

SAAS

**Student Awards Agency
for Scotland**

**DSA NMPH
Allowance Guide**

3rd Edition

**A guide to using the Disabled Students'
non medical personal help allowance**

**If required we can provide alternative versions
of this booklet in the following formats:**

- **Braille**
- **Large print**
- **Audio**

www.saas.gov.uk

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Introduction

What is the Non Medical Personal Help allowance?

The Disabled Students' Allowance (DSA) is a non means-tested allowance. You can use it to cover extra costs or expenses that you incur while you are studying, which arise because of your disability. The DSA is made up of three allowances: the large items allowance, the small items allowance and the Non Medical Personal Help allowance (NMPH).

The NMPH is an annual allowance. The maximum amount you can claim if you are studying full time is £20,520. If you are studying part-time we scale the allowance down on a pro-rata basis: for example if you are studying for 50% of the length of a full time course you will be entitled to £10,260 (50% of the NMPH full time allowance).

The NMPH allowance is intended to cover personal support such as:

- Readers
- Sign Language Interpreters
- Note takers (including text help operators)
- Scribes
- IT Training
- Study skills support
- Mentors
- Proof readers
- Helpers who provide support for you to move around campus or access specific areas such as the library

It does not pay for:

- Subject specific tuition
- Any services, such as counselling or study support, that your institution makes available to all its students
- Disability related support that you would need regardless of your attendance on your course, for example physiotherapy
- Personal help that is required outside class time, for example help with getting dressed in the morning
- Any support that would normally be provided by Social Services

Your local Social Services department can provide you with more information about the type of support they provide, your disability advisor will be able to help you with this too.

How way pay the NMPH allowance

We pay the NMPH allowance monthly in arrears on receipt of a claim form or invoice. We will not pay the costs of any NMPH in advance.

Once your claim for NMPH has been approved, you or your helper must submit a claim form or invoice for each month that support is claimed for.

If you employ your helper direct or your helper is self-employed

You must use our pro-forma claim form; we should have sent a copy of this form to you with your DSA award letter. If you did not receive a copy or you need a duplicate please contact us (see page 24 for contact details).

You should complete the claim form clearly using black ink and you must fill in all of the sections. You and your helper must also sign the form. If you do not fill in the claim form correctly we will return it to you: this will lead to a delay in you receiving payment.

If the money/hours you claim are greater than the amount we have approved we will restrict the amount we pay to the level we approved in your DSA award letter.

We will pay any money you are due directly into the bank account you provided on your DSA form; we cannot pay your helper direct. If you have not already done so you must use this money to pay your helper. If you do not pay your helper we will stop your DSA support and will seek to recover any money we paid you.

We aim to pay all correctly completed claim forms within 21 working days of receiving them. If you do not receive payment within 28 days you should contact us (see page 24 for contact details).

If your helper is employed by your institution or a private company

They must send us an invoice with the following details, we will then reimburse them direct:

- Your name and reference number
- Type of work carried out
- Cost per hour, number of hours claimed and the period of the claim

Support workers employed by institutions

Many institutions have a pool of trained staff able to provide services such as scribing, study support and mentoring. If your institution offers such a service we highly recommend that you use it, though you do not have to.

There are many advantages to using a support worker employed by your institution, including:

- Your institution will be responsible for paying your support worker and dealing with things like holiday pay, national insurance contributions and tax.
- If your support worker is ill or unable to work on a certain day your institution will be able to provide a replacement.
- Your institution will provide ongoing training and support to your support worker.
- If there are any problems with your support worker, for example they don't turn up when they should or their work is not of an acceptable standard, your institution will be able to resolve these issues for you.
- You can be sure that their work will be carried out to agreed standards.
- Your institution will check that your support worker has all of the necessary qualifications and experience to support you.

When you use a support worker employed by your institution they will bill us for any money due and we will reimburse them direct. You will not have to be involved in the making or paying of any claims.

Your institution will be able to provide you with more information about the minimum standards they ensure that their employees conform to and what kind of service you can expect. They will also have a full complaints procedure that you can use if you feel that the service they are providing is not adequate.

Support workers from a private agency

Private agencies can be a useful way to employ support workers. Some of the advantages of using a private agency are:

- The agency will be responsible for paying the support worker and dealing with things such as holiday pay, national insurance contributions and tax.
- If your support worker is ill or unable to work on a certain day the agency will normally be able to provide a replacement.

If you want to use a private agency to provide your support worker you should take the following into consideration when choosing one:

- Do they check references/ensure that their staff are Disclosure Scotland (or equivalent) checked?
- Do they provide training for their staff?
- What qualifications/experience do their staff have?
- Do they work to a recognised code of practice/do they have a complaints procedure?
- Will they provide a replacement support worker if your regular support worker is ill/unable to attend class?
- Do their support workers have experience working with disabled students?

You should be aware that we have a certain rate of pay that we pay for support workers and we can not pay over this amount except in very exceptional circumstances. If you employ a support worker from a private agency their rates can often be quite high and we may not be able to meet all of the cost. For more about the rates that we will pay please see pages 11 to 18.

When you use a support worker employed by an agency they will bill us for the money due and we will reimburse them direct. You will not have to be involved in the making or paying of any claims.

Your disability advisor will be able to provide you with a list of private agencies that operate in your area. Other organisations such as Dyslexia Scotland and The Scottish Association of Sign Language Interpreters also keep registers of suitably qualified people.

Employing your own support worker

Introduction

If you wish to employ your own support worker you may do so. However, using your own support worker involves a lot of organisation and hard work, as well as requiring you to have a good knowledge of UK employment law. We, therefore, recommend that whenever possible you use support workers employed by your institution.

When employing a support worker you will want to check the following:

- Do they have experience working with disabled people?
- Do they have the necessary skills and experience to support you?
- Do they have a Disclosure Scotland (or equivalent) certificate?
- Can they provide references?

Are you classed as the employer or is your support worker self-employed?

When using your own helper they will either be employed by you or classed as self-employed and your duties and responsibilities will differ depending on what category they fall under.

Generally speaking if your support worker works exclusively for you it is unlikely that they will be given self-employed status. Even if your support worker tells you that they are self-employed you could still be held liable by HM Revenue and Customs for National Insurance contributions and other costs if they decide not to class your support worker as self-employed.

Remember it is not up to you or your support worker to decide if you are their employer or if they are self-employed. That decision is made by HM Revenue and Customs. You must, therefore, contact your local tax office to check your support worker's employment status.

Employing your own support worker

Immigration status of workers

As an employer you have a responsibility to prevent illegal working in the UK.

If you employ someone who is subject to immigration control and not entitled to undertake the work in question you could be fined up to £10,000. More information is available from the UK Border Agency website.

Employment contract

It is a legal requirement that you provide your support worker with a contract stating the terms of their employment including:

- Number of hours per week that they are required to work
- Place of work
- Hourly rate of pay
- Sick leave entitlement
- Termination notice period
- Period of contact

The Department of Trade and Industry publishes a booklet listing all of the terms that you must include in your contract.

Wage rates

You must pay your support worker at least the minimum wage. We have set rates that we pay for different types of support (see pages 11 to 18) if you wish to pay your helper more than this you will have to pay the difference yourself.

The National Minimum Wage advisory line can provide you with up to date minimum wage rates.

Benefits

If your support worker is on benefits the wages that you pay them may affect the amount of benefits that they are entitled to. They must declare any earnings they receive from you to the Department of Work & Pensions (DWP).

Employing your own support worker

Tax and National Insurance

When you employ a support worker direct you are legally responsible for their tax and National Insurance Contributions (NICs) and you must deduct tax from their wages. You may also need to pay Employer's NICs. You can get more information about this from HM Customs and Revenue.

Employee rights

If you employ a support worker they have certain legal rights which you must observe, these include the right to:

- Itemised pay statements and written terms and conditions
- 4 weeks holiday leave each year
- Rest periods between working days
- The right not to be discriminated against
- Daily breaks if they work more than 6 hours in a day

The Health and Safety Executive can provide you with further information about working time regulations.

What we do and do not pay for

We will pay an agreed hourly rate for the type of support you need which must not exceed the maximum as set out in our payment scales (see pages 11 to 18). Your disability advisor will be able to help you to set an appropriate rate.

Your hourly rate can include: Payroll administration charges (if you use a professional payroll company). You must provide us with documentary evidence if you wish us to reimburse this cost.

We will not pay for any costs you incur in relation to the following; if you incur these costs you must pay them out of your own pocket:

- Producing an employment contract
- Disclosure Scotland (or equivalent) certificates
- Training for your support worker
- Travel for your support worker
- Materials for your support worker, for example paper and pens
- Employer's National Insurance Contributions

Types and roles of support workers

Depending on your disability and individual needs, you may be recommended various types of NMPH: this section lists the main types of NMPH and what you can expect from your support worker:

All support workers should:

- Have a good understanding of the needs of disabled students
- Be punctual and reliable
- Be trustworthy
- Respect the privacy of the student they are working for and maintain a strict level of confidentiality

Support workers should not:

- Participate in class or group discussions
- Help you complete class work or assignments
- Provide you with answers or correct factual errors in your work
- Provide subject specific tuition

Your responsibilities

When working with a helper you also have certain responsibilities that you need to meet including:

- Providing your helper with a copy of your timetable as soon as it is available, along with a note of all class times and room numbers
- Letting your helper know of any changes, for example cancellations or change of room/class times
- Making it clear if you have any special requirements, for example if you want your notes on a specific colour of paper or in a particular font

Personal support assistant

Duties and responsibilities

- Provide you with physical help for day to day study related tasks, for example, carrying bags or equipment
- Help you access buildings/rooms on campus
- Take books to/from the library for you
- Accompany you to lectures and tutorials

Hourly Rate £10 - £18

Person specification

- Physically fit
- Ability to judge when assistance is required

Classroom/laboratory assistant

Duties and responsibilities

- Read instructions and explain diagrams to you
- Support you in undertaking experiments
- Take notes on the results of your experiments

Hourly Rate £6 - £9

If employing your own support worker. If you are using a support worker from an agency or one provided by your institution, the rate may be higher.

Person specification

- Knowledge of the subject is essential
- Must be aware of health and safety issues and practices

Note-taker/electronic note-taker

Duties and responsibilities

- Take notes in lectures/tutorials/field trips
- Provide detailed notes in the style and format that you require

Hourly Rate £6 - £9

If employing your own support worker. If you are using a support worker from an agency or one provided by your institution, the rate may be higher.

Person specification

- Clear, legible handwriting
- Good keyboard skills
- Ability to take clear, concise notes
- Basic knowledge of course material

Additional information

If your note-taker is provided by an institution or private company they will supply their own pens, paper, etc. If you employ your own note-taker it is your responsibility to supply them with pens, paper and any other stationery that they might need.

Depending on the rules of your institution you may not be able to use your own note-taker during exams, instead you may have to use one provided by them.

Scribe/amanuensis

Duties and responsibilities

- To write or type your dictated answers to questions, under exam conditions

Hourly Rate

- The cost of providing a scribe for your exams will not be covered by us, instead it is up to your institution to ensure that you have all the assistance you require to sit an exam. Your institution will help you find an appropriate person to scribe for you.

Person specification

- Legible handwriting/good touch typing skills
- Basic knowledge of the subject including familiarity with any technical jargon that might be used

Additional information

- A scribe should note down exactly what you dictate, they should not comment on or attempt to correct what you say.
- Depending on the rules of your institution, you may not be able to use your own helper during exam situations, instead you may have to use one provided by them.

Sign language interpreter

Duties and responsibilities

- Provide interpreting support at lectures and tutorials

Hourly Rate £11.50 - £45

Person specification

- Hold a qualification in BSL
- Have experience of providing sign language support in an education setting

Proof Reader

Duties and responsibilities

- To proof read work produced by you, including essays and project work
- Identify spelling and grammatical errors and provide feedback to you on the errors you have made
- To make you aware of any problems with fluency or cohesiveness in your piece of work

Hourly Rate £6 - £9

If employing your own support worker. If you are using a support worker from an agency or one provided by your institution, the rate may be higher.

Person specification

- Basic understanding of the subject
- Strong reading and spelling skills and a solid understanding of grammar and sentence structure
- Excellent attention to detail
- The ability to work to tight deadlines

Additional information

Proof readers should provide comments on grammar, spelling structure, layout and style only. They should not comment on content or correct factual errors.

Reader

Duties and responsibilities

- To read a variety of texts and articles, either direct to you or onto tape or disk

Hourly Rate £6 - £9

If employing your own support worker. If you are using a support worker from an agency or one provided by your institution, the rate may be higher.

Person specification

- A reader should have a clear reading voice and the ability to read clearly at an appropriate pace
- Basic understanding of the subject and the ability to read technical jargon
- Ability to use audio recording devices

Additional information

- A reader should only read the questions or text as written, not explain or clarify them
- The cost of providing a reader for your exams will not be covered by us, instead it is up to your institution to ensure that you have all the assistance you require to sit an exam
- Depending on the rules of your institution, you may not be able to use your own reader during exams, instead you may have to use one provided by them

Mentor

Duties and responsibilities

- Meet regularly with you to assist in planning for the week ahead
- Help you make full use of the facilities at your institution for example, the library, sports centre, canteen, etc
- Act as a liaison for you when required
- Provide general help, support and encouragement

Hourly Rate

The rate we pay will depend upon the experience/qualifications of your mentor. If you are employing your own mentor, your disability advisor will help you set an appropriate rate.

Person specification

- An understanding of the needs of disabled students, in particular an understanding of mental health issues and autistic spectrum disorders
- An ability to empathise and build trust
- Excellent communication skills and the ability to provide good practical advice when required
- Completely reliable

Study support assistant

Duties and responsibilities

- Help you organise and plan your work
- Help you develop study skills and exam revision techniques
- Help you make full use of your institution's library facilities

Hourly Rate

The rate we pay will depend upon the experience/qualifications of your study support assistant. If you are employing your own study support assistant, your disability advisor will help you set an appropriate rate.

Person specification

- An understanding of the study requirements of students in higher education
- Experience of providing one to one tuition
- Awareness and understanding of specific learning difficulties in general and familiarity with the specific difficulties experienced by the student they are supporting. For example, if you have dyslexia your study support assistant should have knowledge of how this learning difficulty affects your ability to learn.

Additional information

Study support assistants should not provide you with any sort of academic tuition or coaching in specific subjects.

IT/Software trainer

Duties and responsibilities

- Provide training on specialised software, for example voice recognition or text reading software

Hourly Rate

This rate will vary depending upon the company or institution providing the training, but will be somewhere between **£11.50 - £45**.

Person specification

- In depth knowledge/qualification in the specialist technology
- Understanding of the work required by students in higher education

Additional information

- We will only pay for IT software training carried out by a recognised training company or by a suitably qualified person employed by your institution. We will not pay for IT training carried out by your family or friends.
- If you require general training in basic IT skills or software packages such as MS Word or Excel, you should speak to your disability advisor, as institutions often run general classes for students in these subjects.
- If your IT/Software trainer is not employed by your institution you must provide us with two quotes from two different training providers, where possible.

FAQs

How do I submit a claim for NMPH?

Please see page 4 of this booklet.

I have not received my payment from you, what do I do?

It can take up to 21 days from the day we receive your claim to process it. Once we have processed your claim it can take up to 5 working days for it to go into your bank account. If you submit a claim to us and have not received the money after 28 days phone us on 0300 555 0505 (press option 2).

I have received a payment from you but it is not for the correct amount, what should I do?

You should contact us immediately on 0300 500 0505 (press option 2).

I am not happy with my support worker, what do I do?

If your support worker is employed by your institution or a private company you should contact them to discuss the matter. If you employ your helper direct/use a self-employed helper, you must take this matter up with them. We cannot intervene in any dispute you have with your helper and if they are not employed by your institution your disability advisor will not be able to intervene either. They may, however, be able to offer you some general help or support.

How do I go about increasing the level of NMPH that I receive?

You should discuss this with your disability advisor. If appropriate, they will send us a revised assessment with a new level of NMPH on it. We cannot agree to an increase in the level of NMPH you receive without it being agreed by your disability advisor first.

I want to complain about the level of service I have received from my support worker

Please see page 21 for full details of how to make a complaint.

FAQs

As part of my course I need to spend a period of time abroad, can I still claim NMPH?

Yes, you can claim NMPH for periods of study abroad, whether they are a compulsory or voluntary part of your course. As soon as you know that you are going abroad, contact your disability advisor to discuss the support you will need.

I am going on a placement, can I still claim NMPH?

Yes, though some of the support you require might be met by your placement provider as part of their obligation under the Equalities Act. As soon as you know that you are going on a placement, contact your disability advisor to discuss the support you will need.

The amount of NMPH I need is going to be more than the maximum allowance levels, will you pay more?

No, we cannot pay more than the maximum amount. If you require support over and above this level you should contact your disability advisor, as there might be extra help available from your institution.

Can I receive money to pay my support worker in advance?

No, we will only pay DSA in arrears, on receipt of a fully completed claim form confirming that the work has been carried out.

If I withdraw from my course will I have to pay back my NMPH?

As DSA is paid in arrears for work already carried out you will not normally have to pay back any money.

Can I receive NMPH outwith term time?

Normally we only pay for NMPH carried out during term time. However, in certain circumstances, for example if you have a dissertation to complete over the long summer vacation or are attending a placement, we can consider paying NMPH. In these cases we require a letter of support from your disability advisor before we can make any payments.

How to make a complaint

Complaining about the service we have provided

We would like to hear from you if you feel dissatisfied with any aspect of our service, for example if you think that we have:

- Treated you unfairly
- Failed to explain things properly or given you wrong or misleading information
- Taken too long to deal with your case

You can make a formal complaint by writing to us telling us what has gone wrong. Address the envelope to 'SAAS Complaints' at the address on page 24 and clearly mark your letter 'Formal Complaint'. Please put your SAAS reference number on all correspondence. We aim to reply to all complaints within 10 working days.

More information about our complaints and appeals procedure is available on our website at www.saas.gov.uk/complaints

Complaining about the service provided by your institution or a private agency

If you wish to complain about the service provided by your support worker and they are employed through your institution, you should contact your disability advisor and ask for a copy of their complaints procedure.

If you wish to complain about the service provided by a private agency, you should contact them to find out how to make a complaint.

We cannot get involved with any disputes that you have with your support worker or if you experience difficulty with the service provided by your institution/private agency.

The 'useful websites' on page 23 include a list of organisations that may be able to help you take a complaint forward, for example the Citizens Advice Bureau or the National Union of Students.

Useful contacts

HM Revenue and Customs Employers Helpline

Information about tax and national insurance for employers

Telephone: 0845 60 70 143
Text: 0845 60213810
Website: www.hmrc.gov.uk/employers

UK Border Agency

Information about employing migrants

www.bia.homeoffice.gov.uk/business-sponsors

National Minimum Wage Helpline

Can give advice about the national minimum wage for your employee(s)

Telephone: 0845 6000 678

Business Link

Information about producing contracts and other paperwork associated with being an employer

www.businesslink.gov.uk

Websites and useful publications

Websites

Disclosure Scotland:	<u>www.disclosurescotland.co.uk</u>
Health and Safety Executive:	<u>www.hse.gov.uk</u>
National Centre for Independent Living:	<u>www.ncil.org.uk</u>
Citizens' Advice Bureau:	<u>www.cas.org.uk</u>
National Union of Students:	<u>www.nus.org.uk</u>
The Care Inspectorate:	<u>www.scswis.com</u>
Update:	<u>www.update.org.uk</u>
The Scottish Government:	<u>www.scotland.gov.uk</u>
Lead Scotland	<u>www.lead.org.uk</u>

Useful Publications

Notes to help you apply for the Disabled Students Allowance

Published by: SAAS
Available from: www.saas.gov.uk/pdf_facts.htm

Helping you meet the cost of learning - funding for disabled students

Published by: The Scottish Government
Available from: www.scotland.gov.uk

Partnership matters

Published by: The Scottish Government
Available from:
www.scotland.gov.uk/publications/2009/05/08155445/0
(available in electronic format only)

Contact us

The contact details for the SAAS DSA team are:

Telephone: 0300 555 0505 (press option 2)

Address: DSA Team
Saughton House
Broomhouse Road
Edinburgh
EH11 3UT

Website: www.saas.gov.uk

Email: saas_4@scotland.gsi.gov.uk



facebook.com/saasfb



twitter.com/saastweet



youtube.com/fundingawareness

Disclaimer: The information in this guide offers general guidance only and is not legally binding, nor does it constitute any right of eligibility for, or entitlement to, funding. We will assess each applicant on his or her individual circumstances in accordance with the information provided with his or her completed application form/s.

last updated: May 2012