

## What is a Personal Assistant?

If you are eligible for social care support from your Local Authority you may also be eligible to choose to employ a Personal Assistant (PA).

The role of the PA can take many forms: you (the employer) will create the job description according to the outcomes set out in your support plan. The PA may be providing support at home; at work; in an educational/social setting. They might be providing personal care.

By choosing to use your social care budget to employ a PA, you would be choosing Option 1 (Direct Payment) of the 4 Options of Self-directed Support:

 - See Self-directed Support Factsheet.

Many individuals choose to employ PAs to provide their support because of the flexibility and control that this option can offer.

## What responsibilities do Personal Assistant Employers have?

All employers must adhere to employment legislation. Seek support to ensure that you are fulfilling your responsibilities as an employer.

Key tasks for PA Employers (from the 'PA Employer's Handbook'):

Before the Personal Assistant starts work, the employer should:

- Register as an employer with HMRC
- Take out appropriate insurance
- Draw up a contract and terms & conditions
- Decide on a probationary period
- Make arrangements for payroll
- Consider the provision of a pension
- Consider health and safety and do a risk assessment for the PA.

Once the Personal Assistant starts work, the employer should:

- Provide an induction and ongoing training
- Provide ongoing management, including regular supervision and opportunities for personal development
- Keep a record of paperwork relating to the PA's employment.

**Self Directed Support Scotland**  
Contact us:

 0131 475 2625

 [info@sdsscotland.org.uk](mailto:info@sdsscotland.org.uk)

 [www.sdsscotland.org.uk](http://www.sdsscotland.org.uk)

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## Can I employ a family member as a Personal Assistant?

Under the Direct Payment Regulations 2014, an individual may, in certain circumstances, employ a close family member as a PA. For more information on this, contact your local SDS support

organisation (search [www.sdsinfo.org.uk](http://www.sdsinfo.org.uk)) and/or refer to the PA Employer's Handbook: [www.scotland.gov.uk/Resource/0044/00447315.pdf](http://www.scotland.gov.uk/Resource/0044/00447315.pdf)

## How do I become a Personal Assistant Employer?

To use funding from your Local Authority to employ a Personal Assistant, you must be eligible for social care. Following a social work assessment, you will find out what support you can get  - see Self-directed Support Factsheet. Then you will put together a 'support plan'  - see Support Planning Factsheet).

If you choose to take your support as a Direct Payment – and you are eligible to do so – you may decide to become a Personal Assistant Employer. Your local Self-directed Support (SDS) organisation can support you in this process.

## What assistance can SDS support organisations offer?

Provision of support for SDS varies across the country. Here are some examples of what support organisations commonly offer PA Employers:

- Support to find and recruit a PA, e.g. support with advertising, interview and background checks
- Support with setting up payroll procedures
- Access to peer support, e.g. a group of PA employers to meet to share experiences and information
- Training for PAs and PA Employers.

Search for local support available in your area: [www.sdsinfo.org.uk](http://www.sdsinfo.org.uk)

## Where can I find more information about being a PA employer?

PA Employer's Handbook: [www.scotland.gov.uk/Resource/0044/00447315.pdf](http://www.scotland.gov.uk/Resource/0044/00447315.pdf)

Disability Tax Guide: [www.disabilitytaxguide.org.uk](http://www.disabilitytaxguide.org.uk)

Local SDS support organisation: [www.sdsinfo.org.uk](http://www.sdsinfo.org.uk)

Scottish Personal Assistant Employers Network: [www.spaen.co.uk](http://www.spaen.co.uk)