

# COVID – 19 : Direct Payment Frequently Asked Questions (FAQs) Children and Families

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## Government guidance for those receiving a Direct Payment

Guidance for people receiving direct payments updated 22<sup>nd</sup> December 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. **National lockdown - Stay at Home** : You must stay at home to protect the NHS and save lives. You should follow this guidance immediately. The law has been updated to reflect these new rules : <https://www.gov.uk/guidance/national-lockdown-stay-at-home>
2. [Using direct payments during the coronavirus outbreak: full guidance for people receiving direct payments and personal assistants](#)
3. [Using direct payments during the coronavirus outbreak: guidance for people receiving direct payments and personal assistants \(easy read\)](#)
4. [Using direct payments during the coronavirus outbreak: the most important things to know](#)
5. [Annex A: template contingency plan](#)
6. [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>

### **Free flu vaccinations rolled out to over 50s from December**

<https://www.gov.uk/government/news/free-flu-vaccinations-rolled-out-to-over-50s-from-december>

People aged 50 to 64 will get free flu vaccine from 1 December as part of expanded flu vaccination programme this winter.

## 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 are changing almost daily. 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:

[children, young people and families](#)

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](mailto: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:

- You're 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?**

The first person to show symptoms in a household must self-isolate for a minimum of 7 days or longer until symptoms have subsided. Everyone else in the house must self-isolate for 14 days unless they show symptoms when they restart the count for a minimum of 7 days or longer until symptoms subside.

[www.gov.uk/government/publications/covid-19-stay-at-home-guidance](http://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>

### **Letter to clinically extremely vulnerable people**

<https://www.gov.uk/government/publications/covid-19-letters-to-clinically-extremely-vulnerable-people>

The link above is a copy of the letter that has been sent to clinically extremely vulnerable people.

The Government has issued new [guidance](#) to clinically extremely vulnerable people setting out the help and support available.

The advice is the same as the guidance that was in place during the November lockdown and will apply until further notice. Briefly the advice is to stay at home as far as possible, except for exercise or to attend health appointments, and not to attend work.

For further support :

<https://www.essexwellbeingsservice.co.uk/>

## **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:

[www.gov.uk/government/publications/covid-19-stay-at-home-guidance](http://www.gov.uk/government/publications/covid-19-stay-at-home-guidance)

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? If you have followed this guidance and are unable to ensure your needs are met in alternative ways, please contact your allocated social worker or the relevant duty team.

Mid Children with Disabilities Duty Number: 03330139886

Mid Young People with Disabilities Duty Number: 03330138964

North Children with Disabilities Duty Number: 03330139981

North Young People with Disabilities Duty Number: 03330 138956

West Children with Disabilities Duty Number: 03330139969

West Young People with Disabilities Duty Number: 03330138965

South Children with Disabilities Duty Number: 03330139802/03

South Young People with Disabilities Duty Number: 03330138966

For out of hours queries contact the Emergency Duty Service: 0345 606 1212

### **What are the employee's rights?**

They have the right to remain away from work for a period of 14 days from the symptoms becoming known. You can find detailed Government guidance on staying at home due to a possible Coronavirus infection from:

[www.gov.uk/government/publications/covid-19-stay-home-guidance](http://www.gov.uk/government/publications/covid-19-stay-home-guidance)

For latest update : <https://www.gov.uk/guidance/national-lockdown-stay-at-home>

The guidance for people receiving direct payments and personal assistants has been updated to add information about keeping a temporary record of the shift patterns of PAs for 21 days.

You should keep a temporary record of the shift patterns of your PAs for 21 days. If NHS Test and Trace ask for this data, you should provide it to them. This could help contain clusters or outbreaks.

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

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 £95.85 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 £94.25 per week, rising to £95.85 on 6<sup>th</sup> April 2020.**

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

If your employee does have Corona virus, 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 critical (key) workers and are eligible for priority tests.

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

### **Coronavirus: getting tested**

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

Existing guidance is being updated to reflect that the isolation period has been reduced from 14 to 10 days. Latest updates:

- **Providing Home Care**

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

- **Supported living services during coronavirus**

<https://www.gov.uk/government/publications/supported-living-services-during-coronavirus-covid-19>

### **Homecare workers to be tested weekly for COVID-19**

<https://www.gov.uk/government/news/homecare-workers-to-be-tested-weekly-for-covid-19>

The government have announced that Homecare workers, including live-in carers and personal assistants looking after people in their own homes will be offered weekly coronavirus tests in a phased roll-out. The most current information from the government on this roll out is detailed below:

<https://www.gov.uk/government/news/homecare-workers-to-be-tested-weekly-for-covid-19>

### **“What if I am not eligible right now?”**

The Government are working hard to increase testing capacity, develop new technologies and reach more people. They will be reaching the following organisations in coming weeks and will provide further updates to:

- homecare agencies not registered with CQC – we aim to roll out testing to all homecare organisations, including live-in carers. We will provide a further update in the coming weeks on how you can sign up to order test kits
- personal assistants – the government aim to roll out testing to all personal assistants. We are following this up diligently and will provide a further update in the coming weeks.

Whilst we await further information on regular testing please follow the below guidance :

- 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/>

Support for people on low incomes who need to self isolate :

The Test and Trace Support Payment scheme is available to people in England who have been asked to stay at home and self-isolate by NHS Test and Trace. An eligible applicant must be on a low income, unable to work from home and losing income as a result.

<https://www.gov.uk/government/publications/test-and-trace-support-payment-scheme-claiming-financial-support>

### **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).

### **National Testing Programme**

The Coronavirus National Testing Programme is expanded with new mobile testing sites in Essex. These are able to be accessed by critical (key) workers who are having to self-isolate due to having coronavirus-like symptoms or because a member of their household has symptoms. Personal Assistants are specifically covered as critical (key) workers in the testing process. Details of who can be tested and how to request a test can be found below.

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

Key workers and their households can book tests at the following website:

<https://self-referral.test-for-coronavirus.service.gov.uk/>

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](mailto:DP.Covid19@essex.co.uk)

#### **When will my PAs be able to access the vaccine?**

We have yet to hear the timings and approach and will update these FAQs and advise as we hear more. In the meantime further information on vaccines and the roll out by priority groups can be found here :

<https://eput.nhs.uk/news-events/coronavirus/coronavirus-vaccine/>

<https://www.gov.uk/government/publications/covid-19-vaccination-why-you-are-being-asked-to-wait>

We do appreciate that that people are concerned and we are aware that health colleagues are working through the priority groups and people will be contacted when they are eligible to get the vaccine.

#### **What do I do to get the support my child needs if their regular PA is unable to complete duties?**

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 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 a new service called Essex Welfare Service. They can then match you to local people who are offering to help.

#### **Essex Wellbeing Service (EWS) support still available**

Despite easing some coronavirus (COVID-19) restrictions, the EWS is still available to those who need to shield or might need to self-isolate over the coming months.

There is no change to the service the EWS is providing and vulnerable residents are encouraged to continue to access the support available if required.

COVID-19 is unlikely to just disappear and although restrictions are being eased for those shielding, residents are reminded to follow guidance safely and responsibly in order to protect each other and the most vulnerable.

The EWS is there to provide support around daily living tasks for those who are shielding, 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](http://www.essexwellbeingservice.co.uk)

or call 0300 303 9988. 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](mailto:essex@wearepurple.org.uk) Telephone: **01245 392 300**

#### **If our family is self-isolating does that mean my child goes without Care?**

No – the government are urging everyone to stay at home 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 child's Personal Assistant (s) or other care they usually have and so you are not under any obligation to remove your employees from the household.

If you are considering self-isolating because you are reducing your contact with others, please discuss this with your PA. You must be sure that your child's assessed care needs are met, this may be by yourself, another family member or by considering some of the other advice we are providing around meeting your child's needs in different ways.

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 aligned to the purpose of your child's support plan and meets the outcomes in that Plan. Please also take the following advice in to account:

- If you wish to purchase specialist equipment, such as for toileting, bathing, seating or manual handling, this request will need to be discussed with the Occupational Therapy team to ensure that the equipment is suitable and safe for the child/young person. Please contact the Occupational Therapy Duty Team for advice: **OT Duty number is 0333 013 9951**
- If your child/young person usually attends a club/activity and you are able to purchase equipment/activities similar to these, this would be considered to be in line with the care plan (for example if a child attended a trampoline club and you wish to purchase a trampoline to use at home.)

- If you would like to purchase an item that is not in line with your child/young person's current care plan, this will need to be discussed with the allocated Social Worker.

Please can you notify your social worker of any change in need and how you are planning to address this.

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](mailto:essex@wearepurple.org.uk)

Telephone: **01245 392 300**

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 your family 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 £29 per day (rising to £30 from 6<sup>th</sup> 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 your child without needing to be in direct contact.

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](mailto:essex@wearepurple.org.uk)

Telephone: **01245 392 300**

#### **Can I ask my PA to take paid leave whilst my family is 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](mailto: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 does 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](mailto: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.

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

As per government advice an employee or someone in their household has a new continuous cough or a high temperature, everyone in their household must self-isolate for 14 days. The employee should receive SSP for those 14 days if they earn over £118 per week – See SSP advice above.

Please also see the question in relation to testing which is now included in these FAQs

**Is my employee entitled to sick pay if they are self-isolating for 12 weeks?**

They are entitled to SSP (if they are eligible) for the first 14 days of self-isolation – anything after that 14-day period needs a sick note to cover it and enable them to claim SSP.

**The Personal Assistant is pregnant. What should I do?**

Please follow the government advice for those who are pregnant

[www.gov.uk/government/publications/covid-19-stay-at-home-guidance](http://www.gov.uk/government/publications/covid-19-stay-at-home-guidance)

For latest update : <https://www.gov.uk/guidance/national-lockdown-stay-at-home>

**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. You/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 has closed due to the Corona Virus?**

Schools are currently closed; 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](http://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](mailto: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, government recognise there will be certain circumstances where it would be appropriate for a direct payment holder to furlough somebody they employ. For example, if your PA has been advised to shield through a letter from the NHS or has certain caring responsibilities. The specific guidance mentioned above provides detail and practical examples on this.

## **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 in place and that the employees are provided with Personal Protection Equipment and clothing (PPE) **where necessary in line with Public Health guidance** .

Guidance has been released 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 use of PPE equipment across health and social care is in line with national guidance which is available via the links provided.

Space – stay 2 metres apart from people you do not live with where possible, or 1 metre with extra precautions in place (such as wearing face coverings). It is important that the use of PPE equipment across health and social care is in line with national guidance.

### **Free Personal Protective Equipment (PPE) for people employing Personal Assistants (PAs) or using self-employed carers**

Essex County Council are now able to support Direct Payment Recipients who are employing Personal Assistants (PAs) or using self-employed carers, with access to Government PPE for their Covid-19 specific needs. This is no longer just for emergency supplies but can be used to source any PPE over and above your business as usual needs.

The [guidance for this new process is HERE](#).

<https://www.livingwellessex.org/media/726143/provider-ordering-note-29620-v10.docx>

If you require it, you should follow the link below which will take you to a form to complete to place an order. If you use self-employed carers please share this form with them so they can order Covid-19 related PPE supplies.

#### [Direct Payment Or Personal Assistant](#)

<https://www.livingwellessex.org/media/726146/formdp-.doc>

There are two methods to receive this free PPE.

1. You/ a family member can come and collect it from the countywide store. You may wish to ask your PA/Carer to collect it for you.

It can be posted to your house. Please be aware there is currently a 10-day delivery timescale, and this may increase if there is an increase in demand.

### **Critical (Key) Worker Status**

#### **How can I show that my employee is a 'Critical (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 'Critical (Key) Worker'. This means that under the Government guidelines. As they are critical (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 critical (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 critical (key) worker status :

[Annex B: example documentation](#)

If you are supported by PURPLE for your payroll services, you can contact them for a 'key worker status letter' so that your PA can carry this with them and produce it when asked, please contact:

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

Email: [essex@wearepurple.org.uk](mailto:essex@wearepurple.org.uk)

Telephone: 01245 392 300

If you receive your Direct Payment through your Bank Account or a Pre-Paid card you can apply for a 'key worker status letter' from Essex County Council by emailing the DP COVID -19 mailbox

[DP.Covid19@essex.gov.uk](mailto:DP.Covid19@essex.gov.uk)

**Please ensure you include your child's social worker's name and the team they work for in this email.**

You will be asked for evidence that your PA is linked to your Direct Payment, this maybe in the form of a time sheet, payslip or extract from your contract of employment with them.

## **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 c.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\\_pheccovidpsych\\_2020&utm\\_medium=futurelearn\\_organic\\_pressrelease&utm\\_source=fl\\_pr\\_outreach](https://www.futurelearn.com/courses/psychological-first-aid-covid-19/1?utm_campaign=fl_pheccovidpsych_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?**

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, 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 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. We will update on this when we have more information available but if you are in need of additional funds please use the contact details below to request it in the meantime.

You will need to contact us via the information below to request an increase in funds to your Direct Payment account. Please retain all records of any change of care provision. Please contact your allocated social worker or the relevant duty team to discuss this further.

### **What do I do if my child is now without support?**

If you have used all the guidance, we have provided about alternative ways to ensure your child's needs are met but are still without the support your child needs please contact your child's allocated social worker for advice and support.

For out of hours queries contact the Emergency Duty Service

Telephone: 0345 606 1212  
[socialcaredirect@essex.gov.uk](mailto:socialcaredirect@essex.gov.uk)

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

As per guidance in our initial letter 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 child's needs as long as the proposed spend is aligned to the purpose of your child's support plan and meets the outcomes in that Plan then this is OK.

Please also take the following advice in to account:

- If you wish to purchase specialist equipment, such as for toileting, bathing, seating or manual handling, this request will need to be discussed with the Occupational Therapy team to ensure that the equipment is suitable and safe for the child/young person.
- Please contact the Occupational Therapy Duty Team for advice: **OT Duty number is 0333 013 9951**
- If your child/young person usually attends a club/activity and you are able to purchase equipment/activities similar to these, this would be considered to be in line with the care plan (for example if a child attended a trampoline club and you wish to purchase a trampoline to use at home.)
- If you would like to purchase an item that is not in line with your child/young person's current care plan, this will need to be discussed with the allocated Social Worker.



- **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**

Please can you notify your social worker of any change and how you are planning to address this. 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](mailto: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 accessed by following the link below (although this link takes to you an Adult Social Care page the guidance is also useful for those with children and young people):

<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.

An example of this may be if you have a Direct Payment that is only used for a service which is now closed, 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.

Please contact your allocated social worker or the relevant duty team to discuss this further.

Mid Children with Disabilities Duty Number: 03330139886

Mid Young People with Disabilities Duty Number: 03330138964

North Children with Disabilities Duty Number: 03330139981

North Young People with Disabilities Duty Number: 03330 138956

West Children with Disabilities Duty Number: 03330139969

West Young People with Disabilities Duty Number: 03330138965

South Children with Disabilities Duty Number: 03330139802/03

South Young People with Disabilities Duty Number: 03330138966

## 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.

Following the [Prime Minister's announcement on 4 January 2021](#), Colleges, primary (reception onwards) and secondary schools will remain open only for children of critical workers and vulnerable children and young people. All other pupils and students will receive remote education.

Parents whose work is critical to the coronavirus (COVID-19) and EU transition response include those who work in health and social care and in other key sectors outlined in the following sections. Children with at least one parent or carer who is a critical worker can go to school or college if required.

From 1 May to 31 July, Section 42 of the Children and Families Act 2014 was modified by a notice issued under the [Coronavirus Act 2020](#). Local authorities and health commissioners were required to use their 'reasonable endeavours' to secure or arrange the specified special educational and health care provision within EHC plans. *These temporary changes have now ceased.*

- All therapies and support that would normally be in place for children with EHC plans should now be back in place

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?**

At present the Government have not made self-isolation mandatory. Even if this were the case, there will always be a need for the most vulnerable in our society to be cared for, whether they are sick and have personal care needs which need to be provided for as result of Coronavirus or otherwise.

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-residential-care-supported-living-and-home-care-guidance/covid-19-guidance-for-home-care-provision>

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 your client, you must check your 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/national-lockdown-stay-at-home>

It is hoped, given the seriousness of the circumstances, that clients will understand your self-isolation amount to being incapable of 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 has announced a support package for self-employed workers. You can find more information by following the links below:

<https://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme>

<https://www.gov.uk/government/publications/support-for-those-affected-by-covid-19/support-for-those-affected-by-covid-19>

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?**

You continue to be responsible for ensuring you source PPE where you are self-employed and that there is a safe system of work in place and that you ensure you have access to Personal Protection Equipment and clothing (PPE) **where necessary in line with Public Health guidance**. 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 usage of PPE equipment across health and social care is in line with national guidance which is available via the links provided.

Free Personal Protective Equipment (PPE) for people employing Personal Assistants (PAs) or using self-employed carers, please see guidance detailed above.

<https://www.livingwellessex.org/media/726143/provider-ordering-note-29620-v10.docx>

## Other Useful Resources

### **COVID-19 Winter Plan**

A summary of the measures is included here: <https://www.gov.uk/government/publications/covid-19-winter-plan/covid-19-winter-plan-summary>

This has now been superseded : <https://www.gov.uk/guidance/national-lockdown-stay-at-home>

### **Staying mentally well: winter plan 2020-2021**

<https://www.gov.uk/government/publications/staying-mentally-well-winter-plan-2020-to-2021>

This plan sets out the support that will be in place to mitigate the impacts of the pandemic on people's mental health and wellbeing over the winter. It summarises support that the Government has put in place with links to a range of resources and advice, including Public Health England's [Better Health: Every Mind Matters](#) platform. It includes specific support for unpaid carers and for frontline health and social care workers.

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

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

For further support : <https://www.essexwellbeingsservice.co.uk/>

The Government has issued new [guidance](#) to clinically extremely vulnerable people setting out the help and support available. The advice is the same as the guidance that was in place during the November lockdown and will apply until further notice.

<https://www.gov.uk/government/publications/covid-19-letters-to-clinically-extremely-vulnerable-people>

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

### **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 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/national-lockdown-stay-at-home>

**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.

Following 2 videos detail support for people with LD :

1. **Making Friends with your Face Mask** <https://youtu.be/JktalrbL3T4>

This video is for people with learning disabilities to help them understand why wearing a face mask is important, how to find a face mask that suits them and how to get used to wearing it.

2. **Supporting a person with a learning disability to wear a face mask** <https://youtu.be/nYf6Gt7C08A>

This video is for family members or carers of people with learning disabilities to help them understand why wearing a face mask is important, how to find a face mask that suits the person they support and how to help them get used to wearing it.

### **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](http://www.skillsforcare.org.uk/COVID-19)

They have also added some pages to the information hub [www.skillsforcare.org.uk/iepahub](http://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>

