

# COVID-19 Employer & PA Guidance - Apr 2020

Gov.uk website and the government guidance for care providers can be found here;  
<https://www.gov.uk/government/publications/covid-19-residential-care-supported-living-and-home-care-guidance/covid-19-guidance-on-home-care-provision>

**Key Workers** - The Department of Health and Social Care have confirmed that personal assistants (PA) are included in the definition of **key workers**. If your PA is being challenged as to whether or not they are a key worker they should follow the steps below:

- contact their direct payment provider (for example their local authority or health care team) to ask if they have a letter or something that validates the PA is a key worker
- Provide a copy of their contract of employment as evidence of key worker status

## Priority visits are;

- personal care,
- meals and medications

Employed PA's should continue with the normal precautions of washing hands and using face masks if someone they support is showing symptoms. They should also use gloves as additional protection.

**If the Employee/PA needs to self isolate** they should ensure their client contacts social services if they can't get alternative support in place and if essential care tasks are required.

**Staying at home** - If you have symptoms of coronavirus infection (COVID-19), however mild, stay at home and do not leave your house for 7 days from when your symptoms started.

If you live with others and you are the first in the household to have symptoms of coronavirus, then you must stay at home for 7 days, but all other household members who remain well must stay at home and not leave the house for 14 days. The 14-day period starts from the day when the first person in the house became ill. [See the stay at home guidance for more information.](#)

**Client/employer is self isolating** - it's their decision as to if they want the PA to continue to visit and likely to be suggested they continue to support if undertaking priority care tasks. They will need to purchase protective equipment such as masks, hand gel, aprons and gloves.

## With regards to PA wage payments:

- Employers will need to continue to pay their PA if they have asked them not to visit
- All PA's who need to self isolate, including those on zero contracts who have worked regularly for an employer over the past 3 months will be entitled to statutory sick pay if they meet the criteria and earn on avg £118 per week.

**Sick Pay** - You can get £94.25 per week Statutory Sick Pay (SSP) if you're too ill to work. It's paid by your employer for up to 28 weeks.

**If you are staying at home because of COVID-19 you can now claim SSP.** This includes individuals who are caring for people in the same household and therefore have been advised to do a household quarantine. To check your sick pay entitlement, you should talk to your employer and visit the [Statutory Sick Pay \(SSP\) page](#) for more information.

## SSP start date:

Anyone whose first day of sick leave due to COVID-19 was 13th March 2020 or later gets Statutory Sick Pay (SSP) from day one of the absence. But they still have to qualify by earning at least an average of £118 per week right now, and £120 per week from 6th April 2020.

Employees who have been unable to take their full annual leave entitlement; can now carry it over the next two leave years.

### Proof of sickness

If you have COVID-19 or are advised to stay at home, you can get an 'isolation note' by visiting [NHS 111 online](#), rather than visiting a doctor. For COVID-19 cases this replaces the usual need to provide a 'fit note' (sometimes called a 'sick note') after 7 days of sickness absence. Isolation notes will also be accepted by Jobcentre Plus as evidence of your inability to attend.

### If you have COVID-19 or are staying at home

You are now able to [claim Universal Credit](#), and if required can access advance payments upfront without needing to attend a jobcentre.

## Support for Employers Receiving a Direct Payment from Social Services or local NHS

If your employee (PA) can't go to work (e.g., they have to be at home to look after children or self-isolating) or you are unable to provide them with work, there are options available and one of these is to continue to employ your PA and continue to use the Direct Payment money to pay their wages.

As the Direct Payment money is public funds, employers are not able to use the Government's Furlough scheme. Additional advice around this can be found on the [Government website](#) where it states:

*Where employers receive public funding for staff costs, and that funding is continuing, we expect employers to use that money to continue to pay staff in the usual fashion – and correspondingly not furlough them. This also applies to non-public sector employers who receive public funding for staff costs.*

## Support for Employers **NOT** receiving a Direct Payment

If not using a Direct Payment and would have otherwise made an employee redundant or, put them on a period of lay off, the Government is encouraging you to protect your employee's job instead by allowing a leave of absence with pay. The Government will pay 80% of your employees up to a cap of £2,500 per month to make this possible.

**It's up to employers to decide and define who is furloughed.** It could be because you've no work to do (e.g., as you have to be at home to look after children or you're self-isolating).

**How to access the scheme** – An employer will need to:

- **designate affected employees (PAs) as 'furloughed workers,'** and notify them of this change - changing the status of employees remains subject to existing employment law and, depending on the employment contract, may be subject to negotiation.

**Employer's are advised to always contact their employer liability insurer for further advice**