[Your name and address]

There is a separate letter to be used in relation to requesting an increase in direct payments as a result of the sleep-ins issues

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

DELETE THIS BOX BEFORE SENDING THIS LETTER

Director of Adult Social Care

[Address of Social Services]

[date]

Dear Sirs,

**[Name 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 their Direct Payments.

I am writing to you because there will be a shortfall in my/ their direct payment and the amount that I/ they have to pay for the service that due to an increase in the cost of the service.

Paragraph 12.25 of the Care and Support Statutory Guidance states:

*“12.25 The amount of the direct payment is derived from the personal budget as set out in the care and support plan, or support plan, and thus must be an amount which is sufficient to meet the needs the local authority has a duty or power to meet.”*

 I /They have an eligible need for the support and the local authority has a legal duty to meet my/their eligible needs. Therefore, the local authority should increase the direct payments to meet that shortfall.

Please can you confirm within the next 7 days that my Direct Payments will be increased to meet the increased cost of the support that I /[name of person receiving support] receive.

I look forward to hearing from you.

Yours faithfully