

QUESTIONS & ANSWERS REGARDING THE USE OF DIRECT PAYMENTS

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Who is this Q&A for?

This Q&A is for individuals who receive care and support following an assessment by their Health and Social Care Trust and the subsequent allocation of a personal budget which they use as a Direct Payment. It is also relevant to individuals employed via the Direct Payment, family members, informal carers, Health and Social Care Trusts and providers.

It sets out key messages to:

- support planning and responding to the international pandemic;

- help slow the transmission of the coronavirus (COVID-19); and
- reduce the possibility of hospital admission as the outbreak progresses across the country.

This Q&A should be read alongside the document **Coronavirus (Covid-19): Northern Ireland Guidance for People Receiving Direct Payments:**

www.health-ni.gov.uk/publications/guidance-direct-payments

Flexible use of Direct Payments during the pandemic

What are the expectations around the flexible use of Direct Payments?

During the pandemic, Health and Social Care Trusts will adopt a more flexible approach to the use of Direct Payments. During COVID-19, it is vital that we make sure individuals (including informal/unpaid carers) who take their budget as a Direct Payment, continue to receive the support they require that can keep them healthy, well, and out of hospital.

As far as possible, Direct Payments should continue to be used as agreed within the care and support plan. However, there may be circumstances during the pandemic where this is not possible, for example, through staff absence.

In these circumstances, individuals should raise and discuss this with their named worker. **In circumstances where there is clear rationale that enables the individual to keep safe and prevent admission to hospital, Health and Social Care Trusts must be willing to give the individual more flexibility in how they use their Direct Payment, with the underpinning guiding principle to ensure they safely receive the care and support they require.**

Where necessary, this flexibility should include suspension or reduced restrictions on spend of the existing payment allocation. All flexibility applied should follow the relevant guidance.

Discuss and agree with your named worker the flexible use of your Direct Payment to meet the assessed need and promote the agreed outcomes. You must keep any evidence of such expenditure in these circumstances.

Can people use unspent Direct Payment allocation (sometimes known as surplus funds) or access emergency funding from their Health and Social Care Trust?

Yes. The COVID-19 pandemic may give rise to an exceptional circumstance, albeit one which we hope will be temporary, and any unspent allocation can be used subject to discussion and prior approval with your named worker, to ensure that the appropriate care and support is provided. Use of this funding should be evidenced in line with normal processes in your HSC Trust in order to justify the spend to that Trust.

In line with the standard protocol, an application for emergency funds must be requested through the named worker. Any such request made as a result of COVID-19 should be prioritised.

Continuation of Direct Payments

Given the COVID-19 pandemic, will my personal budget Direct Payment be stopped?

No, your existing personal budget will continue.

What might be different about how personal budgets are delivered, in the context of the COVID-19 pandemic?

In some cases, with your agreement, the care and support plan in place may need to be adjusted, given current guidance and rules around isolation. Your assessed needs may have to be met in a different way, for example, accessing exercise classes remotely through technology, rather than in community settings. Any change in your care and support will need to be carefully recorded and documented by the Trust and a written copy of the new agreement supplied to you by your named worker.

If I am admitted to hospital, will my Direct Payment continue?

In line with standard practice, this will be dependent on your condition and circumstances, length of stay in hospital, and any extenuating

circumstances that mean your needs have changed and are no longer as set out in the care and support plan.

However, a temporary stay in hospital will not necessarily mean that the Direct Payment should cease – and Direct Payments can be conducive to helping people to return home safely, as soon as possible.

Can my carer or PA support me in hospital, if I am admitted?

It is understandable that you may prefer some personal care tasks to be undertaken by your carer or personal assistant (PA) rather than hospital staff, which the Direct Payment can usually facilitate.

However, while an individual's preferences will of course be taken into account, the measures currently in place to combat the COVID-19 pandemic mean that access to hospitals for anybody who is not a patient or member of staff, is limited. It therefore follows that unfortunately it may not be possible for your carer or PA to support you in hospital, during your stay.

In the event that your informal/unpaid carer or PA can support you in hospital, they will be subject to infection control measures as is standard practice. It must however be stressed that personal care undertaken by a carer/PA must not in any way hinder the delivery of your treatment by medical staff in the hospital. Informal/unpaid carers, PAs or anybody supporting you must adhere to the guidance set by government and the hospital around supporting people when in an acute care environment.

Check the [current guidance regarding hospital visiting](#).

Should I develop a contingency plan?

While not a requirement, **we strongly recommend that everybody with a Direct Payment develops a contingency plan**, or updates their existing plan, to ensure their needs can continue to be met. If you have not done so, please discuss this matter with your named worker.

This plan should also be agreed with your Health and Social Care Trust, and then implemented as and when necessary. Elements you will need to consider within this plan include:

- staffing – identify options for alternative care arrangements where those who are employed via a Direct Payment cannot work in their usual way. Longer shift patterns and less frequent handovers will need to be considered, taking into account any additional pressures being placed on the individual. You should seek appropriate employment law advice. Trusts must consider how best to support those agreed alternative arrangements.
- alternative care provision – when elements of care and support cannot be delivered (such as accessing exercise classes in the community), the use of other opportunities should be explored for example, the use of indoor exercise classes and the use of technology.
- alternative networks of support – the identification and contact with extended family and/or friends and/or volunteers may need to be considered as part of any emergency contingency plan to keep you safe and ensure you can remain at home and reduce the likelihood of admission to hospital. Clearly, information, advice and training may be needed so these aspects should be considered.
- up-skilling of existing staff – identify training needs or support for existing staff members. This does not necessarily have to be through face-to-face training – it could be undertaken through peer learning or via e-learning. Any costs incurred can be paid using Direct Payments but with prior discussion with your named worker and the Trust's agreement. Free training and advice is available from the [Northern Ireland Social Care Council](#).

A template contingency plan can be found [here](#).

Health and Social Care Trusts must consider how Direct Payments and personalised care and support plans can flex during the pandemic, including consideration of emergency or one-off payments, and greater flexibility about the use of any unspent Direct Payment allocation where this is necessary. Health and Social Care Trusts single point of contact for Direct Payment holders to contact is their **named worker**, in order to agree contingency plans and discuss any necessary additional emergency payments.

Following the pandemic, Health and Social Care Trusts should follow-up with Direct Payment holders to discuss the use of the Direct Payments during this period. Individuals must be able to justify the use of their Direct Payment during this period and provide supporting evidence of such spend.

Personal protective equipment (PPE)

Is my PA eligible to receive PPE?

Yes. If you or any member of your household is symptomatic or has a confirmed case of COVID-19, and your PA will be providing direct care and support, PPE is required, and the PA, as an essential worker, will be eligible to receive that PPE. Furthermore, if your PA normally receives PPE to support you, this should continue.

More detail on who should provide this PPE is set out below.

Can I use my Direct Payment to buy PPE for PAs I employ?

If your existing Direct Payment contains funding to purchase PPE for your PA, you should continue to use that funding to purchase PPE.

If you, or your PA, cannot obtain PPE in this way, or your Direct Payment is not set up to fund PPE, you should contact the person you have been advised by your Trust is looking after your PPE needs. If you have any difficulties accessing PPE contact your named worker who will be able to help you.

What PPE should my PA be using?

The following answers assume that care is taking place in a household setting. If you are receiving PA support in another setting please find the relevant guidance at [COVID-19: infection prevention and control \(IPC\)](#).

PAs should refer to the guidance from Public Health England (PHE), and endorsed by the PHA, when determining what PPE is appropriate to wear. See the [guidance for home care](#).

In summary, the guidance sets out that:

- when providing personal care that requires a PA to be in direct contact with you (for example, touching), or when within 2 metres of anyone in the household who is coughing, the PA should use disposable gloves, a disposable plastic apron and a fluid-repellent face mask. Eye protection may be needed for the care of some people if there is a risk of droplets or secretions from the individual reaching the PA's eyes (for example, caring for someone who is repeatedly coughing or who may be vomiting).
- when the PA's visit does not require them to touch you but they need to be within 2 metres, gloves and an apron are not needed but a surgical mask is recommended. This might cover activities such as removing medicines from their packaging, preparing food for those who can feed themselves without assistance or cleaning.
- new surgical and fluid-repellent face masks disposable gloves and plastic aprons must be used for each individual episode of care (for example, washing, directly helping take medication etc), whether the person has symptoms or not. Eye protection can be used continuously, dependent on a risk assessment.
- if you or any members of your household are in the 'extremely vulnerable' category, for example shielding, any visit or care from a PA requires, as a minimum, single-use disposable plastic aprons, surgical mask and gloves. If direct contact is required, a fluid-repellent face mask is needed instead of a surgical mask. See the [shielding and protecting extremely vulnerable people guidance](#) for more details on who this category includes.

Disposing of used PPE

- It is essential that PPE that has come into contact with someone with COVID-19 symptoms is stored securely within disposable rubbish bags. Waste from people with symptoms of COVID-19, or from cleaning of areas where they have been (including disposable cloths and tissues) and PPE waste from their care should be put in a plastic rubbish bag and tied when full. The plastic bag should then be placed in a second bin bag and tied. The waste should then be put in a suitable and secure place and marked for storage for 72 hours. Waste should be stored safely and securely and kept away from children. You should not put your waste in communal

waste areas until the waste has been stored for at least 72 hours. Storing for 72 hours saves unnecessary waste movements and minimises the risk to waste operatives. This should be put aside for at least 72 hours before being put in the usual household waste bin. Waste that has not come into contact with anyone that has COVID-19 symptoms can be disposed of as normal.

What are the safety procedures when using PPE?

It is important to understand that PPE is only effective if it used correctly. Public Health England has produced a number of resources that explain how PPE can be safely used to minimise the spread of infection. See the [guidance on how to use PPE effectively](#). It must be noted that in Northern Ireland it is recommended that new PPE be used for each episode of care.

Another useful source of training in the use of PPE can be found [here](#).

PPE is also only effective when combined with good hand hygiene (cleaning hands regularly and appropriately), covering your mouth when coughing or sneezing, avoiding touching your face with your hands and when following standard infection prevention and control precautions.

Footwear covers are not a part of recommended PPE

Footwear covers have not been included as part of PPE guidance for PAs or home care organisations. You can help to reduce any potential transmission by increased cleaning of floors and surfaces and keeping your house properly ventilated by opening windows whenever safe and appropriate.

Safely using paper towels or hand towels

PHE guidance does not state a requirement for paper towels to be used to dry hands. Clean cloth towels, specific for each personal assistant, can be used and should be replaced frequently. Good hand hygiene and the correct use of PPE will reduce the potential for contamination/transmission.

When people are using paper towels after coming in contact with someone with COVID-19 symptoms, they can be disposed of in regular household waste but should be double bagged. There should be a 72-

hour wait period before being removed from the home and placed ready for collection.

What about family members, will they receive PPE if they are providing care and support?

Firstly, all unpaid/informal carers and family members looking after loved ones are encouraged to continue to follow the general hygiene guidance provided by the government, including washing their hands frequently and cleaning frequently used surfaces.

Where people are taking on care work in a voluntary capacity, and the care requires PPE according to the PHE guidance, then they should also be able to access, and use, PPE. PPE will be provided by your local Trust and you will not be charged. You should contact the relevant person as advised by your Trust to secure access to the appropriate PPE:

Employment of individuals

What do I do if my PA(s) becomes sick or is unable to work? How do we both keep safe?

If your PA becomes sick or needs to self-isolate and cannot support you as contracted, you or somebody on your behalf should try to organise alternative arrangements. For example, it may be that another PA you employ is able to take on further work and there is sufficient insurance in place for them to do so, or there may be another PA that is familiar with your care and support plan, that can support you.

If other arrangements cannot be put in place, it will be necessary to put your contingency plan into action. This may mean family members stepping in and supporting you to receive the care and support you need. Health and Social Care Trusts should adopt a flexible approach to how the care and support plan is delivered during this period, to ensure that appropriate care and support is maintained.

In cases where arrangements cannot be put in place to enable you to receive the necessary care and support, you should contact your Health and Social Care Trust immediately. They will provide support in developing a temporary plan to ensure in the interim that your needs are

met while your PA is recovering. You may also wish to speak to your insurance company, who can offer advice in this circumstance.

If your PA is concerned that they may have COVID-19 they should use the <https://check.covid-19.hscni.net/SymptomChecker/Introduction>. If they need to self-isolate at home, they should not visit and care for you or provide support until it is safe to do so.

PAs have been designated as key workers as they provide essential services. Therefore, if they are concerned that they have COVID-19 symptoms and are having to self-isolate they can organise testing through the Public Health Agency at NCTP@hscni.net. Should a PA require to self-isolate due to their family member having suspected COVID-19, the family member can also be tested. Further information on testing can be found at www.publichealth.hscni.net/covid-19-coronavirus/testing-covid-19

Can family carers or close friends be paid out of the agreed Direct Payment if PAs are not available?

During this pandemic, **short-term emergency** changes may be necessary. Families and close friends may need to be called on for support beyond any unpaid care and support they may already be providing. They may be able to provide this support on a voluntary basis for a short period of time, where there is a gap in care and support provision – for example, through staff sickness.

This may not be viable or sustainable in the longer term where the situation is ongoing. In these circumstances therefore, consideration could be given to employing the family member or close friend via Direct Payment.

If it is necessary for family members who live with you to be employed as your care and support workers, this should be first raised and agreed with the local Health and Social Care Trust who make these decisions on an individual case-by-case basis. Health and Social Care Trusts need to consider the nature of people's needs and should have systems and processes in place to be able to respond as quickly as possible and support you to make arrangements to continue to safely manage your care.

If you think this may be necessary during the pandemic, you should include this when developing your contingency plan. This should be discussed with your Health and Social Care Trust in advance of use.

In deciding whether funding from your existing Direct Payment should be used for family members and close friends it is important to consider the following points:

- routine employment and payroll processes will need to be followed, including adherence to agreed hours and pay rates in the personalised care and support plan.
- consider whether there is any additional training and assessment of competence required.
- Access NI checks may need to be completed (please speak to your named worker who will advise on procedures applicable in your local Trust).
- any employment law issues related to the rights of existing paid care workers or PAs.
- any additional costs involved if existing employees remain entitled to receive their pay.
- if family members take on paid care and support work this may impact on any benefits they receive.
- family members are often already providing significant levels of care and support.
- consideration should be taken of the impact on family members' health and wellbeing if undertaking extra caring and support.
- any potential impact it may have on relationships if the family member is also an employee.
- any agreement will be short-term and temporary (please see p.7 of the Coronavirus (Covid-19): Northern Ireland Guidance for People Receiving Direct Payments).

What is the government's expectation on furloughing of PAs?

Where employers receive public funding for staff costs, i.e. Direct Payments, and that funding is continuing, it is expected employers will

use that money to continue to pay staff in the usual way – and correspondingly should **not** furlough them.

In a small number of cases, for example where it is not possible for your PA to deliver the care and support you require, the [Coronavirus Job Retention Scheme](#) may be appropriate. You will need to explain why this is required when processing your claim for furlough. [Further information on the CJRS and specific to Direct Payment users is also available.](#)

If I think the Coronavirus Job Retention Scheme might be appropriate for me given my particular circumstances, what should I do?

Generally speaking, it remains the case that individuals should continue with their normal care and support arrangements while putting in place additional precautions in respect of hygiene and infection control.

There are some further points that could assist you in helping to decide what's best for you and your care arrangements. For example:

- if you decide to stop PAs from coming into your home, depending on their employment contract they will be entitled to full pay. They are not automatically entitled to be furloughed under the government's Coronavirus Job Retention Scheme. Where family or friends are willing to provide care on a voluntary basis there will be no added costs to the budget during this time. This could be considered for a short period, for example 4 weeks, and then reviewed with your Trust.
- PAs could provide other support, for example, activities of daily living, shopping, getting medications and prescriptions.

In all circumstances you must speak with your named worker and seek appropriate employment law advice before making any formal changes.

The Coronavirus Job Retention Scheme will cease at the end of October 2020. From the start of August, furloughed workers will be able to return to work part-time with employers being asked to pay a percentage towards the salaries of their furloughed staff. Further information on furlough can be found on the GOV.UK website:

www.gov.uk/government/collections/coronavirus-job-retention-scheme

Can I re-employ previous PAs who already have the training to support me, in these emergency situations?

Yes, if required for example, through PA illness, then you could contact a previous PA who may be able to provide temporary cover and will be familiar with your needs. This should make up part of your emergency contingency plan. You should also consider whether there is any additional training and assessment of competence or upskilling necessary for the PA, such as peer learning or e-learning. Standard employment and payroll processes will need to be followed which may include Access NI checks, as appropriate.

Given the social distancing measures, will all PAs have official documentation to show they're doing essential work?

No. Government guidance is clear that anybody is permitted to travel to and from work if it is not possible to work from home. There is no special status for key workers in this respect. No documentation is required to prove travel to and from work is necessary.

Where the definition of key workers is relevant is regarding access to other provisions, such as care for children at local schools if they cannot safely be cared for at home. As key workers, PAs are eligible for this support.

If your PA does not feel confident travelling without documentation even though it is not required you (or their employer) should provide a letter explaining the role they play and how this links to the guidance published on who is included in a key worker category. This letter could also include your phone number or that of the PA's employer, who can confirm their role, if necessary. A draft example template can be found at the end of this document. If you have any other issues concerning this subject please speak to your named worker.

What financial or employment support will I have?

If you receive your budget as a Direct Payment, you should continue to receive the amount that was or has been agreed by your Health and Social Care Trust. There are a range of steps Health and Social Care Trusts must take and these can be found within the Direct Payment guidance.

The government has also implemented a range of measures designed to support individuals who use Direct Payments. These include implementing statutory sick pay (SSP) from day one for COVID-19 related sickness or required self-isolation (including for those employed via a Direct Payment), bringing forward legislation to allow small and medium-sized businesses to reclaim SSP paid for sickness absence due to COVID-19, and deploying volunteers to support people at home.

See [more information about this package of measures](#).

Statutory sick pay (SSP) for PAs

If my PA must self-isolate, will they get paid SSP?

Yes, if they're eligible (earn an average of at least £120 per week). They will be paid from day one rather than the fourth day of their illness. See [more information on the eligibility criteria](#).

Therefore, if a PA is unable to work due to COVID-19 symptoms, they will be paid Statutory Sick Pay (SSP), if eligible. If SSP is below 100% of their previous three months average earnings a top up to this 100% average should be paid.

Staff who are on zero hour contracts should, as a direct result of COVID-19 issues, be paid at a rate at least 100% of their previous 13 week average earnings, the Trust will cover any premium above the SSP rate in this circumstance.

In circumstances whereby the DP recipient is shielding or makes the decision that a PA cannot come into their home due to COVID-19, the PA should receive 100% of their pay.

If my PA says they're self-isolating, do I need them to provide me with a fit note from the doctor or NHS Online 111?

If your PA says they're self-isolating, they will not be able to go to their doctor and are being asked not to call NHS 111 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) and provide you with an [Isolation Note](#).

Your PA is eligible for COVID-19 testing and should avail of this once they begin to feel ill. Should they have to self-isolate due to a family member feeling ill, this family member is also eligible for testing. Testing can be arranged through the Public Health Agency at NCTP@hscni.net. These measures will help to ensure that PAs can return to work in a timely fashion once it is safe for them to do so.

All individuals in recipient of Direct Payments will have been contacted about the testing arrangements. PAs do not need employer ID card – alternative official photographic ID (such as a passport or driver's license) is suitable.

If my PA is self-isolating and I need to pay SSP, will I get it refunded?

Yes. SSP will be paid out through payroll and claimed back via [HMRC](#). Your payroll provider will deal with this for you. This refund covers a period of up to 2 weeks per employee.

Your insurance company will have a 24 hour employer's helpline should you need advice on what to do.

If my PA needs to shield what should I pay them?

If your PA has received a letter advising them that they are more at risk from COVID-19 and that they should take steps to protect themselves (shielding), they should be paid 100% of their pay.

If you are able to secure the services of an alternative PA the Trust will fund the second PA's wages.

As the rate of community transmission of COVID-19 has dropped, shielding will be paused from 31 July 2020. Updated shielding letters have been issued by GPs with details of changes and access to support. It is important to stay up-to-date with changes to shielding advice: www.nidirect.gov.uk/articles/coronavirus-covid-19-pausing-shielding-extremely-vulnerable-people

Monitoring requirements

Will my budget continue to be reviewed?

Yes, although during the pandemic, such reviews may not occur as frequently as it has done previously. Health and Social Care Trusts will take a proportionate approach to reviewing how Direct Payments have been spent. Records should be maintained as usual for evidence of spend when the next review takes place.

If you're concerned that the amount allocated to you within your Direct Payment is not enough, or is too much, you should get in touch directly with your Health and Social Care Trust, who have are required to ensure the funding allocated is appropriate to meet your assessed need.

Am I expected to continue to evidence my spend?

Yes. As is standard practice, you should retain evidence that show how the Direct Payment has been used. These will be necessary within the next discussion with your Health and Social Care Trust.

Self-funders

What support do I have if I pay for my own care?

If you are using your own funds to employ a PA you should follow the general guidance given here and in the **Coronavirus (Covid-19): Northern Ireland Guidance for People Receiving Direct Payments** around contingency planning, and health and safety.

Should you find yourself in a position where these arrangements are unable to support you due to the wider impact of COVID-19 and you have no alternative arrangements available to you, you should contact your Health and Social Care Trust to discuss alternative care and support arrangements.

Keeping safe

What should employers do if their PA refuses to isolate, when they have suspected coronavirus? Where can employers go to for advice?

If your PA is showing symptoms of COVID-19, they should immediately self-isolate as per the guidance issued by government. Under no circumstances should anybody showing symptoms continue to provide face-to-face care.

If they (or anybody else you meet) refuse to isolate, you should immediately speak to your Health and Social Care Trust, who should support you to enforce this.

All members of the public, including PAs, are eligible for COVID-19 testing and should avail of this once they begin to feel ill. Should they have to self-isolate due to a family member feeling ill, this family member is also eligible for testing. Testing can be arranged through the Public Health Agency at NCTP@hscni.net. These measures will ensure that PAs can return to work in a timely fashion once safe to do so. Further information on testing can be found here.

What are the procedures for infection control in the house?

If those employed through a budget undertake cleaning duties, then they should use the usual household products, such as detergents and bleach. These products are very effective at getting rid of viruses on surfaces. Frequently touched surfaces should be cleaned regularly.

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. The waste should then be put in a suitable and secure place and marked for storage for 72 hours. Waste should be stored safely and securely and kept away from children. You should not put your waste in communal waste areas until the waste has been stored for at least 72 hours. Storing for 72 hours saves unnecessary waste movements and minimises the risk to waste operatives.

Dirty laundry should not be shaken before washing. This minimises the possibility of dispersing the virus through the air. Items should then be washed as appropriate, in accordance with the manufacturer's

instructions. All dirty laundry can be washed in the same load. If you do not have a washing machine, wait a further 72 hours after the 7-day isolation period (for individual isolation) or a 14-day isolation period (for households) has ended. The laundry can then be taken to a public launderette. Items heavily soiled with body fluids, for example vomit or diarrhoea, or items that cannot be washed, should be disposed of, with your consent.

See [further guidance on laundry and waste disposal](#).

After the period of infection has passed the Trust will consider making a one-off emergency payment using Direct Payments to pay for a 'deep clean' of your home to ensure that it is a safe working environment for your Personal Assistant and other carers (including informal/unpaid carers). If surplus Direct Payment funding has accrued in your account, it may be used for this purpose.

Example documentation

XXXXX

XXXXX

XXXXX

XXXXX

Tel: xxxxxxxx

Email: xxxxxxxx

To whom it may concern

Confirmation of employment

This letter is to verify that (NAME) _____ is employed as a Personal Care Assistant.

A Personal Care Assistant is employed by our service users to support their health and social care needs. They support the individual in their home and within the community. Some of the duties carried out by a Personal Care Assistant are as follows:

- support with personal care and dressing
- support with medication
- support with meal preparation
- assistance with shopping and cleaning
- providing welfare checks

There is a necessary requirement for a Personal Care Assistant to access local shops and pharmacies on behalf of the individual they are supporting. They are also required to travel round the _____ Trust area to be able to carry out their role.

The government have confirmed that Personal Care Assistants are key workers in the Health and Social Care sector.

If you require further verification of the employment of NAME please contact xxxxx on the number above.

Yours sincerely

XXXX