



**Brighter
Futures for
Children**

Direct Payments

**Employing a personal
assistant for your child using
Direct Payments - a guide for
parents and carers**



Part One – What are Direct Payments?

Children’s services in Reading are delivered by Brighter Futures for Children (BFfC), which is an independent, not-for-profit company wholly owned by Reading Borough Council. Families who have been assessed as needing services by children’s social care may choose to receive a sum of money to arrange these services themselves, rather than using services arranged by BFfC. This sum of money is called **a Direct Payment**. A Direct Payment can be awarded to arrange services agreed in a Child in Need (CIN) plan, Child Protection (CP) plan or Child Looked After (CLA) plan. (These are referred to as a ‘relevant plan’ within this guide.)



Direct Payments may only be used for meeting care needs and are not counted as extra income. The payments will not be taken into account by the benefits agency and cannot be assessed as income on which you have to pay tax.

Families receiving a Direct Payment can use this money to employ **a personal assistant (PA)** to provide care or support for their child or young person. This guide is intended to help you choose whether this is the right option for your family and explain what you need to do if you decide to employ PAs with a Direct Payment from Brighter Futures for Children. It has been produced by Brighter Futures for Children and Reading Families Forum with the help of parents who use Direct Payments to employ PAs.



How do I get a Direct Payment?

If your child or young person under the age of 18 already has a CIN, CP or CLA plan, you can request that the services your family has been assessed as needing are provided via a Direct Payment. BFfC must offer you a Direct Payment if it is possible to arrange services in this way.

If your child or young person under the age of 18 is disabled and does not yet have a plan, you can request an assessment of need via the **Children's Single Point of Access** (brighterfuturesforchildren.org/services/childrens-social-care/childrens-single-point-of-access), which is the contact hub or 'front door' for all services delivered through children's social care. You can contact them by telephone on **0118 937 3641** or by emailing cspoa@brighterfuturesforchildren.org and asking for an assessment of need for the child with a disability – the child does not need to have a diagnosis.

Under the Children Act 1989, disabled children count as **children in need** and are therefore entitled to an assessment under Section 17 of this law. The assessment will be undertaken in partnership with the child or young person's family. When BFfC has completed the assessment, they will decide if services are required to meet the needs identified in the assessment. Any services to support the family will be set out in the child or young person's Child in Need (CIN) plan.

Once the plan has been agreed, the parent or carer can ask for these to be provided via a Direct Payment. All requests for direct payments are considered at the CYPD resource and short breaks panel.

What other options are there if my child has a CIN, CLA or CP plan?

Although BFfC must offer you a Direct Payment if it is possible to arrange services in this way, you do not have to accept one.

All local authorities must publish information about services available for children and young people with Special Educational Needs and/or Disabilities up to age 25, and this is known as the **Local Offer**. Reading's SEND Local Offer is part of its **Family Information Service** (see contact and resources section) and this includes information on a range of **short breaks** for disabled children. Short breaks provide opportunities for disabled children and young people to spend time away from their families and have fun. They also provide families with a break from their caring responsibilities. Many families will have their social care needs met by the short breaks that are already available and advertised on the SEND Local Offer and there may be no need for additional services.

If your family is assessed as needing additional services and you do not wish to have a Direct Payment, you can ask BFfC to arrange the services for you. BFfC runs **Cressingham Short Breaks Service** (brighterfuturesforchildren.org/services/respite-care/) and may be able to offer you a package of support provided at Cressingham. In some circumstances, BFfC can also arrange carers employed by an agency to come into your home instead of providing a Direct Payment for you to employ carers yourself.

What are the pros and cons of having a Direct Payment?

Here are some of the advantages of having a Direct Payment:

- You are in control of the service provided and can use the Direct Payment with a degree of flexibility to arrange the support that you choose
- You choose who to employ to provide the support for your child or young person, what hours they work and how the care is delivered.

However, there are also potential disadvantages:

- You are responsible for employing PAs and as an employer you have certain legal duties, including ensuring your employees are treated fairly and are safe at work
- You are responsible for the administration associated with a Direct Payment and employing staff, although there are more details below in the guide that will support you through the process.

This guide will help you understand what is involved in employing PAs using a Direct Payment so you can make an informed decision.

What is a personal assistant?



A personal assistant (PA) is someone who helps an individual family or disabled person. PAs support disabled people to live their lives according to their wishes and interests.

A PA can provide an extra pair of hands to help at home or when out; if you need support to manage several children or if your child needs the support of more than one adult. They can support and look after your child, either at home or in the community, while you give time to other children, work or simply take a break to recharge your batteries. They can support children at mainstream clubs (such as Scouts or Brownies) or help older children to learn independence skills such as using the bus, shopping for clothes or cooking meals. The support could also include meeting the personal care needs of a child to help them develop independence from their parents. For example, a teenager may no longer wish a parent to help with personal care or to accompany them when they are outside the home.

Part Two – Receiving Direct Payments



The Direct Payment Agreement

If you accept a Direct Payment to provide services to your family, your social worker or short breaks worker will draw up a **Direct Payment Agreement**. This is a document which sets out your responsibilities and what you can spend the money on. The Direct Payment Agreement will include the amount to be paid to you and you will need to sign it and return it to BFFC before the money can be paid.

By signing the Direct Payment Agreement, the parent or carer is agreeing to:

- Receive and manage the Direct Payments
- Use the Direct Payments only for the purposes stated in the agreement
- Comply with any condition specified in the written agreement
- Notify BFFC of any changes in circumstances which might affect the child's needs
- Use a dedicated bank account for the Direct Payments which is not used for any other purpose
- Make sure that the account is only accessible to the person(s) in the Direct Payment written agreement
- Be able to provide BFFC with information relating to the Direct Payments and the agreed provision when requested. For example, bank statements, receipts, invoices, timesheets and feedback on the quality of the services you are paying for.

Pre-paid card account

For most families, BFfC will set up a pre-paid card account for the named person receiving the Direct Payment. The Direct Payment will be paid into this account every four weeks in advance. The named person will be given a payment card which can be used to purchase the services agreed in the child or young person's plan.

The pre-paid card is a chip and pin card and the account can be accessed in the same way as online banking over the internet. You will be provided with a login username and password. You can use the card for payments or log in to the online account to set up regular payments or bank transfers (BACS payments). You will not get into debt when using the pre-paid card as you can only spend the funds which are pre-loaded on the card.

The following rules apply to use of the pre-paid card account:

- No cash withdrawals should be made using the pre-paid card.
- The parent/carer is responsible for the management of the funds in the pre-paid card account and must not allow the pre-paid card to be used by anyone else.
- If your Direct Payment agreement ends or is suspended, BFfC may close the pre-paid card account and recover any money in the account.

The pre-paid account can be accessed by Reading Borough Council and BFfC, so that they can view transactions and ensure the money is being used correctly.

When your pre-paid card account is first set up, Reading Borough Council will need to verify your identity to comply with Money Laundering Regulations. You will need to produce proof of address and identity (such as utility bills and driving licence or passport) and show these to the person setting up your account. Once these formalities have been completed and the account is opened, you will receive your pre-paid card in the post.



What does the Direct Payment cover?

The Direct Payment Agreement will state the amount of money to be paid to you every four weeks and will also state the equivalent weekly amount. When you first receive a Direct Payment, you will also receive a one-off initial extra payment which covers your first year's Employer's Liability insurance premium.

The four-weekly amount paid covers:

- Your PA's wages plus any tax and national insurance contributions you need to make
- Pension costs for your PA (if applicable)
- The costs of providing support when your PA takes their paid holiday, up to £19 per hour as of June 2021 (you do not need prior approval to source cover as long the rates do not go over the £19 per hour)
- If there is an increase in the hourly rate calculated within the plan to source an agency PA, then this should be discussed with the social worker or short breaks worker
- The fee for a payroll company to process payslips for your PA, and work out tax and national insurance contributions and report these to HMRC (this fee is usually paid monthly or four-weekly)
- An amount towards the premium for Employer's Liability Insurance (usually paid annually so ensure you keep enough money in the account to cover this)
- The Direct Payment does not usually cover expenses, however this can be reviewed case by case by the CYPD short breaks and resources panel depending on the agreed outcomes within the plan.

There is information later in this guide on payroll, insurance, pensions and holiday pay.

BFfC must ensure that the Direct Payment is sufficient to cover the costs of providing the services you are assessed as needing, so if you find you do not have enough money in your pre-paid account to cover these costs, you must let your social worker or short breaks worker know.

You must spend your Direct Payment only as agreed in your Direct Payment Agreement – if you spend it on anything else, BFfC may require you to pay back the money. If you are in any doubt about what you can spend the money on, you should check with your social worker or short breaks worker.

A Direct Payment cannot be spent on:

- Alcohol or drugs
- Illegal activities
- Employing people unofficially or without following legal requirements explained in this guide
- Gambling
- Employing people in the same household as the disabled child or young person, unless an agreement has been made with BFfC to do so
- Food for the child or young person
- Anything that will bring BFfC or Reading Borough Council into disrepute
- Day-to-day requirements such as household bills
- Items that might benefit other family members more than the child or young person
- Anything not in the Direct Payment agreement or relevant plan unless specifically approved by BFfC.

Reviewing Direct Payments

Your social worker or short breaks worker will review your Direct Payments at least once a year, during the reviewing of the relevant plan with you. How often this happens will depend on your family's needs. This will include making sure that the Direct Payment is working for your child and your family.

If at any point you wish to change the arrangements, you should contact your social worker or short breaks worker who will reassess the payments and your child and family's needs with you.



Reading Borough Council will also review your Direct Payment at least once a year and may ask you for copies of documents showing how the money has been spent, including receipts, invoices and timesheets showing the hours a PA has worked. You must keep all these records for at least six years after the end of the tax year to which they relate, in case they are required by BfC, Reading Borough Council or HMRC.

If you do not spend the money in your pre-paid card account, BfC may take the money back – this is called **recouping** the money. BfC will always let you know in advance if they are planning to recoup any of the money in your pre-paid card account. Direct Payments offer you the flexibility to vary the support you receive. For example, you may wish to use fewer hours during school term-time and save up the hours to use during the school holidays. If you are using Direct Payments in this way, you should let your social worker or short breaks worker know so that BfC will not try to recoup money which has been saved to pay for care at a later stage.



Part Three – Recruiting a Personal Assistant

How do I find a personal assistant?

Many families find PAs by word of mouth, by employing someone they already know, have used before or who works at their child or young person's school, childcare provider or with a community group they attend. As the person will be working with your child or young person and coming into your home, it is often more important to find someone who is a good 'match' with your family than employing someone with previous care experience or qualifications.



Suggested recruitment steps

Write a job description and person specification

- A job description is a list of tasks that you would like your PA to do
- A person specification is a list of the skills, experience and personal qualities that you would like your PA to have.

A sample job description and person specification can be found from the Skills for Care website: www.skillsforcare.org.uk/templates

Your child or young person's assessment and plan could help inform the requirements you may need to add when writing the job description and personal specification.

Write a job advert

The job advert should be about the type of person you want to be your PA. The advert should include the following:

Who you want to apply – Give a brief description about the type of person you want to apply. Think about what values, skills, experience and qualifications they need. For example, your job advert could say 'Are you caring and resilient with a good sense of humour?'

Hours, type of work and main duties – State the days and times you need the PA to work, a summary of the type of work they will be doing and provide the area where you live (but not your full address or other specific personal information as the advert will be publicly available).

Rate of pay – You will need to pay at least the national living wage (or the national minimum wage for workers aged 24 or under). The rates are updated each year and you can find them at www.gov.uk/national-minimum-wage-rates

How a PA can apply – Tell people how you want them to apply, for example, by completing an application form or sending you a copy of their CV. Make sure you provide clear instructions on where to send the CV or application.

Closing dates – It is good to provide a closing date on your advert, for example 2-3 weeks after you start to advertise, and to say when you expect to interview potential candidates.

References – State that you will ask for references. Ask for at least two references as this person will be caring for your child and entering your home. Make sure the referees know the person applying for the job well enough to be able to comment on their suitability for the job. Do not just depend on an email reference – ask for contact details of the referees, so that you can contact them or their employer to verify who they are.

DBS Check – State that the person will need an Enhanced DBS check for this role and that they cannot start work until this has been completed. ([See disclosure and barring service section for more information](#)).

Contact details – You will need to provide contact details for any applicants to get in contact or apply; via email for example.

We recommend that you provide a mobile contact number rather than a home phone number. We also recommend you do not let applicants know your full address until you are satisfied with their references.

An example of a job advert and an application form can be found here: www.skillsforcare.org.uk/templates.

Advertise

There are several ways you can advertise:

- Ask other parents of disabled children for their recommendations
- Your child's school, college or early years setting may be able to recommend staff looking for extra work
- Local newspaper
- Jobcentre Plus
- Suitable online sites which advertise childcare or care jobs
- Social media
- Reading College and the University of Reading may have students interested in the job, particularly health and care or psychology students.

Shortlist



We recommend that you shortlist the applicants and only interview those that you feel could meet your child's needs.

After the closing date, look through the application forms or CVs and decide who you want to interview. You could use the job description and person specification to rate the applications and shortlist the ones that most closely fit the job and the type of person that you want.

The successful applicant must be someone that you and your child feel comfortable with and you are happy to visit your home. You should not discriminate against anyone on the grounds of protected characteristics, for example, their age, race, gender or sexual orientation, unless this is an occupational requirement of the job. An example could be a teenager who would feel uncomfortable with personal care being carried out by a member of the opposite sex. This is a complex area and if you are unsure about what to do, you may wish to take legal advice. (See useful contacts at the end of this guide.) For an overview on this topic, see advice from ACAS.

Interview and offer the job

Once you have gone through the application forms, you can interview people to select the most suitable candidate. If you do not feel comfortable conducting the interviews in your own home, then you could consider conducting a meeting in a public place, at a friend or relative's house, or with at least one other person. You could even consider a virtual interview, using common free platforms such as Microsoft Teams or Zoom.

Alternatively, ask your social worker or short breaks worker to see if a room can be made available at the council office or another council building (such as a local children's or community centre).

Following the interview, you can decide and offer the job. Before the employee starts work the following additional checks must be carried out:

- We strongly recommend that you take up at least two written references for a candidate and check them before you allow them to start work.
- BFFC also requires a completed DBS check before the PA starts work, so you will need to wait for this to be received before you agree a start date with the PA.
- As an employer, you must also check that the person you appoint is eligible to work in the UK. If they are a UK citizen with a British passport, you should ask to see their passport which will state they are a UK citizen – take a copy of this for your records as proof of their eligibility to work in the UK. If they do not have a passport or are a citizen of another country, the government website will tell you what other documents are acceptable: www.gov.uk/check-job-applicant-right-to-work

Take up references

Candidates should supply references when they apply for the job, as stated in your job advert. They should provide the name and contact details of someone who knows them, usually a previous employer. This helps you to make sure that the information that people have told you is correct. It is also good to have the opinion of someone who already knows the person you want to employ.

It is normal to write to or email the referees given by the candidate, asking them to comment on the candidate's suitability for the job. If you are handed a reference at interview or receive one by post before you have requested it, always follow it up with a phone call to check that the person who wrote it is happy with what is written.



Disclosure and Barring Service (DBS) check

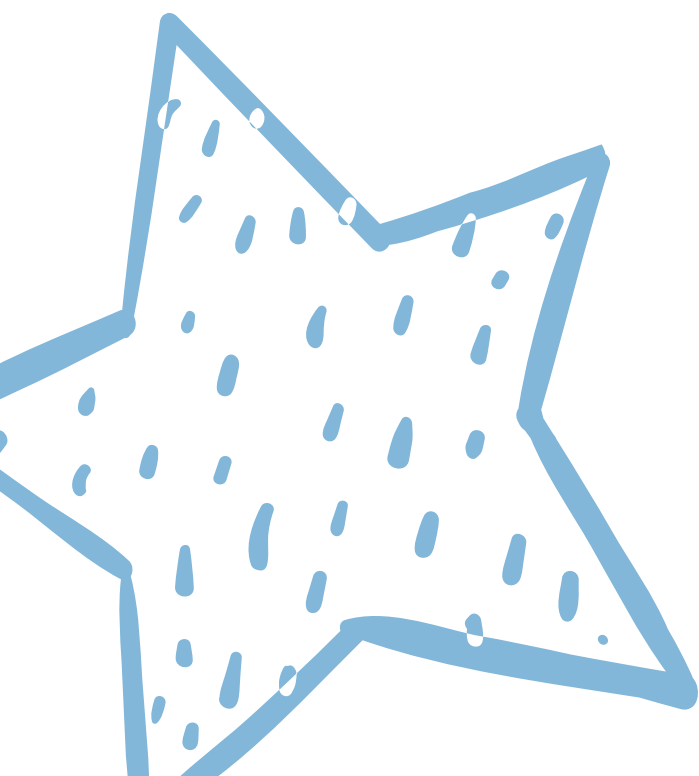
BFFC requires that a Disclosure and Barring Service check (DBS check, formerly known as CRB check) is carried out on any person you wish to employ before the PA starts work. This is required even if the person already has a DBS check from BFFC, RBC or another employer. You will need to carry out a new DBS check every three years.

Once you have offered someone the job, you should request their permission to pass their name and contact details to Reading Borough Council to carry out the DBS check. You should then send these to pa.register@reading.gov.uk and they will complete the check. If the person you are employing has a previous DBS check which is registered on the DBS update service, the council will be able to check their DBS online and this can be done straightaway. Otherwise, a new DBS will be needed, and Reading Borough Council will apply for this, liaising with the employee as needed. In either case, you will need to see a copy of the paper DBS certificate – either the original certificate registered on the update service, or the new certificate which will be sent directly to your employee. When you see the certificate, it is a good idea to make a copy of it or take a picture on your phone, for your records, although BFFC does not normally need to see a copy.

If any convictions are listed on the certificate, you will need to consider carefully whether you will employ the person. Having a criminal record alone should not automatically bar an individual from a role. However, if the certificate shows that the holder has been convicted of any offences against the person (i.e. violent or sexual offences), you cannot employ them as a PA. If it shows other offences, you should speak to your social worker or short breaks worker who will ask their manager to carry out a risk assessment if you wish to employ the person (if you have difficulties contacting your social worker, short breaks worker or the duty social worker, you can contact CSPoA on **0118 937 3641** and select option 5 for all other enquiries).

Working with children as a PA is a 'regulated activity' as defined in law and you, as the employer, are a 'regulated activity provider'. As such, you have a legal duty to report to the DBS any behaviour which either caused harm or has the potential to cause harm to your child or young person which results in the person's dismissal, or would have resulted in dismissal if the person hadn't already left. If your PA behaves in a way that concerns you, you should speak to your social worker or short breaks worker. If you have a legal duty to refer to the DBS, you must do this as well as reporting the issue to BFFC. There is more information about making a referral to the DBS (www.gov.uk/guidance/making-barring-referrals-to-the-dbs) and you can also contact the DBS Helpline on **03000 200 190** if you have any questions about making a referral or need help in completing the referral form.

A DBS check will tell you if someone has been convicted of a relevant offence and is therefore important. However, it is also important that you and your child feel comfortable with the PA. If you have any concerns about a PA's behaviour that might put a vulnerable person at risk, talk to your social worker or short breaks worker straightaway.



Part Four – Employing a Personal Assistant



Your PA can start work once you have seen their DBS certificate. There are a few formalities you will need to sort out once they start work. The section of the Skills for Care website Skills for Care Toolkit 3 ‘Before your Personal Assistant starts’ (www.skillsforcare.org.uk/Employing-your-own-care-and-support/Information-for-individual-employers/Before-your-PA-starts.aspx) has a very helpful checklist and further information on many of these topics.

Contract of employment

Unless your PA is self-employed, you must give your employee a written statement of their main terms and conditions within two months of them starting the job. The Skills for Care website (www.skillsforcare.org.uk) includes lots of useful information about employing a PA including a sample employment contract (www.skillsforcare.org.uk/Employing-your-own-care-and-support/Information-for-individual-employers/Templates.aspx). Your payroll provider or insurance provider may also provide a template contract. You and the employee should sign three copies of the contract – one for you, one for the employee and one for BfFC. The copy for BfFC should be sent to the Personal Budget Support Team at Reading Borough Council either by post or email. Please see [Contact us](#) section for address and email. Alternatively, you can give the contract to your social worker or short breaks worker, who will then send it on to Reading Borough Council.

Self-employed personal assistants

In a small number of cases your PA may be self-employed. Where this is the case, they are responsible for their own employment costs such as paying their own tax, national insurance contributions, holiday pay and sick pay and you do not count as their employer. You cannot ask a PA to become self-employed, and HMRC will typically decide whether someone counts as employed or self-employed and will tell you if you check with them what an individual’s status is.

Guidance can be found at: www.gov.uk/employment-status/selfemployed-contractor

If your PA is self-employed, you still need to keep a record of their working hours, how much you have paid them and at what hourly rate. Your PA must also provide you with the following information, which BFfC and Reading Borough Council may also ask to see:

- A copy of their liability insurance – you must keep this in your records. You should ask for this each year to check they are still insured
- Their HMRC Self-Assessment Registration Number (UTR)
- A copy of the formal written ruling from the local HMRC Status Inspector confirming their self-employment status in their capacity of carer/support worker.

Working Time Regulations

As an employer you need to ensure you comply with the Working Time Regulations, which in summary state:

You must not ask your PA to work an average of more than 48 hours per week, unless they have given their voluntary consent to 'opt-out' in writing. An employee can cancel the opt-out agreement at any time by giving seven days' notice.

Your PA is allowed to have regular rest periods of:

- a minimum of 11 consecutive hours' rest in any 24-hour period
- a minimum 20-minute rest break if their working day is longer than six hours
- one day off out of every seven days
- a limit on the normal working hours of night workers to an average eight hours in any 24-hour period.

There are stricter regulations for workers aged 16 and 17 and you should not employ children under the age of 16 as PAs.

Insurance

If you are an employer, you are required by law to have Employers' Liability Insurance cover in place which will cover you if your PA has an accident at work. (This is not required if you only use agency carers or your PA is self-employed.) Most employers' liability insurance covers you for employee liability, public liability, redundancy insurance, personal accident cover, theft cover and provides a 24-hour helpline. Keep your policy information safely so you are able to access this when needed.

Two providers used by many families supported by BFfC are:

Premier Insurance

01276 601 060

enquiries@markbatesltd.com

markbatesltd.com

Fish Insurance

0333 331 3770

enquiries@fishinsurance.co.uk

www.fishinsurance.co.uk

If you require support with healthcare tasks, such as catheterisation or suctioning, you will need to check you take out the correct policy which will cover these. There may be an additional cost and if so you should discuss further with your social worker or short breaks worker to ensure this is covered in your direct payment.

When your Direct Payments start, the first payment will include an initial one-off payment which will cover the first year's premium. The cost of subsequent years' premiums is built into your regular payments so you will need to ensure you keep aside enough to pay the annual premium each year. You should keep a copy of your Employer's Liability Insurance policy as you may be required to show it during reviews of your Direct Payment.

If your PA is going to use either your vehicle or their own while working for you, 'business use' must be added to the relevant car insurance policy. You should check with your social worker or short breaks worker whether the costs of taking your child or young person out are covered by the Direct Payment Agreement, and if so, you may be able to cover any additional insurance costs from your Direct Payment.

Paying your personal assistant

You can pay your PA with a cheque or by bank transfer (bank transfer being the preferred method). Payments by cash are not permitted.

Most families will use a payroll provider to work out the tax and national insurance contributions payable to HMRC, and amounts to be paid to your PA, and your Direct Payment will include an amount to cover the cost of this.

The payroll provider used by most families supported by BFfC is:

Paycoll Payroll Ltd

0118 961 6150

info@paycoll.co.uk

www.paycoll.co.uk

There are also other providers you can choose to use:

Barrie Bookkeeping and Payroll Solutions

01592 759001

www.barriebookkeeping.co.uk

Enham Trust

01264 345800

info@enhamtrust.org.uk

www.enhamtrust.org.uk



Firefly Payroll

01622 815685

jhart@fireflypayroll.com

www.fireflypayroll.com

PayPacket Ltd

0800 848 8998

info@paypacket.co.uk

www.paypacket.co.uk

You can choose to pay your PA every month on the same day each month or every four weeks. You will need to ask your PA to fill in a timesheet each time they come to work, showing the hours they have worked and any breaks taken. Sample timesheets can be found at the end of this guide in the Templates section.. You will need to print or photocopy these, so you have one for each PA each week they work for you. At the end of the month or four-week period, you will add up the hours worked and send these to your payroll provider, who will then produce a payslip for your PA and tell you how much to pay them.

Your payroll provider will also tell you how much you need to pay to HMRC to cover tax and national insurance contributions for your PA – these payments are usually made quarterly but may be monthly in some circumstances.

Your PA will be entitled to 5.6 weeks of paid holiday per year pro rata or pay in lieu of holiday. This should be paid at the average weekly wage and your payroll provider can advise on this. Your Direct Payment includes an amount to provide cover when your PA is taking their paid holiday.

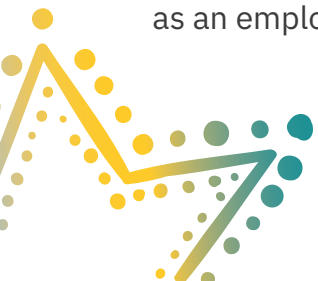
If your PA is off sick and they earn more than £120 per week, they may be entitled to sick pay. You should tell your payroll provider if your PA takes sick leave so they can ensure the correct rate is paid. If you do not have the care you need due to your PA being unwell, you should contact BfC as the Direct Payment does not include the funds to cover long term sickness absence.

You should check your Direct Payment Agreement to see whether it covers the costs of your PA taking your child or young person out of the home. If not, you will need to cover the PA's expenses incurred while taking your child or young person out. PAs should meet their own costs in getting to your home.

Providing a workplace pension

A pension scheme is a way of saving for retirement and all employers are now required to offer a workplace pension to their employees. A workplace pension allows the employer, employee and the government to contribute towards the employee's pension. While most PAs for children will not earn enough in their job for you as the employer to have to pay pension contributions, you still need to comply with your duties as an employer to inform your employees about their pension options.

If your PA is aged between 22 and the state pension age and earns over £192 per week or £833 per month, you must enrol them into a workplace pension scheme, unless they opt out in writing – this is called **auto-enrolment**. PAs who do not meet these criteria are able to choose to be enrolled in a workplace pension scheme. You should give your PA a letter setting out their rights to join a pension scheme when they start work, even if they are not eligible to be auto-enrolled. If they become eligible for auto-enrolment due to age or increased earnings while they are working for you, you will need to write to them within six weeks of them becoming eligible to inform them that they will be auto-enrolled unless they opt out in writing. Template letters can be downloaded from The Pensions Regulator – you can find these when you complete their online tool to check your duties as an employer at www.thepensionsregulator.gov.uk/en/employers



If you have any employees who must be auto-enrolled or who wish to enrol in a workplace pension scheme, you will need to set one up. You should ask your payroll provider to assist you with this, and give you a statement of the monthly costs, and you will then need to ask your social worker or short breaks worker to ensure the costs are covered by your Direct Payment.

Even if you have no staff who are eligible to be auto-enrolled or who wish to join a workplace pension, you are still required to declare that you have complied with your duties to The Pensions Regulator. When you first start employing a PA, The Pensions Regulator will write to you and ask you to complete a declaration saying that you have auto-enrolled all eligible staff who have not opted out, or that there are no staff who are eligible. They will write to ask you to complete a similar declaration every three years. Your payroll provider can help you with this declaration, for a small fee. You must complete these declarations as if you do not, you may receive a penalty notice (fine).

There is more information, advice and guidance on The Pensions Regulator's website at www.tpr.gov.uk

Health and safety at work and training

As an employer, you are responsible for making sure your PA is safe at work and has appropriate training to do their job. Part of this responsibility includes having appropriate insurance as described above. You should also make sure your PA has the right skills and qualifications – for example, if they are going to drive with your child or young person in the car, you should check that they have a valid driving licence.

If your child or young person has manual handling needs, there are Occupational Therapists (OTs) who work in the Children and Young People's Disability Team who will provide you with a manual handling plan and risk assessment which you should share with your PA. If you do not already have this in place, you should ask your social worker or short breaks worker to refer you to the OT team.

If your child or young person behaves in a way that might pose a risk to themselves or their carers, your social worker or short breaks worker can help you draw up a risk assessment to ensure everyone is safe in the home and in the community. A useful resource to help with this is the care passport, available via the children and young people's disability register (DCR) on the Local Offer.

Brighter Futures for Children is currently working with Reading Families Forum to develop a training offer for PAs.



Other professionals involved in your child's care may also be able to assist with training your PA, for example, physiotherapists and the school nursing team.

If you feel that your PA needs additional training in order to carry out their role safely, you should discuss this with your social worker or short breaks worker.

Part Five – Advice, Support and Further Information

Employment advice

Skills for Care have produced a comprehensive guide to recruiting and retaining a PA covering recruitment, job adverts and job descriptions, contracts of employment, supervision and disciplinary matters.

Skills for Care Toolkit: www.employingpersonalassistants.co.uk

Your employers' liability insurance policy will usually include access to an Employment Law helpline. BfC and Reading Borough Council cannot offer advice on employment law.

Contact us

There are several ways to contact Brighter Futures for Children.

Telephone

Please call **0118 937 3641** and select one of the following options:

- **Option 1:** Children's Single Point of Access (CSPoA) team to report concerns about a child or young person
- **Option 2:** Access and Assessment team
- **Option 3:** Children in Need team
- **Option 4:** Children Looked After and the Leaving Care team
- **Option 5:** All other enquires

Email

For general enquiries: info@BrighterFuturesforChildren.org

Post

Brighter Futures for Children
Civic Offices
Bridge Street
Reading RG1 2LU



Part Five – Advice, Support and Further Information

Useful contacts and further references

External organisations and resources

Skills for Care

0113 241 1275

information.team@skillsforcare.org.uk

www.skillsforcare.org.uk

ACAS

0300 123 1100

www.acas.org.uk

The Pensions Regulator

www.tpr.gov.uk

Disclosure and Barring Service (DBS)

www.gov.uk/government/organisations/disclosure-and-barring-service

Contacts and resources within BfC and Reading Borough Council

Children’s Single Point of Access (CSPOA)

brighterfuturesforchildren.org/services/childrens-social-care/childrens-single-point-of-access/

Family Information Service

servicesguide.reading.gov.uk/kb5/reading/directory/family.page?familychannel=0

Children and Young People’s Disability Team (CYPDT)

brighterfuturesforchildren.org/services/childrens-social-care/children-young-peoples-disability-team/

Reading SEND Local Offer

www.readingsendlocaloffer.org/

Short Breaks

servicesguide.reading.gov.uk/kb5/reading/directory/family.page?familychannel=3-7

Children and young people’s disability register (DCR)

servicesguide.reading.gov.uk/kb5/reading/directory/dcr.page

Templates

Weekly, four-weekly and monthly timesheet templates are available on request from info@BrighterFuturesforChildren.org. Please specify that you would like the timesheet templates for Direct Payments.



**Brighter
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