



Direct payments

COVID 19 Factsheet

May 2020

Introduction:

For many Disabled people direct payments are key to having choice and control in their lives. Like everyone else, people using direct payments are having to make changes to their lives to take account of the Covid 19 crisis and the dangers of catching and spreading the virus.

This factsheet gives is mainly for people who employ their own personal assistants, including details given by the Council and in the government's guidance.

The full government guidance is available here:

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-people-receiving-direct-payments/coronavirus-covid-19-qa-for-people-receiving-a-personal-budget-or-personal-health-budget#employment-of-individuals>

Personal protective equipment (PPE):

Most PAs will need to be using PPE when working with you and they will probably need to do so while the virus is still a problem, which looks likely to be a long time. Some PAs use PPE all the time anyway, but they may need to need more than they normally use.

The government has published guidance on when PAs need to be using PPE in addition to what they might normally use when they are giving support. Basically, all PAs should be using PPE if they have to be within 2 metres, particularly if they need to be in direct contact with you when providing support.

You can see full details here:

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-people-receiving-direct-payments/coronavirus-covid-19-qa-for-people-receiving-a-personal-budget-or-personal-health-budget>

It is also important to make sure PAs are using PPE in the right way to make sure it is protecting your PA and yourself. There is a full guide here:

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

How to get PPE

The Council has said it will provide PPE to people on direct payments. If you are having problems with this, you should contact the direct payments team at the Council as soon as possible.

Issues with employing PAs

The Covid 19 situation could cause issues with employing your PAs. Possible problems could include sick pay and paying your PA if they cannot work because either you or they need to self-isolate.

The Council has arranged for Mark Bates (Premier Insurance) to provide legal advice on such situations. See their website:

<https://markbatesltd.com/blog/personal-assistants-covid19>

If there are problems around paying your PA, such as difficulties posting timesheets, the Council has arranged for the main payroll company for direct payments users in Merton, PayPacket, to accept instructions by telephone. It may also be possible to arrange for PA's wages within the regular amount to continue to be paid

Confirming that your PA is a keyworker

During the main lockdown, some PAs had problems with proving that they were key workers and needed to be travelling about. This should not be a problem now the lockdown has been eased but if there is another lockdown you may need to think about this.

The Council has recommended that service users give their PAs an up-to-date copy of their contract and carry this as proof that they are a key worker.

Merton CIL believes it would be more useful for the Council to provide a letter for PAs to carry. If there is another lockdown, we will look at this again.

Making plans in case of problems

It's always good practice for direct payment users to have a plan about what to do if things go wrong – known as a contingency plan. It's especially important to do this with the coronavirus situation as there is more risk that your PA or other assistants might not be able to work for you because they are ill or have to self-isolate.

Your plan should include what you would do if your PA or PAs cannot work for you. It could include things like:

- Can my other PAs cover things if one of the others cannot work (if you have more than one PA).
- Can PAs who already work for you be trained to do other work?
- Who else is around who could provide urgent help?
- What organisations and/or care agencies are there that could provide PAs in an emergency (it might be worth contacting them to check what they can or cannot do). There is a list of care agencies that work in Merton on the Council website:
<https://www.merton.gov.uk/assets/Documents/DP%20Care%20Agency%20List%20with%20CQC%20Ratings%202019%2020.docx>

The government's web pages giving guidance to people on direct payments include a contingency plan template that you can fill in. This link downloads the plan as a Word document -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/880441/annex-a-template-contingency-plan.odt

The direct payments support team at the Council may be able to help you with this.

What to do if you have problems

The Council should – in line with guidance from the government – allow for some flexibility in how you use your direct payment if you have problems related to Covid 19. This could include additional emergency payments and greater flexibility around using unspent money in your account.

If you have an emergency and there is a delay getting a response from the Council about using your payment in a different way, you should go ahead and do what you need to do. It may be useful to keep a note of the situation and what you needed to do with your direct payment, and this will help you explain what happened to the Council.

Paying family members

It's not normally possible to use a direct payment to pay a family member. However, the government guidance for the Covid 19 crisis is that councils should be flexible about this if the user is dealing with issues related to the disease. It says that councils should consider the payment of family members on a short-term basis where it becomes necessary for them to take on a lot of the work that was being done by a PA in line with a care plan. Any payments that are approved would need to be made through the usual payroll process.

If you do think you need to do this, you should check it with the direct payments as soon as possible.

It is useful to see the government guidance on this:

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-people-receiving-direct-payments/coronavirus-covid-19-qa-for-people-receiving-a-personal-budget-or-personal-health-budget#employment-of-individuals>

When the Council wrote to direct payment users at the start of the crisis they said they would not pay family members. We understand this has changed and they will follow the government's guidance on this issue.

Where you can get support locally:

Merton Adult First Response Team – for urgent social care issues - 020 8545 4388 (weekdays 9.30am – 1.30pm) and 07903 235 382 (weekdays 1.30pm – 5.00pm) and out of hours and weekends 020 8770 5000. Email: ASCDuty@merton.gov.uk

Merton Council Direct Payments Team Administrator: 020 8545 3415

Email: Directpaymentsduty@merton.gov.uk

Phone numbers for individual team members are listed here:

<https://www.merton.gov.uk/social-care/adult-social-care/direct-payments/team-contacts>

If you need advice or advocacy support around direct payments or if you are feeling lonely or isolated, we can support, please get in contact:

Merton CIL – 0203 397 3119 – info@mertoncil.org.uk

There are also a number of other organisations in Merton that you can contact if you need support. You can find their contact details here -

<https://www.mertoncil.org.uk/useful-information/chapter-1-advice-advocacy-an/>