

# Guide for Self Employed Service Providers in Home Care



Mark Bates Ltd  
THE HOME OF PREMIER CARE

Version 2 (03/04/20)

**The outbreak of COVID-19 (also known as Coronavirus) is a current public health issue and as such certain precautions need to be taken with both your own health and also the people you assist. The situation is constantly changing but we have put together answers to common questions being asked by others in your situation - find our guidance below.**

## **Where can I get medical advice if I am concerned about the Coronavirus?**

The Government are urging you to follow the NHS guidance which is being kept up to date on their website:

<https://www.nhs.uk/conditions/coronavirus-covid-19/>

At present the public are being asked not to go to the GP and to use the online NHS 111 Coronavirus Service if you are suffering with symptoms of the virus.

## **Who needs to stay at home under current measures?**

Everyone in the UK are being asked to stay at home which means travelling for limited purposes; shopping for necessities, taking one form of exercise per day, medical needs and travelling to work where it cannot be done from home.

It is particularly important for those who are at an increased risk to follow these instructions. People are at an increased risk if they are; over 70, are pregnant, have an underlying health condition.

Care workers are Key Workers and can go to work as normal.

## **Who needs to self-isolate under current measures?**

If one person in any household has a persistent cough or fever, everyone living there must stay at home. The person who has suffered symptoms must stay at home for 7 days from the symptoms beginning. Everyone else in the household must stay at home for 14 days from the symptoms beginning in the household.

Self-isolating means the person cannot go to work and should avoid leaving the home for any reason.

## **Who needs to be shielded under current measures?**

People who need to be shielded suffer with specific health conditions which makes them extremely vulnerable to the risk of Coronavirus. These people will be receiving a letter from the NHS with guidance to help protect them from the Virus.

The Government have advised extremely vulnerable people to stay at home and not go to work, for a period of 12 weeks from the advice being given. People who are being shielded are advised to stay at home at all times and avoid going out for any reason. Further guidance can be found here:

<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>

If you need any further advice regarding the support you provide and have a PCA policy

Call: 0161 603 2167

Email: [premiercare@msl.co.uk](mailto:premiercare@msl.co.uk)

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Although every effort has been made to ensure all information provided is correct, this factsheet is provided for information purpose and should not be considered legal advice. If you require further information you should seek professional legal advice.

Premier Care is a trading name of Mark Bates Ltd who are authorised and regulated by the Financial Conduct Authority, F.R.N.:308390.



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## **I and/or someone in my household have shown symptoms of the virus; What do I do?**

The current guidance is that if one person in any household has a persistent cough or fever, everyone living there must stay at home for 14 days.

The purpose of this provision is to try to prevent the spread of infection. You can find detailed Government guidance on staying at home due to a possible Coronavirus infection here:

<https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance>

It is hoped given the seriousness of the circumstances that clients will understand your self-isolation amounts to being incapable of work. That so you can continue in the same way, had sickness occurred in everyday circumstances, such as bringing in a replacement worker or using an agency. As a self-employed person, you are not entitled to statutory sick pay.

Your contract may provide specific conditions for circumstances where you are sick, but if not, this is an ideal time to communicate and attempt to find common ground. Some clients may be happy to simply defer your work for the 14-day period and recommence once your isolation period ceases, without the need for formal termination of the arrangement.



## **My client has decided that they do not want support during this time, what notice can I expect from them to terminate our arrangement?**

This will depend upon the terms of any agreement you have in place with them. If you signed an agreement with your client at the beginning of your arrangement, that contract may set out a notice period. A client would usually have to pay for your services in full during a notice period, even if they don't want you to attend their home, but your contract will determine if that is the case.

If you don't have a written contract you may find evidence of your arrangement in letters, emails or other documents.

Where you are genuinely self employed and an agreement has not been made as to a notice period, your client will be able to terminate your services immediately and pay you only for the work that you have completed so far.



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## **I have a client who is self-isolating due to concerns that they, or someone in their household, have symptoms of Coronavirus. I feel unsafe, am I obliged to attend work for them?**

You are free to decide whether or not to continue doing business and it is your responsibility to ensure that you and have safe systems of work. You will be familiar with everyday risks of the work; however, the Government recognise the difficulty for home care workers under these circumstances and so have produced some useful guidance, this can be found at :

<https://www.gov.uk/government/publications/covid-19-residential-care-supported-living-and-home-care-guidance/covid-19-guidance-on-home-care-provision>

If you decide that you do not want to take the risk of continuing your work personally, it is advisable to check the terms of any written agreement with your client. It may be that you have a right to send someone else into the client's home to carry out the work on your behalf. This could be another worker or contracted work through an agency for example. Be sure that any workers engaged by you to carry out the work are provided with the right health and safety procedures and protective equipment and clothing, as suggested in the Government guidance.

If you are not sending in a replacement for the work and simply want to terminate the arrangement with your client, you must check your service contract. Many service contracts will provide a notice before termination, in which case you should work that notice period if you want to avoid being in breach of contract. If you were to breach a notice period, the client would have the right to legal redress against you for any losses they suffer as a result of your breach, this may include the additional cost of alternative agency fees for example.

## **My earnings are significantly impacted because of the Coronavirus, what help can I get from the Government?**

The Government have announced the Self-employed income support scheme as follows;

- will pay self-employed people a taxable grant worth 80% of average monthly income, capped at £2,500pm (average income over previous 3 years)
- self-employed people can claim these grants and continue to do business (so it's not the same as furlough leave, where employees have to remain at home)
- the scheme is only open to those who make the majority of their income from self-employment
- the scheme is only open to those who have submitted a tax return for 2019 (deadline for submitting 2019 tax return has been extended by 4 weeks)
- HMRC will contact eligible self-employed people directly and pay the grant straight into their bank account on completion of an online form.
- The scheme will be open to people across UK for at least 3 months but is not expected to be up and running until the end of June.

The following Government guidance details the alternative support available if you do not qualify for the payment scheme:

<https://www.gov.uk/government/publications/support-for-those-affected-by-covid-19/support-for-those-affected-by-covid-19>

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