

## Coronavirus HR Guidance for Headteachers at Schools and Education Settings: 27 March 2020

### **Business Continuity**

All service Headteachers are asked to review their Business Continuity Plans with an emphasis on suffering a loss of teaching/support staff and how they will maintain the delivery of critical activities.

This guidance applies to all schools and educational settings (maintained, community, voluntary aided, academies and free schools)

**This guidance will support Headteachers to handle potential teaching/support staffing matters that may arise due to the Coronavirus and as a result of the closure of their schools on 20<sup>th</sup> March for the foreseeable future for everyone apart from the children of critical workers and the most vulnerable children.**

There is guidance from the government on schools temporarily closing:

<https://www.gov.uk/government/publications/covid-19-school-closures/guidance-for-schools-about-temporarily-closing>

On the 23<sup>rd</sup> March published new measures on [staying at home and away from others](#) to reduce the spread of coronavirus.

1. Requiring people to stay at home, except for very limited purposes
2. Closing non-essential shops and community spaces
3. Stopping all gatherings of more than two people in public

Some school staff, particularly those in frontline roles, may still be required to work to provide care for a limited number of children - children who are vulnerable, and children whose parents are critical to the COVID-19 response and cannot be safely cared for at home. Headteachers must do everything possible to protect those staff in vital roles.

If these teaching/support staff become sick or unfit for work they should remain at home, rather than come into the workplace or work from home. They need to focus on their recovery. It would be a wise precaution to send home, at the earliest opportunity, any teaching/support staff who are displaying flu-like signs / symptoms, as retaining sick staff in the confines of a workplace will increase the likelihood of further spread of the virus.

Teaching/support staff who are not required or not able to work at the school due to self-isolating should work from home, where possible in order to slow the spread of the coronavirus, which will help to manage the pressure on the NHS.

Please ensure that all teaching/support staff are kept informed of the latest government advice through school staff Bulletins. All Teaching/support staff must read and comply with that guidance.

## 1. What are the symptoms of the coronavirus?

The symptoms of the coronavirus are:

- A high temperature
- A new, continuous cough
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These symptoms do not necessarily mean someone has the illness.

The NHS have set out further details of symptoms here: [Coronavirus \(COVID-19\)](#) (see symptoms and what to do).

## 2. Who should self-isolate?

Government guidance changed on 16<sup>th</sup> March 2020. This now states the following on self isolation:

- If you live alone and you have symptoms of coronavirus illness (COVID-19), however mild, stay at home for 7 days from when your symptoms started. If you still have a high temperature after 7 days, keep self-isolating until your temperature returns to normal.
- If you live with others and you or one of them have symptoms of coronavirus, then all household members must stay at home and not leave the house for **14 days**. The 14-day period starts from the day when the first person in the house became ill
- For anyone in the household who starts displaying symptoms, they need to stay at home for 7 days from when the symptoms appeared, regardless of what day they are on in the original 14 day isolation period. (See [ending isolation](#) section below for more information)

**Advise Teaching/support staff not go to a GP surgery, pharmacy or hospital.**

They do not need to contact 111 to tell them that they are staying at home.

**Advise them to only use the [NHS 111 online coronavirus service](#) if:**

- they feel you cannot cope with their symptoms at home
- their condition gets worse
- their symptoms do not get better after 7 days
- Only call 111 if they cannot get help online.

If a teacher or support staff has been diagnosed as having or is displaying symptoms of coronavirus, please refer them to government guidance on [staying at home](#) for information about why this is important and how best to manage it.

All government guidance on Covid-19 is available here:

<https://www.gov.uk/coronavirus>

Guidance specific to schools & other educational settings is here:

[https://www.gov.uk/government/collections/coronavirus-covid-19-guidance-for-schools-and-other-educational-settings?utm\\_source=4e31e896-e423-42b1-bc76-](https://www.gov.uk/government/collections/coronavirus-covid-19-guidance-for-schools-and-other-educational-settings?utm_source=4e31e896-e423-42b1-bc76-)

### **3. Can a Headteacher instruct someone to self-isolate?**

If an employee has a high temperature or new, continuous cough, then they should be instructed not to attend work. They should self-isolate as set out in section 1 above.

The government's [stay at home guidance](#) provides useful information about why you need to self-isolate and how to manage this.

Employees must comply with advice from managers aimed at containing the virus and/or actions associated with contingency plans.

### **4. If an employee has been advised to self-isolate...**

- **but they are not sick, what sort of leave is this?**

Where possible, the employee should work from home. For teaching/support staff that are able to do this contingency measures include Headteachers/Business Managers checking that they are set up to work from home. Contact your ICT provider should you need to discuss anything regarding this.

If the employee is not able to work from home because of the nature of their duties, then this would be special paid leave. Business Managers must ensure that this leave is recorded on iTrent as Special Leave (Paid) under 'Covid-19 self-isolation' or on an alternative database as special paid leave related to coronavirus.

- **and they are sick, what sort of leave is this?**

This would be sick leave. The normal sickness procedure applies as stated in the Green Book (support staff) and Burgundy Book (teaching staff). Academies and other education settings will follow their own sickness absence procedures. Teaching/support staff are required to provide medical certification, where it is not possible to get a medical certificate, exceptions will be considered. However, the Government has now set up a digital method for obtaining evidence of sickness absence or the need to self-isolate.

Business Managers must record sickness on iTrent as Sickness under 'Covid-19 or an alternative database indicating the sickness absence is due to Covid-19

The Government has now announced that Statutory Sick Pay will be paid from the first day of sickness absence rather than from the fourth, this will apply retrospectively from 13 March. The change will be included in emergency legislation to deal with coronavirus and will impact directly on organisations that have diverged from the Green Book sickness scheme by not paying for the first three days of absence. Education settings that have a sick pay policy more generous than SSP, this will take precedence.

Business Managers are urged to record the actual reason for absence, especially under these exceptional circumstances. This is important for monitoring purposes,

and illness connected with coronavirus will not contribute to triggering sickness absence procedures.

- **How to record COVID-19 related absence on iTrent**

Due to the current situation, [iTrent](#) has been updated with the following additional absence reasons so that Covid-19-related absence can be recorded and monitored.

### **Sickness**

Covid-19 Sickness.

### **'Other' absence**

Special Leave (Paid) – Covid-19 Dependency leave.

Special Leave (Paid) – Covid-19 Self-isolation.

Special Leave (Paid) – Covid-19 Service closure.

Absence is recorded on the system as follows:

- To record sickness: Click **Add New Sickness Dates** > find and select the employee > enter the sickness dates and reason > click **Save**.  
or
- To record 'other' 'Covid-19'-related absence: Click **Add 'Other' Absence Details** > find and select the employee > enter the absence dates and reason > click **Save**.

If you have any queries, please e-mail [payroll@learningtrust.co.uk](mailto:payroll@learningtrust.co.uk).

## **5. If an employee 'self isolates' without discussing this with their manager and getting agreement, what sort of leave is this?**

Fear of contracting the virus is not a valid reason to not attend work. This is likely to be unpaid leave or could in some cases, result in disciplinary action. Headteachers can ask for any evidence to confirm the reason for absence. However, it will probably not be possible in all cases for an employee to produce any evidence, so employers will need to use their discretion when trying to establish the facts behind the employee's decision to self-isolate.

Headteachers may choose to be flexible and allow a concerned employee to cover the leave in other ways, however in a school environment this could be difficult. Teaching/support staff who are employed to work 52 weeks a year, annual leave could be considered. Note also that some teaching/support staff may be particularly vulnerable and therefore particularly concerned, Headteachers should refer to Q6

## **6. Should there be special provisions for people particularly at risk?**

People at particular risk includes those with weakened immune systems, older workers, and workers with long term conditions like diabetes, cancer and chronic lung disease. Pregnant employees and disabled staff have also been identified as

being at an increased risk. Government Guidance has been issued which supports this view and this can be accessed at the link below.

<https://www.gov.uk/government/publications/covid-19-guidance-on-social-distancing-and-for-vulnerable-people/guidance-on-social-distancing-for-everyone-in-the-uk-and-protecting-older-people-and-vulnerable-adults>

Teachers/support staff should discuss any underlying conditions with their Headteacher as a **matter of urgency** so that appropriate arrangements can be made in line with Government advice. Which advises that those who are at increased risk of severe illness to be particularly stringent in following social distancing measures. These measures are detailed in the link above. Headteachers are strongly advised to follow these measures and allow working from home. If working from home cannot be accommodated special leave with pay should be considered.

Particularly for those:

- who are pregnant
- who have an underlying health condition
- who are over 70

Clear guidance has not been given for employees who live with and/or care for those who are particularly at risk. However we recommend that Headteachers take seriously any request to practice social distancing sensitively.

The [staying at home guidance](#) provides further information if staff have a vulnerable person living with them.

NB: Pregnant employees

In the absence of a MATB1, pregnant teaching/support staff should be asked for an application for Maternity Leave with the expected date of confinement being accepted if she cannot obtain a certificate of expected confinement due to surgeries / clinics being inundated with callers.

#### **7. If an employee is confirmed as having the coronavirus, what should their colleagues be told?**

Colleagues can be told that someone has been confirmed with coronavirus, but not who. This is confidential medical information. Teaching/support staff do not need to take action except for following advice from the NHS and Public Health England. The latest advice is here [Coronavirus \(COVID-19\): latest information and advice](#)

#### **8. If a staff members child's school closes what support is in place?**

Teaching and support staff are critical workers and therefore their children will have access to attend an educational setting. The expectation is that they attend work as required. It is acknowledged that all schools may not open and public transport may be a concern. All situations must be considered sensitively and home working and dependency leave related to coronavirus leave may be granted where warranted.

**9. What are the provisions if a teacher/support staff is unable to attend work for a reason related to coronavirus (COVID-19) but they are not unwell?**

If a teacher/support staff is required to self-isolate or is caring for someone with coronavirus (COVID-19) then the guidance in Q2 applies

**10. The risk of racial harassment has increased with the coronavirus. What should Headteachers and colleagues do?**

Headteachers and colleagues should be vigilant and take immediate action to prevent harassment. Harassment on any grounds is unacceptable and could result in disciplinary action.

**11. What are the appropriate steps if someone becomes unwell at work?**

In this case, please refer to advice set out in [the DfE's Covid-19, guidance for educational settings](#).

**12. Do Headteachers have up to date emergency contact numbers for their Teaching/support staff?**

Headteachers should make sure that everyone's contact number and emergency contact details are up to date.

**13. If it is agreed that an employee will work from home for an extended period, what are the key considerations?**

- Is the space sufficiently noise and interruption free?
- Will it be necessary to transport equipment or files?
  - If yes: can this be done safely:
  - Can the load be reduced?
- Are you able to have conversations that are sensitive and confidential without being overheard?

**14. How should I manage staff who are well but unable to work because a medical condition places them at a higher risk?**

**Key considerations include:**

- Employees should work from home if this is possible.
- Keep in touch. Agree how with them. Ideally you will have an email address that enables you to share updates with them (including on Covid-19) and a phone number where you can keep in touch in person.
- Check in on them regularly (giving some consideration to their circumstances e.g. do they live alone?).
- Remind them of other channels of communication such as the Trade Union and NHS 111.
- Review their circumstances regularly in line with guidance and let them know as things change.

- Take account of their views when decisions are taken
- Get them back to work as soon as possible if the risk can be mitigated. If the return to work includes health and safety precautions or equipment protocols, make sure these are made very clear to them.

Make sure they know:

- Where to get support, including the school's [Employee Assistance programme](#).
- That the school's normal employment procedures apply and they must follow normal procedures and [such as sickness absence notification](#) in the usual way.
- They must remain available to work and contactable about work related matters during normal working hours. They must return to work to undertake their job (once the risk level is acceptable) or other duties where the risk can be mitigated.
- They may not engage in other work (paid or voluntary) without the express agreement of their service head.
- Tell them any specific conditions associated with their circumstances e.g. where someone is pregnant, the arrangement will end when the maternity leave begins. Maternity leave may trigger four weeks before the baby is due.

#### **15. Can I use the Occupational Health Service to inform decisions related to the Covid-19?**

- The position on COVID-19 is changing continually and you must keep abreast of updates on the relevant services for schools website and follow any advice given. Headteachers should follow the guidelines regarding self-isolation for vulnerable workers.
- Headteachers may be assessing the level of risk posed by COVID-19 to individual employees and should speak with them. Individuals with underlying health conditions may still be asked to come to their normal place of work, and be placed on restricted duties or home working, or if this is not possible –they be asked to stay at home. Advice can be sought from the school's Occupational Health provider if required. Employees cannot call the Occupational Health Service for advice themselves. If they need **medical** advice they should contact their GP or NHS 111.

#### **16. How can headteachers support staff during the coronavirus emergency**

If a headteacher is concerned about how any staff member is coping with the coronavirus emergency, they may choose to refer them to the school's Employee Assistant Programme.

#### **17. I have an employee abroad who cannot return. What should I do?**

If the employee can work from abroad, they should be given work to do if possible. The school understands that this is entirely out of the employee's control, so as long as in the opinion of the manager, they are acting reasonably and making every effort to return, this should be treated as special paid leave. If the manager wishes to take another course of action, they **MUST** contact their HR Business Partner beforehand.

## **18. What about apprentices whose contracts are due to end and they cannot complete their studies?**

If you are currently employing an apprentice, get in touch with the training provider and see what arrangements are in place to complete the programme. The ESFA along with IFATE and Ofqual, are introducing flexibilities to enable apprentices to complete their apprenticeship in the event of disruption to assessment, either separately to, or as well as, disruption to training and employment.

We recommend that apprentices who are no longer able to come in to work due to Coronavirus are supported to complete work from home wherever possible, including their training. Most training providers are set up to deliver training remotely. Where the Coronavirus situation is making it more difficult for apprentices to complete their qualification before their planned contract end date, we recommend a contract extension and if necessary a break in learning. Your training provider will be able to advise you on this. Your apprentices should continue to be employed and paid during any break in learning. Please review the [Government guidance](#) which includes very helpful FAQs.

If you are a maintained community school, please report any breaks in learning to the Apprenticeship team by emailing [Apprenticeships@Hackney.gov.uk](mailto:Apprenticeships@Hackney.gov.uk) or alternatively, the HLT OD Lead, [Tpavlovsky@learningtrust.co.uk](mailto:Tpavlovsky@learningtrust.co.uk)

## **19. What should we do about pay for agency workers?**

We are mindful of government advice to support jobs and people in employment, even if the need for those staff reduces or stops. This is an issue and guidance has advised that these staff should still be paid. Although it is the schools decision and dependent on local circumstances, we would advise that an agency worker (including both teaching and support staff) will remain entitled to be paid up until the 3<sup>rd</sup> April 2020 in the first instance, as stated in previous guidance. If they have worked at your school for 12 weeks or more then payment should be honoured until the end of the original agreement. E.g. if the original agreement was until the end of the Summer term this should be honoured or if a worker was brought into cover absence for a week, then they would remain entitled only to be paid until the end of that week.

Agency staff may work from home if possible, in line with the arrangements for the rest of the workforce.

Schools are not the employer of the agency workers and agency workers should be referred to their employing agency to determine their arrangements for pay in terms of self-isolation and sickness.

If the agency worker has not worked continuously for 12 weeks and you require any further advice regarding this matter please contact your HR Business Partner/Advisor.

## **20. What are the pay arrangements for casual/sessional/zero hours employees? Are we going to get paid if our usual work is not required?**

Casual workers and zero hour contract employees engaged directly by the school on the PAYE scheme will be paid a 3 month average of their recent pay until further notice. The pay for December 2019, January 2020 and February 2020 will be added together, divided by three and that amount will be paid until further notice.

If workers work in excess of this amount, they will be paid the additional amount. Headteachers/Business Managers would need to advise payroll in this instance.

Exceptions (for instance if your December, January and February pay is not a reasonable reflection of your long term average pay) will be considered on a case by case basis.

If your usual work is not available, you may be redeployed to other duties as required.

## **21. How will I get the evidence that my child's school will be required to accept my child while I am at work?**

We have drafted a template for Headteachers who will need to fill this out on behalf of each member of staff whose children will still need to attend school. Please contact your HR Business Partner/Advisor.

## **22. How will measures affect HR processes and events**

### **HR Processes – Disciplinary, Grievance, Sickness and others**

All non-urgent processes must be postponed. Urgent disciplinary, grievance and sickness management will continue. Timescales and investigations will take longer than usual and only urgent issues will be prioritised. Headteachers will reasonably determine what is urgent in line with their HR Advisor. An urgent case is likely to be a case of gross misconduct/safeguarding.

### **Organisational change – restructures**

Non-critical restructures being planned must be postponed. Restructures in progress may be paused by Headteachers at their discretion. To allow for meaningful consultation, minimum consultation periods for restructures that go ahead will be extended. A minimum of 30 days must be allowed for consultation (increased from 14 days). This applies to new and existing consultations in progress, but not to restructures where consultation has already finished.

### **Notices of redundancy**

Notices of redundancy that have already been issued remain unchanged.

### **Recruitment**

Non-essential recruitment to all posts must be postponed. There may be practical difficulties arranging interviews and assessment. Where practicable, alternative tools can be used to interview staff if essential.

## **Payroll**

Payroll will run normally and employees will continue to be paid as usual. Payroll are fully set up to work remotely and existing communication routes to payroll remain open.

## **For support staff working 52 weeks a year and carrying forward more than 5 days leave**

In **exceptional** circumstances, more than 5 days leave may be carried forward. Requests must be made in writing and will require approval from the Headteacher. Ideally, Headteachers should agree when the carried forward leave will be taken at approval stage (normally by September).

## **23. Voluntary Aided Schools, Free Schools and Academies**

Please refer to your Leave policies and Sickness Absence schemes.

**Additional information can be accessed as stated below**

<https://www.gov.uk/government/publications/guidance-to-educational-settings-about-covid-19/guidance-to-educational-settings-about-covid-19>

[www.ldbs.co.uk/coronavirus](http://www.ldbs.co.uk/coronavirus)

<https://www.local.gov.uk/coronavirus-information-councils>

**DfE Coronavirus helpline on 0800 046 8687 (8am – 6pm Monday to Friday)**

If you wish to discuss matters further please do not hesitate to contact your HR Business Partner / Advisor