

# Personal Assistant Handbook and Starter Pack



Annibyniaeth	Independence
Dewis	Choice
Cefnogaeth	Support

For Direct Payments Employers and their Employees living and working in Flintshire

**Employee Name:**.....

**Employer:**.....

**Start Date:**.....

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## Congratulations on your new role as a Personal Assistant!



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## What is a Personal Assistant?

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A Personal Assistant (PA) is someone employed directly by a person with eligible care & support needs who it has been agreed by Flintshire Social Services needs additional funded assistance with their everyday life. This may include support with shopping, household tasks and help with personal care such as bathing and getting dressed. They also support people to access community resources such as libraries, community activities and leisure facilities. PA's also play an important role in supporting people to work, maintain their independence and achieve agreed personal goals and outcomes that are important to them. Whatever is required, the Personal Assistant enables their employer to maintain choice, control and autonomy over their life. This relationship helps put disabled and older people at the centre of the support they need to live a full and valued life.

The Council is working with Personal Assistants (PA's) to continually develop the role to ensure that the workforce can meet the needs of local people. All PA's must go through a number of checks, including a Disclosure and Barring Service (DBS) check. Personal Assistants must also sign up to a Code of Conduct to ensure that they meet the standard

of care & support expected including the promotion of rights and independence, confidentiality, safeguarding, and risk.

### **The Role of a Personal Assistant:**

- Promote personal independence, choice, and control. Support and enable the employer to carry out tasks and maintain their independence.
- Work towards agreed outcomes to ensure the level of support is correct for the employer.
- Care and support, including assistance with personal hygiene tasks, dressing and undressing and meal preparation – where this has been agreed.
- Help your employer develop skills, abilities and confidence to live as full a life as possible.
- Develop trusting relationships with their employer and have a positive influence on the lives of the person they are supporting.
- Support with all aspects of daily living.
- Other reasonable tasks which will be agreed between the employer and the PA.

*As a Personal Assistant (PA), you are employed by the direct payments service user, and not Flintshire County Council. This means Flintshire County Council cannot provide references for future employment and any requests for a reference should be made directly to your employer.*

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## Personal Assistant Code of Professional Conduct

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This code of conduct is a tool to designed to help clarify the care standards and quality expected of any Personal Assistant working with Flintshire citizens funded via Flintshire County Council's direct payments scheme.

Personal Assistants are responsible for ensuring that their conduct does not fall below the standards set out in this code and that they safeguard the wellbeing of direct payment recipients.

**This document is not intended to replace any policies, job description or contracts of employment set by your employer. It is**

**designed to compliment all other legislation, guidance & requirements governing the employment of staff.**

The purpose of this code is to set down the conduct expected and to inform direct payment recipients, colleagues, and the general public of the standards they can expect from any Personal Assistants working under the direct payments scheme in Flintshire.

**Please read the Personal Assistant Code of Conduct** (*Appendix 1*)

When you have read, understand and agree with the code, please sign both copies. One copy will be retained by you and one copy will be held by myself on your records.

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## Introduction from your Employer

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The success of our employer/employee arrangement depends very largely on us developing a professional and trusting relationship and your commitment to providing me with the support and assistance that I need.

I provide equal opportunities and am committed to the principle of equality regardless of race, colour, ethnic or national origin, religious belief, political opinion or affiliation, sex, marital status, sexual orientation, gender reassignment, age or disability. I will apply employment policies that are fair, equitable and consistent with your skills and abilities. I look to your support in implementing these policies to ensure that all my employees are accorded equal opportunities for training and promotion and on equal terms and conditions of employment.

I will not condone any discriminatory act or attitude in the workplace, acts of harassment or discrimination on the grounds of race, colour, ethnic or national region, religious belief, political opinion or affiliation, sex, marital status, sexual orientation, gender reassignment, age or disability. These are disciplinary offences.

I welcome you and express my sincere hope that you will be happy here in your employment. I ask that you carefully study the contents of this Employee Handbook as, in addition to setting out my rules and regulations, it also contains a great deal of helpful information.

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## Working Relationship

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The working relationship between us is an important one. It is a relationship which can develop into a useful partnership for both parties, but it can be complicated by a variety of issues due to the nature of the work involved and the workplace (my home).

It is therefore important that we set clear guidelines from the outset in order that disagreements or misunderstandings can be avoided. Also, it is important that you understand why certain procedures and standards are important to my independent lifestyle:

- I will be clear about how I want things done and give reasons why things should be done that way.
- When I specify the timetable, I wish you to work to, I will explain why this is so and will try to keep to a routine where possible.
- I will try to give you a clear idea of what is unacceptable and what is permissible.
- Please act strictly by my confidentiality rules as this is very important to me.
- Remember that just as I require my own space, I will also respect your needs while working as my PA. Refreshment making facilities are provided to you and must be kept clean and tidy at all times and only used during authorised breaks.
- I will inform you of any PA training that Flintshire County Council will make available and if I feel it is beneficial to your role then there will be an expectation that you will complete this.
- If you feel things are not working out, please tell me so that I can get further advice from the DP Support Team to support us both.

*If you require more information on employment rights / laws / standards including for new businesses and for questions and answers on individual employers and personal assistants, please contact ACAS the [Advisory, Conciliation and Arbitration Service](https://www.acas.org.uk) who can provide impartial advice and guidance on employment law.*

Their details are **Phone:** 08457 474747 **Web:** [www.acas.org.uk](https://www.acas.org.uk)

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## Starting Employment

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### **Probationary Period**

You will start your employment with me on an initial probationary period of 6 months as set out in your Contract of Employment. During this period your work performance and general suitability will be assessed and, if your work performance is not up to the required standard, or you are considered generally unsuitable, I may either take remedial action (which may include the extension of your probationary period) or terminate your employment at any time. I reserve the right not to apply my full contractual capability and disciplinary procedures during your probationary period.

### **Job Description**

You have been provided with a job description of the position to which you have been appointed. Amendments may be made to your job description from time to time in relation to my changing needs and your own ability. Any changes would be made in consultation with you.

### **Your Employment**

You must notify me of any changes to your personal details including contact telephone and address, so that accurate information is maintained. I will not be responsible for the failure to communicate with you on essential matters where they are unable to do so as a result of your failure to provide up to date contact details.

You may be required to complete and submit timesheets as directed in order to ensure that you receive the correct payment. Incorrectly completed or late submission of timesheets may result in incorrect or delayed payment of wages. Deliberate falsification of timesheets will be regarded as a disciplinary offence and may lead to your dismissal.

If, under your contract, you are expected to drive for work purposes, you will need to ensure you have a current and valid driving licence, MOT certificate and an appropriate level of insurance cover and taxation. You should ensure that you have business insurance added to your car policy to cover you for using your vehicle for work purposes.

It is illegal to use a mobile phone whilst driving and so you should never do so. If you need to use your phone whilst in the vehicle, you should

stop in a safe place and remain stationary until the use of the phone is no longer required.

Should you lose your Driving Licence due to a motoring conviction or on health grounds, if I am unable to find an alternative solution, this may result in the termination of your employment. You are required to produce your licence for my inspection at any time when requested.

Where expenses have been agreed any reasonable expenses that have been incurred in support of your Employer may be reimbursed by myself. This does not include your travel to and from work. You must provide receipts for any expenditure and a log of mileage covered where applicable.

If you already undertake other employment or are considering any additional employment, you must notify me so that any implications from the current working time legislation can be discussed. You may not under any circumstances, whether directly or indirectly, undertake any other duties of whatever kind during your hours of work.

All resignations by employees must be supplied in writing, stating your reasons for resignation.

### **Information & Procedures**

I do not accept liability for any loss or damage to property that you bring onto the premises. You are requested not to bring personal items of value onto the premises and not to leave any items overnight.

Any private and personal post and packages should not be sent to my address. No private mail should be posted at my expense.

You are not to buy or sell goods on the premises or during your working hours.

You are not permitted to take personal calls during working hours unless in an emergency.

### **Job Flexibility**

It is a condition of your employment that you are prepared, whenever necessary, to be as flexible as possible. This includes during holiday periods. This flexibility is essential as the type and volume of support is

sometimes subject to change, and your flexibility allows me to operate my life efficiently and gain maximum potential. I will equally endeavour where possible to offer you flexibility.

## **Pension**

Further to information provided in your contract, in order to be eligible for a pension under a qualifying scheme you would need to be 22 years of age or over, under the state pension age, earn more than £10,000 per year and work mainly in the UK.

If you are not eligible and would like to opt into the scheme you must notify me.

If you are eligible, you will be notified of the intention to enrol you in the pension scheme. Once you are a member of the scheme you will be given the opportunity to opt out (within one month of your scheme start date) which must be notified to me by completion of the relevant opt out notice which will be given to you with your pension scheme papers. Where you have opted out you will then be treated as if you had never been included in the scheme at all and no payments will be made in respect of pension contributions thereafter.

Should you wish to cease membership of the pension scheme after the lapse of the opt-out date you will need to cease active membership in accordance with the scheme rules.

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## **Safeguarding**

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You will need to attend safeguarding training so that you're able to identify when your employer may be at risk or suffering any type of abuse.

You may suspect abuse because:

- You have general concerns about someone's well-being.
- You see or hear about something that could be abuse.
- Someone tells you that something has happened or is happening to them, which could be abuse. If in doubt, you should still report it.

**Call the police directly in an emergency or if a crime has been committed.**

If you think that your employer or somebody else is being abused, you have a duty to contact Flintshire Social Services:

### **Social Services Adults**

- During office hours contact Social Services on: 01352 702000
- Outside of Office hours, please telephone the Duty Social Worker on: 0345 053 3116

### **Social Services Children**

- During office hours contact Social Services on: 01352 701000
- Outside of Office hours, please telephone the Duty Social Worker on: 0345 053 3116

### **Disclosure and Barring Service (DBS)**

Your initial employment may be conditional upon the provision of a satisfactory Disclosure & Barring Service (DBS) check of a level appropriate to your post. This is mandatory for Personal Assistants working in Flintshire. You will be required to undertake a DBS check every 3 years during your employment. If you choose not to comply with this process and/or in the event that such certificate(s) are not supplied your employment will be terminated.

During your employment, you are required to immediately report any convictions or offences with which you are charged, including traffic offences. Failure to do so could result in dismissal.

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## **Absence and Holiday Entitlement**

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### **Lateness and Absenteeism**

You must notify me personally by telephone as soon as you become aware that you are running late for a shift which will enable steps to be taken to ensure appropriate care & support is in place. Notification of lateness by text message or social media is not an acceptable method of communication.

If you arrive for work later than 1 hour and alternative arrangements have been made in your absence (and you have NOT notified me), you could be asked to leave for the remainder of the shift and will not be paid for that shift.

Persistent lateness may result in disciplinary proceedings. Being late to attend your work may have a very serious impact upon me, particularly where your attendance is necessary to provide for my basic care needs and medication. Dependent upon the circumstances, serious lateness may be considered gross neglect and result in dismissal.

### **Shortage of Work**

If there is a temporary shortage of work for any reason e.g. I am on holiday or in hospital I will try to maintain a fair working relationship and you will be provided financial recompense as a retainer payment although you have not worked these hours. Retainer payments will be made up to a maximum of 4 weeks full pay in any period of 12 months.

### **Sickness**

If you are unable to attend work because of sickness or any other reason you must inform me personally, by telephone as soon as you are aware of your inability to attend so other arrangements can be made.

Notification of absence for any reason by text message or social media is not an accepted method of communication.

You should try to give some indication of your expected return date and notify me as soon as possible if this date changes. If your incapacity extends to more than seven days you are required to notify me of your continued incapacity once a week thereafter, unless otherwise agreed.

### **Evidence of Incapacity**

Doctor's certificates are not issued for short-term incapacity. In these cases of incapacity (up to seven calendar days) you must sign a self-certification absence form on your return to work.

If your sickness has been (or you know that it will be) for longer than seven days (whether or not they are working days) you should contact your doctor and make sure he/she gives you a medical certificate and forward this to me without delay. Subsequently you must supply me with consecutive doctors' medical certificates to cover the whole of your absence.

Doctors' 'fit' notes must be sent to me and are not to be sent to payroll directly. A doctor's 'fit' note is used to establish the right rate of pay and also as evidence of the reason for your absence from work.

You are entitled to statutory sick pay (SSP) if you are absent because of sickness or injury provided you meet the criteria in the current SSP regulations. When you are absent for four or more consecutive working days, you will be paid SSP by me if you are eligible. This is treated like wages and is subject to normal deductions.

### **Maternity/Paternity Pay and Leave**

You may be entitled to maternity/paternity leave and pay in accordance with the current statutory provisions. If you (or your partner) become pregnant you should notify me or the person acting on my behalf at an early stage, so that your entitlements and obligations can be explained to you and measures can be put in place to ensure your safety in the workplace where applicable.

### **Parental Leave**

Parental leave allows mothers, fathers, and people with parental responsibility for children up to the age of 18, to take up to 18 weeks unpaid leave. To be eligible for the leave you must have worked for me for a consecutive period of not less than one year. The purpose of the leave is to spend time caring for your child.

If you are entitled to take parental leave in respect of the current statutory provisions, you should discuss your needs with me to identify your entitlements and look at the proposed leave periods, dependent upon your child's/children's particular circumstances and the operational aspects of your employment.

### **Bereavement Leave**

You may be able to take up to two weeks' off work if your child dies before they turn 18, or if you have a stillbirth after 24 weeks of pregnancy. To qualify you must be an employee of mine, you must be the parent of the child or have legal responsibility for them and you must give notice to me of the date of the child's death or stillbirth, when you want leave to begin and how much leave you are taking – either one or two weeks. Your notice does not have to be in writing.

You may be entitled to Statutory Parental Bereavement Pay which will be paid at the prescribed rate set by the Government and changed from time to time. To qualify, you must have been [continuously employed](#) for at least 26 weeks up to the end of the 'relevant week'. The 'relevant week' is the week (ending with a Saturday) immediately before the week of the death or stillbirth. You must also:

- continue to be employed up to the day the child dies or is stillborn
- earn on average £120 a week before tax (gross) over an 8 week period
- give me the [correct notice and information](#) for Statutory Parental Bereavement Pay

With the exception of statutory parental bereavement leave provisions set out above, there is no right to bereavement leave, however I recognise that circumstances, the nature of relationships and the required observances of different religions vary. Therefore, rather than being prescriptive on absolute periods of leave in other cases, there is a need to assess each case individually. Employees who need only to attend the funeral of a relative or close friend may be granted reasonable time off without pay at my discretion. In most cases this will be a period of up to one day.

### **Holiday Entitlement and Time Off**

Your holiday year begins on 1<sup>st</sup> April and ends on 31<sup>st</sup> March each year.

Your annual holiday entitlement is accrued at a rate of 12.07% of the hours worked.

You should keep a written log of any annual leave used so that there are no disputes over leave entitlement. It is my policy to encourage you to take all of your holiday entitlement in the current holiday year. Holidays are not to be carried forward.

### **Conditions Applied to your Annual Leave Entitlement**

Holiday requests must be presented to me within reasonable time before you make arrangements to be absent from work so that I can authorise your request or discuss your request with you further.

You should aim to give at least one week's notice for one day's leave and 4 weeks' notice for one week or more. If you don't give me enough notice, your leave request could be rejected.

## **Time Off**

Circumstances may arise where you need time off for medical/dental appointments. Where possible, such appointments should be made outside of working hours. If this is not possible, time off required for these purposes may be granted at my discretion and will normally be without pay or, alternatively, you may be asked to make up the time.

## **Time off for Dependants**

Time off for Dependents is designed to support employees where emergencies arise that are related to children or dependents. Unpaid time off may be taken to provide assistance when a dependant falls ill, gives birth, is injured or assaulted or to arrange for the provision of care for a dependent who is ill or injured.

Dependents include:

- A spouse
- A child
- A parent
- A person who lives in the same household as you and whom is not your employee, lodger or tenant
- Any person who reasonably relies on you for assistance to make arrangements for the provision of care

To take time off under the circumstances set out above you must notify me as soon as reasonably practicable and inform me how long you expect to be away from work.

## **Jury Service**

Employees are entitled to time off work to attend jury service. Employees should notify me immediately on receipt of the jury summons giving full details and providing evidence of the dates you are required to attend. Employees will not normally be paid for this time off and are advised to claim the expenses which they are entitled to from the Court. This will normally include compensation for loss of earnings.

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## *Data Protection*

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You are required to give certain personal data to enable me to carry out my duties, rights, and obligations as your Employer. The privacy of your Data is taken seriously, and this policy explains how Data will be used and protected.

I am the Data Controller. This notice applies before, during and after your employment has come to an end.

Personal Data that is processed by me includes the following:

- Name, residential address and contact details including telephone numbers and email address.
- Date of birth
- Financial details, such as your National Insurance Number, bank account, payroll records, tax status, pensions, benefits and Court orders relevant to employment
- Details about your health that you have consented to share and sickness/absence records.
- Information about your criminal record and offences
- Right to work information
- References obtained from your referees.
- A copy of your driving licence
- Information about your private vehicle where it is used for work purposes, including; registration number, make, model, tax, insurance, MOT and safety checks
- Work history and location of employment past and present
- Emergency contact details
- Training records, performance information, qualifications, disciplinary and grievance history
- CCTV footage and audio recordings obtained in the course of employment.

I will process and control such data principally for personnel, administrative and payroll purposes and for the purposes of managing the performance of your employment contract. Data may also be used where I am under a legal obligation to do so or where it is necessary and proportionate to safeguard the interests of my employees and/or the public interest.

I may receive and share data with the following parties in order to assist them in the management of their duties and fulfil the purpose set out above:

- Myself, the Service User
- The Local Authority or NHS Clinical Commissioning Group which is responsible for funding the care required
- Support organisations authorised by the employer and/or funding authority to support me in payroll and employee management activities
- Accountants and Payroll organisations
- Independent living organisations or disability advocates
- Insurance companies and legal advisors including helpline providers and solicitors
- Other employers strictly for the purpose and operation of TUPE transfers
- Nominated representative where my physical or mental health prevents adequate performance of their duties and responsibilities.

All third-parties to the employment contract are required to take appropriate security measures to protect your personal information in line with this policy. They are not allowed to use your personal data for their own purposes. Permission has/will only be granted for them to process your personal data for specified purposes and in accordance with our instructions. I do not accept responsibility or control of data willingly shared by you with any other third party independent of and outside of my control.

Data will be retained for as long as necessary to fulfil the purposes it was collected for in accordance with this policy. Where Data is considered sensitive, (such as health records, criminal conviction information, CCTV footage, etc) in order to determine the appropriate retention period consideration will be given to the amount, nature, and sensitivity of the Data collected, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which data is processed and whether those purposes can be achieved through other means, and the applicable legal requirements.

Your rights, in certain circumstances, in regards to your personal data include:

- Request access - there is no charge for this request, and I will endeavour to provide the information within a reasonable timeframe.

- Request correction of the personal information
- Request erasure of your personal information, where possible.
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent please notify me.

I reserve the right to update this privacy notice at any time and will provide you with a new privacy notice when substantial updates are made. From time to time, you may also receive notification in other ways about the processing of your personal information.

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## Confidentiality

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Confidential information is any data that:

- Is or has been acquired by you during, or in the course of your employment, or otherwise been acquired by you in confidence.
- Relates particularly to myself or direct payment recipients' personal life, health and wellbeing or that of other persons who reside with them.
- Has not been made public by myself, or with my authority.

You should not, at any time, whether before or after termination of your employment, disclose such information to any person.

You are prohibited from reading any personal and private mail or documentation which contains confidential information unless you have been given consent by myself. Where consent is given, you are to exercise reasonable care to keep safe all documentary or other material containing confidential information. At the time of termination of

employment, or any other time upon demand, you must return all such material in your possession.

### **Bribery**

You must not accept gifts in relation to your employment and must not advise on financial investments or on the preparation of wills, etc. You must not put your signature to any such documents.

You must not request or accept a financial loan from myself, colleagues or anyone resident in my home or my family and friends.

### **Whistleblowing**

You may have access to or encounter information of a confidential nature. The law allows employees to make a protected disclosure of certain information to be protected, a disclosure must relate to a specific subject matter and the disclosure must also be made in an appropriate way.

You will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. Failure to follow this procedure may result in the disclosure of information losing its protected status.

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## **Social Networking Policy**

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You must always maintain a professional approach, keep information gained in the course of your employment confidential and specifically you must not discuss my household, domestic or health situation with others.

The use of online social networking (Examples of such sites include, but are not limited to, blogs (short for web log), MySpace, Instagram, Facebook, Bebo, Twitter, YouTube, Windows Live Spaces, MSN, forums, bulletin boards, multiplayer online gaming, chatrooms and instant messenger) has become a very significant part of life for many people. They provide a very positive way to keep in touch with friends and colleagues and can be used to exchange ideas and thoughts on common interests, both personal and work-related.

### **Use of Social Networking Sites**

If a personal internet presence does not make any reference to me I cannot be identified, the content is unlikely to be of concern to me. If

employment by the Employer is referred to then the information posted would need to comply with the employment conditions outlined below.

- Instances where I am brought into disrepute will constitute misconduct or gross misconduct and disciplinary action will be applied. Please refer to the Disciplinary Policy.
- You must not disclose confidential information relating to your employment.
- Sites must not be used to verbally abuse other Employees or myself.
- Privacy and feelings of others must always be respected. You must obtain permission from the individuals before posting contact details or pictures. Care must be taken to avoid using language which could be deemed as offensive to others.
- You must not disclose any information that is confidential to me.
- Viewing and updating personal sites must not take place during working times. Reasonable access is acceptable before/after working hours and during work breaks.
- Sites must not be used for accessing or sharing illegal content.
- Any serious misuse of Social Networking sites that has a negative impact on me as an employer will be regarded as a disciplinary offence.

I do not discourage staff from using such services. However, all should be aware that I will take seriously any occasions where the services are used inappropriately. If occasions arise of what might be read to be online bullying or harassment, these will be dealt with in the same way as other such instances.

Please remember that social networking sites put information into the public domain and can easily be viewed by others that you may not have anticipated. This policy is intended to protect you from the possibility of complaints from your colleagues and your Employer and to ensure that you do not face disciplinary or even legal action as a result of inappropriate use of social networking sites.

Breach of this condition will be treated as gross misconduct for the purposes of disciplinary action and may result in termination of your employment contract.

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## *Health, Safety, Welfare and Hygiene*

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You must make yourself familiar with my Health and Safety Policy and your own health and safety duties and responsibilities.

You must not take any action that could threaten the health or safety of yourself, myself, other employees, visitors, or members of the public.

Protective clothing and other equipment which may be issued for your protection because of the nature of the job must be worn and used at all appropriate times. Failure to do so could be a contravention of your health and safety responsibilities. Once issued, this protective wear/equipment is your responsibility.

You may be required to support me to complete the Health & Safety checklist (*Appendix 2*) when required. This will help to maintain a safe living and working environment.

You must report all accidents and injuries in work, no matter how minor, to me and record the event in the accident book that can be obtained from myself.

### **Hygiene**

You must wash your hands immediately before commencing work, frequently throughout the day and after using the toilet. Any cut or burn on the hand or arm must be covered with an approved visible dressing.

Face coverings and other protective equipment must be worn when required e.g. when carrying out personal care or supporting with mobility.

I will notify you of any sensitivities that I may have. You must ensure that you have not exposed yourself to or carry any allergens that may trigger an allergic reaction prior to or during your shift e.g. perfume.

If you are suffering from an infectious or contagious disease, this must be reported to me, and you must have clearance from your GP before recommencing work.

## **Wastage**

I maintain a policy of minimum waste which is essential to the cost-effective management of my welfare and home.

You are expected to abide by this policy by taking extra care during your normal duties by avoiding unnecessary or extravagant use of services, time, energy, etc.

Any damage to vehicles or property that is the result of your carelessness, negligence or deliberate vandalism will render you liable to pay the full or part of the cost of repair or replacement.

Any loss that is the result of your failure to observe rules, procedures, or instruction, or is as a result of your negligent behaviour or your unsatisfactory standards of work will render you liable to reimburse the full or part of the cost of the loss.

In the event of failure to pay, I have the contractual right to deduct such costs from your pay.

The use of alcohol and drugs may impair the safe and efficient running of my support and/or the health and safety of my employees.

## **Alcohol and Drugs Policy**

If your performance or attendance at work is affected as a result of alcohol or drugs, or I believe you may have been involved in any alcohol or drug related action/offence, you may be subject to disciplinary action and dependent on the circumstances, this may lead to your dismissal.

## **Smoking Policy**

I operate a No Smoking Policy that applies to any area of my home and vehicle.

## **Harassment & Bullying**

Employees have the right to a working environment free from intimidating and insulting behaviour and I recognise my legal obligation to provide such an environment. I am committed to the development and promotion of a positive workplace culture that is free from harassment

and bullying and aims to ensure that any allegation of harassment or bullying at work is taken seriously and is dealt with effectively.

### **Work Related Stress**

Work related stress exists where people perceive they cannot cope with what is being asked of them at work. I recognise that work related stress is not an illness but that if it is prolonged and intense it can lead to problems with ill health.

You have a responsibility to take reasonably practical steps to minimise your own stress levels and those of your fellow workers who may be affected by your acts or omissions.

If you experience stress or anxiety in supporting me, please bring it to my attention and I will support you in dealing with this.

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## **Capability Procedure and Termination Contract**

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I recognise that during your employment your capability to carry out your duties may deteriorate. This can be for a number of reasons, the most common ones being that either the job changes over a period of time and you cannot keep pace with the changes, or you change (most commonly because of health reasons) and you can no longer cope with the work.

### **Job Change**

If the nature of your job changes, I will make every effort to ensure that you understand the level of performance expected of you and that you receive adequate training and supervision. If there are concerns regarding your capability these will be discussed in an informal manner and you will be given time to improve.

If your standard of performance is still not adequate you will be warned in writing that a failure to improve and to maintain the performance required could lead to your dismissal. I will also consider the possibility of a transfer to more suitable role where possible.

If there is still no improvement after a reasonable time and I cannot transfer you to more suitable work, you will be issued with a final warning

that you will be dismissed unless the required standard of performance is achieved and maintained.

### **Personal Circumstances**

Personal circumstances may arise which do not prevent you from attending for work, but which prevent you from carrying out your normal duties (e.g., a lack of dexterity or general ill health). If such a situation arises, I will normally need to have details of your medical diagnosis and prognosis so that they can seek the benefit of expert advice. Under normal circumstances this can be most easily obtained by asking your own doctor for a medical report. Your permission is needed before I can obtain such a report and they will expect you to co-operate in this matter should the need arise. When as much information as possible has been obtained regarding your condition and after consultation with you, a decision will be made about your future employment in your current role or, where circumstances permit, in a more suitable role.

There may also be personal circumstances which prevent you from attending work, either for a prolonged period or periods or for frequent short periods. Under these circumstances I will need to know when they can expect your attendance record to reach an acceptable level and again this can usually be most easily obtained by asking your own doctor for a medical report. When as much information as possible has been obtained regarding your condition and after consultation with you, a decision will be made about your future employment in your current role or, where circumstances permit, in a more suitable role.

### **Terminating Notice without Giving Notice**

If you terminate your employment without giving or working the required period of notice, as indicated in your individual statement of main terms of employment, you will have an amount equal to any additional cost of covering your duties during the notice period not worked deducted from any termination pay due to you. This is an express written term of your contract of employment.

### **Return of Property**

On the termination of your employment, you must return all my property which is in your possession or for which you have responsibility. Failure to return such items will result in the cost of the items being deducted from any monies outstanding to you.

Where you fail to return keys to my property immediately, you will be liable for any costs relating to the replacement of locking mechanisms. These costs will be incurred without your prior notice for my security. This is an express written term of your contract of employment.

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## *Disciplinary & Grievance Policy*

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The rules set standards of performance and behaviour whilst promoting fairness and order in the treatment of individuals. Every effort will be made to ensure that any action taken under this procedure is fair, with you being given the opportunity to state your case and appeal against any decision that you consider to be unjust.

I retain discretion in respect of the disciplinary procedures to take account of your length of service and to vary the procedures accordingly. If you have a short amount of service, you may not benefit from any warnings before dismissal.

### **Disciplinary Rules**

In addition to specific examples of unsatisfactory conduct, misconduct and gross misconduct shown in this handbook, a breach of other conditions of employment or policies and procedures set out in this handbook will also result in the disciplinary procedure being used to deal with such matters.

#### Rules Covering Unsatisfactory Conduct and Misconduct (these are examples only and not an exhaustive list)

You will be liable to disciplinary action if you are found to have acted in any of the following ways:-

- a. non-serious failure to abide by health and safety rules and procedures.
- b. smoking in designated non-smoking areas
- c. absenteeism and/or lateness
- d. unsatisfactory standards or output of work
- e. failure to devote the whole of your time, attention and abilities to the care needs during your normal working hours
- f. unauthorised use of e-mail and internet

- g. failure to carry out all reasonable instructions or follow our rules and procedures.
- h. unauthorised use or negligent damage or loss of our property
- i. failure to report immediately any damage to property or premises caused by you.

## **Serious Misconduct**

Where one of the unsatisfactory conduct or misconduct rules has been broken and if, upon investigation, it is shown to be due to your extreme carelessness or has a serious or substantial effect upon me or my reputation; you may be issued with a final written warning in the first instance.

You may receive a final written warning as the first course of action if in an alleged gross misconduct disciplinary matter, upon investigation, it is shown to have some level of mitigation and is treated as an offence just short of dismissal.

## **Rules Covering Gross Misconduct** (*These are examples only and not an exhaustive list*)

You will be liable to summary dismissal if you are found to have acted in any of the following ways:-

- a. A serious breach of safeguarding rules
- b. grossly indecent or immoral behaviour, deliberate acts of unlawful discrimination or serious acts of harassment
- c. dangerous behaviour, fighting or physical assault
- d. incapacity at work or poor performance caused by intoxicants or drugs
- e. possession, selling or use of illicit drugs
- f. deliberate falsification of any records (including timesheets, absence records, etc in respect of yourself or any fellow employee)
- g. undertaking private work on the premises and/or in working hours without express permission
- h. theft or unauthorised possession of money or property, whether belonging to myself, another employee, or a third party
- i. destruction/sabotage of the my property, or any property on the premises
- j. serious breaches of the health and safety rules which endanger the lives or wellbeing of employees, or any other person

- k. Rudeness towards me, my visitors and family or other employees, objectionable or insulting behaviour, harassment, bullying or bad language gross insubordination and/or continuing refusal to carry out legitimate instructions
- l. abuse of the harassment and bullying policy

## **Disciplinary Procedure**

You may be suspended on full pay pending an investigation into allegations of breaching the disciplinary rules. A suspension is not a disciplinary sanction.

Where it is found that disciplinary action is required the allegations will be set out in writing and you will be invited to attend a disciplinary hearing.

You have the right to be accompanied at the hearing by a colleague of your choice or a trade union representative. You will be required to notify me of the identity of the person accompanying you in advance of the meeting. The meeting may be delayed if you fail to do this. You do not have a right to attend a disciplinary hearing with someone who is not otherwise a colleague or union representative, however under special circumstances I may allow you to attend with a friend or family member. Should you wish to take a friend or family member you must agree this in advance with myself, failure to do so may be considered a breach of good faith and may result in the cancellation of any pre-arranged hearing and no payment made to you in respect of lost days.

The disciplinary decisions will be made following the meeting and will be communicated to you in writing within a reasonable time frame. Disciplinary sanctions will be appropriate to the conduct complained of and may include a formal verbal warning, written warning, final written warning, or dismissal.

## **Disciplinary Appeal**

If you wish to exercise your right of appeal, you should apply in writing to myself within 7 days of receiving the disciplinary outcome.

It may be necessary for the appeal to be heard by the person who took the original disciplinary action, and it is therefore important that your appeal gives details of why the penalty imposed is either too severe, inappropriate or unfair in the circumstances.

You may be accompanied at the appeal hearing by a fellow employee of your choice or a recognised Trade Union official, who may act as a witness, and the result of the appeal will be made known to you in writing within a reasonable time frame.

I reserve the right to request that someone else handle any investigation and/or disciplinary hearing or appeal meeting on their behalf where they feel unable to do so. The person handling such meetings may be another carer, friend, family member or an external support worker from an organisation that is deemed appropriate and necessary to ensure the process is completed and is fair in all the circumstances.

Where I am unfit to handle any element of the administration of the disciplinary process, they may request that an external support worker is allocated to handle the administration.

Where this is the case, you will be notified of the alteration to this policy and you will be required to comply with the new instructions.

## **Grievance Procedure**

It is important that if you feel dissatisfied with any matter relating to your work you should have an immediate means by which such a grievance can be aired and resolved.

Nothing in this procedure is intended to prevent you from informally raising any matter you may wish to mention. Informal discussion can frequently solve problems without the need for a written record but if you wish your grievance to be formally recorded and investigated, please make this clear at the outset.

If it has not been possible to remedy your complaint you have the right to raise a formal grievance which must be done in writing and submitted to myself. You should explain fully the nature and extent of your grievance.

**Under no circumstances will an initial complaint to an external support organisation be considered the submission of a grievance and invoke this procedure. Any complaints must in the first instance be submitted to myself who will enlist support where required by myself.**

Once your written grievance is received an investigation may be carried out prior to you being invited to attend a formal grievance hearing. You have the right to be accompanied by a fellow employee or a recognised Trade Union official can be present with you to help you to explain the

situation. You will be required to notify me of the identity of the person accompanying you in advance of the meeting. The meeting may be delayed if you fail to do this. You do not have a right to attend a grievance hearing with someone who is not otherwise a colleague or union representative, however under special circumstances I may allow you to attend with a friend or family member. Should you wish to take a friend or family member you must agree this in advance with myself.

I will communicate their findings following the grievance hearing and will inform you of any measures they feel are appropriate to take under the circumstances.

### **Grievance Appeal Procedure**

Should you be dissatisfied with the result of the grievance you have the right to appeal my decision. Should you wish to take up these rights you must set out the grounds of appeal in writing and submit them to myself.

It may be necessary for the appeal to be heard by the person who heard the original grievance due to the lack of resources available to myself, it is therefore important that your appeal gives details of why the penalty imposed is either too severe, inappropriate, or unfair in the circumstances.

You may be accompanied at the appeal hearing by a fellow employee of your choice or a recognised Trade Union official, who may act as a witness, and the result of the appeal will be made known to you in writing within a reasonable time frame.

I reserve the right to request that someone else handle any investigation and/or grievance hearing or appeal meeting on their behalf where they feel unable to do so. The person handling such meetings may be another carer, friend, family member or an external support worker from an organisation that is deemed appropriate and necessary to ensure the process is completed and is fair in all the circumstances.

Where I am unfit to handle any element of the administration of the grievance process, they may request that an external support worker is allocated to handle the administration. Where this is the case, you will be notified of the alteration to this policy and you will be required to comply with the new instructions.

This handbook was produced by Flintshire County Council on my behalf.

The council has further information for Personal Assistants and general information about direct payments on their website, but we suggest you direct any questions directly to your employer.

The DP Support Team at Flintshire County Council are not your employers. However, it may sometimes be difficult to raise issues with your employer and you may need advice. Therefore, you may contact them in these circumstances to provide you with advice and/or signpost you when necessary.

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## Training & Development

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### Training Opportunities

The following links provides a guide to the training and development opportunities available to you whilst under my employment. The following information is specifically for Personal Assistants, however please let me know if you feel that you have specific training & development needs and if appropriate I will work with you to ensure that these are met.

<https://www.flintshire.gov.uk/en/Resident/Social-Services/Direct-Payments/Training.aspx>

### Social Care Wales

Social Care Wales offers a free online training platform for care professionals in Wales to upskill, plan, track and record their learning to register visit: <https://socialcare.wales/learning-and-development/resources-and-legislation>

### Grey Matter Learning

GML have worked with Flintshire Social Services to develop a range of training tailored to the needs of Personal Assistants.

Flintshire Social Services offer all new Personal Assistants the opportunity to undertake a Personal Assistant Induction Certificate. This consists of 7 key e-learning modules. Once completed each PA receives a certificate and is reimbursed for the time it has taken to complete the modules. There are also a wide range of complimentary optional courses available to be completed in your own time.

To register please contact the Flintshire Direct Payments Support Service.

[dp.support@flintshire.gov.uk](mailto:dp.support@flintshire.gov.uk)

### Flintshire Social Services Workforce Development

Personal Assistants can access a broad range of training opportunities either provided or arranged by FCC.

The 2024-25 Training Directory can be accessed by clicking on the following link:

<https://www.flintshire.gov.uk/en/PDFFiles/Social-Services/Workforce-Development/Training-Directory-2024-25.pdf>

Please contact the workforce development team directly to enquire around specific training opportunities.

### Social Care Legislation in Wales

Social Care Wales provide an online learning and information hub where you can research and access various social care Wales legislative documents to register visit: <https://socialcare.wales/resources-guidance/information-and-learning-hub>

**Use the Individual Training Log (*Appendix 3*) to keep track of your training and achievements**

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## Personal Assistant Employment Register

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### **Personal Assistant Register Suspension/Removal Policy**

In order to best support our Direct Payment employers, the Direct Payments Support Service has established a register of Personal Assistants available to work locally. This provides opportunities for prospective employers to quickly source suitable support and for Personal Assistants to advertise their availability to work.

To effectively manage the register Flintshire County Council have introduced a 'Register Suspension/Removal Policy' . Your name will be removed from the Personal Assistant Register and requests for job applications to be forwarded for consideration will be rejected should any of the following frequently happen;

- **Frequent failings to turn up for interviews**
- **Frequently applying for jobs then withdrawing**
- **Failing to attend training**
- **Failure to adhere to the Code of Conduct**

## Useful Contact Numbers

### Employers Next Of Kin:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Tel No: \_\_\_\_\_

Direct Payments Support Service <a href="mailto:dpsupport@flintshire.gov.uk">dpsupport@flintshire.gov.uk</a>	01352 701100
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FCC Duty Social Worker	0345 053 3116
Safeguarding Team	Adults 01352 803444 Children 01352 701000
Social Services (SPOA)	01352 703444

### Approved Insurance Providers

FISH	0333 331 3860 admin@fishinsurance.co.uk
Premier Care (Mark Bates)	01476 514478 enquiries@markbatesltd.com
Surewise	01268 200020 customerservices@surewise.com

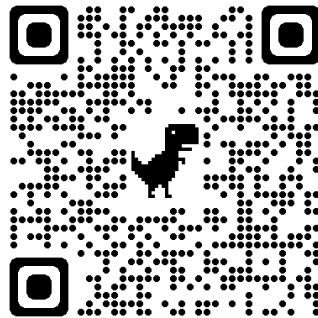
### Advice and Support

FCC Training Department	01352 702657
ACAS – Help & advice for Employees and Employers	www.acas.org.uk
Unison – Public Service Union	01352 704300 (Flintshire Branch)
Unite – Public Services Union	02920 394 521
GMB – Public Services Union	02920 491 260
Trades Union Congress (TUC) – Public Services Union	020 7636 4030
FCC Direct Payments Finance	01352 701319

**This handbook was produced by Flintshire County Council Direct Payments Support Service Team on behalf of your employer.**

More information on Direct Payments can be found on our website, or by contacting the team.

<https://www.flintshire.gov.uk/en/Resident/Social-Services/Direct-Payments/Home.aspx>



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## Personal Assistant Code of Professional Conduct

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### **Personal Assistants must:**

- Protect the rights and promote the interests of direct payment recipients whilst adhering to equal opportunities. This includes respecting diversity and different cultures and values.
- Strive to establish the trust and confidence of direct payment recipients and their support networks. This includes being honest, trustworthy, reliable, and dependable whilst respecting sensitive and confidential information.
- Promote the independence of direct payment recipients while protecting them as far as possible from danger or harm. This may involve bringing to the attention of the employer or Flintshire County Council Social Services Department, any difficulties that may get in the way of the delivery of safe care & support.
- Respect the rights of direct payment recipients to protect and promote their health, wellbeing, independence, dignity, and self-determination whilst seeking to ensure their behaviour does not harm themselves or other people.
- Support your employer to develop and maintain a safe working environment and adopt safe working practices in line with relevant

training, risk assessments, protocols, professional guidance, policies, and procedures identified and/or shared with you.

- Be accountable for the quality of their work and take responsibility for maintaining and improving their knowledge and skills. This includes working in a lawful, safe, and effective way.
- Complete initial mandatory training and any further training required for the post as directed by your employer and ensure that training is refreshed as and when required and take personal responsibility for ongoing personal development.
- Recognise and work within their limits of competence and not take on tasks they do not feel competent or confident to do.
- Honour work commitments, agreements and arrangements whilst ensuring flexibility to meet the direct payment recipient's care & support needs identified on their care/support plan.
- Fully comply with Disclosure and Barring Service policy and inform their employer of any changes immediately.
- Ensure that a professional relationship is maintained whilst providing paid support to a direct payment recipient even if this is a family member.
- Be aware of Safeguarding issues. Any issues of abuse, actual or suspected, must be reported to Flintshire County Council Safeguarding Team or to the Police See Safeguarding section below).

**Personal Assistants must not:**

- Behave in a way that places the Health and Safety of themselves, their employer or the wider general public at risk.
- Abuse, neglect or harm a direct payment recipient, carer, colleague or member of the public.
- Bring children or other dependents to their place of work as this may cause distraction and create risks to health and safety.

- Form inappropriate personal relationships with the direct payment recipient or their family which would exceed boundaries of professionalism.
- Abuse the trust of the direct payment recipient, carer or family member or the access you have to their personal information.
- Discuss other direct payment recipients, colleagues or employers with the person you are supporting.
- Discriminate unlawfully or unjustifiably against the person they are working with, carers or colleagues.
- Accept gifts (including money) from direct payment recipients, colleagues, or employers.
- Withhold sensitive or confidential information which may put the direct payment recipient, carer, colleague, or employer at risk. If any information such as this is shared with you, you are duly responsible for reporting this to the Safeguarding Department at Flintshire County Council (see Safeguarding section below);
- Discuss any information relating to your employer or employer's family members with others, this includes posting comments on social media etc.

**I hereby sign that I have read and understood the contents of this Code of Professional Practice and agree to abide by it.**

**Name** .....

**Address** .....

**Post code** .....

**Signature** .....

**Date** .....

*I agree to my information being shared with and safely stored by Flintshire County Council for work purposes and to provide opportunities for training and personal development only.*

**Your consent to share personal information is entirely voluntary and you may withdraw your consent at any time.** Should you have any questions or wish to withdraw your consent at any time please contact the Flintshire Direct Payments Support Service.

Yes  No

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## Personal Assistant Code of Professional Conduct

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### **Personal Assistants must:**

- Protect the rights and promote the interests of direct payment recipients whilst adhering to equal opportunities. This includes respecting diversity and different cultures and values.
- Strive to establish the trust and confidence of direct payment recipients and their support networks. This includes being honest, trustworthy, reliable, and dependable whilst respecting sensitive and confidential information.
- Promote the independence of direct payment recipients while protecting them as far as possible from danger or harm. This may involve bringing to the attention of the employer or Flintshire County Council Social Services Department, any difficulties that may get in the way of the delivery of safe care & support.
- Respect the rights of direct payment recipients to protect and promote their health, wellbeing, independence, dignity, and self-determination whilst seeking to ensure their behaviour does not harm themselves or other people.
- Support your employer to develop and maintain a safe working environment and adopt safe working practices in line with relevant training, risk assessments, protocols, professional guidance, policies, and procedures identified and/or shared with you.

- Be accountable for the quality of their work and take responsibility for maintaining and improving their knowledge and skills. This includes working in a lawful, safe, and effective way.
- Complete initial mandatory training and any further training required for the post as directed by your employer and ensure that training is refreshed as and when required and take personal responsibility for ongoing personal development.
- Recognise and work within their limits of competence and not take on tasks they do not feel competent or confident to do.
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Yes  No

# HEALTH & SAFETY CHECKLIST

Date	
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To be completed on a regular basis, when a new PA commences and when changes to the home, layout or equipment takes place.

## Employer details

Name(s)	
Home Address	

Individual/s completing this checklist

Reason for completing this checklist

e.g. Ongoing monitoring, in response to an issue or any other changes

## 1 - UTILITIES

Things to check	Y	N	Action to be taken
Are all electrical appliances fitted with a correctly fused three pin plug?			
Are there any Multiple Adaptors in use?			
Are sockets overloaded?			
Are there any trailing leads or extension cables that could be caught or tripped over?			
Is your fuse box fitted with RCD switches?			
Can the hot water temperature be controlled to prevent scalding?			
Are your gas appliances safe and serviced regularly?			
Do you have a Carbon Monoxide detector near any gas appliances?			
Are your Oil/Coal fired appliances safe and serviced regularly?			
Do you have a Carbon Monoxide detector near your Oil/Coal fired appliances?			

## 2 - EMERGENCY PROCEDURES

Things to check	Y	N	Action to be taken
Do you have working fire and smoke detectors fitted?			
Do you maintain and test them regularly? (i.e weekly)			
Do you change the battery in your smoke detectors annually?			
Do you have an accessible first aid box?			
Do you know how to deliver emergency first aid and when and how to summon help?			
Have you a 'planned' escape route and procedure in the case of an emergency?			
Is everyone in the household aware of this plan?			
Are all exit doors easily opened in an emergency? (Inc. nights)			
Do you have emergency telephone numbers readily available?			
Are all key members of the household aware of this?			

## 3 - DOMESTIC SAFETY

Things to check	Y	N	Action to be taken
Is the property suitable for the number of people who will be living or staying there?			
Is the environment clean, well lit and airy?			
Do all rooms have good ventilation?			
Are the lighting levels adequate in all used rooms?			
Are you able to control the temp in all rooms and maintain the temp at a comfortable level?			
Do windows pose any risks? e.g. opening not restricted or restrictors where required			
Do you have any smoking arrangement? (specific rooms, outside areas, etc)			

Things to check	Y	N	Action to be taken
Do you have any animals? (domestic or wild)			
Are the roads or railway near to you busy or dangerous?			
Do you have any rules about locked doors, gates?			
Do you have any 'out of bounds' areas?			
Are any machinery, tools and garden equipment stored safely?			
Do you have any ponds, garden features that could cause a hazard?			
Are all rugs, mats, or other floor coverings slip proof?			
Could any of the rugs, mats or floor covering constitute a tripping hazard?			
Are furniture and furnishings in a safe and usable condition and comply with the relevant legislative safety provisions including the Furniture and Furnishings (Fire Safety) Regulations 1988.			
Are all cleaning fluids and other substances kept in their original containers and in a safe place? (e.g. locked cupboard if required)			
Are open fires protected by a fireguard?			
Do all doors fit Correctly?			
Are flammable items stored away from sources of ignition?			
<b>Do you have a domestic Fire Extinguisher or Fire Blanket?</b>			
If so do you know how to operate it safely?			
Are fire arms stored in locked metal cabinet and does the owner hold a valid firearms licence?			

## 4 – KITCHEN AND FOOD

Things to check	Y	N	Action to be taken
Is it obvious when your cooker or hobs are on?			
Are kitchen work-surfaces and flooring kept clean and in good condition?			
Is food appropriately stored and the fridge and freezer kept at a safe temperature?			
Are you and your household aware of the correct methods of food handling and hygiene?			

## 5 – MEDICATION AND HEALTH

Things to check	Y	N	Action to be taken
Do you, or anyone in your household take prescribed medication?			
Do you, or anyone in your household take 'over the counter' medication?			
Are any of the medicines considered harmful or dangerous?			
Do you have a safe, secure and locked place in which to store medication?			

## 6 – GENERAL

Things to check	Y	N	Action to be taken
Are there any other risks associated with the role that you have identified			

Things to check	Y	N	Action to be taken
Have you identified any learning needs around Health and Safety for Direct payment recipients and Personal Assistants?			
Have you identified any support needs around health and safety issues?			

## 7 – ELECTRICAL CHECKS

Please detail the checks that are carried out to ensure that the electrical appliances used in the household are safe. (i.e. plugs secure to walls, flex not frayed or damaged).

## 8 – PLANNED ESCAPE ROUTE

Please give details of your Planned Escape Route / Fire Plan and Procedures to follow in the event of an Emergency and include the details of any fire safety checks that you make before bedtime

**Please detail the ‘planned escape route’/Fire Plan that you are/intend to use to ensure the safe evacuation of all members of the household.**

It is important that Personal Assistants and Direct Payments Recipients know what to do in the event of a fire and that they make a fire plan.

This should include:

- Knowing the location, operation and safe method of use of any firefighting equipment;
- Ensuring that all escape routes are known, unobstructed and free from trip hazards;
- Knowing the means of raising the alarm in the event of fire;
- An evacuation plan with an external assembly point which is explained to and understood by all members of the household
- Knowing how to call the fire brigade in the event of fire.

## 9 – FIRE PLAN

## 10 – ANY OTHER COMMENTS OR NOTES

<b>Signed DP Recipient</b>		<b>Date:</b>
<b>Signed PA</b>		<b>Date:</b>

