

Business Update - 3 June 2020

Following a recent Government announcement, as part of the Government's Coronavirus recovery strategy, the NHS has implemented a new Test and Trace service. We have also received further updates on the wind down plans for the Coronavirus Job Retention Scheme. We have outlined below the key elements of both to aid you in your planning for the short and medium-term.

NHS Test and Trace Service

A new test and trace service is now in operation (effective 28 May) that will affect all businesses. The new Test and Trace service is to identify, contain and control the virus. The service has clear steps to follow as detailed:

Step 1 – Isolate

All employers should communicate to staff that if they show any symptoms of COVID-19 that include:

- ◆ A new continuous cough
- ◆ A high temperature
- ◆ A loss of, or change in your normal sense of taste or smell (anosmia)

the employee must immediately report these symptoms and self-isolate as below.

- ◆ **Employees that live alone and have symptoms:** however mild the symptoms, they must stay at home for at least 7 days from when the symptoms started.
- ◆ **Employees that live with others and have symptoms:** if they are the first person in the house to have symptoms they must self-isolate for 7 days as above, all other people within the house-hold must isolate for 14 days from the date the first person became ill. If any members of the household then become ill, they need to isolate for at least 7 days from when they became ill, no matter how far into the 14-day isolation they are. Please review the following link for further guidance on timing and isolations for households
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874011/Stay_at_home_guidance_diagram.pdf

Step 2 –Test

Employees with any symptoms must urgently book a test at <https://www.nhs.uk/conditions/coronavirus-covid-19/testing-for-coronavirus/ask-for-a-test-to-check-if-you-have-coronavirus/> or call 119.

The test is an antigen test and can be requested if they and/or someone they live with has symptoms and must be requested as soon as they have symptoms (the test must be carried out in the first 5 days of having symptoms). The test is a simple swab inside the nose and the back of the throat and can be done by the employee themselves should they wish.

STREETS HUMAN RESOURCES

All employees requesting a test can either visit a regional testing site or request a home test kit. All employees must self-isolate until their test results are confirmed by the NHS.

Step 3 – Results

The test result will either confirm:

1. **Employee is negative for COVID-19:** they may then stop self-isolating if they feel well and all people within their household are tested and confirmed as negative.

If the employee is negative but members of their household have not been tested or test positive, they must remain in isolation. Further, they are not to return to work if they are still unwell as they may spread a separate illness to others.

2. **Employee is positive for COVID-19:** if an employee or a member of their household tests positive, they must remain in isolation for at least 7 days from when the symptoms started and anyone in the household must isolate for 14 days.
3. **It is unclear:** if this occurs, they may be requested to perform a further test but will need to remain in isolation for at least 7 days from when the symptoms started and anyone in the household must isolate for 14 days.

Step 4 – Trace

If someone tests positive for Coronavirus, they will be contacted by NHS Test and Trace service to identify any close, recent contacts.

The NHS will contact the positive person by email, text or phone and ask them to sign into the tracing website (<https://contact-tracing.phe.gov.uk/>). The positive person will then be asked to submit a series of information to include:

- ◆ Anyone they live with
- ◆ Any places they have been (including work and school)
- ◆ Names and contact details of any people they were in close contact within the 48 hours before symptoms started
- ◆ Following the submission of the information, the Test and Trace services will contact anyone that has been in close contact. 'Close contact' may include household members and people that have been within 2 metres for more than 15 minutes.

A close contact person

Anyone identified as a close contact person will be contacted by text or email and will be asked to log onto the NHS Test and Trace website to communicate with the NHS (a NHS handler will call if this is not possible).

The person will then be asked to self-isolate for up to 14 days (depending on when they encountered the person who tested positive). Any member of their (the person identified as 'close contact') household do not

STREETS HUMAN RESOURCES

need to self-isolate unless the identified person develops symptoms but do need to take extra care to follow the guidance on social distancing and hand washing.

We would advise all employers to request employees inform their Line Managers if a person in their household has been identified as a 'close contact' person to avoid increased risk to other employees.

Any person that is self-isolating due to being identified as a 'close contact' must follow **Step 1** if they develop any symptoms.

What does this mean for employers?

Up to 28 May 2020, isolation was only required for anyone displaying symptoms and their household. However, now if workers have been identified as 'in close contact' with someone that has tested positive, they will also be required to self-isolate. It is therefore more important than ever to ensure social distancing at work is maintained to avoid a business from becoming largely impacted by this Test and Trace service.

As confirmed in previous updates, if your employees are required to self-isolate and can work from home (if they feel fit to do so) they may do this to avoid being placed on short-term sickness. However, for employees that are not able to work from home or do not feel fit to work from home, they must be classed as sick and paid in line with your company sickness policy. If you offer enhanced company sick pay you must pay this for any employee self-isolating even if they are not ill and have only been identified as 'close contact'. Statutory Sick Pay must be paid if enhanced sick pay is not offered.

Employers should also be reminded that you can still claim back Statutory Sick Pay for up to 2 weeks if:

- ◆ Your employee was off work because they have COVID-19; were self-isolating; or Shielding
- ◆ Your PAYE scheme started on or before 28 February 2020
- ◆ You had fewer than 250 employees on 28 February 2020

As the Trace section requires a person that has tested positive to provide contact details to the NHS of any person they have been in close contact with, an employee that has not been able to maintain social distancing may need to provide personal details of other staff members. The NHS will ask for contacts within the last 48 hours before becoming ill, therefore it would be beneficial for a business to keep records of all employees that attend a work place to include any persons they have been required to work closely with. This way an employee that may have tested positive could contact the business and request this information.

Due to GDPR, all employees would need:

- ◆ to be informed that their personal details may be provided to another employee so that they could provide them to the NHS, if required; and
- ◆ agree what personal details are to be provided (i.e. work contact details).

Although permission should be sought, it is not required as under GDPR, there is a legal or regulatory obligation for the company to provide the information. Any employee concerned regarding their personal details should speak to their Line Manager.

STREETS HUMAN RESOURCES

The Coronavirus Job Retention Scheme (CJRS)

The Chancellor announced on 12 May 2020 that support through the CJRS will continue beyond 30 June to 31st October. The scheme would be amended to include flexibility and a wind down of the support as the UK re-opens and tries to adapt to the new 'normal' with COVID-19. On 29 May, the Chancellor announced some details of the scheme, although some information will not be released until 12 June 2020.

Changes from June 2020

The CJRS will close to new entrants from 30 June and from 1 July, employers will only be able to claim through the scheme for employees that have previously been on furlough for at least a 3-week period prior to 30 June. Therefore, if any business wishes to place an employee on furlough for the first time, their furlough period must start on or before 10 June. Employers will be able to claim for any employee furloughed in June up until 31 July.

Changes from 1 July 2020

From 1 July, employers will not be able to overlap months when claiming an employee's furlough payment and the number of employees that are claimed at one time cannot exceed the number of employees of any previous claims.

Employers will be able to bring employees back to work on reduced and/or amended hours and claim furlough for the hours they have not worked. Employers will be responsible for paying employees for the hours they work and this will include tax and NIC on these hours. However, any unworked hours that are within normal contracted hours can be claimed under the CJRS. 'Flexible furlough', as it will be called, can be claimed for a minimum period of one week as opposed to the current 3-week minimum timeframe. To implement flexible furlough, employers must consult with employees on the proposed working hours and pattern and confirm any working arrangements in writing. The Government will release further details on flexible furlough on 12 June 2020, including how to calculate claims.

Changes from 1 August 2020 onwards

From August, employers will have to start paying towards the cost of furloughed employees. It will commence with NIC and pension contributions for any hours employees do not work. The CJRS will continue to pay 80% of wages up to a cap of £2,500 per month.

From September, employers will have to pay NIC, pension and 10% of wages. The Government will pay 70% up to a cap of £2,187.50 per month for any unworked hours.

From October, employers will have to pay NIC, pension and 20% of wages. The Government will pay 60% up to a cap of £1,875 per month for any unworked hours.

Until the 31 October, employees must continue to receive 80% of wages if furloughed. The following table summarises this but where an employee takes holiday, the employer will still need to top the payments in the table up to 100% of their pay, as before. Also please note that any hours that are worked by the employee under 'flexible furlough' must be paid by the employer.

STREETS HUMAN RESOURCES

	JULY	AUGUST	SEPTEMBER	OCTOBER
Government pays NIC and Pension	Yes	No	No	No
Government pays Employees' Wages	80% (max £2,500)	80% (max £2,500)	70% (max £2,187.50)	60% (max £1,875)
Employers pays NIC and Pension	No	Yes	Yes	Yes
Employer pays Wages	-	-	10% (max £312.50)	20% (max £625)

Employers' to do list

1. Review business demand levels and all employees, to consider if any employees not previously furloughed may be required to commence furlough and, if required, consult with these employees to place them on furlough on or before 10 June 2020.
2. Adjust payroll claiming periods to ensure that any claim does not overlap into two months; the timing of your payroll run should be considered.
3. Consider if employees may be able to return to work on limited hours from July, consider workload in different sections of the business and what hours would be required to ensure workload is met. If flexible furlough would be beneficial to the business, ensure to start consulting with employees. However, as full details for flexible furlough are not to be released until 12 June, it is advisable not to confirm any working arrangements until after this date.
4. Ensure a COVID SECURE assessment has been conducted and all employees consulted in readiness to return employees back to work as soon as possible in line with safety and work demands. This involves identifying and addressing any individual concerns as well as more general changes to working practices.
5. Employees expected to return to work must be given adequate notice and they must be informed in writing of work arrangements, their pay, reporting procedures should they have symptoms of Covid-19 and any Health & Safety measures that have been put in place.

STREETS HUMAN RESOURCES

6. Training or guidance documents may be required to ensure that all employees are aware of the new 'normal' and how this impacts their role and behaviour.

The information contained in this Factsheet is believed to be correct as at 03/06/20 but there may be errors or omissions for which the Streets organisation cannot be held responsible. Should you seek any further guidance please email your usual Streets contact or email info@streetsweb.co.uk or visit www.streetsweb.co.uk.