

CORONAVIRUS: THE TOP 10 HR QUESTIONS



FOR EMPLOYERS

ANSWERS TO THE MOST COMMON QUESTIONS WE'RE ASKED

GET IN TOUCH TO FIND OUT HOW WE
CAN HELP...



01256 328428



info@realityhr.co.uk



The Manor House
Lutyens Close
Basingstoke
RG24 8AG



www.realityhr.co.uk

INTRODUCTION

Since the Coronavirus outbreak began affecting the way all of us do business, the team at Reality HR have been busy answering questions from businesses we regularly work with, new clients, and guests at our popular webinars.

You can find all the latest advice and details of those webinars here – but we thought it would be useful to share answers to the HR questions we've been asked most frequently.

We'll cover issues such as what to do when a team member has symptoms, when sick pay applies, and what your staff can and can't do while they are on a period of furlough.

We hope you find this useful, but of course you may have questions that are not covered here, or may need further advice. If so, please feel free to contact our team who will be pleased to help you.

Sally-Ann Hall-Jones
CEO, Reality HR.

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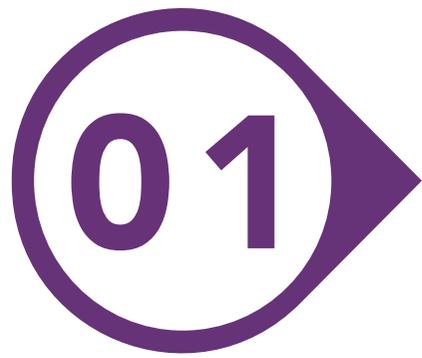
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IF A MEMBER OF STAFF HAS A CONFIRMED CASE OF COVID-19 OR IS SHOWING SYMPTOMS, SHOULD I TELL EVERYONE IN THE TEAM OR COMPANY?

As an employer or team leader, you have a responsibility for the safety of your team. Whether or not you need to tell everybody depends on the situation. If the person with the virus or its symptoms has been in close contact with others on the team, then those team members must be told so they can self-isolate.

It's good practice to let the person with the virus or symptoms know that you are going to share that information, and who with, as a matter of respect for their privacy.

There is no need to share the information with any members of the team they have not been in recent contact with, or anyone else in the company. Just ensure all work is covered in the way that you would for any unexpected sickness absence.



For the latest advice for employers around Covid-19, visit www.realityhr.co.uk/coronavirus

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HOW SHOULD I SUPPORT AN EMPLOYEE WHO HAS SYMPTOMS?

If your business already has good sickness procedures in place, this should be straightforward – treat it in the same way you would any sickness absence. Be supportive and empathetic, pay Statutory Sick Pay and arrange cover for their work if they are too ill to work from home.

Take practical steps such as putting an out of office response on their emails, with a named contact for people to redirect their query to.

Check in on your absent staff member to see how they are doing – consider a gesture such as flowers or a card if that feels appropriate to your business. If there are group chats on social media or WhatsApp then keep them involved so they still feel part of the team, if they choose to join in.



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IF AN EMPLOYEE FEELS VULNERABLE AND IS WORRIED THAT THEY MAY HAVE AN INCREASED RISK OF CONTRACTING THE VIRUS, ARE THEY ENTITLED TO STOP WORKING, AND CLAIM STATUTORY SICK PAY, EVEN IF THEY HAVE NO SYMPTOMS?

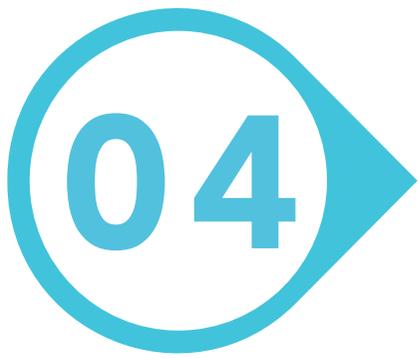
No. Statutory Sick Pay can only be claimed by people who are ill or self isolating or shielding as instructed by the Government.

People who may be worried that they are vulnerable, but are not among the 1.5 million identified by the NHS as “clinically extremely vulnerable”, should follow the Government advice as issued to everyone – that is, work from home if possible, and keep strict social distancing measures in place if they cannot work from home.

As their employer, you should put in place whatever measures you possibly can to support them in this – that could involve changing their job role temporarily, finding work they can do from home, or providing a distanced space in the workplace if they must come in.



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WHAT CAN I DO IF SOMEONE SAYS THEY ARE SELF-ISOLATING BUT EVIDENCE SHOWS THIS ISN'T THE CASE?

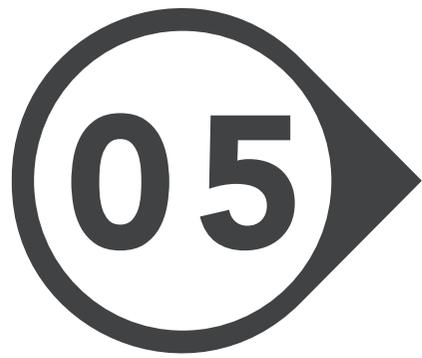
This situation potentially falls under your disciplinary policy.

If you have a reasonable belief that they aren't self-isolating when they claim to be (such as social media posts showing them out during the period in question), you should carry out a full investigation to ascertain whether there has been misconduct.

However, tread carefully. Disciplinary situations are time-consuming, challenging and often unpleasant, and handling them can be daunting without support. Employees have rights, but it's important to remember that your company does too. We would recommend that HR advice is taken before beginning any disciplinary action - even the most complex issues can be resolved fairly and professionally with the right support.



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HOW CAN I MANAGE MY TEAM WORKING REMOTELY WHEN I CAN'T SEE HOW MUCH WORK THEY ARE DOING?

Leading a remote workforce means shifting the focus from managing – or micro-managing – to guiding and coaching. Now, more than ever, trust is important – you must build and nurture relationships with your team members.

Be available for advice and consultation and provide support through regular contact, but resist the temptation to supervise work and working patterns too closely.

Set clear guidance on the tasks set, the expected results and timescales, and who your employee can contact for information and support. Make sure these requirements are clearly understood. If there are times when you need people to be available for team catch-ups or virtual meetings then use shared calendars to keep everyone up to date.

Be aware that team members working from home may have all sorts of other pressures – children who are home schooling, sharing equipment with partners who are also working from home, and concern about vulnerable neighbours or relatives. They may need to change working patterns to accommodate these. Focus on achievement rather than the hours and minutes a day that your teams are working – it's the results that count.



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CAN I SWITCH STAFF IN AND OUT OF FURLOUGH?

Yes. The latest guidance states that employees can be furloughed multiple times. Furlough is applied in blocks of three weeks, and so must be taken as three consecutive weeks each time.

At the end of each three-week period, you can swap the employee back into work, or straight onto another period of furlough.

This may well be a fair way of dealing with your team in these circumstances. Staff must agree to be furloughed, so this needs to be confirmed with every employee you intend to put on the scheme.

Remember you cannot partially furlough an employee. If you have some work for an individual, but not enough, you can still have a discussion with them about going down to a reduced working week.



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CAN PEOPLE WHO ARE FURLOUGHED TAKE HOLIDAY PAY OR SICK PAY?

You can ask furloughed staff to use their holiday during the furlough period, as long as the overall furlough period is a minimum of 3 weeks. Employees who are furloughed can request and take their holiday during their furlough period, if you agree, by following the company's normal holiday request process. For any day's holiday taken, furloughed employees' pay should be topped up to their usual full pay amount.

Sick Pay (SSP) should only be claimed while an employee is ill (or self-isolating due to a family member showing symptoms) - they should return to work and be paid as normal after they have recovered, unless they are then asked to accept furlough if there is no work for them to do.

As with any aspect of HR, communication is key. Make sure staff understand the position with holiday pay, that accurate records of holiday entitlement and leave taken are kept up-to-date, and that all changes are communicated in writing by email or letter.



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CAN COMPANY DIRECTORS BE FURLOUGHED?

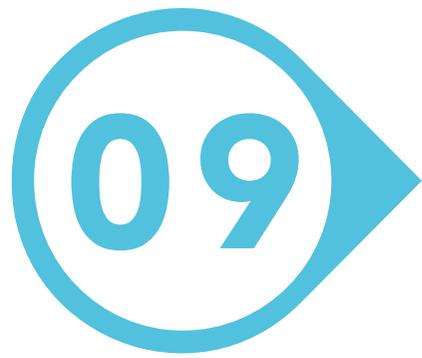
Government guidance was updated on April 4 to clarify how the furlough scheme applies to company directors and confirms that people in this position can be furloughed. However there are caveats – the main one being that the furlough grant can only be claimed to cover 80% of a salary paid to the director by PAYE.

Companies cannot claim furlough support to cover all or any part of a director's income that is paid by dividend. If your business wishes to furlough a director, the decision must be made by the board of directors, noted in the company's records and communicated in writing to the furloughed director.

A furloughed director cannot do any work that would generate revenue or provide services to or on behalf of the company. However, they still carry the responsibilities of an appointed director and will need to comply with their duties under company law. The guidance is that they are permitted to do no more than is reasonably necessary to fulfil these duties while furloughed.



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CAN I RE-HIRE SOMEONE, OR EXTEND THEIR NOTICE PERIOD, SO THEY CAN BE PAID UNDER THE FURLOUGH SCHEME?

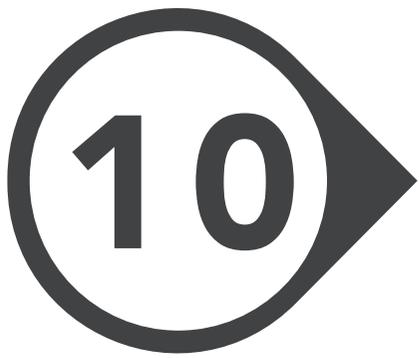
The government's furlough scheme applies to anyone who was on a business's payroll on 19th March 2020. The guidance states that people who were furloughed after starting a new job after this date can ask their previous employer to re-employ them, so they can receive the 80% of their former salary which can be claimed back from the government.

However, there is no obligation to re-employ somebody, or extend their notice period if they were working notice. If you had dismissed someone or made them redundant before 19th March, solely because of a downturn in business due to the current situation, you may wish to bring them back to work – particularly if they were a good worker and you will need their role later.

If they are still employed but working their notice you can either let the notice run, and then they leave, or you could with their agreement rescind the notice so they can continue in employment. When making your decision, consider the risk that the employee's length of service may go over two years if you retain them, giving them fuller employment rights such as the right to claim unfair dismissal. Also consider that their holiday accrual continues, which will ultimately have a financial cost to the company.



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CAN WE INSIST THAT EMPLOYEES UNDERTAKE TRAINING DURING FURLOUGH?

Furloughed employees may not undertake any work that provides you or your customers a service or generates revenue for the company. However, this time can be used for training – and it may be an ideal time for staff to improve their skills, with many training providers, including Reality HR, offering training through videoconferencing.

We suggest you offer training in consultation with employees and complete a training needs analysis – what skills gaps do they have to do their current job fully? What will help them progress their career? What would they like to learn? What topics and courses are available? How much budget do you have?

You are more likely to get a good response and better engagement if you have had an open dialogue with your employees about the benefits of them accessing the training you are offering, rather than imposing a blanket training plan across the board.



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CONTACT US TODAY

If you have any HR concerns or questions around Covid-19, please feel free to contact us.



www.realityhr.co.uk



The Manor House | Lutyens Close
Basingstoke | RG24 8AG

Third Floor | 207 Regent Street
London | W1B 3HH



info@realityhr.co.uk



44 (0)1256 328428



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