



The Athelstan Trust

COVID 19 HR Procedure

Date of Review	Approved by	Date of Approval	Next Review Date	Website
26 April 2020	CFO/CEO	26 April 2020		No

(Adapted from a Wiltshire Council model that has been agreed with the following recognised trade unions: NEU, NAHT, NASUWT, ASCL, Unison, Unite and GMB).

What is COVID 19?

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 Trust will apply national guidance and policies, and provide guidance to governors, staff and workers about how these should be implemented

This procedure outlines potential arrangements that the Trust 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

Who does it apply to?

This procedure applies to all Trust employees.

When does it apply?

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



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

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

Any decision to implement this procedure 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 procedure with the involvement of Trade Unions representatives and recognise that the successful implementation of this procedure 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 Head Teacher 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:

Reason	SAP code
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 complete a self-declaration form, or may provide an online isolation certificate available from [NHS 111 online](#).

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 Head Teacher options for working flexibly wherever possible.

Medical exclusion

The Trust understands that employees' 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.



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Where a Head Teacher 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 Head Teacher (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 Trust recognises that as the situation progresses employees may have concerns about attending work.

The Trust will aim to allay concerns by providing access to all available information about COVID-19.

The Trust will ensure that all reasonable hygiene management actions are taken to lower the chance of infection in the schools.

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 / 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 Head Teacher 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 student/colleague 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 Head Teacher. Any information will be held by the Head Teacher with appropriate regard for confidentiality.

Emergency Leave

Employees should try to put in place plans for alternative care arrangements, however in an emergency your Head Teacher can grant leave 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 Head Teacher 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



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Wherever possible Head Teachers 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 Head Teacher 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 Head Teacher 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 has a close relative or dependent who is seriously unwell the Trust's compassionate leave arrangements as detailed in the Employment Manual will apply and the Head Teacher 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/Gloucestershire.

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.



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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 Head Teacher should ensure that any requirement for overtime payments during this period are tracked and notified to payroll. 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 resumes 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.



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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 Head Teacher or Chair of Governors should the matter relate to the Head Teacher 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 workers (sometimes called key workers).

The Trust will identify roles and individuals who fall into the category of critical workers.

Where an employee is confirmed as being a critical worker the Head Teacher 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 Trust 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.



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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 Trust's privacy notice.

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>