

**Service Specification**

**Lot 4 – Recruitment Support**

The specification includes all those requiring support including direct payment recipients, personal health budget recipients and children’s direct payments.

**Service Description**

Providing recruitment support for Individuals purchasing care and support services to meet their assessed needs within the budget available.

The aim of the service is:

* to provide tailored support to Individual’s wishing to recruit Personal Assistants (including both employed and self-employed PAs) and to assist them with their legal responsibilities as employers within the scope of recruitment
* to give Individuals or their representative / nominee and Carers the opportunity for greater choice, flexibility and control when meeting their support needs
* to liaise with all stakeholders in order to provide a seamless service to all Individuals and Carers

**Service requirements – Recruitment Support**

* + To support Individuals or their representative / nominee and Carers wishing to recruit Personal Assistants to meet their specific needs
	+ Support Individuals or their representative / nominee and Carers as required in the recruitment of Personal Assistants, including:
	+ Information about their legal responsibilities as employers
	+ drafting job adverts and job descriptions
	+ the requirement to ask for and check references
	+ issuing of application forms
	+ assisting with short listing
	+ devising interview questions
	+ arrangement of and/or attendance at interviews
	+ issuing of reference letters
	+ drafting contracts of employment
	+ arranging DBS checks, insurance & training
	+ restrictions / guidance for employing family members to meet support needs
	+ Support individuals or their representative / nominee to correctly decide the employment status for tax of any potential self-employed Personal Assistant, including completion of the “Check employment status for tax” tool
	+ Providing advice around issuing and retaining contracts of employment, timesheets, payroll records and Her Majesty’s Revenue & Customs (HMRC) correspondence for 6 years
	+ Ensure that templates are provided for contracts of employment, reference letters, risk assessments and holiday tracking forms
	+ Ensure that the Direct Payment recipient is aware of the need for contingencies to be in place regarding Annual Leave, Sickness pay etc.
	+ Ensure that the employment of Personal Assistants, and associated costs, e.g. training, insurance, is within the agreed Personal Budget specified for the Individual
	+ To inform the Council or Oxford Health NHS Foundation Trust as applicable of any financial irregularities or any issues of concern regarding Individuals wellbeing
	+ To liaise closely with the Council’s Direct Payments Team in an agreed format (which meets the Council’s and Oxford Health NHS Foundation Trust’s Data Protection requirements) and to agreed timescales to meet the needs of the Individual.
	+ The Service Providers will be flexible to adjust to both national and local changes and developments to the Direct Payments Scheme and should have the flexibility to amend its own services to meet the changes

 **Providing the Services**

The Service Provider will provide the Service in line with all relevant legislation and good practice, including:

* The Care Act 2014
* Employment law requirements
* HMRC regulations
* The Pensions Regulator requirements
* National Framework for NHS continuing healthcare October 2018 (Revised)
* Guidance on Direct Payments for healthcare: Understanding the Regulations (2014)

**Accessing and Purchasing Services on the Approved Provider List**

The Approved Provider List will be accessed by a variety of people including older people, adults and children with a physical disability, learning disability or mental health problem. In addition, the services will be made available to people in receipt of Personal Health Budgets.

People in receipt of a Personal Budget or Personal Health Budget and registered with a GP in Oxfordshire will self-refer to their chosen direct payment support providers including those on the approved provider list.

People new to Direct Payments will be given information by the Council’s Direct Payments Team on how to access the Approved Provider List to enable them to have choice and control over which Providers they would like to support them to meet their recruitment support needs.

All Providers on the Approved Provider List will be included on Live Well Oxfordshire under the category of Direct Payment Support Services, which will enable self-funders to access and purchase support from an approved Provider.

**Self-funding Individuals**

Providers included on the Approved Provider List will be encouraged to provide recruitment support to self -funding Individuals and their Carers at an agreed standard rate to be paid by the Individual.

**Individuals receiving Children’s Services:**

* Ensure Parent Carers are aware that any specialist training for Personal Assistants needed to support individual children's specialist care (for example epilepsy management, gastronomy feeding etc.) is provided by Oxford Health's Shared Care Protocol training coordinator
* Ensure that Parent Carers requesting information about other support services for disabled children are signposted to the Council's Family Information Service

**Service eligibility and location, time and duration of service:**

* + The Service will be available to people who are ordinarily resident in Oxfordshire or who are registered with a GP in Oxfordshire and have been assessed as requiring a direct payment to meet eligible support needs.
	+ The Service Provider will ensure that all Individuals and Carers choosing to use the Service can contact the Service via a variety of communication methods: telephone, text-phone, e-mail, social media if appropriate and through the Council’s Live Well Oxfordshire website.
	+ We would expect the Service to be available on weekdays from 9:00 am to 5:00 pm, with a member of staff contactable at all times during those hours. Outside of these times there will be an answer-phone service and all messages left will be dealt with the following working day including emails that are sent out of hours

**Service Volume**

* + The annual number of Individuals receiving Recruitment Support in the period from April 2019 – April 2020 was 54. This number is expected to remain stable but may be spread across multiple Providers on the Approved Provider List.
	+ The Council does not guarantee work to any Provider included on the Approved Provider List.

**Service Price**

* + Providers will submit a pricing structure within their application to be included on the Approved Provider List. These prices will be shared with direct payment recipients to help inform them to make a decision about which support provider may be right for them.
	+ The opportunity for Providers to refresh prices will be on an annual basis
	+ Fees charged can only be altered once invited by OCC as an annual price review.

**Complaints**

* The Service Provider will have a complaints protocol and process in place. Individuals (or representatives thereof) who are not satisfied with the Service that they are receiving should make their initial complaint to the Provider. It is expected that all complaints will be immediately investigated.
* To ensure the Council is aware of the number and type of complaints received, the Service Provider will be expected to log and resolve all complaints and the Council has the right of audit. If the Service Provider is unable to resolve the complaint or needs advice, they should contact the Council’s Direct Payment Support Team.

* The Council has a duty to investigate any allegations or complaints about the services they approve. The Council undertakes to carry out any such investigations fairly and as quickly as possible. Any such investigation will be conducted by an officer.

**Staffing**

* All Staff employed by the Service Provider will have an enhanced Disclosure Barring Service check (DBS) and cross referenced with the Protection of Vulnerable Adults and the Protection of Children Act register lists
* Staff will need to be appropriately trained and supervised to enable them to enact the services outlined in this document in a safe and

competent manner

**Conflicts of interest**

This Service requires the provision of impartial information, support and advice to Individuals and their families. It is recognised that the Service Provider may also be involved in the supply of other services to Individuals or have an interest in the supply of services to Individuals, thus resulting in the potential for a Conflict of Interest.

**ICT**

Any software required to support this Contract must be compatible with that of the Council. Details will be made available upon successful application to the approved provider list.

**Safeguarding Policies and Procedures**

* The Service Provider shall comply with the Oxfordshire Safeguarding Adults Board’s policies and procedures as amended from time to time.
* The Service Provider shall ensure that it has in place systems, policies and procedures to ensure the protection of children and young people consistent with the Oxfordshire Safeguarding Children Board’s Procedures Manual, as amended from time to time, and section 11 of the Children Act 2004 and shall ensure compliance with such systems, policies and procedures.

**Confidentiality**

The Service Provider shall adhere to the General Data Protection Regulation framework that sets out guidelines for the collection and processing of personal information from individuals who live in the European Union (The eight User Rights).

**Mechanism to pay Providers**

Payment for the provision of services chosen by the Individual to support them with their Direct Payment Account.

**Payment**

* The fees charged by the Provider for services purchased by the Individual to meet their support needs will be included in their agreed budget and support plan.
* Payment will be between the Individual and the Provider
* Payment Terms will be within 30 days of invoicing the DP Recipient.
* Payments should not be accepted in cash or by standing orders.