

Short Break Personal Budget Terms and Conditions

- The Direct Payment must be spent within the guidelines outlined in the Terms and Conditions of the Short Break Offer.
- All Direct Payment recipients will be subject to a 'Know Your Customer' identity validation check every 3 years. The check will now be completed by a third-party organisation (Experian) [see their Privacy Policy here](#). This is **NOT** a credit check.
- Direct Payment recipients can have the identity validation check completed in house by Suffolk County Council upon request.
- If the cared for person is aged 16 or above and can manage their own Direct Payment, funds can be paid into their own bank account or Prepaid Card.
- A Direct Payment cannot be paid into a post office account.
- The Direct Payment recipient agrees to repay the Direct Payment or any part of it if Suffolk County Council identifies that it has not been used appropriately in accordance with this agreement and current Direct Payment legislation.
- It is the responsibility of the Direct Payment recipient to make arrangements to secure appropriate services, such as the procurement of services or the employment of staff, and to comply with all legal requirements that may arise in making such arrangements. Suffolk County Council accept no responsibility for any matters that arise because of these arrangements.
- Where a Direct Payment is being used to employ staff, the Direct Payment recipient agrees to take out Employers and Public Liability Insurance and supply policy documentation if requested to do so by Suffolk County Council.
- If, in the opinion of Suffolk County Council, the service provider or potential employee selected by the Direct Payment recipient is either not able to or is unfit to provide a safe and adequate service, Suffolk County Council has the right to require that the Direct Payment recipient finds an alternative person or organisation to provide the service(s). If this requirement is not met, Suffolk County Council has the right to suspend the Direct Payment or withdraw funds from the Prepaid Card until they are satisfied that suitable arrangements have been made.
- The Direct Payment recipient agrees not to use the Direct Payment to purchase a service from the spouse/partner of the assessed person, or from a close relative (or their spouse or partner), who are living in their household, without the permission of Suffolk County Council under the 'exceptional conditions' arrangements.
- Where the Direct Payment recipient employs staff or uses self-employed staff, Suffolk County Council strongly recommends that appropriate checks be made through the Disclosure Barring Service (DBS).
- The Direct Payment recipient understands that they cannot use their Direct Payment to purchase any service that is provided by Suffolk County Council.
- For Direct Payments paid into own personal bank account, the recipient must provide proof of expenditure, which reflects how the money was spent, within 12 weeks of use or as soon as is practicable. This will usually take the form of a receipt or invoice and completion of the Spending Record provided by Activities Unlimited.
- If a Direct Payment has been made via a Prepaid Card, the recipient must retain evidence of how the Short Break Offer has been spent but will not need

to complete a Spending Record. Receipts will need to be sent to Suffolk County Council as and when requested to do so.

- The Direct Payment recipient must return all unspent monies within the same period, eg financial year, as outlined in the [Excess Funds policy](#), or see Appendix 1).
- The Direct Payment recipient agrees that monies paid by Suffolk County Council under the terms of this agreement and held in the account, or the Prepaid Card account, remain the property of Suffolk County Council.
- In the event of the death of the Direct Payment recipient or the ceasing of the Direct Payment, Suffolk County Council have the right to request the return of any unused monies. Refer to Excess Funds policy on page 10 or Appendix 1. Suffolk County Council will carefully consider what contractual responsibilities exist when determining the balance to be repaid.
- The Direct Payment recipient agrees that Suffolk County Council may use the information provided for the prevention and detection of fraud.
- Suffolk County Council may also share this information with other bodies responsible for auditing or administering public funds for these purposes.