

Direct Payments and Covid-19

Frequently asked questions

(Last updated 14/04/2020)

General Advice

1. **My carer/PA has told me they can't help me at the moment because of the government's 'stay at home' advice.**

Under the government rules, your carer/PA is a keyworker and is therefore permitted to continue to go to work to support you. As keyworkers if your PA has children they will be able to continue attending school at this time. Your PA will need to contact the school for further information.

2. **Can my PA bring their children with them if their school is closed?**

PAs are classed as essential key workers (see above). Bringing extra people into your house poses additional risk so this is not recommended. If the PA chooses not to attend in order to care for their children you do not need to pay either salary or statutory sick pay (SSP).

3. **I am in the 'high risk' category and have received a letter from the government advising me to stay at home for 12 weeks. Can my PA still work for me?**

If you are both well and have no symptoms, there is no reason why your PA can't continue to support you.

4. **I am worried that my PA might get into trouble because they come to support me and are out during 'lockdown'. As they do not work for an agency, they do not have an ID badge to identify them as a keyworker.**

PAs are key workers and they should explain this if they are stopped by the police. You may wish to issue them with a letter confirming that they are working as a PA to support you and are therefore undertaking essential care and support key worker duties.

If they continue to have difficulties, you can contact your social worker, if you have one or if not, please contact Virgin Care First Response Team on 0300 247 0201 (option 2) , or If you are under AWP contact Recovery Tea (RT)– 01225 731631, Complex Intervention and Treatment Team (Citt) – 01225 371411, Early Intervention (EI) – 01225 362760. They can help you with a letter that confirms that the bearer of the letter is a PA undertaking essential care and support keyworker duties.

5. **My Social Worker was due to visit and review my DP. Will this still happen?** Your social worker will be in touch regarding any pre-arranged visits – they may reschedule if your review is not urgent or agree to contact you by phone to reduce the infection risk. Virgin Care/AWP will contact all DP users to check that everyone has good plans in place so that essential care can continue.

6. **I have run out of money for food/bills etc. Can I use my DP to pay for them?** No – it is important to make sure that you

spend your DP on meeting your care and support needs as identified in your support assessment and plan. Audits will still take place. However, if you are in difficulties the Welfare Support team can help by providing help with food in emergency situations if you are on a low income. Assistance is usually through the provision of shopping vouchers and referrals to the foodbanks in the region. For further details including how to make an application please visit the following page on the council's website; <https://beta.bathnes.gov.uk/apply-welfare-support>. Please note that the council does not provide cash through this service.

Trussell Trust Food Banks- up to date information about what they can offer is below: <https://bath.foodbank.org.uk/coronavirus/>
01225 463549 info@bath.foodbank.org.uk

Information about Food Banks in Somer Valley

<https://somervalley.foodbank.org.uk/2020/03/19/foodbank-continuity-plan/>
07729523986 info@somervalley.foodbank.org.uk

For advice about money, see:

<https://www.moneyadvice.service.gov.uk/en/articles/coronavirus-and-your-money>

<https://www.moneyadvice.service.gov.uk/en/articles/coronavirus-what-it-means-for-you>

To contact DWP, see:

<https://www.gov.uk/guidance/contact-the-department-for-work-and-pensions-about-its-policies>

7. **I am short of food because I cannot access any of my money as I don't have a bank card and can only withdraw cash by attending a bank/post office. I cannot do this as I am self- isolating.**

See the information above about Welfare Support, Foodbanks and DWP.

In addition, Bath & North East Somerset Council is working with 3SG and Virgin Care to support communities and the most vulnerable in their own homes. 3SG is recruiting volunteers through its [#CompassionateCommunities](#) scheme to offer support to community groups and charities as they work to help elderly or vulnerable people self-isolating.

The Compassionate Communities Hub can be contacted on 0300 2470050. For further information see <https://newsroom.bathnes.gov.uk/news/new-compassionate-community-telephone-hub-help-vulnerable-residents>

8. **Do I still need to send my DP audit paperwork in?**

You will have been advised in writing by the Client Finance Team when your next audit is due. If you are unable to send in this audit return by this date due to COVID-19 social distancing, please notify the Client Finance Team by emailing Client_FinanceTeam@BATHNES.GOV.UK or calling 01225 396487. Please note this telephone line will be operating on weekdays between the hours of 9am and 1pm.

Please remember you will still need to provide the audit return as soon as is practicable once these restrictions have been lifted. You must therefore keep copies of all bank statements and supporting evidence such as receipts, invoices, timesheets or any other proof of expenditure to ensure your financial audit can still be completed by the Client Finance Team

9. **I have accumulated some excess funds – will B&NES require these funds to be returned?**

You must use your DP to meet the care and support needs that have been identified in your care and support assessment. Sometimes people accumulate more than 4 weeks

contingency. When the pandemic has passed B&NES will complete audits as usual, and any unspent funds over and above your 4 weeks contingency funding will be recovered. Please make sure you continue to keep all receipts/bank statements, invoices, timesheets etc as usual ready for Client Finance to carry out an audit.

10. Should I continue paying my assessed weekly care charge?

This will depend on if you are paying your staff. As an employer it will be your responsibility to decide if you need to continue paying your staff, even if they are not currently providing you with a service, due to illness or your decision to self-isolate. You should consider the person's employment contract, if they have one, and whether they are considered by HMRC to employed or self-employed, there may also be other factors to consider depending on your individual circumstances. If you continue to pay your staff you will need to continue to pay your care charge. If you require any assistance please contact the Virgin DP Hub on 0300 247 0201

Advice for Direct Payment users who employ their own Personal Assistants (PAs)

1. I am self-isolating but have no symptoms – can my PA still support me?

If your PA is symptom free and following the Public Health England advice, they can still support you. You can take steps to keep yourself safe including washing hands and keeping 2 meters apart. If you have a health condition that makes you particularly vulnerable, you may want to take steps to limit the number of people and visits supporting you.

For advice on staying safe see: <https://www.nhs.uk/conditions/coronavirus-covid-19/>

2. I have covid -19 symptoms- can my PA still support me?

Your PA will have to assess the risk and may decide that they are unable to support you at this time. If this is the case, please contact your social worker/care coordinator if you have one. If not, please contact the Virgin Care First Response Team on 0300 247 0201 (option 2). If you are under AWP contact Recovery – 01225 731631, CITT – 01225 371411, EI – 01225 362760. They will help you to identify alternative care and support to cover your essential needs either via your own personal networks, the community, an alternative PA or a care agency.

3. I need further supplies of gloves and aprons– how do I get them? If you use your DP to employ an agency or engage self employed PAs, they are responsible for providing gloves and aprons.

Please source through your usual suppliers. If your usual suppliers are unable to help, please contact the Virgin Care First Response Team on 0300 247 0201 (option 2). If you are under AWP contact Recovery – 01225 731631, CITT – 01225 371411, EI – 01225 362760

Please note the PHE guidance regarding the use of gloves and aprons etc:

<https://www.gov.uk/government/publications/covid-19-residential-care-supported-living-and-home-care-guidance/covid-19-guidance-on-home-care-provision>

If it is urgent and you have covid-19 symptoms please contact the Virgin Care First Response Team on 0300 247 0201 (option 2)

4. I don't want my PA to support me at the moment and can manage without them – Do I still have to pay them?

Please notify your social worker/care coordinator if you have one. If not, contact the Virgin Care First Response Team on 0300 247 0201 (option 2), or, if AWP supports you, contact Recovery – 01225 731631, CITT – 01225 371411, EI – 01225 362760. They will support you to decide if it is safe to stop your PA support.

Regarding whether or not you have to pay your staff, in the first instance, please contact your payroll provider if you have one. Normally if your staff are employed rather than self employed, you will still need to pay them or else you will be in breach of contract. You can require your PA to take their annual leave at this time.

. It is sensible to take further advice on these issues before you make your decision. Please contact your payroll support provider if you have one, or the Virgin Care First Response Team on 0300 247 0201 (option 2) . For further information see:

<https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>

5. **What is the Government's expectation on furloughing of PAs?** In general, the government expects that the Coronavirus Job Retention Scheme will not be used by many public sector organisations, or individuals who employ people through funding provided to them as a direct payment. This is because the majority of public sector employees 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, and as such, furloughing of this cohort should be minimal. Where employers receive public funding for staff costs, and that funding is continuing, we therefore 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. In a small number of cases- for example where it is not possible for your PA to deliver the care and support you require, and where they cannot be redeployed to assist with the coronavirus response- the Coronavirus Job Retention Scheme may be appropriate. You will need to explain why this is the case when processing your claim for furlough

6. **If I think the scheme might be appropriate for me, with my circumstances, what do I do?** As above, it is generally advisable for individuals to continue their current care arrangements wherever possible, putting in additional precautions in relation to hygiene and infection control. There are some points that could be considered to help make a decision about what's best for you and your care arrangements. For example: If you decide to stop PAs from coming into your home, depending on their employment contract they may be entitled to full pay. They are not automatically entitled to be furloughed under the government's Coronavirus Job Retention Scheme, as the work may still be available. Where family or friends are willing to provide care on a voluntary basis there will be no added costs to the budget during this time. This could be considered for a short period e.g. 4 weeks, and then reviewed with your LA or CCG. If family or friends are unable to provide care on a voluntary basis and require payment for this this is an added cost pressure to the budget and would need to be agreed with your social worker/care coordinator, with the necessary budget adjustments made. This could be considered for a short period e.g. 4 weeks, and then reviewed with your social worker/care coordinator. In either of the situations above, PAs could be considered for re-deployment to provide voluntary support to other people e.g. assisting with personal care, activities of daily living, shopping, getting medications, prescriptions etc. In all circumstances it is advisable where possible that you speak with your social worker/care coordinator before making any formal changes.

7. **My PA is self-isolating and I need support but do not have any cover in place – who can help?**

Consider who supports you when your PA is on leave. Can your holiday cover help out? Please note that if you use a DP support service, they cannot source replacement care workers for you but could help you to advertise if you wanted to. Do you have any family members or friends who can assist? If not contact the Virgin Care First Response Team on 0300 247 0201 (option 2), or the if you are under AWP contact Recovery – 01225 731631, Complex Intervention and Treatment Team – 01225 371411, Early Intervention Team – 01225 362760

8. I have run out of money, including my contingency funds, in my DP account due to having to pay sick pay for PAs, and additional cover for the shifts they would normally cover. Can I get extra funding into my DP?

Please contact your payroll provider if you have one in the first instance for advice. If you have incurred additional costs due to coronavirus and having to pay Statutory Sick Pay, (SSP), you will be able to reclaim the first two weeks' SSP from the government. As of 02/04/2020 we are still waiting to hear about the procedure for doing this. You may also be able to receive extra funding into your DP. Please make sure that you keep all receipts/invoices as proof of expenditure. You will need to send these into the Client Finance Team when your DP account is audited.

9. My PA is self-isolating/sick – do I have to pay them still?

If you have a payroll provider, please contact them for advice in the first instance.

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 procedure. 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 here:

<https://www.gov.uk/government/publications/covid-19-stay-at-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 the absence. Statutory sick pay is payable to employees who: -are employees or workers (includes zero hours and casual workers) and have earned on average £118 per week over the last 8 weeks, and -have given you the correct notice. You will be able to reclaim the first two weeks' SSP paid for Covid-related absences (although the procedure for doing so is not yet clear).

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

10. My PA doesn't want to come to work but is not showing any symptoms – do I still have to pay them?

If your PA chooses not to work and there's no identified high risk then no pay will be given as this is an unauthorised absence.

11. My PAs support me at home and I am worried about the infection risk - How can I protect myself from covid 19? Please follow the Government advice on staying safe:

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

12. I am self isolating so cannot get out to do essential shopping – can my PA do this for me? Yes, if help with shopping was one of the things identified in your support plan.

If not, you have no one else who could help, please contact the Compassionate Communities Hub on 0300 2470050.

13. I am self isolating but would like some help with cleaning – can I pay my PA to do this for me?

You should continue to use your DP to meet the support needs and outcomes identified in your support plan. If this includes hygienic cleaning etc, then you can use your DP to pay for this.

However, if you are self isolating because you are particularly vulnerable, you will need to consider whether it is safe for your PA to continue to attend, and if they are willing to continue to attend. This may depend on how many other people your PA may have had close contact with. Please follow government guidance:

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

Advice for Direct Payment users who use their DP to attend a day service

1. **My Day service has closed – do I still have to pay for it?**

This will depend on the service agreement/contract that you signed up to when you began attending the day service. If this states that you only pay for the sessions that you attend, you should not have to continue to pay when the service is closed.

Advice for Direct Payment users who use an agency or self employed PAs for their care

1. **My agency/self employed PA has said they cannot support me at the moment, what should I do?**

Consider who supports you when your PA is on leave. Can your holiday cover help out? Do you have any family members or friends who can help out? If not contact your social worker if you have one, or the Virgin Care First Response Team on 0300 247 0201 (option 2). If AWP supports you, please contact Recovery – 01225 731631, CITT – 01225 371411, EI – 01225 362760.

2. **My agency/self employed PA has told me they will be charging more during the pandemic, do I have to pay them more?** As a DP user you are responsible for agreeing how much you pay for your care with the care agency/self employed PA. We hope that agencies and PAs do not increase their prices. You should have a copy of your original service agreement that you signed up to with your care agency/PA. This may include details of any notice required or other arrangements in place to increase fees so please check this. If your agreement allows the fees to increase and you need to pay more please ensure that obtain and keep a copy of the new agreement detailing the new prices. If there is not enough funding in your DP, please contact your social worker or care coordinator if you have one. If not, contact the Virgin Care First Response Team on 0300 247 0201 (option 2) or, if AWP supports you, please contact Recovery – 01225 731631, CITT – 01225 371411, EI – 01225 362760.

3. **I need gloves and aprons to be able to work safely – how do I get them?** If you use your DP to employ an agency or engage self employed PAs, they are responsible for providing gloves and aprons. They should source them through their usual supplier. If your usual suppliers are unable to help, please contact the Virgin Care First Response Team on 0300 247 0201 (option 2). If you are under AWP contact Recovery – 01225 731631, CITT – 01225 371411, EI – 01225 362760

Please note the Government guidance regarding safe working:

<https://www.gov.uk/government/publications/covid-19-residential-care-supported-living-and-home-care-guidance/covid-19-guidance-on-home-care-provision>

Advice for self employed PAs

1. **I am a self employed PA (I pay my own tax etc), the person I support has asked me to stop coming at the moment, do they still have to pay me?**

This will depend on the terms of the agreement that you have in place with the person you support. Where you are genuinely self-employed and an agreement has not been made as to a retainer/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.

The government has just announced the coronavirus (Covid 19) self-employment income support scheme. This scheme will allow you to claim a taxable grant worth 80% of your

trading profits up to a maximum of £2,500 per month for the next 3 months. This may be extended if needed.

You can apply if you're a self-employed individual or a member of a partnership and you:

- have submitted your Income Tax Self Assessment tax return for the tax year 2018-19
- traded in the tax year 2019-20
- are trading when you apply, or would be except for COVID-19
- intend to continue to trade in the tax year 2020-21
- have lost trading/partnership trading profits due to COVID-19

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

2. I am a self employed PA and cannot work as I am self isolating/sick – does my client have to pay me anything whilst I am off work?

This will depend on the terms of the agreement that you have in place with the person you support.

Self employed people can claim Universal Credit or Employment and Support Allowance if they are sick/self isolating and unable to work. The amount has been temporarily raised so that self employed people can receive the same amount as someone on Statutory Sick Pay (SSP). For further information see

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

3. I am a self-employed PA and I have run out of gloves/ aprons – where can I get more supplies?

Please contact your usual supplier. If your usual suppliers are unable to help, please contact the Virgin Care First Response Team on 0300 247 0201 (option 2). If you are under AWP contact Recovery – 01225 731631, CITT – 01225 371411, EI – 01225 362760

Please note the Government guidance regarding safe working:

<https://www.gov.uk/government/publications/covid-19-residential-care-supported-living-and-home-care-guidance/covid-19-guidance-on-home-care-provision>

4. I am a sole trader providing support/activities to people in care homes who use their DPs to pay for my support/activities. The care home is closed to visitors for infection control and I have been told not to attend. Can I still get paid?

This will depend on the agreement that you have with the DP users – does it detail whether you will be paid if the care home is closed to visitors/non-residents? In the absence of any explicit terms about arrangements in these circumstances, you are likely to be treated as self employed.

The government has just announced the coronavirus (Covid 19) self-employment income support scheme. This scheme will allow you to claim a taxable grant worth 80% of your trading profits up to a maximum of £2,500 per month for the next 3 months. This may be extended if needed.

You can apply if you're a self-employed individual or a member of a partnership and you:

- have submitted your Income Tax Self Assessment tax return for the tax year 2018-19
- traded in the tax year 2019-20
- are trading when you apply, or would be except for COVID-19
- intend to continue to trade in the tax year 2020-21
- have lost trading/partnership trading profits due to COVID-19

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

[If you are not eligible for the above scheme, you may be able to apply for Universal Credit or Employment and Support Allowance. For further information see:
https://www.gov.uk/government/publications/support-for-those-affected-by-covid-19/support-for-those-affected-by-covid-19](https://www.gov.uk/government/publications/support-for-those-affected-by-covid-19/support-for-those-affected-by-covid-19)