

EXCITING TIMES

As you will see elsewhere in this newsletter, this is an exciting time for SPAEN. Firstly, I would like personally to welcome Linda to the staff team. Although her workload is confined to the North Lanarkshire area, it is good to know that every person she works with will have the added bonus of a direct link into the wider range of support which SPAEN offers to PA employers. We hope this will not only benefit those she works with but that North Lanarkshire Council gains deeper insight into Self Directed Support which can then be shared with colleagues in other Local Authorities.

This brings me to another new and exciting venture. The Scottish Government has demonstrated its support to the field of Self Directed Support by commissioning SPAEN and SDSS (Self Directed Support Scotland – the umbrella organisation which supports organisations like Centres for Independent/Inclusive Living and SPAEN) to deliver training to Local Authorities and Health Boards in Scotland. This will keep us even busier over the next 2 years! It is not yet clear exactly how this project will develop, but we hope that we will be able to reach many senior managers in Health and Social Work with the message of the Independent Living movement and the importance of funding Self Directed Support packages to meet the requirements of employment law.

Of course, not all Local Authorities or Health Boards will avail themselves of this opportunity. Our hope however is that those which do engage with us will spread the word about how Self Directed Support can and should be done. We know that there are some areas in Scotland where good practice does happen, and we invite them to share with us examples of innovative and creative practice for us to share with other authorities in our training programme.

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SPAEN

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THE AIMS & OBJECTIVES OF SPAEN ARE:

- To provide peer support, information and advice
- To provide training and development opportunities
- To influence policy in the provision of direct payments at both the national and local level
- To monitor the way direct payments schemes are operated

EXCITING TIMES

Continued

If **YOU** have experienced a particularly helpful Social Worker who crafted your funding creatively, please let us know so that we can (anonymously) use this as an example of good practice.

PA PAY RATES

We need information from you!

- Does your Council increase your funding annually to reflect an annual pay rise for PAs?
- How are you informed about increases?
- Or does your Local Authority defer the pay rise for nearly a year, backdated to the previous April but with no indication of the increase due for the forthcoming April?

One of our Edinburgh members has expressed concern about this practice. Clearly, our PAs should have the right to expect an annual “cost of living” increase and we support this right.

Please help us build up a nationwide picture of how increases are delivered and how you are informed about them. Contact the SPAEN office with as much information as you can give us – the more detail we have, the stronger our campaign for national consistency in this area.

All in all, this is a challenging time, but one in which I hope we will reap the benefits of working together to spread the gospel!

My best wishes to all of you in your own challenging times.

Suselle Boffey
Convenor

KEEPING US INFORMED

To all PA Employers

When recruiting a new Personal Assistant whether Full Time or Part Time you must issue a Statement of Main Terms within eight weeks of a person starting work.

If you have previously had contracts of employment prepared by us then we will hold a lot of the information required already. All you have to do is contact the SPAEN office by telephone, letter or e-mail info@spaen.co.uk with the following details:

- Employee Name
- Employee Address
- Start Date
- Hours of Work
- Rate of Pay

We will then send out two copies of Statement of Main Terms for you and your new employee. There is no extra cost for members of the Peninsula Advice and Indemnity Scheme as it is already included in the Annual Premium. For other members there is a small charge of £10 per additional contract.

CREDIT WHERE CREDIT'S DUE

So you are a new employer and have finally been approved for direct payment. Great! All systems go – or so you would think. Unfortunately this is often not the case.

For direct payments to be paid, a bank account is required in your name. But with no banking or credit history, drivers licence or even utility bills, sourcing a bank account can prove troublesome. I'm sure more than one of us can tell the story of the High Street closing the door on you and your employer with a polite but firm "Sorry, but we can't help you."

Thankfully, Glasgow Credit Union are committed to stamping out financial exclusion and are now offering their current accounts to all of its members who live or work in the 'G' postcode, regardless of age, health or status.

Sound good? Well even better is the knowledge that GCU is a non profit organisation whose main objective is looking after its members and making their money work harder for them. The ethical current account is managed by staff to help

try to avoid bounced or returned direct debits. You don't get that kind of service on the High Street!

Benefits of the current account include:

- Have wages, benefits or direct payment paid directly into your GCU Current Account.
- Pay bills the easy way via Direct Debit or standing order.
- An ATM or Debit Card to allow you FREE access to your funds through any LINK cash machine in the UK.
- Peace of mind, knowing GCU staffs are working for you, to help you avoid receiving charges for things like bounced Direct Debits.
- No charges for letters regarding your account.
- The ability to pay for goods and services (Debit Card only)
- Same day access to your Credit Union savings and loan funds.



- Optional low cost 'EasyAccess Loan' only available to Current Account holders (subject to Credit Union approval).

Remember GCU membership is open to anyone who lives or works in Glasgow.

If you or your employer would like an application form mailed out or to discuss any of the services they offer in more detail, contact GCU on **0141 274 9933** or go online to **www.glasgowcu.com**.

EMPLOYMENT LAW OUTLOOK

During 2008 it is safe to say that it was a relatively quiet year in terms of new and amended employment legislation.

However, will it be the same for us in 2009? Let's find out.

By Voilet M Keenan



There are some major legislative developments currently expected during 2009. For your benefit and quick reference I have detailed below some which will affect PA employers.

1st April 2009

- The minimum statutory annual leave will be 5.6 weeks (subject to a maximum of 28 days) for leave years starting on or after the 1st April 2009.
- These increases are pro rata for part-timers. For example someone working two and a half days per week would have a minimum statutory holiday entitlement of 14 days ($5.6 \times 2.5 = 14$).
- PAs working for their employer more than 5 days per week get no benefit from this statutory increase as they are already on the 28 day maximum.

Should you require any further information on the new minimum statutory annual leave please contact the SPAEN office.

6th April 2009

Increased changes to the National Insurance thresholds, rates of statutory sick pay and statutory maternity / adoption / paternity pay.

- Statutory Sick pay increases from £75.40 to £79.15
- Maternity / adoption / paternity pay increases from £117.18 to £123.06

Repeal of the Statutory Dispute Resolutions Procedures

On 1st October 2004 legislation was introduced which requires employers and staff in the UK to try and solve employment disputes before they reach tribunal.

At its simplest, it involves following a 3 step procedure which includes:

- a letter,
- a meeting and
- the chance to appeal – for both grievances and relevant disciplinary / dismissal issues.

In practice however, the statutory procedures require a great deal of formality and paperwork, thereby tending to discourage the informal resolution of disputes. Elevating procedure over substance hinders, rather than helps, satisfactory resolution. In addition, the sanctions for both employers and employees, if they do not follow the procedures, are generally regarded as too Draconian. What the new provisions are will be cascaded to our members as soon as we are familiar with the new procedures.

Extension of flexible working provisions to parents of children up to 16 years of age

The review recommended:

- Extending the statutory right to request flexible working to parents of children aged 16 or under
- Keeping the 26 week qualifying service requirement
- Implementing the change in one go, rather than stages, to avoid creating confusion for employers and employees; and
- Doing more to raise awareness of the right to request flexible working, both among employees and employers.

Amendments to the National Minimum Wage Legislation

The intention of the amendments to the existing arrears and penalty systems is to target “unscrupulous” employers who continue to underpay their workers, despite previous legislative attempts to enforce minimum standards of pay for all.

The Government has taken a decidedly heavy handed approach to this in order that all employers found to be underpaying will be punished by methods which they

have so far, due to weaker enforcement procedures, not had to face.

Employers need to be more aware than ever of their obligations.

1st October 2009 National Minimum Wage Rate Increases

The National Minimum Wage increased rates due in October will be released nearer the time. However may I take an early opportunity of reminding all our members who pay the National Minimum Wage for either daily hourly rate or sleepover hourly rate, that you will need to arrange to pay your PAs’ their increased rate.

SPAEN will advise you of the new rates as soon as the information is released.

Continuing on rates of pay and the breadth of differences in the funding our members receive to pay for sleepovers, we look forward to having this working time regulation further clarified in order that our members do not fall foul of the National Minimum Wage regulations.

12th October 2009

Employees in England who wish to work with children and vulnerable adults have

to register with the Independent Safeguarding Authority (ISA).

A similar scheme will be introduced in Scotland in 2010 through the Protection of Vulnerable Groups (Scotland) Act 2007.

And finally, it was thought that the following would be implemented this year:

- Introduction of equal treatment rights for agency workers after 12 weeks on a particular assignment and
- Amendments to provisions on working time, including issues surrounding, amongst other things, opt out and on-call time.

However, for various reasons, it is likely that these measures will be delayed somewhat.

If you require further information on any of the above please do not hesitate to contact this office.

Please note that this information has been supplied to us by Peninsula Business Services.

Violet M Keenan
Training Officer

PROJECT CO-ORDINATOR NEWS

SPAEN has now moved offices since the production of our last newsletter, so time has been spent sorting out the new office and ensuring that all those little administrative issues that arise have been addressed. The new office is far superior to the old one in Motherwell Business Centre; we have natural light for a start which is great!

The first three months of the year have been very busy indeed from an administrative point of view, with all staff working towards providing a continued high level of support to our members and partner agencies. There has been a dramatic increase in workload as we have witnessed a significant increase in calls asking for information and support from South Lanarkshire in particular.

We are currently working at providing a new and improved website for SPAEN and hopefully by the time you have received this newsletter it should be up and running and accessible to all. This will provide a further enhancement to SPAEN and indeed its members, so take a look and let us know what you

think as feedback is always welcome and we will do all we can to accommodate your requests.

SPAEN are hoping to have a number of Information days between now and the end of May 2009. Target areas for this work will be Glasgow, Fife and Argyll & Bute. All SPAEN members in the area will be welcome to attend and will receive a mailing. We would also like to open up these events to other agencies and individuals who may well be interested in the work SPAEN is doing.

We are hoping to initiate partnership working with organisations in these areas to see if we can maximise both the SPAEN profile and also provide services to organisations and individuals where relevant. Your thoughts and comments on content would be most welcome.

It is our plan to have more events throughout the country over the coming year. We will advertise these on our website and in the newsletter. So if you are reading this and you think you would benefit from having an event in your area please contact us.

From an administrative point of view, we are always

looking at ways to save money. Therefore, if you would rather have the newsletter sent as a PDF via email please let us know and we will endeavour to do this for you. We already distribute our newsletter via email to the Scottish Government, partner organisations and social work departments.

On the subject of the newsletter, we are always encouraging our members to contribute more to its content. If you have any articles of interest, please forward them to the office and we will endeavour to include them. Remember, they do not have to be on employment issues or being a PA employer. I'm sure there must be interesting things that are of local interest to yourself that you would like to share. We look forward to hearing from you.

Finally, I'm pleased to inform you all that I have just recently completed a six week course on fundraising. So I am hoping to apply the knowledge gained to ensure that SPAEN is here for the foreseeable future.

Derek Kirkaldy,
Project Co-ordinator

NEW STAFF APPOINTMENT

My name is Linda Towler and I joined SPAEN's team here in Motherwell as its first part-time Self Directed Support Worker on 2nd March this year.

As the part-time Direct Payment Officer, I bring 5 years of my experiences of supporting people successfully managing their Independent Living packages to the team here.

My post with SPAEN has been created as part of a pilot project which North Lanarkshire Social Work Department is running.

My remit will be threefold:

- Supporting people who are making the transition from the old Independent Living Services scheme to Self-Directed Support;
- Supporting current users of Self-Directed Support and
- To be involved with people who are currently using the 'In Control' system of funding for their support.

You will not be surprised therefore when I say that, in my first few weeks in the post, I have been concentrating on familiarising myself with the different systems, policies and procedures that are currently up and running in North Lanarkshire, and meeting the people in Social Work that improve and implement changes to these when required.

For the people of North Lanarkshire, at present my work days are Mondays and Tuesdays all day and Wednesday mornings.

I am really looking forward to the new experiences and challenges of working with SPAEN and our members in North Lanarkshire.

Linda Towler
SDS Worker



If you wish to get in touch with me please phone **01698 250280** or by email: **lindat@spaen.co.uk**

SHAW TRUST LTD – HELPING EMPLOYERS RECRUIT A DIVERSE WORKFORCE

The relationship between an employer and employee is one to be built on trust, honesty and dependability. Recruiting someone you can rely on completely is not always an easy task.

How well do you know someone after an interview?

Are they the right person for the tasks that will be asked of them?

Is this a person you are comfortable having in your home?

So many questions to answer before making that all important job offer...

Shaw Trust are a national charity working to help people - who have been disadvantaged in the labour market due to disability or ill health - back into the work force. We are working to give disadvantaged or disabled candidates - capable of and keen to take on employment - the same chances as everyone else.

Our candidates register voluntarily and go through a thorough screening process. This allows our advisors not only to ensure



our candidates are ready for work, but also that they match your requirements.

Working closely with candidates who have dealt with the barriers and astigmatism surrounding disability and poor health, we have a unique understanding in this area. We will work closely with you to assess your needs, and this coupled with our in-depth registration process, we can identify accurately the key skills and personalities that will fit in well with your working/home life environment, providing support and information to you about the recruitment process at each stage.

The recruitment process for any employer can be a long and difficult process, but with the help of our trained advisors and employment consultants, we can make this process easier.

Our service is 100% free, with no obligation.

You can obtain further information about Shaw Trust and our services by visiting our website: www.shaw-trust.org.uk or contact Holly McLees direct on 0141 229 6070, or via email: Holly.McLees@shaw-trust.org.uk

Shaw Trust Ltd offices listed below:

46 Gordon Street
Glasgow G1 3PU
Tel: 0141 229 6079

Dalziel Building
Suite G3, 7 Scott Street
Motherwell ML1 1PN
Tel: 01698 253 469

36 Main Street
Coatbridge ML5 3AE
Tel: 01236 438800

52 High Street
Paisley PA1 2DJ
Tel: 0141 849 7760

SPAEN'S INFORMATION DAY IN AYRSHIRE

The Gables Hotel in Irvine was once again the venue for a SPAEN Information Day run in partnership with Ayrshire Independent Living Network (AILN) and was filmed by Chloe McKhee as part of a Digital Film Making and Script Writing Module she is currently completing at the West of Scotland University.

Violet Keenan, SPAEN's training officer started the afternoon with an introduction to employment law taster session. The session included an introduction to Understanding Contracts, Dealing with Discipline & Capability, Absenteeism – Cause & Remedy and Relationships & Performance.

This was also the first opportunity to test the format for an Employment Law quiz and discussion session, which provoked some interesting questions and debate among the delegates.

The taster sessions are designed to give a basic introduction to Employment Law and anyone wishing more information on the sessions available should contact the SPAEN office.



Above:
Chloe McKhee.

Below:
Sessions underway.



WHAT ARE THE BENEFITS OF SPAEN MEMBERSHIP?

There are two categories of membership:

- 1. Full:** People directly employing PAs who are entitled to Voting Rights at the Annual General Meeting.
- 2. Associate:** Person or Organisation who support the aims of SPAEN. Eligible to attend the Annual General Meeting but no Voting Rights.

Membership & Services are available on three levels and entitles the member to the following services:

Level 1 – Spaen Membership

- Full Membership
- Quarterly Newsletters
- Access to Employment Information
- Cost – Free

- Employee Handbook
- Cost - £50 initial cost plus £10 per additional copy for each Statement of Main Terms prepared by SPAEN for your new employees

- Registration on the Peninsula Advice & Indemnity Scheme
- Issue of Advice Service Access Card and Manual with individual Personal Identification Number
- Access to Employment Information and Advice through Peninsula 24 hour Advice Line
- Cost - £100 annually

Level 2 – Contract & Handbook Preparation

- Full Membership
- Quarterly Newsletters
- Access to Employment Information
- Two copies of Statement of Main Terms prepared by SPAEN for you and your employee

Level 3 – Peninsula Advice & Indemnity Scheme

- Full Membership
- Quarterly Newsletters
- Two copies of Statement of Main Terms prepared by SPAEN for you and your employee
- Employee Handbook
- Employee Stationery Packs for each employee

SPAEN PRICE LIST

Effective from 1st April 2009

MEMBERSHIP

Level 1

Spaen Membership FREE

Level 2

Contract & Handbook Preparation £50 initial cost
£10 per additional contract

Level 3

Peninsula Advice & Indemnity Scheme £100 annually

Training Programmes

Employment Law Taster Sessions FREE

Coaching & Development Modules: £50 per person per module (based on a minimum of six people)

Process of Transition
How we begin to change
Problem Solving
Conflict Management
Effective Listening and Communication
Interviewing Skills
Preparing for Recruitment
People Management

Working in Partnership Modules: £50 per person per module (based on a minimum of six people)

Understanding Contracts
Discipline and Capability
Absenteeism Cause and Remedy
Harassment and Bullying
Appraisals
People Management

Other Services

Enhanced Disclosure Service £45 per employee

JOIN US

SPAEN members have the benefit of being part of an organisation run by disabled people for disabled people to secure and promote their interests.

If you currently employ people and manage your support package, contact us to find out more about what SPAEN has to offer. Currently SPAEN has 456 members.

Of these, 131 PA employers are now enjoying the benefits of being on the Advice and Indemnity Scheme (AIS).

For existing members who are PA employers, we do urge you to contact us and find out how the AIS can enhance your role as a PA employer. SPAEN can also support individuals from other community care groups who are eligible to receive Direct Payments (DP) and who wish to become employers.

SEEKING AN ANGEL

I try to do my best you know but still I don't succeed
It is so hard I often fail when trying to meet my needs
I'm often looking for PA's so many of them leave
Most can't commit for very long and when they go
I grieve

Would you believe it? First they come and have an
interview. I give them training, then some shifts
and this is what they do

They tell me that they can't commit as they really don't
have time, I wish I'd known this from the start it's hard
to read the signs

Will I ever meet my needs an angel I must find
Someone who really can commit or I may lose my
mind. For five long years I've had PA's fifty-one in all

A few move on to other jobs and some take time to
call. Why is it really hard to find a great long-term PA
I hope and pray that she will apply and we will meet
one day

When will that special day arrive? I really couldn't say...

Margaret Anne Elder

(A very frustrated PA Employer)

P.S. Since writing this poem I have found four PA's
committed to working for six months or even longer
including Christmas and New Year.

Patience and persistence pay!

DON'T EVER LOSE FAITH IN YOURSELF

Do what is best for you.
The future will work itself
out; you're the kind of
person who can make
it happen. Don't let anyone
else's negativity influence
your dreams, values,
or hopes.

Focus on what you can
change and let go of what
you can't. You know your
own worth, what you have
accomplished, and what
you're capable of.

Your goals may take a bit
longer and be harder to
achieve than you had
hoped, but concentrate
on the positives and
combine faith with
generous portions of
patience and determination.

Step boldly and confidently
into your future where
happiness, success,
and dreams await you.

You have the potential
for greatness...
never give up.

Barbara Cage



SPAEN

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