

Managing your personal assistant

A toolkit for employing personal assistants







Grievance and disciplinary

When you become an employer you or your employee may experience problems and issues. This could be for a variety of reasons for example:

- Bullying
- Health and safety
- Work relations
- Discrimination
- Terms and conditions of employment

It is important that you have procedures in place in order to properly deal with these issues.

Preventing problems

There are certain things you can do to prevent problems emerging with an employee.

These are:

- Do not lend money or borrow money from your employee
- Keep receipts and records of every payment that gets made
- Do not leave money around the house
- Do not give an employee access to a personal bank account or pin number. If they need access to an account you should set up a separate bank account and only pay in the amount an employee can access
- Do not have an employee signing financial documents on your behalf or acting as a signatory on a bank account
- Do not pay a personal assistant before their pay date

Grievance and disciplinary

If an employee has a problem or concern this is known as a grievance. As an employer there may be times when you have problems or concerns about your employee, or your employee may raise concerns about their employment.

In these situations you should seek advice from The Advisory, Conciliation and Arbitration Service (ACAS), Citizens Advice Bureau or your key worker who will be able to support you and direct you to the most appropriate information and advice.

Dismissal

As an employer you may have to dismiss an employee if they breach their contract. This could be for gross misconduct, which is unacceptable behaviour from an employee, or it may be another form of disciplinary.

To help reduce the risk of this happening you should list your code of conduct in the Contract of Employment, so that your employee is aware of what is unacceptable and what behaviour may result in disciplinary action.

If you have to dismiss an employee then you must do it fairly and keep records.

If you have issues with an employee then you should contact your key worker, who will advise you on the most appropriate course of action.

Appeals

When you dismiss someone they may request an appeal of the decision. This is their right as an employee. In these circumstances you should seek independent impartial advice.

Supervision and being a good employer

Induction

As an employer you must complete an induction with any new members of staff. This is very important to quickly help your employee settle into their new role.

An induction is made up of a number of meetings and briefings between you and your employee. It is important as it allows you to provide necessary information, assess how your employee is adjusting to their new role and review any issues that emerge.

The necessary parts of an induction are:

1. On the first day

You must provide your personal assistant with information about the role and your expectations.

You can go over the contract, emphasising any key dates and procedures.

You can explain any rules that you have, any arrangements and explain where things are kept.

You should explain what they should expect when they next work.

2. Training before they work alone

Provide a thorough overview of all the tasks they should complete and by when. You may need to demonstrate some tasks.

Where it is possible they should shadow another experienced member of staff before they begin to work alone.

3. One month after starting

You should arrange a supervision session to review how they are feeling, how they think their work is, if they require anything and you can also bring up any issues you may have.

4. Supervision throughout the probation period

You should regularly arrange for supervision meetings with your new employee throughout their probation. Following their probation the number of supervision meetings can be reduced but at this time you should ensure that your employee knows what is expected of them and is performing well.

5. End of probation meeting

If your employee has performed well you should inform them that they have completed their probation.

If there are issues you can extend this probation period, and continue to review their performance. From this point you should organise regular supervision meetings.



Supervision

Supervision is a way to regularly meet with your employee in a formal environment.

You should arrange these meetings to occur at set times, for example once a month following the probationary period. The meetings may occur on a more frequent basis during the probationary period.

Holding the meetings regularly allows you to keep control of your employees and what happens in the workplace.

You should use the meetings to address whether your employee is performing well, deal with problems and find solutions.

It is also important in these meetings to give praise and constructive feedback to staff.

A helpful tip is to write down an agenda of everything that you wish to discuss. By doing this you won't forget to mention anything.

To be a good employer you should ensure that both you and your employee are able to see the other's point of view. You must be reasonable when considering any issues that your employee may raise in supervision.

You should keep a record of the meetings by taking minutes and notes, especially if poor performance is discussed.

Management

In order to manage your personal assistant there are some important tips, skills and attributes to consider. These will create a positive working environment and encourage your employee to work hard.

- **Communication**

Communication is crucial for passing on and understanding information, and also building relationships. You must tell your personal assistant about your preferred methods of communication.

- **Create boundaries**

It is important to remember that although you may not have a formal working relationship you are still his/her employer. You should outline boundaries clearly with your employees when they first start to work for you.

- **Be considerate of your employee's preferences**

Ensure that you are not demanding unreasonable hours and extra work than you specified in the contract. Also be aware of his/her situation, for example with families, and how it might impact them if you demand longer and unreasonable working hours in addition to their contract.

- **Provide support and allow any development that he/she needs**

Progression and development is important for all employees. You should provide any necessary training and development opportunities.

- **Value your employees**

A positive working environment and fair treatment have an influence on the retention of employees. You are more likely to keep your employee if he/she is happy at work.

Training

You must consider whether your employee requires any training to be able to do their job well.

You have to make sure that:

- Your employee can work safely
- The requirements of your insurer are met
- Your employee is able to be good at their job and develop their skills
- You have kept up to date with new ways of working, the law and practice
- You can improve your employee's skills and abilities to support you

When your employee first starts you should discuss whether they require any training in order to properly do their job.

You should also consider if your employee needs any training to provide your planned and required care.

Some training will be mandatory for your employee to complete and this will be explained to you by your key worker.

Examples of training include moving and handling, health and safety, food hygiene, emergency first aid or infection control.

You may need to provide refresher training for your employee throughout their employment with you. This will help your employee to keep up to date and also provide support for their work.

You should keep a record of any training that is completed by you or your employee. Where possible keep a copy of any certificates you are given.

Paying for training and qualifications

As you are using your cash budget to employ your own care and support staff, you are entitled to apply for a grant from Skills for Care to fund any training that you or your employee may need.

The funding can cover:

- The cost of the training
- Travel costs
- The cost of hiring replacement support staff if your employee is away attending training

If you wish to apply for this funding you must first research and select appropriate training courses in your area.

To apply you must complete and submit an application form to Skills for Care. This application form is available on the Skills for Care website or by contacting them.

www.skillsforcare.org.uk T: 0113 245 1716

All mandatory training for your personal assistant will be funded for you, so you will not need to use your cash budget or to apply for funding for this training. If you need help with finding training your key worker or your employee will be able to help you.

Code of conduct

The Department of Health has developed a code of conduct which outlines the level of care and support that you are entitled to. This code of conduct should be followed by your personal assistant.

Under the code of conduct your personal assistant should:

1. Be accountable by making sure that they can answer for their actions or omissions.
2. Promote and uphold your privacy, dignity, rights, health and wellbeing.
3. Work in collaboration with colleagues to ensure the delivery of high quality, safe and compassionate healthcare, care and support.
4. Communicate in an open and effective way to promote your health, safety and wellbeing.
5. Respect your right to confidentiality.
6. Strive to improve the quality of healthcare, care and support through continuing professional development.
7. Uphold and promote equality, diversity and inclusion.

You can use this code of conduct to identify any training or support needs that your personal assistant may need in order to meet them all. If you have any concerns about the code of conduct you should contact your key worker.





Disclaimer

Oldham Cares brings together Oldham Council, NHS Oldham CCG and other health and social care providers in an alliance to share skills, experience, talent and resources to deliver a better care experience for all.

These organisations are not able to provide legal advice. Independent advice should be sought from a legal professional or the Citizens' Advice Bureau (CAB).

Oldham Cares accepts no responsibility for any loss that may arise from reliance on the information in this toolkit.

The toolkit was correct as of August 2018.