

south ayrshire
health & social care
partnership

Self-Directed Support Guidance

March 2026



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1 Introduction

- 1.1. Self-Directed Support (SDS) is the mainstream approach to the delivery of social care to individuals and their carers across Scotland. Underpinned by a strength-based approach, the delivery of SDS places the individual at the centre of the assessment process, recognising they are best placed to define their needs, make choices and take more control of their lives. Process maps can be found in Appendix D and an easy read version of Choice and Control in SDS can be found in Appendix E.
- 1.2. Improving the outcomes for individuals and their families by providing them with information and advice and working alongside them is central to the successful delivery of SDS. South Ayrshire Council is committed to carrying out its statutory duty to deliver SDS to ensure individuals and their families have real choice and control over the care and support they require. Every aspect of our approach is in line with the SDS National Framework of Standards, and our aim is to work in partnership with individuals and their families to enable them to live independently and enjoy being part of their local communities.
- 1.3. The delivery of self-directed support is an integral part of our overall vision set out in our Strategic Plan for residents across South Ayrshire to 'Start Well, Live Well, Age Well'.

2. Values and Principles of Self-directed Support

- 2.1. The values and principles that underpin Self-directed Support are embedded into the My Life My Outcomes assessment framework and they are as follows:

Collaboration, Dignity, Informed Choice, Involvement and Innovation

- From the initial engagement and throughout the assessment and support planning process we will focus on ‘what matters to you.’ We will respect the individual’s right to dignity and ensure that information and support is made available to enable real choice and control and the ability to be innovative in achieving personal outcomes.

Good Conversations

- A good conversation builds on what matters to the individual. Social care language is powerful and can create stigma and barriers. Good conversations should be open discussions about the needs, concerns or problems most important to the person where they are able to identify what is good about their life and what needs to change. These conversations should allow practitioners to build rapport, facilitating openness about personal circumstances and minimising embarrassment or anxiety. Good conversations will be able to identify assets and strengths, getting to understand the individual’s skills, their family and community support and then look at services for support where appropriate, whilst managing expectations of what can be implemented.

Participation, Responsibility and Risk Enablement

- We will support and encourage individuals to participate throughout and take as much choice and control over their care and support as possible. We will openly discuss personal responsibility and whilst promoting choice and control, we will adopt a risk enabling approach including how any potential risks can be managed. We will also listen and work with individuals to ensure they are free from any form of exploitation, coercion, and/or abuse.

Advocacy

- When completing My Life My Outcome assessments, practitioners should offer advocacy services to all service users. Whilst there are statutory requirements under the [Carers \(Scotland\) Act 2016](#),

[Mental Health Care and Treatment \(Scotland\) Act 2003](#), and the [Adult Support and Protection \(Scotland\) Act 2007](#), good practice requires everyone accessing services to be offered the opportunity to utilise advocacy services to support them through the assessment process. If this offer is declined this should also be recorded through the individuals My Life My Outcome assessment, including reasons why advocacy was decline or not appropriate. More information on the HSCP's strategic objectives related to the provisions of advocacy can be found in the [Independent Advocacy Plan 2024-2029](#).

3. Legal Basis

- 3.1. The legal basis for assessment in respect of the [Social Care \(Self-directed Support\) \(Scotland\) Act 2013](#) (“the Act”) remains within the following core legislation:
- Section 12A of the [Social Work \(Scotland\) Act 1968](#) provides the legal basis for community care assessments for adults.
 - Section 23 of the [Children \(Scotland\) Act 2020](#) provides the legal basis for community care assessments for children in need.
 - The [Carers \(Scotland\) Act 2016](#) provides the legal basis for the assessment of carers.
 - South Ayrshire Health and Social Care Partnership's [Fair Access to Care and Eligibility Criteria Policy](#)
- 3.2. The legal basis of the Social Care (Self-directed Support) (Scotland) Act 2013 is to offer greater choice and control to individuals who following an assessment have eligible support needs. We will carry out the statutory duty that is in place that requires the individual carrying out the assessment to offer and provide information about the SDS Individual Support Options that are available.

3.3. SDS has four Individual Support Options available to any individual who is eligible to receive social care support. The four options are as follows:

Individual Support Option 1 - Direct Payment

- The Council can provide the individual with a direct payment (the budget) to the equivalent financial value of the traditional care and support they are receiving or assessed as requiring. The budget can be used by the individual to design and personalise their support to meet their outcomes and this is set out in a support plan. This may include using the budget for the employment of a Personal Assistant and/or directly purchasing services from a care provider or any other innovative options that can meet the identified outcomes.

Individual Support Option 2 - Individual Service Fund

- An individual service fund is when the relevant amount of funding made available (the budget) to meet an individual's needs is purchased from a provider (nominated by the individual) or the Health and Social Care Partnership. This option means the individual can have more choice, control and flexibility as to when and how their care and support is delivered. Similar to individual support option 1, how the care and support will be delivered to meet the agreed outcomes is set out in a support plan.

Individual Support Option 3 – Council Arranged Services

- This option is often referred to as traditional care and support and the Council will arrange the care and support to be delivered by a commissioned care provider, or the existing in-house services. The care and support will be delivered to meet the agreed outcomes which are set in a support plan.

Individual Support Option 4 - Mixed Package of Care and Support

- A combination of Individual Support Options 1, 2 and 3 can be used. For example, an individual can receive traditional personal care support through Option 3 and combine this with Option 1 to

design any social support to meet their agreed outcomes set out in their support plan.

4. Individual Support Option 1 (Direct Payment) - Individuals ineligible to receive a Direct Payment

4.1 The Self-directed Support (Direct Payments) (Scotland)

Regulations 2014 (“the Regulations”) set out when an individual whom the Health and Social Care Partnership has assessed as requiring care and support is ineligible to receive a Direct Payment (Individual Support Option 1) These include:

- When the assessment identifies there is a need for the provision of either residential accommodation or residential accommodation with nursing care, then Individual Support Option 1 direct payment is not available as a means of funding a permanent placement within a care home setting. The Regulations define a period in excess of 4 consecutive weeks in a residential establishment in any 12-month period as the timeframe which would make an individual ineligible to receive a direct payment. The equivalent of 24-hour care can be offered as a direct payment where it can be evidenced that the need will be met in the community, subject to approval by senior managers. the rate for this can be found in appendix a.
- Where a person is deemed not to have capacity under mental health or criminal justice legislation.

4.2 A direct payment that is in place may be terminated in circumstances including;

- There is evidence that the provision of a direct payment is likely to put the safety of the person to whom the support is provided or others at risk.
- The local authority considers on reasonable grounds that the direct payment user has breached criminal law or a civil law obligation in relation to the support to which the direct payment relates.
- The direct payment has been used (wholly or partly) to secure the provision of support by a family member other than in

circumstances where the family member is permitted by the Council to provide support.

- There is evidence the use of a direct payment is not being used to meet the outcomes and/or not meeting the assessed need set out in the support plan.
- Where an individual has been reviewed and has been deemed to no longer meet the Critical Care Criteria.

4.3 In the event of a Direct Payment being terminated we will:

- Consider any contractual obligations entered into by the direct payment user i.e. personal assistants.
- Take into account the time that will be required to put in place alternative arrangements to provide the support to which the direct payment relates.
- Confirm the termination verbally and follow this up in writing with details of why the direct payment has been terminated.

4.4 **Self-Employed Personal Assistants**

4.5 If someone in receipt of a direct payment (Individual Support Option 1) wants to employ a self-employed personal assistant, there are some checks that have to take place before this is authorised. This includes the self-employed person providing written confirmation about their employment status. If an individual considering this option for their care and support, we will provide the relevant advice, guidance and support following the assessment.

4.6 Further information on self-employment status can be accessed [here](#), or you can contact the HMRC self-employed status team on 03000 527 450.

4.7 **Protection of Vulnerable Groups Scheme (PVG)**

4.8 From the 1st April 2025, there were changes to The Protection of Vulnerable Groups Scheme (PVG) whereby it became a legal

requirement for anyone carrying out a regulated role to be registered with the scheme.

- 4.9 There was a further update on the 18th of July 2025 which highlights amendments made to Section 5 the PVG Scheme of the [Social Care \(Self-directed Support\) \(Scotland\) Act 2013 Statutory Guidance](#).
- 4.10 Anyone who works or volunteers with a child or protected adult in a regulated role or employs someone in one, must assess this role against the criteria for regulated roles. Disclosure Scotland have produced guidance on how to do this.
- 4.11 There has been an updated Code of Practice published under the Disclosure Act. This sets out responsibilities for accredited bodies in the use of disclosure information. This applies to accredited bodies who:
- Make applications for level 1 Disclosures
 - The countersigning of level 2 Disclosures
 - 3rd parties who receive information from an umbrella body.
- 4.12 There are certain exemptions to the PVG requirements. In the amendment on the 18th of July 2025 mentioned in section 1, where a PA is carrying out the regulated role as part of a family relationship they do not need to register. This applies both to direct family members and individuals who live together and have a family like relationship.
- 4.13 Further information for PA's, PA Employers and those who provide support – including examples of where exceptions would apply – can be found in the Social Care (Self-directed Support) (Scotland) Act 2013 Statutory Guidance. This Guidance also gives more detail on the requirements on local authorities.

5. Risk Enablement

Our Approach

- 5.1 Risk enablement is an approach which recognises that risk is not only an inevitable part of life but often a necessary one. Self-Directed Support (SDS) is underpinned by principles of choice and control and to achieve this we need to adopt a more transparent and collaborative approach to working with risk. The 21st Century Social Work Review Report stated, “services must develop a new organisational approach to managing risk which ensures the delivery of safe, effective and innovative practice... focusing particularly on evidence based approaches to risk assessment and management”.
- 5.2 In South Ayrshire, we will adopt a collaborative approach to managing and assessing risk. Our approach to assessing risk will be enabling, participative and transparent, with the goal of achieving positive outcomes for individuals. Any potential risks will be discussed, recorded, monitored and reviewed throughout the assessment and review process.
- 5.3 The main principal behind embedding a risk enablement philosophy is to ensure that our professional practice model is transparent about both discussing and managing the risks associated with independent living. Adopting this approach will also enable individuals and their families to have choice, control and responsibility over their lives and how their care and support is delivered.
- 5.4 A Child’s Assessment and Plan will record the assessment and management of risk, along with contingency planning underpinned by the GIRFEC practice model.

6. Eligibility Criteria

- 6.1 Eligibility Criteria are statements about the conditions and circumstances which allow access to social work services. They are of interest to service users and the public to whom they might be applied and to staff who will make decisions about allocating resources based on the criteria.
- 6.2 Eligibility criteria assist the Council to achieve fairness, consistency, and transparency in how decisions are taken.
- 6.3 The Eligibility Framework prioritises needs into four categories: critical, substantial, moderate, and low, this is also in line with our approach to assessing levels of risk.

Category 1: CRITICAL NEEDS

Neglect or physical / mental health.

- major health problems which present immediate threat of harm to self or others
- serious harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination)
- palliative or end of life care needs

Personal care and domestic environment.

- unable to meet vital or most personal care needs causing major harm or major risk to independence.
- unable to meet vital or most aspects of domestic routines causing major harm or major risk to independence.
- homelessness of a vulnerable person
- extensive / complete loss of choice and control over vital aspects of home environment causing major harm or major risk to independence.

Participation in community life.

- unable to sustain involvement in vital aspects of work/education/learning causing severe loss of independence.
- unable to sustain involvement in vital or most aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.

Carers

- major health difficulties due to impact of their caring role causing life threatening harm or danger.
- complete breakdown in the relationship between carer and service user and carer is unable to continue in their caring role.
- carer is unable to manage vital or most aspects of their roles and responsibilities.

Category 2: SUBSTANTIAL NEEDS

Neglect or physical / mental health.

- ***harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination).***
- ***significant health problems which cause significant risk of harm or danger.***
- ***palliative or end of life care needs.***

Personal care and domestic environment.

- ***unable to undertake many aspects of personal care causing significant risk of harm or significant risk to independence.***
- ***unable to manage many aspects of domestic routines causing significant risk of harm or significant risk to independence.***
- ***substantial loss of choice and control managing home environment causing a significant risk of harm or danger to self or others, or a significant risk to independence.***

Participation in community life.

- ***unable to sustain involvement in many aspects of work/education/learning causing significant risk to independence.***
- ***unable to sustain involvement in many aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.***

Carers.

- ***significant health difficulties due to impact of their caring role causing significant risk of harm or danger.***
- ***carer is unable to manage many aspects of their caring, family or employment responsibilities.***
- ***significant risk of breakdown in the relationship between carer and service user and carer is unable to sustain many aspects of their caring role.***

Category 3: MODERATE NEEDS

Neglect or physical / mental health issues.

- ***some health problems indicating some risk to independence and/or intermittent distress. Potential to maintain health with minimum interventions.***
- ***need to raise awareness of vulnerable person to potential risk of harm.***

Personal care and domestic environment.

- ***unable to undertake some aspects of personal care indicating some risk to independence.***
- ***able to manage some aspects of domestic activities and/or home environment indicating some risk to independence.***

Participating in community life.

- ***unable to manage several aspects relating to work/learning/education that, in the foreseeable future, will pose a risk to independence.***
- ***able to manage some aspects of family roles and responsibilities, posing some risk to independence.***

Carers.

- ***main carer able to manage some aspects of caring and family/domestic roles, posing some risk of breakdown in their own health.***
- ***relationship between carer and service user under strain at times, limiting some aspects of the caring role or creating some risk of relationship breakdown.***

Category 4: LOW NEEDS

Neglect or physical / mental health.

- ***few health problems indicating low risk to independence. Potential to maintain health with minimum interventions.***
- ***preventative measures including reminders to minimise potential risk of harm.***

Personal care and domestic environment.

- ***difficulty with one or two aspects of personal care or domestic routines, indicating little risk to independence.***
- ***able to manage most basic aspects of domestic activities and environment.***

Participation in community life.

- **difficulty undertaking one or two aspects of work/learning/education responsibilities, indicating low risk to independence.**
- **difficulty undertaking one or two aspects relating to family responsibilities or social support networks, indicating low risk to independence.**
- **able to manage most aspects of family responsibilities and social support networks, posting some risk to independence.**

Carers.

- **carer able to manage most aspects of their caring and domestic role and responsibilities, indicating low risk.**
- **carer is able to manage most aspects of their family and work responsibilities, indicating low risk.**
- **relationship is maintained between client and carer by limiting aspects of the caring role.**

6.4 Our Eligibility Criteria was updated in 2018 to clarify that the Health and Social Care Partnership's main priority and focus remains on individuals with the highest level of need and those most at risk (i.e. individuals assessed as having 'critical' needs). Individuals with non-critical level of need ('substantial', 'moderate', or 'low') will also continue to receive a service through our partnership arrangements with the third sector. This may include the provision of information and advice or a range of other support services.

6.5 More information on the Eligibility Criteria can be found in the Fair Access to Care and Eligibility Criteria Guidance document.

7. Employment of Family Members

7.1 South Ayrshire Health and Social Care Partnership recognises the significant role of unpaid carers, who may often be family members. In exceptional circumstances, family member can be employed as a personal assistant, when the family member, direct payment user and the local authority are all in agreement.

- 7.2 The Self-directed Support (Direct Payments) (Scotland) Regulations 2014 define a family member and set out the criteria when they can be employed to provide care and support using a direct payment.
- 7.3 The Regulations define a “family member” as being:
- The spouse or civil partner of the direct payment user.
 - A person who lives with the direct payment user as if their spouse or civil partner.
 - The direct payment user’s parent, child, brother, sister, aunt, uncle, nephew, niece, cousin, grandparent, grandchild.
 - The spouse or civil partner of any person listed above.
 - A person who lives with any person listed above as if their spouse or civil partner.
- 7.4 A direct payment to a family member will be considered where:
- The family member, direct payment user and the Council agree to the family member providing the support.
 - The family member is capable of meeting the direct payment user’s needs i.e. supporting them to achieve their outcomes.
 - Any of the factors below apply.
- 7.5 The factors are:
- There is a limited choice of service providers who could meet the needs of the direct payment user.
 - The direct payment user has specific communication needs which mean it will be difficult for another provider to meet the needs.
 - The family members will be available to provide support which is required at times where other providers would not reasonably be available.
 - The intimate nature of the support required by the direct payment user makes it preferable to the direct payment user that support is provided by a family member.
 - The direct payment user has religious or cultural beliefs which make the provision of support by a family member preferable to the direct payment user.

- The direct payment user requires palliative care.
- The direct payment user has an emergency or short-term necessity for care.
- There are any other factors in place which make it appropriate, in the opinion of the local authority, for that family member to provide the support.

7.6 Where an individual is in receipt of a direct payment, a family member may not provide the support which relates to the direct payment in the following circumstances:

- The local authority determines that either the family member or the direct payment user is under undue pressure to agree to the family member providing support; or
- The family member is either the legal guardian, continuing attorney or welfare attorney with the power to make decisions as regards the support to be provided through the direct payment.
- The Local Authority considers that a family arrangement may impact adversely on a carer or young carer.
- It is considered the family member is unable to provide the level of care due to other reasons that have become evident during the assessment.

7.7 The potential impact of an individual becoming the direct employer of a family member should be considered and discussed during the assessment.

7.8 As with all other aspects of the assessment, the practitioner has a duty of care to ensure the safe and effective delivery of care and support. To meet this requirement, they need to agree that a family member will be able to provide the level and type of support required to meet the identified outcomes and this should be discussed as the support plan is being developed.

8. Information and advice to promote Self-directed Support

- 8.1 South Ayrshire Council is required to ensure information and advice is available to individuals to be informed about SDS and allow them to take control and have real choice in how they access any care and support. In order meet this requirement, the Council works in partnership with Ayrshire Independent Living Network (AILN) and the Community Brokerage Service which are local independent support organisation.
- 8.2 AILN is a user-led organisation and is able to offer independent advice and support in relation to all aspects of accessing self-directed support. This includes information around all aspects of being an employer alongside providing an optional payroll service to individuals who choose to employ a Personal Assistant under
- 8.3 The Community Brokerage Network is a not-for-profit Community Interest Company that has been helping people in Ayrshire navigate their social care journeys since 2012. They offer comprehensive help you explore your entitlements and understand the community-based options available.
- 8.4 If an individual, their carer or representative requires independent support to manage their SDS Individual Support Option 1, they can choose to access this type of support through other organisations equivalent to the cost of AILN.
- 8.5 AILN also lead on and manage the microenterprise project in partnerships with South Ayrshire Health and Social Care Partnership. This project offers an alternative support to the employment of a PA or contacting of a service provider. Further information can be SDS webpage. accessed both on the [AILN](#) and [South Ayrshire Health and Social Care Partnership](#) webpages.

9. The Allocation of Resources

- 9.1 The [Social Work \(Scotland\) Act 1968](#) places a duty on local authorities to ensure that resources (the relevant amount) are made available to meet eligible care needs to a standard they consider suitable and adequate. There is also a requirement under the [Children and Young People \(Scotland\) Act 2014](#) in regards to SDS services for children and young people, including those with a learning disability.
- 9.2 In South Ayrshire we have adopted an 'equivalency model' for the allocation of resources under self-directed support. This means an individual with eligible needs will be entitled to a personal budget which is equivalent to the cost of delivering a similar level of traditional services. The equivalency calculation of a budget is similar across all four SDS Individual Support Options, meaning that regardless of what option is chosen, it will not put an individual at any disadvantage.
- 9.3 The practitioner carrying out the assessment of needs will notify the individual of their allocated budget once the relevant management has approved their assessment.
- 9.4 The equivalent rates for 2026-2027 are set out in Appendix A. The rates are reviewed annually in April to reflect annual approved contract uplifts to include adult and children's social care workers real living wage increases.
- 9.5 Any individual who is not satisfied with the level of resources they have been allocated should in the first instance discuss this with the practitioner and their manager. If agreement cannot be reached, the individual should be made aware of how they can give feedback or make a complaint at [Complaints - South Ayrshire Council](#).

10. Circumstances Where Resources Cannot Be Allocated

- 10.1 The allocation of financial resources under Individual Support Option 1 is provided to meet the outcomes set out in the Support Plan. The Health and Social Care Partnership will not agree or continue with funding if it is used in the following ways:
- Unreasonably endanger any person.
 - Support an illegal act.
 - Involve gambling or financial investments.
 - Fund health care that should be met by the NHS unless budgetary arrangements have been put in place between agencies to permit this.
 - Pay for anything that other sources of income should normally cover (for example, food, drink, and petrol/taxi costs).
 - Not contribute to the agreed outcomes within the support plan.
 - Purchase of any goods or services that does not meet outcomes as detailed in the support plan.
 - Where the individual is subject to Adult Support and Protection measures, Individual Support Option 1 funding would not be allocated until the ASP is no longer in place and standard Care Management procedures apply. Option 2 ISF may be applied in these circumstances
 - Where an individual is reviewed and no longer has critical care needs.

A breakdown of what an SDS budget can and cannot be used for can be found in Appendix D.

- 10.2 Any refusal or withdrawal of funding should be discussed between the individual and the practitioner. If an individual does not agree with the decision, they can access the Council's Listening to You complaints procedure.

11. Financial Assessment and Charges

- 11.1 Individuals assessed for social support under Self-Directed Support will be subject to a financial assessment. This will be carried out after the assessment of need and in some instances a

financial contribution towards the total cost of any support provided may be put in place.

11.2 South Ayrshire Council currently applies a consistent charging policy for non-personal care services. This is in line with the COSLA's national guidance on Charges Applying to Non-residential Social Care Services. Charging thresholds and rates are adjusted annually (in April) in line with pension and benefit changes. More on this can be found in [South Ayrshires Charging Policy](#).

12. Termination of Funding

12.1 Direct payments can be terminated (Individual Support Option 1) under the [Self-directed Support \(Direct Payments\) \(Scotland\) Regulations 2014](#). The Council has the right to terminate the direct payment in a range of circumstances that include:

- Where the individual has become ineligible to receive direct payments.
- Where the payment has been used for purposes out-with the person's support plan (i.e. misuse of funds).
- Where it has been used to secure the provision of support by a family member in circumstances where the family member is not permitted to provide such support.
- Where it becomes evident that an individual is unable to manage the funds or complete the reconciliation process despite being provided with additional support and advice.
- Where the local authority considers on reasonable grounds that the individual has breached the criminal law or a civil law obligation in relation to the support to which the direct payment relates.
- The Council will work with the individual and their family and/or carer establish what is appropriate spend and find alternative care arrangement if funding has been terminated.

12.2 In the event of a direct payment being stopped, the lead practitioner will inform the individual. A period of notice will be given before the payments are discontinued. When an individual

who continues to have eligible needs is no longer eligible to receive direct payment they will continue to be supported with other self-directed support options put in place.

- 12.3 When a direct payment is discontinued, a reconciliation process will take place. South Ayrshire Council will seek to recover any misused funding as the Council deems appropriate.

13. Financial Monitoring of Individual Support Option 1 - Direct Payments

- 13.1 South Ayrshire Council is accountable for public funds and as a result it will monitor direct payments made to service users. The monitoring process is proportionate and is based on the [Chartered Institute Public Finance and Accountancy Guidance \(CIPFA\), Self-Directed Support: Direct Payments - A Guide for Local Authority Finance Managers.](#)

Financial Monitoring

- 13.2 Financial monitoring of a Direct Payment involves the SDS Finance Team tracking spend against the agreed support plan. Detailed records such as receipts and bank statements are submitted on a regular basis to the SDS Finance Team by the Direct Payment users or someone managing the payments on their behalf this could be AILN or a financial guardian.
- 13.3 The purpose of financial monitoring is to verify funds are spent on agreed outcomes included in the support plan and that public funds are spent appropriately.
- 13.4 Frequency of reconciling direct payment spend against the support plan is based on risk and proportionate to the value of the direct payment, how the direct payment is administered and the range of support purchased.

- 13.5 Through the reconciliation process this may identify bank balances that have not been used, this can occur due to a range of different circumstances. Where balances exceed 4 weeks of payments, a reclaim of the surplus bank balance will be requested, following a review by the social work team as noted in Section 13.6. The individual will be notified by SDS Finance Team in advance of this request for funding to be returned.
- 13.6 Where finance have highlighted through the reconciliation process that funds have not been spent, the finance team will notify the relevant social work team, via their duty system, to allow follow up to be undertaken. The relevant Social Work team will analyse any current risk and understand why funds have not been used to do the necessary checks to understand why funds have not been used.
- 13.7 Following analysis by the Social Work team if excess funding is due to a change in care needs. The four weekly direct payment will be reduced on a permanent basis to ensure funding allocated is to meet care needs and excess balances are avoided. This will ensure resources are distributed equally and fairly based on need.

Annual Review

- 13.8 The Care Manager should contact SDS Finance Team 4 weeks in advance of the service users annual review to determine how the DP Option has been utilised using the data collected from the reconciliation process, this is relevant to options 1, 2 and 4 of the SDS Individual Support Options.
- 13.9 All public funds provided under any of the options are monitored by a combination of the formal review process and the financial reconciliation process, to ensure the funds made available are being used effectively

14. Equality and Diversity

- 14.1 South Ayrshire Council's Equality Outcomes 2025-2029 affirms the Council's commitment to the general principles of fairness, equality and human rights and seeks to apply these principles in all that it does as a community leader, service provider, education authority and employer. If you would like to read more about the new Equality Outcomes in South Ayrshire, you can access documents [here](#).
- 14.2 Implementation of the Council's Self-directed Support Policy will support our commitment to equality and diversity by giving people greater choice and control over services they receive and enabling them to meet their particular needs and individual outcomes.

15. Related Policies

- 15.1 This policy is inter-dependent with the following local policies, strategies, procedures and guidelines:
- ***Fair Access to Care and Eligibility Criteria Guidance**
 - ***Social Care Charging Policy – Residential and Non-Residential 2026-27**
 - [South Ayrshire Health and Social Care Partnership Integrated Joint Board Strategic Plan 2021-2031](#)
 - [South Ayrshire Health and Social Care Commissioning Plans](#)
 - [Age Well: South Ayrshire Dementia Strategy 2024-2034](#)
 - [Live Well: South Ayrshire Mental Health and Wellbeing Strategy 2024-2034](#)
 - [Live Well: South Ayrshire Adult Carers Strategy 2025-2030](#)
 - [South Ayrshire Adult Learning Disability Strategy 2022-27](#)
 - [Independent Advocacy Plan 2024-2029](#)
 - [South Ayrshire GIRFEC Practice Guide 2025](#)
 - [South Ayrshire Ageing Well Strategy](#)

**2026 versions of these documents will be available shortly.*

Appendix A

Self-Directed Support Equivalent Service Rates

The following equivalent rates will be paid for individuals accessing Individual Support Option 1 (Direct Payment) and Option 2 (Individual Service Fund) and Option 4 (a mix). These rates are based on the equivalent cost of purchasing (Option 3) services from external service providers. Separate rates for employment of a personal assistant are also included and all rates will commence on the **01-04-2026**.

<u>Equivalency Hourly Rates for Option 1, 2 or 4 for all external providers</u>		
Older People (60+) - Personal/Non-Personal Home Care Rate (<i>per providers offer 21/22</i>)	£24.44	per hour (or equivalent approved rate for the Lot or rural location)
Adults (18-59) - Personal/Non-Personal Home Care Rate (<i>per providers offer 21/22</i>)	£24.44	per hour
Children (up to 18) - Personal/Non-Personal Home Care Rate	£24.44	per hour
Day Care Older People (60+)	£62.00	per day
Day Care Adults (18-59)	£107.20	Per day
Sleepover Rate	£16.49	per hour
Respite and Short Breaks		
The respite rates below are subject to waiving of charges and a carers support plan being in place. If there is no carers support plan in place the rates below will be subject to a charge.		
Older People (60+) Respite – Short Breaks Respite for Carer	£63.54	Per Week
Older People (60+) Respite – Residential Care	£930.45	per week
Older People (60+) Respite – Nursing Care	£1,074.13	per week

<u>Equivalency Hourly Rates for Option 1, 2 or 4 for all external providers</u>		
Adult (25-59) Respite	£2,414.19	per week
Young Adult (18-24) Respite	£2,414.19	per week
Children Respite	£2,414.19	per week

<u>Personal Assistant (PA) rates 2026/27</u>		
Hourly Personal Assistant Rate from 01/4/2021 <i>(this includes NI and contingency PA should be paid RLW)</i>	£17.67	per hour
Personal Assistant Sleepover Rate <i>(The P.A. should be paid £9.50 per hour - National Minimum Wage)</i>	£17.67	per hour
South Ayrshire Council will provide one-off payroll start-up costs when a Personal Assistant is employed.	£450.00	

Appendix B

Self-Directed Support Personal Assistant: Essentials Checklist

Why is the checklist required?

When an individual, or their legal proxy, chooses to access **Self-Directed Support Options 1, 2 or 4**, there are essential checks required in order to meet the terms of the local authority Self-Directed Support and Direct Payment processes and contracts, as well as the relevant legislation. These serve to safeguard all involved in the process as far as practically possible.

What Information is required?

Where an individual chooses **Individual Support Option 1 (direct payment)** and wishes to employ a **Personal Assistant** to support their assessed needs, there are several pieces of essential information which require to be provided to satisfy the processes and legislation underpinning it and for the protection of the individual. These sources of information and supporting evidence are: -

Due to our duty of care to ensure due diligence checks are completed, Self Employed Personal Assistants must provide written confirmation/evidence of the following, though not limited to.

- their employment status,
- registration with HMRC as a self-employed taxpayer
- insurance as a self-employed carer/PA/company
- most recent completed PVG check.
- an agreement on the hourly rate of pay and any additional costs they will be expected to cover.
- If the PA is intending on using their own vehicle if a social support is commissioned, then their driving licence should be checked, and they should have business insurance included in their cover.
- record of relevant training appropriate to the needs of the individual
- relevant registration status with professional bodies, for example Scottish Social Services Council.
- there should also be evidence of relevant and current training appropriate to the needs of the individual.

South Ayrshire Council will provide a one-off payroll start-up fee when a Personal Assistant is employed.

Where can an individual access support and guidance with employing a Personal Assistant SDS Option 1?

South Ayrshire Council contract Ayrshire Independent Living Network (AILN) to provide advice, guidance and support to individuals and their families choosing to secure their supports through SDS Option 1. They have put together this handy guide with tips and helpful information for individuals about to embark on employing a Personal Assistant.

[Small-one-SDS-opt-1-31-July.pdf \(ailn.org\)](#)

AILN staff are available to guide the individual in the completion of appropriate recruitment checks reflective of those required by the local authority. They can give assistance to ensure all of the relevant recruitment, payroll, contractual and associated processes are in place prior to the commencement of a Personal Assistant (PA) and shall maintain relevant employer records for the individual.

AILN are a non-profit making organisation who take a minimal weekly/monthly charge from the individual for providing the ongoing employment and resource support and initial start-up one-off costs are provided by the local authority, detailed in Appendix 1, Self-directed Support Equivalent Service Rates.

Any self-employed Personal Assistant sourced through an employment agency or broker via Individual Support Option 1 (Direct Payment) **must** provide the same information to the individual as though they were being employed by them directly. The agency or broker may advise that these essential pieces of evidence have been provided to them, but in order to meet the requirements of the individual and the local authority when accessing public funds, the professional providing support to the individual, e.g. Social Worker, Community Care Assistant, etc **must insist on obtaining these prior** to any self-employed Personal Assistant commencing. The commencement is dependent on these checks being satisfactory.

Appendix C

Self-Directed Support (SDS)

Your Guide to Choice and Control

What is Self-Directed Support?

Self-Directed Support (SDS) is Scotland's way of giving you **choice and control** over your care and support.

If you need social care, SDS lets you decide **what support** you get and **how it is delivered**, so you can live well and stay connected to your community.

Our Promise to You

We will work with you in a way that is:

- **Respectful** – we listen to what matters to you.
- **Collaborative** – we plan support *with you*, not for you.
- **Flexible** – your support can be creative and personalised.
- **Strengths-focused** – we look at what you can do, not just what you need help with.
- **Rights-based** – you have the right to choice, control and dignity.

Your Four SDS Options

You can choose one option or mix them.

Option 1 – Direct Payment

You receive a budget to arrange your own support.

You can employ a Personal Assistant (PA), buy services, or build a personalised support plan.

Option 2 – Individual Service Fund

A provider you choose, or the council, holds your budget.

You still choose how and when the support happens.

Option 3 – Council-Arranged Support

We arrange your support for you using our usual providers.

Option 4 – A Mix of Options

You combine Options 1, 2 or 3 in a way that works best for you.

Who Can Help You?

You don't need to manage SDS alone.

Ayrshire Independent Living Network (AILN)

AILN provides **independent advice and hands-on help** with:

- understanding your options
- employing a Personal Assistant
- payroll and employer support
- budgeting and managing Direct Payments

You can choose to use AILN or another suitable support service.

Using a Personal Assistant (PA)

If you use Option 1, you may employ a Personal Assistant. We will help you understand:

- what checks are needed (PVG, insurance, training)
- what paperwork you need
- how to be a safe, confident employer

AILN can support you every step of the way.

Planning Support Around You

Your support plan should:

- reflect what matters most in your life
- help you achieve your personal outcomes
- build on your strengths and connections
- give you independence, safety and wellbeing

We will talk with you about any risks and how to manage them **together**.

How Your Budget is Decided

Your personal budget is based on the cost of providing similar support through traditional services.

This ensures your budget is:

- **fair**
- **transparent**
- **enough to meet your assessed needs**

We will explain your budget before you make decisions about your support.

If You Disagree With a Decision

You have the right to:

- ask for the decision to be reviewed
- receive a clear explanation
- seek independent advice and advocacy
- make a complaint if needed

We are committed to being open, fair and supportive.

Equality and Inclusion

SDS is for everyone.

We will adapt our approach for:


- people with mental health needs
- people with sensory impairments
- disabled people
- children, young people and families
- carers
- people from minority ethnic communities

If you need information in a different format, just ask.

Want to Learn More or Get Support?

 **South Ayrshire Health & Social Care Partnership**

 Website: *[insert web link]*

 Email: *[insert email]*

 **Ayrshire Independent Living Network (AILN)**

 www.ailn.org

 info@ailn.org

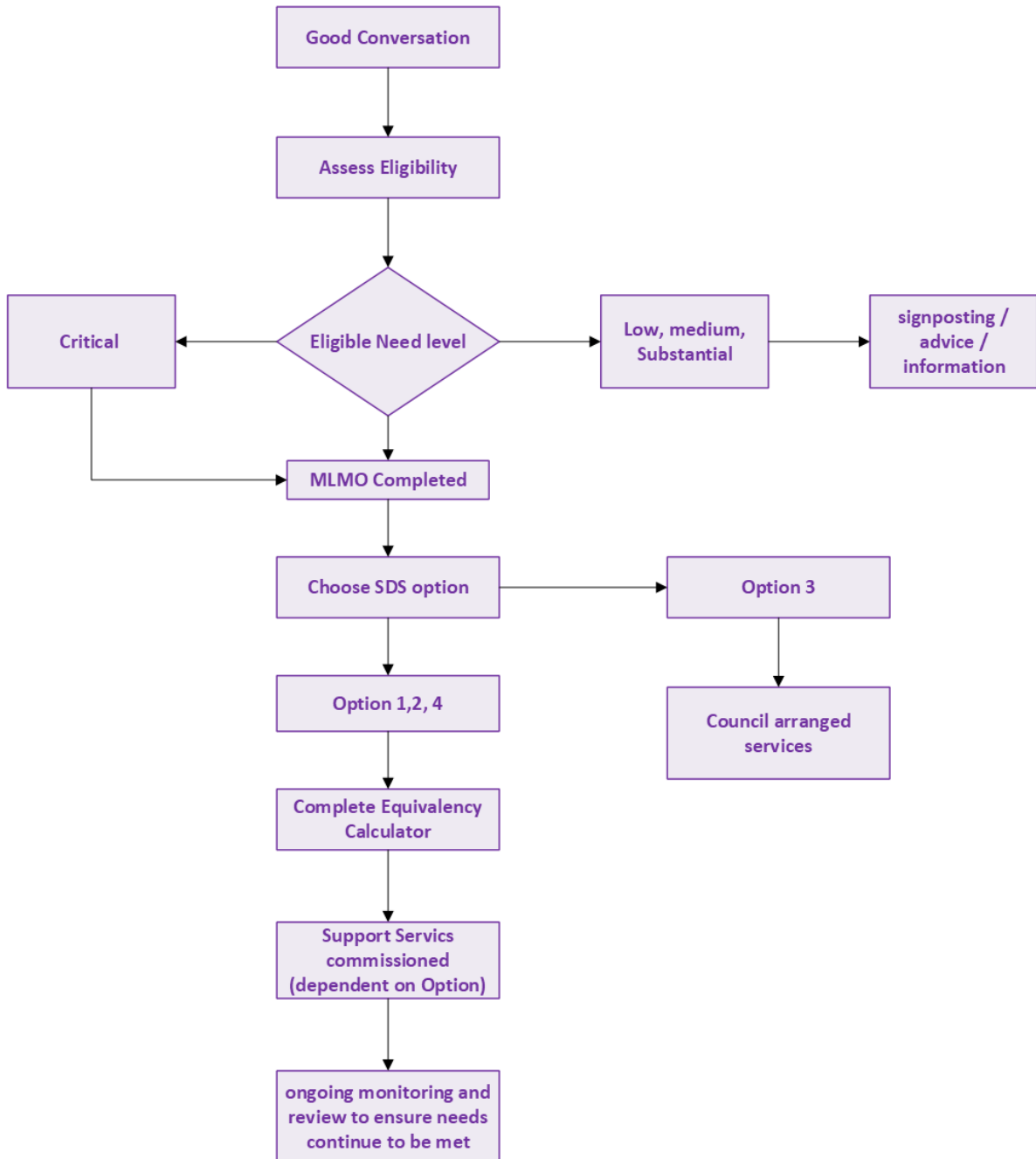
SDS gives you real choice. Real control. Real independence.

We are here to walk the journey with you.

DRAFT

Appendix D

SDS Process Map



Process Map for Service Users and Carers

Self-Directed Support Process



Appendix D

Self Directed Support (SDS) - Spending Your Personal Budget

All of your personal budget must be used by you to meet your assessed outcomes. All care and support is bespoke to you and it is up to you to decide what outcomes are most important for you to achieve each year.

All negotiated personal budget spend will be presented by the Care Manager to Senior Management who will consider each case on an individual basis, using a person centred, outcome focused approach. This decision making will be open and transparent across all service areas. The Council has the final decision on this.

Any equipment that you buy with your personal budget cannot be resold as it remains the property of the Local Authority.

You **cannot** spend your personal budget on anything that is not identified as an outcome within your support plan.

As illustrated below there are 3 areas to consider when deciding how to spend your personal budget:

- **RED you cannot spend your personal budget on these areas.**
- **GREEN you can spend your budget on these areas.**
- **AMBER you may be able to spend your budget on these areas after negotiation with your practitioner and there may be a cap on the amount you can spend on these areas.**

You cannot spend your budget on:

<p>Anything that has not been identified and agreed through the assessment and support plan.</p>	<p>Rewards/gifts to unpaid carers – this should be paid from the supported person's income.</p>	<p>Client contributions for services, including respite which must be paid from your personal funds.</p>	<p>Paying or employing someone who is a Welfare or Financial Guardian or Power of Attorney or who holds parental rights and responsibilities.</p>	<p>Gambling including scratch cards, bingo, casinos, slot machines and online gambling.</p>
<p>Anything that is illegal.</p>	<p>Alcohol, tobacco products or e-cigarettes.</p>	<p>Insurance; car, home, holiday, personal or household items.</p>	<p>Permanent residential care and support.</p>	<p>Paying off debts.</p>
<p>Any specialist equipment or therapy that you have been assessed as requiring that will be provided directly by the NHS, Health and Social Care Partnership or the Local Authority such as: Housing, Education and Children's Services, Occupational Therapy, cannot be funded from your personal budget.</p>	<p>Supported person's food including teas/coffees on holiday or in respite.</p>	<p>Transport costs: taxis, petrol, transport, travel where in receipt of DLA mobility or PIP (mobility). It also can't be used for the charge for blue badge.</p>	<p>Household expenditure; rent or mortgage payments, utility bills, food/drink, furniture replacement, broadband.</p>	

You can spend your personal budget on:

<p>To achieve / meet your assessed outcomes.</p>	<p>Employing Personal Assistants when in receipt of Option 1 (Direct Payment).</p>	<p>Purchasing support from an agency / provider.</p>	<p>Live in carers.</p>	<p>Purchasing respite / holiday care.</p>
<p>Support to attend education, volunteering opportunities or employment.</p>	<p>Purchasing items activities and services that support you to meet your assessed outcomes and needs.</p>	<p>Statutory employment responsibilities and costs incurred when employing Personal Assistants (PA) for example: payroll, insurance, terms and conditions of employment.</p>	<p>Paying for activities, services and memberships for example: to be more involved in your community or gain access to leisure. Examples are joining a lunch club or gardening club.</p>	

Negotiable with practitioner to meet a specific outcome:

Specialist equipment that is not directly provided by the NHS, Health and Social Care Partnership or the Local Authority.	Purchasing equipment or membership where there is evidence that this meets an outcome, for example: sports equipment, gym membership, horse riding lessons.	Short breaks or holidays as an alternative to respite. Where this meets identified outcome, (food should not be included in the cost).	Activities with an unpaid carer (identified and agreed in support plan), note the priority is to facilitate the supported person accessing the activity.	Travel costs in excess of DLA mobility this may be for transport and petrol to meet an assessed outcome.
Expenses: paid carers / PA's / support workers (not informal or family members) when accompanying the supported person on an outing or activity and the expense incurred is directly linked to an identified outcome, for example: developing life skills, social skills. Maximum allowance should be agreed from onset.	Startup costs (maximum of £450) when employing PA's and / or ongoing admin costs such as paper, postage, ink for printer etc incurred when managing your personal budget.	Where training has been identified for several PA's or specialist training the supported person can request additional funding to support worker development (only where the costs exceed any contingency monies).	Maintenance/running costs of equipment, anti-virus packages; where the personal budget has been used to purchase a piece of equipment you may or may not be allowed to pay for the maintenance of this item.	Leisure education that needs to be paid, for example: night classes where these cannot be accessed through other education channels.
Leisure and alternative therapies e.g. yoga, aromatherapy (within reasonable timescales and costs).	Eating out including teas/coffees only where this is to meet an assessed outcome.	Alternatives to residential nursing care.		

(Care manager has to consider type and cost of service or item to achieve or meet the identified outcomes – there may be a cap on the amount available to spend.)