

Direct payments for children and young people

This information is in response to the COVID-19 pandemic and focuses on how we move forward as we continue to see the relaxation of lockdown rules and start to make a return to 'business as usual'

The past few months have given us some excellent opportunities to work in more flexible ways with families, we have seen some real benefits and some of the interim arrangements we put in place will continue, and others will revert to our usual arrangements.

What advice should employers give to personal assistants to minimise the risk of infection?

- wash your hands with soap and hot water often – do this for at least 20 seconds
- use hand sanitiser gel if soap and water are not available
- wash your hands as soon as you get back home
- cover your mouth and nose with a tissue or your sleeve (not your hands) when you cough or sneeze
- put used tissues in the bin immediately and wash your hands afterwards
- do not touch your eyes, nose or mouth if your hands are not clean
- Clean and disinfect frequently touched objects and surfaces
- Disposal of waste: personal waste (for example, used tissues, continence pads and other items soiled with bodily fluids) and disposable cleaning cloths should be stored securely within disposable rubbish bags. These bags should be placed into another bag, tied securely and kept separate from other waste. This should be put aside for at least 72 hours before being put in the usual household waste bin for disposal as normal.

Public Health England recommends that the best way to reduce any risk of infection is good hygiene and avoiding close contact (within 2 metres) with any potentially infected person where possible.

Further information is available from the Department of Health and Social Care guidance "Coronavirus (COVID-19): guidance for people receiving direct payments updated on 22.07.2020"

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

Using direct payments as restriction eases

As restriction eases, we expect funds to once again be used for the support set out in the Child Plan or Education, Health & Care Plan; these plans specify how direct payment funds are to be used to meet your child or young person's assessed needs. We expect families to continue with their usual arrangements wherever possible, putting in additional precautions in relation to hygiene and infection control and providing personal assistants with personal protective equipment where this is needed.

For many families their usual, regular personal assistant support has continued throughout the pandemic. Where this has not been possible, many families have taken a creative approach and discussed with their PA the support they could provide. Many personal assistants have stayed in regular video or audio contact with children and young people.

We have encouraged families to continue to pay personal assistants their usual wages as we know how much you value their support and we understand the close bonds they have with disabled children, young people and their families. We have been keen for personal assistants not to be disadvantaged throughout the lockdown.

As restrictions ease and we enter the summer holidays, we know how important it is for you to have the support you need from your PA, and we would not expect personal assistants to continue to be paid if they are not providing you with that support.

As we move forwards, conversations should be held with personal assistants so that they can start to return to their usual support arrangements. If your PA provides support within your family home, then you should consider what changes you might need to make to reduce risk and make it 'COVID-secure'.

Can my personal assistant return to work if they have been shielding or self-isolating?

Those who are clinically extremely vulnerable, have been strongly advised by the government to stay at home as much as possible and keep interactions outside to a minimum. This is called 'shielding', and the government had advised people to shield until 31 July.

From 1 August, the government will pause shielding unless the transmission of COVID-19 in the community starts to rise significantly. This is national guidance. If local restrictions are needed, Cornwall Council will issue an update.

Personal assistants may be returning to work after a period of shielding or self-isolating because of their own needs or for someone in their family's needs. Alternatively, you may have asked them to stay away from work because your child or young person or someone in your household was shielding or self-isolating. Consider how you can support your personal assistants to return to work, so they feel they are in a safe environment.

In every situation you should always talk with your personal assistant and have an honest conversation about what risks they and you are worried about. It may be that things need to work differently for a while or longer term.

Employing personal assistants is very much about being in control of your support, it also means that you are an employer and have certain duties and responsibilities to ensure your personal assistants are safe while at work.

COVID-19 brings additional risk and complexity and may necessitate some different ways of working which should always be risk-based. We understand the Employers Liability Insurance providers have risk assessment tools and information on practical steps for personal assistants returning to work. If these resources may be helpful, please contact your insurance provider or your Personalisation Support Advisor.

What evidence is needed of direct payment spending during the pandemic?

Many families have let us know how helpful it has been to use their direct payments in more creative and flexible ways over the past few months and how successful this has been for children and young people.

Where direct payments have been used in an alternative way, we have asked that families keep all receipts or invoices relating to any such purchases, so they can be checked by the Personalisation Support Advisor at direct payment reviews.

During the pandemic we agreed a more flexible use of your direct payments, so families could manage any issues arising from COVID-19. Families have had the flexibility to use payments in a way that ensures they safely receive the care and support required and at the same time met outcomes in the child plan. As we return to 'business as usual', the way in which direct payments are spent will also return to the usual support arrangements.

Personal Protective Equipment (PPE)

As an employer you remain under an obligation to ensure that there is a safe system of work in place. You can choose to insist on greater standards of hygiene and care from your personal assistants.

Accessing appropriate personal protective equipment for your personal assistants needs to be considered. If you are unsure what PPE you should purchase or if you have difficulties in sourcing it, please contact your allocated worker.

You can use your direct payment funds to purchase PPE for your personal assistants. Please keep all receipts as these will be needed to evidence DP expenditure.

If your child or young person receives a personal health budget, or support is being delivered from an agency or a childminder, it is for them to advise, source and purchase the PPE, depending on individual circumstances.

There is further guidance available at:

www.cornwall.gov.uk/education-and-learning/coronavirus-advice-for-children-and-families/educational-resources-and-information-for-parents-and-carers/sen-response-to-covid-19/ppe-update-from-the-dfe/

The government guidelines are continually being updated and the advice on topics such as PPE changes regularly. We strongly advise that you follow advice on the government and NHS websites.

The Department of Health and Social Care guidance: Using direct payments during the coronavirus outbreak: full guidance for people receiving direct payments and personal assistants provides information on PPE for direct payment recipients: 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#wearing-right-ppe

Will direct payment funds be recovered if the balance is over the contingency amount?

At direct payment review discussions, we will ask you for the balance of funds held in the direct payments account and will follow our usual process to recover funds in excess of your DP contingency amount. We know that the summer holidays are a time when more support is needed, so will take this into consideration in our discussions with you.

If you wish to return unused or surplus direct payment funds, please contact your Personalisation Support Adviser for details on how to do this.

For most families, the usual four weekly payments have continued to be made to the designated DP bank account. Some families have received no support over the past few months and because of this have asked for their direct payments to be temporarily suspended.

The payment dates for funds to be paid into DP accounts for 2020 is on our website: www.cornwall.gov.uk/directpaymentsforms

You will have noticed that the reference on your direct payment bank statement for incoming DP funds is now 'Payment One' rather than 'Cornwall Council'. This is due to a council system change. Please be assured direct payments are continuing to be paid into your account from Cornwall Council, but just under this new reference.

Using direct payments to employ and pay an adult family member living in your household

Where possible, families have continued to use their direct payments as agreed in the child plan, but there have been circumstances where families needed to arrange support differently as a result of the COVID-19 outbreak.

Considering the government guidance during lockdown and emergency steps to keep those who were vulnerable away from social interaction, we took a flexible approach as we were keen to avoid families having no PA support. Where it continued to meet the needs, we agreed on an individual basis that family members could be paid from DP funds to provide ongoing support.

As restrictions ease, and your personal assistants return to providing their usual support, conversations can now be held with those family members as those temporary support arrangements during lockdown should no longer be required.

DBS checks for temporary personal assistants who were paid from DP funds

During lockdown we were keen to make sure that the DBS process was not a barrier to families who needed to make alternative support arrangements. If you were without your usual PA, and you needed to maintain support, we agreed the following parameters:

1. If a relative or friend (living outside of the child's home) was paid as PA to provide support for the short term, (defined as up to one month), the PA did not need to undertake a DBS check.
2. If a relative or friend was living in the same household as the DP child, and was supporting for the short term, (defined as up to one month). The PA did not need to undertake a DBS check.
3. If a relative or a friend was supporting longer term, they were asked to complete the DBS online application, and provide evidence of their identity via video calling facilities, for example WhatsApp. They were then paid from DP funds once their identity had been provided and checked by us, and we agreed we would not wait for the DBS Bureau to issue their DBS notification.

Safeguarding of our children and young people is paramount. Our usual practice is to undertake enhanced DBS checks for all personal assistants who you wish to recruit to support your child.

If any of the above circumstances apply to your situation, and PA support is continuing without a DBS check, please contact your Personalisation Support Advisor.

DBS identity checks for personal assistants

As our usual process to check an applicant's identity has had to change during the pandemic, we have used remote video verification for PA document identity checks, this has worked well, and we will continue with these arrangements for the time being.

This means that we do not see the applicant's original identity documents, as we would do in usual circumstances.

Please will you ask your personal assistants to show you the original versions of these documents before they start working for you (these will be the same documents they provided as evidence of identity via remote video verification with a member of our team).

Support from the Team

The past few months have given us some excellent new opportunities to keep in touch. We're using technology and video calling more effectively and we will continue to use these methods of communication in our future work.

During lockdown we have been in regular contact with families, this has been by telephone or video call. Several families have let us know they would prefer more telephone or video reviews, rather than all reviews being home visits. We will be flexible and can arrange future visits as a combination of home visits and telephone or video calls if that would be more suitable to you.

Over the past few months we have significantly reduced printing and have instead sent DP information to families via email. Guidance and forms are also available on our web pages: www.cornwall.gov.uk/directpaymentsforms

It will be helpful if you could complete the DP expenditure sheets electronically and return these to your Personalisation Support Advisor by email, rather than posting these to us.

You can reach us by email or mobile phone. Your Employers Liability Insurance providers are also able to assist with any employment queries you may have.

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