



Booklet 2

Before your personal assistant starts working for you



EasyRead version



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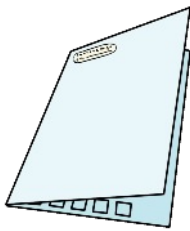
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Some words are in **bold**.

We explain what they mean
at the end of this booklet.



About this booklet



Skills for Care wrote this booklet.



We work with **employers**, carers and people who need **social care** and support.



We want to make sure that everyone has the skills and **qualifications** to give good care and support.



Some people with disabilities **employ** a **personal assistant** or **PA** to help them to live independently. They are called **individual employers**.



We have 4 EasyRead booklets to help individual employers:

1. Recruiting a personal assistant
2. Before your personal assistant starts working for you
3. Managing your personal assistant and helping them learn
4. Sorting out problems



This is booklet number 2.

It tells you what you need to do before your personal assistant starts to work for you.

The job contract



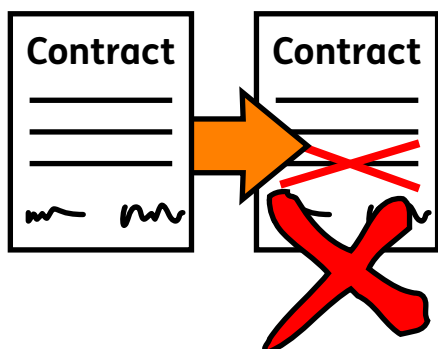
The contract is an agreement between you and each person you **employ**.



It means that you both have clear information about your **rights** and your **responsibilities**.



You and your **personal assistant** both sign and keep a copy of the contract.



You cannot change anything in the contract unless your **personal assistant** agrees.

Where to find out more about contracts



There is an example of a contract on our website:

www.skillsforcare.org.uk/templates



The contract should include:

1. Your name and the name of your personal assistant



2. What their job is called and what they will do



3. Where they will work

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

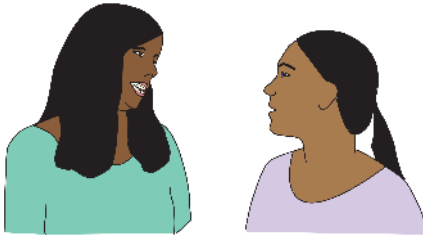
4. The date that they start working for you



Months			
1	2	3	4
5	6	7	8
9	10	11	12

5. The probationary period

This is usually 3 months for you and your **personal assistant** to find out if they are right for the job.

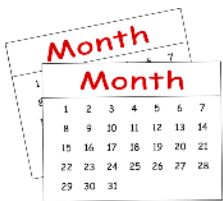


You should talk to them about how you both think things are going.

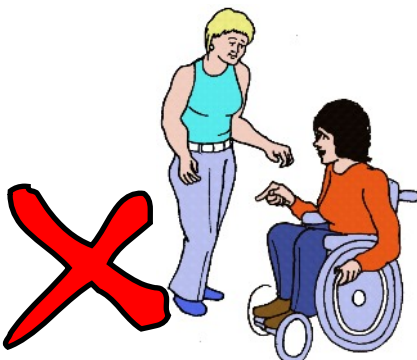


At the end of the time you must decide if you:

- want them to carry on working for you



- need longer to decide



- do not want them to work for you.

6. The notice period

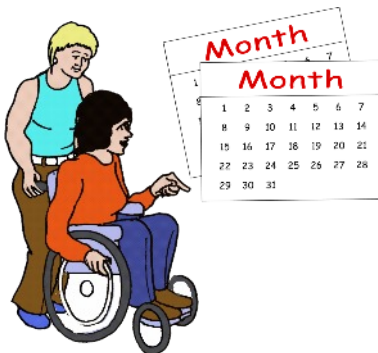
This is the amount of time that your **personal assistant** must keep working for you after:



- they tell you they want to leave



- you ask them to leave.



The law says how long this should be, depending on:

- how long the person has worked for you



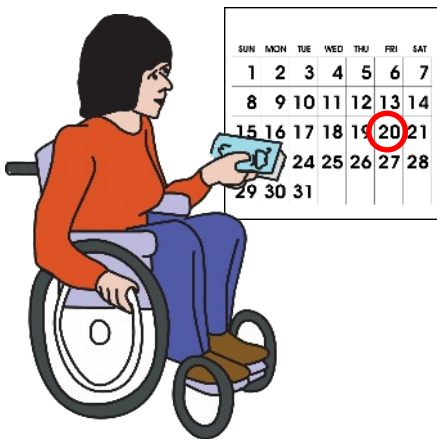
- whether it is during the **probationary** period



- if you want the person to leave because they have done something wrong or dangerous.



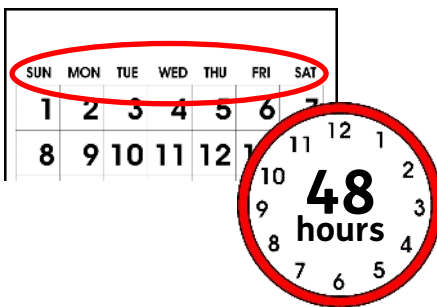
You should make sure that the **notice** period gives you enough time to **recruit** a new **personal assistant**.



7. Wages

How much you will pay your **personal assistant**, when and how you will pay them.

8. Working hours and time off

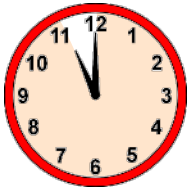


You cannot ask your **personal assistant** to work more than 48 hours each week. Unless they agree. They can change their mind but must tell you 7 days before they want to change.

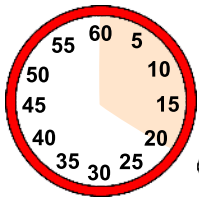


This part of the contract also says what your **personal assistant** should do if they cannot get to work or will be late.

Your **personal assistant** must have regular breaks from work:



- a rest of at least 11 hours in every 24 hours



- a rest of at least 20 minutes if they work more than 6 hours

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14

- one day off in every 7 days.

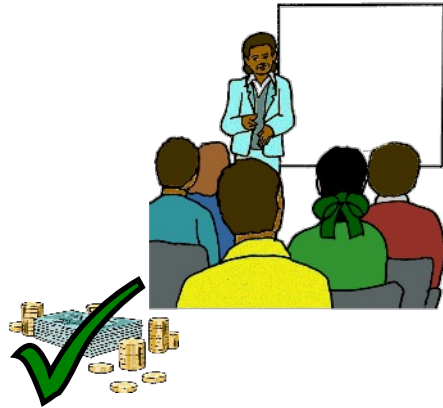


There are different rules for **personal assistants** under 18 years old and for staff who work nights.



You must pay your **personal assistant** if they need time off for:

- appointments when they are pregnant



- training.



Your **personal assistant** might need time off for other personal things. You might not have to pay them for these.



All employees have the right to ask to change the hours that they work to care for their children or a family member. You must look at this but do not have to agree.

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

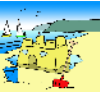


9. Holidays

Say how many days holiday your **personal assistant** can have each year. And how many days holiday you will pay them for.



Say whether they will get paid time off on bank holidays.

	Holiday
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

It is good to have a form for your **personal assistant** to let you know they want time off.

Where to find out more about holidays



There is a calculator to work out how much paid holiday your **personal assistant** should have at:

<https://www.gov.uk/calculate-your-holiday-entitlement>

Sample holiday request form

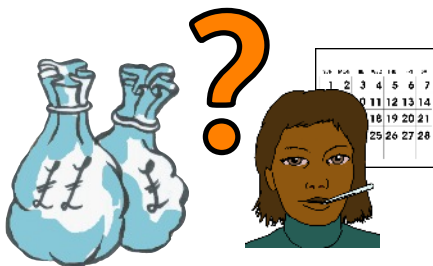
Year:					
Name of employee:					
Annual holiday entitlement:					
Carry over (if applicable):					
Entitlement for this year:					
First day of leave	Last day of leave	Number of days/ hour leave	Requested by (initials)	Authorised by (initials)	Number of days/ hours remaining

There is an example of a holiday request form on our website:
www.skillsforcare.org.uk/templates




10. What happens if they are sick

There are rules about paying staff who cannot work because they are ill.



This depends how much they earn and how many days they are off sick.

 **Form**

You must use a form from the **tax** office to write down if your **personal assistant** is off sick for 4 days in a row or longer. And if you pay them sick pay.

Where to find out more about sick pay

Sample sickness absence recording form

Name:	Job title:	Period of time covered:			
First day of absence	Last day of absence	Cumulative total days	Reason for absence	Return to work interview	Approved by (initials)

There is a form to write down when staff are off sick on our website:

www.skillsforcare.org.uk/templates

HM Revenue & Customs Statutory Sick Pay (SSP) record sheet

How to use this SSP record sheet

1. Enter the employee's name and job title in the top left box.

2. Enter the date the employee first became sick in the top left box.

3. Enter the date the employee returned to work in the top right box.

4. Enter the number of days the employee was sick in the top right box.

5. Enter the amount of SSP paid in the bottom right box.

6. Enter the date the SSP was paid in the bottom right box.

7. Enter the date the SSP was paid in the bottom right box.

8. Enter the date the SSP was paid in the bottom right box.

9. Enter the date the SSP was paid in the bottom right box.

10. Enter the date the SSP was paid in the bottom right box.

There is a form to write down when you pay staff who are off sick at:

<https://tinyurl.com/statutory-sick-payrecord-sheet>



This website will help you to work out how much sick pay your **personal assistant** should have:

<https://www.gov.uk/calculate-statutory-sick-pay>



11. Their pension

A **pension** is money that you save while you are working, that is paid to you when you stop working.



There is more information on **pensions** later in this booklet.



12. How to deal with problems

This is usually called **disciplinary** and **grievance**.



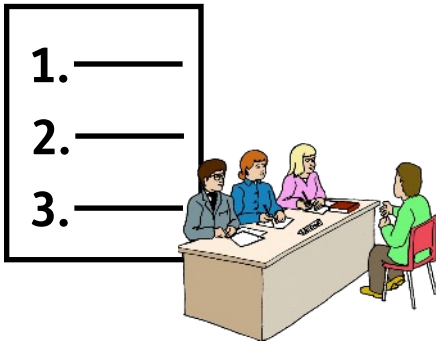
You must have a **policy** to say how you or your **personal assistant** should deal with things.



Disciplinary is how you will deal with things if you are not happy with something that your **personal assistant** does or does not do.



Grievance is what they should do if they are unhappy with anything about their job.

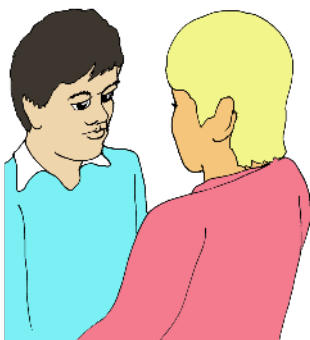


There are steps that you must both go through before you ask someone to deal with the problem officially.



These include:

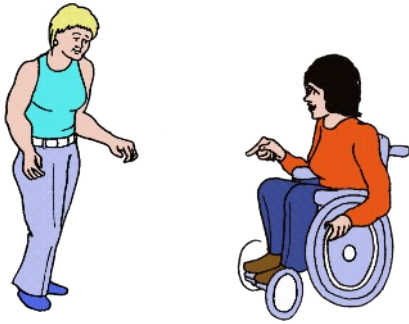
- looking into things carefully



- listening to what the other person has to say



- giving a warning

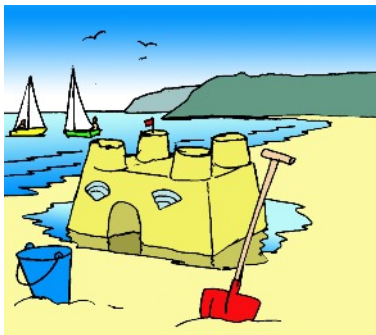


- saying what needs to change.

Where to find out more about disciplinary and grievances



ACAS has more information on their website: www.acas.org.uk



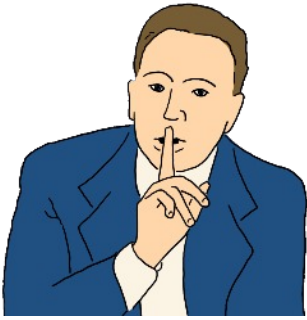
13. What happens if you are away

This says what happens if you are on holiday or in hospital without your **personal assistant**.

Where to find out more about being away

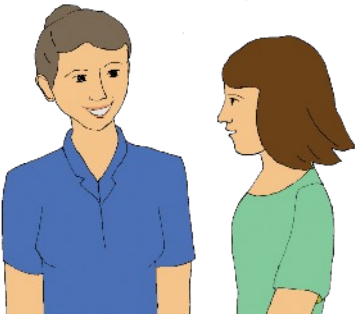


The government website explains what you should do if you do not need your **personal assistant** for a short time: www.gov.uk/lay-offs-short-timeworking



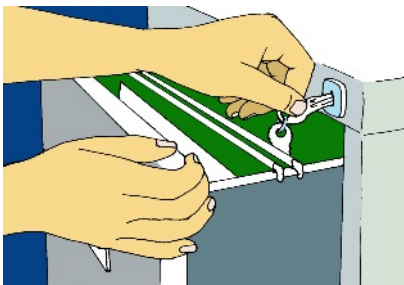
14. Confidentiality

You and your **personal assistant** will both know personal things about each other.



You should agree:

- when it is ok to share personal information with other people
- who else your **personal assistant** can share information with to make sure that you get the care or support you need
- how you will keep information about your **personal assistant** safely.





15. Dismissal

How you will ask your **personal assistant** to stop working for you if there is a serious problem.

Paying your personal assistant



You must pay your **personal assistant** at least the **minimum** wage. There are rules about this that change every year.



There are 2 ways to pay your **personal assistant**:

- do everything yourself
- pay a **payroll scheme** to do it for you.



Your **social care** or **health direct payment** should include money to pay for a **payroll scheme**.

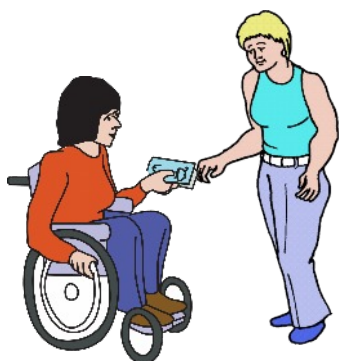
If you do everything yourself

You need to:

- register as an **employer** for **tax**



- decide if your **personal assistant** is **employed** or **self-employed**



- pay them at least the **minimum** wage.

Where to find out more if you do it yourself

This website tells you how to set everything up and register for **tax**:
www.disabilitytaxguide.org.uk





These factsheets will help you to find out if your **personal assistant** is **employed** or **self-employed**:



www.skillsforcare.org.uk/EmploymentStatus

or

<https://tinyurl.com/PAemployment-status>

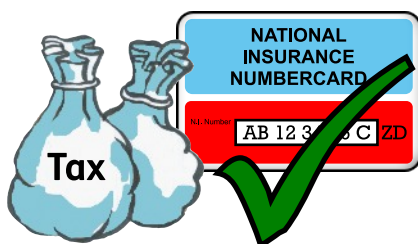


The Pay and Human Rights Helpline will tell you the **minimum** wage – you can telephone them on: **0300 123 1100** or look at this website:

www.gov.uk/national-minimum-wage

If you use a payroll scheme

They will:



- make sure that you and your **personal assistant** pay the right **tax** and **National Insurance**



- sort out all of the paperwork

TAX OFFICE



- deal with the **tax** office for you.

Where to find out more about payroll schemes



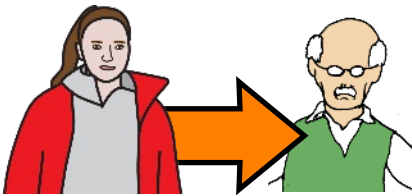
Your **direct payment** or **personal budget** adviser or a support organisation can tell you about local **payroll schemes** or other organisations that could do this for you.



Pensions



A **pension** is money that you save while you are working. The government or **pension** company pays this to you each month when you retire (stop working).

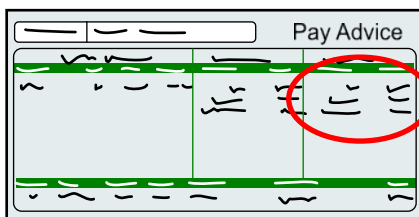


The law says that **employers** in the UK must help staff save for a **pension** if:

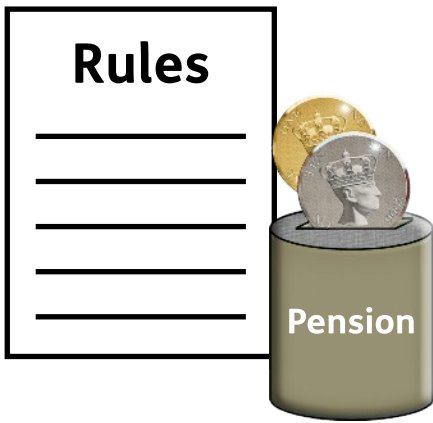
- they are between 16 and 74 years old



- they work in the UK



- you take **tax** and **National Insurance** from their wages.



Rules say which employees you must help to save for their **pension**. This depends on how old they are and how much they earn.



If you use a **payroll scheme**, they could help you understand about **pensions**.



Where to find out more

This form will help you to find out what you need to do:
<https://tinyurl.com/pensions-employers>



This website answers questions about pensions for **personal assistants**:
<https://tinyurl.com/carers-pensions-faq>

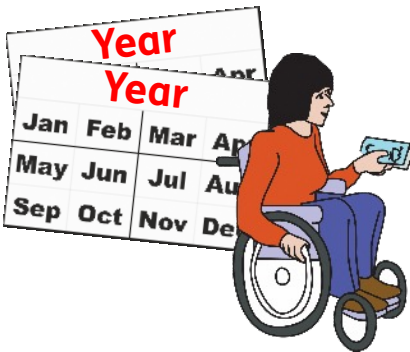
Redundancy



Redundancy is when you ask your **personal assistant** to stop working for you if you do not need them anymore.

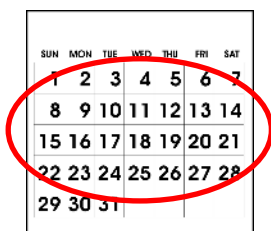


There are laws about **redundancy** and your **personal assistant** has **rights**.

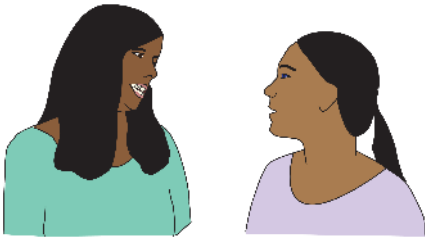


These might include:

- **redundancy** pay if they have worked for you for 2 years or more



- a **notice** period. The time your **personal assistant** will keep working for you before they leave



- talking to them about what you need to do



- time off to find a new job.

Where to find out more



You can call the **ACAS** Redundancy Service Helpline on: **0330 123 1100**



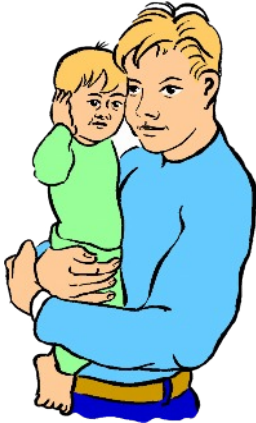
Parents' rights at work

The law says that you must give your **personal assistant** paid time off for:



- **Maternity**

Pregnant staff can have paid time off for appointments. And after the baby is born



- **Paternity**

Fathers and partners might also have the right to time off after the baby is born



- **Adoption**

Parents who adopt a child have similar **rights**



- **Family emergencies**

Your **personal assistant** can have time off for some emergencies, for example, if they need to care for a child, grandchild, parent or other family member.



You can claim back most or all of the money that you pay for this time off.

Where to find out more

These websites tell you more about time off for parents:



www.gov.uk/time-off-for-dependants

www.gov.uk/parental-leave/entitlement

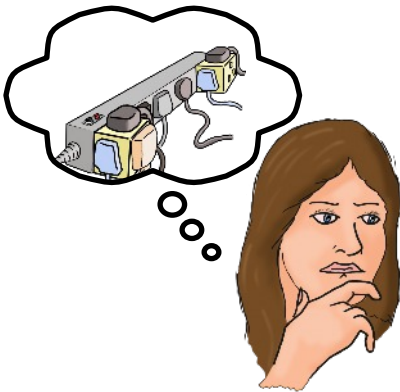
www.gov.uk/browse/working/time-off



Health and safety



The law says that you must make sure that your **personal assistant** stays safe and healthy at work.



This means that you must:

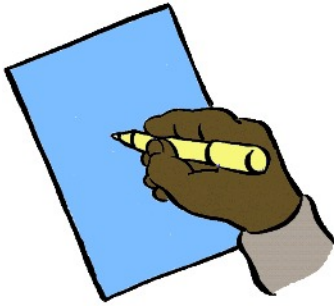
- think about risks. Things that might be dangerous



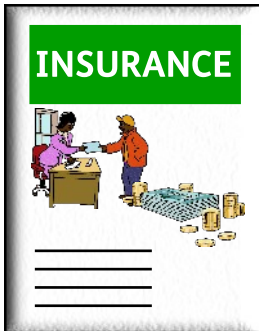
- ask if your **personal assistant** needs any training



- tell your **personal assistant** about health and safety and fire safety



- write down anything dangerous or any accidents that happen in your home



- have **employers insurance**.

If you employ 5 or more people you must have a health and safety **policy**.

Where to find out more

These videos tell you more about health and safety:



www.youtube.com/watch?v=CKYwWRzXUcg

www.youtube.com/watch?v=GmyhmiUfQYk



The Health and Safety Executive website has lots of advice for **employers**:
www.hse.gov.uk

Sample safety in the home checklist

This checklist has to be completed by a competent person with a minimum of a 3 day safety training course.

Name: _____

Address: _____

Date checked: completed _____

Activity to be checked	Satisfactory or not	Comments/Action required
1. Check for gas leaks		
2. Check for electrical safety		
3. Check for fire safety		
4. Check for trip hazards		
5. Check for safety of stairs		
6. Check for safety of windows		
7. Check for safety of doors		
8. Check for safety of roof		
9. Check for safety of gutters		
10. Check for safety of chimneys		
11. Check for safety of drains		
12. Check for safety of other		

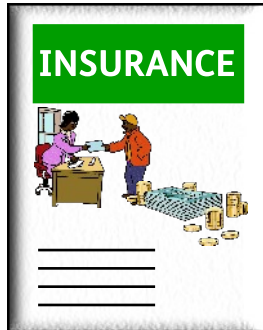
There is a health and safety checklist and risk form on our website:
www.skillsforcare.org.uk/templates



There is an example of a health and safety **policy** on this website: **www.hse.gov.uk**



Insurance



You must have **employers insurance**. This protects you and your **personal assistant** if there is an accident while they are at work.



You pay money to an **insurance** company.

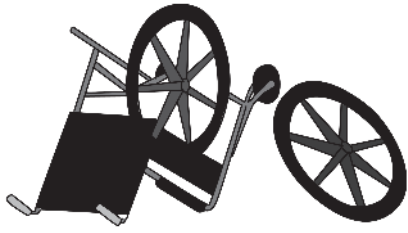


Then they pay money if you or your **personal assistant**:

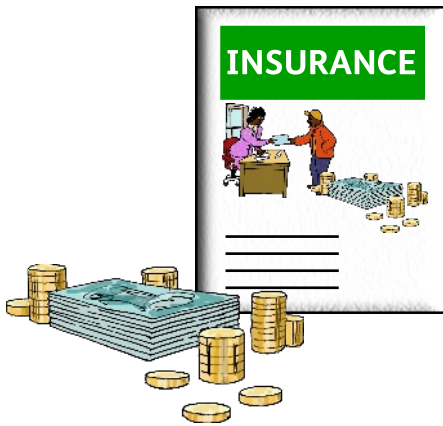
- get hurt



- hurt someone else



- damage something belonging to someone else.



Your **social care** or **health direct payment** might include money to pay for **employers insurance**.



Your house **insurance** should include **employing** people to work in your home and accidental damage.



Also check if you or your **personal assistant** needs extra car **insurance** to use the car for work.



Where to find out more

Your **direct payment** or **personal budget** adviser or support organisation can tell you more about **insurance**.



Some **insurance** companies offer independent living **insurance** and can give advice.

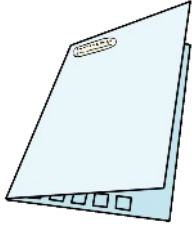
For example:

www.fishinsurance.co.uk/independent-living-insurance-information/



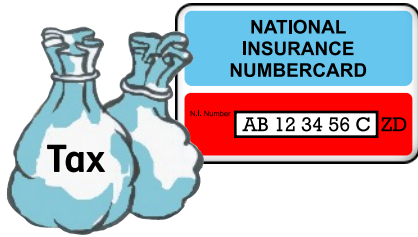
This document answers questions about **insurance** for **individual employers** and **personal assistants**:

www.skillsforcare.org.uk/PAInsurance

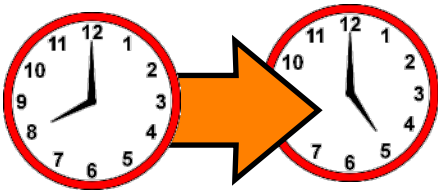


Keeping records

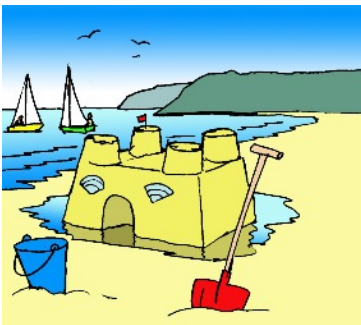
The law says that you must keep records (paperwork) to show:



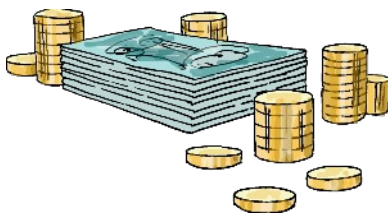
- that you have paid **tax** and **National Insurance**



- how many hours each **personal assistant** works



- when they take holidays



- how much you pay them and when

Days

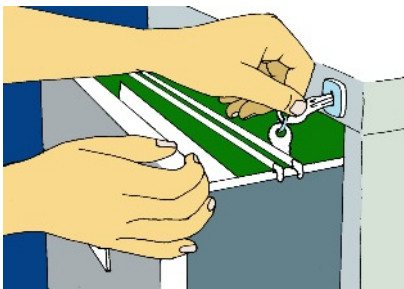
1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



- when you pay sick pay for more than 4 days



- accidents, injuries, illness and anything dangerous that happens.



You must store all of this information in a safe place where other people cannot see it.

Where to find out more



The government website tells you more about keeping personal information and paperwork:

www.gov.uk/personal-data-my-employer-can-keep-about-me



These guides explain about keeping personal information:

[**https://tinyurl.com/digi-sec-guide**](https://tinyurl.com/digi-sec-guide)

[**https://tinyurl.com/acas-record-keeping**](https://tinyurl.com/acas-record-keeping)



Or watch this video:

[**https://tinyurl.com/youtube-disabilitysheffield**](https://tinyurl.com/youtube-disabilitysheffield)

What the words mean

ACAS

An organisation that gives employees and employers free advice about rights, rules and how to do things properly.

Adoption

Legally bringing up someone else's child as your own.

Confidentiality

Keeping information private.

Dismissal

Asking someone who works for you to leave.

Employ

Pay someone to work for you.

Employed

Working for someone.

Employer

A person who pays someone to work for them.

Individual employer

A person with a disability who employs a personal assistant to help them to live independently.

Insurance

When you pay money to a company and they pay if something goes wrong.

Minimum

The least or smallest amount possible.

National Insurance

Money that workers pay through their wages to get some benefits and a pension from the government.

Notice

The amount of time that your personal assistant must keep working for you after they tell you that they want to leave or you ask them to leave.

Payroll scheme

A person or organisation who pays your staff for you and manages all of the paperwork.

Personal assistant or PA

Someone who a person with a disability employs to help them to live more independently.

Pension

A pension is money that you save while you are working. The government or pension company pays this to you each month when you retire (stop working).

Personal budget or direct payment

Money from your local council or the NHS to arrange and pay for your care and support, instead of using services.

Policy

A plan or set of ideas about something that says how you will work and make decisions.

Probationary period

A set time for you and your personal assistant to find out if they are right for the job.

Redundancy

When your job ends because your employer does not need you anymore.

Responsibilities

A duty or something that you must do.

Rights

Things that should happen for everyone.

Self-employed

When you work for yourself and not an employer.

Social care

Support with things like washing, dressing, meeting friends and living independently.

Tax

Money that workers pay through their wages for the government to pay for services like schools and hospitals that everyone uses.



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