

## **Frequently Asked Questions**

### **Why do we need claim forms and what will happen to them?**

Claim forms are needed to provide evidence of who was paid and to confirm that both the employee and employer confirmed that the employee was eligible for the payment.

To speed up the process and to avoid printing and postage costs claim forms can be sent to employees and returned electronically. Electronic forms will be valid providing they are submitted via an email account held in the name of the employee.

Claim forms must be retained by the direct employer for a minimum of 24 months after date of the payment. These forms can be retained electronically or in hard copy. Employers may be asked to produce the forms if asked to by local authorities or auditors. Failure to produce claim forms to substantiate claims may result in the recovery of funding.

### **What checks are local authorities expected to do to validate claims?**

Local authorities will be expected to check employer claims to establish whether the claim is in proportion to the size of the care setting. To assist with this the Welsh Government will provide what information it has on the size and composition of the social care workforce in Wales.

Any anomalies should be investigated by local authorities who have discretion to proceed with the claims or refer to the Welsh Government.

### **What should the payment arrangements be between local authorities and care providers or agencies?**

This is for local authorities to determine. They should seek to use existing payment mechanisms, if appropriate. In the absence of an appropriate existing payment mechanism local authorities should create a basic grant arrangement using standard clauses and terms and conditions.

### **How do employers prove the payments have been made?**

Employers are asked to submit a completed form 4 (for care providers) or form 5 (for agencies) to the local authority. This form should be accompanied by a financial report from the employers showing that the payments have been made to the staff listed on the form. This is sufficient evidence to prove the payments have been made and to release any supplementary funding (for employer national insurance or pension costs).

### **How does an employer classify the income to fund these payments in their accounts?**

The £500 payments plus on costs received from Welsh Government via local authorities should be recognised in employers accounts as a taxable income. Employers will be able to claim a matching deduction in their accounts for employee costs, so there is no net effect on the employers overall taxable profit.

### **What happens if a care provider has multiple care settings in different LA areas?**

Where a care provider has multiple settings spread across more than one local authority geographic area, the relevant local authorities and the care provider can, by mutual consent, agree for one local authority to lead on the payments for all settings for that care provider to reduce complexity and the administrative burden on both care providers and local authorities.

### **What if a domiciliary care agency is commissioned by multiple local authorities?**

The domiciliary care agency will need to collect signed claim forms from their staff and submit them to the relevant local authority. If domiciliary care staff provide care for more than one local authority the domiciliary care agency should ensure that only one claim form is submitted per employee and this should be submitted to the local authority where the majority of the care is provided. Local authorities and domiciliary care agencies can, by mutual consent agree for one local authority to lead on the payments for employees from a domiciliary care agency to reduce complexity and the administrative burden on both domiciliary care agencies and local authorities.

### **Are these payments pensionable?**

These payments are usually pensionable unless there is a condition in the employee's terms and conditions of employment saying they are not. Employers are asked to check to ensure the payments are treated correctly.

If the payment is pensionable, the employee will have a pension contribution deducted from their payment and the employer will incur a pension cost. Any employer pension costs relating to the payment will be funded by the Welsh Government.

### **How do employers determine and evidence employer National Insurance and pension costs?**

NI

If the employee's payroll generates an NI cost of more than £69.00, the employer should include £69.00 as their additional NI cost on their claim form.

If the employee's payroll has generated an NI cost of less than £69.00, the employer should include the full cost of the employees NI on their claim form.

If the employee's payroll has not generated an NI cost, no NI cost should be included on their claim form.

### Pensions

If the payment is pensionable under the employee's terms and condition employers should calculate the total employers pension cost as a percentage of total pay before any deductions. Then apply this percentage to £500 and include this figure in their claim form.

### **What happens if an eligible care worker has been dismissed?**

If an eligible care worker has been summarily dismissed (instant dismissal for gross misconduct) from that role they are not eligible to receive the payment. This is regardless of whether the summary dismissal was during the eligible period or after it.

If a dismissed care worker has their dismissal overturned or found to be unfair they will be eligible to receive the payment.

### **What happens if an eligible care worker has died?**

If an eligible care worker has died, the payment will be made to their estate. This payment will not influence or be influenced by any other Welsh Government funds established to assist the families of care workers that have died as a result of the Covid-19 pandemic.