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**Direct Payment Support Service**

Payment Services Start Up Pack

**Purchase Ledger (Invoice Only) Self-employed Persons**

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# Welcome to Purple

Purple is your Council’s preferred provider for the Direct Payment Support Services contract, providing Payment Services, Information, Advice and Guidance and support with the employment of Personal Assistants (PAs).

Purple is the successor organisation , and is an organisation, with a new corporate team, and fresh vision: to change the conversation on disability from one of disadvantage, to one of value. Purple provides new and innovative support services to disabled people as well as an offer to businesses to support them to become disability confident. You can find out more about Purple here:

[**www.wearepurple.org.uk**](http://www.wearepurple.org.uk/)

Purple’s DPSS offer to both adults and children includes:

* Payroll and Purchase Ledger
* Information, Advice and Guidance

# Our Payment Services

Our Payment Services Team understand Direct Payments and are here to support you with the paying of your PAs – whether employed or engaged with directly or via agencies.

We offer a range of payroll and invoicing services, which means less paperwork and hassle for you, and the peace of mind that your PAs will be paid on time, correctly and in compliance with all relevant law, e.g. NI, tax and pension contributions.

This pack contains all the forms you will need to begin working with Purple. A guide to these can be found on page 4.

# Your chosen service: Purchase Ledger (Invoice Only)

For this type of service, we hold your Direct Payment funds in an account at Purple and you top it up with any contribution you have agreed with your Council (if applicable).

**We will:**

* Liaise with your care agency who provide PAs to you, and make sure all invoices are sent to us and the correct payments are made to them on your behalf
* Send you monthly e-statements of your Direct Payment account
* Complete monitoring information and send directly to your local authority on your behalf

**As a Customer, you agree to:**

* Top up your account with any contribution agreed with your local authority
* Instruct your chosen Personal Assistant or agency to provide the support identified in your Support Plan

# Monitoring information

Purple understands that it is important you retain control of your Direct Payment and have the necessary information to understand your outgoings.

Purple will provide you with:

* A monthly e-statement of your Direct Payment account

You should keep any payroll records for seven years in accordance with HMRC requirements.

# Your Account Manager and Payment Services Team

Once we have received your set up forms (see page 4), you will have a personal Account Manager allocated to you. Should you have any queries on your account, they can be contacted on **01245 392300**.

# What you need to do next

* Read through this pack and contact your named EAG & Support Planning Officer if you have any questions or are unsure about anything
* Complete the forms detailed on page 4 of this pack. These should either be scanned in and returned to us via email torelevant invoices email address relating to your local authorityor posted to Payment Services, Purple, BIC109, Arise Innovation Hub, Alan Cherry Drive, Chelmsford, Essex, CM1 1QT

# Forms to be completed

In order for us to set up your Payment Service support, we require you to complete and return to us a few forms as set out below.

|  |  |
| --- | --- |
| **Customer (Employer) Registration Form** | Purple needs this form in order to begin supporting you with your payment services.  Please complete all the boxes and sign this form.  If you have a representative who you are authorising to act on your behalf, please complete this box as well. |
| **\*\*Direct Debit Form** | You need to complete this so Purple can take your client contribution payment (if applicable). |

Other documents included within this pack:

|  |  |
| --- | --- |
| **Safeguarding Guidance** | This document sets out Purple’s commitment to safeguarding, guidance on financial abuse, and what to do if you have a safeguarding concern.  **We strongly advise that you share this document with your family, wider support network and PAs.** |

\*\* Should you require additional forms, they are available to download from our website:

[**https://wearepurple.org.uk/direct-payment-support**](https://wearepurple.org.uk/direct-payment-support)

or you can contact us on the details provided on the ‘Contact Us’ page to request copies.

# Safeguarding Guidance

## Introduction

Purple is committed to safeguarding and promoting the welfare of young people and adults.

We understand safeguarding can take many forms, including physical, psychological and financial abuse. It is important service users are made aware of our commitment, and that you are aware of processes you should follow if you have any concerns about your own safeguarding or concerns regarding another individual. We would also strongly advise that you make this information available to your family, wider network and PAs.

We have set out below the issue of financial safeguarding in relation to your Payments Service and Direct Payment. Broader information on other forms of safeguarding can be found in your Employing a PA Toolkit, on Purple’s website ([www.purple-dpss.co.uk),](http://www.purple-dpss.co.uk),) via the Safeguarding Adults Board website and via the Safeguarding Children’s Board. You can also phone your named EAG Co-ordinator or Account Manager should you have any queries or require further guidance.

## Financial Safeguarding

An adult at risk of financial abuse is likely to display one or more of the following:

* the person is unable to manage their own finances due to lack of capacity or sufficient numeracy skills.
* the person is dependent on another person or people to manage their money.
* the person is dependent on others for all aspects of daily living, such as those who live in residential care.
* the person is known to be isolated or is regarded as at risk within the community.
* a person who is isolated or lives on their own may be more at risk of being exposed to financial pressure e.g. from salespersons, loan firms, rogue traders or bogus callers.
* the person is of a trusting or gullible nature.
* the person is susceptible to emotional grooming.
* for older people, in particular, potentially increased assets coupled with low-cost life-styles and a lack of awareness of the modern world may make them more susceptible.

Note: Whilst a person who lacks capacity may be considered to be more at risk of financial abuse, it should be remembered that someone with capacity can be equally susceptible. For example, it should not be assumed that if a person who has capacity makes a gift, then it cannot be regarded as theft. Coercion and undue influence, emotional grooming and predatory behaviors as well as the reasonableness of the transaction all need to be considered.

**Planning investigations/enquiries into the misuse of direct payments.**

The misuse of a direct payment will not always require a safeguarding alert to be raised, especially if the client manages their own direct payment. Care Managers and payment services officers will need to consider:

* the clients’ capacity to manage the direct payment.
* if there was an intention to misappropriate the direct payment.
* the clarity of the support plan and the understanding of the client.

If a third party is suspected of misusing a client’s direct payment this will usually result in a safeguarding alert being raised. A Section 42 (under the Care Act 2014) enquiry/investigation can be progressed by either the police and/or the counter fraud team within Internal Audit.

All direct payment misuse should be reported, detailing:

* the name and any unique references of the client.
* a copy of the support plan.
* a brief summary of the misuse, including details of the client’s capacity to understand the support

plan.

* what actions are being taken to stop the misuse.
* what actions are being taken to recover any monies misused.

## Reporting a Safeguarding Concern

**Adults & Children’s**

If you are concerned that any adult is experiencing abuse or neglect please contact Ask SAL (Safeguarding Adults Line) at your local authority.

If someone is in danger and unable to protect themselves or cannot remain in the community without immediate intervention, for both Adults and Children, please phone your local authority.

## In an emergency

If the person is in immediate danger or needs medical treatment, contact the police and/or call an ambulance on 999.

# Contact us

## Payment Services

For queries regarding your Payment Services, and to send us invoices, please contact us on:

**Address:** Purple, BIC109, Arise Innovation Hub, Alan Cherry Drive, Chelmsford, Essex, CM1 1QT

**Email:** [info@purple-dpss.co.uk](mailto:info@purple-dpss.co.uk)

**Telephone:** 01245 392300

**Textphone:** 01245 392302

## Information, Advice and Guidance Service

If you would like further Information, Advice and Guidance on your Direct Payment or support with the recruitment of PAs, please contact us on:

Address: Purple, BIC109, Arise Innovation Hub, Alan Cherry Drive, Chelmsford, Essex, CM1 1QT

Email: [info@purple-dpss.co.uk](mailto:info@purple-dpss.co.uk)

Telephone: 01245 392300

Textphone: 01245 392302

## Compliments and Complaints

Compliments, comments, suggestions, concerns and complaints can be sent to the following address, made via phone, or raised with a member of Purple staff:

Address: Purple, BIC109, Arise Innovation Hub, Alan Cherry Drive, Chelmsford, Essex, CM1 1QT

Email: [info@purple-dpss.co.uk](mailto:info@purple-dpss.co.uk)

Telephone: 01245 392300

Purple’s Complaints and Compliments Policy and Procedures is available on our website:

(<https://www.purple-dpss.co.uk>[)](http://www.wearepurple.org.uk/contact-us), or on request in other formats.

**Self-employed Person**

Employment via a DP/PHB does not avoid existing regulations regarding a person's employment status. HMRC advise that employment status is established by the particular terms and conditions under which a person works. A person could be self-employed if they look after their Customer/patient in the self-employed person’s own home, they have more than one Customer, they have a business structure in place and are responsible for the success or failure of that business. However, where the self-employed person provides the care in the Customer/Patient’s own home they are likely to be an employee of the Customer/Patient.

Use this service to find out if a worker should be classed as employed or self-employed for tax purposes - https:/[/www.gov.uk/guidance/check-employment-status-for-tax.](https://www.gov.uk/guidance/check-employment-status-for-tax)

If you use a self-employed person, you are NOT an Employer therefore you are contracting a person for a service. It is your responsibility to make sure the self-employed person meets the criteria.

Self-employed persons:

* + Have a separate self-employed Service Contract
  + Need to have their own Public Liability Insurance
  + Supply their own equipment that they require to complete their work, such as gloves and aprons
  + Are responsible for their own training
  + State what their hourly or weekly rates are
  + If they are unable to work, they should supply a replacement person, although you do not have to accept this person
  + Do not get holiday pay or statutory sick pay
  + Are responsible for their Income Tax and National Insurance contributions
  + Should supply a Self-employed Registration Number
  + Should submit invoices in a suitable format, subject to the current HMRC rules, for self- employed persons
  + Are responsible to obtain and fund their own DBS check

Contractor rules changed on 6 April 2021. Your employment status and the way you pay tax may have changed. Check the [off-payroll working rules for IR35](https://www.gov.uk/guidance/understanding-off-payroll-working-ir35).

For further information, relevant documentation and support contact your EAG/Support Planning Officer.

**Top Tip**

See the GOV.UK website for additional information – https://[www.gov.uk/employment-status/selfemployed-contractor](http://www.gov.uk/employment-status/selfemployed-contractor) Find out a person’s employment status –

https://[www.gov.uk/government/organisations/hm-revenue-customs/contact/status-customer-service-team](http://www.gov.uk/government/organisations/hm-revenue-customs/contact/status-customer-service-team)

# Self-Employed Service Contract

This is a Service Contract between (hereinafter referred to as the ‘Customer’) and (hereinafter referred to as the ‘Contractor’) by which the Contractor agrees to undertake specified tasks in the Schedule in a satisfactory manner thereby enabling the Customer to live independently within their home and to access the community.

The Contractor is responsible for ensuring these tasks are undertaken in a timely manner and arranging a suitable replacement/alternative if unable to meet the terms of this contract. In the event that the Contractor arranges a replacement/alternative provider to carry out the duties of the Contractor then, for the avoidance of doubt, this replacement/alternative is not provided by the Contractor on a sub-contracting basis but is to be treated as a new provider and is to be subject to a separate Self-Employed Service Contract with the Customer. The Customer reserves the right to refuse service from the replacement/alternative provider and accepts that the Contractor has discharged their duty under the contract by such provision.

The Contractor is responsible for providing clothing, and other tools as appropriate, which could not be considered equipment, for providing such a service and no liability will be accepted for any loss or damage sustained to personal property whilst carrying out the terms of this contract. The Customer, because of specific need, will provide equipment appropriate to undertaking tasks.

The Contractor is responsible for ensuring that they have a DBS check within the last three years, appropriate training to meet the Customer’s needs as identified in their Support Plan, follow any health and safety guidance applicable to the role and have adequate and appropriate ‘Liability Insurance’ covering the work they are contracted to undertake.

The hours of service ( hours) will be agreed between the Contractor and the Customer on a weekly basis, one week in advance of requirements.

The Contractor is working on a self-employed basis and is not entitled to holiday pay or Statutory Sick Pay. It is the Contractor’s responsibility to notify the HMRC they are a self- employed person but they should provide this information to the Customer via the statement which has been provided.

The Contractor agrees to invoice the Customer at a rate of £ per hour/week. A template for submission of the Contractor’s invoice has been provided and should be used. The Customer agrees to settle any such bills within thirty days of date of issue, if they are self-managing the funds. If funds are managed by Purple, the Customer will check and then submit the invoice to Purple, who will process the invoices in line with the funding organisation’s contract terms.

To terminate the contract, four-weeks’ notice is required by either party. However, this contract may be subject to change due to any decision made by the funding organisation, if this is not an arrangement fully self-funded by the Customer.

|  |  |  |
| --- | --- | --- |
| **Signed** | | **Date** |
| **Customer** |  |  |
| **if you are signing on behalf of the Customer, as their named representative, please confirm your name** | | **Name** |
|  |
| **Signed** | | **Date** |
| **Contractor** |  |  |

# Self-Employed Service Contract – Schedule

Tasks to be undertaken to meet the Customer’s needs, as identified in their Support Plan,

may include but are not restricted to:

* Assisting with personal care in a dignified and respectful manner.
* Maintaining the domestic environment to the required standard, with regards to health and safety.
* Supervising and/or assisting in the administration of medication.
* Supporting day-to-day and recreational activities and health appointments, which may include driving and/or accompanying.

NOTE: Before contracting the services of a self-employed PA, and during the contract if there are significant changes in the tasks as detailed above or the level of service provided, the Customer agrees to follow Government guidance and check the **employment status.** Guidance and tools are available online - https://[www.gov.uk/guidance/check-employment-status-for-tax](http://www.gov.uk/guidance/check-employment-status-for-tax) or further information is available by contacting HMRC on 0300 123 2326.

# Invoice Template

|  |  |
| --- | --- |
| **Your Details** | |
| **Name** |  |
| **Address** |  |
| **Telephone Number** |  |
| **Email** |  |
| **Direct Payment Holder’s Details** | |
| **Name:** |  |
| **Account No** |  |
| **Invoice Details** | |
| **Date** |  |
| **Invoice Number** |  |

Purple

BIC 109, Arise Innovation Hub

Alan Cherry Drive

Chelmsford

CM1 1QT

|  |  |  |  |
| --- | --- | --- | --- |
| **Date /**  **Week Commencing** | **No of Hours**  **Worked** | **Rate of Pay** | **Amount Due (£)** |
|  |  |  |  |
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|  |  |  |  |
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| **Total Amount Due** | | |  |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Your Bank Details** | | | | | | | | |
| **Account Name** |  | | | | | | | |
| **Account Number** |  | | | | | | | |
| **Sort Code** |  |  | **-** |  |  | **-** |  |  |

|  |  |
| --- | --- |
| **Direct Payment Holder’s Name** |  |
| **Direct Payment Holder’s Signature** |  |
| **Date** |  |

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# Self-employed Statement Form

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **About You** | **Title (please circle)** | | | | **Forename/s** | | **Surname** |
| **Mr** | **Mrs** | **Miss** | **Ms** |  | |  |
| **Address** | | | | | | |
|  | | | | | | |
| **Telephone/Mobile No** | | | | | **Email** | |
|  | | | | |  | |
| **National Insurance Number** | | | | | **Self-employed Registration Number (or Tax Office and Date Registered)** | |
|  | | | | |  | |

|  |  |
| --- | --- |
| **The name of my Customer is:** |  |
| **Customer’s Address:** |  |

I confirm I am self-employed and that I take full responsibility for my Income Tax and National Insurance contributions.

**I will submit monthly invoices in a suitable format, subject to the current HMRC rules, for self-employed persons to the Customer/ relevant invoice email address for your authority**.

I understand **Purple** will process my invoices in line with Local Authority contract terms.

|  |  |
| --- | --- |
| **Signed** | **Date** |
|  |  |