

COVID-19 FAQs for School staff

You will likely need to address difficult questions from staff in the coming weeks – here are some questions and answers to the more common queries we have come across over the last few days.

1. Self-isolation – why and when?

You can access the most up to date guidance available by using this link "[Stay at home advice](#)", and "[COVID-19: guidance for educational settings](#)", but the key points to note are:

- Anyone with a 'new continuous cough' or high temperature is advised to self-isolate.
- If you live alone and you have symptoms of COVID-19, however mild, stay at home for **7 days** from when your symptoms started.
- If you live with others and you or one of them have symptoms of coronavirus, **then all household members** must stay at home and not leave the house for **14 days**. The 14-day period starts from the day when the first person in the house became ill.

2. What is a vulnerable group?

Those who fall in "vulnerable groups" are currently:-

- those who are pregnant
- aged 70 or older (regardless of medical conditions)
- under 70 with an underlying health condition listed below (ie anyone instructed to get a flu jab as an adult each year on medical grounds):
 - chronic (long-term) respiratory diseases, such as [asthma](#), [chronic obstructive pulmonary disease \(COPD\)](#), emphysema or [bronchitis](#)
 - chronic heart disease, such as [heart failure](#)
 - [chronic kidney disease](#)
 - chronic liver disease, such as [hepatitis](#)
 - chronic neurological conditions, such as [Parkinson's disease](#), [motor neurone disease](#), [multiple sclerosis \(MS\)](#), a learning disability or cerebral palsy
 - [diabetes](#)
 - problems with your spleen – for example, [sickle cell](#) disease or if you have had your spleen removed
 - a weakened immune system as the result of conditions such as [HIV and AIDS](#), or medicines such as [steroid tablets](#) or [chemotherapy](#)
 - being seriously overweight (a body mass index (BMI) of 40 or above)

Those who are within vulnerable groups should be encouraged to work at home where possible and told that guidance is that they should avoid social mixing in the community. A useful summary of advice by following this link: [Government advice](#)

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3. Self-isolation and pay?

If staff are following Government or medical advice on self-isolation, then they will be entitled to sick pay in accordance with their contract of employment (see point 4 below) but they should still be asked to comply with the School's usual absence reporting procedures wherever possible and practicable.

4. What are the standard provisions for sick pay in collective agreements?

In the vast majority of Schools, staff contracts incorporate the Burgundy Book (for Teachers), and the Green Book for support staff, and individual contracts and length of service should be checked wherever possible before making any commitment on pay. Generally though:-

- Teachers with sufficient service are entitled to 100 working days at full pay and 100 working days at ½ pay;
- Support staff with:-
 - less than 5 years' service this increases from an initial one month's full pay, plus after 4 months service 2 months half pay, increasing annually up to 5 years' service; and
 - over 5 years' service are entitled to 6 months full pay and 6 months half pay, with those with.

5. Vulnerable groups following Government guidance to work from home

For now, our guidance to Schools is:-

- In relation to those in vulnerable groups who are not showing symptoms, Schools should consider feasibility of them working from home. Clearly if they are working from home, then they should be paid in the normal way. Bear in mind any health and safety, information security and data protection issues which may arise from home working.
- For those in vulnerable groups who are unwell and are staying at home, they will be entitled to sick pay in accordance with their contractual rights.
- For those in vulnerable groups who are unable to work from home (and the School agrees that it is not feasible for them to work from home), the School should consider sending them home and continuing to pay them as normal, but explaining that this is subject to ongoing review.
- For pregnant staff who are not unwell and are following Government guidance by remaining at home, wherever possible, having regard to their role, Schools should facilitate remote working and continue to pay them as normal. You may also wish to assure staff that they will not trigger early maternity leave in the way pregnancy related sickness absence would.

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6. What if I need to look after my child who needs to self-isolate?

It is likely that whole families may be required to self-isolate under the new requirements. If so, staff should be paid sick pay as set out above in the usual way. If the staff member would otherwise be fit to attend work, then it is legitimate to ask them to work from home (if this is practicable, depending on their job role).

If your child's School closes, or if you require emergency time off work to care for a sick dependent, then you may need to remain at home for a short period of time whilst you make alternative arrangements for their care. In this case employers may wish to offer up to say 3 days leave of absence as emergency time off for dependent leave. However, practically speaking, if you take too firm an approach to this, then staff may just declare themselves as being "unfit" to work.

Whilst the law states that emergency time off work to care for dependents is "unpaid" time off work, in these circumstances many Schools are deciding to continue this at full pay (and in fact your policies and procedures may provide this right in any event). Where appropriate, other arrangements can be considered on a case by case basis, such as home working or annual leave.

7. What do I do if I need time off work because my child's School has closed?

We are awaiting confirmation of who are "key workers" from the Government, which is expected imminently. This will set out a list of employment jobs roles who are permitted to allow their children to continue to attend School for the foreseeable future.

We expect to see Teachers and School staff included in this list of key workers, but we cannot be sure until this list is released. If School staff are included in the list of key workers, then this should mean that the children of your staff are able to continue to attend School (but it may not be their normal School). This is a case of watch this space at this stage.

8. Will staff be paid when the School closes?

If a School decides to close, then the vast majority of staff will continue to be paid as normal. However, staff may be required to carry out work at home (depending on their job role). The exception to this rule may be casual workers, where there is no contractual requirement on the School to offer any work. This will only be applicable to a small number of staff and should be considered on a case by case basis.

9. Absence management in these circumstances

There is no hard and fast rule here, but in circumstances where staff are genuinely following the Government advice, and self-isolating with minimal symptoms but would in normal circumstances have been able to attend work, then best practice would be to discount any period of self isolation from their sickness absence record.

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School payroll providers should have a separate code to log absences on their systems, including the option of reporting the absence as "Other".

If staff are self-isolating and are unwell, this ought to be classed as normal sickness absence and should be recorded as sick leave for the purposes of record keeping – but, arguably in relation to those who are off work due to COVID-19, the general approach at this stage is to disregard these absences for assessing whether trigger points have been reached for the purpose of sickness absence management.

10. Self-certification and fit notes

The usual process of sickness absence reporting under the Schools policies will continue to apply but it is recognised that provision of fit notes which would normally be required to be provided by staff, will be difficult to obtain in these circumstances. In place, you should aim to keep in regular and reasonable contact with your staff to check in on their well-being and their current circumstances.

Going forward, the government has announced in the Spring Budget that a temporary alternative to the 'fit note' will be introduced in the coming weeks, which is expected to be used for the duration of the COVID-19 outbreak. However, this will take time and the Government may not get around to this any time soon.

We will keep you updated about the proposed new COVID-19 alternative to the fit note as soon as possible when details are available.

11. Can Schools check the temperatures of pupils and staff?

You cannot require an employee or visitor to School premises to undergo a medical examination without their consent. This would include taking temperatures.

However, on a practical level, if you feel the need to check any temperature then you should seek prior consent and in the majority of cases, consent may be freely given.

On a personal level, employees and workers may be reassured that you are taking steps to protect their health in the workplace, as long as appropriate hygiene safeguards are in place

12. Do staff have the right to be informed or notified if a colleague or child develops the virus?

The Data Protection Act 2018 defines information about an employee's health as a "special category of personal data". This means that it can only be processed by the employer in defined and restricted circumstances. As such, employees should be notified of the infection risk as soon as possible, but the identity of the individual who has developed the virus should not be disclosed.

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The Information Commissioner's Office (ICO) has confirmed that it will take a pragmatic approach to enforcement in light of the pandemic. It has issued guidance which confirms that employers can disclose to colleagues that an employee has contracted COVID-19 provided that they do not provide more information than is necessary and, in most cases, it will not be necessary to name the individual.

You should therefore comply with the ICO guidance, but it must be appreciated that from a practical level, in any School setting, it may be difficult to guarantee the anonymity of anyone who has developed the virus.

13. To control the spread of infection

In the meantime, it is important that everyone makes every effort to stop the spread of infection. Everyone is encouraged to continue to promote the following practices:

- Washing hands often for at least 20 seconds with soap and water or an alcohol-based hand sanitiser that contains at least 60 percent alcohol.
- Catching coughs or sneezes with tissues, then throwing the tissue in a bin
- Ensuring people who feel unwell stay at home and do not attend work or School.
- Encouraging pupils, staff and visitors to wash their hands:
 - Before leaving home.
 - On arrival at the School.
 - After using the toilet.
 - After breaks and sporting activities.
 - Before preparing food.
 - Before eating any food.
 - Before leaving School.
 - Avoiding touching eyes, nose and mouth with unwashed hands.
 - Avoiding close contact with people who are unwell.
 - Cleaning and disinfecting frequently touched objects and surfaces.

The above information can be displayed in Schools. Schools can also share links to relevant information on their social media platforms, in newsletters, or through other correspondence with parents. Public Health England has also developed a poster that Schools can display around Schools, which is available [here](#).

This FAQ document is based on current government advice as of 18 March 2020. Advice and guidance is changing on a daily basis, so seek up to date advice as far as possible.