

NHS and Social Care Coronavirus Life Assurance (Wales) Scheme 2020

Eligibility Factsheet

The Scheme is limited to individuals employed or engaged in the NHS and social care sectors or registered healthcare professional volunteers.

Who's covered?

The scheme covers staff who:

- are employed by an NHS body
- work for organisations that support the delivery of NHS services, including outsourced or subcontracted services
- work on an NHS contract, agreement or arrangement including primary care medical, dental, pharmaceutical or ophthalmic/eye care services, including their staff
- who are engaged in work related to the provision of care and support services either provided or arranged by a local authority as part of its social services activity or delivered in registered care homes or registered domiciliary support services

Staff can be:

- full-time or part-time
- permanent or temporary, including agency workers and locums
- retired staff who return to NHS or other employment
- students taking up paid frontline roles
- students on placement or registered healthcare volunteers

Within social care the scheme covers staff employed or engaged in relation to the activity of local authorities in the exercise of their social services functions and other services commissioned by local authorities to provide care and support. Also covered are people

employed or engaged in work related to the provision of care and support in care homes and domiciliary support services, which are registered by Care Inspectorate Wales (CIW).

Personal assistants employed via direct payments to work with adults or disabled children are included in this scheme.

The coverage of the scheme is broadly drawn across NHS and social care sector employers given the variety of roles and locations, and the ways these may change in response to the pandemic.

Eligibility is work-related, where Welsh Ministers can reasonably conclude that the person contracted coronavirus in the course of performing their duties.

Health Service Workers

Eligible individuals must have been employed or engaged:

- by an NHS body
- by any other statutory body constituted under an enactment made by the Welsh Ministers in relation to the health service
- pursuant to a contract with an NHS body for the provision of staff or services for the health service where the person is engaged in the provision of those services
- by a local authority for the provision of public health services
- pursuant to a contract with an NHS body for the provision of public health services where the person is engaged in the provision of those services

Eligible employers include:

- Statutory bodies employing staff on NHS terms and conditions of service:
 - Local Health Boards and NHS Trusts
 - Special Health Authorities
- Primary care organisations (if the person or employer holds a qualifying contract, agreement or arrangement):
 - GPs and all staff employed by GP practices
 - GP locums
 - Dental practitioners and all staff employed by dental practices
 - Pharmacists and all staff employed by pharmacies
 - Optometrists and all staff employed by Optometry practices

- Organisations that provide services to the NHS if they hold and are delivering services pursuant to a qualifying contract, agreement or arrangement to deliver those services include:
 - Independent providers
 - Universities
 - Staff working for organisations that hold a commercial contract or agreement with an NHS body to provide NHS outsourced services or temporary staff

- Registered healthcare professionals who are performing clinical services on a voluntary basis. Volunteers must be registered with one of the following:
 - General Medical Council
 - General Dental Council
 - General Optical Council
 - General Osteopathic Council
 - General Chiropractic Council
 - General Pharmaceutical Council
 - Nursing and Midwifery Council
 - Health and Care Professions Council

A qualifying contract, agreement or arrangement is deemed to be one of the following:

- an alternative provider medical services (APMS) contract
- a contract or agreement between a Local Health Board or an NHS trust and a higher education provider covering the provision of NHS services
- an Eye Health Examination Wales arrangement
- a General Dental Services contract
- a General Medical Services contract
- a General Ophthalmic/Eye Care Services arrangement
- a General Pharmaceutical Services arrangement
- a local authority contract for the provision of health or social care services
- a Low Vision Service arrangement
- a PDS agreement
- a PMS agreement

Social Care Workforce

Eligible individuals must be employed by or engaged by:

- a local authority to deliver social care services
- an organisation or individual commissioned or funded to deliver social care by a local authority or by the NHS
- a provider of a care home service or domiciliary support service registered with Care Inspectorate Wales (CIW) to deliver social care
- social care services that are not CIW registered but are commissioned or funded by the local authority to provide services

This includes:

- Staff in care homes
- Domiciliary care workers
- Social workers and other care workers employed by a local authority
- Other roles involved in delivering social care services, including personal assistants and those working in supported living arrangements

Staff can be:

- full-time or part-time
- permanent or temporary, including agency workers and locums
- retired staff who return to NHS or other employment
- students taking up paid frontline roles
- students on placement or registered healthcare volunteers.

Staff must be working in roles connected with the provision of social care services, NHS funded care or the provision of a relevant regulated service by a registered provider.

For a claim to be accepted, the Welsh Ministers must be reasonably satisfied on the basis of evidence that:

- the individual is eligible by virtue of the work or services they carried out
- the eligible individual was exposed to a high risk of contracting coronavirus in circumstances where they could not reasonably avoid that risk because of the nature and location of the work they were contracted to carry out
- the eligible individual was likely to have contracted coronavirus in the course of their work
- coronavirus disease was the whole or main cause of death
- the eligible individual first exhibited symptoms of coronavirus within the period of 14 days (or such other period on the basis of medical evidence) of being exposed to coronavirus in the course of their work
- the death of the eligible individual occurred prior to the Scheme end date

Example circumstances that likely fall within these criteria include where the individual was:

- testing or diagnosing whether a person is infected with or contaminated by coronavirus
- coming into close proximity by reason of caring for, supporting, treating or providing other clinical service to a person who has, or is suspected of having, coronavirus or coronavirus disease
- engagement with a person in relation to the carrying out of social care functions who has, or is suspected of having, coronavirus or coronavirus disease
- providing any other type of service within the same workplace where the services described above are provided

Where the individual was performing duties that do not fit any of these scenarios, or it is difficult to establish the presence of coronavirus in the workplace, the claimant is invited to explain why they think the individual was exposed to a high risk of contracting coronavirus because of the nature and location of the work which they carried out and this will be duly considered.

Eligibility Q&A

Q: The person did not work for an organisation listed above or does not otherwise fit the eligibility criteria. Can they be covered by the scheme?

A: Where a case does not fit the above eligibility criteria, or the individual did not work for an organisation listed above, the claimant is invited to explain the type of work within the health and social care sector that the individual was carrying out and why they think the individual was exposed to a high risk of contracting coronavirus as a result of the nature and location of that work. Welsh Ministers using discretionary powers will assess the eligibility of any such claims based on the information provided

Q: Are volunteers covered?

A: The scheme provides additional financial protection for frontline staff who are employed or engaged to deliver care for people and work in environments that carry an increased risk of contracting coronavirus.

However, there may be instances where clinically qualified registered healthcare professionals volunteer in an unpaid capacity to fulfil frontline duties. Such staff are more likely to be placed in patient facing frontline roles and are therefore covered by the scheme.

Q: What if coronavirus was not the direct cause of death?

A: The Scheme covers cases where coronavirus disease was the whole or main cause of death. The Welsh Ministers may also consider applications that relate to cases where coronavirus is not listed on the deceased's death certificate, but where the person was

providing health or social care services directly to people with coronavirus and the performance of those functions was likely to have contributed to the person's death. In such cases Welsh Ministers may, using discretionary powers, deem the death eligible.

Q: What does reasonably satisfied mean? How will cases be assessed?

A: The Welsh Ministers must be reasonably satisfied that the above eligibility criteria have been met in order to make a payment. This means that a decision will be made based on the evidence and statements provided through the claim process and in accordance with the terms of the Scheme.