

Putting you first

Factsheet 1 **Employing a personal assistant: an introduction**

The 'Putting you first' factsheets have been designed to guide you through the process of employing a personal assistant.

We know that some of the things we mention in these factsheets are quite complicated, so don't worry if you find them difficult to understand - the Adult Social Care Direct team are on hand to offer guidance, advice and information.



You can discuss a referral or assessment by contacting Adult Social Care Direct on **0191 433 7033**.

Employing a personal assistant

Self directed support - or personalisation - is the new way of putting you first and giving you more choice and control about how your care and support is delivered. The first step is an assessment which will identify your needs, and help the council to work out how much money is required to meet those needs.

This money is called a personal budget. Social services can spend it on your behalf or you can choose to receive it as a direct payment. One option you might consider is using the money from your direct payment to employ a personal assistant.



What is a personal assistant?

A person assistant is:

- Someone you employ to support you to live independently.
- Someone you employ to help you with everyday tasks such as getting up, getting dressed and getting around.

A person assistant is NOT:

- a carer. You employ a personal assistant to do a job, which means they *work for you*.

What does it mean to be an employer?

If you wish to employ a personal assistant, you will be responsible for:

- Recruiting and selecting your personal assistant. This includes reading job applications, deciding who you would like to interview, and choosing the right employee for the job.
- Treating your employee fairly by following equal opportunities guidelines.
- Arranging employer and public liability insurance.

- Organising a contract of employment with your employee.
- Registering as an employer with Her Majesty's Revenue and Customs (HMRC) and making sure tax and national insurance contributions are paid.
- Paying your employee while taking into account the minimum wage, sick pay, statutory maternity pay, and holiday cover.
- The health and safety of your employee.
- Training your employee - for example, in how to use appliances in your home.
- Being a good employer by thinking about supervision and guidance for your employee.
- Fair disciplinary procedures.
- Managing your professional relationship with your employee to ensure you are both safe.

Your relationship with your personal assistant

It is important to remember that the relationship between you and the person you employ as your personal assistant can be a very complicated one.

In most cases, this will be a one-to-one relationship and could naturally become very intense.

That's why it is important to consider the needs of both you and your personal assistant and think about how to treat each other with dignity and respect.

Knowing exactly what your responsibilities are will also make problems or upsets less likely. For example, you are required to give your personal assistant written terms of employment and it is a good idea to provide a job description.

Important words - and what they mean

Disciplinary / disciplinary

procedure: Employers use disciplinary procedures to encourage improvement, and sometimes to tell employees that their performance or conduct doesn't meet expected standards.

Employee: A person who works for another person or business in return for money.

Employer: A person or a business which pays other people for their work.

Interview: A formal meeting with a person who has been shortlisted to assess whether they are right for the job.

National Insurance / National Insurance contributions:

Employers and employees make this payment to the government which helps provide money for the unemployed, the sick and the retired.

Personalisation: Personalisation means putting people first by thinking about care and support services in an entirely different way. This means starting with the person as an individual and discovering their strengths, preferences and aspirations. The next step is to put them at the centre of the process which identifies their needs and makes choices about what, who, how and when they are supported to live their lives.

Tax: Money taken by the government to pay for public services. For example, you can be taxed on your income and your home, and as an employer you need to make sure your employees' taxes are in order.

Wage: Money that is paid or received hourly, daily, weekly or monthly in return for work or services.

If you have concerns

You may be vulnerable at times because of your age, illness or disability, and our advice is to try to keep yourself safe at all times.

However you may have concerns or worries that someone is harming you,

abusing you, or neglecting you and the care you need - in a physical, emotional, verbal or financial way.

We will always take your concerns seriously. We call this adult safeguarding, and you or a friend or someone you trust can contact us on **0191 433 7033** if you need help or support in dealing with a situation.

Useful contacts

National Centre for Independent Living www.ncil.org.uk

Government information site
www.directgov.uk

Skills for Care

Phone **0113 245 1716**

or visit www.skillsforcare.org.uk

The other fact sheets in this series help you think about some of these issues so you can decide if you want to employ a personal assistant.

Other fact sheets in the the 'Employing a personal assistant' series are:

Factsheet 1 : an introduction

Factsheet 2 : pay and tax

Factsheet 3 : recruitment and selection

Factsheet 4 : choosing a personal assistant

Factsheet 5 : contract of employment

Factsheet 6 : health and safety

Factsheet 7 : being a good employer - supervision

Factsheet 8 : disciplinary and grievance

Factsheet 9 : ending the employment period

Factsheet 10 : employing a personal assistant: keeping yourself safe

Factsheet 11 : starting direct payments: what happens once your direct payment has been agreed?