



HR ADVICE FOR SCHOOLS DURING THE COVID-19 PANDEMIC

March 2020



The following advice is based on the current guidance from the UK Government, Local Government Association, and from Local Authorities where it has been able to ascertain what has been sent to schools.

This **DOES NOT** cover all eventualities and scenarios, and Headteachers and Senior Leaders are asked to direct all relevant queries to the lead HR adviser for the authority. The details of who leads on which authority along with contact details can be found at the end of the paper.

1. Which of my staff are required or are critical workers in our new role?

Essentially any staff the school deemed necessary to operate the required childcare, can be asked to work, providing that they are not required under the Government/PHE guidance to self/household isolate. Guidance from Unions to their members suggests that this is best done on a rota basis, which ensures that potential exposure to the virus is reduced. It also allows other staff to complete other duties, prepare work etc. DSL's, DDSL's and first aiders should still be present in some form or be available, as safeguarding is still considered a priority. Where this becomes a problem, schools should contact their Local Authority for advice.

However, it is important to note that due to the ongoing nature of the crisis the requirements for staff will change over time, both in terms of numbers and type of role.

2. What numbers of staff are required?

This schools will have to decide on an institutional basis in order to meet existing statutory responsibilities and to have a 'safe' provision. Ratios may be a useful guide. It all depends on the number and backgrounds of the pupils that take up the offer.

3. Can staff refuse to work?

During term time school staff have contracts to provide services to the school. These are still applicable in the current pandemic and staff should be expected to work, except in the circumstances where they are off sick (virus related or not), isolating as either ill, in an affected household or part of a vulnerable group (see appendix A), or on other leave, or the decision has been made that they are not required for the ongoing operation and maintenance of the school. How these staff are deployed is up to the school.

Local advice should also be referred to.

4. So the schools can redeploy staff?

Yes, there is an expectation from all parties that staff act flexibly in terms of deployment in the exceptional circumstances. However volunteers should be sought first in relation to redeployment, and where redeployment occurs to a role in which the responsibilities in whole or part are different to their normal role, that there is training, and supervision provided to ensure

that the new role goes as smoothly as possible. Where the new role they carry out is normally paid at a higher rate, then they should receive the higher rate of pay.

5. Could staff be redeployed to another setting to work?

Technically yes under their contracts of employment, if they state that they can be asked to work at another site. DfE guidance suggests that this could be a possibility as schools close, that staff well/fit enough to work move to support other schools or hubs. If this was the case, the employer school still pays the employee as normal.

6. What happens when a member of staff says they don't want to work or is anxious about coming to work in the current situation?

Where a member of staff has anxiety around working and don't want to, they should apply for special leave. Whether this is paid or not, or half paid is at the discretion of management and decisions should be taken on a case by case basis.

Where the level of anxiety is such that they are off signed off sick, then they are off sick.

7. And sick pay now starts from the first day someone is off?

Yes it does.

8. For those staff in isolation or whom schools don't need to operate what happens to them?

Depending on their role they may be able to work from home. Schools should contact their link advisers for further advice.

9. Do those staff lose pay?

No, they are paid as normal at their normal salary, for the duration of the emergency. That is an expectation set by the Government.

10. Are there changes that school leaders should make to support staff working from home?

Yes, they will need to think about how they communicate, monitor work, and maintain line management structures.

11. How can we support staff with anxiety and mental health issues at this time?

If schools have an employee assistance programme that can be used by staff, as well as publicly available sources like Education Support <https://www.educationsupport.org.uk/>

12. The DfE have said they would like schools to open over Easter to provide childcare. How should we do this? Can we change staff holidays and hours to keep costs down?

The DfE have asked schools to do this, and schools ***should follow their Local Authority guidance on this***. While it might be tempting to try to redeploy staff and move holidays around, recent guidance from the LGA and Local Authorities suggests that due to contractual reasons and terms of conditions of employment staff cannot be made to change their holidays. This is due to the way that school-based staff are employed and paid, including for the holidays.

Instead schools should ask for volunteers to run the provision over the Easter holidays. Anyone who volunteers to work should be paid at their usual rate. This will mean that schools incur extra costs. It is worth noting that is the approach proffered by trade unions as well.

Some Academies will do things differently, and this is because they have a little more freedom, but we would still recommend that they use the above approach.

Please contact your HR lead if you have any questions on this.

13. Will schools in receive additional funding for incurred additional staffing costs?

The DfE have said that a mechanism will be put in place to reimburse schools for additional occurred costs. Once this has been put in place the DfE will publish the details.

14. Schools have already made plans to restructure, what should they do?

They should speak to HR to discuss how to progress this.

HR Team Roles and LA Leads

HR Team Member	Role	Lead for	Contact Details
Terri Patterson	Head of HR & HR Adviser	Barnet, Camden, City, Enfield, Haringey, Islington and the LDBS Academies Trust 1	Terri.Patterson@london.anglican.org 07468 611 951
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APPENDIX A - VULNERABLE EMPLOYEES

- pregnant women
- aged 70 or older (regardless of medical conditions)
- under 70 with an underlying health condition listed below (broadly anyone instructed to get a flu jab each year on medical grounds):
 - chronic (long-term) respiratory diseases, such as asthma, chronic obstructive pulmonary disease (COPD), emphysema or bronchitis
 - chronic heart disease, such as heart failure
 - chronic kidney disease
 - chronic liver disease, such as hepatitis
 - chronic neurological conditions, such as Parkinson's disease, motor neurone disease, multiple sclerosis (MS), a learning disability or cerebral palsy
 - diabetes
 - problems with your spleen – for example, sickle cell disease or if you have had your spleen removed
 - a weakened immune system as the result of conditions such as HIV and AIDS, or medicines such as steroid tablets or chemotherapy
 - being seriously overweight (a BMI of 40 or above)
- People who have received an organ transplant and remain on ongoing immunosuppression medication
- People with cancer who are undergoing active chemotherapy or radiotherapy
- People with cancers of the blood or bone marrow such as leukaemia who are at any stage of treatment
- People with severe chest conditions such as cystic fibrosis or severe asthma (requiring hospital admissions or courses of steroid tablets)
- People with severe diseases of body systems, such as severe kidney disease (dialysis)