

Standard 13

Direct Payments for Employing Personal Assistants



Table of Contents

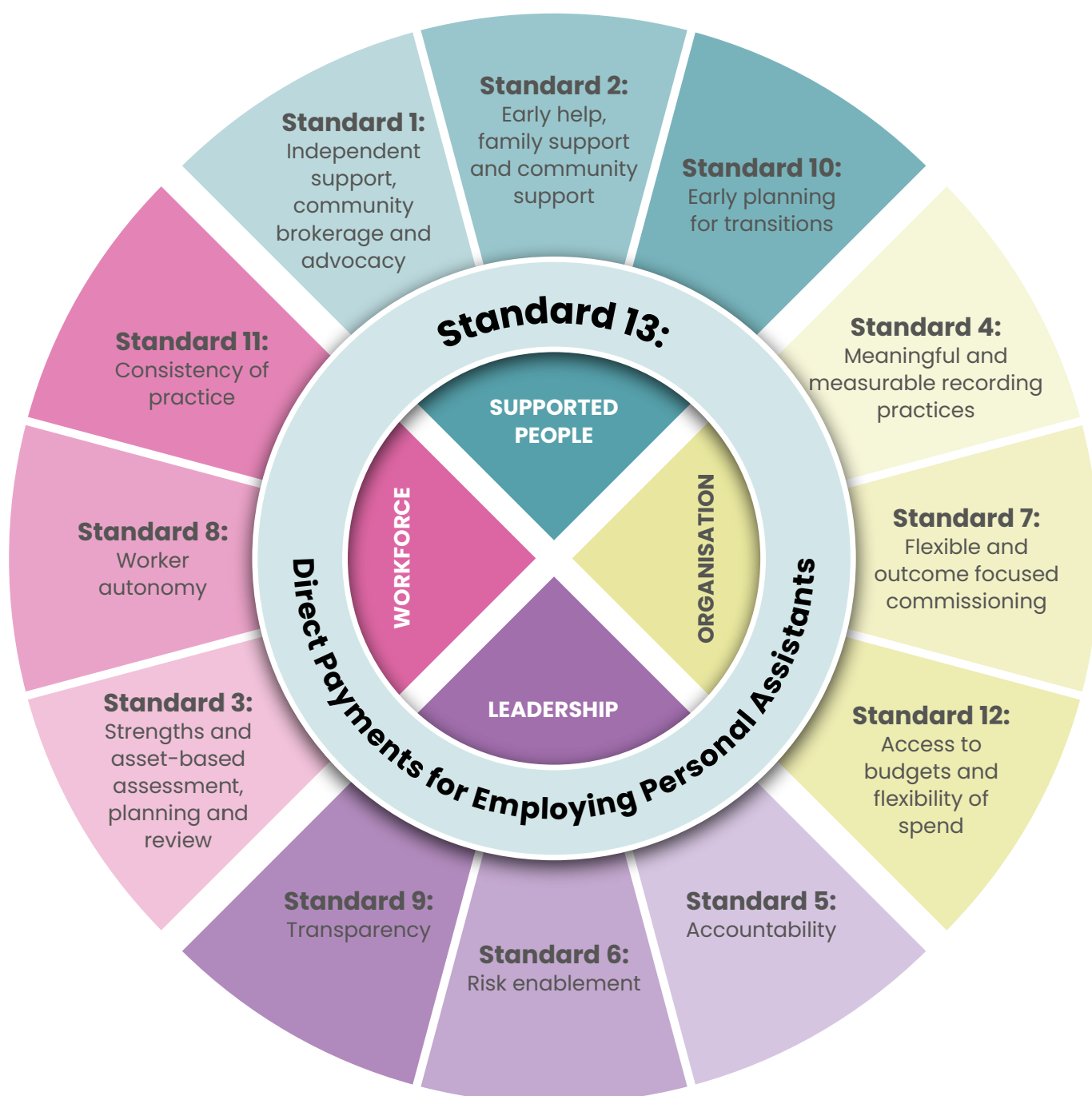
Standards Wheel	3
Introduction	4
Standard 13 – Direct payments for employing Personal Assistants under Self-directed Support option 1	5
Glossary	16

Standards Wheel

The Standards Wheel shows the twelve foundational Self-directed Support Standards on which Standard 13 is built.

It will be useful to have a copy of the [Self-directed Support Framework of Standards](#) to hand for reference.

The purple boxes which appear throughout this document identify which of the twelve foundational standards relates to the specific Standard 13 core component.



Introduction

Self-directed Support Standard 13: Direct payments for employing Personal Assistants focuses on fair and equitable provision for Personal Assistant employers. The standard has been developed by Social Work Scotland with the support of the [Personal Assistant Programme Board](#), and has been endorsed by the Scottish Government Minister for Social Care, Mental Wellbeing and Sport and COSLA (Convention Of Scottish Local Authorities).

A direct payment maximises the self-determination of people to choose and control their own care and support arrangements and to exercise their right to independent living. Adequately resourced and well supported direct payments can be a vehicle for self-determined support to flourish.

The purpose of this standard is to ensure a more consistent approach to direct payments for employing Personal Assistants across Scotland and to provide support that maximises strong mutual relationships between employers and Personal Assistants.

The standard was co-produced with PA employers, independent support organisations, Disabled People's Organisations, Independent Living Fund Scotland and local authorities, supported by an advisory group representing the Independent Living Movement, community brokerage and the European Personal Assistance schemes. The standard has been tested by a local authority expert group.

Self-directed Support Standard 13 aligns with statutory guidance and joins the [twelve foundational Self-directed Support Standards](#) that describe what good Self-directed Support looks.

Standard 13 is for everyone who has a role in supporting the use of direct payments by disabled people, families and unpaid carers to employ Personal Assistants.

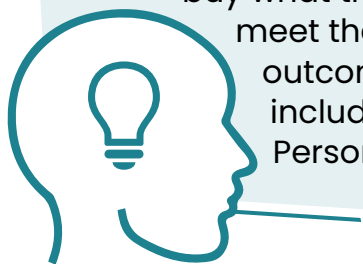
The standard is available in easy read format and is supported by guidance. The guidance highlights the necessity of good collaborative practice, recognises the roles and responsibilities of the key audiences and focuses on best practice, available resources and hot topics.

As we introduce this important standard we recognise the pivotal role that disabled people played in securing direct payments, and their ongoing effort in support of their right to independent living.



Direct payments for employing Personal Assistants

Standard descriptor: A direct payment is a monetary payment given by a local authority in place of services¹. A direct payment maximises the self-determination of people to choose and control their own care and support arrangements and to exercise their right to independent living. People can use a direct payment to buy what they need to meet their agreed outcomes; this can include employing Personal Assistants.



Practice statement: A direct payment enables people to become employers. In this role, they can exercise self-determination in their own care and achieve greater flexibility and control of their support arrangements. The role of employer comes with duties and responsibilities. The direct payment offered by the local authority is sufficient to allow employers to fulfil their duties and responsibilities.

Access to direct payments supports the realisation of [Article 19 of the United Nations Convention on the Rights of Persons with Disabilities](#) to live independently and to be included in the community. Direct payments are made available to all eligible individuals, without discrimination of type or severity of disability.



¹ In some cases a direct payment may be offered by Independent Living Fund Scotland (see glossary).

Core Components and Practice Guidance

- **13.1** Clear, accessible and inclusive information is provided for employers, families and carers. This information will explain the rights, roles, responsibilities and duties of being an employer and the services and support available to help manage the direct payment to employ Personal Assistants.

How to:

- A coordinated local system is in place so that accessible information is provided to people in a timely way when they need it.
- Information/advice on the four Self-directed Support options is provided before any decision is made to take a direct payment.
- Information about direct payments for employing Personal Assistants is provided by local authorities, health and social care partnerships, Disabled People's Organisations, independent support organisations, Centres for Inclusive Living, community brokerage, Carers Centres and advocacy, Personal Assistants Network Scotland, social work practitioners, and payroll and insurance companies.
- Employer support, particularly peer support, can help people to make informed choices about becoming an employer and can provide training on being a good employer. Peer support is provided by Disabled People's Organisations, independent support organisations, Centres for Inclusive Living, community brokerage and advocacy. Employer support is also provided by payroll and insurance companies. These supports are explained to people prior to any decision on which option should be taken.
- Disabled People's Organisations, independent support organisations, Centres for Inclusive Living, Carers Centres, community brokerage and advocacy are adequately resourced to ensure there is choice and provision for all employers no matter where they live.

- People are provided with details of how to contact their local independent support organisations for employer support.
- PA employers are provided with details of the [Personal Assistants Network Scotland](#) for their Personal Assistants.
- Clear, accessible and inclusive information includes specific duties of PA employers, including up-to-date disclosure guidance and insurance responsibilities.
- People are provided with clear and accessible information about local charging policies as early in the process as possible so that they can plan accordingly.
- PA employers are given access to the Self-directed Support [Personal Assistant Employers Handbook](#), and the [Personal Assistant Handbook](#), and information for their Personal Assistants about membership of the Personal Assistants Network Scotland.
- PA employers are also advised of specialist national and local support organisations and resources that are available to support them.
- PA employers can access specific information when considering the employment of a family member as a Personal Assistant.
- PA employers are supported to exercise choice over additional support they may need to manage their direct payment, specifically when accessing payroll support and services.
- People who are digitally excluded are provided with relevant information in appropriate accessible formats.

Supported by the SDS standards²

Standard 1: Independent support, community brokerage and advocacy

Core component 1.3, 1.4 & 1.6.

Standard 7: Flexible and outcome focused commissioning

Standard 9: Transparency

Core component 9.2.

² The twelve foundational Self-direct Support Framework of Standards describe what good Self-directed Support looks like for everyone and are the basis for the core components of Standard 13 to be implemented.

► 13.2 Assessment, support planning and review processes recognise that direct payments support activities for independent living.

Independent living means disabled people have the same freedom, choice, dignity and control as other people at home, at work and in the community. It does not mean living by yourself or looking after yourself on your own. It means the person has rights to practical assistance and support to participate in society and to live an ordinary life.³

How to:

- Social work practitioners are confident in carrying out rights-based, strengths-based and asset-based assessments in their relationship-based practice with people. As part of support planning, practitioners are confident in explaining Option 1 to employ Personal Assistants in an accessible way.
- Relationship-based practice is at the heart of the assessment, support planning and reviewing processes.
- The assessment process involves conversations combined with good practice tools.
- Social work practitioners ensure that people have the support structure or the access to support that they need to build their capacity to be an employer.
- Social work practitioners are confident discussing with people the capabilities that they need to be an employer, including understanding their role and responsibilities as an employer.
- Social work practitioners undertake regular reviews, in which practitioner and PA employer ensure that the PA employer is managing well in their role. This is also an opportunity for PA employers to consider other options for their support. Within the review process, PA employers can benefit from assistance from their peer support group. PA employers can request a review of their support needs at any time.

- PA employers can request a change to another Self-directed Support option at any time.
- Social work practitioners can signpost people to Disabled People's Organisations, local independent support organisations, Centres for Inclusive Living, Carers Centres, community brokerage and advocacy, and Personal Assistants Network Scotland for further advice for employers and Personal Assistants. Building relationships and supporting referral pathways is essential.
- All communication regarding direct payments is inclusive and accessible, including the direct payment agreement. All identified communication barriers and instances of digital exclusion are addressed adequately.
- 'Feeling supported to be a PA employer' could be a recorded outcome in the support plan – see core component [13.8](#).
- Where relevant, social work practitioners and Independent Living Fund Scotland award managers work together to support PA employers to achieve independent living outcomes and to be a good employer.

Supported by the SDS standards

Standard 1: Independent support, community brokerage and advocacy

Core component 1.3 & 1.4.

Standard 3: Strengths and asset-based assessment, planning and review

Core component 3.4 & 3.5.

Standard 4: Meaningful and measurable recording practices

Core component 4.1.

³ Independent Living in Scotland Project, 2008

- **13.3** A direct payment budget is sufficient to enable the PA employer to meet the agreed outcomes identified through their assessment. This includes enough funding to recruit Personal Assistants, to pay the real Living Wage in line with national policy for social care workers, to ensure good terms and conditions and, where required, to enable access to adequate training for both employers and Personal Assistants.

How to:

- Within the direct payment budget there is enough to enable the PA employer to meet all statutory employer costs including costs associated with administering payroll and payment of invoices, insurance, pension, sickness, maternity/paternity, holidays and redundancy. Other employer costs are agreed at a local level, however best practice should include recruitment, PVG membership for Personal Assistants, training and travel during work, and the cost of independent support where that is the local arrangement.
- Local authority teams work collaboratively to reduce unnecessary bureaucracy and delays in setting up a person's direct payment.
- Local authority teams work collaboratively to ensure consistency in practice and in direct payment rates for paying Personal Assistants when individuals move from children and families' services to adult social care services. This is particularly relevant when PA employers want to retain their Personal Assistants in such a circumstance.
- Local authorities acknowledge the challenges presented when a person moves residence from one local area to another. Local authorities work collaboratively to minimise bureaucracy in this situation and to maintain consistency for the PA employer. The PA employer is made aware of an agreed period of transition to the new local authority's arrangements and is kept regularly informed.

- Where PA employers have an Independent Living Fund Scotland award for employing Personal Assistants, social work practitioners and Independent Living Fund Scotland award managers work towards a consistency of pay rates to employ Personal Assistants. It is ultimately up to the PA employer, with support and advice, how they use their payment and the details of their working relationships with their Personal Assistants.
- PA employers can exercise choice and control over how they use their funding to achieve their agreed outcomes.
- PA employers can use their funding flexibly to recruit the support they require in ways that suit their individual needs.
- People have a choice about whether they receive the direct payment into a bank account or through a pre-payment card in areas where this is available.

Supported by the SDS standards

Standard 10: Early planning for transitions

Core component 10.1, 10.2 & 10.3

Standard 11: Consistency of practice

Core component 11.1 & 11.3

Standard 12: Access to budgets and flexibility of spend

Core component 12.2, 12.3 & 12.4

► **13.4** Social work practitioners are confident about supporting applications to the re-opened Independent Living Fund Scotland to enable the people they support to achieve independent living outcomes.

How to:

- Social work practitioners, Independent Living Fund assessors, independent support organisations and PA employers build strong relationships to enable them to work well together and make best use of the Fund.
- Social work practitioners receive training about the principles of independent living and the Independent Living Fund Scotland values and policy, and are confident in their role in applying to the Fund on behalf of potential recipients. Social work practitioners are confident in demonstrating additionality when writing applications.
- Social work practitioners are supported to use the Independent Living Fund Scotland learning resource ([Open Badges](#)).
- Social work practitioners ensure that people are at the centre of the relationship between Independent Living Fund Scotland and the local authority.
- Social work practitioners ensure that they introduce information about the Independent Living Fund throughout the assessment process.
- Local authorities and the Independent Living Fund Scotland reduce unnecessary bureaucracy both internally and for the PA employer.
- Local authorities and Independent Living Fund Scotland collaborate to ensure consistency in how budgets for employing Personal Assistants are managed.
- Social work practitioners, Independent Living Fund Scotland Assessors and independent support organisations work together to support PA employers to be good employers, and to achieve their personal outcomes and their independent living outcomes.

Supported by the SDS standards

Standard 1: Independent support, community brokerage and advocacy

Core component 1.6

Standard 3: Strengths and asset-based assessment, planning and review

Core component 3.1

Standard 9: Transparency

Core component 9.1

Also apply the principles of **Standard 11: Consistency**

► **13.5** Direct payment agreements are legal agreements between the local authority and the employer. Agreements embed the statutory principles of Self-directed Support and are accessible and easy to understand. Agreements are reciprocal, outlining the rights and responsibilities of both employers and local authorities. Agreements reflect national policy and practice guidance.

How to:

- Social work practitioners recognise situations proactively where people may need support to understand the direct payment agreement, including communication support. Practitioners ensure people are aware of what support is available to understand the direct payment agreement and how to access relevant support, e.g. local independent support organisations.
- Direct payment agreements make clear the expectations and responsibilities for each of the parties named in the agreement.
- Direct payment agreements are personalised and appropriate to the PA employer and are made available in an accessible format for the PA employer including large print, plain English and other formats as appropriate.
- Direct payment agreements clearly state where people can get additional support to be a PA employer e.g. independent support organisations, Disabled People's Organisations, Self-directed Support Scotland, Personal Assistants Network Scotland, PA Employers Handbook.
- Direct payment agreements acknowledge that training may be required for Personal Assistants and PA employers, including details about how this will be supported.
- Direct payment agreements clearly state how essential pre-employment checks should be undertaken, including how to apply for a PVG check.
- Direct payment agreements include accessible information about the administration and use of contingency funding and about the process for adjusting and recalling funds.

- Direct payment agreements provide clear and transparent details of how agreements will be monitored and audited.
- Direct payment agreements explain local complaints processes clearly.
- PA employers are actively included along with other stakeholders in any revision of the policy and practice surrounding direct payments, including direct payment agreements.

Supported by the SDS standards

Standard 3: Strengths and asset-based assessment, planning and review

Core component 3.5

Standard 4: Meaningful and measurable recording practice

Core component 4.1 & 4.2

Standard 5: Accountability

Core component 5.4

Standard 9: Transparency

Core component 9.2 & 9.6

Standard 12: Access to budgets and flexibility of spend

Core component 12.2 & 12.3

Also apply the principles of **Standard 11: Consistency**

► **13.6 PA employers, local authorities, and independent support organisations all have a role in identifying when a direct payment for employing Personal Assistants is not appropriate or should be suspended, terminated or returned. Any decision is explained clearly to the PA employer or, when appropriate, to their carers.**

How to:

- Social work practitioners are confident in carrying out rights-based, strengths-based and asset-based assessments in their relationship-based practice with people. Practitioners can explain Option 1 direct payments for employing Personal Assistants in an accessible way as part of support planning. Practitioners make sure that people have the right support structure and access to support that they need to be a PA employer.
- Direct payments to employ Personal Assistants are given because it is the informed choice of the person who has been assessed, and not merely because other options are unavailable.
- Local authorities provide a clear explanation when a direct payment for employing Personal Assistants is considered not to be appropriate. Support is provided to the person when this happens. Where relevant, this explanation includes information on the implications of a PVG check stating that the Personal Assistant is barred from regulated work or is under consideration for listing.
- PA employers are signposted to local independent support organisations for support with all decision making including making the choice to become an employer, returning a direct payment, and when a direct payment is being suspended or terminated.
- Local authorities ensure that they have robust policies in place to safeguard and support PA employers choosing to employ family members. Local authorities consider potential issues on an individual basis in line with existing legislation, regulations and statutory guidance where guardianship or power of attorney is in place.

- Steps including complaints, mediation and other informal ways to remediate disputes will be explored before suspension, termination or return of a direct payment budget.
- Local authorities provide a clear explanation about the right to complain and appeal, adhering to the Scottish Public Ombudsman complaints handling guidance for public bodies. Support is available to the PA employer to appeal if they disagree with any decision.
- When a lack of availability or suitability of local support results in a person taking on an Option 1 direct payment to employ Personal Assistants despite this not being their preference, social work practitioners record this in assessments and reviews.
- Social work practitioners, PA employers and Personal Assistants are aware of the [Personal Assistants Network Scotland's](#) role, their mediation service and their support for Personal Assistants, and are aware that many PA employer insurance companies offer a 24/7 advice service.

Supported by the SDS standards

Standard 1: Independent support, community brokerage and advocacy

Core component 1.1

Standard 3: Strengths and asset-based assessment, planning and review

Core component 3.4

Standard 4: Meaningful and measurable recording practices

Core component 4.2

Standard 5: Accountability

Core component 5.2

Standard 6: Risk enablement

Core component 6.1 & 6.2

Standard 8: Worker autonomy

Core component 8.2

Standard 12: Access to budgets and flexibility of spend

Core component 12.2 & 12.4

- **13.7** There is locally coordinated support available for recruitment of, and support for, Personal Assistants. While it is not the responsibility of local authorities to recruit Personal Assistants, employers need locally coordinated support for recruitment.

How to:

- Local authorities have strong links with local Jobcentres, Disabled People's Organisations, local independent support organisations, Carers Centres, Personal Assistants Network Scotland, universities and colleges to raise awareness of the role of Personal Assistant and to promote vacancies.
- Local authorities link into national recruitment campaigns for social care staff and consider adapting content for use locally.
- Local authorities have access to the [recruitment toolkit](#) developed by the [Personal Assistant Programme Board](#) Recruitment Group to enable them to help create conditions which support employers to recruit Personal Assistants.
- Local authorities consider supporting online platforms for Personal Assistants to post their availability, skills and expertise.
- Strategic planning and commissioning teams, economic development and community planning partnerships help to create conditions which support local Personal Assistant recruitment by employers. The employment and recruitment into Personal Assistant jobs is an important way of meeting people's support needs.
- Any Personal Assistants taking part in regulated work with children and protected adults must be a member of the [PVG scheme](#). Local authority teams recognise the inherent tension involved and take a consistent approach when supporting PA employers to be aware of the PVG scheme and the legal requirement for PAs to be a member of the PVG scheme without undermining employers' agency and choice.
- Recruitment guidance states clearly the way that essential pre-employment checks are to be undertaken, including how to apply for a PVG check.

Supported by the SDS standards
Standard 1: Independent support, community brokerage and advocacy
Core component 1.4 & 1.6

▶ 13.8 PA employers have access to training and support to enable them to carry out employer duties and to be a good employer.

How to:

- When deciding to give a direct payment for employment of Personal Assistants, the local authority takes a strengths-based approach in recognising what support the potential PA employer needs to meet the statutory duties of a PA employer. This is considered on an individual basis and can include access to peer support and training.
- PA employers have the knowledge, skills and confidence to carry out their employer duties and responsibilities.
- PA employers have access to peer support as well as Disabled People's Organisations and independent support organisations which can support them to be a good employer.
- PA employers know where to access training and support to be a good employer, including training about knowing how to protect the rights of their Personal Assistants.
- PA employers have access to relevant training when they need it. This includes at times when their needs change, when they are recruiting new staff and when new information or developments occur that affect their employer role.
- PA employers are supported to offer training opportunities to their Personal Assistants and to access a range of options to fund training. Funding is included within the direct payment where training is acknowledged as being essential to achieve the employer's personal outcomes and to support Personal Assistant development.
- PA employers who have access to Independent Living Fund Scotland awards can use this funding, as well as their direct payment, to pay for training relevant to their needs and to enable them to be a good employer.

- Local authorities are aware of the [Personal Assistant National Training Framework](#) and ensure that PA employers have access to the framework as well as support to use the online modules should they wish.
- PA employers are made aware of the [PA Employers Handbook](#) and the [Personal Assistants Network Scotland](#) as well as information about training offered by local independent support organisations.
- PA employers are made aware of how to get appropriate advice about their legal duties as an employer, including from their insurance company.
- PA employers support the wellbeing of their Personal Assistants by providing information and wellbeing resources to their Personal Assistants.

Supported by the SDS standards

Standard 6: Risk enablement
Core component 6.2

Standard 12: Access to budgets and flexibility of spend
Core component 12.2 & 12.3

▶ 13.9 Personal Assistants have access to training and support to enable them to carry out the job required by their employer.

How to:

- PA employers provide Personal Assistants with the right information, support, skills and training to enable them to meet their employee responsibilities and to carry out their duties.
- PA employers have access to training that enables them to fulfil the role of a good employer and to support their Personal Assistants to access appropriate training.
- If it has been agreed that training for Personal Assistants may be required, this should be included in the direct payment or provided in other agreed ways e.g. training provided by local Disabled People's Organisations and independent support organisations, in-house training or training provided by local service providers.
- Training made available to Personal Assistants is tailored, accessible and personalised to the PA employer's need. This training should be updated regularly and not viewed only as part of induction.
- The direct payment should recognise that Personal Assistants may require training periodically, not only as part of their induction.
- PA employers have access to the [Personal Assistant National Training Framework](#) and associated resources to enable them to be a good employer and to uphold the rights and protections of their Personal Assistants.

Supported by the SDS standards

Standard 6: Risk enablement

Core component 6.2

Standard 12: Access to budgets and flexibility of spend

Core component 12.3

▶ 13.10 Leadership supports the workforce and creates conditions and systems for social work practitioners to fulfil their statutory responsibilities and their duty of care in administering direct payments for employing Personal Assistants.

How to:

- Social work practitioners are supported through training, supervision and well aligned systems in order to fulfil their duty of care in the administration of Option 1 direct payments, and to support PA employers to achieve independent living outcomes.
- Social work practitioners ensure that people have the support structure and the access to support that they require to allow them to be a PA employer.
- Social work practitioners are confident when deciding that a direct payment is not suitable or appropriate, and their professional judgement is respected. Independent support and advice are provided to the person if required and the person is included in discussions before a decision is made.
- Social work practitioners record conversations and subsequent decisions accurately and take the opportunity to continue the conversation about the four Self-directed Support options during any review, to check if there are any changes in preference or capabilities.
- Social work practitioners understand the role of independent support organisations in supporting PA employers and are able to build relationships with support organisations such as local Disabled People's Organisations, Centres for Inclusive Living, Carers Centres and community brokerage.
- Social work practitioners and finance teams seek to reduce excessive bureaucracy for PA employers and are transparent about timescales for decisions about funding availability so that Personal Assistants can be recruited and paid in a timely manner.

- When PA employers transition from children and families' services to adult services, local authority teams work collaboratively to ensure consistency and continuity, particularly when PA employers want to retain their Personal Assistants.
- Local authorities are aware of other transition points and how best to support PA employers through them, including the transition from adult services to older peoples' services.
- Local authorities acknowledge the challenges facing people who move residence from one local authority area to another, and those who live on or near the boundary between local authority areas. Local authorities work collaboratively to minimise bureaucracy and to maintain consistency for the PA employer. The PA employer is made aware of an agreed period of transition and is kept updated regularly.
- Social work practitioners have open conversations with individuals and families in transition about the differences in approaches across teams and areas, recognising the challenges that many people face in navigating complex systems.
- Social work practitioners support people to navigate any challenges and seek to improve practice at a local level to increase consistency.

Supported by the SDS standards

Standard 1: Independent support, community brokerage and advocacy

Core component 1.6

Standard 3: Strengths and asset-based assessment, planning and review

Core component 3.1

Standard 4: Meaningful and measurable recording practices

Core component 4.2

Standard 6: Risk enablement

Core component 6.1

Standard 8: Worker autonomy

Core component 8.1 & 8.2

Standard 10: Early planning for transitions

Standard 11: Consistency of practice

Core component 11.1 & 11.3

Standard 12: Access to budgets and flexibility of spend.

Core component 12.2

Glossary

Additionality	Additionality is that which is other than immediate personal care or domestic support. Something which 'adds' to the person's ability to live within the community satisfying their social/ community/ familial involvement.
Advocacy	Advocacy is about speaking up for and standing alongside individuals or groups, and not being unduly influenced by the views of others. Fundamentally it is about everyone having the right to a voice: addressing barriers and imbalances of power, and ensuring that a person's human rights are recognised, respected, and secured.
Budget monitoring and auditing	Local authorities award a monetary payment (budget) to individuals in place of services. Local authorities are accountable for public funds and must ensure this money is spent appropriately. Financial documentation and records on income and expenditure are required to be kept by the person. These records and the budget are regularly reviewed.
Carers (including young carers)	Some carers provide care and support to family members, friends and neighbours. The people they care for may be affected by disability, physical or mental ill-health, frailty or substance use. A carer does not need to be living with the person they care for. Other carers can include kinship or foster carers.
Charging policies	Local areas choose to develop and administer the fees they require an individual to pay for some services and social care support. There is no requirement for local authorities and integration authorities to put in place a charging policy for social care support at home. People who use social care support must understand the reasons for charging and its contribution to enabling the support they access. There should be transparency over how charges are calculated.
Community Brokerage	Community Brokerage is a model of independent support that helps people to direct their own social care support. The purpose is to help people and carers who may need support to make informed decisions about the help they need and how best it can be delivered. It is provided by a range of brokerage, independent support, and disabled people's organisations across Scotland. It focuses on making the best use of what is available in the community to help people but also assists people who require more formal support arrangements through any of the four Self-directed Support options via their local health and social care partnership.

Communication support	Assistance provided to individuals who face challenges in communication whether understanding or expressing themselves. This assistance could be sign language interpreters, notetakers, providing information in easy read, large print, making use of assistive technology etc.
Contingency funding	This is a reserve within a budget that individuals can use for unexpected costs. Local authorities will decide how much can be held, how it can be used and any limits on how much an individual can accumulate.
Digital Exclusion/ Digitally Excluded	Digital exclusion is not being able to use the internet and other digital technologies in ways that are essential to communicate and to participate fully in modern society.
Direct payment	<p>A direct payment is a monetary payment given by a local authority in place of services. A direct payment maximises the self-determination of people to choose and control their own care and support arrangements and to exercise their right to independent living. People can use a direct payment to buy what they need to meet their outcomes; this can include employing Personal Assistants.</p> <p>In some cases a direct payment may be offered by Independent Living Fund Scotland for additionality.</p>
Direct payment agreement	Direct payment agreements are legal agreements between the local authority and the employer. Agreements embed the statutory principles of Self-directed Support and are accessible and easy to understand. Agreements are reciprocal, outlining the rights and responsibilities of both employers and local authorities. Agreements reflect national policy and practice guidance.
Direct payment budget	The total amount of money the local authority provides to an individual to enable them to choose and purchase services, support or equipment to meet agreed outcomes.
Disabled People's Organisation (DPOs)	Disabled people's organisations, or DPOs, are organisations that are led and controlled by disabled individuals.
Disclosure Scotland	Disclosure Scotland helps employers make safer decisions when they are recruiting people. It also makes sure unsuitable people do not work with vulnerable groups, including children.

Economic development teams	In local authorities there are teams which seek to attract investment into the local area, supporting local businesses to develop skills in the workforce and helping to create jobs.
Eligibility	Eligibility criteria are used by local authorities to deploy resources in a transparent way that ensures that those resources are targeted to adults in greatest need. A national framework for eligibility criteria for social care for older people was agreed by the Scottish Government and COSLA in 2009. This framework is used by local authorities to determine whether an adult assessed as needing social care support requires resources to be provided to meet those needs. It is currently being reviewed.
Employer	See PA employer
Guardianship	A guardianship order allows someone – the guardian – to make ongoing decisions on behalf of an adult with incapacity. This can include managing a direct payment and being a PA employer on behalf of a supported person.
Independent Living	Independent living means disabled people have the same freedom, choice, dignity and control as other people at home, at work and in the community. It does not mean living by yourself or looking after yourself on your own. It means the person has rights to practical assistance and support to participate in society and live an ordinary life. ¹
Independent Living Fund Scotland (ILFS)	Independent Living Fund Scotland (ILFS) provides funding to support disabled people in Scotland and Northern Ireland to live independently. The funding is additional to what local authorities provide for care and support, and ILFS values and principles align well with Self-directed Support. The funding can be used to employ Personal Assistants.
Independent Support Organisation (ISOs)	An organisation that provides independent, impartial information, support and advocacy for supported people and carers to help them make informed decisions about their social care support. They provide people with information on Self-directed Support and help them to exercise choice and control over their social care arrangements. An example of an ISO is a centre for independent living.

¹ Independent Living in Scotland Project, 2008

Insurance	Employers' liability insurance is a legal requirement if you employ people (Personal Assistants) on a full or part time basis. It is a financial agreement where a payment is made to an insurance company in exchange for protection against uncertain events. It safeguards you against compensation claims if your employee is injured or becomes ill because of the work they do for you.
Jobcentre	A government funded organisation and part of the Department for Work and Pensions that helps people to find jobs, apply for jobs and develop skills for work.
Local authorities and Health and Social Care Partnerships (HSCPs)	<p>Where the term authority is used, it is meant to include all organisations that have duties and powers described in the standards. It includes local authorities (or local councils) and Health and Social Care Partnerships, NHS Boards or Integration Joint Boards.</p> <p>Health and Social Care Partnerships were established under the Public Bodies (Joint Working) (Scotland) Act 2014 which came into force on April 1, 2016. A Health and Social Care Partnership is one type of Integration Authority under the Act². All Partnerships are responsible for adult social care, adult primary care and unscheduled adult hospital care. Some are also responsible for children's services, homelessness and criminal justice social work.</p>
Local Community Planning Partnerships	There are 32 Community Planning Partnerships (CPP) across Scotland, one for each council area, which come together to take part in community planning. Each Community Planning Partnership focuses on where partners' collective efforts and resources can add the most value to their local communities, with particular emphasis on reducing inequality.
MyJobScotland	Scotland's job website for public and third sector.
Open Badges	Open Badges offers a wide range of accessible and digital opportunities for learning to the social care and social work workforce.

² All but one of Scotland's integrated authorities are HSCPs. Highland is the sole example of a lead agency model.

Option 1	Self-directed Support Option 1 is when a local authority offers a supported person a direct payment.
Payroll	A process for paying employees including calculating wages, providing payslips, deducting taxes, making payments for tax and national insurance contributions, keeping records and reporting to His Majesty's Revenue & Customs (HMRC).
Peer support	The support that PA employers benefit from by having access to and relationships with other PA employers. Peer support is often facilitated through Disabled People's Organisations and Independent Support Organisations.
People	Where the term 'people' is used, it is meant to include all those for whom Self-directed Support is relevant i.e. children, young people, supported people, families and carers, including young carers.
Personal Assistant (PA)	People in receipt of Self-directed Support Option 1 (Direct Payment) or Independent Living Fund budgets can employ Personal Assistants to provide the specific support they need to be an active citizen and to be included in their communities.
PA employer	A supported person who is in receipt of Self-directed Support Option 1 (Direct Payment) or Independent Living Fund budgets who employ Personal Assistants to provide the specific support they need to be an active citizen and be included in their communities.
Personal Assistant Handbook	An online guide for people employing or thinking of becoming a Personal Assistant.
Personal Assistant Employers Handbook	An online guide for people employing or thinking of employing a Personal Assistant.
Personal Assistant National Training Framework	An approach to supporting PA employers with training for their Personal Assistants helping employers gain knowledge and confidence to carry out their training role. This framework is located within Self-directed Support Scotland's website and has two online training modules and a resource pack for employers.

Personal Assistants Network Scotland (PANS)	The Personal Assistants Network Scotland is a unique community created by Personal Assistants for Personal Assistants, and is a place to share experiences, access valuable resources and find job opportunities. People working as Personal Assistants can apply for free membership of Personal Assistants Network Scotland.
Personal Assistant Project Board	The PA Programme Board brings together people who employ Personal Assistants, Personal Assistants themselves, the Scottish Government and other stakeholders to improve the recognition of and support for Personal Assistants in Scotland.
Personal outcomes	Personal outcomes are defined by the person as things that are important to them. Personal outcomes are developed by engaging with individuals using services and carers about what is important to them in life, and why.
Plain English	The use of clear, simple language to communicate a message so it is easily understood.
Power of attorney	A power of attorney is a legal document which gives another person, known as the attorney, the authority to deal with aspects of another person's affairs. This could relate to financial or property matters and/or personal welfare. This can include managing a direct payment and being a PA employer on behalf of a supported person.
Pre-employment checks	Checks carried out to ensure someone is suitable for the job, has the right to work in the UK, has references and is a member of the Protecting Vulnerable Groups scheme (April 2025)
Pre-payment card	A card which operates like a debit card but not linked to a bank and is preloaded with funds by the local authority. The card allows the individual to pay for Personal Assistants, services, support and equipment as agreed in the support plan. The card provides a record of transactions and spending which the local authority can view.
Protection of Vulnerable Groups (PVG)	The Protecting Vulnerable Groups (PVG) scheme is managed by Disclosure Scotland. It helps ensure people who are unsuitable to work with children and protected adults cannot do regulated work with these vulnerable groups. From 1st April 2025 Personal Assistants are required to be members of the PVG scheme.

PVG check	<p>Personal Assistants who are engaged in regulated work are required to be a member of the PVG Scheme administered by Disclosure Scotland who will carry out criminal record checks on application.</p> <p>It is the Personal Assistant's legal responsibility to join the PVG scheme. As an employer you can ask them for a copy of their Scheme membership statement or ask Disclosure Scotland to check. There is a fee for the check.</p>
Real Living Wage	The real Living Wage is the only UK wage rate based on the cost of living.
Reciprocal	Direct Payment agreements are reciprocal meaning that they benefit and protect both the PA employer and the local authority.
Regulated work	There are two types of regulated work – work with children and work with protected adults.
Relationship-based practice	Relationships are the means through which social work practitioners and other professionals work collaboratively with individuals and families to establish a shared understanding of what needs to be done to support and protect the wellbeing of children and adults.
Review	Reviews are an opportunity for the social work practitioner and other professionals to discuss with the person, carer and family what is working well and what may need to be changed. A significant change to a supported person's needs or a request for a further assessment should prompt a review of the person's needs. In addition, the supported person or the authority can request a review of the choice of options under the 2013 Act.
Scottish Public Services Ombudsman	The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about councils, the National Health Service, housing associations, colleges and universities, prisons, most water providers, the Scottish Government and its agencies and departments, and most Scottish authorities.
Self-determination	Transfer of power from professionals to supported people to make decisions about how to organise the support they receive to live the life of their choosing. It emphasises dignity, autonomy and empowerment

Self-directed Support options	<p>The Act 2013 requires local authorities to offer people who are eligible for social care four choices concerning how they receive support, taking account of the amount of choice and control the supported person wants over their social care arrangements. The four choices, or options, are:</p> <ul style="list-style-type: none"> • Option 1: The making of a direct payment by the local authority to the supported person for the provision of support. • Option 2: The selection of support by the supported person and the making of arrangements for the provision of it by the local authority or an agreed third party (such as a support provider) on behalf of the supported person. Where the support is provided other than by the authority, the relevant amount in respect of the cost of that support is paid by the local authority. • Option 3: The selection of support for the supported person by the local authority, the making of arrangements for the provision of it by the authority and, where it is provided by someone other than the authority, the payment by the authority of the relevant amount in respect of the cost of that provision. • Option 4: The selection by the supported person of combinations of Options 1, 2 and 3 and, where it is provided by someone other than the authority, the payment by the local authority of the relevant amount in respect of the cost of the support.
Social Care (Self-directed Support) (Scotland) Act 2013	<p>The 2013 Act is the law that tells local authorities what they must do to give access to Self-directed Support in a way that supports people's rights to choice, dignity and being able to take part in the life of their communities.</p>
Social work practitioner	<p>Social work practitioners are workers in social work teams or multi-disciplinary teams that carry out social work duties and activities, including registered social workers, family support workers and social work paraprofessionals.</p>
Statutory employer costs	<p>These are the expenses an employer is legally obliged to pay related to their employee including national insurance contributions, pension contributions, sick pay, maternity pay redundancy, employers liability insurance and payroll costs.</p>

Statutory principles of Self-directed Support	The Social Care (Self-directed Support) (Scotland) Act 2013 provides four statutory principles relating to a person's human rights: participation and dignity, involvement, informed choice and collaboration. The statutory principles are important because they set out the underlying aims or 'spirit' of the legislation and complement the detailed duties and powers provided elsewhere in the Act.
Strengths and asset-based assessment, planning and review	The initial purpose of the assessment is to identify the person's needs with a view to determining how the person can best be supported and whether the authority has an obligation to meet those needs. Assessment is an intervention as set out in Section 12 of the Social Work (Scotland) Act 1968, Section 23 of the Children's (Scotland) Act 1995, Sections 6 and 12 of Carers (Scotland) Act 2016. A rights-, strengths- and asset-based approach prioritises upholding someone's human rights and focuses on their positive attributes, abilities and talents. In this way, it shifts the focus from deficits towards the person's potential and agency.
Support planning	A collaborative process involving supported people and authorities to agree personal outcomes and how these will be achieved. A support plan says how people will spend their budget to get the life they want. The plan is agreed between the individuals involved and the local authority.
Transitions	Transitions of care involve people across their lifespan moving across the boundaries of existing care provision, for example the transition to adult services, a change in a person's health or mobility, or a move to a new residential area or type of housing. To make sure that transitions are successful, organisations need to connect and collaborate with other services to provide a seamless transfer process.
Under consideration for listing	<p>Disclosure Scotland keeps a list of people unsuitable to do regulated work with children and a list of people unsuitable to work with protected adults.</p> <p>If Disclosure Scotland receives information about you that might mean you are unsuitable for regulated work, they do an assessment to decide whether to list you. This is called a consideration for listing assessment.</p>
United Nations Convention on the Rights of Persons with Disabilities (UNCPRD)	The UNCPRD is a disabled people's international human rights agreement that was developed in collaboration with disabled people and their organisations to provide a framework on how to govern in a way that is inclusive to disabled people and provides a set of principles to be followed: respect, dignity, equality and freedom.

The Social Work Scotland Self-directed Support Project Team would like to thank the Personal Assistant employers, Personal Assistants, local authorities, Disabled People's Organisations, independent support organisations, Independent Living Fund Scotland, Carers Centres, Personal Assistants Network Scotland and other stakeholders who contributed their knowledge, expertise, time and energy into the development of Standard 13 and the supporting guidance.



Self-directed Support Team

Social Work Scotland

May 2025

socialworkscotland.org

sds.team@socialworkscotland.org