

FACTSHEET 4 - EMPLOYING PERSONAL ASSISTANTS

This factsheet outlines your responsibilities when employing Personal Assistants. For information that is more detailed please read our 'Employing Personal Assistants Information guide'.

What is a Personal Assistant?

A Personal Assistant, often referred to as a PA, is the person or people you employ to provide you with the care and support you need.

If you have decided to employ PA's to help you there are some rules you need to be aware of and importantly, some legal requirements too.

The first thing to understand is that you will be your PA's employer and they will be your employee. This applies even if you know the person you plan to engage as your PA, for example a family member or a friend. You should think about how this might affect your personal relationship.

The basic rule about employing a PA through your Direct Payment is that they should not be a member of your household, regardless of their relationship to you.

There may be exceptions to this rule and your social worker will be able to discuss this with you.

What will my responsibilities be as an employer?

As an employer, there are several things you will need to do or arrange, to be compliant with employment law and HM Revenue and Customs (HMRC) and the Pensions Regulator.

There is support available to you to do this and most people using a Direct Payment employ the services of a payroll supplier, to manage these responsibilities on their behalf, including working out their PA's salary payments.

The cost of using a payroll supplier will be included in your personal budget and paid to you as part of your Direct Payment.

These responsibilities will be explained to you by our Direct Payments team in more detail as part of setting up your Direct Payment with you.

The team will support and guide you and will be available should you have any questions that you want to ask.

What other responsibilities will I have?

As an employer, employing PA's in your own home, you will need to ensure that;

- You have valid Employers' Liability Insurance in place. The cost of this is included in your Direct Payment and you can be supported to purchase this.
- You must provide a safe working environment and ensure any equipment your PA is required to use is properly maintained.
- You should consider whether your PA needs specific training in order to carry out tasks you require, and how this can be provided.
- You must provide Personal Protective Equipment (PPE) where these are appropriate to be used.
- As a good employer, ensure that your PA's are paid at London Living Wage, which has been calculated for you to be able to pay from your Direct Payment.

Information that is more detailed can be found in our Employing Personal Assistants Information guide.

If you require any advice or support, contact our Direct Payments team. Their contact details are:

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