

Personal Budget and Direct Payments for Children

Coronavirus (COVID-19) Policy Amendment (April 2020)

Please Note: This is a temporary amendment to Haringey Council's social care direct payments policy due to the Corona Virus (COVID19) outbreak and should be read in conjunction with the existing policy. This does not replace the policy; it just explains the extra flexibility that is being allowed to help support children during the current Covid 19 crisis.

Additionally, Please Note: This policy is effective from 1 April 2020 and will be reviewed every 2 months during the current crisis (first review in June) until such time that it is no longer required.

Policy Changes

We have made the following time limited universal changes to our existing direct payments policy:

1. There will be a suspension in the clawback of excess funds during the time for which this temporary policy amendment is in place.
2. If you already employ a carer or personal assistant who is unable to work due to being impacted by covid-19. You can pay any member of your family to care for your child during this time, however:
 - This cannot be a person with parental responsibility for example: mother, father, primary carer. The person must be over the age of 18 years old.
 - This must also be in line with, and take account of, the [government's guidance on self-isolation for vulnerable people](#).
 - If you seek to employ anyone else, it must be done in line with employment processes (i.e. a contract, payroll etc). For support with this please contact your payroll provider or insurance company. If they are unable to assist you, please contact our Direct Payments duty desk.

Use of Direct Payments

The availability of enablers and services is frequently changing, so the use of direct payments will be as flexible as possible to support families, within legal limits. If unsure, please contact your child's allocated worker, or the relevant team's duty number for advice.

This temporary policy amendment is in place to promote flexibility and creativity when it comes to supporting your child and family. The information on this page will give you an idea of some other potential uses of your direct payments and advises what changes are, and are not, permissible. If you remain in any doubt, please contact your child's allocated worker, or the relevant team's duty number for advice and to discuss the length of the arrangements.

Please note the information and references on this page are known to be correct at the time of writing (12/05/2020). They will be reviewed and updated in line with latest government advice.

Please note that if your child has an Education, Health and Care Plan they could be eligible for a place at school if they cannot be safely cared for at home. Please discuss this with your child's education provider, or SEN caseworker as appropriate.

Frequently Asked Questions

- **Can I have an increase in my direct payments because of the school closures?**

We recognise that school closures are putting increased pressure on families and we want to work with you to try and determine the best use of your personal budget. If you feel you need an increase in support, please get in touch with your child's allocated worker or direct payments officer to discuss this. They will then be able to complete a short breaks plan review with you and consider your request.

- **Can my employee come to my home to care for my child?**

Yes, if both you and they feel that is safe and appropriate. Haringey Council do not oppose enablers/carers or personal assistants working from your home however, this should be in line with the [government's guidance on social distancing and protecting vulnerable people](#). There's more [advice about employees delivering care in your home during the coronavirus \(COVID-19\) outbreak on the government website](#).

- **Can I use my direct payments to buy food, basic items or household appliances?**

In line with our existing policy, direct payments are not to be used for the purchasing of food or household appliances. However, we accept that this is an unprecedented time and there may be circumstances in which you may need to use your direct payments to help purchase basic items for your child. This would need to be assessed as being required by a social care professional, so if you think this may apply to your child, please contact your child's allocated worker or relevant team's duty number (please see below) to discuss further. The government has stated that [schools can provide vouchers or meals](#) to those children who usually receive a free school meal and they will be reimbursed for this. If this applies to your child, please contact their school to find out more.

- **Can I use my direct payment to buy equipment or technology to support my child to be stimulated and entertained during the coronavirus (COVID-19) outbreak?**

We recognise that school closures and disruption to short break services are going to have a significant impact upon children, parent carers and families. Therefore, we have agreed that direct payments can be used to buy equipment or technology to support a child's education, entertainment, and wellbeing. This would be in place of the agreed short breaks plan and would not routinely attract additional funding. Examples of this may include art and craft supplies, computer applications, sensory toys or equipment, tablets up to maximum of £250, exercise equipment, educational resources, subscriptions (for example Netflix) capped at £8 per month.

- **Can I use my direct payments to pay someone who has not had a DBS check?**

It is our strong recommendation that all individuals employed to provide care to a child or young person under the age of 18 should have a background check with the DBS. However, the local authority is not legally permitted to insist on a DBS check being completed. [The government has issued new guidance regarding DBS checks during the coronavirus \(COVID19\) outbreak.](#)

Information for Parents and Carers Who Employ Staff

We recognise that the government's support for businesses (including employers and employees) is complex. If you use your Direct Payment to purchase care from a care agency and your regular care worker is unable to care for you, please contact your agency to ensure

they can arrange an alternative carer to support you. We are working closely with the provider sector to monitor and enable such capacity.

For payroll employment related queries advise please contact your payroll provider, accountant and your Direct Payment insurance provider for further guidance on employment related responsibilities at this time. We have tried to explain what this means for you but if you require further support in navigating this system please contact our direct payment officers.

Sick Pay

The government have advised that 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. They have the right to remain away from work for 14 days from the time symptoms becoming known. Please note that not every employee is entitled to statutory sick pay.

Statutory Sick Pay (SSP) 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.
- If the employee is not eligible you must provide them with the SSP1 form to explain why. This will allow them to present a claim for possible benefits. [You can find the full eligibility for SSP on the Government's website.](#)

Statutory sick pay is paid at a rate of £94.25 per week, rising to £95.85 from 6 April 2020. Agency, casual and zero-hours workers can get SSP if they meet the eligibility conditions. The government has announced that they will repay payments of SSP, up to 14 days, for each employee. [There is further detailed information about statutory sick pay on the Government's website.](#)

In normal cases of sickness absence, you can ask the employee for a medical certificate after the first seven days of absence. Under circumstances of self-isolation however, it is not advisable that you press for such evidence as the current guideline to self-isolating employees is that they are not to go to the GP. It would also be impossible for you to demand evidence of

another householder's private medical affairs where someone else is the reason your employee is self-isolating. If you are still unclear about whether you need to pay your employee statutory sick pay, please contact our direct payment co-ordinators for advice.

Please Note: If your child's enablers are self-employed or work for an agency you are not responsible for paying them sick pay.

Retaining Employees

The government has [published guidance for people who receive direct payments](#). The guidance is clear that individuals receiving direct payments for employing personal assistants (PAs) should continue current arrangements in line with precautionary measures (PPE etc).

If you do not wish for your employee to deliver the same support they usually do for your child, please consider whether there may be other tasks they could do for you to support your family during this time, for example, collecting prescriptions or shopping.

If your employee is fit and well but you decide you would rather not have them working for you during the coronavirus (COVID-19) outbreak, you would still have to pay them if they are on contracted hours.

The government has announced a job retention scheme whereby they will pay 80% of an employee's wages if they are furloughed (temporarily sent home because there is now work). However, [recent guidance states that this scheme should not be used for employees who are funded through public sector organisations](#). Therefore, everything should be done to prevent furloughing your employee as it is unlikely the 80% of their wages will be received back from the government.

It is possible that you could agree a reduced rate of pay for contracted employees if you do not wish for them to work during this period of time (similar to a retainer). Our recommendation would be that you mirror the government's job retention scheme and offer 80% of their wages. You would need to let your payroll company know so they can make the necessary adjustments.

Employees also continue to accrue holiday during this time so could use this to cover some of their time off.

If your employee is on a zero hours contract, you do not have to pay them anything, however, you could consider paying them a nominal retainer. This would need to be negotiated between you and your employee. You may also want to speak with your child's allocated worker or duty worker to explore how your employee may continue to support your child during this time.

Here are some links to lots of useful information and advice for people who employ carers:

- [Advisory, Conciliation and Arbitration Service's website](#)
- [Fish insurance website](#)
- [Skills for Care website](#)
- [Mark Bates Ltd website](#)

If you have further questions or queries which you feel this policy does not answer, please contact your child's allocated worker, relevant team's duty number or our direct payment officers.

Contact Details

- DCT Duty Team number: 0208489 3671
- Direct Payments duty desk number: 0208489 8456