

**Nottinghamshire HR Service - Advice to Head Teachers and Governing Bodies**

**Pay and Terms and Conditions of Employment**

**Managing and supporting employees during the Coronavirus COVID-19 outbreak**

This guidance and FAQ’s concentrate on pay and terms and conditions of employment and has been updated following the Government decision effective from Friday 20th March to order the closure of all schools for the foreseeable future for most children. We recognise that head teachers face a new set of challenges now that school provision is being arranged for the most vulnerable children and children of critical workers where it is not possible for the child/children to be kept safely at home.

We are making every effort to keep you up to date with local and national guidance and this HR advice is based on the information available, which is limited in some areas, and our professional judgements.

If you have any suggestions on the list of FAQ’s, please email andy.wilson@nottscc.gov.uk

As more information becomes available, we will continue to update our guidance and FAQ’s. Please share this information with your staff and governors as appropriate but do not rely on printed versions and always follow links to updated FAQ’s and official government guidance.

The Children and Families Department “Pulling Nottinghamshire Together” bulletins are an invaluable source of support and guidance for head teachers and are available on the School’s Portal.

School leaders, staff and governors understandably remain uncertain about the continuing impact on them during the current outbreak of coronavirus COVID-19. Please be reassured that the County Council has plans in place and will make every effort to provide schools with the support they require.

All government information is available from [gov.uk/coronavirus](https://www.gov.uk/coronavirus).

You might also find it helpful to contact the Department for Education’s COVID-19 helpline, which is available to answer questions relating to education and children’s social care. Staff, parents and pupils can contact this helpline on 0800 046 8687 from 8am to 6pm, Monday to Friday, and 10am to 4pm, Saturday and Sunday. Schools will need their unique reference number (URN or UK PRN) available when calling the hotline.

Alternatively, you can email DfE.coronavirushelpline@education.gov.uk.

The FAQs concentrate on the developing school management issues and issues raised so far with the HR Service. Please continue to consider ways in which risks can be minimised to individuals.  Much of this will appear to be common sense but sometimes it is helpful and bears repeating;

* Government guidance on when to self-isolate still stands and continues to apply to all critical workers.
* As your staff teams become fragmented, employees should ensure that they are taking steps to look after their wellbeing whether they are in school or working at home during the period of school closures. For staff working at home these include:
* maintaining regular contact with their manager and colleagues, to share best practice and keep in touch and being clear about methods of communication;
* the need for security and confidentiality of information/papers that may be taken home;
* being aware of the things that can cause them poor wellbeing and the activities and resources that can help to address this.
* Offer the necessary reassurances that the school and the Council are following the most up to date advice from Public Health England.  If people have specific concerns about their health, they need to be directed to the Public Health England advice using the relevant links on the intranet or to ring NHS 111.
* Make sure all staff, pupils and any volunteers who work on the school premises are familiar with the very clear advice on maintaining hygiene as a mechanism to avoid the risk of infection spreading. Again, this is specified in the advice from Public Health England.
* The [government has updated guidance](https://www.gov.uk/government/publications/covid-19-guidance-on-social-distancing-and-for-vulnerable-people/guidance-on-social-distancing-for-everyone-in-the-uk-and-protecting-older-people-and-vulnerable-adults) on **social distancing** for categories of vulnerable and pregnant employees. The guidance also specifies people with specific health conditions who are at increased risk of severe illness from Coronavirus and has advised that they be particularly stringent in following social distancing measures and who should not be in the workplace.
* Make all reasonable efforts to provide staff with access to school equipment to enable them to work flexibly and remotely at home wherever this is possible. If staff cannot work from home they should remain off work and the absence should be recorded on the [self-isolation pro-forma](https://www.nottinghamshire.gov.uk/schoolsportal/news/nottinghamshire-maintained-schools-coronavirus-self-isolation-notification-pro-forma). Staff will receive full pay in these circumstances.
* Schools will now be working together, in hubs where appropriate, supported by the local authority to put staff cover arrangements in place so that pupil needs are met.
* Ensure that staff continue to support each other and try to adopt a consistent approach, nothing can be more divisive than people perceiving they are being treated differently from their colleagues.

The Council’s Risk Safety and Emergency Management Board continues to meet regularly as do the Departmental Risk, Safety and Emergency Groups. Further information and bulletins will be published.

If you have any questions about managing and supporting the staff in your school, please contact your normal [HR Business Partner](https://www.nottinghamshire.gov.uk/schoolsportal/hr-advice-support-and-training/hr-news-area/updated-coronavirus-faqs) or ring the HR Duty Desk on 0115 9774433.

**Please note the FAQs are correct at the time of writing (see date above) and will be updated as the situation develops.**

**FREQUENTLY ASKED QUESTIONS – Updated Friday 27 March 2020**

**Q Will teachers and other school support continue to be paid?**

Yes. Teachers and support staff will continue to be paid during this period as normal.

**Q Can the head teacher of a maintained school instruct employees who may be at risk of having contracted coronavirus not to come to work?**

Yes, although schools are now making provision for vulnerable children and children of critical workers, where they cannot be kept safely at home, employers remain under a duty of care to ensure the health and safety of all their employees and to provide a safe place and system of work.

In light of this, and the serious implications if the coronavirus (COVID-19) is contracted and spread in the workplace, the head teacher should instruct an employee to follow the [official government guidance](https://www.gov.uk/guidance/coronavirus-covid-19-information-for-the-public) for the public in relation to COVID-19.

**Q Is there any duty on employers to close their workplace if a risk of contact with coronavirus is identified?**

Current government guidance is that there is no need to close the school (or any workplace) if someone suspected to have coronavirus (COVID-19) has been to the premises. Even if the person subsequently tests positive for coronavirus, closure of the workplace will not necessarily be recommended. Public Health England will advise the you on what action to take in these circumstances. Head Teachers should remain alert to further government advice.

**Q What should head teachers do if an employee is expected to continue to work on school premises during school closures but concerned about the risk of contracting coronavirus and does not want to attend work?**

Generally, an employer can require employees concerned about contracting coronavirus (COVID-19) to attend work but this will be impacted by government health advice and the school closure.  In the current school closure period, whilst some staff will be required to attend their place of work, others will be required to continue working at home, due to health reasons where they can. Alternatively, staff may be asked to volunteer to be deployed to work in other schools or local “hub” to provide school places so that critical workers can continue to go to work.

Head teachers should check current government guidance about self-isolation and take the employee's own circumstances into account when deciding whether there are grounds for the employee to stay at home.

Where there are no grounds for self-isolation, the fear of contracting the illness would not generally be sufficient reason for failing to go to work if required. Head teachers and individual employees will want to avoid situations where an employee refusing to come to work may be subject to disciplinary action for unauthorised absence. An employer could also stop paying an employee who refuses to attend work on the basis that the employee is failing to perform their part of the contract. The Council has determined this will be the position of last resort and all efforts should be made by head teachers to find an appropriate way forward with their staff.

**Q If an employee is advised to self-isolate to avoid the risk of spreading coronavirus, are they entitled to sick pay?**

If an employee is self-isolating, following government guidance, they should be paid in accordance with their terms and conditions, which provide for no employee to lose salary. The aim is to avoid the situation where an employee attends work against medical guidance, risking the spread of coronavirus because they are concerned about not being paid or having to use up their annual leave allowance, where appropriate, to cover their absence. There are differences between teachers and support staff national conditions of service, as follows;

For teaching staff advised to self-isolate whether they have symptoms of coronavirus or not, the absence should be treated as due to sickness and they will be entitled to statutory and occupational sick pay as per their normal sick pay entitlements. The absence will not, however, count against the teachers’ entitlement to sick leave.

If support staff are advised to self-isolate but do not show symptoms of coronavirus, they should receive normal full pay. In this circumstance head teachers should explore all flexible working options, such as working from home, with the individual.

If support staff have symptoms and are self-isolating, or develop them whilst self-isolating, they will be classed as absent due to sickness and receive statutory and occupational sick pay as per the provisions of the NJC sick pay entitlements.

**Q Do employees need to have absences over seven days covered by a GP certificate/fit note?**

No, it will not be possible for staff to be able to provide a Fit Note from Day 8 as usually required for reason of contracting coronavirus or self-isolation following medical guidance. GPs are not seeing patients and people have been asked not to visit their GP’s surgery if they have been advised to self-isolate. Certificates are therefore not required. Schools should therefore ask employees to continue to submit self-certificates and immediately notify the school when they are fit to work and also when they finish a period of self-isolation.

**Q What is the position of staff who were off sick and/or self-isolating prior to the closure?**

If staff are in self-isolation or sick pay when the school closes, technically they remain on this until they notify the school that they are out of isolation / fit to attend work. Once they are fit, expectations on all other staff will apply.

**Q How should absences due to self-isolation and any subsequent sickness absence be recorded?**

An online pro-forma is [available](https://www.nottinghamshire.gov.uk/schoolsportal/news/nottinghamshire-maintained-schools-coronavirus-self-isolation-notification-pro-forma) for the purpose of recording absences due to either coronavirus or self-isolation following advice. The local authority may be likely to be required to report externally on levels of employees having to self-isolate.

Head teachers should therefore complete this form on behalf of employees and will need to be clear, when the employee informs them of the absence, whether the self-isolation is with or without symptoms and the reason for self-isolation.

Academies do not need to complete this form but may wish to record absences in line with it, for their own recording and reporting purposes.

For payroll purposes, schools will also need to record all teacher absences and any support staff absences with symptoms using the BMS portal. The category should be **“Non-standard sick - full”** and the reason should be **“Coronavirus”.** This will ensure statutory and occupational sick pay qualifications are met.

**Q When should I allow an employee who has been self-isolating to return to work?**

If the employee is self-isolating prior to a test for coronavirus (COVID-19) or following a negative test result, they should follow the [latest government stay at home guidance](https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection).

If the employee has tested positive for coronavirus (COVID-19), they should not return to work until given clearance to do so by a medical professional.

**Q How should I proceed with absence monitoring/procedures at this time?**

Given the exceptional circumstances and the developing situation, head teachers have discretion to suspend targets/triggers as part of any ongoing absence management monitoring or formal procedures.

The latest government advice on social distancing and to stay and work at home mean that it is not practical and would be contrary to government advice to expect employees to attend any kind of welfare or formal meeting.

Head teachers should be clear what stage any existing issues/concerns are at and seek advice from their usual HR Business Partner for advice on when the time is appropriate to progress at some future point. In the meantime, please make sure that all absences are recorded properly.

**Q Are there special measures to protect vulnerable and pregnant employees?**

The [government has updated guidance](https://www.gov.uk/government/publications/covid-19-guidance-on-social-distancing-and-for-vulnerable-people/guidance-on-social-distancing-for-everyone-in-the-uk-and-protecting-older-people-and-vulnerable-adults) to provide specific advice for vulnerable and pregnant employees.

**Q) What should employees do who live in the same household with, or have personal caring responsibilities (where social distancing cannot be maintained) for, a person who is vulnerable/shielding in line with the two Government categorisations and instructions?**

The government has issued advice and includes the relevant conditions here; <https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19> .

People to whom this may apply fall into two categories as set out in the above guidance. Those who are most vulnerable to infection are being contacted directly by the NHS during the week commencing 23March and told to remain in their homes (this has been termed shielding). They will be given individual advice about how their conditions will be managed in order to keep themselves and others safe.

In these circumstances, employees who have people in their own household who are included in the vulnerable/shielding categorisations should not be expected to attend the workplace.  This is also relevant to employees who provide personal care, eg bathing, to a relative who lives in their own home and where the employee cannot maintain social distancing protocols. All options for working at home should be considered.  If this is not feasible, and, after discussing their situation with their head teacher / manager, the employee can remain at home on full pay for the duration of this emergency.
 **Q During a flu pandemic or an infectious disease outbreak such as the coronavirus (COVID-19), can the school insist that someone with flu symptoms comes to or be available for work?**No, the governing body would be in breach of its common law and statutory duties to ensure the health and safety of its employees and to provide a safe place and system of work by insisting that an employee with flu symptoms attend the workplace. Additionally, such action is likely to breach the implied term of trust and confidence between the parties, as the school could jeopardise the health of the employee in question, and of its entire workforce, given the contagious nature of the coronavirus.

**Q What if one of your staff, who is not at high risk, refuses to attend work or carry out duties for fear of catching coronavirus?**

It is expected that employees will continue to attend, where and when required to perform their duties and be flexible to ensure that any disruption to school provision, in school is as limited as possible. If an employee refuses to attend work or refuses to carry out certain duties, head teachers should ascertain what the concerns are and consider what, if anything can be reasonably addressed and if necessary, carry out a risk assessment. If this has been done but the employee still refuses to attend or perform the task, then this may constitute unauthorised absence which may be a disciplinary issue and may justify pay being stopped.

Head teachers should explain the individual’s contractual obligations and the consequences of refusing to work, and if there is still no change in the individual’s position, immediate advice should be sought from the HR Service to ensure that a consistent approach is taken.

**Q What if an employee doesn’t want to get on a bus to work in case other passengers have coronavirus. Can they stay off work?**

No. 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. It is an individuals’ responsibility to make their way to work. If they do not wish to travel by public transport, they need to make alternative travel arrangements at their own expense.

**Q What if a member of my staff is stopped by the police on their way to work?**

The government has issued a **Travel ‘*Stay at home, save lives*’ instruction.** School staff areregarded as critical workers who are those workers who can seek childcare assistance in order to enable them to work. The guidance is clear that travelling to and from work is permissible only where the work an individual does absolutely cannot be done from home.

If asked by police the purpose for their journey, those working in your school should simply state they are travelling to carry out work that cannot be done at home and explain their critical worker status. Staff may be asked by the police to produce documentation to justify their travel and if head teachers feel that their staff would feel reassured by it, we suggest you provide a hard or electronic copy of a letter that confirms this critical worker status. A [template](file:///C%3A%5CUsers%5Cjb1116%5CDesktop%5CPortal%20Uploads%5CLetter%20for%20Key%20Workers%2020200327.docx) is available on the Schools Portal.

If your school gets a call or email to ask for confirmation that the person is an employee, please offer to ring the requester back and only provide a simple yes or no type of response. Do not give away any personal details of the employee.

**Q What if an employee is caring for someone or lives in a house with someone who has or may have coronavirus?**

If an employee is caring for someone or who lives in a house with someone who has or may have coronavirus this period of absence should be regarded as self-isolation. Answers to previous FAQs will apply in relation to pay. Please also see the latest government advice concerning the self-isolation of a whole house-hold [official government guidance](https://www.gov.uk/guidance/coronavirus-covid-19-information-for-the-public).

**Q Now that the government has closed all schools for pupils, other than for vulnerable children and those of critical workers what time off provision is available if my children are at home?**

The government list of critical workers includes school staff who may be required to provide school provision to the identified categories of children and therefore a school place should be available for all school-based staff.

In the event of an employee having to take time off work due to school or nursery closure or if the regular carer of the child is ill, time off will be considered up to a maximum of five days in line with the School’s Annual Leave and Leave of Absence Policy. Employees are expected to make every effort during this time to make speedy arrangements so that they can fulfil their work commitments as soon as possible.

The Council recognises that where alternative caring arrangements cannot be made and an alternative home working pattern is not feasible, with management approval, the employee will be allowed to stay at home longer whilst ongoing efforts are made. In exceptional cases some employees may be allowed to stay at home on full pay for the duration of this emergency.

Where parents choose to withdraw their children from schools which remain open to their children, special leave provisions will **not** normally apply.

**Q What if an employee is not sick or self-isolating but cannot attend work, be redeployed or work at home?**

Every effort should be explored to facilitate alternative working options to enable staff to continue working.  However, in line with advice from the National Employers for Local Government Services, the Council recognises that where all options have been considered and alternative arrangements cannot be made, and with management approval, the employee will be allowed to stay at home on full pay until such arrangements are made. In exceptional cases, if this is not possible some employees may remain away from work for the duration of this emergency.

**Q Can the school continue to progress general HR casework issues?**This issue was discussed with representatives of the recognised trade unions in Nottinghamshire on Tuesday 24 March 2020. The decision to progress individual casework in schools will be for the head teacher and all head teachers are strongly advised to seek advice from their named HR Business Partner before doing so.

The reality of the current situation in our schools in the light of government advice on social distancing, meaningful consultation with staff and their trade union representatives and face to face formal meetings with staff and their representatives cannot take place. This means that many casework issues, such as capability procedures, will have to be held in abeyance until such time as some of the measures put in place by the government are relaxed.

However, there are some casework issues that may be progressed. This is not a complete list and you should discuss individual concerns with your named HR Business Partner.

Urgent disciplinary matters such as serious safeguarding concerns

Cases of serious disciplinary concerns must be managed as would normally be the case. The LADO is the first point of contact where there are safeguarding concerns, these should then be discussed as appropriate with your normal HR contact.

Advice on suspension should be sought and HR Business partners will discuss next steps about any investigations with you, including liaising with the trade unions on how these can be progressed. In many cases, it will be possible to progress interviews with witnesses where it is appropriate to do so over the phone.

Redundancies – where the school-based reduction can be achieved through voluntary means

If individual employees have confirmed or are willing to confirm that the stated required reduction can be achieved voluntarily you should discuss the progression of the case with your named HR Business Partner. Schools and individual employees may want these situations to progress and to receive confirmation as soon as possible. They should be asked by the head teacher to confirm in writing their request to be considered for voluntary redundancy or voluntary reduction in hours and be advised to contact their trade union to confirm this is their intention. In voluntary redundancy cases there is no requirement for an employee to attend a formal meeting in person and the governing body will be able to decide on this remotely.

Cases of ill health retirement where an employee is supportive of the medical practitioners view and wants to end their employment / access their pension

If processes are part way through or can otherwise be progressed where an individual wants to secure ill health retirement these cases should continue. In all cases the employee should confirm their intention in writing and be advised by the head teacher to contact and discuss their position with their trade union and ensure that the relevant medical advice is available. In these cases, there is no requirement for an employee to attend a formal meeting in person and the governing body will be able to decide on this remotely.

This is not an exhaustive list and discussion will need to take place with trade union colleagues and the HR Business Partners in individual cases. Where casework is suspended you should seek advice from your named HR Business Partner so that the school and the employee are clear on where each case is at .

**Q The school is part way through a restructuring process – can this continue?**

This will be a decision for individual schools to make, but will not be possible, unless any changes are consensual and / or possible for meaningful discussion with representatives of trade unions and staff to take place. You should discuss individual cases with your HR Business Partner, who will in turn liaise with trade union colleagues.

**Q Can Governing Body meetings, including meetings to consider staffing issues with governor panels go ahead if governors/staff are self-isolating?**Yes, as indicted above there will be some casework that can be and should be progressed if possible, without detriment to the employee. In many cases, however, this is likely to prove very difficult, given the logistics.

Governor Services issued a Virtual Governance Policy in the summer term of 2019, available on Governor Hub, and HR governor panels class as a ‘committee’ meeting, so are covered by the policy.  You should check to see if you have adopted the policy and if not, it can be posted on Governor Hub/sent out by email and with a request for governors to approve it asap.  It can then be ratified at the next FGB meeting.

Once approved consideration should be taken as to the logistics of holding the panel meeting in line with guidance in the policy.  This could include skype/conference calls to consider voluntary redundancies and ill health retirements, where there is no requirement for an employee to attend.

**Q As the school is remaining open for children of critical workers and vulnerable children, how do we decide who will need to attend the workplace?**

Schools must minimise the number of staff in school at any one point and discuss arrangements with the LA and their staff to put in place ongoing plans to manage the reduced pupil numbers collecitively across schools where possible. Given the directive by the government to minimise all non-essential travel, adults should only be in school to meet the needs of the pupils attending. All other staff will be deployed at home

The general principle is that all staff are still employed and can be required to attend work. School staff are Critical Workers and so will have provision for their own childcare at schools and nurseries.

**Q What is the position with pay for staff if the school closes entirely or staff are not required to work in school due to reduced pupil numbers?**

If the school closes entirely or staff are not required to attend to work with the reduced pupil numbers, all contracted staff are entitled to be paid full pay and where possible continue to work at home.

**Q I have staff who regularly work additional hours, what is their entitlement?**

Ad hoc additional hours should not be paid during any absence.

If the hours are contractual (i.e. expected) and/or regular, they should be included in the calculation for pay/sick pay during self-isolation and for full pay in the event of working from home/full closure.

If staff are regularly paid additional hours, these payments will be included in their occupational averages for sick pay. If the employee is in receipt of full pay in the event of a closure, in effect no sickness is being recorded, then the school will have to continue to process claims for these additional payments if they wish these payments to continue.

**Q Now that the school requires fewer staff to attend, supply/casual staff are no longer required – what is the position with regard to pay?**

If the person has been “booked” in advance to work on a day, or for a set period, they should be paid for any period they were promised work. So, if the school had booked a supply teacher for this whole term – they will have to pay them. Payments should be processed through the BMS Portal as usual, as payments cannot be made in advance of the planned work.

We are awaiting further clarification from the DfE on payments to supply teachers.

If an employee is engaged on a non-regular casual basis and is absent due to coronavirus (either self-isolating or sickness), they may be entitled to Statutory Sick Pay if they meet the average earnings threshold. The absence will need to be entered across all the individual’s employments on SAP. Occupational enhancements to SSP can be made but you will need to calculate this and notify payroll of the daily rate you wish to pay.

If the reduced staffing requirements go on for an extended period, the school could give notice that they will not be required as expected e.g. after Easter but this will carry a risk as the person could claim there was a “contract” in place. We can’t be definitive about this – it will depend on the particular cirumstances of each case and if you need further advice, please contact our usual HR Business Partner.

**Q A supply teacher working in the school as casual ad hoc cover now says they will not come into school or work at home – do I have to pay them?**

No. If a supply teacher choses not to come to work they are not entitled to be paid. It does not matter the reasons they will not attend. They are not employees and therefore not entitled to be paid.

**Q I am concerned about capacity to provide adequate staffing levels due to staff absences.**

Many schools are working collaboratively or in “hubs” to ensure school provision is available and to minimise the number of staff who are on a rota to work in school. Where additional staff are needed schools should continue as usual to employ supply staff who are willing and able to work as required to cover staff absences.

**Q What is the position for supply staff employed by an Agency?**

Schools are under no obligations to pay agencies or their staff for bookings not fulfilled during this period.

**Q Nottinghamshire Staff Absence Support Scheme – Can the school claim against the scheme for absences resulting from coronavirus?**

Schools will require fewer staff to deliver the educational provision to a reduced number of children and may not require supply cover. However, if a member of staff is absent, and staff cover is employed and there is an additional expense to the school then this will be covered under the staff absence guidelines. If there was no requirement for cover, cover cannot be found, or there was no additional expense to the school, then no claim can be made.

**Q Can I still recruit new staff for September?**

The decision to close schools and restrictions on social distancing and shielding will make normal recruitment processes challenging. There is no easy answer to this, and the priority should be to explore whether existing postholders can continue working longer into next term and whether the vacancy be covered internally. However, where the school still needs new staff for September, recruitment, in some form can continue where this is reasonably practicable.

Clearly face to face interviews will not be appropriate in the light of current government advice. This means that if you choose to go ahead you will need to consider selection activities, as some of these may not be applicable when pupils are not present on site. Schools will need to be creative and flexible in their approach and should explore use of video conferencing or telephone/skype interviews, although it is recognised this may not be appropriate in all cases.

You will need to bear in mind that the selection stage of the process may be postponed if a candidate is unwell.

**Q Head Teacher recruitment, can this proceed?**

Many, if not all, governing bodies are suspending their HT recruitment processes for vacancies due to be filled for the Autumn term. NCC Governing Body Services and colleagues from the EIS are working with schools to put in place leadership solutions for the Autumn term, with some head teachers choosing to stay on a further term or longer.

**Q We have a new member of staff due to start next week/after Easter – what is the position?**The job offer should stand. If you have offered employment and this has been accepted, you have made a contract and will be at risk of a breach of contract claim if you now withdraw the offer. Even if the offer is conditional (e.g. upon pre-employment checks), the closure of schools is unlikely to be seen as a valid reason to withdraw the offer, but may be slightly less of a risk.

Clearly, if school closures are extended, the new staff may not actually be able to attend for work so you will need to do what you can to provide them with information and work that they can do remotely e.g. getting familiar with policies and procedures, lesson planning and preparation etc.

 **Q Schools are being asked to remain open over the Easter closure – what is the position with staff?**All schools have planning in place and working with staff on a voluntary basis in and across school “hubs” to ensure that staff rotas are in place to include cover to enable schools to remain open over the Easter break. Given the directive by the government to minimise all non-essential travel, adults should only be in school to meet the needs of the pupils attending. All other staff will be deployed at home.

The HR Service is continuing to work closely with its contacts and connections with the National Joint Council and Local Government Association to seek further clarity on the implications arising from schools being open over the Easter period when they would otherwise be closed. We will ensure you are updated as and when this becomes available.

**Q When will teachers and support staff take their Easter holiday?**School leaders are making sensible and practical decisions on staffing and what breaks will be needed, and schools are making all possible efforts to maintain provision for children of workers critical to the Covid-19 response over the Easter holidays. Schools should manage rotas for cover over the Easter holiday closure on a voluntary basis. Provision should be made for all staff to take their holiday before, during or after the Easter holiday.

**Q What if staff refuse to work as they would not normally work during the Easter school holiday?**
Schools should continue to work with staff on a voluntary basis to ensure that parents of critical workers can go to their work. Contracts for teachers do not require them to work over the Easter holiday and many support staff in schools are paid on the basis of term time only.

In short, schools cannot insist that staff work during school closures if they are not contracted to do so. Schools should organise cover by asking for volunteers and work collaboratively as far as possible to achieve required staffing numbers over Easter.

Further advice is expected on this from the government. We understand that the government has indicated that some funding will be made available to schools who incur additional costs due to Covid-19.
 **Q We have an employee who is due to go on maternity leave but has been advised to self-isolate. What is the position?**The same rules apply as for other staff up until the day they have started their commencement of maternity leave. Schools may need to be flexible on the receipt of MATB1s and accept the employees stated Expected Date of Childbirth.

For clarity you cannot require someone to commence their maternity leave early unless they have a pregnancy related illness from four weeks before the Expected Date of Childbirth.

**Q A pregnant employee wants to change the date her maternity leave starts, given that she will not be attending work due to isolation.**Employees can change the date they wish to start their maternity leave subject to giving the required notice. Notice required is 28 days prior to the original date given by the employee for their maternity leave to start, or 28 days before the new date whichever is sooner. **Q I am booked on a training course, will the course go ahead as planned?**All non-essential training booked through the learning portal has been cancelled with immediate effect until 30 April. If you have booked on to an NCC training event you will receive an automated cancellation email for each course you are booked on to. All planned events will be re scheduled for a later date.  **Q Is there any guidance for apprentices?** It is important that apprentices continue to work on their apprenticeship during this time, including if they are working from home. Apprentices should continue to log their 20% off the job training as they have been doing. Apprentices who are self-isolating but able to continue to work, should continue with their learning and notify their training provider of the situation. Apprentices who do become ill and are absent through the virus should let their training provider know, as well as their head teacher, and keep them updated when they are fit to return.

Training providers are adjusting their mode of delivery to online or skype contact where possible and are putting contingency measures in place. If your apprentice is due to sit their end point assessment in the next two months, then there may be some disruption to this. The training provider is responsible for arranging the end point assessment so will discuss the implications of this with your apprentice.

Any questions or concerns please contact Nottinghamshire.apprenticeships@nottscc.gov.uk

**Q Coronavirus and staff wellbeing**

We know this is a difficult time for many of our employees at work and in their daily life. If staff are worried about how they feel as they may be asked to work, stay at home or avoid other people, MIND has put together information to help their wellbeing: <https://www.mind.org.uk/>