

Guide for Independent Conductors

Introduction

There are a growing number of conductors working independently in the UK. This way of working offers flexibility and self-direction when offering Conductive Education services. However, it also requires the conductor to organise and be responsible for a broad range of things in addition to the provision of high-quality Conductive Education.

Scope & Purpose

This document has been created as a guide for Conductors who are working for themselves. However, it may also be useful for those working as lone conductors alongside other professionals.

The guide is by no means intended to cover all aspects of independent work as a conductor. However, it aims to provide information on things you must do and other things you should consider when working for yourself. It is important that you undertake your own research into all of the areas covered below in order to make informed decisions that are right for you.

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1. Ways to set-up working as an Independent Conductor

When choosing to work independently there are several options available to you. The most common ways that Conductors set up to work independently are:

- Sole Trader
- Limited Company
- Charity
- Community Interest Organisation

The way in which you set up as an Independent Conductor will define parameters for your business structure mainly in terms of tax and profits. The choice you make will also dictate if and how you are able to employ others.

You will need to examine the pros and cons for each option with regards to your own personal circumstances and preferences when deciding the way to set up your service.

2. Ways to provide your services

There are also multiple options to choose from when deciding how to go about providing a service. Examples include:

- Direct service provision to clients
- Working in a partnership
- Working as a consultant

You may choose to work using a combination of these options. With all of the options it is important to consider the role of working agreements (e.g. Client Agreement, Service Level Agreement etc...) to clearly formalise the working arrangements.

3. Service Agreements

Whether working directly with clients or as a consultant you should consider the use of Client and/or Service Level Agreements. These documents set the expectations between yourself and the customer/client and describes the products or services to be delivered.

For individual clients agreements are useful to set out terms such as session cancellations, length and type of service, marketing/media permissions, invoicing and payment terms etc...

4. Insurance

It is not a legal requirement to have professional or business insurance. However, it is advised that you do so in order to protect both yourself and those with whom you work. You may want to consider Professional Indemnity Insurance.

When seeking professional insurance there are some Health and Wellbeing Insurers who recognise with 'Conductor' as a profession, so it is worth asking other independent conductors for recommendations.

Should you employ others within your services it is usually a legal requirement to have Employer's Liability Insurance.

If you work as a consultant or in partnership with another organisation you should check whether their insurance covers you to work with them, use their space/equipment etc... or if you require your own insurance for this.

You should also consider cyber-insurance e.g. if you work online/provide online CE services.

5. DBS Checks

As an independent conductor you will be working with potentially vulnerable individuals. As such it is recommended that you have an Enhanced DBS check and sign up to the online update service in order to keep it up to date.

However, if you choose to practice as a sole-trader you can only request a basic DBS check for yourself. If you practice as an organisation or limited company then you can request an Enhanced DBS check as you are an employee of the company. If you work as a consultant or in partnership with another organisation you can usually arrange an Enhanced DBS check through them.

6. Consent and Capacity

As an independent conductor you should consider the concepts of both consent and capacity in your services. If you are working with children, you will need to be familiar with parental responsibility. If you work with adults, you will need to be familiar with The Mental Capacity Act and deputyship.

Before working with any individual, you will need to ensure that you seek information from them with regards to parental responsibility or deputyship and capacity. This information will inform if

an individual can give their own consent to participate in your services, or if another person is legally able to consent on their behalf.

This can be a challenging area to understand, and we recommend that you seek further guidance and/or training to ensure you work safely and with consent.

7. Money/Accounting

When providing an independent CE service, you will have to consider the fees and/or funding structure you apply to your services. This will again be dependent on the way in which you choose to set up your services.

You will need to either manage your own accounting or engage someone in managing this for you. It is important that you follow regulations and keep clear and accurate accounts in order to work safely and legally within the UK.

8. Policies and Procedures

The choices you have made regarding how you work as an independent conductor will dictate to some extent whether you require specific policies and procedures to be in place in order to practice.

As a lone worker you are more vulnerable than when you work for an organisation. Having clarity for yourself and your clients on how you will provide your services creates a strong framework for you to work within. It is therefore recommended that you consider your own policies and procedures in the following areas to ensure you are practicing safely and within best practice:

- Safeguarding
- Accident/Incident First Aid
- Moving and Handling
- Infection Control (particularly with regards to Covid19)
- Service Provision
- Data Protection (see GDPR below)
- Lone Working

The PCA have some useful publications covering some of these areas that may help guide you when writing policies and procedures.

9. Record Keeping, ICO Registration and GDPR

However you choose to register and run your Independent CE services there are legal requirements that anyone must follow when holding and using personal information. The General Data Protection Regulations UK (GDPR) sets out the principles that you must follow when holding and handling data (<https://www.gov.uk/data-protection>).

Whether you work as an organisation or a sole trader you must pay a Data Protection Fee to the Information Commissioner's Office (ICO) on an annual basis unless exempt (<https://ico.org.uk/for-organisations/data-protection-fee/>).

It is also recommended that you design and implement your own note-keeping, monitoring and progress reporting systems within your service. This may involve keeping session monitoring notes, the use of programme planning and task series, long and short-term aim setting and reviewing, writing progress reports, use of outcome measures etc...

10. Training

you must decide if there are any training requirements for you to practice safely. It is likely that you will need training such as:

- Child and/or Adult Safeguarding
- First Aid
- Moving and Handling / Health and Safety
- Infection Control

There may be legal or organisational requirements to undertake some training and it may be required by your insurer for safe practice. However, it may be that you have to decide yourself if it is something you want or need to practice safely. If you choose to write your own policies and procedures, then you should include training guidance in these documents.

11. Health and Safety and Risk Assessment

Awareness of, and actions to maintain, health and safety is a legal obligation for anyone providing a service to the public. The use of risk assessments is a requirement of The Health and Safety Executive (<https://www.hse.gov.uk/managing/delivering/do/profiling/the-law.htm>).

It will be up to you as to decide what needs to be risk assessed within your CE service, and how you choose to risk assess, record, and review. However, risk assessment of what, where, how, and to whom you provide your service would be prudent in providing a high-quality service.

12. Marketing-Promotion

Marketing and promotion of your service as an independent conductor is important. Having clarity on exactly what you want to promote as the 'face' of your service will have an impact on how it is perceived by not only the general public but by others who may be personally or professionally interested in disability and/or CE.

Of course these decisions are entirely up to you, however it is worthwhile considering what you promote and how carefully to ensure you represent your work, and CE, both accurately and professionally.

Be aware of the legal requirements to gain individual permissions when using images, videos, audio and written words that are not your own within your marketing and promotion. There are also legal requirements with regard to providing reviews or testimonials for your service.

13. Professional Registration and CPD

The PCA leads and promotes best practice within Conductive Education, to secure its continued delivery in the future and to support all PCA members in developing and promoting high-quality CE.

We recommend that Independent Conductors register with the PCA and engage in their own ongoing Continued Professional Development (CPD).

14. Lone Working and/or Multidisciplinary Working

It is likely that if you work as an independent conductor you will undertake lone working. Working alone can put you in a vulnerable position. We recommend you consider your lone working role carefully within both the way you choose to set up your services, and your policies and procedures (see below).

You may also find yourself working within a multidisciplinary team or having greater contact with a wide range of professionals. Working with other professionals can be both challenging and hugely fruitful. It is important to nurture your own professional identity and CPD when working in this way to allow yourself to gain the benefits of collaborative working without compromising your CE philosophy.

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