Please do note that you may wish to seek legal advice on these issues now and certainly once you receive a response if it is not favourable, or if no response is forthcoming within 14 days

This is an issue we are all likely to see more and more of and the legal position is not entirely clear with may LAs refusing to fund backpay. Do contact us asap if further legal advice is required

DELETE THIS BOX BEFORE SENDING THIS LETTER

[Your name and address]

Social Worker

[Address and email address of Social Services/social worker]

[date]

Dear Sirs,

**[Name of person receiving Direct Payments]**

**[Date of birth of person receiving Direct Payments]**

**[Address of person receiving Direct Payments]**

**Direct Payments**

I am in receipt of Direct Payments to pay towards my social care/ I am the [mother/father/ carer etc] of [name of person receiving social care] and I am writing in relation to my/ their Direct Payments.

I am writing to you because the cost of the services that we purchase has increased due to the judgments relating to the sleep ins issue. As a result of this there is a shortfall in my/ their direct payment and the amount that I/ they have to pay for the service that I/ they receive.

I/We are aware that the amount of money paid via a direct payments must be sufficient to meet my/their eligible needs. My/Our preference is to continue using these staff to provide this service. A change to another agency would be futile as new staff would also be entitled to an increase in pay.

Please could you conduct a review of the amount of money you pay to me/him/her and confirm that an increase will be provided? If an increase is not agreed please could you provide reasons for this decision.

In addition, the staff employed are aware that they are now entitled to back pay. Please could you confirm that you will be funding this and how these staff should go about making this claim.

I/We would be grateful if you could respond within the **next 7 days**.

Yours faithfully

[insert your signature]