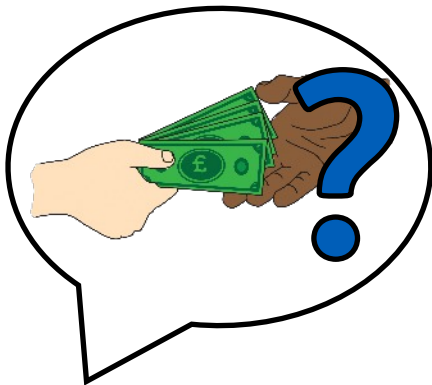
You can say how you want to spend it.



You set up a separate bank account.



You are responsible for how you spend the money.



You will be asked how you spent it.

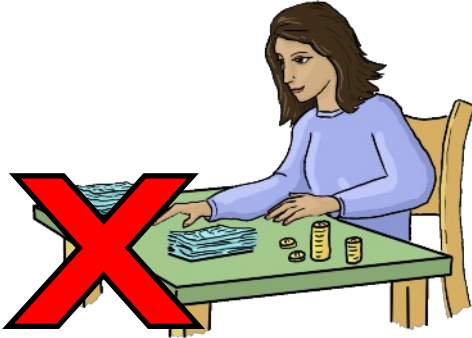


2. Third-party budget

You tell the local NHS team that you want the money to be held by an organisation that is not part of the NHS.



This could be an organisation that provides care and support.



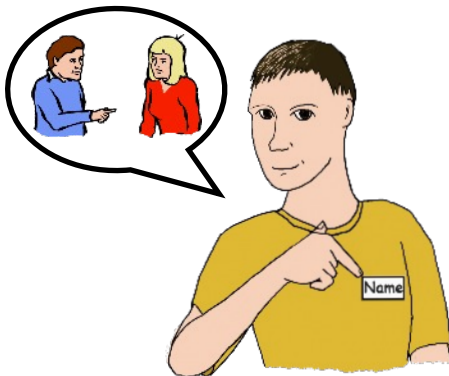
You are not responsible for managing the money.

Section 1. Contract details

What is in the contract



A contract tells you how your provider is expected to support you and if there is anything you need to do.



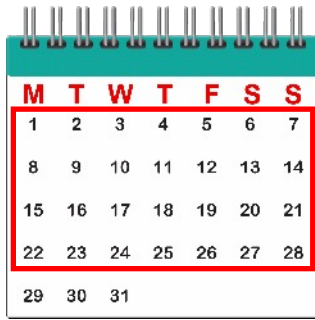
It shows your name and the name of the person you say can help you.



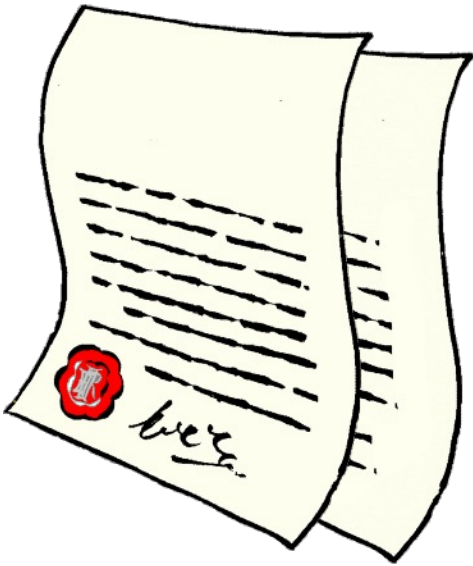
It has the name and address of the provider.



It gives you the name, email and phone number of person signing for the provider.

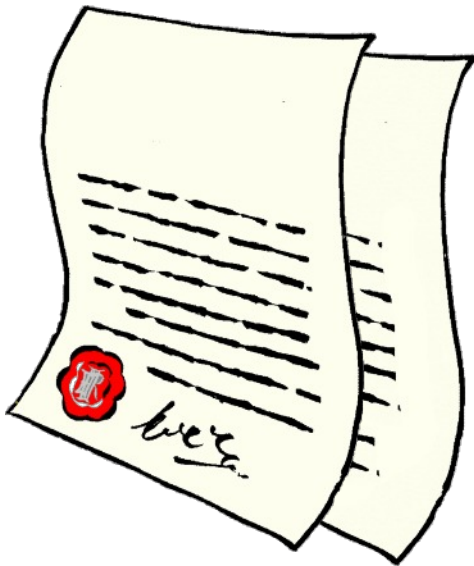


Notice period to end paying for service:
28 days.



What the provider must show

1. Evidence of company registration.
2. Evidence of VAT registration, if required.
3. Evidence of appropriate company insurance documents.
4. Evidence of provider CQC registration. CQC regulate and inspect health and social care providers in England.
5. Evidence of ICO registration.
6. Evidence of ODS registration.



7. Evidence of NHS Data Security and Protection Toolkit (DSPT) registration.
8. Details of sub-contracting arrangements, if needed.



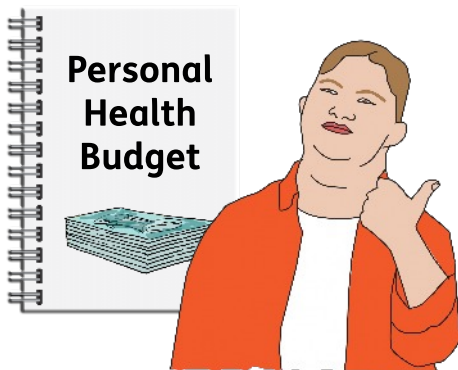
The Glossary of Words for PHB Holder Contract document (Appendix B) explains some of these terms.

Section 2. The services

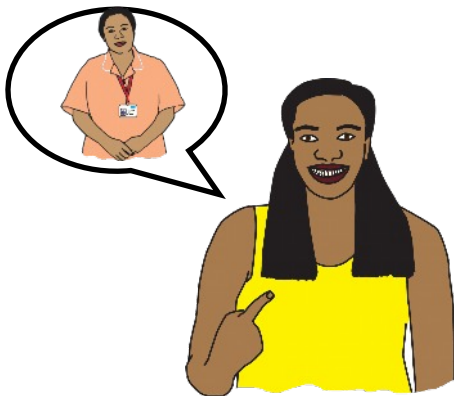


We are the North Central London Integrated Care Board, called NCL ICB for short.

See glossary (Appendix B) to find out more about NCL ICB.

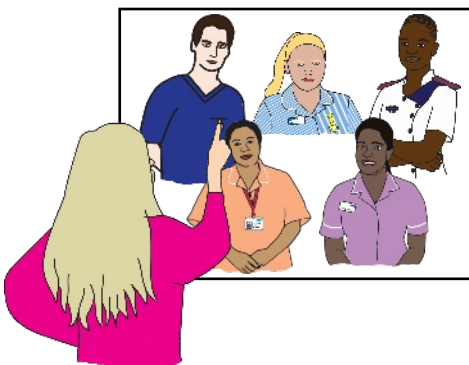


NCL ICB wants providers to deliver a **quality service** to people who have a Personal Health Budget, or PHB.



A quality service means these things:

1. You will choose your provider.



2. You will have more providers to choose from.



3. There will be several providers who can help all ages and all service groups.



4. It will be easy for you to organise your own care and support.



5. You will feel confident about organising your care.

How we want the money management service to work



1. You may need support just once or ongoing.

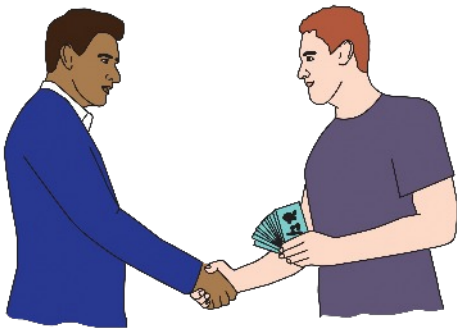
We want you to be in charge of paying for your planned or unplanned care.

You can:



- control your money with direct payments

or



- ask an organisation called a third party to look after your money and pay for your services.



2. Your money management service will have a copy of your Personalised Care and Support Plan.



The plan tells them what is important to you and how you want to pay for each part of your support.



3. We know managing money can be hard and we want providers to help you in a fair way.



Providers will listen to you using the **Shared Decision Making practice**.

Shared Decision Making means a provider involves you in making decisions about what is important to you and understanding the risks of those decisions.



4. We expect providers to help you manage your budget in creative ways. They might involve an advocate who is a person who helps you.



Or they might help you understand information through audio, pictures or video.



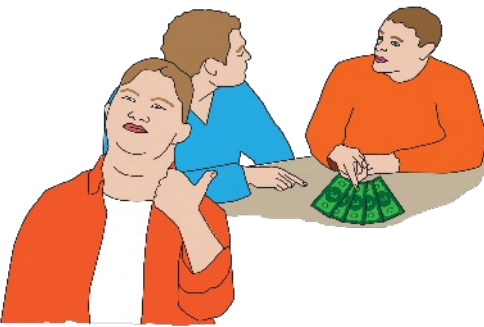
We expect our providers to know about Personalisation and Shared Decision Making in the NHS PHBs.

Ways the provider can help you

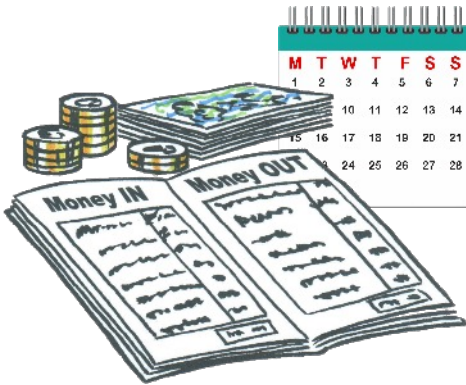
The provider will talk with you about many things:



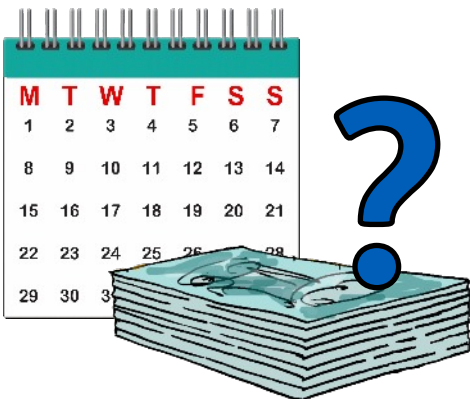
- how your Personal Health Budget money moves between ICB and your money management provider



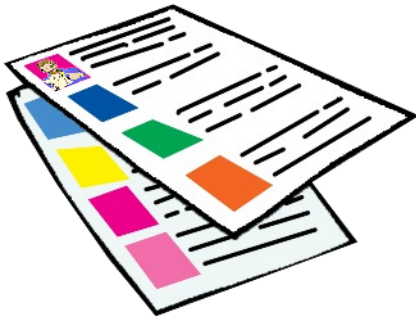
- the benefits to you of a money management service



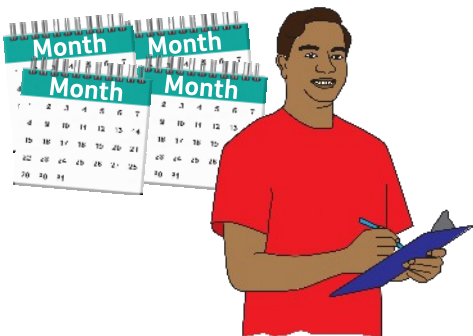
- how to develop a month-by-month budget for your Personalised Care and Support Plan with your provider.



The budget will show how much you will spend each month on paying for supports and how to keep some money aside for emergencies.

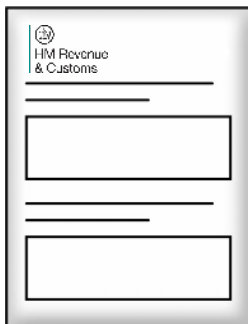


The budget will be written in a form you can understand such as easy read.



If you need help to work through your budget and understand how your decisions will affect you and your budget, you can pay an advocate to help you:

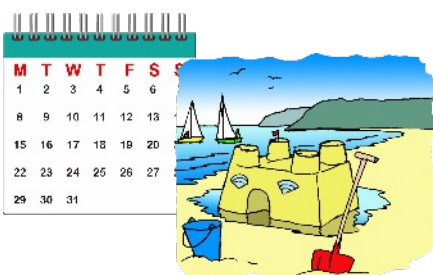
- to understand the quarterly monitoring process
- to manage and pay for your supports such as:



— reporting to HMRC office



— pay and treat Personal Assistants fairly



— working out annual leave entitlements of your Personal Assistants



- having employer insurance to cover your Personal Assistants



- reporting every 3 months








- to organise new community care and support services and what information is needed for payment of invoices



- to understand their **safeguarding** duty

Safeguarding means they must keep you safe from harm and abuse.

Statement		
	_____	_____
	Petrol	£20.00
	Cash Machine	£30.00
	Shopping	£20.00
	Rent	£50.00

- to understand regular statements about your money management account.



The Payroll Only Service

This service is for when you choose to have your direct payment paid into a bank account you have set up.

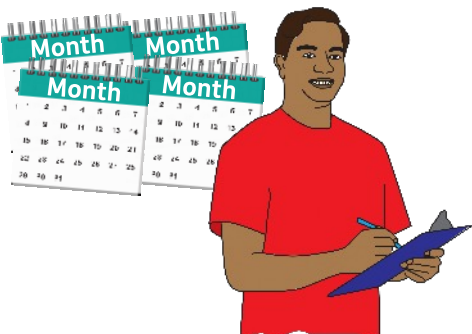
PAY SLIP	
	£2345.78

This service gives you help with the payroll.

It will help you make payslips for staff and work out employer liabilities and pension costs.



Then you will make the actual payments based on the Payroll Only Service Provider instructions.



You would complete the quarterly monitoring with the ICB.

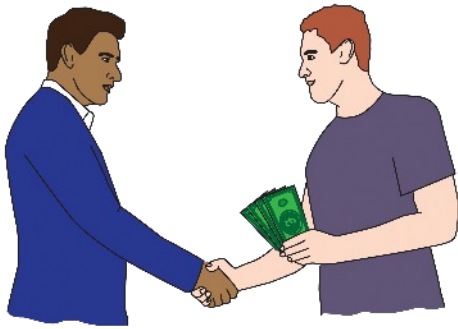


The provider will not be the legal employer of your employed staff.



The Managed Account Payroll/ Fund Holding Service

This service is for when you choose to have your direct payment paid to your Money Management Service Provider.



The provider will then hold and manage your Direct Payment for you.

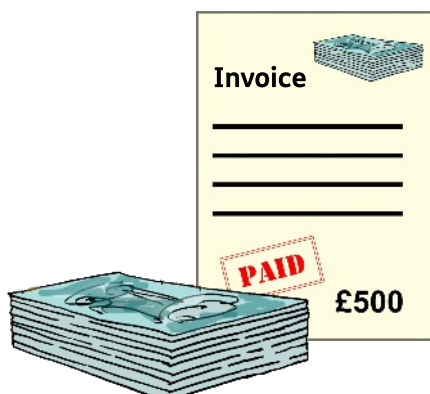


The provider will make payments in line with your Personalised Care and Support Plan.

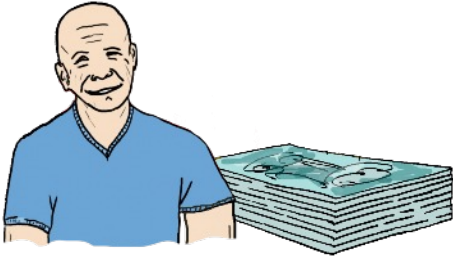


They will:

- run a payroll for employed staff



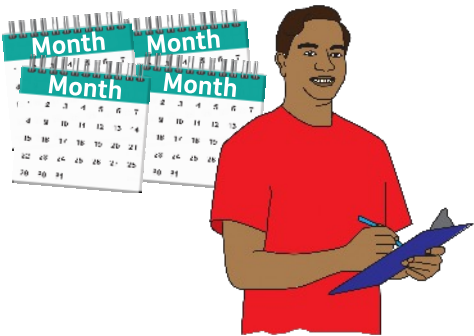
- pay invoices for care and support services



- pay employer liabilities and pensions costs



- offer help on the rules about self-employment and the checks to complete



- carry out quarterly monitoring for the ICB for you.

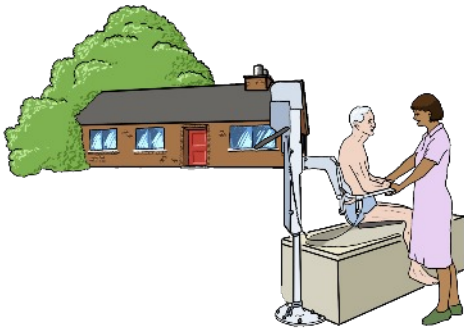


The Provider will not be the legal employer of your employed staff.

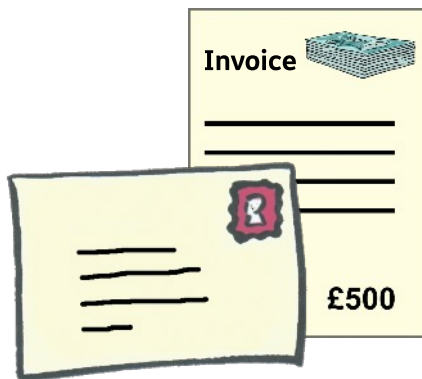


Invoice Only Service

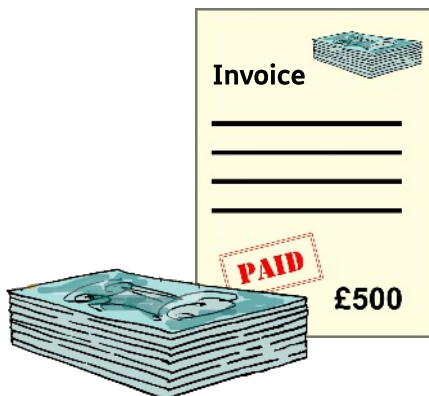
This service is for when you choose to have your direct payment paid to your Money Management Service Provider.



This is for people who get contracted services for their care and support. An example of a contracted service is domiciliary care agencies.



The contracted service is likely to send you invoices for payment.

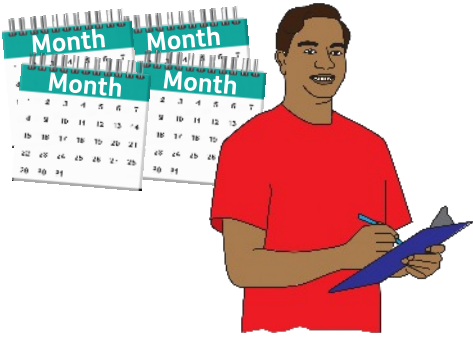


The provider will pay the invoices for you in line with your Personalised Care and Support Plan.



They will:

- offer help on the rules about self-employment and the checks to complete



- carry out quarterly monitoring for the ICB for you.



The provider will not be the legal employer of your employed staff.



Equality and diversity

Providers will need to think about the needs of service users with **protected characteristics**. It is against the law to discriminate against anyone because of:



- age
- gender reassignment
- being married or in a civil partnership
- being pregnant
- disability



- race



- religion or belief



- sex



- sexual orientation

These are called protected characteristics.



Providers must make sure their staff do training by Oliver McGowan about learning disability and autism.



We expect everyone to make **reasonable adjustments** for people with learning disabilities.

A **reasonable adjustment** is changing the way we usually do things to make sure that everyone can use our services.



The law says organisations must consider changing the way they do things for disabled people so they have the same opportunities.



Providers must make sure their staff know about and respect the equality and the human rights of other staff, PHB holders, carers and members of the public.



Safeguarding

Safeguarding means protecting groups of **vulnerable** people.



We say that people are **vulnerable** when they have a difficulty and need extra support. This could be a disability, mental health condition or an experience which has made someone feel unsafe.



To safeguard vulnerable people, providers will choose staff using the rules of:

- the Safer Recruitment standards and
- the **DBS** for all staff who have contact with children and vulnerable adults.

Providers will train their staff using the rules of:



- children's and adults safeguarding intercollegiate guidance and/or
- the Bournemouth National Competency Framework for Safeguarding Adults.



Providers will have clear rules about safeguarding and **whistle blowing**.

Whistle blowing means speaking up if someone you work with is not following the rules. Whistle blowers have a right to protection.



Providers must report safeguarding incidents to the Social Care service where the person lives, and then to the ICB.



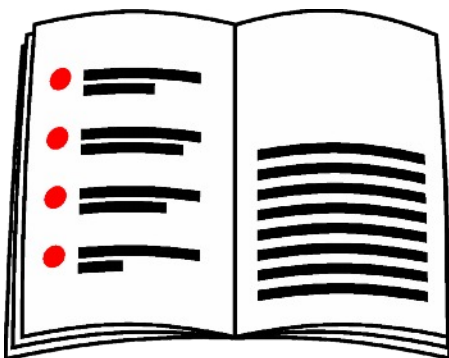
Complaints

Ways a PHB holder can complain

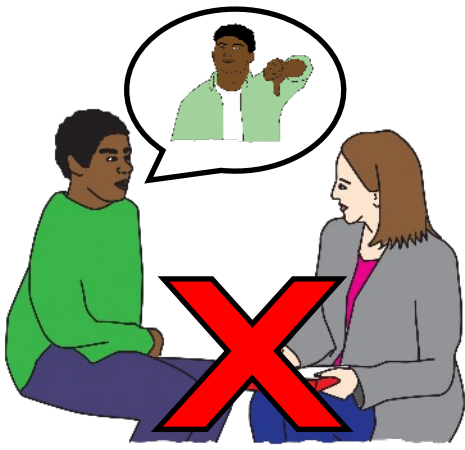
If you are unhappy with services from your provider please speak to your provider about it first. You have 1 year to talk to your provider about it.



You can ask an advocate to help you with your complaint.



You can find an advocate through the PHB Support Services Directory.



If you cannot sort out your complaint with your provider, put in a formal complaint to the ICB.

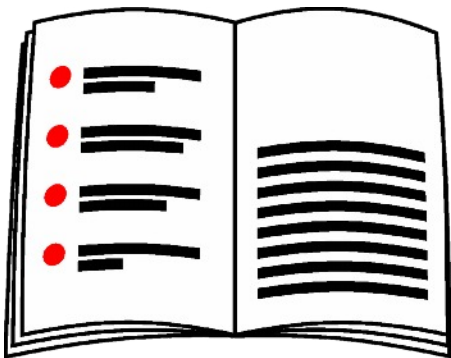


You can get help if something goes wrong

If you think your provider is not following your contract please speak to your provider about it first.



You can pay an advocate to help you with your complaint.



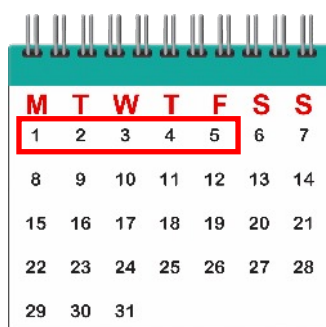
You can find an advocate through the PHB Support Services Directory.



When you meet with your provider they will write a plan called a Back on Track Action Plan.



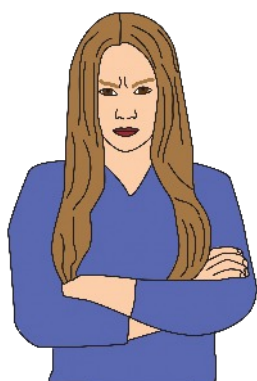
The plan will say what changes will happen with a timeframe and who is responsible.



It will take up to 5 days for the plan to start.



The plan will give you a review date.



After the review, if you are still unhappy, you can ask the ICB for help.

Mediation



The ICB will set up a meeting called a **mediation meeting**.

At a **mediation meeting** you can talk about your issues and what has happened so far.



People at the meeting will be:

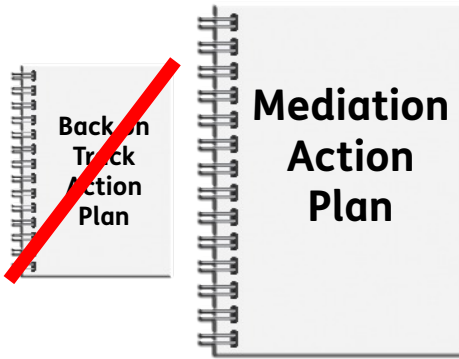
- you
- your advocate or someone speaking for you
- an ICB case manager and the ICB contracts manager
- your provider.



The PHB Holder and the provider will be able to discuss the issues and what progress, has been made.



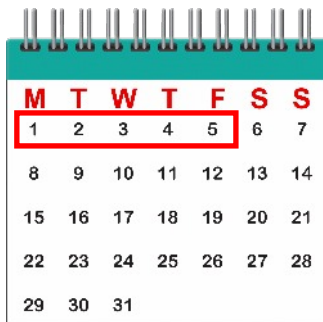
You will all work out a **Mediation Action Plan**.



The Mediation Action Plan will replace the previous Back on Track Action Plan.



The plan will say what changes will happen with a timeframe and who is responsible.



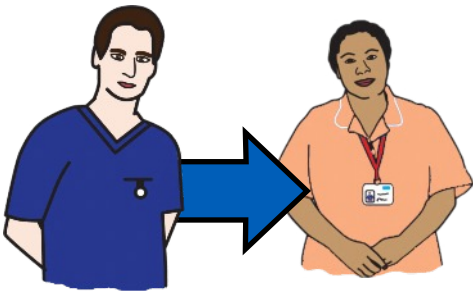
It will take up to 5 days for the plan to start.



The plan will give you a review date.



If you cannot agree on a mediation action plan you will set a date to end services from the provider.



Services will transfer to a new provider.



If you and the provider cannot work things out about the payment the provider can ask for a meeting called a dispute resolution meeting.



If the ICB is worried about the way a provider is giving services they can take action against the provider. This might stop other PHB Holders working with them.

Dispute resolution



If a provider is not paid or the ICB takes them off the PHB Support Services Directory the provider can ask for a meeting called a dispute resolution meeting.



The meeting must happen within 10 working days.



A senior person from the ICB and a senior contracts manager will look at the facts and decide what to do.

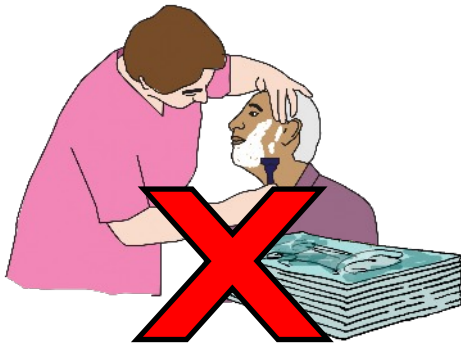


If a service suspended

Suspended means a service is stopped from operating for some time.



The provider will be paid for work they have finished.



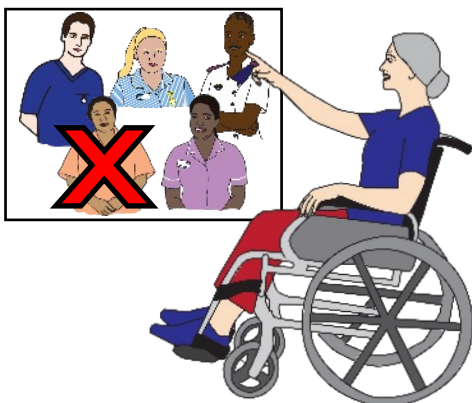
They will not be paid while they are not giving a service.



The provider and the ICB will try to keep your services going.

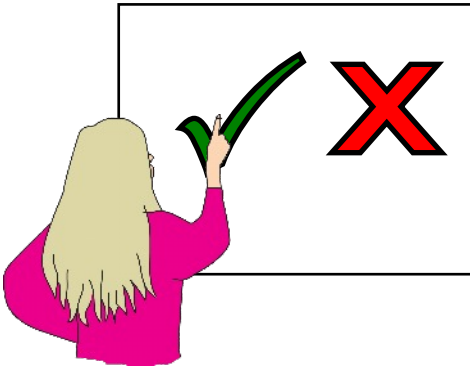


We will tell you that we have suspended your provider.



The ICB will make sure people cannot choose a suspended provider.

Capacity



This contract will work unless you lose **capacity**.

Capacity means you can make decisions by yourself or with help from someone you know. If you lose capacity the ICB will follow these rules: [National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care.](#)



Quality assurance

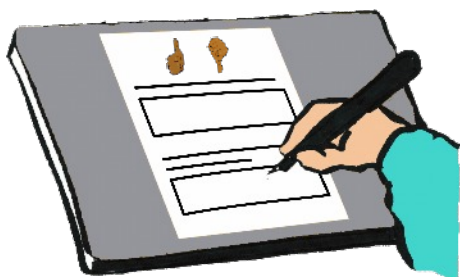
Quality assurance means checking providers are meeting the standards we ask them to.



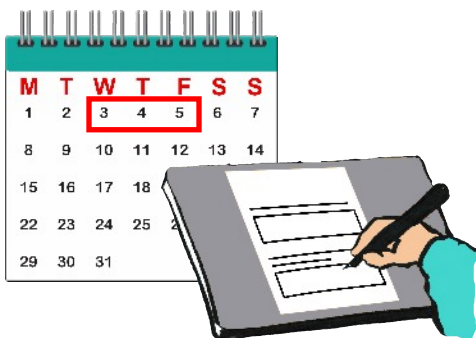
We want you to think about the service you received.



We will ask you and your provider to fill out the Service Delivery Form when the service is set up and when it is delivered.



Your provider will ask you to fill out a satisfaction survey to tell them how you found working with them. A survey is a list of questions.



You have 3 to 5 working days to complete the paperwork which the provider will email to the ICB.



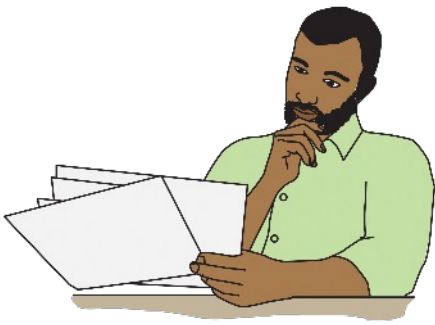
We want your provider to publish the survey on their website.

The ICB may also publish the results on their website.



The provider will email to the case manager:

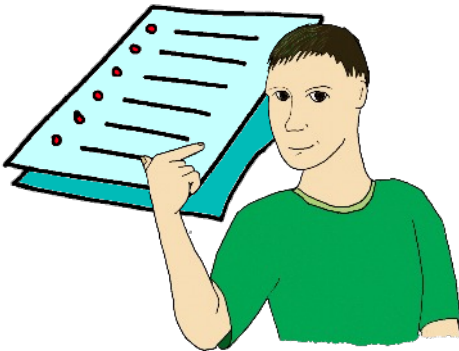
- the PCS Plan
- checklist for service set-up
- Service Delivery Form.



The case manager will check the papers.



The ICB will send you a quality survey after setting up your PHB. Then another survey every year.



Data protection

We will look after your **data**.

Data is information about you and your services.



The ICB will share information with your provider and you in order to provide your direct care.



We will keep your data private.

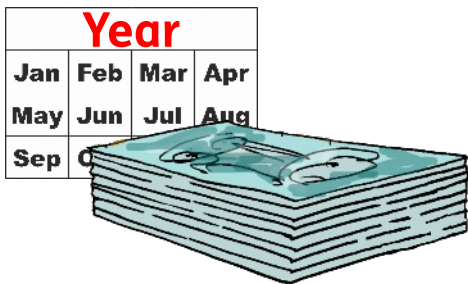
Providers will also keep your data private.

Section 3. Payment



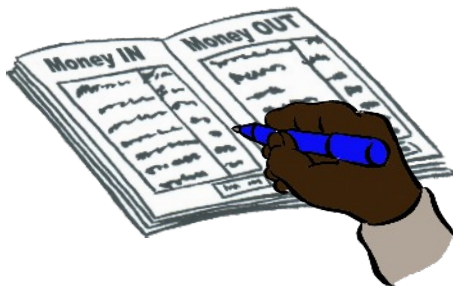
Pricing

The payment for Money Management Services will vary depending on the level of support a person with a PHB needs.



The highest amount we pay to a service that manages your PHB is £1000 a year.

Money Management Services will be paid for:



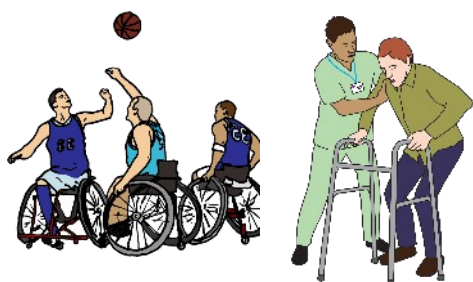
- fees to set up accounts for you and your staff



- keeping a watch over the account



- fees to close the accounts.



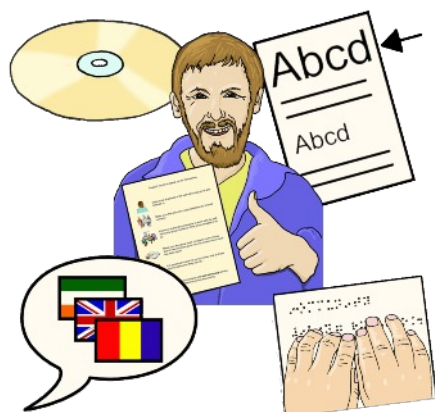
Your Money Management Service will help people who need a one-off PHB to pay for an activity as well as people who need regular care and support.



A provider will accept the referral and begin working with you within 5 working days. You will have a signed contract about the service.

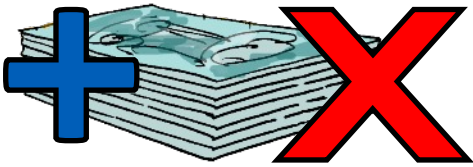


Providers must make sure their staff do training by Oliver McGowan about learning disability and autism.

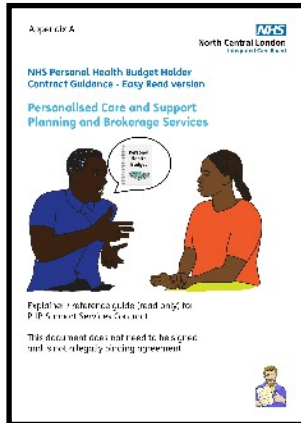


We expect everyone to make **reasonable adjustments** for people with learning disabilities.

A **reasonable adjustment** is changing the way we usually do things to make sure that everyone can use our services.



There will be no extra cost unless the changes are outside what is written in the plan.



People who have a third-party budget and need a third-party service with ongoing management support are discussed in our other paper, PHB Support Services.

Invoicing and transfer of budget



You or your Money Management Service will pay your provider in line with the Personalised Care and Support Plan.



If your provider has not given you service you can hold on to the payment until the service is delivered.



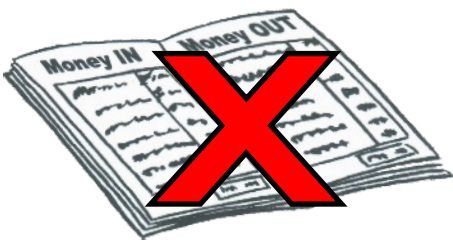
If the provider is worried about their payment they can ask the case manager for a dispute resolution meeting.



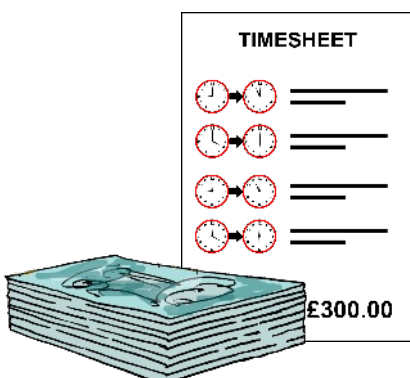
The ICB has a payments system that will pay you or your money management service for your care and support services.

When the service has finished

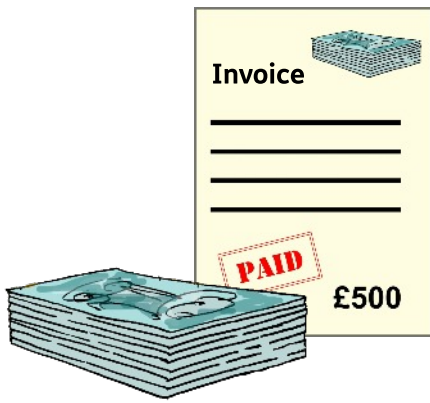
When the provider has completed their services they must talk with you or someone who represents you to:



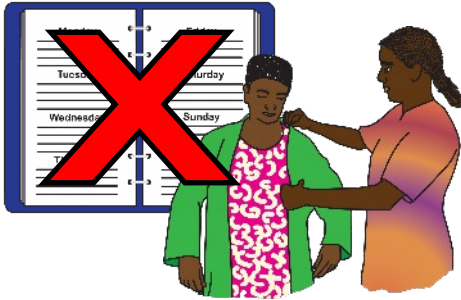
- close the account



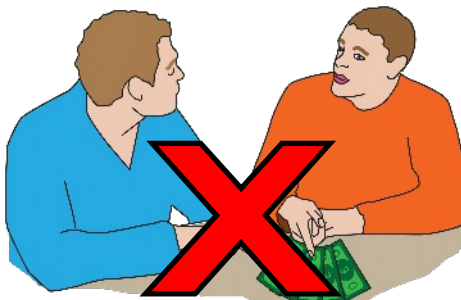
- pay outstanding timesheets



- approve and pay outstanding invoices



- close Personal Assistant bookings



- end service booking with Providers including Payroll Provider.



They must let NCL ICB know the account has been closed.

Contract



This Contract records the agreement between the PHB Holder and the Provider.



Each Party acknowledges and agrees that it will accept and will be bound by the conditions at the date of this contract and as from time to time updated, amended or replaced.

What the words mean

Back on Track Action Plan is a plan your provider writes after a mediation meeting.

Capacity means you can make decisions by yourself or with help from someone you know.

Contract is a written agreement between you and your provider.

Data is information about you and your services.

The **Directory** is a list of trusted support service providers for people who have a PHB.

Direct payment means you are in charge of your Personal Health Budget.

Disclosure and Barring Service (DBS) is a service that checks if a person has a criminal record. Personal assistants may work with children and vulnerable people. We want to keep children and vulnerable people safe from people with criminal records. A criminal record will not stop a person working but it may mean they can only do some activities.

Mediation meeting at a mediation meeting you talk about your issues with your provider and what has happened so far.

Mediation Action Plan is plan that replaces the previous Back on Track Action Plan.

Personal Health Budget or PHB is NHS money you can use to support your health and wellbeing needs such as: treatments, equipment, personal care.

A PHB lets you to create an individually agreed personalised care and support plan.

Personalised Care and Support Plan is about what is important to you.

Protected characteristics. It is against the law to discriminate against anyone because of age, gender reassignment, being married or in a civil partnership, being pregnant, disability, race, religion or belief, sex, sexual orientation. These are protected characteristics.

Quality assurance means checking providers are meeting the standards we ask them to.

A quality service means these things:

1. You will have a say about choosing your health provider.
2. You will have more providers to choose from.
3. There will be several providers who can help all ages and all service groups.
4. It will be easy for you to organise your own care and support.
5. You will feel confident about organising your care.

Reasonable adjustment is changing the way we usually do things to make sure that everyone can use our services.

Safeguarding means keeping vulnerable people safe.

Shared Decision Making means a provider involves you in making decisions about what is important to you and understanding the risks of those decisions.

Survey is a list of questions.

Suspended means a service is stopped from operating for some time.

Third-party budget is when you ask someone else to handle the money for you.

Vulnerable. We say that people are vulnerable when they have a difficulty and need extra support. This could be a disability, mental health condition or an experience which has made someone feel unsafe.

Whistle blowing means speaking up if someone you work with is not following the rules.

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