

## Coronavirus

### Frequently Asked Questions for School Based Employees

#### Number 3

**Question:**

Should staff who are pregnant or vulnerable but not in the most vulnerable health group be asked to attend?

**Answer:**

Employees who are pregnant or have health conditions which make them vulnerable to being badly affected if they catch the virus should not be included on staff rotas for working in school, if at all possible. They will be able to support in other ways which should be discussed with them.

**Question:**

Should staff who live with someone who is “shielding” be asked to attend?

**Answer:**

Employees who live with someone in the most vulnerable health groups, as set out in the guidance on shielding should not be included on staff rotas for working in school as it is highly unlikely that the required stringent social distancing can be adhered to. Employees should not, in addition to all their other worries, be afraid that, because of their attendance in school, they will infect extremely vulnerable relations who they live with. They will be able to support in other ways which should be discussed with them.

**Question:**

What can I expect staff who do attend to do?

**Answer:**

A minimum number of staff should be on the school site. Only staff working directly with students or key to opening, and cleaning, should be on the school site. Teachers and other classroom based staff should not be asked to be on site if they are not looking after pupils.

**Question:**

How should I organise staff?

**Answer:**

Keysupport.com have provided a free bank of COVID-19 guidance, which they have said that we can share with schools. This hub includes advice on how to plan your skeleton staffing structure which you may find useful.

**Question:**

If staff are unable to attend and I do not have any work for them, can I “furlough” them under the government’s job retention scheme and claim back 80% of their wages?

**Answer:**

Where employers receive public funding for staff costs, and that funding is continuing, the government expect employers to use that money to continue to pay staff in the usual fashion – and correspondingly not furlough them.

**Question:**

What can I ask staff to do from home?

**Answer:**

This will vary by the role that they normally undertake in school. It would be reasonable to expect teachers working from home to continue to set and mark work for pupils who are currently not in school. It would also seem reasonable to expect teachers working from home to create resources or plan lessons. This may be an ideal opportunity for staff to update their CPD. There are lots of on-line CPD opportunities available which schools may want to direct staff to. Some links to free on-line training opportunities available are identified on our S4S HR advisory resource page.

**Question:**

What if anything should I pay any supply/ casual staff that I have been using regularly?

**Answer:**

Care should be taken to ensure that Supply/casual staff are fairly treated. They should be kept in post and paid where you have agreed an assignment with them, and supported if they are unable to work. You may need to employ them in the future as a key part of your response to this crisis. We understand that agency workers on PAYE might be covered by the job retention scheme. A supply teacher who is working through an agency should discuss this with the agency.

**Question:**

A member of staff has resigned to finish at Easter, they have asked to withdraw their resignation do I have to agree to this?

**Answer:**

An individual can make a request to the school to retract their resignation however, the school is under no obligation to accept this. Governors should be consulted if such a request is made so that it can be considered. If they have another job lined up and the start date has been delayed governors may want to consider delaying the resignation date for a short period of time if they think they may need to use this

resource in these exceptional circumstances. They are, however, under no obligation to do this and the individual may need to speak directly to the DWP or citizens advice regarding financial assistance.

**Question:**

Where can my staff get further advice/support?

**Answer:**

The Government Website. Trade unions and professional associations. ASCL, NAHT and NEU have issued joint advice to their members. UNISON have also produced a Q&A for members as have NASUWT.

**Question:**

Do schools need a Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding lead to be on site at all time?

**Answer:**

The optimal scenario for any school providing care for children is to have a trained DSL or deputy available on site. It is recognised this may not be possible, and where this is the case there are 2 options to consider:

- a trained DSL or deputy from the school or college can be available to be contacted via phone or online video - for example working from home
- sharing trained DSLs or deputies with other schools or colleges (who should be available to be contacted via phone or online video)

Where a trained DSL or deputy is not on site, in addition to one of the above options, it is recommended that a senior leader takes responsibility for co-ordinating safeguarding on site. This might include updating and managing access to child protection files, liaising with the offsite DSL (or deputy) and as required liaising with children's social workers where they require access to children in need and/or to carry out statutory assessments at the school. It is important that all school staff and volunteers have access to a trained DSL or deputy and know on any given day who that person is and how to speak to them.

**Question:**

What are the safer recruitment checking requirements in relation to volunteers and the movement of staff?

**Answer:**

It remains essential that people who are unsuitable are not allowed to enter the children's workforce or gain access to children. If schools and colleges are recruiting new staff, they should continue to follow the relevant safer recruitment processes. Under no circumstances should a volunteer who has not been checked be left unsupervised or allowed to work in regulated activity. There is no expectation that a new DBS check should be obtained where a member of staff who has undergone all

of the checks in their normal workplace temporarily moves to another school to support the care of children. The receiving school should risk assess as they would for a volunteer. Whilst the onus remains on schools to satisfy themselves that someone in their setting has had the required checks, under these circumstances this can be achieved, if the receiving institution chooses to, via seeking assurance from the current employer rather than requiring new checks.

**Question:**

How does the current situation affect the resignation dates for teachers and the recruitment of new staff?

**Answer:**

Under the "Burgundy Book" teachers are required to provide written notice by 31 May of their intention to leave a school's employment by 31 August of any year. The extent of the impact of the COVID-19 pandemic on schools will vary from school to school and it is anticipated that there should not be any need to change the notice periods. There may need to be an element of flexibility all round and schools are encouraged to be flexible if it appears that teachers and leaders are impacted by the COVID-19 pandemic and a resignation is submitted outside of the normal timeframe. Any employees who are looking to resign and/or retire themselves should be encouraged to provide the senior leadership team and/or governing boards as much notice as possible and stay within the standard notice period dates as far as is possible. In terms of recruitment, schools may wish to consider managing applications and interviews virtually while the advice from the government is to remain at home or choose to delay advertising vacancies until later in the year. Schools should not be conducting face to face interviews or encouraging applicants to visit schools during this period

**Question:**

Will staff be expected to work over Easter?

**Answer:**

In these extraordinary times it will be necessary for some schools to open during the Easter break. Schools should consider the minimum staffing required and seek volunteers in the first instance to provide for the care of the children of key workers who may have to work. The expectation is that staff including teachers who would not normally be contracted to work during school holiday periods, who are asked to work will be able to take this time back. It is advised that staff should be required to take the time back as soon as possible so that they are not requesting the time back when the school re-opens. Schools should record the time worked so that it can be taken back on an hour-for-hour basis. Wherever possible staff who either volunteer or are required to work should be given time back as Time Off in Lieu (TOIL) rather than being asked to undertake additional working time for additional pay.

If schools are considering remaining open during the bank holidays they should determine whether or not demand exists for provision from key worker parents, many of whom will have alternative arrangements already in place, and

depending on the response, engage their staff to determine availability. There is an expectation that if take-up is likely to be low, schools will be closed.