



# Northamptonshire Local Offer

## Quick Guide:

## Personal Assistants

### What are Personal Assistants?

A **Personal Assistant** supports their employer with a wide range of tasks, helping to increase their independence and make a real difference to their quality-of-life. The ability to employ their own staff and organise their own services allows people greater control over their own lives.

A Personal Assistant is usually employed by people who are directing their own care with a **Direct Payment**, a **Personal Budget**, a **Personal Health Budget**, or their own private funds. People who chose to hire a Personal Assistant are often referred to as **Individual Employers**.

Individual Employers have employer's liability insurance and (where necessary) are registered with HMRC. Individual Employers should also offer their Personal Assistant any training that might be necessary to perform the duties required.

Personal Assistants can be employed directly by one employer, can work for several different people, or can be self-employed.

### What Does the Role of a Personal Assistant Involve?

The job can be very flexible, offering part-time and full-time work on different days and at different times. Some people become a Personal Assistant part-time while also working in an entirely different job. Duties can include:

- Personal care, including assistance with feeding, bathing, and toileting if required.
- Taking food, refreshment, and medication.
- Aiding mobility.
- Bed-making.
- Monitoring and recording temperature, pulse, respiration etc.
- Healthcare tasks such as dressings, catheter management, or administration of medication.
- Support to assist with living independently as far as possible, including assistance (as necessary) with meal preparation, cooking, cleaning, domestic activities, shopping, social and leisure activities, and generally assisting with overall comfort and wellbeing.
- Supporting the person while at work.
- Helping to look after children and pets.
- Supporting the person in their chosen activities such as shopping, meeting friends, going on holiday, or accessing education.



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## How are Personal Assistants Funded?

Personal Assistants can be funded by a Personal Budget, a Personal Health Budget, Direct Payments, or with an individual's private funds.

### Northamptonshire County Council

- **Personal Budgets and EHC Plans (Children's Services)**

A Personal Budget is an amount of money (identified by the Council) that pays for the provision specified in a child/young person's Education Health and Care (EHC) Plan. They are optional, and will require the agreement of the Council and education provider.

The EHC Plan will offer a Personal Budget for aspects of the provision outlined within it (if the parents or young person request it and are deemed eligible). Any requests for a Personal Budget must be discussed with the SEN Officer when an EHC Plan is being drafted or reviewed.

- [NCC EHC Team - Personal Budget Request Form](#) (PDF 319KB)
- [NCC - Personal Budgets Policy for Children with SEND](#) (PDF 424KB)

- **Direct Payments**

Direct Payments are the way in which a person receives all (or part) of their Personal Budget. Some people might decide to leave the organisation of their care needs with the social services, and not take the Direct Payment. The decision lies entirely with the individual.

**When a young person turns 18**, Direct Payments will normally be made to them instead of the parent or carer. Parents can only continue receiving Direct Payments if the young person lacks the mental capacity to consent to the Direct Payments. A young person will be deemed able to consent even if they need help to manage the Direct Payments. However, they must have the mental capacity to make choices about how their care needs are met.

If a young person lacks the mental capacity to consent to Direct Payments, a parent can ask the Council to appoint them the 'suitable person'. This will allow the parent to manage the Direct Payments on the young person's behalf.

In the first instance, the Council will approach an attorney or deputy (appointed under the Mental Capacity Act) to take on the role of 'suitable person'. However, if there is no attorney or deputy (or if they're unwilling to take on the role), the Council can appoint someone else. In most cases, this will be a family member who is already involved in caring for the young person.

- Contact [IASS](#) for advice and support with Personal Budgets.

- **Personal Budgets and Support Plans (Adult Social Care)**

If an adult is deemed eligible for care and support by Northamptonshire Adult Social Services (NASS), the Council will tell them how much money they could get to pay for the support they need.

- [NCC NASS Team - Support Plans and Personal Budgets](#)



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## National Health Service (NHS)

- **Personal Health Budgets (NHS)**

A Personal Health Budget is an amount of money to support health and wellbeing needs. It is planned and agreed between a person (or someone who represents them), and their local NHS team.

The Penderels Trust works in partnership with the Nene and Corby CCGs to support individuals to get the most out of their Personal Health Budgets. This might include being a good employer, support planning, help with money management (a 'managed account'), and payroll services.

- [NHS England - Children and Young People: Quick Guide About Personal Health Budgets and Integrated Personal Commissioning](#)
- [NHS England - What Is a Personal Health Budget?](#)
- [The Penderels Trust](#)

## Finding a Personal Assistant in Northamptonshire

Northamptonshire County Council advertises Personal Assistant vacancies on behalf of people who require assistance with care at home or while they're out and about. To advertise for a Personal Assistant, you will need to have a Personal Budget. Contact the PBSS job-line service or discuss it with your social worker.

- [Personal Assistant Job Vacancies](#)

The Council offers advice on Personal Assistants (for adults) through [Northamptonshire Adult Social Services \(NASS\)](#). They offer advice on Personal Assistants (for children and young people) through the [Disabled Children's Team](#). Individuals can also make private arrangements. Other families have used teaching assistants in schools or voluntary workers such as scout leaders. Some online parent groups can be helpful for sharing experiences, but every person will have different needs. You can find these groups listed the [Local Offer website](#). Commercial care agencies (such as [Turning Point UK](#) and [Mentaur](#)) also offer Personal Assistant services. Please note: If a Personal Assistant is hired through an agency, the agency will be considered their employer (not the individual).

## Things for Individual Employers to Consider

### Job Description

Individual Employers should write out a list of exactly what help they'll need. A job description needs to include everything the job may entail to ensure the employee is suitable.

### Pay

Individual Employers must pay the [National Minimum Wage](#) (and understand [Income Tax and National Insurance obligations](#), if applicable).

### Sick Pay

The employee will be entitled to [Statutory Sick Pay](#).



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## Holiday Pay

The employee will be entitled to [Holiday Pay](#).

## Disclosure and Barring Service (DBS)

Individual Employers are entitled to find out if someone has a criminal record before they start work. This is known as getting a [Disclosure and Barring Service \(DBS\) check](#).

### If the potential Personal Assistant **has** an existing DBS check:

Personal Assistants can choose to show their existing DBS check to Individual Employers if they have one.

### If the potential Personal Assistant **doesn't have** an existing DBS check:

Individual Employers cannot order a DBS check (for a potential employee) themselves. They also cannot make a suitability decision based on the results of a check. Individual Employers need to ask either the Council, the NHS, or another support organisation to order a DBS check (and make a suitability decision) before employing a person. Organisations cannot share the details of a DBS check with an Individual Employer. However, they can share details of their suitability decision.

## Contract of Employment

A [Contract of Employment](#) is an agreement that sets out an employee's employment conditions, rights, responsibilities, and duties. Individual Employers and Personal Assistants must stick to a contract until it ends or until the terms are changed.

## Employers' Liability Insurance

[Employers' Liability](#) Insurance protects the Individual Employer against liability for a Personal Assistant's injury, or an injury caused by the Personal Assistants while at work.

## Pension Contributions

Individual Employers may need to enrol their Personal Assistant into a [workplace pension scheme](#).

## Further Information

- [DfE and KIDS - Making it Personal 2: Guides to Personalisation, Personal Budgets and Education, Health, and Care Plans](#)
- [Skills for Care - Employing Personal Assistants Toolkit](#)



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