

Employing Support Workers in Higher Education

A guide for students and advisers 2007



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1. Introduction

This booklet provides guidance about getting assistance from different types of helpers or support workers in higher education. The booklet looks at ways to arrange this support, including using support workers employed by your institution and some of the things to think about if you choose to employ your own assistant.

This guide does not constitute legal advice. For more information on legal employment matters, contact the Advisory, Conciliation and Arbitration Service (ACAS) – see Section 8 for contact details.

Terms used in this guide

This guide will use the term ‘support worker’ to refer to all different types of people in higher education who provide assistance to disabled students.

The term ‘institution’ is used throughout the booklet to refer to both colleges and universities that offer higher education courses.

Who is this booklet for?

This booklet is written for students who will receive the ‘non-medical personal help’ allowance as part of the Disabled Student’s Allowance (DSA) available from the Student Awards Agency for Scotland (SAAS). This allowance helps to meet the extra disability-related costs of studying. You may receive this allowance to pay for support workers such as:

- scribes – someone writing down what you say in examinations, tests and assignments
- communication support workers – support deaf and hard-of-hearing students by using sign language, notetaking and lipspeaking, as well as offering general support
- lipspeakers – listen to spoken words and silently repeat them
- readers – will read written material aloud or record material on to tape
- sign language interpreters – interpret the spoken words of others into British Sign Language or Sign Supported English and interpret sign language into spoken words
- speech to text operators – are trained operators who type a transcript which you can read on your own visual display unit (VDU)
- laboratory assistants
- study skills/dyslexia tutors – provide assistance with study strategies
- transcribers – converting core texts into an alternative format

- notetakers – take notes in lectures. It is reasonable to expect institutions to generally make lecture notes available to all students either electronically or in paper format, as a matter of course. However, DSA can be used to fund a notetaker in some circumstances, for example, deaf students may need a notetaker to make notes of issues discussed during lectures and tutorials, where it may be impossible to provide advance notes of what is going to be discussed. Also, students with specific learning difficulties and those with reduced mobility (in terms of writing/typing) may find it difficult to make notes of issues not included in the handouts. Notetakers should usually have some knowledge of the subject.

DSA can meet the cost of a support worker's wages, including, where appropriate, National Insurance contributions, tax, holiday pay, sick pay and maternity pay.

DSA will pay for the costs outlined in your application to SAAS which your institution will have to verify. Alternatively, if SAAS ask you to have a needs assessment, DSA will meet the costs outlined in your needs assessment final report up to the maximum amounts.

DSA is usually only paid for assistance you need during term-time study. However, if you have to attend a tutorial, study or field trip outwith term time then you may be able to get funding to pay for non-medical personal help support and for travel costs for your helper. Your institution will have to verify that attendance is recommended and that the assistance is required.

As DSA helps to meet extra course-related costs you have whilst studying, it does not affect your entitlement to benefits, recorded income or Direct Payments.

Support for daily living needs

This booklet does not provide information about getting assistance to meet your daily living needs. This is the type of support you may need even if you were not studying, such as washing and cleaning. This daily living support is mainly funded by the social work department of the local authority where you normally live (either through direct service provision or through Direct Payments) or through the Independent Living Fund. DSA do not pay for these costs.

If you have been receiving services from your social work department before starting your course, you should arrange with your social worker or care manager to be reassessed, as your needs may well change when you are studying. For example, you may be used to receiving a large amount of assistance from relatives or friends. This support may no longer be available when you go to university or college. You should ask for a

reassessment as soon as possible before you start your course, as it may take some time to get suitable arrangements in place.

Case study

William is about to start an HND business studies course at college. As soon as he was accepted on the course he applied to SAAS to get his tuition fees paid and the Disabled Students' Allowance (DSA) to pay for his disability-related study costs. William has mobility difficulties and requires help with both his daily living needs (assistance going to the toilet) and educational needs (dictation in exams). William uses his DSA to pay for a scribe to write down what he says in exams, and his local social work department arrange for a personal assistant for his personal care needs.

If you are taking a course in a further education college, you may want to read 'Supporting you at college: a guide for young people with additional needs on support in college' for information about who is responsible for providing what type of support – see Section 8 for details.

2. Getting advice and support from your institution

Disability Adviser

Every institution has a named member of staff whose job it is to advise disabled students and make arrangements for their support. Their title is usually 'Disability Co-ordinator', 'Learning Support Adviser' or 'Disability Adviser' and their contact details should be given in the institution's disability statement, website or prospectus. You can also find their contact details on Skill's website (<http://www.skill.org.uk>).

If you have not already made contact with the Disability Adviser in your institution, it is important to do so as soon as possible. They can help make arrangements for additional support that you may need and negotiate with other agencies or individuals on your behalf. They can also tell you about any arrangements in your institution for employing support workers.

Your institution's responsibilities

Your college or university has a responsibility, under the Disability Discrimination Act 1995, to make reasonable adjustments to ensure that you are not placed at a substantial disadvantage compared to non-disabled students. This can include all sorts of adjustments, such as providing equipment or services. Your institution is also responsible for ensuring that you have appropriate access to the buildings you need to use, within reason, and that adjustments are made to teaching practices and assessments where required.

The DSA is not expected to pay for the same disability support that your institution provides or adjustments they may make. However, if not all of your needs are met by your institution, then within reason the DSA can provide the additional support that you need. To discuss arrangements for getting support or adjustments, you should arrange to meet with the Disability Adviser in your institution.

For more information about your rights under the Disability Discrimination Act, see the Skill booklet 'The Disability Discrimination Act' or contact the Skill Scotland Information Service – see Section 8 for details.

3. Arranging a support worker in higher education

There is no single way in which disabled students get support workers in higher education, and the way in which you get your assistance will depend upon the institution you attend and what suits you best. However, it is recommended that where possible, students use support workers employed by the institution.

Some of the most common ways in which disabled students find support workers are listed below:

Support workers employed by institution

Many institutions have staff who are specifically employed to support individual disabled students. Support workers may either be current postgraduate students at the university, or employees contracted through an agency. In either case, the university or college will be the employer, rather than you as an individual. You can find out if your institution employs support workers by asking the Disability Adviser.

There are many advantages of using support workers who are employed by the institution. The institution takes responsibility for recruiting and managing the staff, and for paying them. If the support workers leave, are absent or are not suitable, the institution will make arrangements to replace them. If you choose to use support workers employed by the institution, it is important to ensure that arrangements are in place for reviewing if the service is working well and if any adjustments are needed. You can ask SAAS to pay DSA directly to your institution who will either provide a support worker for you or pay an agency to provide support for you on their behalf.

Case study

Emma is blind and requires the help of a reader on her accountancy course. Although she uses part of her DSA allowance to pay for a computer with screenreading software, she often needs the assistance of a reader to read the text of library books aloud. The university regularly employs postgraduate students as readers (as well as other kinds of support work) and therefore arranges for a postgraduate accountancy student to provide support for Emma. As Emma has asked SAAS to pay her DSA money directly to the university, the support worker provides a timesheet to the university who will then pay the support worker's wages directly. Once payment has been made, the university will then send an invoice to SAAS for reimbursement of the work undertaken.

Private agencies

Private agencies can be useful ways to get support workers. The agency takes on the responsibilities of being the employer, and they will usually fill any gaps, for instance if your usual support worker becomes ill or needs some time off. It is useful to make a written agreement with the agency about the assistance that they will provide, and then to discuss with them regularly about how the service is working. The Disability Adviser may be able to recommend a local agency that students have used in the past or an agency that has experience of working with people in an academic environment. DSA can be used to cover costs charged by an agency for arranging a support worker, for example administration or payroll charges.

If you use a private agency to get a support worker, you may wish to consider:

- What services the agency offers.
- What charges will be made? Will these all be covered by DSA?
- What is included in the price? For example, National Insurance contributions, travelling expenses.
- Does the agency have full employer's liability insurance?
- Does the agency work to a recognised code of practice? The Care Commission can give you further advice on this (see the back of this booklet for contact details).
- Does the agency check for references and provide staff training?

As private agencies take on the responsibilities of being the employer, they will normally pay your support worker and handle any employment-related matters. You can either ask SAAS to pay your DSA directly to the agency or you can request that the money is given straight to you to allow you to pay the agency yourself. If you would like to receive the money yourself, you will need to provide an invoice and receipts for SAAS of the work undertaken.

Specialist agencies

If you need specialist workers such as sign language interpreters, it may not be possible to find suitable people at your institution. If this is the case, then you will probably need to use a specialist agency. The Disability Adviser may know of agencies in the local area and you could also contact the local social work department for information. Other organisations may keep registers of qualified people, such as Dyslexia Scotland who have a register of dyslexia tutors, or the Scottish Association of Sign Language Interpreters who keep a register of sign language interpreters. Contact details for some relevant organisations are in Section 8.

Deaf Connections is a charity based in Glasgow that can provide sign language interpreters, notetakers and lip speakers to Deaf and Hard of Hearing people. Many students use different kinds of assistants from this charity and the Disabled Students Allowance is then paid direct to Deaf Connections for the work undertaken. Contact details are in Section 8.

Community Service Volunteers (CSV)

CSV is the national volunteer agency that recruits full-time volunteers to help disabled people live independently. CSVs are often recent graduates or are planning to go to college or university, so they have an interest in or experience of the education environment. CSVs are intended to supplement other support that you have in place. You may want to talk to the Disability Adviser to see if they already use CSVs for other students.

Institutions with volunteer schemes

Some institutions operate their own volunteer schemes for support workers such as notetakers or readers. The volunteers on these schemes are often students themselves, recent graduates or people planning to go to university. They will often have no previous experience but many receive some training when they join the scheme. The institution usually makes the initial arrangements with the volunteers so you do not have to, but you will want to have a written agreement to make sure you get the support that you need.

Employing your own support worker

By employing your own support worker, you get complete choice over who assists you. As the employer, you can also set the standards and procedures you want people to work to. You may already employ your own support workers for daily living needs through Direct Payments from social work – if so, employing your own support workers in education may fit well with these arrangements.

However, operating your own personal assistance involves a great deal of organisation and it is recommended that wherever possible, you use a support worker employed by the institution. If you choose to employ your own support workers, you will have to be able to explain your needs and be able to handle the responsibility of being an employer.

Sections 4-7 of this booklet have information about employing your own support worker.

Training

It is important that your support worker has appropriate training to enable them to carry out their role effectively. For example, they should undertake Health and Safety training in order for them to work safely within an institution. It may also be necessary for them to undertake specific disability related training. You may be placed at a disadvantage or risk if your support worker is not appropriately trained. DSA does not generally cover the cost of training, however in exceptional circumstances, DSA may be used to pay for training costs. You should contact your institution for advice on training support workers. Your local centre for integrated living will also be able to give you advice on training a support worker. If you choose to employ your own support worker, you should ensure they have undertaken appropriate training.

Disclosure Scotland certificates

Disclosure Scotland is a service designed to enhance public safety by providing potential employers and the voluntary sector with criminal history information on individuals applying for posts. Disclosure Scotland issues certificates – known as ‘Disclosures’ – which give details of an individual’s criminal convictions or state that they have none.

When employing a support worker, it is recommended that you consider asking the worker to provide a Disclosure. You can get more information from Disclosure Scotland at www.disclosurescotland.co.uk and the Central Registered Body in Scotland at www.crbs.org.uk

4. Recruiting your own support worker

Finding your own support worker

If you wish to recruit your own support worker, there are a number of ways to find a worker. The following organisations may be able to help:

- your college or university
- your local Citizens Advice Bureau
- your local centre for independent living
- the Royal National Institute for the Blind (RNIB)
- Yellow Pages
- Scottish Personal Assistance Employers Network (SPAEN)

Preparing a job description

It is a good idea to draw up a job description for your support worker. The job description should give an overview of the duties you expect the worker to undertake, the hours of work and any particular skills or qualifications the support worker must have. Your local centre for independent living will be able to help you draw up a job description or you can look at a sample job description on the national centre for independent living website at: <http://www.ncil.org.uk/downloads/personal-assistant-desc.pdf>

Registers of support workers

Many institutions have a register or directory of support workers who they can call upon to meet the needs of disabled students. The register often includes assistants such as qualified dyslexia tutors, communication support workers and students or staff who have simply expressed an interest in working with disabled students. The Disability Adviser will know if such a register exists in your institution.

Advertising for support workers

You may be able to find people to help with tasks such as reading and notetaking in your department, perhaps a postgraduate student. There will probably be departmental noticeboards where you can advertise. You could also advertise around the institution, for example, on noticeboards in the Students' Union, in your institution's employment agency or job shop, and in your college or university student newspaper. Other places where you could place adverts include Jobcentre Plus, local newspapers, libraries and careers offices. Local groups of disabled people may also be able to help with ideas of where is best to advertise in your area. Centres for independent living can help with each stage of advertising for a support worker.

Advice about advertising

Do not put your address in the advert – it may not be a good idea to advertise where you live. Providing a phone number and/or email address allows you to screen callers and to eliminate unsuitable applicants.

You should provide some idea in the advert of what the job will involve. If you know what hours or how many hours a week you need someone, list them. You should also state the rate of pay and whether you want someone who has previous experience of this type of work.

If you are placing a written advertisement it must not contravene employment law by discriminating on the grounds of race, sexual orientation, disability, gender, or religion. It is unlawful to discriminate against people for age-related reasons. Further advice on acceptable wording of advertisements is available from ACAS or your local centre for independent living.

Interviewing support workers

It is often best to interview possible support workers somewhere other than your home. You could ask the Disability Adviser to arrange a room for the interviews, you could use an office within the students union, or alternatively you may be able to use space within a local Independent Living Centre.

Before the interview, it is helpful to prepare a list of the key questions you want to ask each applicant, and anything you would want to tell them about the job. It may also be helpful to have someone else, such as another student who currently uses support workers, the Disability Adviser or a friend, to attend the interviews with you.

Anne wanted to interview three other students from her institution to decide which one to employ as a notetaker for her lectures. She arranged with the student association to borrow one of their meeting rooms as it was handy for both her and the applicants. Her friend sat in the interviews with her, and discussed with her afterwards about who to employ.

Checking references

As well as asking your worker to provide a Disclosure Scotland certificate, it is recommended that you also ask them to provide references. For example, the reference could be from a previous employer, the institution or someone else who knows the worker in a professional capacity. You should check the references before you make a job offer to the support worker.

Work agreements

If you employ your own support worker, it is a legal duty to provide them with a contract of employment within 8 weeks of their start date. This contract should be a written outline of the terms and conditions of employment, and both you and your employee should retain a signed copy. Template contracts are available from centres for independent living. The Department for Trade and Industry booklet PI810, *Contracts of Employment*, gives more information. (<http://www.dti.gov.uk/employment/employment-legislation/employment-guidance/page16161.html>). Terms that you must include are:

- Number of hours – a week/a term/a year
- Times and days – information about regular sessions
- Place of work
- Hourly rate of pay – Disability Adviser can advise you about usual rates of pay
- Payment method – how will worker be paid and how often
- Holiday entitlement
- Sick leave entitlement
- Job title or description
- Notice period – termination of employment (by both parties)
- Period of contract – it is a good idea to draw up a new agreement each year as your circumstances may change

Other terms that you probably want to include are:

- Cancellation of support – how much advance notice you and the worker require
- Preparation – minimum notice required and turn around time for typing up notes
- Contacting each other – appropriate times and contact numbers for each party
- Agreed duties
- Review dates – often a good idea to have regular reviews to make sure the arrangement is working well for both you and your employee

You should agree responsibilities such as advising each other of cancellations and the notice period acceptable to you both. Make sure that you have some kind of back-up plan in case of last minute cancellations. For example, if you are suddenly unable to make a session then your support worker may incur travel, childcare and other costs. Similarly if your support worker falls sick, you will need a back-up plan, e.g. if you use a notetaker, a tape recorder might be an occasional substitute. Your support worker would then type up the notes when they are well which will ensure the work gets done.

5. Employment issues

If you decide to employ your own support worker, you will have certain legal responsibilities. As an employer, it is your own responsibility to ensure that you are aware of, and comply with, these responsibilities. You may find it helpful to consult a local support organisation or one of the organisations listed at the back of this booklet.

If you arrange your own support workers, they may be either self-employed or employed directly by you. People who are 'self-employed' are responsible for their own tax and National Insurance. They are not covered by employment legislation and so don't have a right to things like Statutory Sick Pay. If they are not self-employed you, or an organisation acting on your behalf, will be the employer and will therefore be legally responsible for your employee's tax and National Insurance contributions, as well as other employment issues (see page 14 for further information).

However, it is not up to you or your support worker to decide if they are self-employed or employed. The decision is ultimately up to HM Revenue and Customs for issues relating to tax and National Insurance and up to an employment tribunal for issues relating to employment law. The decision is based around looking at what the person's job involves.

If you have a support worker who works exclusively for you, it is unlikely that they will be given self-employed status. Even if your support worker signs a declaration that they are self-employed, this may not protect you if HM Revenue and Customs denies them self-employed status. Therefore, it is important that you check about your support worker's employment status with your local tax office, or with a local centre for independent living who have expertise in this area. You can also read HM Revenue and Customs booklet 'IR56 Employed or self-employed?' or contact HM Revenue and Customs Employer's Helpline for further information – see Section 8.

Paying your own support worker

You need to decide how you want to pay your support worker. Here are some of the options:

- **SAAS pay the support worker directly**

You can ask SAAS to pay the support worker directly in regular instalments, e.g. every month. SAAS will need an invoice signed by your employee and yourself before payment can be made. SAAS can provide you with a standard invoice. If you have arranged your own support worker, you can ask SAAS to pay the support worker directly in regular instalments, for example every month. SAAS will send you notification of payments they make direct to your support worker.

If your support worker is self-employed, they will make their own arrangements for tax and National Insurance contributions, therefore the support worker will be able to receive payment directly from SAAS (on receipt of an invoice signed by your employee and yourself).

If your support worker is not self-employed, you will be the employer and will therefore need to deduct tax and National Insurance contributions (NICs) from your support worker's wages before SAAS can pay them. You may also need to pay Employer's NICs for your employee if they earn over a certain amount. Once you have made these deductions you should send an invoice to SAAS who will then pay the support worker for this amount. You will then need to pay your employee's tax and NICs, as well as your own NICs, to HM Revenue and Customs. Further information on tax and National Insurance is detailed below.

- **You pay your own support worker**

You may choose to make the payments to your support worker yourself. SAAS will write to you after your assessment letting you know about payment procedures. You must make sure that you pay your employee as soon as possible after you receive the payment from SAAS. It is often useful to open a separate bank account for this purpose – this way you can keep track of payments more easily and you are less likely to lose access to your DSAs if you go overdrawn. Again, you will be legally responsible for how much tax and National Insurance contributions your support worker owes, as well as making your own Employer National Insurance contributions (see above). You will need to send an invoice to SAAS in order to receive payment.

- **Your institution pays your support worker**

If you use a support worker employed by your college or university, the institution will be the employer and will therefore take on all employer responsibilities, including paying the support worker and responsibility for other matters such as tax and cover for absence. You can either receive your DSA money directly to pay the institution for employing a support worker for you, or you can ask SAAS to pay your DSA directly to the institution who will pay your support worker for you.

- **An agency pays the support worker**

If your institution does not employ support workers, or you need a specialist worker, you may decide to use a private agency to arrange your support. If you choose this option, the agency will be the employer and will therefore pay the support worker for you. You can either ask SAAS to pay your DSA directly to the agency or you can send an invoice to SAAS to request that the money is given straight to you to allow you to pay the agency yourself.

- **A payroll service pays the support worker on your behalf**

If you are employing your own support worker, you may be able to use a local payroll service to handle all payments. This might be particularly useful if you also receive Direct Payments from social work to meet care needs. Your local authority or local centre for independent living can advise you about any local payroll services.

It is essential to keep records of the number of hours of help you receive and any payments you make. It is also essential to keep copies of all receipts and invoices in case the originals are lost or mislaid.

Case study

Colin is studying a politics degree at the Open University. Colin is deaf and requires a British Sign Language interpreter to help him in meetings with his tutor. As he recruited his support worker directly, Colin is the employer and therefore has to register himself as an employer with HM Revenue and Customs. Each month, Colin signs off the support worker's timesheet, calculates his wages by working out the hourly rate and deducting tax and National Insurance contributions, and provides his support worker with a payslip. Colin pays his support worker by cheque every month and sends an invoice to SAAS with a breakdown of the costs he has incurred.

Employee rights

Any support worker that you employ automatically has certain rights, regardless of how much they earn. These rights are:

- itemised pay statement
- written terms and conditions
- time off for public duties, and 4 weeks holiday leave per year pro rata
- to be paid the minimum wage (details from National Minimum Wage Helpline)
- not to be discriminated against on grounds of sex, race, disability, sexual orientation, religion, belief or age
- not to be discriminated against for trade union membership
- written notice of employment ending
- health and safety rights

Employees have certain rights around working time – they must have a rest period of at least 11 hours between working days, must have at least one day off each week, and must have an in-work break if their working day is more than 6 hours. They must have at least 4 weeks paid leave each year – a week's leave is the number of hours they usually work in a week, e.g. if they usually work 2 hours a week, they are entitled to 8 hours off each leave year. As the employer, you can set the times when your employee can take

annual leave. For further information about working time regulations, contact the Health and Safety Executive.

Tax and National Insurance

When you directly employ support workers, you are legally responsible for how much tax and National Insurance contributions they owe, and you must deduct the amounts from their wages and pay this to HM Revenue and Customs. As an employer you may also be liable to pay Employer's National Insurance contributions if your workers earn more than a set amount each week (this amount is called the 'lower earnings limit' and is set by the Government each year). You can get details of this from HM Revenue and Customs. SAAS will not reimburse you for Employer's National Insurance contribution. If your support workers earn above this set amount they will also have a right to Statutory Sick Pay and Statutory Maternity Pay. If this happens you should seek advice from ACAS and from Skill Scotland.

As well as paying your support worker, at the end of the year you will also need to give them a record showing their details for the whole year. You will also need to complete an Employer Annual Return every year to HM Revenue and Customs summarising all national insurance contributions and tax you have deducted during the year. Finally, you are also legally required to complete an End of Year summary for each employee.

For more information about tax and National Insurance issues, you should seek advice from a local centre for independent living, HM Revenue and Customs or your local Citizens Advice Bureau.

Case study

Elizabeth is a mature student on the first year of a chemistry degree at university. Elizabeth has mobility difficulties and requires a helper to assist her with her practical coursework. Before starting university, she employed a personal assistant to help her at home using Direct Payments. Following her needs assessment at the university, she used her DSA to employ a laboratory assistant. Elizabeth uses the services of a local payroll service (run by her local centre for independent living (CIL) for both her support workers.

Each month, she sends a completed timesheet for each of her employees to the CIL who will prepare a monthly payroll, including working out tax and National Insurance deductions, provide Elizabeth with payslips for her employees, and advise her on the amount she is required to pay to HM Revenue and Customs each month. The CIL also register Elizabeth as an employer, prepare her end of year tax returns and advise her about setting up bank transfers to her employees' accounts.

Employers' Liability Insurance

Most employers are legally required to take out insurance against liability for injury or disease sustained by their employees in the course of employment. Guidance from the Health and Safety Executive (HSE) says that, in general, you may need employers' liability insurance for someone who works for you if:

- you deduct National Insurance and income tax from the money you pay them
- you have the right to control where and when they work and how they do it
- you supply most materials and equipment
- you require that person themselves to deliver the service and they cannot employ a substitute if they are unable to do the work
- they work exclusively for you
- they are treated in the same way as other employees, for example if they do the same work under the same conditions as someone else you employ.

If you are going to be receiving DSA payments directly and then paying your support workers, it is likely that you will need Employers' Liability Insurance, particularly if they work exclusively for you. More information about Employers' Liability Insurance is available from the Health and Safety Executive, Citizens Advice Bureau or a centre for independent living.

6. Get advice!

If you choose to employ your own support worker using DSA, it is very important that you get all the advice and guidance that you need. You could speak to:

- The Disability Adviser in your institution. He or she will be able to let you know about how other students in your institution have managed their support workers. They may be able to help with payroll services or finding support workers.
- Your local centre for independent living – these are services set up to support disabled people employing personal assistants. They can usually provide payroll services and can provide advice about every aspect of being an employer and peer support. Contact the National Centre for Independent Living for local contact details – see Section 8 for contact details.
- You can speak to your local Citizens Advice Bureau and ACAS about legal issues, and HM Revenue and Customs about tax and National Insurance issues.
- Skill Scotland Information Service – for information about arranging support, funding, agency responsibilities, and your rights as a disabled student.

7. Dealing with problems

Having a clear working agreement with your support workers from the outset is very important to help avoid misunderstandings at a later date. If problems arise, then the Disability Adviser should be your first point of contact for help and advice. Students' Union welfare or finance officers may also be a source of information.

Your support workers are entitled to receive payment for their time. However, SAAS will not pay if work is not undertaken. It is therefore very important that you are clear from the outset with your support workers about what work is to be undertaken at what times. You should also keep a clear record of what work has been completed and ask support workers to sign timesheets accordingly.

The non-medical personal help allowance is paid in arrears, so you should send your invoices to SAAS as soon as possible, to allow them time to make payments to you, your institution or your helper. SAAS can make advance payments in some circumstances – you should contact them for advice if you need an advance payment.

There may be some situations where your support worker is not providing the service that you need. For example, they may be continually late or not performing tasks effectively. If this is the case, you should seek advice from the Disability Adviser or a centre for independent living. If you do ultimately have to dismiss your employee, it is important that you have first taken advice on this and that you act 'reasonably' at every stage.

Again, a clear working agreement from the start of their employment, regularly reviewed, is the best way to ensure that difficulties are resolved quickly, or do not happen at all!

8. Useful contacts and publications

Advisory, Conciliation and Arbitration Service

151 West George Street, Glasgow G2 7JJ

Helpline Tel: 08457 47 47 47 Text: 08456 06 16 00

Website: www.acas.org.uk

Can answer a range of employment questions, including questions about an employer's legal responsibilities.

The Care Commission

Compass House, 11 Riverside Drive, Dundee DD1 4NY

Tel: 0845 603 0890

Website: www.carecommission.com

Citizens Advice Bureau

You can find contact details for your local CAB in the telephone book or by searching the directory available at: www.cas.org.uk

Community Service Volunteers

Wellgate House, 200 Cowgate, Edinburgh EH1 1NQ

Tel: 0131 622 7766

Fax: 0131 622 7755

Email: cfield@csv.org.uk

Website: www.csv.org.uk/scotland

Volunteer Independent Living Schemes for people who need personal assistance.

Deaf Connections

100 Norfolk Street, Glasgow G5 9EJ

Tel: 0131 420 1759 Fax: 0141 429 6860

Videophone: 0141 418 0579

Email: enquiries@deafconnections.co.uk

Website: www.deafconnections.co.uk

Dyslexia Scotland

Stirling Business Centre, Wellgreen, Stirling FK8 2DZ

Tel: 0844 800 84 84 Fax: 01786 471235

Email: info@dyslexiascotland.org.uk

Website: www.dyslexiascotland.com

Holds register of dyslexia tutors across Scotland.

Health and Safety Executive

HSE Infoline, Caerphilly Business Park, Caerphilly CF83 3GG

Email: hseinformationservices@natbrit.com

Website: www.hse.gov.uk

Can answer enquiries about liability insurance.

HM Revenue and Customs Employers' Helpline

Tel: 0845 60 70 143, Text: 0845 6021380

Website: www.inlandrevenue.gov.uk

Can answer queries about tax and National Insurance contributions.

Lothian Centre for Integrated Living

Norton Park, 57 Albion Road, Edinburgh EH7 5QY

Tel/Minicom: 0131 475 2350, Fax: 0131 475 2392

Email: lcil@lothiancil.org.uk

Website: www.lothiancil.org.uk

Provide services, advice and support to disabled people to employ their own personal assistants.

Glasgow Centre for Inclusive Living

117–127 Brook Street, Glasgow G40 3AP

Tel: 0141 550 4455, Textphone: 0141 554 6482

Fax: 0141 550 4858

Email: gcil@gcil.org.uk

National Centre for Independent Living

4th Floor, Hampton House, 20 Albert Embankment, London SE1 7TJ

Tel: 020 7587 1663, Fax 020 7582 2469, Text: 020 7587 1177

Email: ncil@ncil.demon.co.uk

Website: www.ncil.org.uk

Provides information about employing personal assistants. Can put you in contact with your local Independent Living Scheme or support centre. Website also has lists of these local contacts.

National Minimum Wage Helpline

Tel: 0845 6000 678

Can give advice about the national minimum wage for your employee(s).

Scottish Association of Sign Language Interpreters

Donaldson's College, West Coates, Edinburgh EH12 5JJ

Tel: 0131 347 5601, Fax: 0131 347 5628

Email: mail@sasli.org.uk

Website: www.sasli.org.uk

Maintains register of sign language interpreters in Scotland.

Scottish Personal Assistant Employers' Network (SPAEN)

Unit 9, Motherwell Business Centre, 130 Coursington Road, Motherwell ML1 1PR

Tel: 01698 250280 Fax: 01698 250236

Email: info@spaen.co.uk

Website: www.spaen.co.uk

Can give advice about employing assistants.

Skill Scotland: National Bureau for Students with Disabilities

Norton Park, 57 Albion Road, Edinburgh EH7 5QY

Freephone/Text: 0800 328 5050 Monday-Thursday 1.30-4.30pm

Website: www.skill.org.uk

Skill Scotland's Information Service can provide information and advice on all aspects of post-16 education, training and transition to employment.

Student Awards Agency for Scotland (SAAS)

Gyleview House, 3 Redheughs Rigg, Edinburgh EH12 9HH

Tel: 0845 111 1711

Email: saas.geu@scotland.gsi.gov.uk

Website: www.saas.gov.uk

Can provide advice about any aspect of eligibility and payment of Disabled Students Allowance.

Update: Scotland's National Disability Information Service

27 Beaverhall Road, Edinburgh EH7 4JE

Tel: 0131 558 5200 Fax: 0131 558 5201 Text: 0131 558 5202

Email: info@update.org.uk

Website: www.update.org.uk

Can provide contact details for disability-related organisations across Scotland.

Useful publications

Helping you meet the cost of learning - funding for disabled students

Published by Scottish Executive/Skill

Available from www.scotland.gov.uk

Or from Blackwell's Bookshop

53 South Bridge

Edinburgh

EH1 1YS

Telephone orders and enquiries

0131 622 8283 or 0131 622 8258

Fax orders

0131 557 8149

Email orders

business.edinburgh@blackwell.co.uk

Skill information booklets

Skill produces a range of information booklets, covering disability issues in post-16 education, training and employment. The following are particularly relevant to the issues covered in this information booklet:

- Applying to Higher Education: Guidance for Disabled People
- Disability Discrimination Act 1995
- Applying for Disabled Students' Allowances
- Funding from Charitable Trusts
- The needs of Students with Disabilities in Further and Higher Education

As a disabled student or jobseeker, you can obtain 5 information booklets free of charge. There is a charge of £2.50 per booklet for professionals. You can also access all of these at Skill's website: www.skill.org.uk in the Information section, under Information Booklets.

Into Higher Education (annual publication)

Published by Skill, Chapter House, 18-20 Crucifix Lane, London SE1 3JW

Tel/Text: 020 7450 0620 Fax: 020 7450 0650

Price £2.50 to students, £15.00 to professionals.

Information and advice for disabled people who are planning to apply to higher education.

A Rough Guide to Managing Personal Assistants

Published by the National Centre for Independent Living

IR56 leaflet – employed or self-employed?

Available at www.hmrc.gov.uk or at Tel: 0845 7646 646

Leaflet from HM Revenue and Customs to help work out whether a person is employed or self-employed for tax purposes.

Personal Assistant Employer's Handbook

Available online at: www.cvalive.org.uk/Direct%20Payments/booklet_5.htm

A guide to running a self-operated personal assistance scheme.

Supporting You at College: a guide for young people with additional needs on support in Scotland in Further Education colleges

Published by Scottish Executive

Available online at www.scotland.gov.uk or by Tel: 0141 242 0181

Tackling discrimination and promoting equality – good practice guide for employers

Published by ACAS

Available online at www.acas.org.uk



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www.scotland.gov.uk

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