

CORONAVIRUS (COVID-19): STAFFING GUIDANCE FOR SCHOOLS

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Contact Tracing and Close Contacts

Education settings only need to do contact tracing up to and including 18th July 2021. Close contacts will now be identified via NHS Test and Trace and education settings will no longer be expected to undertake contact tracing.

Individuals are not required to self-isolate if they live in the same household as someone with COVID-19, or are a close contact of someone with COVID-19, and any of the following apply:

- they are fully vaccinated
- they are below the age of 18 years and 6 months
- they have taken part in or are currently part of an approved COVID-19 vaccine trial
- they are not able to get vaccinated for medical reasons

Further information can be found on GOV.UK at <https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/schools-covid-19-operational-guidance#tracing>

Right to work checks

The temporary COVID-19 adjusted right to work checks will now end on 31 August 2021. From **1 September 2021**, employers must revert to face-to-face and physical document checks as set out in [right to work checks: an employer's guide](#).

Further information can be found on GOV.UK at <https://www.gov.uk/guidance/coronavirus-covid-19-right-to-work-checks>.

Keeping yourself and others safe

Clinically extremely vulnerable (CEV)

CEV people are advised, as a minimum, to follow the same guidance as everyone else. It is important that everyone adheres to this guidance, but CEV people may wish to think particularly carefully about the additional precautions they can continue to take. Further information can be found in the [guidance on protecting people who are CEV from COVID-19](#).

The Health and Safety Executive (HSE) has published guidance on [protecting vulnerable workers](#), including advice for employers and employees on [how to talk about reducing risks in the workplace](#).

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Notice Provisions and Recruitment

Notice periods for teachers and school leaders (Burgundy Book)

The extent of the impact that the coronavirus pandemic has will vary from school to school and over the pandemic's lifecycle. Employees looking to resign are encouraged to provide as much notice as possible and stay within the standard notice period dates as far as is possible. Whilst there should be no changes to the notice periods there may need to be an element of flexibility if the timing of a resignation is submitted outside of the normal framework.

A joint statement between ASCL, LGA, NAHT, NASUWT NEU and NGA in relation to flexibility in Burgundy Book notice provisions and recruitment during the Coronavirus pandemic can be found [here](#). Although it was issued some time ago the principles still apply.

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Performance management

From 1 September 2021 new guidance updates and replaces the induction for newly qualified teachers (NQTs)

The term 'early career teacher' refers to a newly qualified teacher in their first or second year of induction. The guidance updates and replaces the statutory guidance which accompanied the Education (Induction Arrangements for School Teachers) (England) Regulations 2012.

What's new?

This guidance has been significantly updated since the previous version (issued April 2018).

The following key changes have been made:

- The term early career teacher (ECT) replaces newly qualified teacher (NQT).
- The standard length of induction has been increased from one school year to two school years (see para 2.29).
- In addition to the 10% timetable reduction that ECTs receive in their first year of induction, ECTs will also receive a 5% timetable reduction in the second year of induction (see para 2.19).
- Schools are expected to deliver an induction period that is underpinned by the ECF (see para 2.39). Appropriate bodies will have a role in checking that an ECF-based induction is in place (see para 5.11).
- The role of the mentor has been introduced (see para 2.42). The mentor will have a key role in supporting the ECT during induction and is separate to the role of the induction tutor (see para 2.43).
- There will be two formal assessment points, one midway through induction, and one at the end of the induction period (see para 2.52). These will be supported by regular progress reviews to monitor progress, to take place in each term where a formal assessment is not scheduled (see para 2.46).
- In cases where ECTs working part-time can demonstrate that they have met the Teachers' Standards, the appropriate body is able to reduce the length of the induction period and bring forward the final assessment point. This decision is only to be made in agreement with the ECT and once the ECT has completed a period covering, but not equivalent to, two school years (see para 3.5).
- The number of ad-hoc absences permitted has been extended, in line with the extended length of induction (see para 3.6).

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Appraisals

The DfE has confirmed that maintained schools must continue to adhere to the School Teachers' Pay and Conditions Document (STPCD) which includes the requirement to ensure that all pay progression for teachers is linked to performance management. However, the DfE expects schools to use their discretion and take pragmatic steps, consistent with the Education (School Teachers' Appraisal) (England) Regulations 2012 to adapt performance management and appraisal arrangements to take account of the current circumstances. This could include basing performance on the period schools were open, adjusting, if necessary, for expected trajectory had there been no closures.

Schools must ensure that teachers are not penalised during the appraisal process or in respect of any subsequent pay progression decisions as a result of partial school closures, where this has impacted on the ability of the teacher to meet fully their objectives.

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Isolation

National guidelines

If there is a need for an employee to isolate in line with national guidelines – see [here](#)
- the employee must inform their manager.

Pay during isolation

If an employee is required to isolate in line with national guidelines, they should be paid normal pay whilst unable to attend work and their period of isolation will not count as sickness absence.

Under the **NJC Green Book** (support staff) sickness scheme an employee who is prevented from attending work because of contact with infectious disease is entitled to receive normal pay and the period of absence is not reckoned against the employee's entitlements under the sickness scheme.

Under the **Burgundy Book** (teachers) sick pay scheme where, in the opinion of an approved medical practitioner it is inadvisable for a teacher to attend duty for precautionary reasons due to infectious disease in the workplace, full pay shall be allowed during any enforced absence from duty. This provision also applies where the approved medical practitioner considers it inadvisable for the teacher to attend duty where they reside in a house in which another person is suffering from an infectious disease.

Approved medical practitioner may include NHS 111.

Recording isolation

For Warwickshire maintained schools all Coronavirus related isolation must be recorded in Your HR for monitoring purposes.

For other schools for example, academies and other customers, there is no need to record Coronavirus related isolation. If however, you want to enable the facility to record isolation in Your HR in line with this section of the guidance please contact weshrandpayroll@warwickshire.gov.uk

All isolation in line with the national guidance must be recorded on Your HR under "Other Absence and Leave" choosing the type "Isolation". Guidance on how to do this can be found [here](#).

Arrangements whilst isolating

In the event that an employee is not ill but is isolating it is acceptable for that staff member to work from home during that time. If the employee's role is such that

working from home is not possible, in such instances the employee will be permitted to isolate without any impact on their contractual pay.

The employee must notify their employer and will need to, if required, take any precautions that are prescribed by their medical practitioner. They must also remain in contact with their line manager and be available during their normal working hours in the event that the line manager has to make contact with them whilst they are at home. Employers should keep in touch to support employees.

If an employee is caring for someone who has or may have coronavirus, this period of absence should also be regarded as self-isolation. Given the employee may then have been in direct contact with the virus we would expect home working arrangements to be then considered for the duration of the incubation period.

Self-isolation before admission to hospital

The [NHS](#) has instructed that anyone who is due to go into hospital as an in-patient (including day surgery) for planned or elective surgery / medical care may need to self-isolate, along with those they live with and anyone in their support bubble.

They will be contacted by the NHS with more information about what they need to do. Unless already on sick pay, all school employees should remain on normal full pay for the duration of the self-isolation period and those who can work from home should do so. Employees should remain in contact with their manager so that any change of dates for hospital admission are discussed, particularly where this will require a change to or an extension of the period of self-isolation required. Where dates scheduled for hospital admission get deferred, resulting in a further period of self-isolation being required, this is something that school leaders and managers will have to accept as a consequence of the current situation.

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Sickness Absence

Recording sickness absence

NJC Green Book ("support staff") terms and conditions of employment

If an employee contracts Coronavirus (COVID-19) and has not previously isolated they must follow the normal sickness absence reporting procedures for notifying sickness absence to their line manager. A sickness absence reason has been added to Your HR – Coronavirus (COVID-19) – for recording this. The sickness absence is then treated in the same way as sickness absence for any other illness under the sickness absence scheme.

If an employee who is isolating becomes sick, they should notify their manager of the change. The manager must end date the isolation record in Your HR under "Other Absence and Leave" and record the sickness absence in Your HR using the relevant reason for the absence.

Burgundy Book (teachers) terms and conditions of employment

If a teacher becomes ill, they must follow the normal sickness absence reporting procedures in school for notifying sickness absence, and the absence recorded in one of the following two ways:

1. Coronavirus (COVID-19) contracted directly in the course of the teacher's employment

For Warwickshire maintained schools this type of Coronavirus related sickness absence must be recorded in Your HR for monitoring purposes. See below.

For other schools, for example, academies and other customers, there is no need to record this type of Coronavirus related sickness absence for pay purposes. If however, you want to enable the ability to record this in Your HR in line with this section of the guidance please contact weshrandpayroll@warwickshire.gov.uk

Where an approved medical practitioner/NHS 111 attests that there is evidence to show a reasonable probability that an absence is due to Coronavirus (COVID-19) contracted directly in the course of the teacher's employment, and authorises that absence, full pay will be paid for the period of absence and:

- the period of this absence is not reckoned against the teacher's entitlement to sick leave
- the period of this absence is reckonable for entitlements to Statutory Sick Pay

The absence must be recorded on Your HR under "Other Absence and Leave" choosing the type "Teachers/NHS Coronavirus in course of employment". Guidance on how to do this can be found [here](#).

2. Coronavirus (COVID-19) not contracted directly in the course of the teacher's employment

Where the absence is due to Coronavirus (COVID-19) and it was not contracted directly in the course of the teacher's employment (as authorised by an approved medical practitioner/NHS 111), the period of sickness absence is treated in the same way as sickness absence for any other illness under the sickness absence scheme.

The sickness absence reason added to Your HR – Coronavirus (COVID-19) must be used for recording this.

Self-Certification and Fit notes

Employees self-certify sickness absence for the first 7 days of sickness and a sick note (also known as a fit note) is normally required after 7 days.

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Links to government advice on staffing matters

The government updates their guidance on actions for schools and childcare settings during the pandemic on a regular basis.

The latest Government advice on staffing matters for schools can be found [here](#) including on:-

- those who are clinically extremely vulnerable
- travel and quarantine

Separate guidance is available for:

- [early years and childcare settings](#)
- [further education colleges and providers](#)

The Government has also provided

- [specific advice on how to stay safe and help prevent the spread of Covid-19,](#)
- [guidance on shielding and protecting people who are clinically extremely vulnerable from COVID-19.](#)

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Employees who have concerns about being at work

The emphasis should be on individual consultation working with employees on a case by case basis to understand their specific issues and putting measures in place to provide reassurance. Formal action should be a last resort and only where it can be demonstrated that all other options have been explored.

Schools should ensure that they engage sufficiently with individuals about working in school, and particularly those who have been in the vulnerable or extremely vulnerable groups to establish any concerns and attempt reasonable steps to resolve issues

All measures should be put in place to provide a COVID-19 secure environment via the completion of risk assessments by each individual school taking into account government and local guidance/ advice.

Although individual risk assessments are not mandatory, they can be used to work through individual staff needs for those in the more vulnerable groups. It is recommended that an individual risk assessment is undertaken for anybody that is a) 70 plus, b) BAME, c) pregnant d) ongoing health condition or e) who expresses concerns. Research does show that some staff may suffer additional anxiety.

Occupational Health, where available, are to provide specialist advice. Other support available, such as an Employee Assistance Programme, should be highlighted for use.

If all measures have been put in place and all options considered including amending duties, workplaces, start/finish times and COVID-19 secure measures are in place if the individual employee still will not attend the workplace then:

- the school should first remind the employee of their contractual obligations and consequences of refusal in writing.
- potentially absence could be unauthorised which ultimately could lead to withdrawal of pay.
- potentially absence could be a matter of conduct and formal action can be considered. This would be a last resort and should not be considered until all other options have been considered.

Before taking action, you may wish to take HR advice.

If employees live with someone or are supporting someone, who is considered at increased risk from COVID-19, the expectation during these difficult times is that staff are available to attend work unless they are isolating in accordance with government guidelines.

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Quarantine and travelling abroad

Staff travelling will need to follow the national guidance issued by the [Foreign & Commonwealth Office](#) (FCO) and also talk to their manager about any implications for quarantining upon return.

The FCO is

- currently advising that you must have [a permitted reason to travel abroad and complete a declaration form](#). Staff are expected to follow this advice.
- providing a list of countries that are exempt from the 'essential travel' guidance. However, travel disruption is still possible and national control measures may be brought in with little notice so it is important that employees check the national travel guidance and discuss any arrangements or implications due to a change in national guidance in advance or at the earliest opportunity with their line manager.

The latest government advice on all travel can be found [here](#).

In June 2020 ASCL, LGA and NAHT published Joint School Workforce Guidance COVID-19: Quarantine on entering or returning to the UK, based on the government's guidance at that time. Although the guidance was written to take account of the summer period the key messages and practical guidance is still valid. We draw your attention to the paragraphs below in red:

7. Our key recommendation in relation to this issue, is that school leaders and managers have conversations with all their teaching and support staff as early as possible, about the potential impact of this governmental requirement.

12. We now have a new and different circumstance (so the paragraphs above, do not apply to the "quarantine" required by government) given that if you arrive in the UK on or after 8 June 2020, from this point forward school staff travelling abroad will be doing so fully cognisant of the quarantine requirements on re-entering the UK. Some countries may also require travellers to quarantine on arrival which may impact their length of stay and school staff should therefore be advised to check carefully whether this is the case before they make any bookings.

[The full exert can be found here.](#)

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Employee support

Dignity

All staff must be mindful of the need to treat colleagues with dignity and respect during these exceptional circumstances and remember that actions are taken in line with government guidelines and to help prevent the spread of infection.

Dependants Leave

If an employee with caring responsibilities is required to take time off to deal with an issue at short notice involving their dependant or needs to make any longer-term arrangements for care, managers may grant emergency dependant leave, usually of 1 or 2 days unpaid. This may be extended in these extenuating circumstances at the discretion of the manager.

This would apply to situations to do with Coronavirus (COVID-19). For example:

- if the employee has children they need to look after or arrange childcare for because the children are self-isolating
- to help their child or another dependant if they're sick, or need to go into isolation or hospital

The following flexible ways to support staff may also be considered if appropriate:

- reducing hours
- changing working patterns
- reassigning tasks that can be done at home

This, of course, needs to be balanced with the delivery of the essential service.

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Coronavirus Job Retention Scheme

The Scheme is scheduled to end on 30 September 2021.

The table below shows the level of government contribution available, the required employer contribution and the amount that the employee receives per month where the employee is furloughed 100% of the time.

Wage caps are proportional to the hours not worked.

	May	June	July	August	September
Government contribution: wages for hours not worked	80% up to £2,500	80% up to £2,500	70% up to £2,187.50	60% up to £1,875	60% up to £1,875
Employer contribution: employer National Insurance contributions and pension contributions	Yes	Yes	Yes	Yes	Yes
Employer contribution wages for hours not worked	No	No	10% up to £312.50	20% up to £625	20% up to £625
For hours not worked employee receives	80% up to £2,500 per month	80% up to £2,500 per month	80% up to £2,500 per month	80% up to £2,500 per month	80% up to £2,500 per month

You can continue to choose to top up your employees' wages above the 80% total and £2,500 cap for the hours not worked at your own expense. The Council continues to recommend that 100% of wages are paid.

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