

**Coronavirus**  
**Frequently Asked Questions for School Based Employees**  
**Number 5**

**Question 1:**

Is there a definitive guide on who can or can't return to work? For example, I would expect my two pregnant teachers to return, but I also have staff who care for elderly parents saying that they will not return?

**Answer:**

The following principles will apply to this phase of wider opening by settings:

1. Staff who have been classed as clinically extremely vulnerable due to pre-existing medical conditions have been advised to shield\*. We do not expect people in this category to be attending school or college, and they should continue to be supported to work at home as much as possible.

The people who are described as being extremely clinically vulnerable and include those who:

- a. have had a solid organ transplant – kidney, liver, pancreas, heart, or lung
- b. are having treatments for some cancers
- c. have severe long-term lung disease including cystic fibrosis and severe asthma
- d. have rare diseases and inborn errors of metabolism that increase their risk of infection
- e. are on medication that compromises their immune system and so are much more likely to get infections and become seriously unwell from them
- f. are pregnant with significant heart disease and refer to the detail in our protective measures guidance.

\*Please note this is correct as of 22/06/2020. A government announcement about shielding is expected in the near future which may change guidance in this section.

2. Clinically vulnerable (but not clinically extremely vulnerable) people are those considered to be at a higher risk of severe illness from coronavirus and as a consequence should work from home where possible. **This includes pregnant employees.**

3. A member of staff who lives with someone who is clinically vulnerable (but not clinically extremely vulnerable), including those who are pregnant, can attend their education or childcare setting

4. If a staff member lives in a household with someone who is extremely clinically vulnerable, as set out in the guidance on shielding, it is advised they only attend an education or childcare setting if stringent social distancing can be adhered to. If

stringent social distancing cannot be adhered to, we do not expect those individuals to attend. They should be supported to work at home

5. Staff should not attend if they have symptoms or are self-isolating due to symptoms in their household. They should be self-isolating for 14 days if they live with/have been in contact with someone who has tested positive even if they have tested negatively.

**Question 2:**

Will my staff be safe if younger children cannot be expected to remain 2m\* apart?

**Answer:**

It has been taken into account that Early Years and Primary age children cannot be expected to remain 2 metres apart from each other and staff.

Therefore, in order to keep staff as safe as possible Schools should work through the hierarchy of the following measures:

- Avoid contact with anyone with symptoms (immediate self-isolation undertaken).
- Frequent hand cleaning and good respiratory hygiene practices.
- Regular cleaning of settings.
- Minimising contact and mixing.

It is still important to reduce contact as much as possible and the risk of transmission by ensuring children and staff where possible, only mix in a small, consistent group that stays away from other groups.

\*Please note this is correct as of 22/06/2020. There could be an imminent government announcement about social distancing requirements and this may lead to a change in guidance in this section.

**Question 3:**

A member of staff has specific medical circumstances and is unclear whether they are classed as vulnerable or required to Shield. How do I know if it is safe for them to be in school or not?

**Answer:**

In these cases, if more information is required, individuals should be asked to obtain the medical opinion of their GP so this advice can be discussed with their head teacher before returning to school. An individual risk assessment must be carried out and agreed prior to any on site work commencing to determine whether this involves an acceptable level of risk.

**Question 4:**

How can I apply a consistent approach to providing support for staff who feel that they need to continue to working from home because of their specific circumstances when different schools are applying the flexibilities in different ways?

**Answer:**

Each school is different and any discussions with individual staff regarding their own personal circumstances will need to be considered carefully taking into account the context of the school at the time. The flexibilities and adjustments agreed within one school may not be possible or practical in another situation. Schools should, in all cases, act “reasonably” taking into account all of the individual and school organisation factors when determining the appropriate flexibilities that can be accommodated.

**Question 5:**

Where do I find the risk assessments that I need?

**Answer:**

Health and Safety have provided Coronavirus (COVID-19) Risk Assessment & Guidance which can be downloaded [here](#).

**Question 6:**

Now that schools have re-opened can I use supply staff to cover any absence. This would mean bringing the “bubble”\* into contact with another adult?

**Answer:**

The DfE have clarified that the possible approaches to managing a shortfall in staffing include:

- Bringing additional teachers in to help, **who may be supply teachers**, teachers on temporary agreed loan from other schools, or teachers provided by your trust or local authority.
- Asking suitably experienced teaching assistants who are willing to do so to work with groups under the supervision of a teacher.
- Using some senior leadership time to cover groups, although you should as headteacher consider your own workload and that of your senior colleagues to make sure this is manageable and you have sufficient leadership time remaining.

Wherever possible agreement should be made to do this on a weekly basis (not daily) to limit contact.

\*The government has announced that bubbles may increase in size in September and we await further guidance.

**Question 7:**

I have asked staff to be flexible and undertake different duties that they would normally do. They are refusing but I don't have any of the work they normally do available for them?

**Answer:**

Staff are being asked to be flexible in the work that they do. Any requests to undertake different work should be voluntary and commensurate to the grading of their post. Individuals should be suitably reassured and supported including any necessary training to undertake any new duties.

**Question 8:**

Do I need extra cleaning to be done during the working day?

**Answer:**

Cleaning and hygiene are a crucial part of plans to re-open the school and schools are advised to discuss with cleaning contractors or staff the additional cleaning requirements and agree additional hours to allow for this

There needs to be thorough cleaning of the rooms at the beginning and at the end of the day. In addition surfaces that children and young people are touching, such as toys, books, desks, chairs, doors, sinks, toilets, light switches, bannisters, should be cleaned more regularly than normal

Where the cleaning and hygiene guidance is followed the wiping down of desks and surfaces during the school day when natural breaks occur should be incorporated into daily classroom routines.

**Question 9:**

Does the Access to Work scheme remain in place during the COVID-19 outbreak?

**Answer:**

The Government has confirmed that the access to work scheme will remain in place. If, however, an individual's support needs change, for example because an employee is now working from home, they need to report the change to the Access to Work helpline.

**Question 10:**

A member of staff says that they cannot get into work as they use public transport but they are fit for work?

**Answer:**

If someone is fit and well, they are expected to be available for work, either in school, if required and attend work as normal or to work at home during any continued school partial closure, if appropriate. It is an individual's responsibility to make their way to work. If they do not wish to travel by public transport, they need to follow government advice and make alternative travel arrangements at their own expense. Agreeing some flexibility in relation to when and how they work their hours which fits in with a revised public transport schedule might be helpful as a short-term measure if you are able to accommodate this.

**Question 11:**

A number of my staff are telling me that they are extremely anxious and their mental health is suffering. How can I support them?

**Answer:**

The Emotional health and wellbeing pages on the DCC website have collected together a list of websites, support lines, videos, and apps with some great tips to help individuals to look after their emotional health during the coronavirus outbreak. The links include self help and support for mental health websites that offer specific support and advice depending on the personal circumstances.

The links can be accessed [here](#).

DCC are also looking at a wider wellbeing offer which is currently in development and will be offered to schools as a traded package shortly.

This will be in addition to the Counselling Service and Occupational Health Service support currently being offered.

**Question 12:**

**Does our insurance cover us for COVID-19 related issues?**

**Answer:**

The Local Authority's public liability insurance will provide cover for maintained schools. Academies will have different insurance arrangements and an Academy School should check what their insurance will cover in these circumstances

**Question 13:**

How should HR process such as Disciplinary or Grievances/sickness absence meetings continue at this time?

**Answer:**

You will need to be mindful of the unique challenges presented to frontline staff working in schools as a result of the coronavirus outbreak, and use your discretion as to whether or not to temporarily put on hold such matters during this period. This should be considered on a case by case basis, taking into account any difficulties a delay may cause, and also in discussion with the members of staff involved. Where a case isn't paused and continues as normal schools should consider how best to conduct the process remotely using available technology.

**Question 14:**

Some staff are continuing to work from home, I have heard that they can claim tax relief for working from home is this correct?

**Answer:**

As many staff are working from home as a result of the COVID-19 pandemic, they may be able to claim tax relief for some of the bills they have to pay. They can claim for

activities related to work, for example, business telephone calls or the extra cost of gas and electricity. This excludes costs that would be the same whether or not they work at home, for example mortgage interest, rent, council tax, water rates or broadband. It also excludes expenses such as the cost of furniture or office equipment. From 6 April 2020 they may be eligible to claim £6 a week tax relief to cover their additional costs. Individuals who want to check if they are eligible to claim tax relief will need to set up a Government Gateway user ID to claim and reference the employers PAYE number which they can find on their payslip.

**Question 15:**

Can I safely recruit a new teacher when we are not able to have them in school to see them teach?

**Answer:**

Recruitment should continue where it is necessary and practical to do so, in line with social distancing guidelines. Schools will need to use their judgment on whether recruitment is needed and how this can best be done given the circumstances.

Limiting the external visitors to the school during school hours and ensuring that the school reduces contact between people as much as possible, so children, young people and staff where possible, only mix in a small, consistent group who stay away from other people may mean that it is not possible for schools to hold face to face recruitment processes. Interviews should either happen remotely, for example, via an online video or telephone interview, or be delayed to a later date.

**Question 16:**

I have advertised for a Teaching vacancy, I normally invite potential candidates to visit the school but I don't want any visitors at the moment?

**Answer:**

You should make arrangements to help potential candidates understand your school. Refer candidates to your website which will need to be up to date. This will give them lots of background information on the school. Provide potential candidates with the contact details of someone who is available in school, so that if there is anything they want to discuss about the job they have someone that they can ask. Provide a phone number or an email of someone who will get back to them. This information and additional information to help candidates understand the context of the school could be included in a letter to candidates which can be provided with the advertising material.

**Question 17:**

In a remote recruitment process, how can I ensure that I select the right candidates for interview?

**Answer:**

More time and planning will be needed to ensure that any recruitment process is as robust as possible. You will need to increase the communication and information you provide to shortlisted candidates so that you can ensure that they fully understand your process and timings.

Some suggestions of the additional steps that you can consider may include:

- **An additional phone interview to screen candidates** - This will give you another opportunity to get to know the candidates and assess them, making the process more robust. This should be treated as a formal stage of the recruitment process - ask each candidate the same questions. Use this extra step to help build a relationship with candidates, to compensate for not meeting them in person. Keep the interview short and ask the same few questions.
- **Speak with referees before the interview** - Once you've shortlisted candidates for the remote interview, follow your usual practice with seeking references, but: ask to chat over the phone so you can probe and build up a more accurate picture of candidates.

**Question 18:**

Can I interview candidates remotely if I don't want them to come into school?

**Answer:**

It is recommended that you ensure that your interview process is as robust as possible by setting up remote interviewing and testing it. Make sure panel members have the right space and working technology and test it out to make sure you're happy with the setup. Organise a trial run with candidates to ensure that they are comfortable with the set up. Use this conversation as an opportunity to:

- Let them know how the interview will take place and ask them whether they need any reasonable adjustments for the interview itself.
- Continue to build up your relationship with candidates.

During the interview:

- Nominate a chair to manage the interview process and invite panel members to speak - agree beforehand who'll ask what questions.
- Use physical cues - like putting your hand up - during discussions so the candidate knows who's about to speak.
- Keep microphones on mute unless you're talking.
- Prepare interview questions as you normally would.
- Give candidates extra time to answer questions and type each one into the chat function of the software so you're sure candidates have heard you right.
- Add more safeguarding questions if needed since you won't be meeting candidates face to face.

**Question 19:**

I need to appoint a new teacher how can I observe a lesson when I can't ask candidates to deliver a lesson in person?

**Answer:**

You should plan an alternative to traditional lesson observations which may include:

- Asking candidates to deliver a lesson remotely if you are currently delivering remote lessons.
- Reviewing the evidence you would normally looking for when observing a lesson and use this to set specific interview questions. For example, asking:
  - How do you try to establish appropriate relationships with pupils?
  - How do you make sure your lessons are:
    - Engaging for the class?
    - Differentiated to support children of all abilities?
- Organising for a group of pupils, for example those on the student council, to meet candidates remotely. Have someone from the panel there to observe and make notes so you have something to refer back to when choosing your preferred candidate.

You could also include other interview tasks such as:

- A presentation – you could ask candidates to send a video of themselves delivering the task so that you can review them in your own time and not over video conference or set up a separate video conferencing session for each candidate specifically for the presentation.
- An in-tray exercise or task - Decide whether you want candidates to complete tasks before or after the interview and make sure this is clear to them ahead of time - including how long they'll have to complete the task and how to submit it. For example, you might send them a task ahead of the interview and give them a set time to complete it and send it back.

When determining a recruitment process schools will need to explore the practical and technical circumstances of each candidate and make reasonable adjustments where these are necessary.

**Question 20:**

Because we will not be able to complete performance management reviews this year will we have to allow all of our teachers who are eligible for a Pay Progression to progress this year?

**Answer:**

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.

Headteachers should use any evidence they have of performance against objectives up to 20 March and then extrapolate to make a reasonable decision about passing.

Staff must not be disadvantaged in appraisal processes because of any COVID-19 reasons. The LA recommended model appraisal policy also outlines, in terms of pay progression, where during the year it appears a possibility a teacher will not meet the criteria for progression then they should be informed in writing on a timely basis of this, the reasons why, the improvements required and given an opportunity to improve. It would be reasonable in the vast majority of cases to pass staff through appraisal. If there are cases where Heads are concerned about doing so, they should seek advice from the Schools Advisory HR team.

**Question 21:**

A member of staff has child care issues because their own children cannot attend their school because there is no capacity or they are shut due to a COVID-19 outbreak. Will these staff be paid?

**Answer:**

Schools should initially explore any flexibilities which will enable an employee to work from home whilst managing their childcare for a short period of time

It is recognised though, that working from home may not be feasible and in addition there may be restrictions on childcare options if for example grandparents are shielding. The DCC recommended model policy enables employees to access up to 5 working days paid leave of absence with a further 5 days of paid or unpaid leave at the discretion of the Governing Body. Headteachers/Managers will need to adopt a reasonable approach taking all of the circumstances into account.

**Question 22:**

A member of staff needs to provide child care because their child is in a school bubble that has been told to self-isolate for 14 days because one of their classmates has had a positive test for Coronavirus. Do I have to pay them?

**Answer:**

The Governments advice is "Where the child, young person or staff member tests positive, the rest of their class or group within their childcare or education setting should be sent home and advised to self-isolate for 14 days. The other household members of that wider class or group do not need to self-isolate unless the child, young person or staff member they live with in that group subsequently develops symptoms".

Schools should work with staff to consider any flexible working arrangements including working at home, amending patterns of work and exploring whether any suitable alternative child care arrangement can be put in place. In circumstances where this is not possible granting leaving of absence can be considered, either paid or unpaid, at the discretion of the Governing Board.

**Question 23:**

One of my part time teachers who works in another school has been assigned to a bubble in that school. The Headteacher in the other school has been in touch to say that they have to work in their school with the keyworker group, what should I do?

**Answer:**

It is recommended that as far as possible, members of staff should only be assigned to work in one bubble. If a member of staff has therefore been assigned to work in a bubble in another setting it would not be appropriate for them to be assigned to another bubble in your school due to the increase risk of infection. Negotiation with another setting to establish which bubble the employee should work in should take place. If no alternative work within the school can be subsequently identified then the member of staff must be advised to remain at home on full pay – work that can be undertaken from home should be identified wherever possible.

**Question 24:**

Can job shares do pods/bubbles? Is that crossing over?

**Answer:**

The DFE Guidance states that you can ‘assume that the staffing model will be one teacher per group (or 2 teachers sharing the week if you have existing job shares) - qualified teachers are qualified to teach any primary year group, including early years foundation stage (EYFS)’.

**Question 25:**

What happens when a member of staff is contacted by Track & Trace and told to self-isolate?

**Answer:**

If an employee is told that they must self-isolate they should be asked to work from home during the self-isolation period. Headteachers will need to establish with the employee the start and end period of self-isolation and maintain regular contact with them to support their wellbeing and ensure they are able to perform their duties. As the employee is expected to continue to work at home during a period of self-isolation they will continue to be paid.

**Question 26:**

Should BAME and clinically vulnerable staff be protected more than other colleagues given the impact that COVID-19 has on these groups?

**Answer:**

Schools should carry out an individual risk-assessment of staff at potentially greater risk and make appropriate arrangements accordingly.

A specific risk assessment should be undertaken to additionally limit the potential risk on these groups. This should be included as part of individuals’ conversations and risk assessments.

**Question 27:**

I have undertaken a risk assessment and discussed this with staff. The staff do not have a problem with the risk assessment but are refusing to sign it as they say their union has advised them not to. What do I do now?

**Answer:**

It is important that the risk assessment is undertaken with staff and that you have sought their input. You should ensure that all staff are aware of the content of the risk assessment and are able to access it to refer to if required. You should ensure that any staff who are not currently working have had the opportunity to input into this document e.g. any staff on long-term sickness, Maternity leave. Provide a paper copy where necessary and keep a record of the time and date it was provided to individuals.

Headteachers/Managers should retain a written record that staff have seen and agreed to abide by the risk assessment.

**Question 28:**

I have been advised to consult with staff about the arrangements to re-open but they won't engage with me on the advice of their union. What do I do?

**Answer:**

You are advised to consult with all stakeholders, including staff and local trade union representatives as far as is reasonably practicable. You should acknowledge the union position and continue to maintain regular communication with all staff. If the members of staff continue to refuse to engage with you, this should be included as part of the risk assessment. Schools are advised to share risk assessment plans with their trade unions and to ensure there is a clear audit trail on prioritising safety and considering all risks when reaching decisions.

This is clearly a huge issue as part of the planning process and may end up influencing the decision about how ready a school is to extend its opening.

**Question 29:**

How can I work out if any of my relief staff should qualify for the Schools - Relief COVID-19 – Interim Average Payments Scheme for Contingent Workers?

**Answer:**

Further guidance of the scheme can be downloaded [here](#). Schools can contact the pay team at HR Services via email to [pay@derbyshire.gov.uk](mailto:pay@derbyshire.gov.uk) should they require clarification over which employees this scheme refers to and the average earnings level to be applied for each employee.

If you have any queries in relation to this document please contact either [Ian.McKenzie@derbyshire.gov.uk](mailto:Ian.McKenzie@derbyshire.gov.uk) or [Charlotte.Webster-Topley@derbyshire.gov.uk](mailto:Charlotte.Webster-Topley@derbyshire.gov.uk) or [Carolyn.Lloyd@derbyshire.gov.uk](mailto:Carolyn.Lloyd@derbyshire.gov.uk)