



5: Being a good employer

A guide by Uemploy

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Introduction



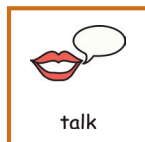
We support people with a learning disability to employ their own personal assistant.

We have 5 booklets about how to use your direct payment to employ a personal assistant:

1. Getting a direct payment
2. Designing your personal assistant (PA)
3. Finding your personal assistant (PA)
4. Employing your personal assistant (PA)
- 5. Being a good employer**



This booklet is about stage 5: being a good employer. In this booklet we talk about:



- starting work
- paying your personal assistant (PA)
- staying safe and being fair



Please get in touch with a Uemploy Consultant if you want to find out more after reading this guide. You can find our contact details at the end of this booklet.

Starting work

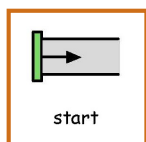


There are some tasks that you need to do when you start working with a personal assistant (PA). If you think about these things at the start, it will be easier to avoid problems and surprises later.



Writing the contract

A contract is a legal agreement with your personal assistant (PA) that says what work they will do. Booklet 4 talks about contracts and this booklet gives you some extra information.

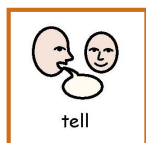


Probation period

When you start a contract, you should set a probation period, usually 3 to 6 months long.



This is a time for you both to test working together and deal with any problems at the beginning. This should be written in the contract.



After the probation period, you should review how your personal assistant (PA) is doing. Tell them what they are doing well and what they could do better.



You should also ask them what they think about the job. You should repeat these reviews about every 3 months.

Starting work



Time off

You need to know what will happen when your personal assistant (PA) is on holiday or is ill.



How will you get support? Many Local Authorities say that you must have planned for this if you are using your direct payments.



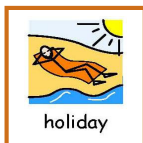
Speak to your social worker or Local Authority to find out if they can help and ask what other people do in your area.



You need to decide what you will pay your personal assistant (PA) if they are ill.



The law says you must pay at least some money, but you may choose to pay more. This is called Statutory Sick Pay.



You must also give your personal assistant (PA) some time off work which you pay them for. This is called holiday pay.



Make sure your personal assistant (PA) knows what to do if they are ill or want to go on holiday and write it down in your contract.

Starting work



Paying your PA

You need to pay your personal assistant (PA).



What you have to pay

You must pay your personal assistant (PA) a salary and you must also pay some extra money for tax and for when your personal assistant (PA) is away. You must pay:

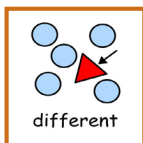


1. A salary

This is the money your personal assistant (PA) will get. It must be at least the Minimum Wage.



You may choose to pay more than the minimum wage. Find out what other personal assistants (PAs) are paid in your area and check your direct payment to see what you can afford.



There are usually different rates of pay if your personal assistant (PA) sleeps at your house at night or stays overnight but does not work.



You need to write what you will pay your personal assistant (PA) in the contract.



2. Income tax and National Insurance

This is some money you pay to the government.

Starting work



3. Pensions

This is money that your personal assistant (PA) collects while they work for when they retire.

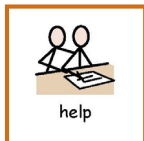


4. Money when they are away from work

- a. when they are sick (statutory sick pay)
- b. when they go on holiday (holiday pay)
- c. if they have a baby or adopt a child (statutory maternity, paternity or adoption pay)
- d. if you no longer need them to work (redundancy)

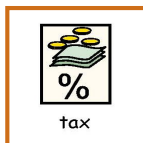


There are links to more information on all of these things at the end of the booklet.



Different ways to pay

You can arrange to pay your personal assistant (PA) yourself, or you can ask someone else like a payroll provider to arrange it for you.



They will help you pay the right tax and do the paperwork. Your direct payment may include money to pay a payroll provider.



To do this by yourself, contact Her Majesty's Revenue and Customs (HMRC) to pay tax. You must then make sure you pay the right salary, tax, pensions and money for time off.

Staying safe and being fair



Once you have written the contract and arranged the payroll, there are more tasks that you need to do.



You need to show that you have done these things to get your direct payment. Ask your Local Authority or social worker exactly what they need to see and how they can help.



1. Insurance

You may need to protect your home and the things you own. You will need property and contents insurance. This insurance will give you some money if your home is broken into and if things get stolen or broken.



You will also need employers' liability insurance. This is the law. It will help you if your personal assistant (PA) gets ill or injured while they work for you and you need to pay them some money called compensation.



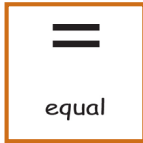
You may also need public liability insurance. If people visit you and work in your home then this is the law. It will help you in case someone gets hurt whilst visiting you or if their things are damaged or lost.

Staying safe and being fair



2. Equal opportunities

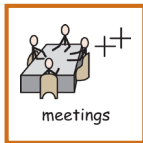
You need to support your personal assistant (PA) to do their job. You must be careful to not discriminate against them.



This means you must treat them fairly and not worse than anyone else because of something about them, like a disability.



You must also make reasonable adjustments to allow them to do their work. For example, giving them information in large print if they cannot see very well, or giving them time and space to pray if this is part of their religion.

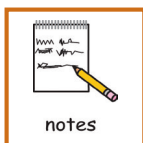


3. Supervision

You should have meetings with your personal assistant (PA) to talk about how they are doing. Try to arrange these about every 3 months.



Talk about the things they are doing well and anything they can do better. Ask them if they have any problems or need more support or training for anything.



Make sure you make notes including any problems and what you have agreed to do. Give a copy of this to your personal assistant (PA) and keep a copy for yourself.

Staying safe and being fair



4. Health and Safety

If your personal assistant (PA) supports you at home, you need to make sure they are safe.



You can do this by doing a risk assessment of your home. This means writing down what could be dangerous and what you can do to make it safe or stop it happening.



5. Record keeping

You must keep important information like the contract and the risk assessment safe. You should also keep notes of meetings and supervisions you have with your personal assistant (PA).



This lets you check this information later if you or your personal assistant (PA) are unsure what you have agreed. It lets you show that you have been a good employer.



You must keep this information safe and not share it with anyone because it is confidential.



Confidentiality covers the information you have written down and the other things you know or have heard. Your personal assistant (PA) must also keep information about you confidential.

How Uemploy can help



Your Uemploy consultant can support you at every stage of getting a personal assistant (PA).

At this stage, we can support you with:



- general advice, support and information
- supervisions and managing your PA
- induction, probation and training



We can support you in the way that you want. We use a variety of person-centred tools and communication methods to help you think about your options, decide what you want and share your decision.



Contact us to tell us how we can work with you. Call 0300 303 8163 or send an e-mail to: enquiries@uemploy.org.uk

Please note: while we have tried to make sure the information in this booklet is correct, it is not legal advice and we cannot guarantee its accuracy.

Neither Uemploy Ltd nor any other Thera Group company can accept responsibility for any liability if you use any of the information given. We recommend that you check with your Local Authority for up-to-date information for your area.

Extra help and information



There are lots of resources that can help you to find a personal assistant (PA). They include:

Employing people

www.gov.uk/browse/employing-people

Equality Act guidance for employers

www.equalityhumanrights.com/advice-and-guidance/guidance-for-employers

National minimum wage

www.gov.uk/national-minimum-wage

Support for employers of personal assistants

www.panet.org.uk

PA Toolkit

www.skillsforcare.org.uk/entry_to_social_care/recruitment/employingpersonalassistants.aspx

Pensions

www.gov.uk/browse/working

There will also be local organisations and information that you can use.



Don't forget, you can talk to Uemploy. Visit www.uemploy.org.uk or call 0300 303 8163.

Contact us



If you want to know more about Uemploy,
please get in touch.

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