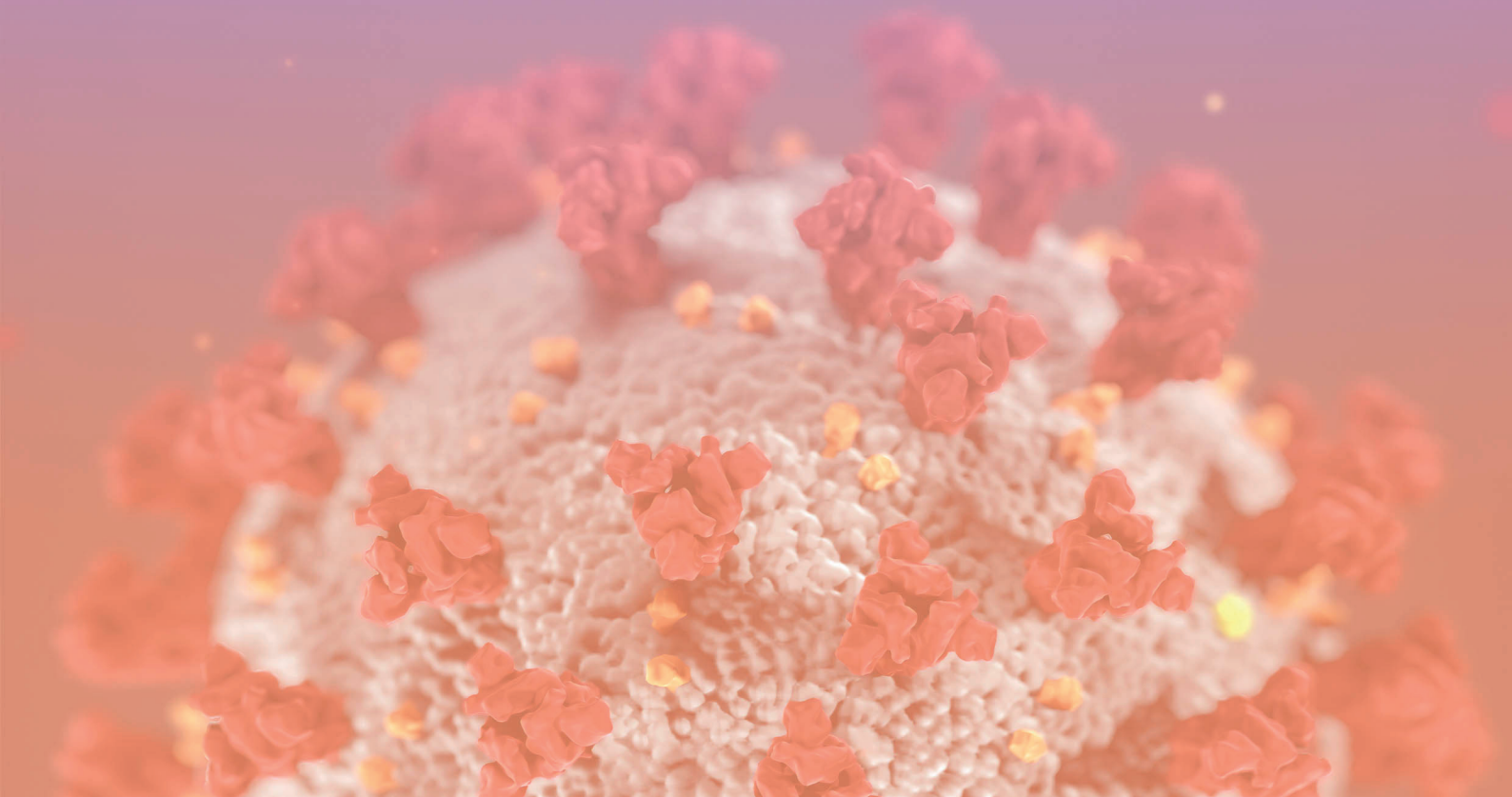


# The Guide For Churches As Employers



# Support for churches as employers

## Section 1 – Introduction and overview

### 1.1 Introduction

This guide for churches looks at the new provisions in place to offer employers financial support in relation to employment costs during the coronavirus pandemic. The guide looks at the current support offerings for employers and talks through the practicalities of using these options with your staff.

Each section gives a straightforward overview of the provisions available and some sections contain a link to a more detailed page to help you apply the provisions in your church. The last of the detail pages includes links to the key government information pages on each topic.

Also included as links are a set of example letters for discussing these provisions with your staff. We hope these resources give you a good overview and provide you with the tools to use the sick pay and employee furlough support arrangements as and when you need them.

### 1.2 Contents

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### 1.3 Accuracy and updates

Please note that these notes have been written using the government and professional body guidance available as at 11.00am on 6 April 2020. We will update as more information is available and these updates will be clearly marked so you don't need to re-read the whole document each time!

#### 1.4 Questions and Queries

If you have specific questions, you are welcome to email us at [HR@baptist.org.uk](mailto:HR@baptist.org.uk). We will be building a Frequently Asked Questions page at the end of this document over the coming weeks so that we can all learn together.

## Section 2 - Communicating with your staff

These are frightening and distressing times for everyone, and many church staff will already be struggling to cope. As their employer, it will help if you can set out clearly how you intend to support staff for the coming months, and particularly how you will treat issues of leave and pay. Many church staff are employed on comparatively low salaries or wages and will be anxious about whether the church can continue to pay them.

### 2.1 Staff meetings

If you are already using video calls to meet together, this is an ideal opportunity to talk to staff about how the church will respond as an employer. You can use this meeting to set expectations and provide some clarity about the way in which you will handle staff issues and concerns in the months ahead.

The key points to cover will include:

- Reassuring staff and emphasising that you will be working to support and protect them
- Practical arrangements for dealing with work, including responding to calls and enquiries, post and banking arrangements, and how to report in with problems or progress information
- Details of working patterns for those now working at home, as these may need to vary to reflect the practical realities of children being at home, caring for elderly relatives, etc.
- What staff should do if they become ill or if they need to self-isolate
- How the team will support and care for each other, including time to pray together

Make sure to leave enough time for staff to ask questions and to talk about any particular concerns that they have.

### 2.2 Following up in writing

After the meeting it will be helpful to write to staff to confirm the points you covered in the meeting. This can be a letter, although an email is probably easier and faster. [Example wording is shown here](#) and you can tailor this letter to your staff team.

### 2.3 Regular contact

Most church staff teams (although not all of them) are relatively small, but working from home often makes it more difficult for individuals to feel connected to the team. Regular video or telephone meetings will help to keep everyone involved and allow the team to talk through the practical concerns and issues that are coming their way.

One-to-one calls will also help each staff member to talk about their own workload and how they and their family are managing. Don't underestimate the value that an encouraging and sympathetic phone call can make in these circumstances.

Information on how to use technology to facilitate meetings is available on our website using the following link:

[https://www.baptist.org.uk/Articles/569110/Keeping\\_your\\_church.aspx](https://www.baptist.org.uk/Articles/569110/Keeping_your_church.aspx)

## 2.4 Staff who receive shielding letters

Some people will have received a letter or text from the NHS to say they should take extra steps to protect (or 'shield') themselves because of an underlying health condition. This is for people who are at very high risk of severe illness from coronavirus.

If one of your staff receives a letter telling them to start shielding, they will need to stay at home for at least 12 weeks. They should receive SSP during this time and contractual sick pay if it is part of their terms of employment. Alternatively, if there is now work for this member of staff to do, then you can use the furlough scheme for them to cover this period (see section 5).

More information on shielding and protecting extremely vulnerable people can be found on the link below:

<https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>

## 2.5 Ministers

The government have included ministers of religion on their list of 'key workers' i.e. those who are regarded as providing essential services. Guidance for ministers is available on our website and churches need to be especially aware of their duty of care towards their ministers at this time. We do not expect the majority of ministers to be considered for furlough as they will remain busy with pastoral care work for their church members and community.

Following an extension to the categories covered by the Job Retention Scheme, it is our understanding that appointed ministers can be included in the Job Retention Scheme provisions as this now specifically includes office holders. However, the same guidance is in place for office holders as for employees i.e. if they are placed on furlough they cannot undertake work for or on behalf of the church. Please note that this includes any voluntary work on or behalf of the church but does not exclude ministers from volunteering with the NHS Volunteer Responder scheme or with other voluntary organisations.

## 2.6 Communicating staff who are due to start work with you

If you have offered a job to someone who has accepted your offer and is waiting to start work with you, you may need to consider whether they can start work with you. Options include:

- Delaying the start date to a later point
- Re-arranging the induction process to accommodate your current working arrangements, including working from home
- Withdrawing the offer you have made – in this case you are likely to be liable to pay the individual the notice period contained in the appointment letter or employment contract you have sent to them

Please contact [HR@baptist.org.uk](mailto:HR@baptist.org.uk) for specific advice in this situation.

## Section 3 – Helping staff to work from home

### 3.1 Working from home

If you have asked staff to work from home, please make sure that they have all they need to work comfortably. If some of your staff have never worked from home before there are some very helpful guidelines available from the Chartered Institute of Personnel and Development to help first time home workers

(<https://www.cipd.co.uk/knowledge/fundamentals/relations/flexible-working/remote-working-top-tips>). These are useful reading for both employer and employees.

### 3.2 Health and safety for those working at home

All employers have a statutory duty of care for their staff, whatever their working situation. This extends to health and safety responsibilities for those who are working in their own homes.

An [example health and safety checklist for staff who are working from home can be found on this link](#). You can ask staff to complete this checklist and to speak with you if they have concerns or are missing essential equipment.

### 3.3 Looking after staff who have mental health concerns

If you have staff who have told you that they sometimes struggle with their mental health or are struggling now, including anxiety or stress related problems, please make sure that you respond quickly to any expressed or observed concerns and refer staff to their GP for support. Although face to face time with a GP is unlikely, video calls and referrals to support services can still take place.

This can be a particular problem for those staff who live by themselves who may find it hard to continue with wellbeing activities and/or medication patterns when they are anxious or depressed. With the individual's agreement, a member of the pastoral care team may be able to help with regular support calls.

### 3.4 Data Protection issues around working from home

The Information Commissioner's Office have been clear that they do not intend to relax data protection requirements in the light of the coronavirus situation.

You may want to remind your staff about having appropriate security measures in place to protect the personal information you hold, even if they are working from home. Encourage them in basic information storage good practice, including not sharing passwords or sharing a user account on a family computer, storing paper files or documents in a safe place, adding passwords to any sensitive data and not keeping any work files on a personal computer for any longer than absolutely necessary.

The ICO have commented that those making a Subject Access Request should expect organisations to take longer to respond to such requests, but a response will still be expected. For more information about data protection and coronavirus from the ICO please see the following guidance: <https://ico.org.uk/for-organisations/data-protection-and-coronavirus/>.

## Section 4 – Sick pay for staff who are symptomatic or become ill with coronavirus, or who need to self-isolate

### 4.1 Qualifying days for payment of statutory sick pay

On a temporary basis the government has given employers permission to pay Statutory Sick Pay to their staff from the first day of sickness absence rather than the fourth day. This only applies to staff who:

- Are infected with coronavirus, or
- Are having to self-isolate because they are displaying symptoms of coronavirus, or
- Are having to self-isolate because they are caring for people in the same household who are displaying coronavirus symptoms

If you pay contractual sick pay (that is pay above and beyond SSP, then employees will be entitled to be paid at the rate of your contractual sick pay, For example, many employment contracts offer full pay sick pay for a certain number of days, followed by half pay for a further period). .

If you currently only pay SSP when staff are absent on grounds of sickness, you may wish to consider whether the church could be more generous to affected staff in the current situation.

### 4.2 Notifying arrangements

The government has given clear advice that people should not visit their GP if they believe they are symptomatic with coronavirus. This makes it difficult for staff to obtain a fit note for their absence.

There is a new 'isolation note' system in place that means that staff can get a note to give to their employer - please refer staff to <https://111.nhs.uk/isolation-note/> As the employer, you can accept this as an alternative to a fit note.

### 4.3 Refunding SSP

The government will refund any SSP costs for your church in relation to staff who:

- Are infected with coronavirus, or
- Are having to self-isolate because they are displaying symptoms of coronavirus, or
- Are having to self-isolate because they are caring for people in the same household who are displaying coronavirus symptoms

However, the refund is currently limited to two weeks of SSP for each eligible employee. You will need to keep records of absence in the usual way, using the first day of absence as the qualifying day. If you pay staff contractual sick pay, you will only be able to reclaim the SSP element of this. SSP is currently set at £94.25 per week and is due to rise to £95.85 per week from 1 April 2020.

#### **4.4 If a member of staff self isolates because of symptoms or becoming ill with coronavirus should we tell other staff?**

This is a tricky balance between protecting sensitive data about an individual and meeting your duty of care to all staff. If one of your staff was asked to self-isolate or is suspected of having contracted the coronavirus the church should probably communicate this to the other members of the staff team.

There is probably no absolute legal obligation to do this, but an employer does have a duty of mutual trust and confidence and a duty to take care of all employees' health and safety.

Revealing the name of the infected person should certainly not be done without the individual's permission. Revealing details of an infected employee, including their medical situation without permission could amount to a breach of their data protection rights or right to privacy. So, asking the individual for permission is the best way forward and gives you as employer the best chance of operating an effective virus management approach with your whole staff team.

#### **4.5 Do we need to take special steps to protect pregnant staff?**

Yes - pregnant women have extra statutory protection to ensure they are protected from risks at work. The latest government advice is that pregnant women be extra cautious and avoid non-essential contact as much as possible so you should offer working from home as much as possible.

Where it is not possible to offer home working, pregnant employees can be offered suitable alternative employment on a temporary basis (that could be done from home) or suspended from work on medical grounds (on full pay). If the pregnant employee remains suspended until the fourth week before the expected week of childbirth, this triggers the commencement of her maternity leave.

#### **Looking for more information?**

Please use this link to go to the [more detailed notes pages](#).



## Section 5 – The Coronavirus Job Retention Scheme (the ‘Furlough’ Scheme)

**Please note that full information on this scheme is not yet available so the information provided is indicative rather than advisory. This note will be updated as the government provides more detail. This section was last updated on 6 April 2020 at 11.00am.**

### 5.1 What is this scheme and is it available to churches?

The Job Retention Scheme is designed to underpin wage costs on a temporary basis for employers who have no work for some or all their staff to do because of the impact of the coronavirus outbreak.

It can only be used where the employer asks employees to stop work completely for a period – it cannot be used to reduce hours, or to cover pay where employees are still working.

The government has said that the scheme will apply to all UK employers, and the information published to date makes it clear that this includes charities.

### 5.2 How will it work?

- The government have committed to paying 80% of the salary or wages of staff who are put on to a newly defined ‘Furlough’ scheme. Claims can be backdated to 1 March 2020 but are only paid once staff are put on furlough.
- There is a maximum grant of the lower of 80% of wages or £2,500 per employee per month plus employer national insurance contributions and the minimum auto enrolment employer pension contributions (3%)
- The scheme is initially running for a three-month period from 1 March to 31 May 2020. The government will review the need to continue the scheme beyond this point.
- Grants will be made through a new system to be operated by HMRC due to be available as of the end of April.

### 5.3 Which of our staff can we make a claim for?

- The scheme covers full time, part time, variable hours and zero hours employees, as well as apprentices and agency workers. It has been extended as of 4 April 2020 to also cover office holders and company directors.
- Staff must have been on your payroll on 28 February 2020 and must be still employed at the time of the grant claim
- Staff must be formally ‘furloughed’ – please see the detailed notes pages for information on how to do this
- Staff cannot do any work for the church whilst they are on furlough – this included volunteering work for the church, although staff can volunteer with the NHS Volunteer Responders scheme or with other organisations
- There is no pro-rating of the grant i.e. furlough grants cannot be claimed where the church reduces working hours for staff

#### 5.4 How do we claim and what information do we need to provide?

The government has published a guidance note setting out what information you will need to provide and how to make a claim.

<https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>

The HMRC system for making claims is not yet up and running, we will publish details as soon as they are available.

#### 5.5 Can we just tell staff we are putting them on furlough?

No, this is a change to individual's terms and conditions of employment, so they need to agree to it. If you explain it well and make it clear that staff will continue to receive full salary for the period, then you are more likely to get agreement from staff. If you need to reduce pay to the 80% offered through the furlough scheme you will need to consult with staff in advance as you cannot unilaterally reduce pay. Since the alternative will be lay-offs or redundancies, most staff are likely to see the benefit of the furlough arrangements. You can find an [example letter to staff suggesting furlough leave using this link](#). This letter will be updated if the government publish more specific guidance on reducing pay. A [letter confirming agreement to furlough is also available through this link](#). Copies of these letters must be kept for five years.

#### Looking for more information?

Please use this link to go to the [more detailed notes pages](#).

## Section 6

### Links to government information pages

Last updated 11.00am on 6 April 2020

Subject	Link
Coronavirus: guidance for employers and businesses	<a href="https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-coronavirus-covid-19">https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-coronavirus-covid-19</a>
Guidance for households with possible coronavirus	<a href="https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection">https://www.gov.uk/government/publications/covid-19-stay-at-home-guidance/stay-at-home-guidance-for-households-with-possible-coronavirus-covid-19-infection</a>
Support for businesses paying sick pay to employees	<a href="https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses#support-for-businesses-who-are-paying-sick-pay-to-employees">https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses#support-for-businesses-who-are-paying-sick-pay-to-employees</a>
Shielding requirements for extremely vulnerable persons	<a href="https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19">https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19</a>
Coronavirus Job Retention Scheme and other employer support schemes	<a href="https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses">https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses</a>
How to make a claim under the Job Retention Scheme	<a href="https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme">https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme</a>

#### Time to Pay service

All organisations in financial distress, and with outstanding tax liabilities, may be eligible to receive support with their tax affairs through HMRC's Time To Pay service. These arrangements are agreed on a case-by-case basis and are tailored to individual circumstances and liabilities.

You are eligible if your business:

- pays tax to the UK government
- has outstanding tax liabilities

### **How to access the scheme**

If your church has missed a tax payment or you might miss your next payment due to COVID-19, please call HMRC's dedicated helpline: 0800 0159 559. If you're worried about a future payment, please call them nearer the time.