



OUR VISION: A COMMUNITY WHERE FAMILIES ARE STRONG AND ALL CHILDREN BELONG

WE BELIEVE...

Family Respite Services assists families to have a short break from caregiving. Our philosophy and approach is to see this short break as an opportunity for the child/youth to develop connections with others in the community, have fun and nurture relationships with friends.

We pride ourselves on being a family centred, flexible respite care program. We know that the respect and individual attention given by the Direct Support Providers are key ingredients in making this a successful support for families in our community.

Mission Statement

Windsor-Essex community organization working with families who have children under the age of eighteen with intellectual, physical and mental health disabilities. We facilitate the provision of short breaks that contribute to the sustaining and enriching of a family's quality of life, and the fullest participation of the child in the community.



- In respite's capability to strengthen both the family and child.
- That families are equal partners in the identification and delivery of respite services for their child.
- In meeting a family's needs on an individual basis through responsive and flexible services.
- That each child has gifts, can contribute to and is a valued member of the community.
- That involvement of caring community people creates positive relationships and opportunities that enhance a child's community participation.

RECRUITMENT OF DIRECT SUPPORT PROVIDERS

We assist families in recruiting people to provide respite or direct support services through an app or website called Respite Now.



All persons interested in being a direct support provider register on the site and provide information about their interests, skills, and experience.

All individuals must provide a current police clearance. Once they are active on the site, individual profiles will be posted on the respite now app for families to review. The family chooses

the right direct support provider for their child and develops a contract for service with them. The site suggests candidates who have the closest fit with the request of the family.

How to register and post your support request:

- Download the Respite Now App or visit www.respite-now.com
- Register and create a profile for the person you need support for.
- Provide information about the type of duties, the skills needed, the time you need them, and the area in Windsor-Essex where you live.
- Once this process is completed, the system will match you with workers who have the experience relevant to your specific requirements.

Once you have submitted your form, you will be sent a username and password via email.

Viewing worker profiles:

- Once you receive a suggested profile you indicate if you want to consider them
- You can then reach out directly to the worker through the app, or complete a support request
- If you create a support request, someone from our team will follow up with you
- You then meet with the worker to decide if you want to consider them.
- You can ask them for more information about their skills and availability, knowing your specific needs.
- You can also ask them for references if you choose.
- If you decide to move forward, click on “hire” on the app, to let us know to remove your posting.
- You discuss the terms of payment for the support and pay the DSP directly.
- The app allows you to “chat” with the worker
- **If you are experiencing difficulties using the site, contact our office for assistance at 519-972-9688.**

SUPPORTS & PROGRAMS

Family Coordinators work directly with parents/caregivers to develop a support plan that meets the individual needs of their child & family. Services are designed to offer a flexible approach for families seeking a short break.



INDIVIDUAL FUNDING SUPPORT

Based on the child's support needs and family income considerations, families will be eligible for some, but not necessarily all, of the resources listed below:

- All Respite Funding: In-Home, Autism & Mental Health,
- Special Services at Home funding (SSAH), Assistance for Children with Severe Disabilities (ACSD), Enhanced Respite, Jordan's Principle, Complex Special Needs Funding & Flex Funding.

Details about the above funding resources and options on how to administer them are included in chart form on page 4.

RESPITE HOMES

Children may stay at a licensed, staffed home for a weekend periodically.

Two Homes:

1. Solcz Family Foundation Respite Home
2. Spago Home provides this support.

COMMUNITY BASED PROGRAMS

FRS works in partnership with several municipalities to assist children to participate in recreation-based community programs, such as Summer Day Camp. This includes programs in Windsor, LaSalle, Lakeshore, Tecumseh, and Leamington.

WHICH FUNDING OPTION WORKS BEST FOR YOUR FAMILY?

Families may be approved more than one funding source. There are some funding models that can be either *parent* OR *agency* administered, while other sources may not allow the option.



Family Respite/Agency Administered Funds

- Rates determined by FRS using living wage guidelines, with family input
- Direct Support Provider is considered an "Employee" of FRS, Employment Standards Apply
- Access to use Respite Now
- Direct Support Providers Covered under WSIB, EI and CPP, and receive vacation/stat. holiday pay, as well as T-4 of earnings.
- **Funding which FRS MUST Administer (Agency Employee):**
 - Complex Special Needs Funding
 - Flex Funding
 - Mental Health Respite
- Respite Training Course Mandatory

All Funding Sources

- Special Services at Home (SSAH)
- Assistance for Children with Severe Disabilities (ACSD)
- Enhanced Respite
- Jordan's Principle
- All Respite Funds- FRS, Autism & Mental Health
- Complex Special Needs Funding
- Flex Funds
- **Funding with an OPTION to Administer by Agency OR Parent:**
 - SSAH
 - Enhanced Respite

Parent/Self Administered Funds

- Parent responsible for selecting service provider, negotiating payment, developing contract with Direct Service Provider
- Direct Support Provider works independently from FRS
- Parents must Invoice the ministry or FRS for funds
- Access to use RespiteNow
- Direct Support Providers responsible for filing his/her own taxes. No T-4 issued
- **Funding which Parents MUST Administer:**
 - ACSD
 - Autism Respite
 - FRS Respite Funds

A living wage is calculated as the hourly rate at which a household can meet its basic needs. It reflects what earners in a family need to bring home based on the actual costs of living in a specific community.

POLICIES AND BEST PRACTICES

All Direct Support Providers who have been screened have been provided Best Practices. Direct Support Providers employed through Family Respite Services are given and sign the following policies.

DISCIPLINE:

Family Respite Services believes that all behaviour is a form of communication. It is best to understand behaviour that challenges us through listening, observing and conversation with people that know the person best. The role of a direct support provider is to encourage appropriate behaviour, development and interaction in a positive manner. It is never the role of a direct support provider to discipline someone that they are supporting. Family Respite Services believes that it is the role of the parent to provide any disciplinary measures for their own children. Any consequences for unacceptable behaviour must be appropriate to the situation and always followed by reassurance and a suitable explanation.

Approved Methods of Responding to Behavioural Issues

Family Respite Services believes that if the family, respite provider or staff member can anticipate that behavioural issues might occur, that a plan should be developed to guide the responses of the caregiver. Appropriate responses and methods that may be included in this plan are:

- Listening
- Talking to the child/individual
- Modeling appropriate behaviour
- Redirecting the behaviour to a positive activity
- Change the topic/ create a diversion
- Making a suggestion that the child may want to spend some time alone in a safe setting to calm down (not "time out" for punishment)
- Complimenting and reinforcing positive choices and actions

Prohibited Approaches and Responses

- The use of physical intervention that is aggressive, including spanking, striking the child with or without an object, shaking, shoving or kicking.
- Punitive approaches such as "time out", placing in a corner, withholding food, etc.
- Harsh or degrading comments
- Deprivation of basic needs such as food, shelter, clothing, or sleep
- A child can NEVER be locked in a room
- Any action that causes pain to the child
- Punishment of a person by another person or group of people condoned by or instigated by staff or caregivers
- Requiring the child to assume an uncomfortable position such as kneeling, squatting etc.
- Noxious stimuli – a caregiver must never administer a punishment where a noxious stimuli is applied e.g. soap in the mouth, water in the face etc.

Prohibited Approaches and Responses cont'd

- Any procedure where an electric shock or aversive stimulus is used.
- Mechanical restraints such as ties, tape or other ways to restrict an individual's movements, unless the use of these has been approved in advance. (e.g. special automobile seat belts may be used with special permission)
- Direct support providers are not permitted to restrain children in response to behavioural issues. It is expected that because you are caring for children you will take the normal, age-appropriate precautions such as holding a young child's hand while crossing the road. However, direct support providers cannot hold a child who is having a "tantrum" or administer other holding techniques that they may have learned in other job settings.

Any use of punitive measures will result in disciplinary action that may include termination of employment or legal action.

Develop a safety plan with your Direct Support Provider that builds on your child's strengths, identifies problems and outlines an emergency plan and gives

PROMISE OF CONFIDENTIALITY:

All direct support providers agree to the following:

In signing this document, I give notice that I am fully aware of the following:

- First, that my relationship with Family Respite Services will, from time to time, bring to my knowledge confidential information concerning families.
- Secondly, that all children and their families who are involved with Family Respite Services are entitled, as a matter of right, to know that such information shall be held in the strictest confidence by those who come in possession of it.
- Third, that it is the stated policy of Family Respite Services that such confidentiality be strictly recognized and preserved.
- Fourth, that no information in any form, regarding any family/child in our program shall be made public on any social media network (such as Facebook, blogs, YouTube, Twitter, LinkedIn, Instagram, Snapchat etc.) or the like without express written consent of the family/legal guardian.
- Fifth, that the Health Care information given to me to allow me to access emergency care for the child I am matched with, including the Health Card number, is strictly confidential.

I therefore promise to keep confidential any and all information and I promise not to disclose it to anyone other than Family Respite Services employees, except where the family signs a release of information which authorizes the disclosure of specific information about them.

The only exception to this is the reporting of child abuse which is a legal obligation.

I understand that if I disclose any confidential information which I may have knowledge of, that Family Respite Services has the right to remove me from my role as a respite provider (or volunteer) immediately. I have read this promise, understand all the information and commit to it.

SERIOUS OCCURRENCE & INCIDENT REPORTING PROCEDURES:



Family Respite Services staff or direct support providers must immediately notify the Executive Director/designate* on learning of a Serious Occurrence. The Ministry of Children Community and Social Services must also be notified in compliance with Ministry policy.

* Designate is defined as the manager "on-call" at the time.

The following are Serious Occurrences which must be reported:

1. Any death of an individual caused by FRS.
2. Any serious accidental injury while receiving service from FRS.
3. Any non-accidental injury, including self-inflicted, or unexplained, and which requires treatment by a medical practitioner including a nurse or dentist.
4. Any alleged abuse or mistreatment of an individual being supported by FRS while participating in a service. Abuse includes verbal abuse, physical harm, sexual molestation or sexual exploitation, to require but not be provided with medical treatment. This includes all allegations of abuse or mistreatment of clients against staff, associate families, volunteers and respite providers/in home workers.
5. Any situation where an individual supported by FRS is missing and FRS staff considers the matter to be serious.
6. Any disaster, such as a fire, on the premises where the service is provided.
7. Any complaint concerning operational, physical or safety standards of the service that is considered by FRS staff to be of a serious nature, including any report of adverse water quality.
8. Any complaint made by or about an individual (being supported by FRS) or any other occurrence concerning an individual that is considered by FRS staff to be of a serious nature.
9. Any use of a physical restraint by an employee with a child receiving service in a licensed children's residence under the Child and Family Services Act, including Weekend with Friends and 4147 Spago Crescent.

Reporting an Incident

- Sometimes incidents occur that are not "Serious Occurrences", but which should be noted. The purpose of keeping an incident form is to ensure that the parent has an accurate record and FRS can assist in planning services for a child.
- An "incident" is an unusual event or behaviour, an act of aggression towards others (children or staff), any injury or illness of the child, or any other occurrence that a worker thinks should be reported to the Family Coordinator.

REPORTING CHILD ABUSE:

All Family Coordinators and direct support providers have a duty and obligation to report any suspected child abuse to the Children's Aid Society. This includes any statement made by the child or observation of a child or situation that would lead you to suspect abuse.

THE FOLLOWING MUST BE REPORTED:

Emotional Harm, Excessive or Inappropriate Physical Force, Caregiver Neglect, Abandonment

ADMINISTERING MEDICATION:



You may be asking the direct support provider to administer medication for your child/individual.

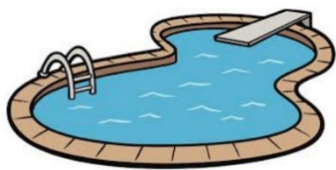
Parents/guardians need to ensure that they have provided clear written directions and permission for a direct support provider to administer any medication. You must advise the direct support provider about the directions, the dosage, frequency of administering the medication and any potential side effects. Review any request to administer medication carefully with the direct support provider. Demonstrate how to measure and administer the medication. Please encourage the support provider to ask questions. Many of the individuals in the program have medications which can have serious side effects, so giving clear instructions is very important. The parent should be notified if an illness occurs, so a clear plan of how to reach you in case of emergency is necessary. Direct support providers must have written authorization to give any medication, including over the counter medications such as Tylenol, aspirin, cough medicine etc. Without this written authorization we advise the direct support provider not to give any medication to avoid allergies and drug interactions.

Here are some best practices for administering medication:

- Always talk with the direct support provider about what the medication is, what it is for and how it should be administered.
- Review any potential side effects, what to watch for and what action to take.
- Review how they should keep track of medication given. We've supplied a log that you could use or you may develop your own system.
- Review what happens if your child misses a dose. Sometimes people get busy, so you need to talk this through.
- Make sure that the direct support provider doesn't give your child any over the counter medication without your approval.
- **Make sure that you have supplied an emergency phone number in case they need to reach you if your child is ill or injured. You may also wish to provide your child's Health Card.**
- If your child is injured and needs to see a doctor while receiving respite support, please call FRS. We need to complete a notice to the Ministry within 24 hours- even on the weekend. Call our emergency number- 519 259 4305.

Always have a clear emergency plan

1. Who to call
2. How to reach you or a designate
3. If there are particular things you want to know about

WATER SAFETY:

Family Respite Services recognizes that supervised water-based activities are a normal part of the lives of children and youth and that parents may wish for their children to be engaged in these activities during their respite periods. It is our goal to set a framework for both the direct support provider and parents so that

the children and youth can safely participate in these activities. We consider these to be best practice so that everyone's safety is protected.

Direct support providers are not screened to include any information about whether the person can swim or is comfortable around water-based activities.

Family Respite Services does not deem this to be the responsibility of the agency. **Therefore, any decision made to have a direct support provider supervise a child in a water-based activity is the full responsibility of the parent.**

However, FRS employees are not authorized to take children swimming except where a licensed lifeguard is present.

TRANSPORTING INDIVIDUALS:

Many direct support providers are involved in assisting individuals to participate in community events. It is therefore accepted that they will also be involved in transporting individuals in a car or by public transportation.

Direct support providers should observe the following:

1. All direct support providers involved in transporting individuals must have a valid driver's license, a safe vehicle and at least \$1,000,000 liability insurance. Employees of FRS must provide documentation of insurance coverage to FRS. Direct support/ Respite providers should provide this to the family.
2. **They should discuss with their individual insurance carrier that they will be involved in occasionally transporting an individual in their car. If they are driving your (family) car, you should inform your insurance agency.**

TRANSPORTING INDIVIDUALS cont'd

3. They will not be receiving reimbursement from FRS for mileage. If a family asks that a direct support provider transport their child on a regular basis, the support provider may ask the family for the cost of the transportation. It is suggested that direct support providers keep track of their costs as a work expense for income tax purposes.
4. It is the responsibility of the direct support provider to ensure that everyone in the vehicle is wearing a seatbelt at all times that the car is in motion. If a child takes off a seatbelt they should pull over and stop the car immediately.
5. Infants and young children must be in proper child car seats that have been properly installed in the vehicle. Some older children with disabilities also use car seats with inserts in them to give them proper position and stability. Parents are responsible to provide this equipment. Children under the age of 8 who weigh between 40-80 pounds must be in a Ministry of Transportation approved booster seat.
6. If a direct support provider does not have access to a proper car seat or booster seat from the family, they should contact the FRS Coordinator so that we can assist in discussing solutions with the family.
7. If a child is behaving in a manner that endangers themselves or the driver of the car, the direct support provider should pull over immediately.
8. It is suggested that direct support providers carry a cell phone & First Aid Kit, in case of emergency.
9. The direct support provider should discuss with the family any concerns they might have about a child's health or behaviour that might affect transporting them in a car or on public transportation.

Families are strongly encouraged to inform their home insurance company that they will have someone coming in and out of their home providing services or supports.

If you permit the direct support provider to drive your car you should discuss this with your insurance provider.

Ask for proof of insurance from the direct service provider if they are transporting your child. Inquire about whether the direct service provider has informed their insurance company that they will be transporting a child.

Family Respite Services Windsor Essex County

2565 Ouellette Ave., Unit 150

Windsor, Ontario

N8X 1L9

Telephone: 519-972-9688

Fax: 519-972-8902

Website: www.familyrespiteservice.org

ADDITIONAL SERVICES AND SUPPORTS - RESOURCES FOR FAMILIES

Family Resources/Applications

Access 2 Entertainment Toll Free: 1-877-376-6362

The Access 2 card is for people of all ages and types of permanent disabilities who require the assistance of a support person at hundreds of participating entertainment, cultural and recreational venues across Canada.

Website: access2card.ca

Easter Seals 1-888-535-5623

Children and youth between the ages of 3 to 18 years with chronic disabilities (physical or developmental) that result in irreversible incontinence or retention problems lasting longer than six months and requiring the use of incontinence supplies.

To Apply: www.easterseals.org

Registered Disability Savings Plan (Visit your Banking Institution)

A registered disability savings plan (RDSP) is a savings plan that is intended to help parents and others save for the long-term financial security of a person who is eligible for the disability tax credit (DTC).

Website: www.rdsp.com

Partners For Planning (P4P Network)

The go-to planning resource for families in Ontario. P4P empowers people with disabilities and their families with FREE resources to create meaningful lives and secure futures, firmly rooted in community.

Website: <https://www.planningnetwork.ca>

Disability Services for Children over age 18

If you are looking for information about adult services for people with developmental disabilities check out

Website: www.transitionplanningwindsoressex.ca

Family to Family Support

Ensemble 519-776-6483 ext.225

Ensemble is a parent-directed resource for families caring for someone with a disability that provides support from birth through adulthood.

Website: www.ensembleunderstands.com

Windsor-Essex Family Network 519-974-1008

Local group of families who share information and experiences with each other, provide emotional and practical support, advocate with government and others.

Website: www.windsoresexfamnet.ca

Agency Contacts

Children First 519-250-1850

If your child is 0-6 years old and you have concerns about their development (e.g. speech, movement, learning), behaviour or mental health you can call.

Website: www.children-first.ca

Community Living Essex County 519-776-6483

If you live in the County of Essex, provides out of home respite or summer support funding. (All non-Windsor residents)

Website: www.communitylivingessex.org

SmartStart Hub 519-252-7281 or 1-800-976-5622

The SmartStart Hub at John McGivney Children's Centre is one-stop point of entry for anyone with concerns about their child/youth's development who would like to explore available options and supports.

Website: www.jmccentre.ca/services/smartstart-hub

John McGivney Children's Centre 519-252-7281

JMCC provide provides paediatric therapy services. Assistance with wheelchairs, assistive devices, therapy and other supports.

Website: www.jmccentre.ca

Home and Community Care Support Services (previously the LHIN/CCAC) 519-258-8211

If your child has severe medical/health care needs, you may be eligible for Enhanced Respite.

Website: healthcareathome.ca/eriestclair/en

Coordinated Access: HDGH WEConnect Kids at 519-257-5437

The place to start if you aren't sure how, where, or what type of mental health service your child may need.

Website: www.hdgh.org/coordinatedAccess

HDGH Regional Children's Centre at 519-257-5111

If you need mental health treatment for your child and they are between the ages of 6-18. They provide counselling, assessment and treatment services.

Website: www.hdgh.org/regionalchildrenscentre

Maryvale Adolescent and Family Services at 519-258-0484

If you need mental health treatment for your child and they are between the ages of 13-18.

Website: www.maryvale.ca

Coordinated Service Planning at 519-257-5437

CSP is available to assist children or youth and their families with coordination of services within Windsor Essex. This is a voluntary service for children or youth with multiple and/or complex special needs.

Website: www.hdgh.org/CSP

Triple P (Positive Parenting Program) 519-257-5215 ext. 74033

Triple P programs offer information, support and practical answers to everyday parenting concerns. It's an approach that's easy to follow and you'll see that even small changes can make a big difference to your family. You can see the courses that are offered at

Website: www.hdgh.org/triplep

Autism Specific Support**Ontario Autism Program (OAP) 1-888-444-4530**

Offers support to families of children and youth on the autism spectrum. More details can be found on the website for the Ministry of Children, Community and Social Services

Website: www.ontario.ca/page/ontario-autism-program

AccessOAP 1-833-425-2445

To register for the OAP or to ask questions regarding the program.

Website: www.accessoap.ca

Summit Centre for Preschool Children with Autism 519-255-1195

Provides parent training & early intervention program for young children with autism. Children must be 2 or younger at time of referral.

Website: www.summitcentre.org

TVCC 1-866-590-8822

If your child has autism and you are looking for specialized treatment called Applied Behavior Analysis (ABA) or Intensive Behavior Intervention (IBI) or other treatment services. Fee for services.

Website: www.tvcc.on.ca

Autism Ontario: Local Chapter 519 250-1893

Source of information and family support for all residents who have a connection to autism including families, children, adults on the spectrum, caregivers, support workers, and teachers. Summer & March Break funding options. www.autismontario.com

Family Respite values your input! We have partnered with families to develop an Engagement Group. If you are interested in participating or being involved in our agency in some capacity please contact your Family Coordinator for more information.

Privacy, How Does That Feel?

BY ALISON OUELLETTE (A PARENT OF A YOUNG MAN WITH A DISABILITY)

We all need privacy, our own space to rest and regroup ourselves, or just have some quiet time, maybe even a little snooze. As families who have a family member with a disability we are often in a 'catch 22' situation. I want to share some of my feelings about this dilemma that we find ourselves in and I welcome any comments from other members of the Family Network. I decided to take a risk and whine a little on paper for all of us parents who have shared these confusing emotions on the subject of privacy. Privacy for us is a nebulous moving target. Sometimes we get it but that 'bull's eye' is extremely hard to hit and we don't get it as often as we would like.

Every day when a worker shows up at my door step and rings the door bell and walks in the door, I experience this mixed bag of feelings; anxiety, relief and intrusion simultaneously. My stomach tightens up and I usually sit up a little straighter. Some days I run to get dressed at that "DING" and other days I just want to hide under the covers. Have you ever had one of those days when you simply want to slouch like a rag on the couch or stay in bed? I want to leave my hair a mess, wear absolutely no makeup, dress like a slob and not move off that couch or get out of bed for anyone? Have you ever felt those simultaneous pangs of guilt and breaths of happiness? I am glad to see the respite worker but truly don't want to see anyone at all. There are days when I have wanted to stay that slob. Days when I thought I just wanted to disappear.

Privacy is such a precious commodity. Most people take it for granted. I have really learned to appreciate and savour the moments when it is just Dave and me. I have had members of my own family; sisters and brothers say "Doesn't it bother you to have someone in your house to help with David all the time?" I want to say "YES". But I must say "No". It is a strange feeling when I have to answer that way and cover up my true feelings. I would love not to have that intrusion each time the respite worker comes. However, as a parent whose son needs significant care every moment of the day, I have had to live with these incompatible emotions. I have to say "No it doesn't bother me; all the while my stomach is turning inside. If I were to be totally honest someone may think that

our family doesn't need the support. How could I do that when we desperately need the help? How does that feel?

Yes we are very grateful for the support and the sight of Dave's support worker walking up the driveway. Some days I absolutely can't cope another minute without them. We admire and love these people who provide David with the excellent care & support he needs. Meanwhile we try not to get too attached because they come and go so often. It hurts when a worker leaves. I can tell by the way Dave hangs his head that he is sad and depressed when they leave for another job. There have been moments when I have anxiously looked out the window and wished it was 1 hour later since that's the time she is scheduled to arrive. But when that time arrives our family undergoes the undeniable interruption in our family privacy.

David's brother and sister always ask, "How come it always turns out that the worker is arriving just when you are yelling at us? Mom I feel so stupid when that happens." I know my other children felt uneasy whenever there was a new worker. They loved some helpers like a family member and others would not even give them the time of day because they were only working with Dave. Some of David's workers have shared with me

their own twinges of uneasiness when they walk in our house. They know and appreciate the fact that our personal privacy is intruded upon every time they come through that front door. They try not to intrude but their very presence makes it impossible to ignore. They always respect our privacy but they need to appear now and then as Dave wheels from room to room in the house.

With a mixed feelings and a deep sigh I have learned to manage with the dinner and the bed time schedules that workers appear to support our family and Dave. We have learned to treasure the time when we do have our family privacy. This private time to yell and scream at will or to dance around the house if I'm in that funny mood. We love the privacy of snoozing on the couch with no one interrupting to ask a question.

It is very difficult to live with these conflicting emotions but believe me they are real and normal for our family situations. What I have learned is the power of connecting with other families and sharing these feelings is very helpful. These connections can never be underestimated. Keep in touch and stay connected.

This article originally appeared in 'Network News', winter 2000 Edition 17, a publication of the Windsor Essex Family Network.

See more articles written by Alison at <http://home.cogeco.ca/~aco-web/>

ADDITIONAL INFORMATION ABOUT MANAGING YOUR SUPPORT FUNDING (PARENT-ADMINISTERED OPTION)

It is important for you to have clear information and a contract with the Direct Service Provider to set out expectations regarding the employment relationship before you begin service and payment with them. Tips for determining Employment Status, Recruitment, Interviewing, Screening and Contracting:

Managing Your Funds:

As a family who has a son, daughter, sister or brother with a disability, you may receive funding to assist you with developing and paying for supports.

- For children under the age of 18 this funding might include Special Services at Home, (SSAH) Assistance for Children with Severe Disabilities (ACSD), Enhanced Respite, Autism Respite (ASD respite) and others
- For adults with a developmental disability, it might include Passport funds and/or other types of individualized funding.

There are different ways to manage these funds and you will want to think about what is best for your situation. The information in this booklet is to help you with this process. The booklet provides some information about being an employer or contracting for services, how to go about finding someone to provide the support and some other useful considerations.

When it comes to paying a direct support provider to assist your family member it is important to understand the difference between hiring an employee and having someone provide services as a self-employed contractor.

There are rules about this through the Canada Revenue Agency. You can read about this at <http://www.cra.gc.ca/payroll>

If after reading the information you are not sure whether you want the person to be an employee or self-employed contractor, you can get advice from an accountant.

Decide what is best for your family and your situation. Below are some examples of what you would do depending on the option you choose.

What is Direct Support?

Roles, Responsibilities and Titles:

- Direct support involves assisting in the daily tasks that a person cannot carry out by themselves or that would be overwhelming or unable to be provided by the supported person's family members.
- It is a resource to help to a person who is building and fulfilling their place in the community and who relies on that support to be able to participate and assist with making activities accessible.
- It provides the tools to make it possible for people with differing abilities to participate fully in the community, contribute to society and lead an active lifestyle.

The Role of Direct Support Providers

- Assist or support a person to do the things they want to do.
- Perform tasks in a way that is transparent, without overshadowing the person who is being assisted.
- Be the hands to assist with tasks, driving, eating or bathing; the voice to help with communication; the eyes for reading; or the feet to run errands.
- Very importantly, they are the bridge to connections and relationships with others.

Other terms you may hear or see are:

- Supporter, In home “worker”, Respite Provider, Personal Support Assistant, In-Home Supporter

Note: If you should choose to hire an “Employee” rather than a “Self-Employed Contractor,” you may choose to include the word “worker” in the Position Title.

What does it mean to “Administer Your own Funds”?

- Administering the funds yourself (sometimes called self-administration) refers to all the tasks associated with managing the resources you require, whether your Service Provider(s) are “Self-Employed/Independent Contractors” or “Employees”.
- This means you will be responsible for:
 - Selecting Service Providers and Negotiating Contracts
 - Managing payment for service by invoice or payroll
 - Monitoring services issues or performance issues
 - Terminating Service Agreements or Employee Agreements

In choosing how to use your funds, you will decide whether to:

1. Secure the services of a “Self-Employed/ Independent Contractor” or
2. Hire an employee

Employment Status: Independent Contractor or Employees?

When securing the services of a Direct Support Provider, you have three options:

1. Purchase the services of a “Self-Employed Independent Contractor”.
2. Become an “Employer” and hire your own “Employees”; or
3. Use Employees from an Agency by purchasing that service.

It’s important for you to understand the differences between government requirements for a “Self-Employed Independent Contractor” and an “Employee”.

What does it mean to “Administer Your own Funds”?

- We hope the resources provided will help you make an informed choice that fits your needs.
- We have tried to make it easier for people and families by assisting with the research process.
- We are presenting this information so you can make an informed decision.
- We are not promoting one choice over another about how you administer your funds.
- Along with the information we are providing, we suggest you review information from a variety of sources and consult with professional lawyers, accountants, and government agencies for expert advice on your specific situation.

The Difference between Self Employed vs. an Employee?

How is the employment status determined?

- The determination of the employment status of Direct Support Providers is not within the control of any agency. This is determined by the Canada Revenue Agency (CRA). The Canada Revenue Agency and the Ministry of Labour set out guidelines concerning employer/employee relationships.
- We want individuals/families to be informed of sources of advice regarding the employment status of their Direct Support Providers.
- It is important that individuals/families are aware of the potential legal responsibilities and liabilities associated with self-administering their contracts.
- Families who manage their own funds are advised to be clear about the nature of the employment relationship that they have with their Direct Support Provider to ensure that guidelines are followed and develop a clear signed contract with the direct service provider.
- In the past, families have asked the Direct Support Provider to sign a waiver or letter of understanding stating they are “Self-Employed”. This does not automatically mean that you do not have obligations as an employer. As a general rule, the more control you have over the employment relationship, the more likely you will be seen as an employer required to follow the Employment Standards Act.
- Families who are not clear about their Direct Support Provider’s employment status should contact the Canada Revenue Agency and the Workplace Safety and Insurance Board directly. They will provide questionnaires, which once completed will enable them to analyze your specific employment relationship. They will then make a decision regarding the nature of the relationship.
- Canada Revenue Agency and the Workplace Safety and Insurance Board may have different rulings given their different responsibilities.

Canada Revenue Agency Guidelines

Canada Revenue Agency (CRA) has very clear guidelines about the determination of who is “Self-Employed” and who is an “Employee”. While there are advantages to being the employer, there are also clear expectations and responsibilities to follow.

If a Service Provider is an “Employee”, the payer is considered an “Employer” and is responsible for:

- Deducting Canada Pension Plan (CPP) contributions,
- Employment Insurance (EI) premiums,
- Income tax from the amounts that they pay to the “Employee”.
- You must remit these deductions, along with a portion as an “Employer” to Canada Revenue Agency.

If you fail to remit these deductions and pay them to CRA, a ruling can be made for the “Employer” to have to pay both the “Employee” and “Employer” portion plus penalties and interest. For more information, go to <http://www.cra.gc.ca/payroll>

If you control the schedule, supervise the person, control the duties and responsibilities, provide training, and have the final word about how to do the work, Canada Revenue Agency would see this as an “Employee/Employer Relationship”.

Generally, decision makers are concerned with factors that are very commercially oriented in that they are focused on the role the worker plays in the employer’s business. In the family context many of these factors do not apply. Some factors that are relevant however include:

- Who controls how, when, and where the work is performed?
- Do you direct and supervise the Direct Support Provider or does the DSP dictate the work to be done?
- Can the DSP provide service to others while working for you, or during the hours they are not working for you?
- Can the DSP have a subcontractor perform the work for you if he/she is unavailable?
- How dependent on you is the worker for his/her livelihood?
- Does the contractor work out of your home, or does he/she have his/her own space where he/she provides the services?
- How flexible is the schedule?
- How is the person paid (i.e. scheduled pay day or by invoice)?
- Do you provide vacation, holidays, overtime pay, or other benefits typically associated with employment?

In short, the more flexibility and control your Direct Support Provider has, the more likely they will be deemed an independent contractor. By contrast, the more integrated into and dependent on your family they are, the more likely he or she will be deemed an employee. (e.g. is this their major source of income)

Option #1:

Purchasing Services of a Self-Employed Contractor:

- You define the service and supports that your family member needs.
 - Outline in writing the service expectations, roles and responsibilities required to assist your family member. You are not creating a “job description” but focusing on the services to be provided.
- Screen the person and ask for references and background to ensure that they will be able to provide the service that is needed. This includes safety checks such as a police clearance. You might ask for a driver’s abstract, First Aid, CPR etc.
- Have a discussion with the person to decide on a mutually agreeable time to have the service and support provided.
- Develop a clear contract about the service and support to be provided and the self-employed status of the person.
- Ensure your contract also defines that either party can terminate the contract with appropriate notice.

Setting things up for the purchase of service, self-employed contractor relationship:

- Expect the person to follow the service expectations that are outlined in the agreement. Note: you will not supervise the person, but you can provide feedback about the services being provided.
- Ask the person to provide an invoice for their service.
- Keep a copy of the invoice for your records. Note: The person is responsible to keep track of their own earnings and pay any taxes.
- You send your invoice to FRS or the Ministry to reimburse you for the funds you paid.

The responsibilities of a self-employed Direct Support Provider include:

- Your Direct Support Provider is responsible for their own income tax and remittances.
- If your Direct Support Provider reaches a certain income level (ie. over \$30,000 annually) then they will have to charge you HST.
- The self-employed contractor submits an invoice to you, and you pay that invoice. You get reimbursed for that through the Ministry of Children, Community and Social Services.



Sign a clear contract agreement with the Direct Support Provider so that everyone is clear about the relationship.

DEVELOPING A CONTRACT AGREEMENT LETTER WITH A SELF-EMPLOYED CONTRACTOR

A "Contract Agreement Letter" needs to identify:

- You are securing and/or purchasing the services of a "self-employed/independent contractor"
- The time frame for when the contract starts and when it will end.
- The self-employed contractor is responsible for making the appropriate remittances (for example, income taxes and HST) and that no T4 income tax slip will be issued
- Method of payment will be by invoice.
- Use of vehicle and travel – self-contractors can use car expenses including mileage as a deduction
- Requirements to terminate the contract.
- Include the terms on which the agreement can be terminated.
- Include an "indemnity" clause to cover any liability against you if the Direct Support Provider is "deemed" to be an employee.

A Contract Agreement Letter is a legally binding document. We strongly suggest you consult with a lawyer to assist you in drafting these documents.

PAYING YOUR SELF-EMPLOYED CONTRACTOR- *IMPORTANT*

"Self-Employed Contractors" who provide you with their Direct Support Provider Services must invoice you for their services.

The invoice should include:

- ☐ The self-employed Support Provider's contact information
- ☐ Invoice Date and Number
- ☐ Registered Business Number (if they have one)
- ☐ Description of services provided
- ☐ Table that includes: date of service, hours of service, etc.
- ☐ Calculation of the invoice amount (# of hours x hourly rate) and HST (if required)
- ☐ Term of payment (i.e. 30 days)

Keep a record for your own purposes of:

- The hours of service that they provided to you (marking it on a calendar helps)
- The date that you paid them / amount paid

Option #2:

When you are the Employer (Person, Family or Support Network)

When the Direct Support Provider is your employee:

- Being the employer gives you control over hiring, the hours of work and the responsibilities of your employee and supervision.
- You need a registered business number. You do not have to be a registered company. You apply for a Business number and a Payroll deductions account with Canada Revenue (on line).
- You make payments to Canada Revenue for the mandatory deductions. This can be done quarterly or monthly. You can arrange for CRA to withdraw it directly from your bank account.
- You must make sure that the person is able to work in Canada, get your employee's social insurance number and have them fill out a Form TD1- Personal Tax Credits Return
- These forms and other useful information are available online through the Canada Revenue website and other links.
- You pay the person on an agreed upon schedule.
- You must keep payroll records, pay vacation and statutory holiday pay and provide documents such as T4 (tax) information to the person you hire.
- You invoice the Ministry for reimbursement for the funds you have paid.
- Coverage for on-the-job injuries for the Direct Support Provider can be obtained through WSIB (but not required) or through your Home Insurance. In all situations it is recommended that you talk with your home insurance company to ensure that you have the proper coverage for someone who will be providing services in your home.
- Establish a Personnel File for your Employee – files need to be kept for 6 years.

An Employment Agreement: As an employer, you are expected to have an employment agreement or contract with your employee. This is a legally binding document.

An "Employment Agreement" needs to identify:

- ☐ Terms of Employment (Compensation, Hours of Work, Days of Work);
- ☐ Responsibilities of both the Employer and the Employee;
- ☐ Expectations for how performance will be reviewed;
- ☐ The conditions under which employment would be terminated immediately.

Finding the Right Direct Support Provider for You

The Process

- It may be beneficial to have a planner or facilitator work with your family to help you become clear about the Direct Support Services you want and need.
- Ask family and friends to come together to talk about the type of support/position that is needed.
- Discuss the role of the person to deliver the support services.
- Consider the skills and particular experience necessary.
- List the types of activities that you envision happening.
- Define the frequency of service needed.

Step by Step:

- Define the service and supports you need.
- This will help to define the skills and experience required, the roles and responsibilities and the expectations.
- Advertise for the best person to provide the service. You can do this through family and friends, through sources like "Indeed" or "Kijiji". You can also post flyers, use the newspaper. People using their Special Services at Home funds or Avenues funds can also access a support through Family Respite Services called "Respite Now".
- Screen the service provider to ensure they have the skills and experience you need. This will likely include a discussion on the telephone followed by a meeting in person. Ask someone to sit in on the interview with you.
- Check References, police record and any other qualifications you think are necessary.
- Negotiate and develop a contract for services which clearly defines if you are securing the services of a "Self-Employed Contractor" or hiring an "Employee".
- Discuss and sign the appropriate contract with the Direct Support Provider.
- You might have a trial period to ensure that both parties think it is a good fit.

DEVELOPING A DESCRIPTION OF WHAT YOU WANT THE PERSON TO DO:

Do some thinking around what you want to call the position or service. This sends an important message. Ensure that the title and description reflect whether you are hiring a “Self-Employed Contractor” or an “Employee”. Prioritize what is most important to you in terms of the type of support you want and need.

If the person is to be your employee:

- Provide a full description of the role the individual will provide. i.e. job description

Headings in the description often include:

- The name of the Position or Position Title
- Who the Position supports and reports to
- A description of the person to be supported
- Summary of Expectations and any specific needs of the person or family
- Roles and Responsibilities
- Qualifications including education, skills & qualities

The qualifications are usually must haves.

You can use the qualifications to set up a screening list to shorten your list of candidates.

If the person will be a self-employed/independent contractor:

- A description of the services you wish to purchase
- The role that they will assume (e.g. providing assistance for community involvement, employment support, volunteer involvement etc.)
- The expectations about the experience that the person must have
- Do they need to have use of their own vehicle

Is Your Direct Support Provider an Employee or an Independent Contractor? Questions	Employee	Independent
Did you train the person?	Yes	No
Was the person required to comply with employer policy?	Yes	No
Did the person have fixed hours determined by you?	Yes	No
Did the person need to have approval for time off from the employer?	Yes	No
Could the person decide how the work should be done? Eg. What activities would be engaged in to complete the assigned work	No	Yes
Did the person operate on your premises ? (home or elsewhere assigned by you)	Yes	No
Did the person use your resources? (vehicle, phone, computer, cleaning tools etc.)	Yes	No
Did the person use their own tools ? (vehicle, computer etc.) to perform the services	No	Yes
Did the person incur their own costs not covered by you? (gas, meals, phone, resources etc.)	No	Yes
Did you have "employees" performing the same work/treated the same?	Yes	No
Did you have the right to discipline or dismiss for cause?	Yes	No
Did the person use their own letterhead, business cards to represent themselves to others (clients or public) that they were acting on behalf of the employer?	Yes	No
Was the person required to attend meetings set by the employer with other staff, to delegate work or otherwise integrate service with staff?	Yes	No
Could the person hire others to do the work for the person?	No	Yes
Who was responsible for arranging alternate care if the person was ill or otherwise unavailable?	Employer	Person
Was the person permitted to work for other families?	No	Yes
Could the person multi-task- e.g. support more than one person at a time and be paid in respect to both?	No	Yes
Did you supervise the person's work (scheduling, performance, direction of their work, direction of tasks to be performed and when)?	Yes	No

Is Your Direct Support Provider an Employee or an Independent Contractor? Questions	Employee	Independent
Was their pay based on fixed hours (e.g. timesheet)?	Yes	No
Any incentive pay or bonuses available?	No	Yes
Was the person paid hourly?	Yes	No
Did the person receive any benefits?	Yes	No
Did the person receive any pay for vacation or public holidays?	Yes	No
Did the person work regularly for you on an ongoing basis? (regular schedule for indefinite term)	Yes	No
Does the person work a substantial number of hours for you such that it forms a significant portion of their work week and income?	Yes	No
How long has the person been performing the service for you?	Long term	Short term
Is the work essential, relied upon and integral to the employer's ongoing operations?	Yes	No
Does the person have and maintain insurance (auto, accident, WSIB, general liability)?	No	Yes
Does the person have their own HST number?	No	Yes
Did the person apply for the job through an employment advertisement or job posting?	Yes	No
Did the person's contract include terms consistent with employment (reference to employment, vacation etc.)?	Yes	No
Did the contract clearly communicate that the parties agree that the person is an independent contractor, along with other factors that indicate an independent contractor relationship?	No	Yes

This questionnaire was developed by Pooran Law Professional Corporation as a resource for employers and families in the developmental services sector. It summarizes some of the factors that courts and tribunals consider in determining whether someone is an independent contractor or employee. No single factor is determinative, and each case will be determined by specific facts. This questionnaire does not constitute legal advice and Pooran Law Professional Corporation expressly recommends that you obtain legal advice before entering into contractual relations.

ADVERTISING TO FIND THE RIGHT PERSON

The profile is your advertisement for the position or service. It summarizes the best parts of the position or service required and any unique features.

A summary of the position or services, the experience needed, and qualifications are the parts of the profile that you will often use. As a reminder, if you are using someone who is self-employed, you will not be advertising a “position”, you will be searching for the right person to provide the services you describe.

Including the wage or hourly rate is optional. If you are contracting with a Self-Employed Contractor, you will be negotiating with them to determine what you will pay for their services.

Developing an Ad for the Position:

- ✓ Take a look at other ads or postings – clip ads or copy postings that caught your eye and keep them for future reference.
- ✓ Be short and concise.
- ✓ Include the basics of the position or service.
- ✓ Note any personal preferences and features that make the situation unique.
- ✓ Use an e-mail address for the first contact.

Where to Advertise:

- Talk to family, close friends and other parents.
- Look for places/people where the person supported interacts with neighbourhood & community and hand out contact cards or flyers.
- Schools, Library, Gym, Grocery Store, Coffee Shop, Hair Salon, Place of Worship, Service Organizations, Community Centres

Resources: Contact places that may be able to assist you

For Self – Employed Contractors:

- College programs
- University programs
- Private colleges/training centres

For Employees:

- Employment training programs/centers
- Employment agencies or employment websites like Indeed
- Use social media- Kijiji, Facebook

What's Important to You? How to choose the best person?

Think about:

- Your best experience with a Direct Support Provider – what did you like about them?
- A Direct Support Provider that you didn't have a great connection with – why didn't it work?
- What are some favourite things that the person supported has enjoyed with a Direct Support Provider?

What Qualities are You Looking For?

Some qualities of a great Direct Support Provider are:

- Listens intensively
- Dependable
- Flexible
- Patient
- Respectful
- Willing to learn
- Honest
- Trustworthy
- Good sense of humour
- Able to follow instructions
- Ability to carry out a dream

Meeting and Interviewing:

Create a list of **Interview Questions**.

Depending upon what is important to you, pick questions from the following categories:

- ✓ **Values, Experience, Education/Interests, Providing Feedback, Skills, Specific questions related to the kind of support you need**

When developing your list of Interview Questions, also consider questions about **Work Conditions** and **Expectations** of both you and the Direct Support Provider. Take notes so you can refer to your notes later when you are making your final decision. Screening the service provider, allows you to ensure they have the skills you want, that safety issues are addressed, and they have the necessary experience. Screen applications and resumes based on your must-haves. Use a screening list to assist you. The candidates that have your most "must haves" are the ones you should interview.

Talk to the candidates on the phone first and choose the best ones to meet in person. Only conduct face-to-face interviews with candidates you feel would be a good fit after the telephone screening.

Never conduct an interview alone. Some people who could assist you in interviewing are: Your family, close friends, members of a support team, or a teacher/aid who knows the child well.

You Have Chosen Someone: What do you need before finalizing Your Decision?

References:

- Ask for two or three references and talk to these people before you make a decision.
- There is implied consent in terms of reference checking. If the Direct Support Provider provides you with references, then it is implied it is OK to call the people on the list that they provide.
- Create a list of questions to ask Personal and Professional References.
- Professional References should include past or current families that the Direct Support Provider has supported.
- Keep notes documenting what the references tell you.

Background or Police Record Checks

- A Police Record Check which includes the vulnerable person review is recommended.
- You may wish to pay for the police check or ask your Direct Support Provider to pay.
- Police checks should be repeated at regular intervals (ie. annually, etc.).

Note: If you are hiring an Employee, your offer of employment may be made contingent upon receipt of a clean Police Record Check.

After you make your decision:

Once you have made your final decision, you will need to negotiate the terms of a Contract Agreement Letter if securing the services of a "Self-Employed/Independent Contractor" or an Employment Agreement if hiring an "Employee".

You need to ensure that all documents are completed and signed.

They include:

- ✓ Contract Agreement Letter (for Self-Employed Contractors)
- ✓ Employment Agreement (For Employees Only)
- ✓ Contact information form
- ✓ Proof of insurance if they will be transporting your child

Forms you will need:

Whether you have decided to purchase the services of a self-employed contractor or hire an employee, the following forms will help you to gather important information to assist you in the process. Copies of examples of these forms are included in this booklet:

- Application Form
- Telephone screening questions
- Personal Reference Form
- Face to face interview questions

- A sample contract for a self-employed contractor
- A sample contract for an employer-employee

Once you choose someone: If you decide to secure the services of a **Self-Employed Contractor**, you will need to draft a "Contract Agreement Letter". If you decide to hire an Employee, you will need to draft an "Employment Agreement".

Both of these documents are legally binding.

We strongly suggest you consult with a lawyer to assist you in drafting these documents.

Keeping Good Files and Information:

Your files should include:

- Position Description
- Application/Resume/Statement of Interest
- Interview Notes
- Reference Check Notes
- Police Record Check
- Signed Contract Letter or Employment Agreement
- Invoices or Timesheets
- Contact Information Form
- Notes on Service Issues or Performance Issues
- Documented Notes or Evaluation Forms
- Termination of Services Notes, Letters, or Forms

Ensuring Success:

Getting started and orienting the person:

- If you asked during your interview about how the Direct Support Provider likes to learn, then you can use their response to set up your orientation. Some people like to read about things, some need to watch you do things and some like to learn through discussion. You'll likely use a combination of these techniques.
- During orientation/training ask for feedback on how you are explaining tasks.
- Boundaries are the most important topic to address first because everyone has different boundaries. Boundaries means defining what is personal business and what is shared business or relationship. What is fine with one family might not be fine with your family. Be explicit.

A great way to start is to sit down and chat with your new Direct Support Provider about your child, their abilities, gifts and strengths, and what is important to them, and why.

- ☐ Use examples to help with clarification.
- ☐ Identify technical terms.
- ☐ Explain why a certain task/activity is important. You may want to create a "Child Profile" which can be shared with direct support providers. Sample included pg.32.
- ☐ You can involve another Support Provider or someone that knows your son/daughter in providing information or demonstrating areas of support.
- ☐ Introduce the Direct Support Provider to the important people in the life of the child to be supported.
- ☐ Talk more about what you/they like and don't like, and why.
- ☐ Talk about the expectation for confidentiality.
- ☐ Set a period when you expect orientation to end. At the end of the period have a meeting - this will be your first chance to address any issues of concern about whether the match is working.

ALL ABOUT ME Name: _____

The people in my family are: _____

My family describe me as: _____

Together as a family, we enjoy: _____

The languages we speak at home are: _____
(please include any keywords that might be helpful for staff)

I like to eat: _____

I don't like to eat: _____

My sleeping patterns: _____
(please include details of routines, times & special comforts)

My toileting stage: _____

Things I am fascinated by: _____

Toys I like to play with & games I like to play: _____

Books I love: _____

Recently I have learnt to: _____

Other things we would like you to know: _____

Your child's Profile can contain any categories or information that you feel are relevant to their age and support needs. This is just a sample to assist you in developing your own.

Other possible categories:

- My Hopes/Dreams
- Some things that bother or upset me
- Things I may say and what they mean

Providing Feedback:

- Provide positive feedback especially when the Direct Support Provider has done something you really like.
- Address issues right away while they are small and can be fixed more easily. Give ideas about a solution that you would have preferred.
- Remember that all feedback should be constructive in order to help your Direct Support Provider to succeed in their role.

Conduct A Yearly Review of the Relationship and Service Provided:

- At least once a year a review of your relationship and service agreement should take place.
- It can be formal using an evaluation tool if you are an Employer.
- It can also be informal – meeting with the Direct Support Provider and document the conversation.
- This is a time to focus on things you want improved in your relationship with the Direct Support Provider or issues in the delivery of the service that are of concern or should be changed.

Create a Back Up Plan:

- When choosing a Direct Support Provider, you may want to consider whether the person has the ability to provide backup on short notice.
- If your support provider is self-employed, you need to address if you require or give approval for your Support Providers to find their own replacement if they are unable to work OR do you wish to go without service if they are unavailable.
- When you plan your schedule, plan for a backup.
- Identify family and friends who could provide support on short notice.
- Create a pool of back up Direct Support Providers (already screened) with other families.

Addressing Issues and Termination of Services:

- The Contract Agreement Letter (with the Self-Employed Contractor) or Employment Agreement (with an Employee) should outline expectations for how the service will be delivered and reviewed.

AND

- The conditions under which a contract or employment would be terminated immediately.

When addressing performance/service issues:

- ✓ Address how the issue affects the person.
- ✓ Describe the problem and solution you want.
- ✓ Ask the Direct Support Provider if they have any ideas on how to resolve the issue.
- ✓ Make the decision on how to deal with the issue.
- ✓ Document the conversation and outcome.
- ✓ Provide feedback.

IF YOU NEED TO END THE CONTRACT:

If you can, make arrangements for back up before you terminate a Direct Support Provider. It is best to have a face-to-face meeting but have someone else with you during the meeting. Maintain confidentiality with other Direct Support Providers. Do not discuss the situation with them.

Before terminating a Direct Support Provider, consult the Contract Agreement Letter (if they are a Self-Employed Contractor) or Employment Agreement (if they are an Employee) regarding notice & also the Employment Standards Act. You may also wish to consult with a lawyer. If the person is an employee, you must follow all the rules for the Employment Standards Act. If you have a Direct Support Provider that is an employee of FRS (e.g. Special Services at Home), FRS must abide by the Employment Standards Act.

Be direct and to the point:

- I am sorry I do not feel you are the appropriate person to provide the support I need
- I am sorry you are not fulfilling the expectations of our contract as outlined in our Contract Agreement (if Self-Employed) or Employment Agreement (if an Employee).
- I am sorry we will no longer be needing your services.



Sample Telephone Screening Script

My name is _____ and I'm following up on your interest to be a direct support provider. Is now a good time for us to talk for a few minutes about the services I need?

Before we start, there are several questions that I always ask people:

Where do you live? Do you have reliable transportation?

I require _____. Would you be able to do this? Great, then let me tell you a little about myself.

I live _____. Because of my child's disability, I need assistance with _____.

I pay \$_____ per hour (and withhold taxes as required by law if you are going to be an employer).

Does this sound like a service you can provide? Good, tell me a little about yourself and then I'd like to set up a date and time for an interview.

When you come for the interview, please bring _____, the names and contact information for three work references and two personal ones.

Please call if anything comes up and you can't make the interview. Is there a number where I can reach you in case I have to reschedule? Thank you for your interest and your time.

I will see you on at (date) _____ at (time) _____ at (location) _____.

Samples Face To Face Interview Questions

Values

- Tell us about your values and how they would be used to support [insert name] /our family?
- Tell us about the opportunities you have had to interact with people who have a disability?
- What are the qualities you have that enable you to do a great job at providing support?
- In this job you would have access to a lot of personal information, tell us what you think confidentiality means? What things would you do to make sure confidentiality is maintained?

Education / Interests

- Tell us about your education including any additional certifications. What were your best lessons learned and how would you apply them to your role as a direct service provider.
- What are your interests/hobbies?
- What do you enjoy doing when you are not working?

Samples: Face To Face Interview Questions

Skills

- How would you handle a situation where you and I [person or family] had a disagreement about supporting [insert name]?
- Tell us about a situation where you made a mistake in a previous job and how you handled it?
- It can be easy to get overwhelmed with work, school, home and extra-curricular responsibilities. Tell us how you organize and prioritize your schedule?
- Give an example of when you had to use good judgment skills?
- Share with us how you can adapt to a variety of people, situations, and environments.



Experience

- Tell us about your work experience and specifically address what you gained that would apply to the position of direct support provider?
- Give an example of where you would go to gather information about opportunities in the community. How would you connect and engage a person in the community?
- Tell us how you would handle a situation where a person in the community was putting up barriers to participate for the person you are supporting?
- I really like to go out in my community. Can you tell me a story about any experience you have had finding opportunities for someone you support so they could do more in the community?

Learning and Feedback

- What is the best way to teach you something new?
- How do you like to receive feedback?
- How do you identify and ask for things you need?

Direct Support Specific

- What interests you about being a direct support provider?
- Why are you the right person to provide this service?
- Why did you answer my ad instead of others you may have seen?
- Let me tell you about some of the services that you would be required to provide as a direct support provider.....Do any of these tasks make you uncomfortable. What would you need to make you feel more comfortable?
- I hope to have a great relationship with the person that is providing support for my son/daughter. If I were to ask someone you supported in the past if you were respectful, what examples would they give me?

Sample Reference Form

Applicant's Name:	
Reference's Name:	
Reference's Phone Number:	
Relationship to Applicant:	
I, <u>(applicant)</u> , authorize <u>(reference)</u> to release my information to <u>(parent/caregiver)</u> , so they may further evaluate my qualifications.	
Applicant's Signature:	
Date:	

It is good to begin the conversation with an introduction of why you are checking this reference and then briefly explain the job description. Then, you can begin to ask questions.

Here is a list of questions you could ask an employer reference about a potential PA:

1. How long did **[Applicant's Name]** work for you?
2. Was **[Applicant's Name]** dependable?
3. How was **[Applicant's Name]** attendance?
4. Do you consider **[Applicant's Name]** to be honest?
5. How did **[Applicant's Name]** take supervision?
6. Can **[Applicant's Name]** work independently?
7. Did **[Applicant's Name]** get along with other employees?
8. Would you hire **[Applicant's Name]** again?

Here is a list of questions you could ask a personal reference about a potential DSP:

1. What is your relationship with **[Applicant's Name]**?
2. How long have you known **[Applicant's Name]**?
3. In your opinion is **[Applicant's Name]** trustworthy?
4. Would you want **[Applicant's Name]** to work for you in my situation? Are there any outstanding things, either positive or negative, I should know about **[Applicant's Name]** before hiring them?

Sample Contract with Self-Employed/Independent Contractor

(Insert the Name of Your Family and/or the Person being supported)

Date:

Address:

Self-Employed Contractor's Name:

Full Address:

Dear (Insert Contractor's Name),

This letter will confirm the purchase of your services as a self-employed contractor and as a Direct Support Provider for **(Insert the Name of the Person being supported)**

As with all self-employed arrangements, deductions will not be made from your payments and remittances will not be made to the government on your behalf; you maintain full responsibility for keeping a record of payments and for declaring your income to Revenue Canada for income tax purposes. A T-4 slip will not be issued.

You are also responsible for any work-related injury compensation. (Optional) You will be required to use your own vehicle to carry out some duties and therefore we will pay mileage at the rate of **(Insert Rate)**

You are required to submit an invoice on a (insert term) basis according to the invoice template that has been provided.

Both parties have the right to terminate this contract with two weeks' notice in writing. The notice period can be varied with mutual agreement. The contract may be terminated without notice for any willful misconduct, any harm, neglect or abuse of **(Insert the Name of the Person being supported)**, breach of confidentiality or an inability to honour the term of this contract.

(Insert signature)

Person/Parent/Guardian's name:

Self-employed Contractor's name:

Sample Employment Agreement

This agreement is made on **(date)**

between

EMPLOYER	DIRECT SUPPORT PROVIDER
Name:	Name:
Address:	Address:
Phone number:	Phone Number:
Email:	Email:
	Social Insurance Number:

TERMS OF EMPLOYMENT

1. The employer will require, and the Direct Support Provider will supply _____ hours per week with the following general services provided (and others as needed).
 - a.
 - b.
 - c.
 - d.
 - e.
 - f.
 - g.
 - h.
 - i.

2. The Direct Support Provider will maintain a weekly schedule as outlined below with adjustments as needed and with as much advance notice as possible.

	Morning	Afternoon	Evening	Sleepover
Monday				
Tuesday				
Wednesday				
Thursday				
Friday				
Saturday				
Sunday				

3. The Direct Support Provider agrees to the following compensation for services performed: **[insert hourly wage]**. [OPTIONAL] Additional compensation will be provided as benefits.

EMPLOYEE RESPONSIBILITIES

4. The Direct Support Provider also agrees to the following:
 - a. Follow and respect the direction given by the person/family/guardian
 - b. Assist employer to maintain documentation and records required including all necessary paperwork to secure mandatory payroll deductions from pay
 - c. All documentation and records are the property of the employer
 - d. Documentation and records will be kept confidential
 - e. Documentation and records cannot be released without permission of the employer and any records will be returned to the employer when the employment term ends
 - f. Participate in meetings as requested by the employer
 - g. Participate in regular reviews and provide pertinent information for accountability of supports and quality assurance
 - h. Maintain a valid Standard Level First Aid/CPR certification if requested
 - i. Provide a criminal reference check if requested
 - j. Provide documentation of valid driver's license and vehicle insurance
 - k. Abide by the home rules
5. The Direct Support Provider agrees to the following regarding [insert name] rights:
 - a. Ensure human rights will be protected as those of any other citizen under the Canadian Charter of Rights and Freedom and the Ontario Human Rights Code
 - b. Provide a safe, nurturing and respectful environment
 - c. Protect from harm or abuse (physical, verbal, emotional, sexual or financial) that demeans, hurts or infringes on personal rights or dignity or places [insert name] at risk to personal health and safety
 - d. Immediately report any knowledge or suspicion of harm or abuse
6. The Employer agrees to the following:
 - a. Compensate the Direct Support Provider in a timely manner
 - b. Treat the Direct Support Provider with respect
 - c. Assure proper training and required information is provided in order for the DSP to carry out their work
 - d. Share additional training opportunities that become available [OPTIONAL: if employer will provide or share cost for training]
 - e. Provide ongoing feedback to ensure that there is good communication about the support the employee needs and the job performance.
 - f. Conduct an evaluation of the performance of the employee at minimum annually

TERMINATION AND REVIEW OF AGREEMENT

7. Both parties have the right to terminate the agreement with appropriate two weeks' notice in writing. The notice period can be varied with mutual agreement.
8. The agreement may be terminated without notice if there is any breach of the fundamental terms of this agreement, such as willful misconduct, any harm, neglect or abuse of [insert name], breach of confidentiality, inability to honour the terms of this contract, or failure to provide services in accordance with this agreement.
9. The agreement will be reviewed at least once a year. It can also be reviewed sooner at the request of either party.

EMPLOYER	DIRECT SUPPORT PROVIDER
Print Name:	Print Name:
Sign:	Sign:
Date:	Date:

[illegible]

[illegible]