

## Summary

### Objective

ACC prefers to use a contracted provider to provide childcare. If this is not appropriate, or the client prefers, childcare may be provided by a non-contracted provider, such as a family member.

### Owner

Name Withheld

### Expert

Name Withheld

## Procedure

### 1.0 Non-contracted providers

- a** Childcare may also be provided by non-contracted providers including:

- family caregivers
- privately engaged carers
- agencies with no contract with ACC.

### 2.0 Non-contracted agency care

- a** Recovery Team Members must advise the client about the implications of choosing a non-contracted provider.

A higher hourly rate is paid to contracted providers because their contract requires that they meet certain requirements.

ACC can not guarantee that a non-contracted provider will fulfil these requirements, so ACC pays a lower rate to non-contracted providers. This rate may not cover the full fee charged by the provider and they may ask the client to pay the difference.

### 3.0 Family members as caregivers

- a** ACC does not expect family members to become part of the care team. In fact, this can be detrimental to their relationship with the client and their ability to provide family support to the rest of the family. However, in certain situations, eg for young children or in some cultural settings, care provided by a family member may be the most appropriate option.

Family household members will only be paid for care if it occurs outside their normal family responsibilities.

See Using natural supports.

If a family member wishes to provide childcare, they may become a member of the agency care team and be paid by the contracted agency. This will alleviate the need for the family member to coordinate the carers and enable them to link into any professional supervision or training that the agency can offer. Family members who choose to become an agency employee will be bound by the same conditions as other agency employees, such as pre-employment screening and monitoring.

 Using Natural Supports Policy

### 4.0 Employment relationship between client and non-contracted caregivers

- a** If the client decides to employ a private non-contracted provider, the client or their representative must decide whether a caregiver is an employee or a contractor.



ACC should advise the client to contact Inland Revenue and the Department of Labour to clarify their status and responsibilities as an employer. This includes considering their employment obligations such as:

- source deduction payments
- ACC premiums
- annual leave
- holiday pay
- sick pay.

#### **NOTE** Client is the employer of their Private Care team (non-contracted) NOT ACC

At times a carer may contact ACC to dispute the care payments. ACC needs to refer them to the client as they are the employer and responsible for signing the ACC86 Weekly care summary forms and ensuring correct hours worked are recorded.

### 5.0 Further information

-  ACC84 How would you like us to pay for your care - PO - client form
-  HCSS Non-Contracted Pricing Increases 2023 SharePoint Page