

Self Directed Support

Factsheet 3: Becoming an Employer



Becoming an Employer

If you have had an assessment that shows that you are eligible for social care support, e.g. personal care; short breaks; or day care, you may prefer to organise your support yourself rather than have East Dunbartonshire Council do this for you. This is referred to as the 'Direct Payment' option (1) of Self Directed Support. For further information please consult the Self Directed Support Factsheet 1 (Direct Payments).

You may decide that you would like to use your Direct Payment to employ someone to support you (commonly referred to as a 'Personal Assistant' or 'PA').

I am interested in becoming an employer – who can help me with this?

Take Ctrl – East Dunbartonshire is an independent information, advice and support service that can assist you with all aspects of becoming and maintaining your role as an employer. Contact them on:

Take Ctrl – East Dunbartonshire,
Enterprise House, Southbank Business Park,
Kirkintilloch, Glasgow G66 1XQ
Tel: 0141 776 2219

Who can become an employer?

You, the service user may become an employer. In circumstances where there is a legal Power of Attorney or Guardian in place, that person may decide to become an employer on the service user's behalf.

What are my responsibilities?

If you choose to employ your own staff you are ultimately responsible for the welfare and payment of your workers. As the employer, you will be the Personal Assistant's manager. You will need to be clear about what you expect of them when they are delivering your support.

Before advertising and interviewing for a Personal Assistant it is important to decide what kind of person you want to support you. You can do this by preparing a list of tasks that the Personal Assistant will need to carry out and a list of the skills and qualities the Personal Assistant will need to have for them to do these tasks effectively. This will form the basis of a job description.

You will need to ensure that you set up a contract of employment and a clear list of duties from the beginning. This should help avoid any misunderstandings or disagreements.

Advertising

There are many ways to advertise for a Personal Assistant including:

- Placing an advert i.e. in the local newspaper, in the job centre or on line
 - Word of mouth
 - Asking the local support service to advertise for you
-

Interviewing

The support service can give you advice about carrying out interviews safely – for example, you should never interview people by yourself at home. You need to ask applicants about their experience; training; and employment history. You could do this via an application form. This can help you with your decision about who you would like to interview. As part of this process, you should always take up at least two references. Again the support service can assist with this.

Protection of Vulnerable Groups Scheme (PVG)

We strongly recommend that you take up references and a PVG register check for anyone you want to work for you before you formally offer them the job. If you receive a direct payment on behalf of someone else, you are responsible for organising a PVG register check for every Personal Assistant you employ on their behalf.

Start-Up Costs

If you decide to employ a Personal Assistant, the Council will provide you with a start-up payment to help with the costs of advertising; interviewing; PVG checks; employer's liability insurance; and payroll set up. Your social worker/care manager or the local support service can tell you more about this.

Pay

You can decide how much you want to pay your Personal Assistant, but you must pay at least the minimum national wage. The support service can advise you further about this. You may choose to pay different rates of pay for evening and weekend work, or if you need someone with specific skills. You should pay your Personal Assistant's salary from a separate direct payments bank account.

Your Personal Assistant will be entitled to holidays (paid annual leave). They may also be eligible for statutory sick pay, and again, you can get information and advice from the support service. Some rights will depend on the Personal Assistant's length of service.

Ending your Personal Assistant's contract

Personal Assistants also have rights in relation to the termination of their contract depending upon the circumstances and their length of service. The support service can assist you with this.

Employment Law

It is your responsibility, as the employer, to be aware of and follow employment law. The support service can help you to understand this more clearly and make sure you are keeping to all current laws. You can also access 'Indemnity' insurance that gives you access to employment law specialists.

Insurance

Becoming an employer brings responsibilities and legal obligations including the legal requirement to have employer's insurance. There are two types of insurance suitable for Personal Assistant employers – 'Employers Liability' and 'Public Liability' insurances. The support service can provide you with more details about the purpose of these insurances and can assist you to identify companies that specialise in these types of insurance.

Training

Training is available for Personal Assistants and more details can be provided by the support service.

Emergency Cover

Your support plan will include an emergency plan to ensure that you are never left without care. For example, you could arrange a contract with a local agency to provide care in an emergency or, if you have more than one Personal Assistant, they could agree to you contacting them in an emergency. However, if for any reason your emergency plan doesn't work you should contact Social Work Services:

Adults Community Care Team – 0141 355 2200
Children and Families Team – 0141 777 3000

Contact Information

Adult Community Care Team
10 Saramago Street,
Kirkintilloch, Glasgow
G66 3BF
Tel: 0141 355 2200

Children and Families Team
Social Work Headquarters, Southbank House,
Southbank Business Park,
Kirkintilloch, Glasgow
G66 1XQ
Tel: 0141 777 3000

Care at Home Team
10 Saramago Street,
Kirkintilloch, Glasgow
G66 3BF
Tel: 0141 578 2101

CEARTAS Advocacy Service
Suite 5 – 7, McGregor House, Donaldson Crescent,
Kirkintilloch, Glasgow
G66 1XF
Tel: 0141 775 0433
Website: www.ceartas.org.uk

Carers Link
Milngavie Enterprise Centre, Ellangowan Court,
Milngavie, Glasgow
G62 8PH
Tel: 0800 9752131 or 0141 955 2131
Email: enquiry@carerslink.org.uk
Website: www.carerslink.org.uk

SPAEN
(Scottish Personal Assistants Employers Network)
Tel: 01698 250280
Website: www.spaen.co.uk

Useful Websites

East Dunbartonshire Council
www.eastdunbarton.gov.uk

Scottish Government
www.scotland.gov.uk

Self Directed Support Scotland
www.selfdirectedsupportscotland.org.uk

Other Formats and Translations

This document can be provided in large print, Braille or onto CD and can be translated into other community languages. Please contact the Council's Corporate Communications Team at 12 Strathkelvin Place, Kirkintilloch, Glasgow G66 1TJ Tel: 0300 123 4510

本文件可按要求翻譯成中文，如有此需要，請電 0300 123 4510。

اس دستاویز کا ترجمہ درخواست کرنے پر (اردو) زبان میں ترجمہ کیا جاسکتا ہے۔ براہ مہربانی فون نمبر 0300 123 4510 پر رابطہ کریں۔

ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਮੰਗ ਕਰਨ ਤੇ ਪੰਜਾਬੀ ਵਿੱਚ ਅਨੁਵਾਦ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ। ਕਿਰਪਾ ਕਰਕੇ 0300 123 4510 ਫੋਨ ਕਰੋ।

Gabhaidh an sgrìobhainn seo cur gu Gàidhlig ma tha sin a dhìth oirbh. Cuiribh fòin gu 0300 123 4510

अनुप्रास करके पर यह दस्तावेज हिन्दी में भाषांतरित किया जा सकता है। कृपया 0300 123 4510 पर फोन कीजिए।