

FAQs: Covid-19 Virus and Staffing Issues

By Education HR Service

4 May 2020 (updates from 27 April version in blue)

Please find below a range of FAQs related only to staffing matters.

A range of model letters are also available – which will need to be amended according to local circumstances/decision. With special thanks to Kate for sharing.

[Letters and example declaration form have been updated in line with updates to FAQs.](#)

On general matters related to Covid-19, schools should follow Government and Public Health England [advice](#) and Local Authority advice which is updated regularly. Schools should contact Schools.Communication@essex.gov.uk (or home Local Authority) for information and advice.

We are in an unprecedented situation and this HR advice is based on the information available, which is limited in some areas, and our professional judgements.

Employees (staff on contracts of employment)

1	A member of my staff has contracted the Covid-19 Virus	<p>They are sick and entitled to contractual sick pay under their contract of employment. They should complete a self-certificate as soon as possible.</p> <p>Where a teacher can reasonably show that the virus was contracted in the course of their employment, they may be entitled to full pay which is not sick pay.</p> <p>It may be difficult to demonstrate where an employee contracted the virus.</p> <p>It is unlikely that they will be able to provide a Fit Note from Day 8 as usually required, as GPs are not seeing patients.</p> <p>Employees can now obtain an isolation certificate https://111.nhs.uk/covid-19 and should be asked to submit a copy to the school. This should be kept on the personal file.</p> <p>Staff should notify the school when they are fit to work.</p>
1a	A member of staff is showing symptoms of Covid-19 and is self-isolating in accordance with medical/government advice	<p>The employee must not attend the workplace for at least 7 days and in line with NHS advice (see link at question 1). If they are well enough, and able, they can work from home.</p>

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	<p>https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-advice/</p>	<p>If they cannot work from home they should obtain an isolation note and submit a copy to the school. This should be kept on the personal file. https://111.nhs.uk/isolation-note/</p> <p>Staff are absent under the “contact with infectious diseases provisions” under the Terms and Conditions for Teachers and Support Staff (Burgundy and Green Books). The provisions for each are slightly different:</p> <ul style="list-style-type: none"> • Burgundy Book – sick pay in line with their contractual entitlement* • Green Book - normal pay (not sick pay) <p>*NB sick pay in these circumstances is not counted for any future sickness entitlement and for most will be full pay.</p>
2	<p>A member of my staff is self-isolating on medical/government advice because they are living with someone who is showing symptoms of coronavirus https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-advice/</p>	<p>The employee must not attend the workplace for at least 14 days and then in line with NHS advice (see link in first column).</p> <p>They should be asked to complete a self-declaration – template available.</p> <p>Wherever possible staff in this group should work from home as they are not themselves ill.</p> <p>If they cannot work from home, they should obtain an isolation note and should submit a copy to the school. This should be kept on the personal file. https://111.nhs.uk/isolation-note/</p> <p>Staff are absent under the “contact with infectious diseases provisions” under the Terms and Conditions for Teachers and Support Staff (Burgundy and Green Books). The provisions for each are slightly different:</p> <ul style="list-style-type: none"> • Burgundy Book – sick pay in line with their contractual entitlement* • Green Book - normal pay (not sick pay) <p>*NB sick pay in these circumstances is not counted for any future sickness entitlement and for most will be full pay.</p>

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		<p>However, given the current position of full and partial school closures, and the fact that teachers will largely be working from home if self-isolating, it is reasonable to ensure teachers remain on full pay during the duration of their isolation (i.e. not reducing those with limited service to half pay if self-isolation extends beyond their sick pay entitlement).</p> <p>Once the employee has completed the recommended period of self-isolation they will be returning to work unless it is confirmed that they have contracted the virus, in which case sick pay, in accordance with 1 above, will apply.</p>
3	<p>I have employees in the “at risk group” i.e. who:</p> <ul style="list-style-type: none"> • Are aged 70+ • have underlying health issues, as listed by the Government https://www.nhs.uk/conditions/coronavirus-covid-19/advice-for-people-at-high-risk/ • are pregnant <p>See also 3c – extremely high risk groups</p>	<p>This group are advised to only leave home for essential purposes and follow strict social distancing guidelines. Therefore, such staff should work at home wherever possible.</p> <p>See separate guidance on pregnancy.</p> <p>There are currently no fixed timescales on how long these measures should apply.</p> <p>These staff will fall under the conditions in 2. Above for pay.</p> <p>Staff in this category should be asked to complete a self-declaration – template available. This should be kept on the personal file.</p> <p>Schools should update the Pregnancy Risk Assessment to confirm the employee has gone into self-isolation.</p>
3a	<p>We have employees in the “at risk group” who wants to attend for work. What is the position?</p>	<p>The general advice applies, that they should not leave home unless essential and so long as the strictest social distancing measures can be applied.</p>
3b	<p>We have a member of staff who wants to self-isolate to protect a person in their household who is in the “at risk” group. What is the position?</p>	<p>The Government advice is that those living with at risk groups, even the most vulnerable groups (see 3c) do not themselves need to operate “shielding” but should follow the general advice, including strict social distancing measures.</p>

		<p>Therefore, wherever possible schools should enable staff in this group to work from home and only if they are <u>absolutely essential</u> to maintaining the required school provision should they be asked to attend work (and follow Government Guidelines about social distancing at home).</p> <p>There are currently no fixed timescales on how long these measures should apply.</p> <p>Schools will have to look at how best to distribute work as evenly as possible between those at school and those working from home.</p> <p>Staff should be asked to complete a self-declaration – template available.</p> <p>Pay will be in line with that set out in 1-3 above.</p>
3c	<p>We have a member of staff who falls into the extremely vulnerable group. https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19 What is the position?</p>	<p>Individuals classed as extremely vulnerable will receive a letter from the NHS and should “shield” for at least 12 weeks from receipt of the letter.</p> <p>This means they should not leave the house for any reason and <u>must not</u> attend work. Where possible they should work from home.</p> <p>Staff should be asked to complete a self-declaration – template available.</p> <p>Pay will be in line with that set out in 1-3 above.</p>
3d	<p>Generally, how many and which staff should we be asking to come into school?</p>	<p>(See 9a).</p>
4	<p>I have employees who are self-isolating because they are worried but are not covered by the conditions in 2. and 3. above (i.e. not on medical or Government advice).</p>	<p>Technically such staff are on unauthorised absence and should not be paid. They should be advised to come to work.</p> <p>However, it will be very difficult to distinguish those who are self-isolating on advice/for genuine reasons and those who are not – as there will be little chance of getting medical evidence.</p> <p>Schools will have to do their best to explore the circumstances of them being off and advise/act accordingly.</p>

4a	I have an employee who is living with an NHS worker and does not want to attend work to protect them. What is the position?	<p>This situation does not meet the criteria for self-isolation and as key workers themselves, they should attend work if required and should exercise social distancing at work and at home as far as possible.</p> <p>They could be deemed to be on unauthorised absence as in 4 above if they refuse, however schools should only be requiring staff to attend when needed, and most often this means on a rota basis, so should aim to accommodate working from home for these staff wherever possible. Schools should have particular regard to the individual circumstances e.g. there is a much more significant risk to the person they live with, to them and to the school for someone living with a Doctor/Nurse on the front line dealing with Covid patients, than there is for some other NHS workers.</p>
5	I have staff who regularly work additional hours – what is their entitlement?	<p>If hours are contractual (i.e. expected) and/or regular – they should be included in the calculation for sick pay / pay during self-isolation / full pay in the event of closure (See also 11. (casual staff) and School Closure Section). Ad hoc additional hours need not be paid during any absence.</p>

Child/Elder care

6	I have employees absent because their child has symptoms related to Covid-19 or has the Virus	<p>If their child is sick, the parent/employee has to self-isolate. In this case they will fall under the conditions in 2 above (self-isolation).</p> <p>Where a school becomes aware that an employee is at risk, due to contact with someone at home who is showing symptoms they should insist that the person self-isolate at 2 above.</p>
7	Staff are not attending for work due to childcare breakdown – what is the position?	<p>Schools should explore all available options such as flexible working, working from home, annual leave etc. for those that have private childcare i.e. not Nursery or School provision which are remaining open for Critical Workers.</p> <p>The Government has confirmed that school staff are Critical Workers and schools are not closed for vulnerable children and critical worker children.</p> <p>Staff are therefore in breach of contract if they refuse to come to work during term-time if required to do so and/or</p>

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		<p>because they refuse to put their children in available provision, (if not in a self-isolation category or sick themselves) and schools should deal with this in the usual way. The member of staff will be on unauthorised unpaid absence and could face Disciplinary action. Education staff are classified as critical workers and as such should access provision for their children in schools, if they need supervision of their own child/ren and are required to attend for work.</p> <p>In cases where children have two parents, especially where one is a critical worker, the family is expected to manage their arrangements to enable the critical worker to work where required.</p> <p>Schools are however, unlikely to need all staff to attend and the Government has clarified that Critical Workers should only send their children to school if necessary. A flexible and pragmatic approach is therefore required on needs basis.</p> <p>Where working at home is an option, it is expected that schools will be flexible with staff who are working from home whilst looking after children. Only where staff refuse to do any work should they be considered as on unpaid leave of absence. (see also School Closure Section).</p>
8	I have an employee who is off to look after elderly relatives.	<p>Normal leave of absence rules apply (see 7.), unless the relative is sick and the employee is self-isolating because of contact with them (so self-isolating rules apply).</p> <p>Again it may be difficult to distinguish those who are isolating because of contact with a sick person and those who just “want” to look after a relative and schools will have to do their best to ascertain the exact position.</p>

School closures

It has now been confirmed that schools will be closed to most pupils but will remain open for children of critical workers and vulnerable children.

9	What is the position with pay for staff if the school closes entirely or staff are not required to work due to reduced pupil numbers?	<p>If the school closes entirely or staff are not required to attend to work with the reduced pupil numbers, all contracted staff are entitled to be paid full pay.</p> <p>Wherever possible these staff <u>should carry on working at home</u>. (See also 9a below)</p>
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9a	<p>As the school is remaining open for children of critical workers and vulnerable children, how do we decide who will need to attend the workplace?</p>	<p>The general principle is that all staff are still employed and can be required to attend work. School staff are Critical Workers and so will have provision for their childcare at schools and nurseries. However, there are of course some who cannot attend due to being required to self-isolate, or having non-school/nursery based childcare and the Government advice is to only use these facilities if necessary.</p> <p>Schools will need to follow Government advice about the type of provision to be offered to the students attending school, and this will to a certain extent determine the staffing required. Additionally, the type of provision offered, may be dictated by the availability of relevant staff.</p> <p>Daily staffing levels in schools should be the smallest number of staff required to manage the number of children in school safely, alongside necessary support staff (e.g. catering, cleaning, site staff). Minimal office staff may need to attend as and when if essential activities cannot be carried out from home.</p> <p>In terms of who should attend/be put on rotas, those who are in the at risk groups or living with those in at risk groups, should not be placed on rotas where there are sufficient other staff outside these categories to maintain provision. Essential attendance (See Qs 3, 3a, 3b, 3c) means that no other person is available to meet minimum requirements. Schools should be similarly mindful of those living with key NHS workers when setting rotas (see 4a).</p> <p>Some staff may attend occasionally e.g. to carry out welfare check phone calls/access necessary records that cannot be done from home, but should not be asked to attend the school to carry out ad-hoc non-essential activities such as classroom preparation, clearing out etc.</p>
9b	<p>Can staff be asked to undertake different roles?</p>	<p>Yes. Flexibility is essential at this time and staff may need to be re-deployed to meet needs. Any temporary re-assignment of roles/tasks must be within the area of competence of the individual.</p>

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10	What is the position of staff who were off sick and/or self-isolating prior to the closure?	<p>If staff are on self-isolation or sick pay when the school closes, technically they remain on this until they notify the school that they are out of isolation / fit to attend work.</p> <p>Once they are fit, 9. above will apply.</p>
10a	<p>We have staff who have been on long term sick who are now saying they are fit to return but in self-isolation. What is the position?</p>	<p>Usually an employee can return to work on the expiry of a Fit Note without a further visit to the GP, although in cases of long term absence, the school would normally make a referral to Occupational Health prior to the persons return. Visits to Occupational Health are not possible at present but they may be able to provide some advice via telephone consultations. We need to be aware of demand and only refer cases where absolutely needed. This could mean that there is no way of verifying their fitness to work.</p> <p>Staff in self-isolation should be required to work from home and this should apply here. Schools will need to assess what work would be relevant considering their previous period of absence. After the 12 week isolation period they should return to work as required. If the person refuses to work from home/return to work they will be on unauthorised unpaid leave.</p> <p>Staff should be required to keep in regular contact with the school.</p> <p>These cases are likely to raise issues about sick pay entitlements in the future, once this crisis is over.</p>
10b	<p>We have an employee on/requesting a phased return following a period of sickness absence. How should this be managed?</p>	<p>Clearly very few roles are operating normally at the moment, so it will be case of discussing what the employee is able to do in the context of what is needed at the current time (i.e. attending school, working from home, no work available). Phased returns should have a limited timescale (usually no longer than 6 weeks) with a gradual increase in work. In most cases staff are likely to be able to return to “full capacity” relatively quickly, bearing in mind that full capacity at this time is reduced from normal.</p> <p>It is hoped that as they will have a longer recovery time during this reduced operating period, they will be fit for full duties once normal operations resume. However, it may be, in some cases, that when operations return to normal, a further discussion will need to take place about their capacity to work at full normal level.</p>

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Casual/Supply Staff

11	The school had “booked” a supply teacher/casual cover and they now say they will not come into school – do I have to pay them?	<p>No – if they chose not to come to work they are not entitled to be paid.</p> <p>It does not matter the reasons they will not attend – they are not employees and therefore not entitled to be paid.</p> <p>The Government has announced changes to Statutory Sick Pay (SSP) – but those who don’t earn enough and workers (as opposed to employees) are still not eligible.</p>
12	<p>If the school closes, and the casual workers are no longer required – what is the position?</p> <p>(See also 13a)</p>	<p>If the person is “booked” in advance to work on a particular day/for a particular period (and the school pays them directly) they should be paid for any period they were promised work.</p> <p>In terms of calculating the amount of pay:</p> <ul style="list-style-type: none"> • If the work was regular and/or fixed hours were “booked” – pay the amount of those hours. • If hours are more variable either look at corresponding months in previous year or an average over the preceeding 12 working weeks whichever is the highest. <p>If they have worked for less than a year you can claim for an average of the monthly earnings since they started work with you.</p>
13	We have a breakfast club where staff are not on a contract (i.e. on an “as and when” arrangement) but work regularly every week. What is the position?	<p>They should be paid at least in the short term (as a “contract” is in place i.e. a promise of work). However, if the closure goes on for an extended period the school could give notice that hours will no longer be required (eg after Easter). As in 12, this may carry a risk especially if the staff have worked regularly for an extended period.</p> <p>(See also 26 - Furlough)</p>
13a	What is the position with Invigilators?	<p>The general principle is that schools should honour promises of work and pay those who have already been “booked” to work and those who have a reasonable expectation of this work (i.e who have worked regularly in this position). Payment for these staff will have been budgeted for and school funding continues.</p> <p>Such staff could be asked to do reasonable alternative activities – in keeping with the role of invigilation e.g</p>

		<p>supervising students in study. Schools will be best placed to determine what are reasonable comparative activities.</p>
14	<p>What is the position with Agency Staff?</p>	<p>Where schools have booked an agency worker for an assignment, this should be honoured, and payment made to the Agency. Schools can of course deploy such agency staff to work.</p> <p>The Government Cabinet Office has issued guidance to public sector employers urging them to maintain contracts to avoid putting suppliers at risk and to ensure continuity during and after the current crisis and this has recently been updated. https://www.gov.uk/government/publications/procurement-policy-note-0220-supplier-relief-due-to-covid-19</p> <p>The expectation remains that schools continue to pay agencies for pre-booked assignments and re-instate any that they have cancelled as a direct result of Covid 19 (so long as the agency has not furloughed the worker).</p> <p>Where the agency worker is performing work under the assignment they should be paid as usual by the agency (who in turn should be paid as usual by the school).</p> <p>However where there is no work available there are new payment expectations. The guidance now says that where there is no work available for the worker to do under the assignment, the agency worker should be paid 80% of the pay they would have been due under the assignment (subject to a cap of £2,500 per month) – and therefore the school should pay a similar percentage of the normal fees to the agency.</p> <p>These arrangements only cover assignments which were live at the point of school closure and for the agreed duration of that assignment. There is no requirement to extend the assignment or offer new assignments.</p> <p>Where Supply Agencies have no new assignments to allocate staff to, they can furlough their workers. https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care</p>

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		<p>The Government has confirmed that directly employed supply teachers are not eligible for furlough.</p> <p>https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care</p>
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Other questions

15	<p>We employ a foreign national who wishes to return to their home country. They are likely to be away for a long time. What is the position?</p>	<p>If an employee is self isolating or the school closes they are expected, wherever possible, to work from home and/or be available to work, as required.</p> <p>Where an employee leaves the country, and are not therefore available for work they should be granted unpaid leave of absence. This situation cannot run indefinitely and schools will need to review once we have a clearer idea of the duration of isolation/closure.</p> <p>Staff from overseas who have immigration concerns should follow government guidance about visas and immigration. Extensions are being granted for those whose visa expires up to 31 May 2020 and cannot return home.</p>
16	<p>We have an employee who is due to go on maternity leave but has been advised to self-isolate. What is the position?</p>	<p>The same rules apply as for other staff (see 2.) up until the day they have started their commencement of maternity leave. Schools may need to be flexible on the receipt of MATB1s and accept the employees stated Expected Date of Childbirth.</p> <p>For clarity you cannot require someone to commence their maternity leave early unless they have a <u>pregnancy related</u> illness from four weeks before the Expected Date of Childbirth.</p>
16 a	<p>A pregnant employee wants to change the date her maternity leave is to start, given that she will not be attending work due to isolation.</p>	<p>Employees can change the date they wish to start their maternity leave subject to giving the required notice. Notice required is 28 days prior to the original date given by the employee for their maternity leave to start, or 28 days before the new date whichever is sooner.</p>

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17	Home Working	<p>Where employees are working from home schools will need to:</p> <ul style="list-style-type: none"> • be clear about methods of communication to, from and between employees • remind staff about the need for security and confidentiality of information/papers that may be taken home • ensure IT systems are robust and secure <p>More detailed guidance is now available on home working.</p>
18	We have a new member of staff due to start next week/after Easter – what is the position?	<p>If you have offered employment and this has been accepted, you have made a contract. Even if the offer is conditional (e.g. upon pre-employment checks), closure/partial closure of school is not one of those conditions.</p> <p>Clearly, in many cases the employee will have resigned from another position and be expecting to receive a salary from you.</p> <p>While the new staff may not actually be able to attend for work, you will need to do what you can to provide them with information and work that they can do remotely e.g. getting familiar with policies and procedures, lesson planning and preparation etc.</p> <p>If schools consider withdrawing the offer or deferring the start date of such employees (e.g. until September) this will carry risk of a claim for breach of contract. The consequences could be a requirement on the school to pay for the deferred period and potentially where relevant, compensation for loss of continuous service and pension benefits.</p> <p>The DfE “does not expect schools to rescind offers of employment for new teaching or support staff due to financial implications relating to coronavirus (COVID-19). Schools will continue to receive their budgets for the coming year as usual, regardless of any periods of partial or complete closure. This will ensure that they are able to continue to pay for staff and meet their other regular financial commitments.”</p>
19 NEW	Schools are being asked to consider opening on the May Bank Holiday – what is the position with staff?	<p>The Government has said:</p> <p><i>“Schools should decide, in consultation with the parents of children who are currently attending school, whether it is necessary for them to continue to look after critical workers’ children and vulnerable children on Friday 8 May 2020.”</i></p>

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		<p>Staff cannot be compelled to attend work on a Bank Holiday so the availability of volunteers to do so will be a consideration. In terms of pay, schools will need to consider a reasonable approach. Staff who are not working “normal hours” during the week as they are not required to attend school and/or cannot work from home, could be asked on a voluntary basis to work those hours in exchange for the “time off in lieu” they are already having during the weeks of partial closure.</p> <p>However, technically staff working on Bank Holidays are entitled to be paid for the hours they work and if this is agreed:</p> <ul style="list-style-type: none"> • Teachers terms do not address pay for work on a bank holiday as it is not expected, so should be paid at least for hours worked at their normal hourly rate. • Support staff terms will vary but they should be paid for hours worked and whatever enhancement is due under their specific conditions of employment. In Essex this is a lump sum payment of £18.84 where up to 3 hours are worked and £33.89 where between 3 and 6 hours are worked. For Essex Payroll claim 1 hour @ the lump sum rate using BPP on you e-payroll absence and additional hours batche.
20	What if staff refuse to work as they would not normally work during school closures?	<p>Schools cannot insist that staff work during school closures if they are not contracted to do so.</p> <p>Schools will need to ask for volunteers and work collaboratively as far as possible to achieve required staffing numbers.</p>
21	We have staff on fixed term contracts which are coming to an end in August – how do we manage this?	<p>You need to follow the usual guidance on ending <u>fixed term contracts</u>. In most cases it may not be possible to have face to face meetings, in which case you will need to explain the situation by telephone/letter.</p> <p>Schools are advised against seeking to terminate fixed term contracts early because of the current position. The reason for the termination must be valid, and if in response to a diminished need due to the Covid-19 situation, this will be redundancy.</p> <p>In these cases, it may be viewed as treating fixed term workers less favourably if you only identify them as being at risk.</p>

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		<p>In any case, schools should be mindful of the need to maintain a flexible workforce during this period. As more staff have to self-isolate or become ill, you may need others to assist in maintaining provision.</p>
22	<p>What is the position with current employee relations issues such as disciplinary and capability cases?</p>	<p>In theory, these could proceed, with procedures being actioned through email, telephone, letters etc. with the consent of both parties. It will depend to some extent on where you are in the process.</p> <p>However in reality, there will be many barriers to contemplate e.g. union engagement (no face to face meeting), isolation, health, childcare etc. Schools should communicate with relevant staff confirming where necessary that procedures have been put on hold, but will be resumed as soon as practicable.</p> <p>It is expected that staff will only be suspended in the most serious of cases and that therefore the appropriateness of alternate work arrangements will already have been discounted. The risk assessment should still however be reviewed as previously agreed and where appropriate the suspension can remain in effect and schools should confirm the position in writing. Where staff are on “special arrangements as an alternative to suspension” these should be periodically reviewed and amended as appropriate.</p> <p>Please liaise with your HR consultant on such cases.</p>
23	<p>We are in the middle of a restructuring / redundancy process – what is the position?</p>	<p>In theory, these could proceed, with procedures being actioned through email, telephone, letters etc. It will depend to some extent on where you are in the process.</p> <p>However in reality, there will be many barriers to continuation e.g. meaningful consultation and selection (with no face to face meetings), isolation, health, childcare etc.</p> <p>Schools should communicate with relevant staff confirming where necessary that procedures have been put on hold, but will be resumed as soon as practicable.</p> <p>Please liaise with your HR consultant on such cases.</p>
24	<p>How do we manage staff in their probation period?</p>	<p>It may depend on what stage you are at in the process. If near the end, and the final meeting has taken place you may be able to proceed with confirming or not confirming the probation (seek advice from your HR link in the case of not confirming).</p>

		<p>However in other cases, in the current climate it is unlikely to be possible to effectively operate probation in terms of monitoring and support. We recommend therefore that probation is frozen and picked up once we return to normal operations.</p> <p>Schools will need to write to staff confirming the extension to the period, the stage they are at (eg 12 week review) and where previous meetings have already taken place, the current position (e.g. progressing well or areas of concern/for development).</p> <p>A model letter is available under the Probation section of the HR Website (letter 7).</p>
25	<p>We employ someone part-time who also works for the NHS, and they have been asked to work additional hours for the NHS.</p> <p>Or</p> <p>We employ someone who used to work for the NHS and is being asked to return. What is the position?</p>	<p>The first question is about the school's need for them to perform work. If they are required, then they must fulfil their contract with the school. If they are not needed by the school they could be granted unpaid leave of absence from the school to undertake more NHS work.</p> <p>Clearly they can and should not be paid by both employers at the same time.</p> <p>You should confirm the arrangements in writing, keep them under review, and be clear that they are obliged to resume their duties at/for the school at such time as the school requires.</p>
26	<p>Can schools Furlough staff?</p> <p>Furloughing is a job retention scheme whereby employees who would be at risk of redundancy due to the unavailability of work, are kept on the books, but not required to work. Employers can claim up to 80% of their salary from the Government.</p>	<p>The Government finally published guidance on furlough for schools on Friday 17th April. https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care</p> <p>The guidance confirms that Schools <u>cannot</u> Furlough staff who are paid from the school budget but <u>can</u> Furlough some staff where they are paid from alternate income streams and and after all other potential options have been fully considered, including seeking to make the necessary savings from their existing budget and considering options to redeploy these staff.</p> <p>Please see our separate detailed guidance on Furloughing.</p>

		<p>The Government has made separate arrangements for self-employed workers: https://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme</p>
27	<p>What is the situation with NQTS and their Statutory Induction?</p>	<p>The DfE has issued a statement on mitigating the impact of COVID-19 on the current cohort of NQTS: https://www.gov.uk/government/publications/coronavirus-covid-19-induction-for-newly-qualified-teachers</p> <p>Please see advice from the Essex Appropriate Body: https://schools.essex.gov.uk/staff/NQT_Induction/Documents/Update%20TRA%20Coronavirus%20170320.pdf#search=NQT%20Statutory%20Induction</p> <p>Schools not using Essex, should refer to their own Appropriate Body for advice.</p> <p>Please direct further queries to your Appropriate Body, not HR.</p>
28	<p>Will there be any change to resignation dates for teachers?</p>	<p>There is no proposal to change the Burgundy Book resignation dates for teachers. Schools are being asked to exercise flexibility around resignation dates which may include schools accepting resignations after the normal dates where teachers are affected by Covid 19.</p> <p>In addition, teachers are being asked to provide as much notice as possible if they are intending to resign. A <u>jointly agreed statement</u> between ASCL, LGA, NAHT, NASUWT NEU and NGA on Burgundy Book notice periods for teachers and school leaders has been released.</p>
29	<p>How will teacher recruitment be affected?</p>	<p>As set out in the agreed statement (see 28. above) it will be difficult to follow a normal recruitment process at the present time. There is a possibility that interviews can take place virtually, however, schools should not be asking candidates to attend for face to face interviews or school visits.</p> <p>We are awaiting further guidance from the Department for Education on teacher recruitment and any support available to schools who may be affected by teacher shortages where recruitment has not been possible. We will communicate this to schools as soon as it becomes available.</p> <p>More detailed guidance is now available on recruitment.</p>

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30	Are there any changes to pre-employment checks during social distancing?	<p>There have been some temporary changes to Right to Work and DBS checks, permitting the use of scanned documents.</p> <ul style="list-style-type: none"> • https://www.gov.uk/guidance/coronavirus-covid-19-right-to-work-checks • https://www.gov.uk/government/news/covid-19-changes-to-dbs-id-checking-guidelines
31	Are Pensions affected by absences related to Covid-19?	<p>The Local Government Association (LGA) has produced a guide which covers LGPS members most frequently asked questions about the impact of Coronavirus (Covid-19) on their pension benefits.</p> <p>https://www.essexpensionfund.co.uk/media/5333/covid_ga.pdf</p> <p>The Teachers' Pension Covid-19 update can be accessed here: https://www.teacherspensions.co.uk/news/public-news/2020/03/coronavirus-update.aspx</p>
32	What is the position with annual leave for full time staff during the current period?	<p>Although there has been a change in the law to allow statutory leave to be carried over to subsequent leave years as a result of the current situation, this is to cover situations where staff are unable to take leave because of the need for them to work (e.g. emergency service, NHS, care etc. workers where leave has been cancelled). In most other cases, including schools, staff are still able and should take their leave entitlement during the current leave year.</p> <p>While some are not keen to take leave when they cannot go on holiday others may welcome the opportunity to use leave and schools could if appropriate relax the rules on leave only being taken during closure periods if this is convenient for all concerned.</p> <p>Schools will also need to monitor leave to avoid accumulations building up such that everyone wants leave once things are "back to normal" or having staff request leave during term time once schools are back, to use up their entitlements.</p> <p>The law does allow employers to give employee's notice that they are required to take leave at a certain time (twice as much notice as the amount of leave is required). This is not the ideal solution but may be necessary if leave entitlements are not used in a timely manner.</p>

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33.	Testing is now available for key workers, what should we be doing?	<p>Testing is now available for essential workers <u>with symptoms</u> and people who live with essential workers and who <u>have symptoms</u>. It is <u>not open to all</u> essential workers.</p> <p>Employees can self-refer for a test – or if they need help, the employer can refer to them. Schools should encourage any staff who declare symptoms or who go into isolation because they live with someone with potential symptoms, to have a test asap. (The Government guidance says tests are most effective if carried out within 3 days of symptoms developing). Further information, including how to self-referral or make an employer referral: https://www.gov.uk/guidance/coronavirus-covid-19-getting-tested#essential-workers</p>
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