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The Acas Policy Discussion Papers series is designed to stimulate discussion and debate about key employment relations issues.

This Acas Policy Discussion paper was written by Sarah Podro. The views expressed are those of the author and not the Acas Council.

We welcome your comments and opinions. These should be sent to the author c/o policypublications@acas.org.uk

Disabled and elderly people and their personal assistants: the challenges of a unique employment relationship

Two or three years ago the Acas national helpline started to notice a steady stream of calls from people caught up in a unique employment relationship.

Disabled and elderly people, and their families, have been calling Acas because, by employing personal assistants to manage their care needs (often through the use of 'direct payments' from their local authority), they are suddenly taking on the role of an employer and are often unsure of their responsibilities. A typical question they might ask is "I am going into hospital for an operation and will be convalescing at a rest home afterwards. What happens to my personal care worker? Can I insist that she takes this time as her paid holiday period?"

Personal assistants call the helpline because, working so closely with their employers in a domestic setting, they are not always clear about their employment rights. They might ask questions like "I am often required to do some shopping for my employer. However, he gets confused about the items I bought and the money I spent. Is there anything I can do about this?"

This paper aims to explore some of the challenges that this area of employment relations presents, and to highlight what key stakeholders are saying about the relationship between service users and personal assistants. It is written in the context of existing research on the subject and ongoing political initiatives. The views expressed in this paper have been informed by the experiences of Acas advisors, trade unions, charities such as the National Centre for Independent Living and Skills for Care, local authorities, including the Association of Directors of Adult Social Services (ADASS) and, of course, callers to our helpline.

This paper begins by exploring the background to changes in the provision of social care for the disabled and asks two over-arching questions:

- With an ageing population, what challenges does this employment relationship pose now and in the future – particularly in terms of managing issues like contracts, employment status, family involvement, and discipline and grievances?
- What support and guidance do service users and personal assistants need in order to avoid the difficulties that occur when this employment relationship breaks down?

Changing attitudes to the provision of social care

Over the past fifteen years there have been significant changes in the approaches and attitudes to the provision of social care and the needs of disabled and elderly people. The concept of personalisation has shifted the emphasis in public policy from a service led approach to one which means 'recognising people as individuals who have strengths and preferences and putting them at the heart of their own care and support' (Social Care Institute for Excellence, (SCIE) 2010).

There are now far more options for disabled people to shape the support they need, including personal budgets, where they work with service providers to decide how and on what the money in their budget will be spent. Service users can also receive a direct (cash) payment allowing them to choose which services they buy in, and which can include employing a personal assistant (PA). Such an arrangement can offer disabled people far greater freedom and choice about how they live their lives, or in the words of one user 'life has been a thousand times better on direct payments, even with its challenges' (SCIE 2010).

Taking on the responsibilities of being an employer can indeed be challenging. Like other employers, those who employ their own personal assistants, may face problems when drawing up contracts, dealing with discipline and grievance issues, or terminating the relationship. But what can make the relationship between service user and PA additionally complex is the combination of intimacy and informality juxtaposed with the formalities of a legal employment relationship. Many of those employing PAs have limited experience of employment and employing people, are on low incomes, and may not have the funds to deal with additional employer costs such as making someone redundant; nor do they

Acas Recommendations

Disabled people and their personal assistants need more tailored support, such as:

- How do you draft a standard contract? This should include relevant terms and conditions. For example, what equipment, such as hoists, will be available, and is there any overlap between personal domestic chores and caring duties?
- How do you deal with a dispute? Guidance could help to address some of the problems faced by people working in such a close, personal setting
- Access to on-line and face to face training for service users and PAs on how to deal with things when they go wrong
- Improved dissemination of information and advice and where to go for help

always have the support or experience to deal with awkward managerial issues.

With an ageing population – and greater numbers of older people developing disabilities, including rising levels of dementia, and wanting to remain in their own home – there is likely to be a rise in the number of people directly employing staff.

The introduction of direct payments

Direct payments were first introduced in 1997 under the Community Care (Direct Payments) Act 1996. Local authorities were given the power to make payments to working age disabled adults in order for them to directly purchase their own care. This change was the culmination of a successful campaign by the disability lobby and its introduction was one of the primary objectives of the Independent Living Committee of the British Council of Disabled People in 1989.

A number of schemes existed before the introduction of the legislation, but the 1996 Act marked a significant shift in power to disabled people, providing them with both more choice and more control over their life.

In England, the local authority power has since been extended to cover first older people, then parents of disabled children and carers, and most recently persons appointed to receive direct payments on behalf of individuals who lack mental capacity and to persons subject to mental health legislation. Moreover local authorities are now mandated to make direct payments to individuals who consented to and were able to manage them with or without assistance, under the Health and Social Care Act 2011 (Gheera 2012).

Individuals can use direct payments to directly employ a PA but payments can also be used to purchase equipment, or arrange day care in the community. And they can

purchase services from statutory social services; the private sector; the voluntary or third sector; user led organisations; community groups or neighbours, family or friends.

Terms used

Service User refers to disabled or elderly people who are employing personal assistants

Personal Assistant (PA) is someone who is professionally employed to care for an elderly or disabled person

Carer refers to those who are caring for a child, parent or partner or other family member but not in a professional capacity

Scotland and Wales

Legislation governing direct payments in Scotland and Wales was brought in by the Community Care (Direct Payments) Act 1996, and relevant statute is now contained in the Social Work (Scotland) Act 1968 and The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2011 and the Amendment Regulations 2011.

The Social Care (Self Directed Support) (Scotland) Bill, currently before the Scottish Parliament, seeks to broaden the choices and control that adults and children have in the provision of community care services and support. The Bill would place a specific duty on local authorities to offer four different options, together with other obligations such as providing advice to service users in order to support them in making that choice (SPICE 2012).

Take up of direct payments is proportionately lower in both Scotland and

in receipt of Self Directed Support (direct payments) has increased from 207 in 2001 to 5,049 in the year to March 2012, a 15% increase on the previous year. But only 39% of all packages of self directed support (direct payments) involved a personal assistant.

In Wales, 3,200 adults were receiving direct payments in 2011/2012 which represents 5% of adults receiving services.

Personal budgets

The commitment to personal budgets is a somewhat newer policy initiative, with no legislative basis, introduced by the Labour government in 2007. The aims are set out in the 'Putting People First' concordat signed by Central Government, Local Government, the Professional Leadership of adult social care and the NHS. The aim of personal budgets was to provide choice and control to a larger proportion of the population with care needs. Disabled people could take full responsibility for organising their own care with direct payments or the local authority would continue to commission or provide care but work with an individual or their family to make it more personalised care.

The recently published White Paper, 'Caring for Our Future' (DoH 2012) reinforces the government's commitment to the personalisation agenda:

'..... people should be in control of their own care and support. Things like personal budgets and direct payments, backed by clear, comparable information and advice, will empower individuals and their carers to make the choices that are right for them.'

The coalition government has made a commitment to moving 70% of users in

England onto personal budgets by April 2013. In addition the government has stated its intention to enact legislation on personal budgets (Gheera 2012).

Personalisation

Underpinning the aims of personal budgets and direct payments is the concept of personalisation, although it is a relatively new term. According to SCIE's 'Personalisation: a rough guide' it encompasses a range of different personalised approaches including person centred planning, person centred care, person centred support, independent living, and self directed support. Moreover it is also about 'making sure there is an integrated, community based approach for everyone' (SCIE 2010).

How many people are on direct payments? And how many PAs do they employ?

In March 2011, around 178,000 adults, older people and carers in England were receiving direct payments from councils' social services departments, according to Skills for Care. This is an increase in direct payment recipients of 15% since March 2010.

However, overall figures for direct employers of PAs and the numbers of PAs they employ are difficult to accurately pinpoint. Even where data on the number of people on direct payments exist, not all recipients use their payments to directly employ staff, and may use it for other services such as leisure or community based activities. Some individuals directly employing PAs are 'self funders' and therefore do not appear in the statistics referred to above. And many individuals using PAs employ not just one but several care workers, particularly when their needs are complex. However, there are an estimated 420,000 PA jobs for recipients of direct payments, and this form of employment now represents the

second largest source of employment in adult social care (23%), second only to independents (private and voluntary sector providers) (65%), but far higher than local authority jobs (9%). And the demand for PAs is predicted to grow, largely as a result of Britain's ageing population (Skills for Care 2012, State of Adult Social Care report).

Another reason why real numbers of directly employed PAs and their employers are difficult to gauge is the ambiguity over employer status. Where service users go on to direct payments some organisations are advising them that they can either employ their PAs or contract with them on a self employed basis. However this advice is somewhat misleading and can be perceived as a way of avoiding the responsibilities of being an employer. The majority of PAs are not eligible to be treated as 'self employed' according to HMRC criteria (PA Framework document, p11).

What does this mean for employment relations? Acas experience

Evidence suggests that people prefer the choice and flexibility of employing their own PAs as opposed to relying on care workers supplied by their local authority (Land and Himmelweit, 2010). However, ADASS, notes that: 'The legal responsibilities of the personal budget holder are also presenting some challenges. There is confusion in places about the obligations of personal budget holders as employers.' Unions such as Unison, GMB and Unite have expressed concerns around low pay and breaches of employment rights of PAs (GMB 2011, Land and Himmelweit 2010).

There is an acknowledgement by government that direct payments are not appropriate for all and that individuals need to be able to make informed choices. In Scotland, the Bill before Parliament on self directed

support would place a specific duty on local authorities to provide advice and support to service users in order to be able to make the best choice for them. At the same time, the barriers that prevent some individuals from taking up the direct payment option also need to be explored.

A unique employment relationship

On the face of it the responsibilities of an employer of a PA are no different from that of any other micro business. However, the nature of the service means it is actually very distinctive. The relationship between an employer and their PA is likely to be a more intimate personal relationship than that of an employer and employee in most other workplaces. PAs may provide intimate physical support, taking them to the toilet, helping to bathe and dress them, and rather than an impersonal work space all this will be taking place, not in a neutral space but in their own home. Employers may see their PAs as friends, companions and confidantes as well as employees.

In some cases, particularly where care needs are highly complex and round-the-clock PAs are needed, the job of the disabled employer, or family of a disabled person, is more akin to running a small business. For someone who is educated or has had previous experience in the job market including running their own business this is challenging but not impossible. For many, however, the task will seem overwhelming. Taking on the responsibility of being an employer needs therefore to be an informed choice.

Where there has been a well thought out decision, and things work well, it can mean a disabled person has more choice, freedom and independence, for example, an elderly person can often remain in the familiar surroundings of their own home and a disabled person may be able to work or study. It can also provide fulfilling and

meaningful employment for their PAs. But what happens when it goes wrong and PAs or their employers are faced with a situation where they lack the skills or the knowledge to deal with them?

Below we consider the questions, concerns and difficulties that some PAs and their employers have brought to the attention of Acas in relation to direct payments, before going on to consider what can be done to address them and to prevent things going wrong in future.

Lack of knowledge about the employment relationship

A key problem highlighted by Acas advisers is the lack of knowledge of what is involved in sustaining a good employment relationship. 'The vast majority of services users I come across have never been in employment themselves and they just don't understand the nature of the employment relationship. It is such a personal relationship, and it is all based on trust. When things go wrong they go really badly wrong'. Another noted: 'Little or no training is given to people who can become employers overnight'. Whereas some issues such as a simple query on holiday entitlement, might be explained and signposted and the problem quickly resolved, more complex issues relating to pregnancy/maternity such as paid ante-natal appointments, risk assessments, medical suspension or maternity leave can cause huge amounts of anxiety for both employers and employees.

Family involvement

There appears to be little lead-in time or support for family members who suddenly become employers of the PAs on behalf of a child or partner or parent. According to Acas advisers: 'As a parent of a vulnerable child

or adult the situation is emotionally charged (perhaps more so than in normal employer situations), so the employer will find it very difficult to remain dispassionate when dealing with employment matters. It means you get quite a few "heat of the moment" dismissals/disciplinary/conversations. They require support on how to deal with these situations as we have seen some cases of (if true) abuse by employees of their position (failure to stick to hours of work, failures in standards of care, sometimes physical and emotional abuse). The employer doesn't follow correct procedures and falls foul'.

Who is the employer and is the PA employed or self-employed?

Although there will in principle be a named person signing the contract with the PA, it is not always as clear as it might be who the legal employer is. Sometimes this is because the named employer is the person for whom the service is provided, but family members also take on a significant role in directing the PA in their day-to-day activities or dealing with problems etc. This can be confusing for the PA if they are not sure who they should be ultimately answering to. In theory it should be the disabled person, but in practice lines of responsibility can become blurred in the eyes of the PA.

It can become even more confusing if family members, or the local authority take on some of the duties of an employer – for example, by providing help with pay roll, or setting the terms and conditions of the PA. The role councils play can vary – some are quite directive with service users about terms and conditions of employment and sometimes even tell service users when they should dismiss their PAs. Unions such as the GMB and Unison argue that there is an urgent need to clarify the principal responsibility for the employment of PAs:

'Employment tribunal cases often have the local authority, client and a broker (young adult or family member) as respondents. In some cases the council has been found to be the employer because they set the terms and conditions of the PAs, on behalf of the client, and it is ultimately they who provide the money to pay for the service. If the issue around employment status and control of money is not dealt with then there

will be more costly employment tribunals or mediations that will cost the tax payer as much or more than the money saved putting people on direct payments.' (National Officer, GMB)

Even where it is established that the service user is the employer, some unions report difficulty in helping their members, who are PAs, to access their rights because the service user is responsible in law but cannot exercise that responsibility in practice as their funds are restricted to what they receive in their direct payment.

'We have had cases where we have established in the employment tribunal that a PA has been unfairly dismissed by a service user. However, it has proved very difficult to recover the compensation awarded when a service user does not have funds in their direct payment to cover this. Pursuing an individual with whom they have had a close relationship and who may have complex needs does not feel comfortable for our members. Many councils wash their hands of such situations, although some will if pushed provide funds to cover redundancy situations. Sadly some redundancies arise because a service user dies – another sensitive situation. Enforcement of rights is a very grey area'. (Unison National Officer).

There is also some confusion over the employment status of many PAs. Being 'self-employed' or 'employed' is not as simple as choosing to work that way, as the table (above) shows. There are significant risks with getting the status wrong as it can result in both parties owing significant amounts to the HMRC. There are specific rules about what may be treated as self-employment and what must be treated as employment and the HMRC website has an online employment status indicator (ESI) tool which provides guidance on this.

Employed or self-employed?

Some signs that you might be an employee are:

- You have to do the work yourself – you can not send someone else to do your work or sub-contract it
- The person who provides you with work can tell you when and how to do your job
- You do not do work for a number of different customers – you work exclusively for one person/business
- You are not responsible for your own Tax or National Insurance contributions; these are deducted straight from your wages
- You work at your employer's premises and use their tools or equipment
- You are covered by a disciplinary policy.

Some signs of self employed status are:

- You provide a service to more than one person
- You can send another person to do your work. This person reports to you and you are responsible for paying them
- You can decide when or how to do the work
- You have a financial risk or reward from your business. For example you may agree to do a job for a set price and are responsible for any additional costs that arise and benefit if it can be done more cheaply
- You send invoices for the work that you do.

For more advice visit www.acas.org.uk/directpayments

Variation of contract and redundancy

One of the most difficult issues to deal with for employers of PAs is where they need to vary an employee's hours. This can occur when, for instance, their care package is reassessed and the amount they receive from the council is reduced, or they go into hospital and they do not need the PA for a period of time. This puts them in the position often of having to reduce their PAs hours or even make them redundant. 'They can end up in breach of contract situation, or having to vary their contract which increases the likelihood of a dispute, particularly where they do this without "due consultation"'. (Acas Adviser)

Many employers and their PAs have no written contract, or they have a model contract that may or may not include a clause on changing terms eg on short-term working. Employers calling the Acas helpline are very anxious about what to do when they need to vary the contract in case they make mistakes. Often they cannot afford to carry on paying the care worker the same number of hours.

The additional costs of being an employer, such as dealing with cover when PAs are sick or making redundancy payments, can cause real distress and hardship. One Acas adviser recalls the case of a customer who contracted measles. 'Neither of his carers had ever had the virus. He found himself having to continue paying his carers, even though they were not providing care, and paying an agency carer who had had measles to fill in. He was already subsidising his care so could not make ends meet and had to borrow money. He was terrified of being taken to the tribunal by the other PAs as he had had to cut their hours in order to deal with the funding cuts.'

Many new employers may not realise that if they make their employee redundant, or unfairly dismiss them (where they have at

least two years' service) it is they and not the local authority that will be liable for redundancy payments. Local authorities have a duty to meet assessed need but it can be difficult for service users to obtain additional funds which relate to employment liability, according to a Unison national officer.

Discipline and grievance

Discipline and grievance is a common call theme for PAs and their employers on the Acas helpline. 'Employers can be frightened to discipline in case the standard of care that they receive suffers, and employees can be frightened to raise grievances as they need to work closely with their employer each day in their home, and they don't want to make things awkward'. According to advisers, 'Some PAs calling the Acas helpline who have found themselves in a variation of contract situation arising from what they perceive as funding cuts, say they do not want to pursue a grievance or claim against their employer as their gripe is with the local authority controlling the funding'.

A larger employer has access to an HR department and issues such as these can be dealt with more dispassionately, when things have gone really wrong. But small employers and even line managers in larger organisations find it difficult to broach sensitive issues with their employees and can leave things to fester. For the PA and the service user this fear of having difficult conversations is all the more fraught. Where do they go when either side feel they cannot cope with a dispute over wages, or inappropriate behaviour?

Bullying and harassment

The lack of access to support and advice to deal with disputes means that there is little protection from situations involving bullying and harassment. In particular it may be very difficult to deal with problems early on before they become more serious. Cases

dealt with by Acas advisers include a service user with a severe speech and language problem who was bullied by one of his PAs to such an extent that he had to give up direct payments and move into a home; a woman made her PA redundant, because she needed a nurse and not a carer, and was subsequently left all day in the bath.

Problems with bullying can work both ways. One case dealt with by Unison involved a member employed privately by a direct payment recipient who manages his own care. 'She contacted Unison concerned about a number of incidents and injuries among the team of PAs employed to provide round the clock care. Concerns about the working conditions included lack of training, the employer's unwillingness to provide a hoist and excessive temperatures within the home. When concerns are raised with the employer the member said that she suffers reprisals which make it more difficult for her to do the job and feels she is being bullied by her employer. She feels there are none of the safeguards that would exist, working for a care provider such as inspections and quality assurance checks.' (Unison National Officer).

Appropriate behaviour

Close personal relationships can develop between PA and employer and this can make professional boundaries difficult to establish, with both unsure what the kind of behaviour is acceptable. This can include questions around who pays for breakages, what level of mobile phone use is acceptable, handling cash, the appropriate way for employer and PA to speak to each other – how formal or informal can they be? One service user, according to an Acas adviser, insisted on greeting all visitors with a kiss and was taken to a tribunal for sexual harassment.

Some commentators argue that the benefits of greater control and choice that direct employment offers outweigh the risk of

bullying and harassment, or health and safety. And clearly poor behaviour can happen in any workplace, and could happen even if the PA and client had no direct employment relationship. The difference is that, where the relationship is between just two people, there is no immediate access to someone outside the dispute to go to for help when things go wrong.

Access to information and support from local authorities

Acas experience of employer and employee access to information on employment and direct payments is that it varies hugely across the country. This is confirmed in joint research by ADASS, Learn to Care and Skills for Care (October 2012). The research achieved a 35% response rate from local authorities. Of those who responded a majority provided support in the form of a payroll system to assist with paying wages, CRB checking service and information about rates of pay. Some local authorities also provided support to those thinking of becoming employers of PAs, help with the recruitment process and worked in partnership with local user led organisations. Acas has been actively encouraging councils to signpost service users and PAs with concerns about their employment relationship to its helpline.

However a large majority (76%) acknowledged that there were gaps in support provided including:

- Training and support for individual employers before and when they start to take on the role of an employer
- Supervision for PAs when the employer is unable to or does not want to provide it
- Support for individual employer and the PA when things go wrong.

Moreover, over 70% of respondents said they provided no support for self funders, although the research found that on the whole most local authorities make a universal offer which is open to self funders but which is rarely taken up by them.

Recommendations from the report included:

‘Greater support for employers and PAs, intelligence gathering of both groups in order to help them stay in touch and provide ongoing support, partnership working with community groups and agencies, more learning and development opportunities for individual employers, support for self funders, tax and revenue advice from the HMRC website and provision of local PA registers.’

Government initiatives

Alongside the increase in direct payment recipients and self funders, the government is also addressing the need to professionalise the sector and to provide support to PAs to develop their skills and qualifications, and to employers to most effectively manage the employment relationship.

In England, Skills for Care is leading on a Department of Health initiative to develop and implement what has come to be referred to as the PA Framework. ‘Working for Personalised care: A framework for supporting personal assistants working in adult social care’ set out the direction of travel to enable and support the PA workforce and their employers. The implementation plan published in October 2012 set out the key ambitions and actions including:

- Better understanding of personal assistant working
- To attract and retain a diverse PA workforce that will be capable and competent to deliver quality bespoke care

- To enable employers and PAs to have access to flexible learning and development opportunities and funding. Skills for Care has a £1 million pound workforce development fund available for PA training.
- To support individual employers to be good employers.
- To support people who receive care and/or who employ a PA to manage risk and find solutions

In leading the implementation of the initiative Skills for Care is actively working jointly with other government departments, national partner organisations, local authorities, people who use services, carers, user led voluntary and charitable organisations and trade unions.

What more can be done to improve employment relations?

The aim to increase the control that disabled and elderly people have over accessing care services is a hugely positive step for those wishing to maintain an independent life. However, if there is to be a significant increase in the number of individuals taking on employer responsibility then far more coordinated support needs to be available not only to properly inform those thinking of taking on the responsibility themselves before they take that step, but also ongoing support during the employment relationship.

For PAs, the benefits of greater professionalisation are obvious but unlike employers they may have less choice over whether they work for a single employer or via an agency or local authority. They will go where the work is, and informed choice may be less of an issue than the need for information generally on how best to work with a direct employer and where to go when things go wrong.

More specifically, there are a number of simple tools that could help to make a real difference, including:

- Support and examples of how to draft a standard contract, terms and conditions, including detailing what happens if there is a complaint or dispute, what equipment (such as hoists) will be available etc
- Guidance on how to deal with a dispute tailored to this type of employment relationship
- Access to online and face to face training for service users and PAs on how to deal with things when they go wrong
- Improved dissemination of information and advice and where to go for help

There is in fact a huge amount of information and advice out there for both employers and employees. The challenge is how to get that information to those on direct payments or thinking about moving on to them, to self funders who directly employ PAs, and of course to PAs. Although there may still be room for more tailored advice on the unique relationship between services users and PAs, and this is something that Acas is currently exploring.

Different groups access their information in different ways – not everyone finds their information online – and people feel more comfortable accessing certain organisations over others. Finding out where different groups go to for help is therefore an important objective of any successful dissemination campaign.

Often individuals will go to an organisation they trust to ask for help even if the organisation does not have an expertise in the area. Judging from the calls that Acas receives on employment issues, many people call unsure about what their problem really is and it is the expertise of the helpline

adviser that helps to unpick the key issues and either provide them with advice or refer them on to the appropriate agency. There is an urgent need for services that provide advice to be joined up and have effective means of referring enquiries so that those taking up the opportunities for direct payments make a choice that is informed and right for them, and know where to go should things go wrong.

There may also be real benefits in exploring alternative models which allow service users to choose who they want to employ by forming a co-op for instance, something that has been done in Sweden (see for example Ratzka, 1993). This could enable them to access sources of support, and to establish standard pay and conditions which could be agreed between service users and PAs.

Left unaddressed, however, the rise in the numbers entering into this unique employment relationship is likely to be accompanied by an increase in the incidence of unnecessary conflict and stress for a significant number of individuals.

References and useful links

ADASS, Learn to Care, Skills for Care (October 2012) Better understanding of levels of support for individual employers and their personal assistants (PAs). Research into what local authorities are doing to support people who employ personal assistants.

ADASS, Learn to Care, Skills for Care (October 2012) Case studies to highlight good practice. To support the research into what local authorities are doing to support people who employ personal carers

ADASS (2012) *A case for Tomorrow Facing the Beyond*

Department for Health (2012), *Caring for our future*, White Paper.

Department of Health (2011) *Working for personalised care: A framework for supporting personalised assistants working in adult social care*

GMB 2011, 'Poor Care linked to poor pay' www.gmb.org.uk/newsroom/other_news/poor_care_linked_to_poor_pay.aspx

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SCIE (2010), 'Personalisation. A rough guide', by Sarah Carr, Social Care Institute for Excellence

Scope in Wales (March 2012) *Individualism versus collectivism in Care: Can direct payments help build stronger communities?*

Skills for care (July 2012), *Scoping Study: What is known about the PA workforce and their employers? What challenges might hinder the development of PA working?*

Skills for Care (Oct 2012) *The state of the adult social care sector and workforce in England, 2012.*

Skills for Care (Summer 2012) *PA workforce implementation plan*

SPICe, *Social Care (Self Directed Support) (Scotland) Bill. SPICe Briefing May 2012*

Useful links and resources

Acas provides advice and guidance for employers and employees on employment relations issues, including for new and micro businesses www.acas.org.uk. Q & As on individual employers and personal assistants see www.acas.org.uk/index.aspx?articleid=3303.

The Acas helpline provides impartial confidential support on 08457 47 47 47.

Skills for Care (www.skillsforcare.org.uk) provides help to individual employers and PAs, Further information including a **Toolkit to help people employ their own personal assistants**

A guide to receiving direct payments from your local council – a route to independent living – Department of Health, www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_104845

National Centre for Independent Living – www.ncil.org.uk

Being the Boss (www.beingtheboss.co.uk) A website providing support for disabled people who employ PAs whether they are funded by the council or self funded

Factsheet on Social care and where to start – Age UK

www.ageuk.org.uk/home-and-care/social-care-and-support-where-to-start/

Scotland

SPAEN, the Scottish Personal Assistant Employers Network www.spaen.co.uk/

The Scottish Government's Self-Directed Support (SDS) website:

www.selfdirectedsupportscotland.org.uk/

A guide to receiving direct payments in Scotland NHS Scotland

www.sehd.scot.nhs.uk/publications/grdps/grdps-01.htm

Wales

Direct payments guidance (Welsh Government)

wales.gov.uk/topics/health/publications/socialcare/guidance1/directpayments/?lang=en

Did you know?

Acas has a range of services and products aimed at helping employers and managers in organisations – many of which are free. These include leaflets and booklets offering advice. Go to www.acas.org.uk for more information. You will also find on our website e-learning packages that can be dipped into wherever and whenever you have a few minutes to spare.

We also deliver training on good practice in employment relations as well as updates on new employment legislation especially designed for small businesses. These are held locally all around the country and can be booked and paid for online. For more details go to www.acas.org.uk/training.

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Every year Acas helps employers and employees from thousands of workplaces. That means we keep right up to date with today's employment relations issues – such as discipline and grievance handling, preventing discrimination and communicating effectively in workplaces. Make the most of our practical experience for your organisation – find out what we can do for you.

We inform

We answer your questions, give you the facts you need and talk through your options. You can then make informed decisions. Contact us to keep on top of what employment rights legislation means in practice – before it gets on top of you. Call our helpline **08457 47 47 47** or visit our website **www.acas.org.uk**.

We advise and guide

We give you practical know-how on setting up and keeping good relations in your organisation. Look at our publications on the website or ask our helpline to put you in touch with your local Acas adviser. Our Equality Direct helpline **08456 00 34 44** advises on equality issues, such as discrimination.

We train

From a two-hour session on the key points of new legislation or employing people to courses specially designed for people in your organisation, we offer training to suit you. Look on the website **www.acas.org.uk/training** for what is coming up in your area and to book a place or call our Customer Services Team on **08457 38 37 36**.

We work with you

We offer hands-on practical help and support to tackle issues in your organisation with you. This might be through one of our well-known problem-solving services. Or a programme we have worked out together to put your organisation firmly on track for effective employment relations. You will meet your Acas adviser and discuss exactly what is needed before giving any go-ahead.