

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

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Updated: week ending 05/06/2020

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Government guidance for those receiving a Direct Payment

Updated: Guidance on shielding and protecting people who are clinically extremely vulnerable from COVID-19

<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>

The guidance has been updated taking into account that COVID-19 levels are substantially lower now than when shielding was first introduced.

Guidance for people receiving direct payments including government Questions and Answers

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

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:

<https://www.essex.gov.uk/changes-services/>

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?

The government are urging you to follow the NHS guidelines which is being kept up to date on their website

www.nhs.uk/conditions/coronavirus-covid-19/.

At present the public are being asked not to go the GP or call NHS 111 unless you cannot cope with your symptoms at home, your condition gets worse or your symptoms do not get better after 7 days.

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

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

You will need to put in place your contingency plans, as discussed when your Direct Payment was set-up. 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

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 £94.25 per week, rising to £95.85 on 6th 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

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

The Government has launched the NHS Test and Trace service. The guidance covers what happens if you test positive for coronavirus or have had close contact with someone who has. The test and trace service includes targeted asymptomatic testing of NHS and social care staff and care home residents. The guidance includes details of how to order a test. The key points:

- If you develop symptoms, you must self-isolate with other members of your household and order a test. You may wish to alert anyone with whom you have had close contact over the last 48 hours.
- If you test positive, you must share information about your recent contacts through the NHS test and trace service
- If you have had close recent contact with someone who has coronavirus you must self-isolate for 14 days from the date of that contact if advised to do so.

“**Close contact**” means face to face contact (less than 1 metre away); spending more than 15 minutes within 2 metres of someone; travelling in a car or other small vehicle with someone or close to them on a plane. Cases of those who work in or have recently visited a health or care setting, a prison, a school for people with special needs or “critical national infrastructure” may be referred to Local Authority public health experts.

The Test and Trace service will direct people who need practical or social support while self-isolating to their local authority helpline.

Workers in self-isolation are entitled to Statutory Sick Pay as long as they meet the eligibility conditions. Employers must not ask workers who are told to self-isolate to attend work.

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>

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 staff have been notified that they are a contact of a confirmed case in the community

- A positive antibody result signifies previous exposure, but it is currently unknown whether this correlates with immunity, including protection against future infections.

If staff have been notified that they are a contact of a co-worker who is a confirmed case

- Staff should inform their manager/employer and self-isolate for 14 days

National Testing Programme

The Coronavirus National Testing Programme is expanded with new mobile testing sites in Essex.

These are able to be accessed by 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 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

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 Welfare Service 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 www.essexwelfareservice.org.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 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. 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 Telephone: **01245 392 300**

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

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 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 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 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 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 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

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

The Personal Assistant should ideally self-isolate and if this is the case you should pay SSP for the first 14 days of absence and for any further absence they will need a sick note to continue statutory sick payments.

Do I have to pay my PA if they have children and their school has closed due to the Corona Virus?

Schools are now starting to open but only for some year groups; 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. Schools will still open for children of those who are considered key workers, and this includes those working in support roles in Social Care. It would be helpful if you can discuss this with your PA or care agency to understand whether school closure would have an impact on them and consider what you will do if this happens.

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'.

It is expected that the government will announce emergency pay provisions shortly – we will update our advice accordingly should new measures be announced.

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 for some time. The risk of spreading infections to the high -risk category of persons, such as grandparents over 70 or with health conditions.

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?

As the Direct Payment money is public funds, employers are not able to use the Government's Furlough scheme. Additional advice around this can be found on the [Government website](#) where it states:

Where employers receive public funding for staff costs, and that funding is continuing, we expect employers to use that money to continue to pay staff in the usual fashion – and correspondingly not furlough them. This also applies to non-public sector employers who receive public funding for staff costs.

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** .

New 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>

Stocks nationally are improving but still challenged so it is therefore important usage of PPE equipment across health and social care is in line with national guidance which is available via the links provided. We are now able to share with you 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/changes-services/adult-social-care-health>

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.

The information provided by the 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

Further advice can be found by following the links below:

<https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control>

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

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.

Please continue to consider how you can access this equipment locally or use other retailers that may have stock of PPE including online retailers. If you require PPE to meet your needs, you are able to use your Direct Payment funds to do so at this time.

We continue to have a limited stock of PPE and can supply this and although ECC will not be a long term supplier, we can support you with urgent supplies until you are able to access supplies from elsewhere. More information can be found on the website below. This information is targeted at Providers of Care in Essex, but we would like to ensure those with an urgent need who have a DP and employ staff are able to make requests via this route.

Please note that you should call Service Placement Team on the following number for urgent access to PPE - **03330139974** for domiciliary providers (including Direct Payment account holders)

<https://www.livingwellessex.org/latest-news/>

As another option there is 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, PA's are able to leave home and travel to and from work, as

this is necessary for them to complete their essential work. As they are key workers, they may also need access to shops and Schools/Childcare at this time. We are aware some places are asking for an ID badge instead of a letter. We are taking steps to ensure retailers and others are aware that a letter is sufficient when accompanied by ID, please let us know of any specific challenges you have with using the letters.

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 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 **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

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.

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

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: 0345 606 1212

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.

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 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.

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North Young People with Disabilities Duty Number: 03330 138956

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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>

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 the circumstance 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-fon-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 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>

It is hoped, given the seriousness of the circumstances, that clients will understand your self-isolation amount to being incapable of work. That so 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?

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**.

New 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>

Stocks nationally are improving but still challenged so it is therefore important usage of PPE equipment across health and social care is in line with national guidance which is available via the links provided. We are now able to share with you 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/changes-services/adult-social-care-health>

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.

The information provided by the 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

Further advice can be found by following the links below:

<https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control>

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

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.

Please continue to consider how you can access this equipment locally or use other retailers that may have stock of PPE including online retailers. If you require PPE to meet your needs, you are able to use your Direct Payment funds to do so at this time.

We continue to have a limited stock of PPE and can supply this and although ECC will not be a long term supplier, we can support you with urgent supplies until you are able to access supplies from elsewhere. More information can be found on the website below. This information is targeted at Providers of Care in Essex, but we would like to ensure those with an urgent need who have a DP and employ staff are able to make requests via this route.

Please note that you should call Service Placement Team on the following number for urgent access to PPE - **03330139974** for domiciliary providers (including Self Employed PAs)

<https://www.livingwellessex.org/latest-news/>

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

The National Supply Disruption line

Tel: 0800 915 9964

Email: supplydisruptionsservice@nhsbsa.nhs.uk

Other Useful Resources

Coronavirus: providing home care

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

A new guide for those providing **personal care** to people living in their own home. It addresses FAQs from registered providers, social care staff, local authorities and commissioners relating to delivery of care in people's homes and brings together the relevant existing guidance. It covers:

- **PPE** – including what to do if unable to obtain supplies
- **Shielding and care groups** – dividing people into “care groups” to reduce risk; reducing contacts; reducing contact between staff; how home carers can manage people they are caring for safely
- **Hospital discharge and testing**: testing for home care workers and individuals receiving home care, including prior to hospital discharge; advice on safe discharge from hospital into the community; guidance on escalating inadequate discharge summaries; guidance on trusted assessors;
- **Government support for social care**: social care recruitment; training; DBS checks; Support for home care providers from commissioners (e.g. business continuity and payment mechanisms) and from local authorities; NHS support for home care.
- **Information collection and governance**:
 - Residential and nursing homes to complete only the NHS Capacity Tracker
 - Home care providers to complete CQC's COVID impact form
- What to do if someone being cared for develops symptoms
- Mental health support for home care staff
- Safeguarding duties where Local Authorities are exercising Care Act easements.
- An Annex sets out the different “care groups” of people requiring support.

What parents and carers need to know about schools and other education settings during the coronavirus outbreak

<https://www.gov.uk/government/publications/closure-of-educational-settings-information-for-parents-and-carers>

The government have updated the following guidance with information on the curriculum, afterschool activities, repeating a year for pupils, transport and keeping children safe online. They have also amended information on if its compulsory to send pupils to educational settings and education for children at home. It also includes updated information for parents of children with special education needs.

Will education be provided as normal to children who are attending?

Where year groups are returning to school, school leaders and teachers should:

- consider their pupils' mental health and wellbeing and identify any pupil who may need additional support, so they are ready to learn
- assess where pupils are in their learning and agree what adjustments may be needed to the school curriculum over the coming weeks
- identify and plan how best to support the education of high needs groups, including disadvantaged pupils, and SEND and vulnerable pupils
- support pupils in year 6, who will need both their primary and secondary schools to work together to support their upcoming transition to year 7

- consider how to best use additional contact time to support those in years 10 and 12 and the first year of a 16 to 19 course, who are starting their final year of study for GCSEs, A levels and other qualifications next academic year

Can I send my child to breakfast/ after school clubs?

School-based wraparound providers, such as breakfast and after school clubs, can operate for children in eligible year groups (those in reception, and years 1 and 6) or those within priority groups (such as children of critical workers and vulnerable children) if they are:

- operating on the same premises as the school those children are attending
- only caring for children of that school and no others

Can my child repeat a year?

It is the decision of the head teacher to determine how best to provide education for a child. Such decisions should be based on sound educational reasons and in consultation with parents. The government do not currently anticipate that children and young people will need to repeat a school year as a consequence of the coronavirus outbreak.

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

Guidance on closure of Educational Settings

The following guidance is available for parents and carers

<https://www.gov.uk/government/publications/closure-of-educational-settings-information-for-parents-and-carers>

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 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 on social distancing and for vulnerable people

<https://www.gov.uk/government/publications/covid-19-guidance-on-social-distancing-and-for-vulnerable-people>

Guidance for households with possible coronavirus infection

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

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>

New guidance for people who are caring for friends or family during the virus outbreak. It builds upon 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. All carers are advised to:

- create an **emergency plan** (links to Carers UK advice on contingency planning)
- Contact their local authority or health care provider if they cannot organise **alternative care**

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 new 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>

Government guidance for Local Authorities and those with use DPs during Covid 19

Government guidance has now been released.

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

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>