



Health and safety

1. **How can I help support my PA through health issue that limits what activities they are able to support with?**

Speak with your PA and undertake a risk assessment to ascertain what tasks it is safe to continue doing. You may need to make adjustments to ensure the PA s injuries are not aggravated any further, for example, whether training in assisting and moving techniques may be required or equipment that might aid the work they are doing.

Above all, work with your PA to keep them safe and in the job.



5. **protective equipment (PPE) to keep them and myself safe?**

Employers would normally be responsible for providing PPE, to maintain a safe working environment. If your personal budget (social care direct payment, or personal health budget) includes money to purchase PPE, you can continue to use your usual suppliers.

However, COVID-19 guidance for direct payment recipients says that if you employ a PA you are entitled to free PPE for your PA, where this is needed. This can be accessed through local resilience forum



Insurance

7. **As there are legal responsibilities, must councils pay for the level of insurance that has access to the legal cover?**

There is a legal responsibility for all employers to have employer liability insurance (_____).

All other aspects of cover provided by direct payment insurance policies are discretionary.

However, there are no legal requirement to provide employers with access to legal support. But as it is a legal requirement that employers comply with employment law, this additional service supports employers to be compliant and can help if difficult situations occur.

Contracts

8. **Do the insurance companies insist that you use their employment contract templates (as provided by the insurer)?**

_____ that employers use their contracts, however they can provide support with producing contracts if required.

9. **Do contracts have to be re-issued every year, even if the terms have not changed?**

_____ Employees and employers must stick to a contract until it ends (for example, by an employer or employee giving notice or an employee being dismissed) or until the terms are changed (usually by agreement between the employee and employer).



19. **Skills for Care has produced an excellent resource STOP LOOK CARE an information guide for anyone providing direct support to people with a learning disability and or autism. Is it available on the SfC website?**

The [STOP LOOK CARE](#) guide will be added to the information hub during its next update.

Checks and accreditation

20. **What happens when they [PA] take financial advantage of you by taking you to tribunal for unfair dismissal (happened and resolved). How can you stop them going and being a carer for someone else and doing it again?**

We would always advise that an employer seeks advice at any sign of an issue to avoid an issue going to tribunal. However, if it does the advice line can offer support to employers. There is no way you can stop this happening again to someone else.

21. **Who is responsible for obtaining an enhanced DBS check?**

Employers would need to seek support from their direct payment provider to obtain a DBS check on any-3(rBT/F1 12 Tf1 0 0329.81 T#023t3(ining a)-6(n e)-4(nh)0 0 1 100



work with appropriate information about the services they offer or perform.

For example, a PA might have undergone a training programme to understand the role and achieve certain qualifications, had references checked, be DBS checked and follow a code of conduct.