

PURPLE  
DPSS 

# PURPLE DPSS



Employer workshop

A decorative lamp with a fringed shade and a vase of dried grasses on a patterned surface.

# We will cover:

- Introduction – being an individual employer
- Employers' legal obligations
- Being a good employer – know your role

# Using A Direct Payment to Employ

## The benefits

Independence

Choice and  
control

Flexibility and  
continuity

## The challenges

Responsibility

Legal obligation

Managing staff

# Additional benefits of being an employer

- You can form new and long-lasting relationships with your PA(s)
- You communicate your unique way of working and can form a professional working relationship
- You are the decision maker – you are a micro commissioner

Legal obligation

To have  
Employers  
Liability  
insurance?

Best practice

Employers Legal Obligations

Employers' liability Insurance enables an employer to meet the cost of a compensation claim in the event that an employee is injured or becomes ill at work.

Legal obligation

To have  
Public Liability  
insurance?

Best practice

Employers Legal Obligations

Public liability provides cover if a third party (not an employee) suffers injury or damage to their person or property for which an employer is held legally responsible.



Information

# Insurance providers

Best practice

Premier Care Insurance / Mark Bates

Phone: 01476 514478

Website: [www.markbatesltd.com](http://www.markbatesltd.com)

Fish Insurance

(Offers discounted rates for Purple customers)

Phone: 0333 331 3990

Website: [www.fishinsurance.co.uk](http://www.fishinsurance.co.uk)

Surewise

Phone: 01268 200 020

Website: [www.surewise.com](http://www.surewise.com)

While we do not endorse specific providers, we can assist you in making an informed decision. It is important to contact insurers directly to discuss your specific needs as an employer. For instance, you should verify whether the policy covers situations where your Personal Assistants (PAs) will be involved in administering medication or providing other medical interventions, such as PEG feeds.



Information

# Insurance providers

Best practice

Once you have selected a provider, if Purple manages your funds, you may either pay for the insurance upfront and receive reimbursement, or you can ask the provider to send the invoice directly to Purple, please visit our website to view your specific location's page for this email:

[www.purple-dpss.co.uk/locations](http://www.purple-dpss.co.uk/locations)

Alternatively mail to: Purple BIC 109, Arise Innovation Hub Alan Cherry Drive Chelmsford, Essex CM1 1QT

As an employer, it is a legal requirement to have both Employer and Public Liability Insurance to protect you against potential claims for injury to employees. It is advisable to select a more comprehensive policy tailored to your needs, which should ideally include coverage for legal costs, tribunals, and redundancy payments. Some providers also offer an Employment Law Helpline that you can access at no extra charge. The cost of this insurance is paid directly from your Direct Payment account. Additionally, please ensure that the policy you select is comprehensive and includes coverage for redundancy.

Legal obligation

To pay staff  
the national  
minimum wage  
or above?

Best practice

## The national minimum wage

21+	18 to 20	Under 18	Apprentice
£12.21	£10.00	£7.55	£7.55

<https://www.gov.uk/national-minimum-wage-rates>

Legal obligation

## Paying your employee's wages

Best practice

It is against the law to pay staff below the statutory minimum rates.

Staff must be paid at or above the national minimum wage.

Information about wages paid must be recorded and in most cases submitted to HM Revenue and Customs (HMRC).

PAYE means Pay As You Earn and is the system HMRC use to collect Income Tax and National Insurance from employment.

You must keep payroll records and in most cases should register with HMRC as an employer.

# Living Wage Foundation – “Real Living Wage”

Paying the Recommended Living Wage is not a legal requirement. The figure is recommended by the Living Wage Foundation based on the cost of living. New rates are normally announced in November.



To learn more visit: [www.livingwage.org.uk/what-real-living-wage](http://www.livingwage.org.uk/what-real-living-wage)



Legal obligation

Keeping  
employees  
safe and well  
at work

Best practice

Employers should maintain a safe work environment and talk to their employees about health and safety.

Health and Safety at work is regulated by the Health and Safety Executive (HSE).

Legal obligation

# Health and safety

Best practice

Health and Safety in the UK is regulated by the Health and Safety executive (HSE).

Health and safety is a shared responsibility between employer and employee.

Policies and risk assessments only need to be documented when an employer has 5 or more employees.

Legal obligation

# Health and safety

Best practice

Employer

Provide a  
Safe work  
environment

Risk Assess

Provide training

Employee

Report any  
hazards

Follow safe  
procedures

Undertake  
training



Legal obligation

## Workplace pensions

Best practice

Employers must automatically enroll eligible staff into a Workplace Pension.

Your Direct Payment support service or payroll provider will calculate this for you.

# Payroll and Pensions

All employers in the UK are required to assess their staff's eligibility for a pension.

A pension must be provided to any staff who request one.

Payroll providers with services designed to support people employing PAs are available. They can manage your pension auto-enrolment responsibilities for you.

If you receive funding to employ your PA, the cost of statutory pension contributions and using a payroll provider will usually be paid for by the funding body.



Legal obligation

## Right to work checks

Best practice

Employers are legally responsible for checking documents which show permission to work in the United Kingdom.

# Right to work documents



Employers should check a person's right to work in the UK before employing them.

Employers are legally obliged to check a person is eligible to work in the UK before employing them and must check all staff to avoid claims of discrimination.

A right to work check means that an employer checks documents which are acceptable for showing permission to work. Examples are passport and National Insurance number - a [complete list](#), and what to check for, is on the GOV.UK website.

Employers are responsible for seeing these documents - this has to be done face to face.

Employers place themselves at risk of a large fine if they do not carry out this check on someone.



# Safe recruitment – top tips:

When recruiting new PAs employers should consider the following;

- DBS Checks – It's good practice and strongly recommended by Skills for Care that PAs are DBS checked before starting employment.
- Employment history checks – Ask for and check employment references.
- References – Ask for and check any character references provided.

Legal obligation

Informing employees of how their personal data is used, shared and retained.

Best practice

A privacy notice should be issued to all employees describing the lawful basis and purpose for processing/handling their personal data

The employment law definition of an employment contract is:

*"a contract of service or apprenticeship, whether expressed or implied, and (if it is expressed) whether oral or in writing"- Employment Rights Act 1996*

The written statement should reflect the working relationship as accurately as possible.





# **ILG** Support

24hr Legal and Employment  
Advice Line

**01476 512192**

or email [advice@ilgsupport.com](mailto:advice@ilgsupport.com)



**independent living group**

The ILG is a one stop shop for employers, providing a membership portal which includes template documentation, peer support, expert blogs and training to aid employers on their journey.

Contact us



Questions?



Purple DPSS

Phone - Monday-Friday / 9am-5pm

Cambridgeshire - 01223 679087

Cornwall - 01872 301855

Doncaster - 01302 245721

East Sussex - 01323 403478

Edinburgh - 0131 287 5695

PHB Support Service - 01245 392392

Hertfordshire - 01992 367297

Leicester - 0116 442 2368

Luton - 01582 297211

Sandwell - 0121 269 8465

Nottinghamshire - 0115 671 2931

Oxfordshire - 01865 410438

Stockport - 0161 393 7809

Thurrock - 01245 214029

Walsall - 01922 662262

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