



# Department of Health & Social Care

Freedom of Information Team  
Department of Health and Social Care  
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Lee  
[request-656880-9123cec2@whatdotheyknow.com](mailto:request-656880-9123cec2@whatdotheyknow.com)

01 April 2020

Dear Lee,

## **Freedom of Information Request Reference FOI-1213034**

Thank you for your request dated 27 March, in which you asked the Department of Health and Social Care (DHSC):

*"Dear Department of Health and Social Care,*

- 1. I require information on what arrangements were in place for disabled people who employ their own PAs through direct payments.*
- 2. Please provide information of the new arrangements to disabled people who employ their own PAs now the CO-19 has been confirmed a non-infectious disease.*

*Please do not edit the line below. Please note the links to Gov website below are provided for clarification pertaining to number 1 & 2*

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*I direct you to <https://www.gov.uk/government/publications/covid-19-residential-care-supported-living-and-home-care-guidance/covid-19-guidance-for-supported-living-provision>.*

*Updated 19 March 2020*

*The government is facing accusations that its emergency planning for dealing with the coronavirus pandemic has "abandoned" disabled people who use direct payments to employ their own personal assistants (PAs) and as a concerned member of the public I have duty of care to protect the vulnerable, disabled and elderly surrounding a confusing on the CO-VID19 signals and publications.*

*<https://www.disabilitynewsservice.com/coronavirus-government-has-abandoned-disabled-people-on-direct-payments/>*

*By definition on March 19th 2020 the Government have declared CO-VID19 is not defined by UK criteria infectious diseases But there has been no mention of the declaration to date of the*

*downgrade of CO-VID19 to the public by Prime Minister and health boards pertaining to*  
<https://www.gov.uk/guidance/high-consequence-infectious-diseases-hcid> .

*This also breaches the 7 principles of public life. <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2#selflessness>*

*<https://publications.parliament.uk/pa/bills/cbill/58-01/0122/en/20122en.pdf#page62>*

*And <http://www.legislation.gov.uk/ukxi/2020/129/contents/made>*

*The Prime Minister CORONAVIRUS BILL giving new measures and new legislation to come into effect from 23 March 2020 is void and has no jurisdiction (Clause 85: Extent) due to the language within the instrument pertaining to CO-VID19 is misleading and does not co inside with legislation of The Public Health (Control of Disease) Act 1984 (as amended by the Health and Social Care Act 2008 Part 1 of the Care Act 2014 or Parts 3 and 4 of the Social Services and Well-being (Wales) Act which breaches fundamentals of the Human Rights and European Convention Human Rights. By definition of The 4 nations public health HCID Group independently confirmed HCID COVID-19 is no longer considered to be a high consequence infectious diseases (HCID) in the UK.*

*Yours faithfully”*

Your request has been handled under the Freedom of Information Act (FOIA).

Please note, under section 8(1) of FOIA, a request for information must comply with three requirements. It must:

- (a) be in writing,
- (b) state the name of the applicant and an address for correspondence, and
- (c) describes the information requested.

After initial consideration, this request appears to comply with requirements (a) and (c) but it does not comply with requirement (b) because you have not provided your full name. As your request is not valid under FOIA, I am not obliged to process your request. I would like to take this opportunity to recommend that any future FOI submissions adhere to Section 8 of the FOIA.

To enable us to meet your request, please resubmit your application including your real name. This should normally include your first name or a title (e.g. Miss or Dr) as well as your surname.

We will consider your resubmitted request upon receipt as long as it meets the requirements stated above. You will then receive a response from us within the statutory timescale of 20 working days. Please be aware that we cannot guarantee at this stage that a clarified request will fall within the FOIA cost limit, or that other exemptions will not apply.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to [FreedomOfInformation@dhsc.gov.uk](mailto:FreedomOfInformation@dhsc.gov.uk), or to the address at the top of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Nicole Mercer  
Freedom of Information Officer  
[FreedomOfInformation@dhsc.gov.uk](mailto:FreedomOfInformation@dhsc.gov.uk)