

CORONAVIRUS (COVID 19): GUIDANCE FOR PEOPLE RECEIVING DIRECT PAYMENTS IN WILTSHIRE

The government published guidance on 21 April 2020:

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

This document explains how Wiltshire Council will comply with the government guidance.

In the guidance the government reminds everyone that “The use of direct payments as a way of receiving the care and support an individual requires is as important to those provided directly by the local authority or CCGs [Clinical Commissioning Groups]. Most care and support cannot be deferred to another day without jeopardising people’s ability to work, care for their families or place the individual at risk of harm. It is therefore vital that direct payment-funded services are prioritised locally and this guidance will support those in receipt of direct payments and local authorities and CCGs in achieving this. This guidance will be updated regularly.”

1. Steps people who employ personal assistants via a direct payment should take

Government guidance says that personal assistant employers should:

a. Urgently review the support arrangements currently in place for when their personal assistant is unable to work due to sickness or annual leave. Consider if these arrangements are robust enough should there be a need to cover for any period where a personal assistant may need to self-isolate because they are ill themselves, are in a vulnerable group or live in a household where someone has developed symptoms of COVID-19.

b. Consider alternative options, should the above plans not be robust enough to provide essential ongoing care and support. Where there are links with wider personal assistant employers, agreements of mutual support arrangements could be considered. If you receive other sources of paid support (other than your personal assistant) via direct payment, could these be flexed and increased to cover any reduced personal assistant support and vice-versa?

c. Consider alternative or additional personal assistants and/or care providers such as agencies who may be able to offer care and support or a back-up option should there be issues in continuation of your personal assistant support.

d. Ensure that details about how you like your care and support to be delivered are up to date with key information that can be shared with care staff who may not be familiar to you, including what you deem to be essential. Where possible, if there are any regular or reoccurring needs that are time- and day-specific (for example treatment sessions, attending work) please note these. Ensure that other details,

such as critical telephone numbers, are up to date and available to all care staff who support you.

e. Should you find yourself in a position where your personal assistant is unable to support you due to self-isolation or contraction of COVID-19 and you have no alternative arrangements available to you, you should contact Wiltshire Council Advice and Contact Service on 0300 456 0111 or AdviceandContact@wiltshire.gov.uk to discuss your situation. They will help you make suitable alternative care arrangements from the options that are available, in line with duties under the Care Act. Wiltshire CIL

2. Steps people who buy care and support or other services via a direct payment should take

Government guidance says that if you're using a direct payment to buy care and support via a service such as a home care agency, you should:

- a. Make early contact with the agency. Discuss your situation and agree any actions that will be taken to support you should your regular, paid carer be unavailable.
- b. Ensure that they have your up-to-date details, any relevant care and support plans and relevant dates if you need to attend important appointments with support.
- c. If you use your direct payment to purchase other types of support, it's important that you speak to your provider and agree arrangements if you foresee any issues in delivering this service during this period.
- d. If you find yourself in a position where these arrangements are unable to support you due to the wider impact of COVID-19 and you have no alternative arrangements available to you, you should contact Wiltshire Council Advice and Contact Service on 0300 456 0111 or AdviceandContact@wiltshire.gov.uk to discuss your situation. They will help you make suitable alternative care arrangements from the options that are available, in line with duties under the Care Act. At this time this can include supporting you to access our Brokerage Service to assist you in making alternative arrangements. If you are a carer in receipt of a direct payment, contact Carer Support Wiltshire on 0800 1814118 to discuss your situation. If needed, they will contact Wiltshire Council on your behalf.

3. What to do if your personal assistant is concerned that they have COVID-19

Government guidance says that if personal assistants are concerned that they have COVID-19 they should follow the [guidance on home care provision](#). As the guidance explains, they should contact the NHS and, if advised to self-isolate at home, they should not visit and care for you until it is safe to do so.

If your personal assistant or team of personal assistants are unable to deliver the necessary care, it may be necessary to put contingency plans into action. For example, family members may be required to step in and support you to ensure that you receive the care you need. Wiltshire Council will take a flexible approach to how direct payments are utilised during this period, to ensure that appropriate care is delivered.

Wiltshire Council will respond as quickly as possible and support you to make arrangements to continue to manage your care and this may include receiving support from a family member who lives at the same address as you. The council will consider each request to pay a close family member to provide care individually, ensuring that all alternative options have been explored. If these exceptional circumstances mean that this is the most suitable option for you then this will be approved for a short period of up to four weeks and will then be reviewed with you.

Only in the case of an emergency, and where it is time-critical, you can decide to put a suitable package of care and support in place until it is possible for you to contact the council to tell us what you've done and get us involved, for example, on a Bank Holiday or during a weekend. You should then contact us on 0300 456 0111 or AdviceandContact@wiltshire.gov.uk on the next working day to discuss the arrangements. You will be asked to explain the arrangements put in place and provide evidence for this decision(s) you took.

We will make a referral to Wiltshire Centre for Independent Living (CIL) on your behalf so that they support you to facilitate this change of employees.

4. What to do if you, as the employer or buyer of a service, have symptoms of COVID-19

If you have symptoms of COVID-19, then the risk of transmission should be minimised through safe working procedures. As with staff in home care services, personal assistants and other care staff should use personal protective equipment (PPE) when caring for someone with symptoms for activities that bring them into close personal contact, such as washing and bathing, personal hygiene and contact with bodily fluids. Plastic aprons, fluid resistant surgical masks, eye protection and gloves are recommended.

New PPE must usually be used for each episode of care. It is essential that PPE is stored securely within disposable rubbish bags. These bags should be placed into another bag, tied securely and kept separate from other waste within the room. It should be put aside for at least 72 hours before being put in the usual household waste bin.

If personal assistants or care workers undertake cleaning duties, then they should use the usual household products, such as detergents and bleach because these will be very effective at getting rid of the virus on surfaces. Frequently touched surfaces should be cleaned regularly. Personal waste (for example used tissues, continence pads and other items soiled with bodily fluids) and disposable cleaning cloths can be

stored securely within disposable rubbish bags. These bags should be placed into another bag, tied securely and kept separate from other waste within your own room. This should be put aside for at least 72 hours before being put in the usual household waste bin for disposal as normal.

If personal assistants or care workers support the individual with laundry, then they should not shake dirty laundry before washing. This minimises the possibility of dispersing virus through the air. Wash items as appropriate, in accordance with the manufacturer’s instructions. All dirty laundry can be washed in the same load. If you do not have a washing machine, wait until it is permitted for you or your family member to leave the house and go to launderette: a further 72 hours after the 7-day isolation period (for individual isolation) or a 14-day isolation period (for households) has ended. The laundry can then be taken to a public launderette. Items heavily soiled with body fluids, for example vomit or diarrhoea, or items that cannot be washed, should be disposed of, with your consent.

General interventions may include increased cleaning activity and keeping the property properly ventilated by opening windows whenever safe. Personal assistants and care workers should follow government advice on appropriate hand hygiene.

People receiving direct payments normally purchase their own PPE from their preferred supplier and should continue to do so. Wiltshire CIL has a small stock of PPE specifically for DP employers to enable their PAs to continue to work. Where there are issues with lack of supply or pricing, report this to your local authority and seek emergency supplies from those they have been allocated. If you’re having difficulty in obtaining the required PPE, you should approach the council and ask for assistance. Do this by phoning Advice and Contact Service on 0300 456 0111 who will take appropriate action to pass your request on.

5. Further advice and frequently asked questions

The Department of Health and Social Care (DHSC), in partnership with a range of stakeholders, has published further advice in the form of [frequently asked questions for personal budget and personal health budget holders](#) on the Skills for Care website. This will be updated regularly.

Some specific questions that have been raised locally are answered below:

1.	Question	Can a family member living in the same household be paid for care temporarily? Do they have to get the Council’s permission first?
	Answer	A family member living in the same household can be paid to provide care in exceptional circumstances. The council does need to be contacted so that this can be discussed and agreed, unless it is an emergency. Where it is agreed it will be for a short period of up to four weeks and then reviewed. Please see further information above.

2.	Question	What happens if costs go up for a direct payment recipient during this time? For example, where a personal assistant (PA) is furloughed and another is “locked in” with the cared for and covering additional hours or a family carer is unwell and needs to pay someone else to provide support. Who should the direct payment recipient contact to discuss these sorts of issues?
	Answer	The direct payment recipient is the employer of the PA(s); the council is not the employer and is not responsible for any arrangements to do with furloughing PAs. The council is responsible for ensuring that the direct payment is sufficient to meet the actual costs of meeting the person’s care and support needs. If as a consequence of the circumstances to do with C19, the costs of meeting care and support needs increase, then the council will increase the amount of the direct payment to cover these costs. The direct payment recipient should contact Advice and Contact Service on 0300 456 0111 or AdviceandContact@wiltshire.gov.uk to discuss their situation.
3.	Question	Is Wiltshire Council talking to FISH Insurance regarding furloughing and potential to keep those PAs who are furloughed within the workforce who can possibly work for someone else
	Answer	The direct payment recipient is the employer of the PA(s) and can make their own arrangements, including a decision to offer the services of a PA elsewhere, for example to other direct payment recipients or other social care employers.
4.	Question	Has the Council made a decision to put setting up new direct payments on hold?
	Answer	No, the council has not made a blanket decision, however in the current circumstances the most important thing is likely to be to get care and support in place quickly and a new direct payment can take some time to set up. Where a person has a direct service for now, then a later review can pick up the request for a direct payment and put it in place at that time. Direct payments for equipment can still be actioned if it is the most timely and cost effective way of meeting the need. Occupational therapists need to know enough about the equipment that the customer proposes to purchase to confirm that it would meet the customer’s need. Direct provision through our equipment service contract is likely to be a more timely way of supporting the person with equipment at this time.
5.	Question	I understand that direct payment reviews are not taking place at the moment, but it is suggested that direct payment recipients put contingency plans in place should a PA or the employer need to self-isolate, who will develop these plans with people?
	Answer	We are completing care and support reviews at this time and some of these will be people in receipt of a direct payment.

		Employers of PAs and other direct payment users are strongly encouraged to consider and put in place contingency plans and if needed, the council and/or Wiltshire CIL is available to provide advice and support. DHSC has provided a template for a contingency plan, available here
6.	Question	What should a DP user do if a PA is being asked to work more hours because a day centre has closed and the person is now at home for longer periods?
	Answer	If the person in receipt of a DP was paying for the day centre they are likely to have sufficient funds to pay for more PA hours. However if the costs of meeting their care and support needs have gone up the person should contact the council to discuss this, including looking at increasing their direct payment.
7.	Question	What happens to payments for support if a DP user is admitted to hospital?
	Answer	For DP users who pay for services from a care agency, and there is no contracted agreement, Wiltshire Councils view would be they pay the provider 80% during the length of their stay in hospital. For DP users who employ PAs, their contract of employment should cover these circumstances regarding payment.
8.	Question	If a DP user is not using their DP to pay anybody at the moment, will they have to pay any money back to the Council or can they use it for more support when they are able to?
	Answer	It depends on the reason that a direct payment is not used at a particular time. For some people their needs may fluctuate, and their DP is used flexibly over a period of time to take this into account. If there is no one available to support the person, then contact Wiltshire Council for help to find someone to provide support. When there is a review, and there is direct payment money that has not been spent then the person may be asked to pay this back. These decisions are made on a case by case basis.
9.	Question	Can a DP user pay somebody else if the person who usually provides help is unwell?
	Answer	Yes, the direct payment gives the recipient more control over and responsibility for making these arrangements. If they have difficulties in finding someone to provide support, then contact Wiltshire CIL or Carer Support Wiltshire or Wiltshire Council to discuss this.
10.	Question	Can a DP be used to pay for an alternative to the usual support (e.g. to purchase a subscription to occupy a person) so that a carer can have a break?
	Answer	Yes, a direct payment gives the recipient more control over and responsibility for meeting their needs for care and/or support to achieve outcomes discussed at the time their support plan was agreed.
11.	Question	It would be helpful to know any decisions the council has made on Care Act easements.

	Answer	<p>The Coronavirus Act guidance allows local authorities to move away from some Care Act duties in certain circumstances. The DHSC has emphasised that complying with Care Act duties must be ‘business as usual’ for as long as possible and in as much of each local authorities services as possible. The Care Act easements are not automatic. They are designed to enable authorities to “prioritise the most pressing needs” among those they would normally be under a legal duty <u>should</u> Covid-19 bring about a full-blown resource crisis. Specific circumstances to do with demand and workforce, when the easements can be applied are described and guidance, which councils must have regard to in their decision making, is provided. In Wiltshire we are not currently using the Care Act easements and we continue to meet our duties under the Care Act and to work flexibly where needed, for example if certain types of service need to be changed, delayed or cancelled because of staff absence. All such changes are carried out in consultation with the people involved.</p>
--	--------	---

6. Contact details

Wiltshire Council Adult Social Care Advice and Contact Team: 0300 456 0111 or AdviceandContact@wiltshire.gov.uk

Wiltshire Centre for Independent Living: 0300 1233442 or info@wiltshirecil.org.uk

Carer Support Wiltshire: 0800 1814118 or admin@carersupportwiltshire.co.uk

We are keen to hear your feedback and to address any questions or queries you may have.

Please send these to our Principal Social Worker: kim.holmes@wiltshire.gov.uk