

Policy Circular

Document No 10/08

Owner: Strategy & Communications Directorate

Subject: Health & Safety

Version: 1 of 1

Last Amended: 1 April 2008

Date Reviewed: 10 June 2010

Next Review: June 2012

1.0 Background

Users who employ PAs directly are subject to Health and Safety regulations. They have a 'duty of care' to ensure as much as possible that an employee's safety, health and welfare are cared for.

ILF users who directly employ PAs should familiarise themselves with health and safety legislation to the extent that is necessary to ensure they operate within the law.

Part of health and safety legislation is that an employer should undertake a risk assessment for each employee and ensure that any areas that pose a threat to the person's health and safety are addressed. This can mean that changes may need to be made to ways of working or that training may be required so that tasks can be performed more safely.

2.0 Policy

The ILF will assist users who directly employ PAs to be compliant with health and safety law by providing financial support to help pay either

Independent Living Fund

Equinox House, Island Business Quarter, City Link, Nottingham NG2 4LA

Tel: 0845 601 8815 or 0115 945 0700, Fax: 0115 945 0945, Textphone: 0845 601 8816

Email: funds@ilf.org.uk, Website: www.dwp.gov.uk/ilf

The Independent Living Fund is an Executive Non-Departmental Public Body of the Department for Work and Pensions

in full or in part for health and safety training, such as moving and handling, that is identified as being required within an employee's risk assessment. ILF can assist where such costs are not due to be met by social services or another source.

Such costs can only be met as and when they are incurred and should not be included within the normal ILF offer.

ILF will not pay for training that is not required for health and safety purposes as identified within a risk assessment, except in some circumstances for task training for new PAs (see separate policy).

Payments for Health and Safety training may only be made within the limits of the ILF maximum sum policy.

3.0 Procedure

Users or their representative must make a request to the ILF on an individual basis where additional monies are required to pay for health and safety training. It is expected that they will have undertaken a risk assessment and that the training need has occurred as a result of this.

Payments will only be made on production of evidence that costs have been incurred, such as an invoice. If there is any question as to the nature of the training that has been provided (e.g. it appears to be for something other than health and safety related training) a copy of the completed risk assessment document should be seen by the caseholder or ILFA and then returned to the user.

3.1 Group 1 user with no Social service department (SSD) input

Where a group 1 user who has no contribution from the SSD makes a request for the ILF to pay for Health and Safety training the ILF can cover the full amount of the costs.

3.2 Group 2 users or group 1 users with SSD input

Where the ILF and the LA share the cost of a care package with no identifiable hours being allocated to one party or another the ILF will expect in the first instance the user to request that the SSD should

pay for the training. Where it is agreed the SSD are not responsible for paying for this the ILF would agree to share the cost of any health and safety training with the SSD on a percentage split basis.

Where the SSD and the ILF both pay for a set number of care hours but these are indistinguishable the ILF will expect in the first instance the user should request that the SSD should pay for the training. Where the SSD are not responsible for paying for this the ILF would agree to share the cost of any health and safety training with the SSD on a percentage split basis.

Where the SSD and the ILF both pay for a number of care hours and it is clear who is paying for which hours and which PA it may be possible for the ILF to pay for training for the identified PA, but not for PAs funded by the SSD.

Where the SSD pays only for a provision that falls separately to PA support (such as daycentre) the ILF can pay for the training costs relating to the PA support.

4.0 Source

Trustees meeting 13 February 2008, 12 March 2008
Trustees meeting 9 June 2010

5.0 History Date Reviewed

10 June 2010

Equality Impact Assessment

Screening Template

This preliminary impact assessment form is to help you screen your policy, project, function or new service. It should help you consider whether a full Equality Impact Assessment is required by looking at whether there is a potential negative or positive impact on any of the equality groups, if there is an opportunity to promote equality, and whether further data is needed.

Title of policy, project, function or service:

Health and Safety policy (Users)

Short description of aims and objectives

The policy informs how the ILF will support users who directly employ their own PAs to ensure they comply with health and safety legislation by helping to cover the costs of necessary training.

Thinking about each group below, does (or could) the policy, project, service or function have an impact on members of each equality group? If so, how?

Equality Group	Yes – negatively	Yes – positively	Unclear	No impact
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socio-economic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

What information or research has been considered in judging these impacts?

All users who employ their own PAs can benefit from this policy.

You should consider a full Equality Impact Assessment (EIA) if:

- (a) you feel one or more equality groups will be negatively impacted by the policy, project or service, or
- (b) there is an opportunity to promote equality and eradicate discrimination.

You may also consider further research if it is unclear, at this stage, what the impact may be.

Based on your findings, is a full EIA required?

Yes

No

Please provide a short summary of your decision-making below:

All users who directly employ their own PAs can receive funding from the ILF to help cover the costs of training their PA in essential health and safety matters-the amount available will depend on the funding arrangements with the relevant local authority.

Notes:

- The completed EIA Screening Template should be sent to Jon Duckworth, User Liaison Manager for approval by the Equality Impact Assessment Board (EIAB).
- We will contact you with any comments or queries about the completed form.

**This form was
completed by:**

Helen Sanderson
