**Guidance note 15/05/2020**

**Planning staffing for returning to school**

**1. Purpose of guidance note**

To provide guidance on staffing matters in relation to the preparation of re-opening schools.

**2. Background**

Following the announcement on Sunday 10th May that schools may be able to welcome back more children to early year’s settings, schools and colleges. Primary schools have been asked to welcome back all children currently in nursery, reception, year 1 and year 6 from week commencing 1st June. The DfE has published guidance this week to support schools in planning for this phase of return.

This has brought up some concerns and issues in relation to staffing which we hope will be addressed in this guidance note using the DfE guidance (link below) and HR advice from the local authority.

<https://www.gov.uk/government/publications/preparing-for-the-wider-opening-of-schools-from-1-june/planning-guide-for-primary-schools>

**4. Guidance on staff availability**

**Clinically extremely vulnerable individuals**

Are advised not to work outside of the home. **We are advising that these staff do not attend work but continue to work from home if this is possible and they should be paid as normal.** These individuals should be following shielding measures in order to keep themselves safe.

This includes those who:

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

**Clinically vulnerable people**

Are advised to work from home where possible as they are classed at higher risk of severe illness from coronavirus i.e.:

* aged 70 or older (regardless of medical conditions)
* under 70 with an underlying health condition listed below (that is, anyone instructed to get a flu jab as an adult each year on medical grounds):
* chronic (long-term) mild to moderate 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), or cerebral palsy
* diabetes
* a weakened immune system as the result of certain conditions, treatments like chemotherapy, or medicines such as steroid tablets
* being seriously overweight (a body mass index (BMI) of 40 or above)
* pregnant women

**We are advising these staff to work from home and not attend work. They should be paid as normal.**

**Staff who live with someone who is clinically extremely vulnerable**

We are advising that they can attend work if stringent social distancing can be adhered to. If stringent social distancing cannot be adhered to then they should continue to work from home and should be paid as normal.

**Staff who live with someone who is clinically vulnerable**

We are advising that they can attend work. You should ensure the appropriate measures are in place for them to keep themselves and the person they live with safe. If the employee raises any concerns then you should listen to them and reassure them where possible. You should work with the employee to resolve their concerns and where necessary document the agreement.

**An employee with children at home**

All staff in schools are classed as key workers and as key workers their children can attend their own school as normal. Nurseries and other early year’s providers are also being asked to welcome children back and as such there should be adequate provision for these children.

If it is not possible for a child to return to school/childcare provision then you will need to discuss this with the employee to agree what flexibility you can offer in line with family friendly policies and procedures. The employee should not suffer any detriment to their pay.

If an employee cannot send their children to school then they may need to continue to work from home and support distance learning.

**An employee cannot attend work at their usual time due to childcare**

If an employee cannot attend work at their normal time due to there being no provision before and after school then you should discuss this with them and try to agree a resolution such as a temporary change to working hours. You should be as flexible as possible and the employee should suffer no detriment to their pay.

 **An employee says they don’t feel safe returning to work, or refuses to attend work**

The key to making employees feel safe is communication and engagement. Employees should be able to raise their concerns, be fully informed of the protective measures in place and feel supported by their line manager. If an employee has concerns then work through those concerns with them and come to a resolution which you both agree on. You should work with the employee to agree a return to work but if this is not possible then you should support them to continue to work from home and they should be paid as normal.

The key principals are:

* where appropriate employees should be returning to work as advised
* communication and engagement are a key factor in resolving employee concerns
* work with employees to come to a resolution which is agreed by both parties
* look at each case on an individual basis and seek to understand any issues
* no employee should suffer a detriment in relation to pay due to the COVID-19 situation
* where an employee is not able to return to work as planned the situation should be reviewed regularly to see if this has changed

If you need any further support or guidance you can contact your own HR provider.

If you have any queries in relation to this guidance note then please contact Kerry Anderson, HR Business Partner – Education and Skills Kerry.anderson@cumbria.gov.uk

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