

Penderels Trust: Coronavirus COVID-19

Frequently Asked Questions for Individual Employers

We have been living with the Covid-19 pandemic for a long time now and the situation continues to change with new variants being identified and better vaccination protection.

However, we recognise that there is still a lot of uncertainty around the situation, particularly if you employ your own personal assistant for your care and support.

We have put together this information to help answer some of the most common questions we are currently receiving.

This is based on the information as of the date at the bottom of this page and we regularly update this document to make sure it is as up-to-date as possible. For up-to-date Government information, please visit:

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-coronavirus-covid-19>

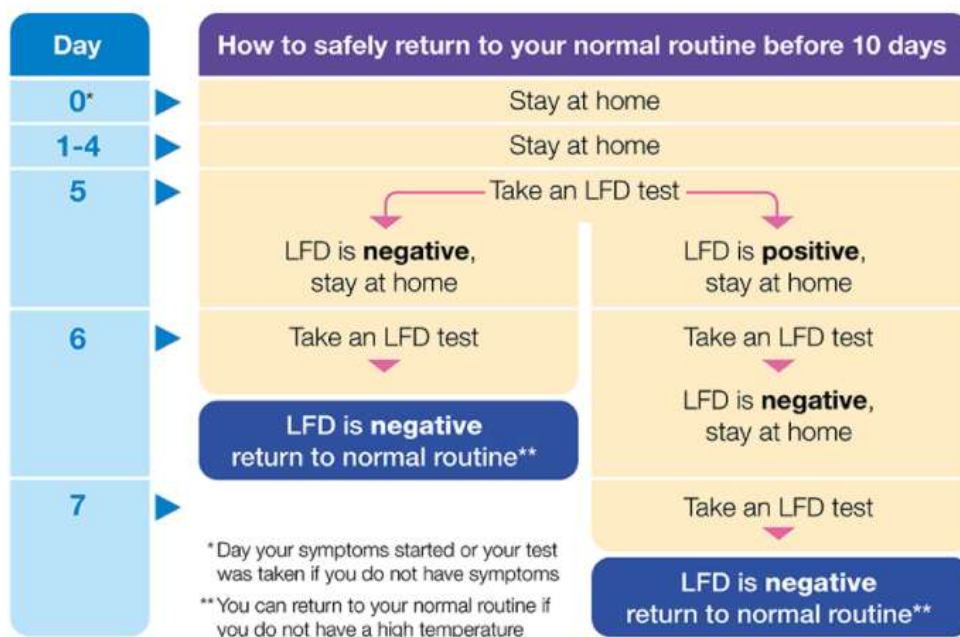
End of Self-Isolation Periods

As of Thursday 24th February 2022, you are no longer legally required to self-isolate if you test positive for Covid-19. However, the official public health advice remains that anyone who tests positive on a Lateral Flow Device (LFD) or PCR test should stay at home and avoid contact with others. As a worker in social care, government guidance is that your PA should not go to work until they have had two consecutive negative Lateral Flow Device (LFD) tests, taken at least 24 hours apart and only from 5 days after symptoms started.

PCR tests are no longer available free of charge in England.

Please see the flow chart below for easy-to-follow guidance on how to safely return to your normal routine after testing positive.

How to safely return to your normal routine before 10 days



- Countries you are allowed to visit and the conditions of visiting e.g. whether you have to go into quarantine on your return is changing frequently. For more information, please visit <https://www.gov.uk/guidance/coronavirus-covid-19-travel-corridors#stay-up-to-date>

The following are the most common questions we are receiving from people on a direct payment who employ staff.

Q: Now restrictions have been lifted, does my PA need to wear Protective Personal Equipment (PPE)?

The removal of restrictions on 19th July 2021 means that it is not now a legal requirement for PAs to wear PPE. However, Government guidance reminds employers that they still have a duty to protect workers against risks in the workplace. This means it may still be appropriate to continue with health and safety measures such as continuing lateral flow tests and wearing PPE including masks.

Although there are now no specific rules for people who are clinically vulnerable, if you or your PA are at higher risk of becoming seriously ill if you catch Covid-19, you may wish to think about any additional precautions you might wish to continue to take. More guidance on this can be found in this link:

<https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>

Q: I've heard that PPE will be provided free to people who work in social care until March 2023. How do I get hold of stocks for my PA(s)?

A new PPE portal has been set up by Department of Health and Social Care to allow social care workers including PAs to access free PPE. If you (or your PA) are already registered with your Local Authority or Local Resilience Forum to receive PPE, they will contact you and get you registered on the new portal.

If you are not already registered, please find your local authority via this link: [Personal protective equipment \(PPE\): local contacts for providers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/personal-protective-equipment-ppe-local-contacts-for-providers) and follow the steps to get registered.

Some local authorities are continuing with their local arrangements as they have lots of stock of PPE. You can carry on receiving it in this way and don't need to do anything else until advised otherwise.

The PPE portal has a customer services department that can be contacted by telephone if preferred. Telephone numbers are included on the link above for each area.

Q: My PA thinks she has been in close contact with someone who has tested positive with Covid-19, does she need to self-isolate?

From Thursday 24th February 2022, anyone who tests positive is not legally obliged to self-isolate. However, the public health advice is still that anyone who is positive should stay at home and avoid unnecessary contact with others. As a worker in social care, your PA should not go to work until they have taken two consecutive negative Lateral Flow Device (LFD) tests at least 24 hours apart and no sooner than 5 days after symptoms started.

Q: Should my PA still be doing regular lateral flow tests (LFT)?

Not anymore. As of Wednesday 24th August 2022, the Government has said adult social care workers, including PAs, no longer need to take regular tests as long as they feel well. If they have symptoms of Covid-19, they should take a test and follow the advice as before.

Q: Is my PA eligible for the Autumn 2022 Covid-19 booster jab?

Yes. Everyone who works as a frontline social care worker including PAs are eligible to have the booster jab. PAs should take their eligibility (key worker) letter with them as evidence of their job. A copy of the key worker letter can be found on the home page of our website (www.penderelstrust.org.uk).

Booster jabs can be booked online via:

<https://www.nhs.uk/conditions/coronavirus-covid-19/coronavirus-vaccination/book-coronavirus-vaccination/book-or-manage-a-booster-dose-of-the-coronavirus-covid-19-vaccine/>

Q: If my PA self-isolates, will they get paid Statutory Sick Pay (SSP)?

Even though it is not a legal requirement to self-isolate, as a social care worker you should not go to work and it is still public health advice to stay at home so they may still get paid SSP, if they are eligible (earn over £120/week). They must be off work for four days or more in a row to be paid SSP.

Q: My PA says they are self-isolating. Do I need them to provide me with a fit note from the doctor or NHS 111?

If your PA says they are self-isolating, they will not be able to go to their doctor and are being asked not to call NHS111 unless they really need to. You do not need evidence from your PA to be able to claim SSP for them. If they are self-isolating and then become sick, they should let you know (by telephone not in person). They can get a sick note from NHS 111 by following the link here <https://111.nhs.uk/isolation-note/>

Q: My PA is self-isolating and I need to pay SSP, will I get it refunded?

The rebate scheme for SSP where you could get the first two weeks refunded has now ended (17th March 2022).

Q: If my PA has to self-isolate or is off sick due to Coronavirus and is not eligible for SSP, what do they do?

Those affected by the Coronavirus will be able to apply for Universal Credit and can receive an advance without physically attending a job centre. Please visit <https://www.understandinguniversalcredit.gov.uk/coronavirus/> for more information.

Q: My PA cannot work as I am self-isolating. Do I need to pay them?

It is a good idea to discuss the options available with the PA to secure the future working relationship.

If your PA cannot do their usual work because you are self-isolating, consider in the first instance other tasks they can do outside the home e.g. shopping, collecting medication, walking the dog. They would be paid their normal wages.

You could ask your PA to take annual leave but they don't have to agree as you will not have given them the sufficient amount of notice as stated in the contract (e.g. you would normally have to give them a week's notice before asking them to take annual leave which would not be possible in this situation). They would be paid their normal wages.

If the PA is willing and able to work but you, as the employer, are telling them not to come in, you still need to pay them. You should continue to pay them from your direct payment. This would be as a 'retainer' payment. You must check with your funding body (local authority or clinical commissioning group) what your retainer payment % should be (some local authorities are saying pay 100% and others are saying pay 80% of normal wages) and get approval from them.

Please speak to your insurance provider for case-by-case advice on this as it does vary from one local authority area to another.

Q: My PA is showing symptoms but does not want to self-isolate and says she/he is fit for work. What do I do?

They are not legally obliged to isolate as of 24th February 2022 but as a social care worker they should not go to work and public health advice is that they should stay at home for 7 days. They should take a lateral flow test. If it is negative, they can return to work provided they feel well enough and you are happy for them to do so. If it is positive, they should not go to work. They can return to work after they have taken two negative lateral flow tests, the first one should be no sooner than 5 days after their symptoms started or they had a positive test, and the second test should be at least 24 hours later. They don't have to legally self-isolate in general, but it is recommended that they stay at home.

Q: My PA(s) can't work. I still need care and support. What do I do?

You need to refer to your contingency plan. If that is not possible e.g. the care agency isn't able to provide care, you will need to ask friends and family for help. If you are unable to do this, please refer to your social worker for support. There are lots of community and volunteer groups who may be able to help.

Q: My PA wants to know why having the vaccine is important. Do you have any information I can give them?

If you want to know more about why having the Covid-19 vaccine is important, this short video produced on behalf of Department of Health and Social Care explains it.

<https://www.youtube.com/watch?v=e6UHLcM1vo&feature=youtu.be>

This video is primarily aimed at staff working in a care home but the explanation is relevant to those working in the community too.

Q: My PA doesn't want the vaccine. Can they be made to have it?

The short answer is no. The UK government cannot make anyone have a vaccination against their will. It is against their human rights.

Q: Can I end my PA's employment if they refuse to have the vaccine?

This is a very difficult situation as there are many factors to consider. We strongly recommend that you speak to your Employer Liability Insurance provider for more information on this before you take any action.

The Independent Living Group (ILG) (part of Premier Care insurance) has produced a factsheet on this topic which can be accessed here: https://be-human.org.uk/wp-content/uploads/2021/01/ILG_Support_PA_vaccine_advice_note_Ver2.pdf

We know other insurance providers have also provided similar guidance.

Please remember to get advice from your insurance provide for all employment matters.

For all our Covid-19 information, please visit the home page of our website www.penderelstrust.org.uk

Please note that Statutory Maternity Pay, Statutory Paternity Pay, Statutory Shared Parental Pay and Statutory Adoption Pay are not affected.