

Employing a personal assistant

This factsheet is for people who are thinking about using their direct payment to employ a personal assistant (also known as a PA).

A personal assistant is someone you employ directly to help with your care and support.

Why people choose to employ a personal assistant

Many people choose to employ a personal assistant because it gives them more choice and control.

Having a personal assistant can mean:

- support that fits around your life
- choosing who supports you and how
- a more flexible and personal approach.

Employing a personal assistant is one way to use a direct payment. It is a choice, not something you have to do.

Using a direct payment to employ a personal assistant

You can use some or all your direct payment to employ a personal assistant, as long as this is agreed in your care and support plan.

Before this is agreed, we need to make sure:

- employing a personal assistant is the right way to meet your social care needs
- you understand what being an employer involves
- the right support is in place.

Talking this through and getting support

Your social care worker will have an initial conversation with you about employing a personal assistant as part of your care and support planning.

This includes considering how a personal assistant could help you achieve the outcomes in your plan.

Anyone who wants to employ a personal assistant using a direct payment is referred to the direct payment support service as part of the process.

The support service helps to check that you (or the person managing the direct payment for you):

- understand what being an employer means
- are aware of the responsibilities involved
- know what help is available before and after you employ someone.

They share this information with the council, which will decide if the direct payment can be used to employ a personal assistant.

What happens next

If employing a personal assistant is agreed:

- this will be recorded in your care and support plan
- your direct payment will include the costs of employing a personal assistant.

If it is not agreed:

- your social care worker will explain why
- other ways of meeting your needs will be discussed.

If you choose not to engage with the support service, the council may decide that another way of arranging your support is more suitable, such as a council-managed budget.

Being an employer – what this means

If you employ a personal assistant, you (or the person managing the direct payment for you) are responsible for things like:

- paying wages
- following employment rules
- dealing with tax and National Insurance
- having the right insurance and checks in place.

Many people use support services to help with payroll and paperwork, but the legal responsibility stays with you.

If employing a personal assistant becomes difficult to manage, tell your social care worker as soon as possible.

Employing a family member

In some situations, you may be able to use your direct payment to employ a family member who lives with you.

This can only happen if:

- there is no other suitable way to meet your needs
- the council agrees it is necessary
- the arrangement is recorded in your care and support plan and direct payment agreement.

A family member employed as your personal assistant cannot also act as your advocate.

If employing a personal assistant is not right for you

Employing a personal assistant is not suitable for everyone.

Other options might include:

- using a care agency
- a mix of agency support and a personal assistant
- having someone help manage your direct payment.

Help, advice, and support

Your social care worker can talk with you about whether direct payments are right for you, explain the process and tell you what happens next.

Speak with your social care worker or contact Adults' CarePoint by phone on 01243 642121 or on the [How to get adult social care support page](#) of the West Sussex County Council website. For calls using Relay UK: 18001 01243 642121 (for deaf callers from a textphone or the BT Relay UK app).

We have a contract with **Independent Lives** to provide advice, information, guidance and practical support for people who receive direct payments. This can include help with employing a personal assistant, payroll, insurance and day-to-day questions. Contact Independent Lives by phone on 01903 219482 or email at info@independentlives.org.