

Your Personal Budget

Getting you started



Important Information

The information in this pack is correct at the time of printing.

The pack is meant to act as a guide giving hints and tips to help you get started.

You must check your legal position for yourself.

We have given you websites and telephone numbers to make this easier. However, we do not recommend any of the companies or organisations in this pack – they are for information only. Before using any of them you must check them for yourself.

Please note:

All updates of this pack will be put directly onto the council's website at www.iwight.com/adults

No paper updates will be sent out. It is your responsibility to regularly check for updates and print them if you wish to.

If you do not have access to the internet, you can go to your local library, ask a friend or ask your social care worker for a copy.

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Section 1: General information

About this pack

Throughout this pack we have used the term “you”. “You” refers to the person who has been given the personal budget. So, if you are a parent, carer, broker or agent, “you” is the person you are helping who is in receipt of the money.

The information in this pack is designed to help you with your personal budget, from whether or not you are eligible through to preparing your plan and getting it agreed. It also looks at how you manage your money, including hints and tips if you choose to employ someone, through to reviewing how things are going.

It does not include everything you need to think about, it is merely meant to help point you in the right direction, giving you links and contact details for other organisations that can provide much more detailed information and advice.



Section 2: Personal budget

What is a personal budget?

A personal budget is a way of giving you more choice and control over your care and support. The Care Act 2014 now means that all councils must offer personal budgets for people who are eligible for adult social care support.

You can choose from a range of options about how this money is managed – please see page 8 for more information on how to do this.

The council has a Personal Budget Policy which sets out the council's approach to personal budgets and the information within that policy is reflected in this booklet. The Personal Budget Policy can be found on the council's website, www.iwight.com.

What does this mean for me?

This means you'll be able to say:

- I have access to a range of support that helps me to live the life I want and remain a contributing member of my community.
- I feel valued for the contribution I make to my community.
- I have access to easy to understand information about health, wellbeing, care and support which is consistent, accessible and up to date.
- I am able to get skilled advice to plan my care and support.
- I can plan ahead and keep control at times of crisis.
- I have support delivered by competent people and I am treated with dignity.

Section 3: Eligibility

Eligibility for adult social care services

To be able to receive a personal budget, you have to be eligible for support from the council for adult social care services. The council gives careful consideration to each request for care services, with all possible solutions being explored to support people to address their unmet needs before adult social care funding is considered, including providing a reablement service.

There is a national eligibility framework, set by the Department of Health, which councils use to decide who is eligible for social care services. You can find out more information about eligibility either from the Social Care Institute for Excellence's (SCIE) website at www.scie.org.uk or locally at www.iwight.com/adults.

Therefore, the first step to getting a personal budget is to discuss your situation with a social care worker to see if you are eligible.

Financial contribution

If you are found to have eligible needs, the council will carry out a financial assessment to work out how much you can afford to pay. Following the financial assessment, you will be told how much you will be asked to contribute to the cost of your care. Some people make no or only a small contribution whilst other people may have to pay for a larger part or for all of their care – the amount you pay depends upon your financial position.

Maximising your resources

To help maximise your resources you may be entitled to money from elsewhere. The financial assessment officer will check that you are receiving all the money you are entitled to, or you can contact the appropriate organisations in section 10 of this pack who will be able to help you.

Section 4: Assessment

The assessment process

Eligibility is determined following an assessment of your needs. This is done by asking a series of questions to discuss what outcomes you would like to achieve in different aspects of your life. Eligibility for adult social care is made in line with the council's assessment eligibility policy (based on the national eligibility criteria). There are separate eligibility criteria for people who need care and support themselves and a separate eligibility criteria for carers. The assessment helps the council to make a fair and open decision about what support people require to meet their unmet eligible needs.

Who can help you with your assessment?

Social care workers usually help you to undertake an assessment. When the assessment takes place, other people you know well, like a family member or an unpaid carer, can be present to help make sure that your needs are recorded as accurately as possible.

How can I choose to use my Personal Budget?

You will be able to choose from the following options:

- A **Direct Payment** is where your allocated amount of money is paid directly into a nominated bank account and you then organise, buy and manage the services and goods agreed in your support plan.
- A **Managed Account** is where your allocated amount of money is used by your key worker to organise in-house or existing council commissioned services for you.
- A **Combination** is where you choose to have a combination of the above two options. If you want to use services provided by the Isle of Wight Council, this will be arranged by your key worker as a Managed Account. You will then have the remaining amount of your personal budget as a Direct Payment which you use to organise, buy and manage the rest of your agreed care and support.

Section 5: Care and support planning

What should be included in your Support Plan?

There are two types of support plan: A 'care and support plan' if you are the person receiving social care, or a 'support plan' if you are a carer. The care and support plan details how you will use your personal budget to meet your agreed outcomes. Your social care worker has a responsibility to check that your plan considers all elements of your unmet eligible needs. They also have a responsibility to make sure that risks have been considered and the money is being spent in the right way. (There is more about risks in Section 6: Managing risk and safeguarding.)

Care and support planning should be a good experience, so think about who should be involved, people like: family and friends; local community support (e.g. church, etc.); independent broker or advocate; support workers; care managers or other people who know you well. You should also think about where and when you would like to work on your plan. You might want to set a couple of hours aside or to break it up so that you think about one or two aspects of support at a time.



Section 5: Care and support planning

You will need to think about:

- What is important to me?
- What do I want to change?
- How do I want to be supported and how will that support be managed?
- How will I stay in control of my life?
- How am I going to make this happen?

To help make sure your care and support runs as smoothly as possible, you will need to include a contingency plan. This will help you to think through what you would do if, for some reason, something goes wrong with your plan or something unexpected happens with your care and support. Hopefully, you will never have to use it!

Support plans can be as individual as the person themselves. Decisions about what people can and cannot spend their personal budget on are made around that particular individual, their needs and their outcomes – so what's agreed in one support plan may not be agreed in another.

How people have used their Direct Payment

We all need to budget for things we need and want in our life. This helps us prioritise. You will have to demonstrate in your plan how spending the money on particular items will meet your unmet eligible need and how this links to achieving positive outcomes.

You need to think about all areas of your life, including things like learning new skills and how you will use your budget to make positive changes and to meet outcomes which support your personal development.

Section 5: Care and support planning

Here are some of the practical and creative ways people have spent their direct payment to meet their outcomes:

- The cost of helping to meet a variety of needs: e.g. support with personal care, cooking, managing money, managing behaviours and risk, attending college, work/voluntary work opportunities, keeping safe and healthy, etc.
- Staffing cost for employers, e.g. payroll, National Insurance, holiday leave, training, travel expenses, etc.
- Supported holidays (instead of more traditional respite care in a residential care home).
- Internet access to enable essential social interactions.

To help you to find the support and services you want more easily, the council is working in partnership with My Life a Full Life to develop a directory of services. To access the directory please visit their website www.mylifeafulllife.com, or if you don't have access to the Internet, through support organisations (see section 10).



Section 6: Managing risk and safeguarding

Managing risk

Personal Budgets are a way for people to have more choice and control in their lives. It helps people to think about what their needs are, know what money and support is available to them and make a plan for how to make it happen.

The council is keen to support people to do the things they want to do and to enable people to have real choice and control over their lives. This does, however, come with responsibilities, including thinking about risk factors and managing money received from the council.

When planning your support and living life day-to-day it is very important to be aware of risks:

- To yourself
- To other people
- From other people

The council believes that risks should not automatically limit your choice over what you want to do. However, if we think that a risk to yourself or others is too high, we will talk to you about this and work with you to try to find ways to make things safer.

Safeguarding

If you think that someone is taking advantage of you, not treating you with respect and consideration or is hurting you, then the Safeguarding Service is here to help you. They will offer advice and support and, where necessary, look in more detail at what's happening.

You can call the **Safeguarding Service on 01983 814980** or if it's outside normal office hours, the **Emergency Duty Team on 01983 821105**.

Section 7: Managing your personal budget

Managing your personal budget

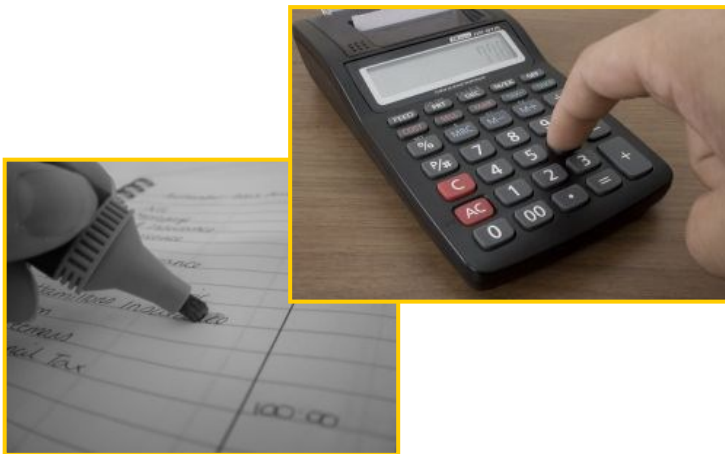
There are several different ways of managing your personal budget money. Below is information about the different options available so you can choose the way that best suits you.

Please note: when opening a bank account to manage a Direct Payment, it must be a basic bank account with no credit facility and must be solely used for your direct payment.

Managing it yourself

This is where your Direct Payment money goes straight to you. You must have the capacity to understand your support plan and that your Direct Payment will be used to pay for this. You can get help to plan your support and manage your budget.

You will need to open a bank account after which you will receive money from the council which goes straight into that account. You will be responsible for paying for your agreed support from this money and keeping accurate records to show the council what you spend your money on.



Section 7: Managing your personal budget

Agent

An agent is someone acting on your behalf and in your best interests. This can be a friend, family member or someone who knows you well (a 'Suitable Person'), or it could be an independent advocate.

Your Direct Payment money is given to your agent. Agents are an option when you do not have the capacity to understand your support plan and/or manage your money.

The agent opens a bank account and receives money from the council which goes straight into that bank account. The agent is responsible for paying for your support from the money received and keeping records to show the council what you spend your money on.

Social Care Worker

A social care worker manages your Personal Budget when you have chosen the option of a Managed Account.

Your social care worker would be responsible for organising your support and setting up payment through the council's financial services. This may be the best option for some people.



Section 8: Employing people

Employing people

If you are going to employ a Personal Assistant using your Direct Payment, you will have legal responsibilities as an employer. This section is a guide to some of the things you will need to consider. There is a list of websites and telephone numbers in section 11 where you can get more information on any of these areas.

Please remember that we have tried to make this as short and easy to understand as possible. You are strongly advised to check your responsibilities in full before deciding to become an employer.

If you decide that you wish to employ a PA, then your social care worker will run through a 'Recruiting a Personal Assistant Checklist' with you, and ask you to sign that you have understood and have completed the tasks listed.

For further advice and support to employ or recruit a Personal Assistant, contact People Matter IW on 01983 241494 (10am – 4pm Monday to Thursday, 10am – 1pm Friday). Email: admin@peoplesmatteriw.org; Web: www.peoplesmatteriw.org

Or have a look at the resources available on the Skills for Care website – www.skillsforcare.org.uk or telephone them on 0113 245 1716. They have a really useful 'Employing personal assistants toolkit' which will help you through the employment process.

Employment options

It is important to note that it is not for you as the employer, the employee or key worker/broker to decide whether someone is employed or self-employed. Only Her Majesty's Revenue & Customs (HMRC) can make this decision. Each case is considered on a case-by-case basis, depending on a number of factors, including the job role.

To check whether someone being paid to help you will be employed or self-employed, there is a toolkit on the HMRC website which will help to ascertain a person's employment status: www.hmrc.gov.uk

Section 8: Employing people

or you can contact the HMRC's Status Team directly on 0300 527450 who will be more than happy to help.

Below is information about the different options available. We have produced an Employment Checklist to help you get the right things in place once you have confirmed which option to take (see page 18). This checklist is also available on www.iwight.com/adults or you can ask your key worker for a copy.

Employed directly by you

Employing someone directly can work very well. You are in complete control of who you choose to help you and what they do, which enables you to build strong relationships. You will be able to discuss any issues or problems that arise directly with your employee which can lead to you feeling more in control of how things work. You are also entitled to a notice period from the person when they want to finish working for you – this helps you to plan ahead and ensure you have ongoing support. You will need to consider how sickness and annual leave will be covered – in the case of sickness this can sometimes be at very short notice.

You will have legal responsibilities as an employer, including paying your employee's tax, national insurance and pension as well as any potential redundancy pay – if you employ 5 or more people there are additional rules you will have to adhere to.

You can obtain more information about this from People Matter IW, Skills for Care or HMRC. As part of the support available to you as an employer, there are a number of payroll services available which will take care of things such as PAYE, National Insurance, wage slips, etc.

Self Employed

Someone who is self employed works for themselves which means they sort out their own tax and National Insurance (NI), issuing you with an invoice at the end of every pay period. Although there are some advantages of contracting someone who is self employed – eg no payroll to sort out and no holiday or sickness payments – there are also disadvantages. For example, they may work for

Section 8: Employing people

other people not just you, if they can't come to work they may send someone in their place and they don't need to provide holiday/sickness absence cover unless it is specified in the contract.

Keeping safe

It is important that when you have someone working for you, especially in your own home, that you keep as safe as possible.

Therefore, we strongly recommend that you check out any potential PAs (whether employed or self-employed) as thoroughly as possible. This should include obtaining references for them from previous employers so that you can check their suitability for the job you want them to do.

DBS (Disclosure & Barring Service) checks

DBS checks used to be called Criminal Records Bureau (CRB) checks. These are checks carried out on individuals and search for, and list, any previous conviction(s) for criminal offence(s). Only certain people can request that a check is carried out and only for certain roles.

The Government has made it easier for someone who has already had a DBS check to keep their check up to date and to allow employers to check the certificate online. This is called the DBS Update Service.

Therefore, if someone already has a DBS check carried out on them from previous employment, we strongly recommend that you request to see it.

Health & safety

Health and safety is the responsibility of both the employer and their staff. You have a responsibility as an employer to make sure that your employees work safely and have a safe place to work. It is your employee's responsibility not to do anything that might

Section 8: Employing people

cause you, themselves or others injury or harm.

You must always take practical and reasonable steps to reduce risk in any activity where a hazard has been identified. Where you think there might be a hazard, you will need to carry out a risk assessment. This is where you look at the risk and decide the safest way to deal with it. For example, is specialist equipment needed (e.g. hoist), does your employee need training (e.g. food hygiene if preparing food or manual handling if they are lifting you)? The Health and Safety Executive has a publication which can help with this called "A brief guide to controlling risks in the workplace" which can be found at: www.hse.gov.uk/pubns/indg163.pdf

You will need to think about the Health and Safety implications of your employee providing personal care. You will need to think about hygiene and things like providing your employee with gloves, etc.

It is good practice to have an emergency checklist which should include things like where the first aid kit is, where the nearest telephone is, who to contact, etc. You may need to consider whether your employee needs first aid training.



Section 8: Employing people

Insurance

As an employer you have a legal duty to insure against accidents or injury to your staff, or accidents or injury caused by them while they are at work for you. Here is a list of insurance that you will need to consider.

Employers' Liability Compulsory Insurance

By law, if you employ anyone you must have Employers' Liability Compulsory Insurance. It will insure you against liability for injury or illness to your employee arising out of their employment. It will enable you to meet the cost of any compensation claim for your employee's injury or illness whether caused on or off site (i.e. their normal place of work – probably your home). When you take out your policy, your insurance company will send you a certificate of Employers' Liability Insurance, a copy of which must be displayed where your employees can easily read it (with support if necessary). There is no legal requirement for you to keep copies of out-of-date certificates of insurance, however, employers are strongly advised to keep, as far as is possible, a complete record of their employers' liability insurance.

Employers that fail to hold the necessary insurance details risk having to meet the costs of such claims themselves.

Public Liability Insurance

You should also have Public Liability Insurance; whilst this is not a legal requirement it is strongly recommended. This will insure you against any injury or damage caused to someone or their property by you or your employee while they are working for you.

Household insurance

Whilst this is not compulsory, it is recommended. You should invest in good comprehensive buildings and contents insurance to cover your property and its contents against any damage that may be caused by your employee. It is essential that you advise your insurance company if people will be working for you in your home as this may affect any claims.

Section 8: Employing people

Motability vehicle

If you have a Motability vehicle and you want your employee to drive it, you will need to consider insurance. You will also need to check their driving licence to ensure they have one, that they are legally able to drive and whether they have any endorsements.

Getting insured

There are a number of insurance companies that specialise in providing insurance for people who have disabilities and/or employ people. Many of them offer a range of options to cover a variety of different insurance needs (including those listed above).

Direct Care Insurance: www.homecareinsurance.co.uk or Freephone 0800 458 3301

Ellis Bates Insurance: www.ellisbatescare.com or 01423 724518

Fish Insurance: www.fishinsurance.co.uk or Freephone 0500 432141

Premier Care Insurance: www.premiercare.info or 01476 591104

Please note: the companies listed are in alphabetical order and are provided as a starting point; we do not specifically recommend any of them, they are for information purposes only and there are many other insurance companies available.

Help!

We know employing a person sounds daunting, but there are organisations that can offer advice and support on this complex area. Please contact People Matter IW (details in section 10).

Section 9: Reviewing

Financial and outcomes monitoring

The council wants to ensure that people know what their eligible needs are and that they are being met. As part of this, we need to check that the support being provided is meeting the person's needs and is being delivered to a good quality.

Whether you take your Personal Budget as a Direct Payment or a Managed Account, the council still needs to check that things are working well for you.

6-8 week review

The first of these checks, known as a review, is carried out within 6-8 weeks from the start date of your care and support. Your social care worker will arrange to come out and review how things are going. This is to check that the package of care and support that has been set up works well for you and is able to meet your needs.

Your key worker will contact to check that you:

- are happy with how things are going;
- are satisfied with the level of support you are receiving and that it is able to meet your unmet eligible needs;
- know how to make any changes in order to help things work more effectively.

If you are receiving your Personal Budget as a Direct Payment, they will also check you:

- have either recruited or are on your way to employing any Personal Assistants;
- are keeping records of the payments you are making.

This will be your chance to talk through any concerns you have and receive support or advice to make changes. You may want to prepare for this meeting by making notes so that you are able to get the most out of this meeting.

Section 9: Reviewing

12 month outcome review

At around 12 months, a reviewing officer will arrange to meet you to check that things are still going well. The reviewing officer will look at things like:

- Are your needs the same or have they changed since you were last seen?
- Are you still happy with how things are going?
- Does the care and support you're having still meet your needs?
- Have you achieved the outcomes as set out and agreed as part of your original support plan?
- If not, why not? If yes, what's next (this could be maintaining those good outcomes or looking at other areas that you would like to focus on)?
- If you have not been able to start achieving the outcomes set out in the original plan this could be because:
 - * The original goals were unrealistic.
 - * Your needs or the situation have changed.
 - * You require further support to achieve the outcomes identified.
 - * The money in your budget is not being used in the most appropriate areas.

Your reviewing officer will be able to advise some ways that you may like to rework your plan to help you get focused.

Improving your plan

To make sure things are as good as they can be, you should think about what's working well and what's not working so well. Get the views of people around you who know you well, such as friends, family, PAs, providers, etc. If something didn't work well, it is worth making a note of this so that you can avoid this again in the future.

This will help you and your key worker at your review to look at things and make changes if needed.

Section 9: Reviewing

If things change

If things change between planned reviews, for example, you're not managing as well as you were before, you think you need more help, you don't need as much help as you did, you will need a review to be carried out. You should contact your key worker to arrange for them to come out to see you and reassess your needs.

Financial monitoring

The council wants to ensure that you are able to manage your Direct Payment and that it is being used as agreed in your support plan. We do this by writing to you ten weeks after your first payment requesting information about how you're spending your Direct Payment, including things like:

- Bank statements from your Direct Payment account
- Receipts for one off or cash payments for items or services purchased (cash should only be used in exceptional circumstances)
- Invoices
- Payslips/timesheets
- Tax and national insurance records

This process will be carried out at intervals throughout the year.

We will make sure you have as much support as possible to help you to manage your money successfully. However, if you have on-going difficulties we may need to look at other ways of managing your Direct Payment. At the end of the Direct Payment, if you have any unspent (surplus) money, it must be returned to the council.

If you need any further information or advice please contact your social care worker who will be happy to help.

Section 10: Where to get further information

Local organisations

Organisation	Telephone	Web
Isle Help	03444 111 444	www.islehelp.org
People Matter IW	01983 241 494	www.peoplematteriw.org
Carers IW	01983 533 173	https://carersukiwbranch.wordpress.com

National organisations

Organisation	Telephone	Web
Department of Health (DoH)		www.gov.uk
Disclosure & Barring Service (DBS)	0870 909 0811	www.gov.uk
Health & Safety Executive (HSE)	0845 345 0055	www.hse.gov.uk
HMRC	0300 200 3200 or 0300 527 450 (Status Team)	www.hmrc.gov.uk
Skills for Care	0113 245 1716	www.skillsforcare.org.uk
Social Care Institute for Excellence (SCIE)		www.scie.org.uk
National Centre for Independent Living (NCIL)	0845 026 4748	www.ncil.org

Isle of Wight Council

First Response: 01983 814980

Emergency Duty Team: 01983 821105 (outside office hours)

Safeguarding Service: 01983 814980

Section 10: Appeals process and feedback

Appeals process

We try to make sure that we always provide a high-quality service and sort problems out straight away wherever possible, but we know that there may be times when you are not satisfied. Our Appeals Process provides a simple way for you to request a review of the decision(s) and to receive a quick response. If you want to know more about how to appeal, please ask your social care worker for a copy of our Appeals Process or look on the council's website at www.iwight.com/adults.

Feedback form

If you have any comments about this pack, please let us know. For example, was the wording easy to understand? Was the layout easy to follow? Was there information you would have liked included?

Please send your views to:

Development Team

Isle of Wight Council
Enterprise House
Monks Brook, Newport
Isle of Wight, PO30 5WB

Telephone: 01983 821000

If you have difficulty understanding this document, please contact us on 01983 821000 and we will do our best to help you.

Arabic

إذا كان لديك صعوبة في فهم هذه الوثيقة، الرجاء الاتصال بنا على هاتف رقم 01983 821000 وسوف نبذل قصارى جهدنا لمساعدتك.

Hindi

यदि आपको इस दस्तावेज़ को समझने में कठिनाई पेश आ रही है तो, कृपया हमारे साथ 01983 821000 पर सम्पर्क करें और हम आपकी सहायता करने का पूरा प्रयास करेंगे।

Punjabi

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਹ ਦਸਤਾਵੇਜ਼ ਸਮਝਣ ਵਿੱਚ ਮੁਸ਼ਕਲ ਪੇਸ਼ ਆ ਰਹੀ ਹੈ ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ 01983 821000 'ਤੇ ਸੰਪਰਕ ਕਰੋ ਅਤੇ ਅਸੀਂ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰਨ ਦੀ ਪੂਰੀ ਕੋਸ਼ਿਸ਼ ਕਰਾਂਗੇ।

Urdu

اگر آپ کو اس دستاویز کو سمجھنے میں مشکلات کا سامنا ہو تو برائے مہربانی ہم سے اس نمبر پر رابطہ کیجئے 01983 821000 اور ہم آپ کی مدد کرنے کے لیے ہر ممکن کوشش کریں گے۔

Chinese

如果您对此份文件难以理解，请致电01983821000与我们联系。我们将力尽所能帮助您。

Bengali

এই তথ্য বুঝতে না পারলে অনুগ্রহ করে আমাদেরকে 01983 821000 নাম্বারে ফোন করবেন। আমরা আপনাকে যথাসাধ্য সাহায্য করবো।

Polish

Jeśli mają Państwo trudności w zrozumieniu niniejszego dokumentu, prosimy o kontakt z nami pod numerem 01983 821000 – dołożymy wszelkich starań, by Państwu pomóc.

French

Si vous avez des difficultés à comprendre ce document, veuillez nous appeler au 01983 821000 et nous ferons de notre mieux pour vous aider.

Italian

Per ulteriori chiarimenti su questo documento, Vi preghiamo di contattarci per telefono al numero 01983 821000 dove riceverete la nostra migliore attenzione.

German

Sollte es Ihnen Schwierigkeiten bereiten, dieses Dokument zu verstehen, rufen Sie uns bitte an unter 01983 821000, und wir werden unser Bestes tun, um Ihnen zu helfen.

Hungarian

Ha nehézséget okoz e dokumentum értelmzése, kérjük, forduljon hozzánk a 01983 821000 számon, és minden tőlünk telhetőt megteszünk, hogy segítsünk.

Spanish

Si tiene dificultad para entender este documento, por favor póngase en contacto con nosotros llamando al número 01983 821000 y haremos todo lo posible para ayudarle.

Romanian

Dacă aveți dificultăți în înțelegerea acestui document, vă rugăm să ne contactați la numărul 01983 821000 și vom face tot ceea ce putem să vă ajutăm.