

COVID – 19: Direct Payment Frequently Asked Questions – Adult Social Care (FAQs)

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Updated: week ending 05/11/2020

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Government guidance for those receiving a Direct Payment

Guidance for people receiving direct payments (21 April, updated 11th September 2020)

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-people-receiving-direct-payments>

The Government have updated their Guidance for local authorities and clinical commissioning groups in the delivery of direct payments and personal health budgets and their guidance for DP recipients. They have made it clearer which guidance applies to whom. There are the following documents:

[Guidance for local authorities and clinical commissioning groups in the delivery of direct payments and personal health budgets](#)

1. [Using direct payments during the coronavirus outbreak: full guidance for people receiving direct payments and personal assistants](#)
2. [Using direct payments during the coronavirus outbreak: guidance for people receiving direct payments and personal assistants \(easy read\)](#)
3. [Using direct payments during the coronavirus outbreak: the most important things to know](#)
4. [Annex A: template contingency plan](#)
5. [Annex B: example documentation](#)

Additional resources from Skills for Care:

Skills for Care have updated their resources for people who employ Personal Assistants. This includes useful templates including risk assessments to support PAs to come back to work if they have been off during the Covid period, contingency plans and other useful resources and guidance

<https://www.skillsforcare.org.uk/Employing-your-own-care-and-support/Information-for-individual-employers/COVID-19-Individual-employers.aspx>

Managing Coronavirus and information about these FAQs

COVID-19 (also known as the Corona virus) is a Public Health issue and as such certain precautions need to be taken with both your own health and also your employees. This guide contains the most common questions we have been asked and some important information when employing Personal Assistants (PAs).

Please note that Government guidance and legal provisions is still changing regularly. This FAQ is for general guidance only and may not reflect each person's individual circumstances. It is not legal advice. Legal advice should be taken where you are unsure about your rights or the rights of those you employ.

If you or your PAs require initial guidance with regards to employment issues, then this can be accessed for free from PURPLE. If you need more detailed guidance or legal advice on your rights and responsibilities, then please contact your care insurance company. You may also want to contact ACAS (<https://www.acas.org.uk/>) or a solicitor.

The information contained in this version of the FAQs are correct as at the date on them. Future updated versions will be available on the ECC website via the link below, please check this link regularly for updates:

[adult social care > personal budgets and direct payments \(Adult Social Care\)](#)

If you require this document in alternative formats please contact us via the email address below, please also use this email address to let us know of any new questions and answers you feel it would be helpful to include in future versions:

DP.Covid19@essex.gov.uk

NB: The information contained in the FAQs which relates to the employment of staff has been sourced from nationally available FAQs and guidance from Insurance Companies who specialise in these areas.

Where can I get medical advice if I am concerned about Corona virus?

Use the NHS 111 online coronavirus service if:

- Your worried about your symptoms
- You're not sure what to do

Call 111 if you cannot get help online. Do not go to places like a GP surgery, hospital or pharmacy.

Who needs to self-isolate?

Up to date guidance on who needs to isolate and for how long can be found on the following webpage:

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance>

For latest update : <https://www.gov.uk/guidance/new-national-restrictions-from-5-november>

Advice for those employing Personal Assistant/s

My employee (PA) has self-isolated as they or someone in their household have shown symptoms of Covid-19 i.e. of a consistent cough or fever; what do they do?

Self- isolating employees are legally defined as being unfit to attend work. They should therefore notify you of their intention to self-isolate in accordance with your sickness and absence procedures.

Advice on what to do if someone has symptoms can be found here:

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance>

For latest update : <https://www.gov.uk/guidance/new-national-restrictions-from-5-november>

You will need to put in place your contingency plans, as discussed when your Direct Payment was set-up, please ensure you review and update these regularly in light of the current circumstances and recent updated guidance from Government. If these plans are no longer possible, is there someone else who can support you, maybe a relative, friend or neighbour, another PA or provider?

If you have followed this guidance and are unable to ensure your needs are met in alternative ways, please contact Adult Social Care

Contact Adult Social Care Connects on:

Telephone: 0345 603 7630

Textphone: 0345 758 5592

For out of hours queries contact the Emergency Duty Service

Telephone: 0345 606 1212

socialcaredirect@essex.gov.uk

What are the employee rights?

They have the right to remain away from work from the symptoms becoming known. You can find detailed Government guidance on staying at home due to a possible Coronavirus infection from:

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance>

For latest update : <https://www.gov.uk/guidance/new-national-restrictions-from-5-november>

As the employee is considered to be unfit for work, they are entitled to statutory sick pay (if eligible) from day one of absence.

All PAs including those on zero hours contracts, who have worked regularly for an employer over the past 3 months will be entitled to SSP if they meet the criteria and earn on average £118 per week over the last 8 weeks. SSP is £94.25 per week which is available if your PA is too ill to work. It is paid by you for up to 28 weeks.

If the employee is not eligible you must provide them with the SSP1 form to explain why, which will allow them to present a claim for possible benefits.

This is the link to SSP1 form which can be completed online or printed and returned.

<https://www.gov.uk/government/publications/statutory-sick-pay-employee-not-entitled-form-for-employers>

NB: SSP is paid at a rate of £95.85 per week

The Government states they will reimburse employers any payments of SSP, up to 14 days, for each employee.

If your employee does have Coronavirus, they will probably need more than 14 days off. The NHS should expect to hear from them if symptoms have not improved after 14 days and so it is likely that they will need further medical treatment and testing.

If the sickness absence continues beyond 14 days, your normal sickness reporting procedures are still applicable, as will ongoing payment of SSP. At this stage you may feel it appropriate to obtain medical evidence to support the claim for ongoing SSP.

What kind of medical evidence?

With normal cases of sickness absence, you can ask your employee for a medical certificate after the first seven days of absence.

Under self-isolation however, we are being advised that you should not need to press for such medical evidence as the current guideline for those self-isolating is not to go to a GP. Hopefully you trust your PA enough to be able to take their word for it. Employers are being advised to be flexible if they require evidence from the employee or worker.

Can my PA access a test for Covid 19 if they have symptoms so that they can return to work if it is not positive?

NHS Test and Trace Guidance

Information on accessing tests for both those receiving care and those providing it can be found below. PAs and other care workers are considered essential workers and are eligible for priority tests.

<https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works>

<https://www.gov.uk/guidance/coronavirus-covid-19-getting-tested>

Playing your part:

- if you develop symptoms, you must continue to follow the rules to self-isolate with other members of your household and get a test to find out if you have coronavirus
- if you test positive for coronavirus, you must share information promptly about your recent contacts through the NHS Test and Trace service to help us alert other people who may need to self-isolate
- if you have had close recent contact with someone who has coronavirus, you must self-isolate if the NHS Test and Trace service advises you to do so
- if you are returning from travel abroad it is important to check whether you need to self-isolate

A useful video can be found at the link below which explains the Test and Trace guidance

<https://www.youtube.com/watch?v=OMxZ4jX-OZo>

- You may also wish to download the NHS COVID-19 app

<https://www.nhs.uk/apps-library/nhs-covid-19/>

Management of staff and exposed patients or residents in health and social care settings

<https://www.gov.uk/government/publications/covid-19-management-of-exposed-healthcare-workers-and-patients-in-hospital-settings/covid-19-management-of-exposed-healthcare-workers-and-patients-in-hospital-settings>

The government has updated the above guidance with new information on the implications of positive antibody result (introduction and section 4.3.) and the addition of guidance for staff who are notified that they are a contact of a co-worker who is a confirmed case (new section 4.4).

If you or your PAs are having difficulties accessing the information on testing for PA's, please let us know on the following email address:

DP.Covid19@essex.co.uk

What do I do to get the support I need if my regular PA is unable to complete duties?

Please make sure your contingency plans are up to date and reviewed regularly. If you have other employees, you may ask them to cover some of the absences. Casual workers may be called to fill in these hours too.

If you have no other employees, as an alternative, you can use a temporary agency and local businesses and providers that you can purchase support from using your Direct Payment.

If you think other members of the local community could support you by volunteering to undertake simple tasks, you can find this type of support by visiting the following Facebook Page or getting in touch with Essex Wellbeing Service (this service was previously known as Essex Welfare Service). They can then match you to local people who are offering to help.

We know some people are impacted by people returning to work if they cannot work from home, this may impact on your contingency arrangements. It would be useful for you to consider the impact of this if someone has been supporting you on a temporary basis and this is not possible due to them returning to their usual work.

Essex Wellbeing Service (EWS) support still available

The EWS is there to provide support around daily living tasks for those who are clinically vulnerable, such as shopping and collection of prescriptions. The service has also expanded to meet a wider range of needs. Residents feeling isolated or vulnerable, regardless of their age, health or circumstances, can now access support for:

- Dementia care
- Mental health
- Parenting and family matters
- Learning disability/autism
- Caring responsibilities
- Physical wellness.

You can register for support at The Essex Wellbeing Service which was created at the beginning of the UK's Coronavirus outbreak in March 2020.

Please now visit www.essexwellbeingservice.co.uk

or call 0300 303 9988 or email provide.essexwelfareservice@nhs.net

Please share this information with your friends and family or via your own social media channels.

Essex Corona Virus Action Support Facebook page

<https://www.facebook.com/groups/essexcoronavirussupport/>

If you are considering employing temporary / casual workers and would like to seek Employer Advice and Guidance please contact PURPLE (you do not have to be using their payroll service to access this advice). This is free advice.

Please use the website

<https://wearepurple.org.uk/direct-payment-support/managing-your-personal-budget/>

or contact: Email: essex@wearepurple.org.uk Telephone: **01245 392 300**

If I self-isolate does that mean I go without Care?

No – the government are still urging people to stay safe and alert to save lives and where possible to allow employees to work from home. They are updating guidance regularly based on the recent rise in infections and in line with the new lock down measures. However, it is recognised that you may not be able to manage without your Personal Assistant (s) or other care you usually have and so you are not under any obligation to remove your employees from the household.

If you are self-isolating because you are reducing your contact with others, please continue to discuss this with you PA. You must be sure that your assessed care needs are met, this may be by a family member, or someone you live with as a carer or by considering some of the other advice we are providing around meeting your needs in different ways.

If these changes mean you would like to employ another person at this time you can seek Employer Advice and Guidance, please contact PURPLE (you do not have to be using their payroll service to access this advice). This is free advice.

Please use the website

<https://wearepurple.org.uk/direct-payment-support/managing-your-personal-budget/>

or contact: Email: essex@wearepurple.org.uk Telephone: **01245 392 300**

If this means that you will be changing how you spend your direct payment, then you can do so as long as the proposed spend is in the spirit of your support plan and meets the outcomes in that plan. All such short term, temporary changes at this time to how your care needs are met will be reviewed when circumstances allow, and any carers assessments will similarly be carried out as and when possible.

Please ensure you keep evidence in relation to any changes to how you spend your DP at this time. **If you temporarily employed a family member to provide care and you are considering whether this needs to continue on a longer term basis, this must be agreed by your social worker as set out in Government guidance.**

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-people-receiving-direct-payments>

What should I tell my employees to do?

Whilst your employee/s are fit and able to work, they should carry on fulfilling their duties. It is absolutely vital that they take this situation seriously and adhere to any new health and safety and hygiene rules you implement. This is not just to protect you and them but also to prevent spreading the infection to the wider public.

Employees should use PPE in line with advice given and not remove PPE without your permission. They should inform you when stocks are low.

I would rather not have my employees come into my home whilst my household is self-isolating, what are my employee's rights?

The employee is entitled to their full pay as you are asking them to stay away from the workplace. For permanent employees who work regular hours you may find that there is a right in the contract to put them on a period of lay off. This means a temporary suspension of their work and pay. Please note that this will only apply if your contract is very clear that you have a right to lay off the employee under these circumstances.

An employee on lay off has a right to statutory guarantee pay which is up to £30 per day from 6th April 2020 and is only payable for the first five days of absence.

If you do not have a lay off clause you can ask the employee not to attend work and pay them in full during the absence. If there is a lay off clause, but you want to pay your employee anyway to ensure you can retain them, Essex County Council are supportive of this approach. We would however encourage you to speak to your PA about whether there are any tasks they can do to support you without needing to be in direct contact i.e. shopping, medicines prompts, contact via phone in order to reduce isolation etc.

If you employ casual or zero hours workers, you have no obligation to offer them work so therefore if you do not require them to work you do not have to offer them any hours.

However, if the PA has formed a pattern of regular work with you please contact PURPLE and speak to the Employer Advice and Guidance team who can advise further.

<https://wearepurple.org.uk/direct-payment-support/managing-your-personal-budget/>

or contact: Email: essex@wearepurple.org.uk Telephone: **01245 392 300**

Can I ask my PA to take paid leave whilst I am self-isolating?

As an employer, you may have the right to tell your employees when to take holiday if you need to and you may wish to ask them to do so whilst self-isolating. Please check the employment contract you have with your employee and if unsure of your rights contact PURPLE for advice and guidance.

Please use the website: <https://wearepurple.org.uk/direct-payment-support/managing-your-personal-budget/>

or contact: Email: essex@wearepurple.org.uk Telephone: **01245 392 300**

My PA has chosen to self-isolate to err on the side of caution, however I need them in work – where do I stand?

If your PA has no symptoms of Covid-19 and do not fall into the categories of those who are being advised to self-isolate and is not attending work without a valid reason, you may be entitled to follow a disciplinary route. If you would like more advice in how to follow this process, please contact the Employer Advice and Guidance team at PURPLE.

Please use the website: <https://wearepurple.org.uk/direct-payment-support/managing-your-personal-budget/>

or contact: Email: essex@wearepurple.org.uk Telephone: **01245 392 300**

If only one of my PAs is self-isolating – where do the other PAs stand?

Treat self-isolation on a case-by-case basis – self-isolation is at the employee’s discretion and the employer is therefore not responsible for this. Because one PA is self-isolating this does not automatically mean the others should. If, however your PA has had symptoms and been in close contact with another PA or others in the household then please ensure they follow the Test and Trace advice outlined above

Someone that my Personal Assistant lives with has symptoms of coronavirus. What shall I do?

Ensure your PA follows latest government advice on isolation. The employee should receive SSP for those 14 days if they earn over £118 per week – See SSP advice above.

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection>

The Personal Assistant is pregnant. What should I do?

Please follow the government advice for those who are pregnant

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance>

For latest update : <https://www.gov.uk/guidance/new-national-restrictions-from-5-november>

The person that the Direct Payment is for and the Personal Assistant are both in the ‘vulnerable’ category. What should be done?

The government has updated its guidance for those who were shielding in the first few months of the pandemic or are clinically vulnerable. Your PA may receive updated advice from a GP. Please see updated information by following the link below:

<https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>

Do I have to pay my PA if they have children and their school is still closed for some pupils due to the Corona Virus?

Schools are open but if an infection occurs then pupils may be asked to isolate; this may still affect your Personal Assistant (PA) or agency staff’s ability to continue to work as a result of needing to care for their children.

More information on arrangements for schools and nurseries opening can be found below;

<https://www.gov.uk/government/publications/what-parents-and-carers-need-to-know-about-early-years-providers-schools-and-colleges-during-the-coronavirus-covid-19-outbreak>

Employees have the right to take emergency leave to care for a dependant. This right includes the unexpected need to care for a child who cannot attend school. The right exists for a reasonable time to allow the employee to make alternative arrangements and the leave is without pay. What is 'reasonable' will entirely depend upon the circumstances.

The current advice is to offer them to:

- use their holiday entitlement (**paid**) for any time off, or
- to take (**unpaid**) leave for 'time off for dependents.

Some employees may be able to rely on family members or friends to help with childcare, but the chances are reduced more than usual as more people self-isolate or social distance and as people are returning to work. There is still a risk of spreading infections to the high -risk category of persons, such as grandparents over 70 or with health conditions.

The government have updated advice on isolation and this now includes a new package of financial support for those on low incomes (will include eligibility related to qualifying benefits)

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection>

www.gov.uk/coronavirus/worker-support

If you need specific guidance regarding your rights or that of your PA, please contact PURPLE or your care insurance company:

<https://wearepurple.org.uk/direct-payment-support/managing-your-personal-budget/>

Email: essex@wearepurple.org.uk Telephone: 01245 392 300

Do the Furlough leave rules apply to me if I employ PAs?

[Coronavirus Job Retention Scheme: people receiving direct payments](#)

The Government have announced the extension of the Furlough Scheme with new national measures coming into place. In general the guidance below still stands at this time.

In general, the government expects that the Coronavirus Job Retention Scheme will not be used by many direct payment holders. This is because most public sector employees, like PAs, are continuing to provide essential public services or contribute to the response to the coronavirus outbreak. The government consider PAs to be an essential worker who provide vital care and support, and as such, use of this scheme should be minimal.

Nonetheless, the Government recognise there will be certain circumstances where it would be appropriate for a direct payment holder to furlough somebody they employ. These circumstances are outlined in the Job retention scheme above.

Personal Protection Equipment (PPE)

What is the guidance regarding Personal Protection Equipment (PPE)?

Where you continue to receive support from an employee at home you remain under an obligation to ensure that there is a safe system of work is in place and that the employees are provided with Personal Protection Equipment and clothing (PPE) **where necessary in line with Public Health guidance** .

Make sure you explain fully the new health and safety procedures to your employees. You should record the new measures you have implemented and keep a record of the PPE you have received. Guidance is available regarding the use of PPE in a home care environment including instructions and videos on how to use it safely:

<https://www.gov.uk/government/publications/covid-19-how-to-work-safely-in-domiciliary-care#history>

It is important that the use of PPE equipment across health and social care is in line with national guidance which is available via the links provided.

- You are able to use your Direct Payment to purchase PPE. We have a list of suppliers you may try to purchase supplies from. Whilst every effort has been made to check they will supply those with Direct Payments this cannot be guaranteed. **A list of suppliers** can be found by following this link <https://www.essex.gov.uk/personal-budgets-and-direct-payments> The Suppliers have advised Essex County Council (the Council) that they have Personal Protective Equipment available for purchase for those that require it. These Suppliers have given permission for their details to be published. The suppliers are listed with no order of preference. Suppliers and the products on offer are in no way warranted or guaranteed by the Council. The products on offer or the numbers available may differ from those published.
- If you are struggling to access sufficient PPE having tried these suppliers, you can request urgent PPE from ECC. Please click on the link below where you can download a form to complete and send it to the email address included on the form.
<https://www.essex.gov.uk/personal-budgets-and-direct-payments>
- Please order your urgent supply in good time, you may not receive a call back until the following day depending on when you place your request. It may be up to 2 working days until you are given a day to collect PPE. Those who have an urgent need for PPE will be supported with a 14-day supply.
- The supply held by ECC is to be used only when you have tried all other options.
- We are aware that the government are introducing new ways for DP recipients and self-employed can access PPE. We will update these FAQs as soon as we receive further details

As another option there is still a national response line for PPE which can be found below.

The National Supply Disruption line

Tel: 0800 915 9964

Email: supplydisruptionservice@nhsbsa.nhs.uk

Key Worker Status

How can I show that my employee is a ‘Key Worker’ and ensure they are able to travel into work and undertake support in line with the Government’s restrictions?

You should be aware that Personal Assistants are classified as 'key worker'. This means that under the Government guidelines. As they are key workers, they may also need access to shops and Schools/Childcare at this time and be able to access hours set aside in shops for key workers.

Below is a link to template letter that Employers can use to give to their Personal Assistants to support their role should they be asked to confirm their key worker status :

[Annex B: example documentation](#)

Additional Support

Mental Health Resources

Psychological first aid in emergencies training for frontline staff and volunteers.

<https://www.gov.uk/government/news/psychological-first-aid-in-emergencies-training-for-frontline-staff-and-volunteers>

Free online psychological first aid training from Public Health England has been launched for frontline staff and volunteers. The training will equip staff to provide support and recognise people at risk of distress. It has been tailored to the specific challenges of the coronavirus outbreak, including job worries, bereavement and isolation.

The course takes 90 minutes to complete and can be accessed through the Future Learn website: https://www.futurelearn.com/courses/psychological-first-aid-covid-19/1?utm_campaign=fl_phecovidpsych_2020&utm_medium=futurelearn_organic_pressrelease&utm_source=fl_pr_outreach

More information can be found at:

<https://www.essex.gov.uk/changes-services/adult-social-care-health>

How can I get additional support if I need it during this time, can I request additional funding without the need for a review of my needs?

If you require additional support, please use your contingency funds or any surplus in your Direct Payment account in the first instance. A contingency fund is in place for exactly this type of scenario. The steps you take to find alternative support may also mean some costs are reduced at this time. There may be some costs that have increased, for example extra time needed for PAs to go shopping due to social distancing restrictions.

If you have already considered and used this option, then additional support will be available to ensure you have the funds you need during this period.

If you require an increase in your support to meet your needs in order to keep you safe at this time, we would like to give you the flexibility of using up to 25% more care without an assessment or review. This will be kept under review but as long as the proposed spend is in the spirit of the support plan and meets eligible needs then you are able to request it. You will need to contact us to request this additional funding should it be required so your account does not fall into deficit.

Please contact us using the information below to request an increase in funds to your Direct Payment account. Please retain all records of any change of care provision and ensure it is in line with what is within your support plan

Contact Adult Social Care Connects on:

Telephone: 0345 603 7630

Textphone: 0345 758 5592

For out of hours queries contact the Emergency Duty Service

Telephone: 0345 606 1212

socialcaredirect@essex.gov.uk

What do I do if I am now without support?

If you have used all the guidance, we have provided about alternative ways to ensure your needs are met, please use the contact details below to seek support.

Contact Adult Social Care Connects on:

Telephone: 0345 603 7630

Textphone: 0345 758 5592

For out of hours queries contact the Emergency Duty Service

Telephone: 0345 606 1212

socialcaredirect@essex.gov.uk

Closure of provision/using funds in a different way/managing changes to a DP account at this time

What do I do if my Day Centre or other provision is still closed/has reduced availability, and I use my Direct Payment to access it?

Our communications to all those who receive a Direct Payment have advised you to use your Direct Payment to ensure you still have the support in place to meet need and to work with your provider/s to adjust how you want to be supported. We are encouraging flexibility and to work with your provider/s to ensure your needs are met during this time.

Day service and other providers have put plans in place to undertake risk assessments and consider how they can continue some of their services whilst still adhering to social distancing and infection control practices.

During the national lockdown some venues will be allowed to remain open for specific exempt activities, like childcare and support groups. Support groups that are essential to deliver in person can continue with up to 15 participants where formally organised to provide mutual aid, therapy or any other form of support. This includes support to victims of crime, people in drug and alcohol recovery, new parents and guardians, people with long-term illnesses, people facing issues relating to their sexuality or gender, and those who have suffered bereavement.

It remains the case that if you have considered with your provider what alternative support they can provide but this does not work for you at this time and you want to use these funds to purchase different support please make sure you let your provider know. Subject to an agreement between a provider and the DP recipient a retainer for services not provided can be paid, the primary consideration for people is whether they hold sufficient funds in their DP account to meet their needs including doing so in alternative ways at this time.

We continue to ask providers to make sure they contact you and work with you to see how they can still support you in alternative ways such as providing outreach services or support you using technology solutions. As arrangements are made between you and providers directly, we recommend you consider how you would like to be supported over the coming months.

Can my provider ask me to continue to pay them a proportion of their fees if they can't provide an alternative way of meeting my needs at this time?

We are aware that some providers are still asking DP users to still pay them even if they cannot provide a service at this time, some of the reasons they are giving are so that the organisation can ensure costs are still covered and that they can then open again once the current covid-19 situation has eased.

As the arrangement you have is between you and your provider it is for you to agree with them whether this is possible within the funds you have available. The key principle remains that the funds you have in your DP account are to meet your needs and you put arrangements in place with providers to do so. In deciding whether to agree to still pay a provider please consider whether this would mean you cannot use that funding to meet your needs in a different way at this time.

If you can still pay a provider a proportion of the costs they usually charge and this does not affect your needs being met in other ways then this should be a mutually agreed arrangement between you and should not prevent you from using your funds flexibly to meet your needs in line with the guidance we have provided if your situation changes.

We continue to issue guidance to providers which aligns to the guidance we are giving you. We are asking providers to contact us if they have concerns about the sustainability of their organisation.

Can I spend my Direct Payment in a different way if my regular care cannot be provided i.e. equipment, other tasks, activity or transport needs?

As per guidance from the end of March we are encouraging people to meet needs in different and flexible ways, and this can include equipment or technology etc. We are encouraging flexibility regarding how Direct Payments are spent during this emergency period.

This means that if you can source alternative care and support or alternative activities to support your needs as long as the proposed spend is in the spirit of your support plan and meets the outcomes in that Plan then this is ok.

You must be sure that your assessed care needs are met, this may be by a family member, or someone you live with as a carer or by considering some of the other advice we are providing around meeting your needs in different ways.

All short term, temporary changes made at this time to how your care needs are met will be reviewed when circumstances allow, and any carers assessments as will similarly be carried out when possible. Please ensure you keep evidence in relation to any changes to how you spend your DP at this time.

If you have temporarily employed a family member to provide care and you are considering whether this needs to continue on a longer term basis, this must be agreed by your social worker as set out in Government guidance

If the changes you are making mean you need to employ people who you have not previously then please access Employer Advice and Guidance from PURPLE.

<https://wearepurple.org.uk/direct-payment-support/managing-your-personal-budget/>

Email: essex@wearepurple.org.uk Telephone: 01245 392 300

We have produced some useful guidance on some of the technology that is available to support care needs and have published this, it can be accessed alongside the published version of these FAQs by following the link below:

<https://www.essex.gov.uk/changes-services/adult-social-care-health>

If I can no longer purchase care at this time and my needs are being met in another way, can I request my DP account is put on hold?

We recognise in the current emergency period it may not be possible to use your direct payment to meet your needs in the way set out in your care and support plan.

We can temporarily pause payment of your direct payment in this situation, but we will need to discuss with you whether there is another way in which some or all of the needs it is meeting can continue to be met, as these will remain whether or not you have a direct payment.

Where it is not possible to meet your needs in full due to the emergency situation, we will discuss the position with you as this may affect the size of your personal budget and any contribution you make towards it.

Contact Adult Social Care Connects on:

Telephone: 0345 603 7630

Textphone: 0345 758 5592

For out of hours queries contact the Emergency Duty Service

Telephone: 0345 606 1212

socialcaredirect@essex.gov.uk

An example of this may be if you have a Direct Payment that is only used for a Day opportunity which is still closed or you are not accessing, or a short break (respite) service that you can't access because you are self-isolating. In these circumstances you may wish to put the account on hold.

Do I have to continue paying assessed charges during this time (client contributions)?

If any care is continuing to be provided and/or payments are continuing to be made from the Direct Payment account, then your assessed charges (client contribution) should continue to be paid into the DP account.

If, however no care is being paid for at this time due to people meeting needs in different ways such as via volunteers etc then the assessed charge does not need to be paid into the DP account. At any time that care starts to be purchased again from the account then the assessed charge must start to be paid in again. If this is not done, then the account could fall into deficit and this could mean there are insufficient funds to pay for the care provided

Children and Young people

Covid Guidance on vulnerable children and young adults

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people>

Advice for Direct Payments used to support children and young people is the same in respect of employing staff or self-employed PAs, a version of these FAQs has been published on the ECC website for those who have a DP to support a child or young person. It can be accessed on the following page:

[children, young people and families](#)

Further information below maybe helpful.

Useful website:

<https://www.gov.uk/government/publications/covid-19-guidance-on-supporting-children-and-young-peoples-mental-health-and-wellbeing/guidance-for-parents-and-carers-on-supporting-children-and-young-peoples-mental-health-and-wellbeing-during-the-coronavirus-covid-19-outbreak>

Advice for Self-Employed Personal Assistants

My client has decided that they do not want support during this time, what notice can I expect from them to terminate our arrangement?

This will depend upon the terms of any agreement you have in place with them. If you signed an agreement with your client at the beginning of your arrangement, that contract may set out a notice period. A client would usually have to pay for your services in full during a notice period, even if they don't want you to attend their home, but your contract will determine if that is the case.

If you don't have a written contract you may find evidence of your arrangement in letters, emails or other documents.

Where you are genuinely self-employed and an agreement has not been made as to a notice period, your client will be able to terminate your services immediately and pay you only for the work that you have completed so far.

I have a client who is self-isolating due to concerns that they, or someone in their household, have symptoms of Coronavirus. I feel unsafe, am I obliged to attend work for them?

The Government have updated their guidance on self isolation and it now includes new laws which enforce it as well as packages of support for those on low incomes:

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection>

You are free to continue your business and in doing so it is your responsibility to ensure that you or any workers of yours have safe systems of work. This includes the responsibilities you have to ensure you have access to Personal Protective Equipment (PPE).

You will be familiar with everyday risks of work; however, the Government recognise the difficulty for home care workers under these circumstances and so have produced some helpful guidance for home care providers, this can be found at: -

<https://www.gov.uk/government/publications/covid-19-how-to-work-safely-in-domiciliary-care>

If you decide that you do not want to take the risk of continuing your work personally, it is advisable to check the terms of any written agreement with your client.

You are also encouraged to see how you can meet the needs of your client in different ways at this time, this may be through undertaking different tasks which involve reduced close contact. It may be that you have a right to send someone else into the client's home to carry out the work on your behalf.

This could be another worker or contracted work through an agency for example. Be sure that any workers engaged by you carry out the work they are providing with the right health and safety procedures and protective equipment and clothing, as suggested in the Government guidance.

If you are not sending in a replacement for the work and simply want to terminate the arrangement with you client, you must check you service contract. Many service contracts will provide a notice before termination, in which case you should work that notice period if you want to avoid being in breach of contract. If you were to breach a notice period, the client would have the right to legal redress against you for any losses they suffer as a result of your breach, this may include the additional cost of alternative agency fees for example.

I am not sick, but I am following the Government guidance to self-isolate, I am unable to attend to my clients in their home, what are my rights?

Guidance on self -isolation can be found here:

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance>

For latest update : <https://www.gov.uk/guidance/new-national-restrictions-from-5-november>

Guidance has been updated for those who are clinically vulnerable and can be found here:

<https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>

It is hoped, given the seriousness of the circumstances, that clients will understand your self-isolation and being incapable to work. So that you can continue in the same way, had sickness

occurred in everyday circumstances, such as bringing in a replacement worker or using an agency.

As a self-employed person, you are not entitled to statutory sick pay.

If you are willing to attend to work despite the current measures, it would be wise to speak to your client about it first. Your contract may provide specific conditions for circumstances where you are sick, but if not, this is an ideal time to communicate and attempt to find common ground. Some clients may be happy to simply defer your work for the 14-day period and recommence once your isolation period ceases, without the need for formal termination of the arrangement.

My earnings are significantly impacted because of the Coronavirus, what help can I get from the Government?

In all circumstances, the arrangements are different for self-employed PAs compared to employed PAs. Self-employed PAs are not able to claim Statutory Sick Pay and are not entitled to be paid by the employer if they have not worked.

Self-employed PAs should have employment insurance as the first port of call for financial protection.

The Government is extending its financial packages of support, please visit the following:

<https://www.gov.uk/government/publications/self-employment-income-support-scheme-grant-extension>

<https://www.gov.uk/coronavirus/worker-support>

You can also now more easily make a claim for Universal Credit (UC) or new style Employment and Support Allowance. For more information on how to claim, please visit

<https://www.gov.uk/universal-credit> and

<https://www.gov.uk/guidance/new-style-employment-and-support-allowance>

It has also been announced that the Government are making provisions for loans to small businesses who have suffered interruption to their businesses. More information can be found by following the link below:

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses>

I am responsible for sourcing PPE but am struggling to find supplies?

It is important that use of PPE equipment across health and social care is in line with national guidance which is available via the links provided.

Guidance is available regarding the use of PPE in a home care environment including instructions and videos on how to use it safely:

<https://www.gov.uk/government/publications/covid-19-how-to-work-safely-in-domiciliary-care#history>

Please refer to the Personal Protection Equipment (PPE) section on Page 12.

Other Useful Resources

Updated: Coronavirus (COVID-19): providing home care

<https://www.gov.uk/government/publications/coronavirus-covid-19-providing-home-care>

The government has updated the 'shielding and care groups' section (now titled 'Clinically extremely vulnerable people and care groups') and 'annexes A and B' to reflect wider changes to shielding advice.

- This group of people should currently follow the same social distancing measures as the rest of the population
- This group could be advised to shield again if the situation changes

Disabled people exempt from wearing face coverings under new government guidance

<https://www.gov.uk/government/news/disabled-people-exempt-from-wearing-face-coverings-under-new-government-guidance>

The [list of exemptions](#), which has been in place since face coverings became mandatory on public transport, includes hidden conditions such as anxiety or panic disorders, autism, breathing difficulties, dementia, reduced vision or if you are with someone who relies on lip reading to communicate.

Updated: Safer travel guidance for passengers

<https://www.gov.uk/guidance/coronavirus-covid-19-safer-travel-guidance-for-passengers>

The guidance has been updated to rule that face coverings must be worn in substantially enclosed areas of transport hubs

Transport

Local authorities should still provide free transport for eligible children that are able to attend school.

Parents, children and young people are encouraged to walk or cycle where possible and avoid public transport at peak times.

Pupils and parents should do all they can to help make sure they and others can travel safely. This can be done through:

- not leaving home if anyone in their household, has symptoms of coronavirus

- avoiding travelling on public transport, particularly at peak times
- maintaining a 2-metre distance from others who are not in their household
- ensuring good respiratory hygiene by using the 'catch it, bin it, kill it' approach
- avoiding touching their face
- washing their hands thoroughly before and after travelling
- wearing a face covering if they need to use public transport

Dedicated App for adult social care workforce

<https://www.gov.uk/government/news/dedicated-app-for-social-care-workers-launched>

The Department for Health and Social Care has launched an app to support the adult social care workforce, this is something that may be helpful for PAs to access. It provides access to guidance, learning resources, discounts and other support. It also includes toolkits and resources to support mental health and wellbeing which will link to new mental wellbeing guidance that will be published shortly. The app is available for anyone working in social care and, in addition to the Apple App Store and the Google Play Store, can be accessed here: <https://workforce.adultsocialcare.uk/>

Coronavirus and Faith guidance – this is also available to download in an easy read version

<https://www.essex.gov.uk/coronavirus-and-faith>

Parking Permits

In some areas parking permits are available for key workers - please access information in relation to this by visiting the website below.

<https://www.mipermit.com/kwpermits.aspx>

Guidance on how to use the parking permits can be found below.

<https://www.gov.uk/government/publications/covid-19-health-care-and-volunteer-workers-parking-pass-and-concessions/covid-19-health-care-and-volunteer-workers-parking-pass-and-concessions>

Details of the new life assurance scheme for frontline workers affected by Covid 19

<https://www.gov.uk/government/news/new-guarantee-on-death-in-service-benefits-for-frontline-health-and-care-staff-during-pandemic>

Guidance on shielding and protecting extremely vulnerable persons from COVID-19

<https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>

Guidance for households with possible coronavirus infection

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance>

For latest update : <https://www.gov.uk/guidance/new-national-restrictions-from-5-november>

Guidance for those who provide unpaid care to friends or family

<https://www.gov.uk/government/publications/coronavirus-covid-19-providing-unpaid-care/guidance-for-those-who-provide-unpaid-care-to-friends-or-family>

Guidance is available for people who are caring for friends or family during the virus outbreak, building on existing guidance on staying at home; social distancing preventing infection and shielding extremely vulnerable people. It includes advice for the carer on what to do if they or the person they care for has symptoms.

Skills for Care

They are currently working with the Department of Health and Social Care to support the sector as we face growing challenges with the outbreak of Covid-19.

The aim of this webpage is to have the most up to date information for the sector in one place.

www.skillsforcare.org.uk/COVID-19

They have also added some pages to the information hub www.skillsforcare.org.uk/iepahub

There is a tab called 'COVID-19 IE and PA updates. Then this page has two sections – one for Independent Employers (IE's) – these are people who employ PAs and one for PAs themselves. There are lots of useful resources in the links on these pages. Government advice for those with Direct Payments is also now available on these pages in the form of questions and answers.

IE page: <https://www.skillsforcare.org.uk/Employing-your-own-care-and-support/Information-for-individual-employers/COVID-19-Individual-employers.aspx>

PA page: <https://www.skillsforcare.org.uk/Employing-your-own-care-and-support/Working-as-a-personal-assistant/COVID-19-personal-assistants.aspx>

How to work safely in Domiciliary Care (21 July)

<https://www.gov.uk/government/publications/covid-19-how-to-work-safely-in-domiciliary-care#history>

Government advice for Employers and Businesses

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-coronavirus-covid-19>

Draft options for regional or local coronavirus interventions

<https://www.gov.uk/government/publications/draft-options-for-regional-or-local-coronavirus-interventions>

The government have produced a series of documents that show how government could respond to a local or regional coronavirus (COVID-19) outbreak without returning to a national lockdown.

These include:

- Core Provisions
- Closure of premises and businesses
- Restrictions on movements or gatherings
- Restrictions on travelling to/from/within the restricted area
- Restrictions on transport services
- Use of face coverings

Coronavirus Act and Social Care

The government has given the power to each Local Authority to suspend some key sections of the Care Act during the emergency. Key information on the approach Local Authorities must follow when providing social care during this time can be found here:

<https://www.gov.uk/government/publications/coronavirus-covid-19-changes-to-the-care-act-2014/care-act-easements-guidance-for-local-authorities>

Ethical framework for Adult Social Care

<https://www.gov.uk/government/publications/covid-19-ethical-framework-for-adult-social-care/responding-to-covid-19-the-ethical-framework-for-adult-social-care>