

Taking the best advice

Care service users who take advantage of Fish Insurance's full cover are being guaranteed exclusive access to the UK's leading employment law specialist.

Following a positive response from thousands of service users and support workers Fish has renewed an agreement with Peninsula Business Services. This will ensure that Fish policyholders will continue to benefit from specialist expertise to help them effectively handle and prevent employment related disputes. The three-year agreement means Fish are the only disability insurance company able to provide access to the UK's leading employment law specialists.

The move also benefits local authorities and support services whose staff are now able to use the service on behalf of their clients, with their consent. It also helps minimise the risk of significant financial burdens being placed upon care budgets should they provide incorrect advice to a service user. Fish is aware of one case last year where a direct payments advisor's poor advice on dismissal procedure led to a tribunal with the local authority having to agree to meet legal costs from the care budget.



“ local authorities and support services are now able to use the service on behalf of their clients ”

“This agreement provides our policyholders and support workers with exclusive, immediate and direct access

to specialist advice which can prevent and protect against legal action,” commented Fish's chief executive, Elissa Foster. “It would have been easy to cut corners and costs to try and gain some kind of price advantage. But having looked closely at the market it was apparent that we simply couldn't do that without sacrificing quality of service and expertise.”

Claims trend sees theft cover increase

Responding to analysis of claims Fish Insurance has increased the level of theft cover included in its Independent Living Insurance Policy to £3,000 whilst holding the premium at the same level. The 50% increase, which was also prompted by requests from local authorities, means Fish now offers the highest level of theft cover of any of the insurance providers in this sector.

Explaining the move, Fish's Sales and Marketing director, Warren Dickson, said: “We continuously monitor the level and type of claims which we receive and it became apparent that, to best protect the interests of our policyholders, we should significantly increase the level of theft cover. This is becoming a major talking point as the media pick up on cases and discussion

grows over whether carers should be CRB checked. That's not a question we can or wish to answer but what is clear is that as the use of personal budgets to fund personal assistants increases so will the likelihood of theft claims. Another factor is that there will necessarily be growth in the number of carers who are not from a service user's family or friendship group.”

We're pleased to meet you.

Consultation launched to assist local authorities and support services.

Fish Insurance is launching a summer initiative designed to harness the experience and expertise of local authorities and support services to further improve its quality of products and services.

The move follows the success of previous consultations which have seen the company refining its key full cover Independent Living Insurance policy and administrative procedures to help local authorities.

“By meeting one-to-one with people on the frontline of care service provision and the implementation of personal budget

authority invoicing scheme to reduce the paperwork burden. We've also listened to local authorities who told us that with increasing numbers of people with more complex needs making use of personal budgets we should not limit the number of PAs covered. We reacted swiftly in direct response to their concerns.”

He added that the national consultation

“ We have reacted swiftly in direct response to local authority concerns. ”

Warren Dickson, Fish Insurance

schemes we've been able to improve our policy and service support,” commented Fish sales and marketing director, Warren Dickson. “In recent months we've extended cover to include tax advice and increase theft limits and introduced a local



exercise would also see the Fish team providing invaluable information to care professionals. This will include breakdowns of the kind of employment concerns being raised by service users and data specific to their authority in relation to the wider region and nationally.

“The pace of care service reform is such that it's vital that local authorities and support groups have access to current, relevant and high quality data. Our management information reports yield much of that information,” he said.

“ We've been able to identify specific issues and create bespoke solutions to reduce administration and improve service. ”



“Equally it's important for a key insurance provider such as Fish to have its finger on the pulse as issues arise with the roll out of personal budgets. Only if we are aware of emerging issues can we effectively address them.”

“In the past when we've sat around the table, face to face with local authorities we've been able to identify specific issues and create bespoke solutions to reduce administration and improve service. We see such dialogue as increasingly vital as the number of direct payment recipients grows ever more and a greater

administrative burden falls upon local authorities and support services.

“Such discussions help us gain a much better understanding of the national picture and the employment issues which concern both local authorities and service users. They also enable people to ask questions of us and better understand how the insurance cover works. These conversations are really constructive.”

Fish, which now works with over 400 support groups and local authorities, is timetabling personal visits across summer.

If you would like to arrange a one-to-one meeting at your convenience then simply email warren.dickson@fishinsurance.co.uk

Matters arising...

Topics which may be discussed in one-to-one consultations include:

- 🕒 How might your administrative burden be reduced?
- 🕒 What employment questions are service users raising?
- 🕒 How many people are being taken to an Employment Tribunal and what for?
- 🕒 Can legal actions impact local authorities or advocacy and support groups?
- 🕒 How does your local authority compare with others in its provision of insurance?

Fish to cover all defence fees

Whilst access to expert employment law advice can minimise the risk of legal action, increasing numbers of direct payment recipients are facing Employment Tribunal hearings.

Cases currently being handled or recently concluded with the help of Peninsula Business Services are dominated by claims of unfair dismissal. These include allegations of age, disability, racial and sexual discrimination with disputes also covering maternity, holiday and notice pay issues. Claims of constructive dismissal and breach of contract are also among those faced by service users.

“The cases demonstrate clearly that those in receipt of direct payments need to be aware of their legal responsibilities and of the consequences of failing to meet them,” said Fish's chief executive, Elissa Foster. “A hasty, spur-of-the-moment action or poor choice of words can result in a claim which costs time, money and worry. The threat of legal action and appearing before a judge is very daunting and it's imperative that service users are given the tools they need to reduce the possibility of facing a claim, and dealing with one if it does end up in court.”

Mrs. Foster added the volume of calls being dealt with by the 24-hour advice line provided to holders of Fish's full cover policy had reached record levels.

She warned too that some insurance providers refuse to pay legal fees or cap the legal fees they will cover at just £1,000 if a service user has not followed advice given to them. “We believe that because the relationship between service user and PA is not that of a typical employer and employee, greater understanding and protection is required. That's why we pay all legal defence fees even if advice has not been heeded.”



Market need prompts PA policy launch.

Responding to market need Fish has launched a new policy to provide public liability and medical negligence insurance to personal assistants.



“What happens if a PA inadvertently administers the wrong dose or accidentally injures someone? Most insurance policies in this market currently do not cover this kind of risk and that is a cause for concern.”

The new policy provides protection for PA's regardless of whether they are self-employed or employed and covers key risks for which the PA's could be held personally responsible such as an injury caused to a service user be it mishandling or mistakes made whilst providing nursing care or administering drugs. It also provides cover for injuries to a PA in circumstances where the employer would not be legally liable, for example when an accident is the PA's own fault.

Explained Fish's chief executive, Elissa Foster: "A PA's responsibilities may include administration of medicines and dressings and the correct physical management of those in their care. What happens if they inadvertently administer the wrong dose or accidentally injure someone? Most insurance policies in this market currently do not cover this kind of risk and that has been a cause for concern. Having listened in particular to calls from support services we have designed this new policy to provide further peace of mind."

The new policy, which retails at just £89 annually – less than £2 per week - not only protects PAs but provides added protection and reassurance for service users.

Its benefits include up to £5 million public liability including cover for accidental damage to property and accidental bodily injury to any person and up to £10,000, 24hr personal accident insurance. Cover also extends for temporary overseas working.

- You can download application forms for PAs working for service users in your area from www.fishinsurance.co.uk.

Matters arising...

- Are PAs working for service users under your jurisdiction properly insured?
- What would be the implications of a PA administering an incorrect dose of drugs?
- Is a PA adequately insured against an injury suffered whilst carrying out duties for a service user?

Here to support you

Fish provides a range of resources and services to support local authorities, advocacy groups and advisers. These include:

- Free downloads – including a health and safety guide, policy summaries & wordings, application forms, and buy on-line all available from our website www.fishinsurance.co.uk
- Free expert advice – on general liability issues and specific guidance on insurance matters
- One-to-one and group meetings – if your organisation wants to learn more about our policies or discuss how we might better support or work with you, simply email info@fishinsurance.co.uk
- News and policy updates – for the latest updates by email enews@fishinsurance.co.uk

For general enquiries you can contact us at:

- Email – info@fishinsurance.co.uk
- Phone – 0500 432 141