



THE ROLE OF A SUITABLE PERSON

What is a Suitable Person?

Where a person has been assessed as not having the capacity to consent to Direct Payments using the Mental Capacity Act (2005) a Suitable Person may agree to receive the Direct Payments in order to purchase care & support for the person.

The Suitable Person will often (but not always) have been given a lasting power of attorney, or have been appointed by the court of protection as a Deputy under the mental capacity Act.

Usually the Suitable Person will be a family member or friend, and is appointed by Flintshire County Council to use the direct payments to arrange care and support to meet the person's agreed needs and outcomes described within their current care & support plan.

Responsibilities of a "Suitable Person"

As a "Suitable Person", you must follow good practice in making decisions on behalf of the person you care for and act in their best interests. Even though the person you care for may lack capacity to make decisions about direct payments, they should be consulted as far as reasonably practicable. The person you care for should maintain as much control and independence as possible.

As the Suitable Person you will be responsible for any contractual arrangement with an agency. If you choose to recruit Personal Assistants you will become their employer.

How to set up Direct Payments to a Suitable Person

Direct Payments are set up in exactly the same way as with any other person.

The Suitable Person becomes the Direct Payments recipient and is therefore required to sign a Direct Payments agreement with Flintshire County Council.

What Support is Available?

A Suitable Person receiving Direct Payments is entitled to use the Direct Payments Support Services and will be provided with support, information and guidance in the same way as any other person.

Conditions of receiving Direct Payments as a Suitable Person

A Suitable Person receiving Direct Payments is subject to the same terms and conditions of use as any other person with the addition of one extra condition.

- A Suitable Person may not use Direct Payments to pay themselves to provide care & support.*

Your rights as a “Suitable person”

You can decide to give up acting as a “Suitable person” at any time. Please inform Flintshire County Council of your decision and we will work with you to change the arrangements.

Contact Detail

Dp.support@flintshire.gov.uk

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