

## Wiltshire Council Human Resources

### Novel coronavirus - COVID 19 HR policy

This model policy will apply to teaching and non-teaching staff working in Wiltshire Schools / Academies and has been agreed with the following recognised unions: NEU, NAHT, NASUWT, ASCL, Unison, Unite and GMB.

#### What is it?

A coronavirus is a type of virus. As a group, coronaviruses are common across the world. Typical symptoms of coronavirus include fever and a cough that may progress to a severe pneumonia causing shortness of breath and breathing difficulties.

Generally, coronavirus can cause more severe symptoms in people with weakened immune systems, older people, and those with long-term conditions like diabetes, cancer and chronic lung disease.

Novel coronavirus (COVID-19) is a new strain of coronavirus first identified in Wuhan City, China.

The government has put in place a coronavirus action plan which sets out what the UK as a whole has done – and plans to do – to tackle the coronavirus (COVID-19) outbreak.

It has also introduced legal powers in The Health Protection (Coronavirus) Regulations 2020 to reduce the risk of further human-to-human transmission in this country by keeping individuals in isolation where public health professionals believe there is a reasonable risk an individual may have the virus.

As far as possible the school / academy will apply national guidance and policies, and provide guidance to governors, staff and workers about how these should be implemented

This policy outlines potential arrangements that the school /academy may need to put in place, should COVID-19 start to impact on existing working arrangements.

#### NOTE

- From Friday 20 March 2020, all schools, colleges and early years settings in England will close
- However, the secretary of state has also said that schools will remain open for the children of key workers and vulnerable children

- In addition, we know that all primary statutory assessment, accountability measures, formal exams and Ofsted inspections will be cancelled

**Local authorities are responsible for coordinating a response to the new arrangements**

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## **Who does it apply to?**

This policy applies to all school /academy employees.

## **When does it apply?**

This policy should only be implemented in accordance with Government advice and regulations and as directed by the Local Authority.

It may be necessary to enact the whole policy, or parts of the policy, depending on the severity of the situation. It may also be necessary to adapt the policy to meet the particular circumstances.

In the event of COVID-19 having a significant impact the ability to implement this will enable the school /academy to continue to provide effective essential services.

Any decision to implement this policy will also take into account the health, safety and wellbeing of staff, who are also likely to be impacted personally by aspects of the situation.

We have developed this policy with the involvement of Trade Unions representatives and recognise that the successful implementation of this policy will only be possible through the goodwill, flexibility and commitment of staff.

**What are the main points?**

**Attendance at work**

**Notifying absence linked to COVID-19**

All employees should notify any absence to their headteacher giving reasons for the absence and provide an indication of how long it is likely to last. It is important for the school / academy to be able to do accurately record the absence.

Absences (i.e. employees who are not working) related to COVID-19 should be recorded as:

<b>Reason</b>	<b>SAP code</b>
Employee unable to work due to caring responsibilities linked to COVID-19	COVID-19 Care Support
Employee self-isolating and unable to work as normal in line with agreed criteria from the government	COVID-19 Self Isolate
Employee sick and confirmed to have COVID-19 or has COVID-19 symptoms	COVID-19

Employees who are off work beyond 7 days are normally required to provide a FIT note, however this may not be possible in the current situation. Where an employee is unable to obtain a FIT note they should be complete a self-declaration form which is available on Right Choice, or may provide an online isolation certificate available from [NHS 111 online](#).

**Reporting absences to Wiltshire Council**

It is important that Wiltshire Council is able to report on schools / academies absences to government, when requested, to detail the impact of COVID-19 on employees over the coming weeks and months. A reporting spreadsheet

has been produced and is available on Right Choice and must be completed each month and for those schools and academies who use Wiltshire Council payroll services they need to submit the spreadsheet in the normal way through the secure payroll portal.

Schools and academies who do not use Wiltshire Council payroll services should send a password protected copy of the spreadsheet, together with a separate email containing the password, to [HRschools@wiltshire.gov.uk](mailto:HRschools@wiltshire.gov.uk) to enable the council to collate information about absences.

## **Who needs to self-isolate?**

All advice in relation to self-isolation will follow Public Health England guidelines and advice.

Where employees are self-isolating in line with guidance, but are not unwell they should discuss with their Headteacher options for working flexibly wherever possible.

## **Medical exclusion**

The school /academy understand that employee's health and wellbeing are of primary importance. Employees should follow public health guidance in relation to self-isolation. Any employee receiving a letter from their GP advising them to self-isolate due to their medical condition must follow this advice.

Where a Headteacher believes that an employee should be self-isolating this will be discussed with the employee, however if they should still refuse to self-isolate the Headteacher (or Chair of Governors) may, with advice from Public Health ask the employee to go home and medically exclude them from work. This is to protect the employee and to help prevent the spread of infection and reduce the risk of more vulnerable people being exposed.

Where employees are sent home from work the absence will need to be recorded in accordance with the codes outlined above.

## **Requirement to attend work**

The school /academy recognise that as the situation progresses employees may have concerns about attending work.

The school /academy will aim to allay concerns by providing access to all available information about COVID-19. Employees can also contact the information hub for advice ([publichealth@wiltshire.gov.uk](mailto:publichealth@wiltshire.gov.uk) or 01225 713830).

Schools /academies will ensure that all reasonable hygiene management actions are taken to lower the chance of infection in the school /academy.

With the expected higher levels of sickness absence due to COVID-19, it is essential that where staff are well that they make every effort to continue working, this may include working at another school / academy / council workplace or from home where it is not business critical for you to continue to work in a school / academy.

In the first instance where employees have concerns this should be discussed with the Headteacher who will look at ways these can be managed whilst still enabling you to attend work. However, if you refuse to carry out work with no reasonable grounds, this is likely to be treated as unpaid unauthorised absence and may lead to an investigation under the Disciplinary Policy.

## **Employees at High Risk**

Following Public Health advice regarding the impact of COVID-19 it may be necessary to re-deploy those at particular risk away from direct client contact or ask them to work at home (where this is possible) to minimise the risk of infection.

Where employees meet the criteria, (confirmed by public health in line with national guidance) these employees will be asked to self-identify and inform their Headteacher. Any information will be held by the Headteacher with appropriate regard for confidentiality.

## **Emergency Leave**

If there are more cases of coronavirus across the UK there may be scenarios where schools or nurseries are closed, or other care arrangements are disrupted.

Wherever schools or nurseries are closed, or other care arrangements are disrupted employees should consider this in advance and discuss with the Headteacher how this might impact them.

Employees should try to put in place plans for alternative care arrangements, however in an emergency your Headteacher can grant leave as outlined in the schools /academies family emergencies policy to enable employees to make initial arrangements.

Longer term, if an employee is unable to work in their normal place of work or do their normal hours because of care responsibilities, the employee should discuss alternative possibilities with the Headteacher to try and find a means of meeting the employees caring obligations whilst still being able to work.

This may include one or more of the following options:

- flexible working at times when there is alternative care in place (e.g. evenings)
- sharing child care arrangements with a partner, friend, neighbour or extended family (where possible in line with national guidance)
- recording and making up the lost hours (where these are not excessive) as soon as possible after the event

- taking annual leave for those employees on a 52 week contract and not term time;
- unpaid leave (Wiltshire Council must be notified)

Wherever possible Headteachers will work with an employee to make arrangements which enable them to continue being paid as normal throughout this period. The expectation is that employees try to find ways to continue to support the school /academy in continuing to provide services to communities and residents.

Employees working at home should be able to carry out their role effectively, and it is unlikely that this will be possible to combine with looking after very young children.

Whilst this may be agreed short term to enable you to make other arrangements, longer term employees may have to consider working hours more flexibly (evening, weekends etc.) when other childcare is available, or potentially reducing working hours temporarily.

The Headteacher will agree with employees the most appropriate arrangements, considering the requirement to balance the needs of the school /academy with employee's personal circumstances.

The Headteacher will take into consideration the need to treat all employees fairly and wherever possible avoid an over reliance on staff who may not have caring responsibilities.

## **Compassionate Leave**

While most people who contract this virus will have a mild illness, severe cases are also being reported and more employees than usual may be impacted by bereavement during this period.

Where an employee is bereaved, or have a close relative or dependent who is seriously unwell the school's / academy's compassionate leave detailed in the family emergency policy will apply and the Headteacher will discuss any other support employees may need.

## **Temporary working arrangements**

It is likely that COVID-19 may result in an increased workload coupled with a reduction in available employees.

It may therefore be essential for employees to be asked to work additional hours and / or to work differently with a view to increasing flexibility across the school /academy or wider education setting in Wiltshire.

If it becomes necessary it has been agreed with the unions that schools / academies can temporarily alter or change elements of employees terms and conditions such as the location they are asked to work from or the job role that they are asked to perform.

This may mean that employees are required to work in another team, year group, or within a partner organisation, however any variation would only be for the duration of the event and employees would revert to their original terms and conditions at the end of the COVID-19 event.

There are a number of circumstances which may result in an employee being asked to take up alternative employment on a temporary basis including:

- Where it is more appropriate to carry out their role from home or another location;
- Where their usual service has been temporarily suspended;
- Where their place of work has been temporarily closed;
- Where they would have difficulty accessing their normal place of work;
- Where a change in duties or location would enable a pattern of working that resolved any difficulties with childcare or other caring responsibilities;
- Where there is a need to keep critical services running;
- Where there is a need to lend support across the wider health and social care community.

Consideration will be given to an employee's current skills, experience and personal circumstances. Employees will not be expected to undertake roles for which they are not competent. Appropriate training, induction and support will be provided to equip an employee for any role they are assigned to. Uniforms and protective clothing will be supplied where appropriate.

In the event of a change in work location any additional travelling costs from home to work (minus your normal commute) will be reimbursed in line with the employee's school /academy business travel rates.

In the event of a disruption to the transport infrastructure, the school / academy with advice and where necessary support from the council will endeavour to provide support through alternative transport arrangements where possible and practical to do so to enable you to attend work or work at an alternative work location.

## **Temporary alterations to work patterns**

Providing services out of normal working hours may be necessary and therefore employees may be asked to consider working during the usual term time breaks.

Wherever possible employees will be asked to be flexible and to agree to any temporary alterations to those stated in their contract of employment.

There will be no permanent change to employees' contract of employment and normal working hours will be resumed once COVID-19 is over.

## **Payments for overtime**

The school /academy will continue to apply their normal policies in relation to payment of overtime rates and eligibility for overtime.

Where changes to working hours have been agreed to enable an employee to undertake caring responsibilities or in relation to other personal circumstances the employee will not receive any overtime payments.

The Headteacher should ensure that any requirement for overtime payments during this period are tracked and notified to the council's payroll (or where a school /academy has an alternative payroll provided with them in accordance with the usual process. In some cases payments for overtime may not be calculated or paid until after the COVID-19 situation has eased.

## **Pay Arrangements**

Employees will be paid at their contracted rate of pay regardless of the work they are required to perform during the period of COVID-19.

In exceptional circumstances and if it is agreed that an employee is required to undertake the duties and responsibilities of a higher graded post for a sustained period, this may be paid in accordance with the grade of the duties and responsibilities temporarily undertaken.

This will be in accordance with current policy and payment will cease immediately when the employee resume their normal duties.

Where it is agreed that part time staff will increase their hours or full time employees work additional hours these will be paid in accordance with existing arrangements.

### **Wiltshire Council Payroll**

Although every attempt will be made to run the payroll as fully as possible, depending on the capacity and availability of the service, it is possible that payment for additional hours or responsibilities will have to be delayed in being paid. During the period of COVID-19 the only guaranteed payment will be basic salary.

For school schools / academies using an alternative payroll provider they will seek clarification direct from them regarding this.

## **Working Time Regulations**

The working time regulations provide that in general employees should not be asked to work in excess of 48 hours per week, nor asked to work without appropriate rest. This is calculated over a defined reference period which averages the number of hours per week over an agreed period. The working time regulations will remain in force but it is envisaged that the current restrictions on hours worked in a defined reference period would need to be relaxed for some staff.



This will be achieved by extending the reference period for averaging working time to 26 weeks for those posts likely to be most affected by requests to extend working hours.

If this will impact an employee's post this will be fully discussed with them and they would be asked to agree to short term exceptional arrangements. Due regard will continue to be given to ensuring they have appropriate rest breaks or compensatory rest.

In the event it was necessary the reference period could be further extended to 52 weeks, again by agreement with those affected.

Any special arrangements would be for the duration of the COVID-19 only and only used in exceptional circumstances.

## **Terms and Conditions**

Changes to normal working arrangements during the period COVID-19 will be temporary and will not constitute a change to an employee's terms and conditions of employment.

A number of employment processes may be handled differently in terms of timescales during the period of emergency, for example disciplinary or grievance hearings may be delayed, although arrangements for any suspension from work for a potentially serious matter would continue to apply.

The Headteacher or Chair of Governors should the matter relate to the Headteacher would review the circumstances of each case and would keep all those involved fully informed of any changes.

## **Critical Workers**

The government have outlined that certain guidance applies only to critical works (sometimes called key workers).

The school / academy will identify roles and individuals who fall into the category of critical workers.

Where an employee is confirmed as being a critical worker the Headteacher can issue you with a letter confirming their status to enable them to access to childcare provision if essential and to provide evidence of need to travel to fulfil their role.

## **Support available**

The school /academy will make available access to support from Occupational Health and counselling services during the COVID-19 period. If necessary consideration will be given to obtaining additional support.

## **Additional Staffing**

Additional staff may be required during COVID-19.

Initially schools /academies will aim to re-allocate existing resources on a temporary basis, however if required they may need to increase staff numbers on a temporary basis through the use of casual and agency staff; employment of staff on fixed term contracts, the return of recently retired staff or the involvement of volunteers.

All additional staff or volunteers must have appropriate clearances, be covered by appropriate documentation and be provided with any necessary training.

### **Data protection (privacy notice)**

Records will be treated as confidential in accordance with the General Data Protection Regulations (GDPR) 2016 and the Data Protection Act 2018. Data collected is held securely and accessed and disclosed only for the purpose of managing the employees in association with this policy. Further details on how data is used and processed is provided in the school's/ academy's privacy notice.

### **Advice and guidance**

If the school / academy is unable to answer your question they can contact the information hub for advice ([publichealth@wiltshire.gov.uk](mailto:publichealth@wiltshire.gov.uk) or 01225 713830).

### **Further information**

The government's latest guidance for schools and academies can be found on their webpage: <https://www.gov.uk/government/collections/coronavirus-covid-19-guidance-for-schools-and-other-educational-settings>