OUR PEOPLE PRACTICES/
PAY POLICY RELATED TO COVID-19

1. Introduction

This policy sets out the University position with regard to pay and related matters in relation to the Covid-19 pandemic. The policy sets out the temporary deviations from the standard University policies and procedures.

The priority at this time is to ensure the health, safety and wellbeing of the University’s staff, students and visitors. The University will operate and will maintain services and support for our students in accordance with the latest government legislation and guidance. All managers have been asked to reassess their staffing needs on campus during the national restrictions in place from 5 January 2021. In doing so, it is important to consider the increased risks during this period: COVID-19 transmission is high or rising exponentially, and the new more transmissible variant is widespread and common in the south-east.

This policy was first issued in March 2020 and was revised to include Timesheet staff in May 2020. The latest changes to the policy were approved in January 2021.

2. Scope

This policy applies to all University of Kent staff employed on UK-based contracts. Specific arrangements in respect of staff employed on timesheet contracts are detailed in section 10.

3. Policy principles

It is recognised that the vast majority, if not all, staff will wish to work normally where they can and that adjusting pay to reflect periods of non or partial working will create financial hardship for some, however the University must acknowledge that situations may still arise when individuals are unable to work on campus and that not all staff work in roles which can easily be performed remotely.

It is therefore important that the University pay policy ensures that staff unable to work at home who are required to self-isolate or care for dependents (e.g. due to school closures) are able to do so without jeopardising their income, thereby removing the risk of individuals attending work when they should not be doing so. In preparing this policy it has been assumed that University leaders and managers will have a strong insight into the specific position of each of their team members and the policy itself will make clear the duty of staff to raise any relevant personal circumstances with their line manager as soon as they become aware of them.

4. Definitions

Essential staff are those who MUST be on campus as they are critical to the delivery of the government's COVID-19 policy for education within universities. This includes:

- Those needed to provide support and services to students where this work can only practicably be performed on campus (e.g. some Estates and Commercial Services staff, some Library based staff)
- Those required to deliver face-to-face teaching in an exempted discipline (medicine, pharmacy and social work)
- Staff working in labs on COVID-related work.
Business Critical Staff are defined as:
Those who cannot work from home, and whose continued contribution is critical to our organisational activities and effective functioning. Such as:

- Lab staff working on non-COVID related research who need access to lab equipment
- Those who cannot work remotely due to a lack of equipment, including WIFI access.

5. **Key policy statements**

The following key statements apply to this policy:

- Essential staff and business critical staff (as above) who continue to work on campus including during any lockdown period with the consent of the relevant EG member will continue to be paid as normal;
- All other staff who are not defined as essential or business critical and who can work effectively from home will be paid as normal;
- All other staff who are not defined as essential or business critical and who are not able to work effectively at home (not including where this is due to sickness, isolating or caring for whom the arrangements in section 7 below will apply) will have their pay maintained through the University making claims under the Government Coronavirus Job Retention Scheme (CJRS) or, for staff who are not eligible under the CJRS, through the implementation of a new Kent Job Retention Scheme (KJRS) which will provide options to maintain pay at different levels between 50% and 100%. Further details of the scheme are in section 9 below.

These new arrangements apply from 5 January 2021 and supersede Covid-19 pay arrangements set out previously.

6. **Principles**

The University asks that, during this unprecedented period, staff follow these principles:

- Talk to your manager to keep them informed of your situation, for example if self-isolating, and to agree your work allocation
- Remain available for work even if you are not able to perform your normal duties on campus, except when sick or on annual leave
- Be prepared to undertake alternative duties wherever reasonably practicable and within your capabilities, as your manager may allocate different duties that you may more easily be able to do whilst working at home
- If you are not able to work from home, you should use any accrued time-off in lieu (TOIL) in agreement with your line manager
- If you wish to take annual leave, you may do so in agreement with your line manager
- If you are unable to work from home and no other work has been assigned to you, you are encouraged to consider volunteering within your community where it is safe to do so.

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1 Working effectively in this context means above 80% of full capacity.
Managers are expected to be as constructive and flexible as they can be, focussing on maintaining core services and accepting that there will be some drop in normal levels of work performance.

7. **Pay during periods of sickness, self-isolation and caring**

The majority of staff will continue to carry out their normal work despite the restrictions, whether that is as essential staff or business critical staff on campus, providing online teaching or working from home.

However, there will be situations in which staff test positive or become ill with Covid-19, or where they are required to self-isolate due to contact with someone who has tested positive, or on return from a foreign holiday or before or after medical treatment. Staff who are classified as vulnerable may also have to shield. In addition, staff with caring responsibilities may not be able to continue working fully due to school and nursery closures.

The following arrangements will therefore apply:

- Staff required to shield or self-isolate (for various reasons) will be fully paid and will be expected to carry out their normal work from home where this is possible. Where this is not possible, departments may ask staff to undertake other work from home, to swap shifts/rotas or make up time later if this would be of benefit to the department, or else staff will be furloughed under the CJRS or KJRS.
- Staff who are ill with Covid-19 (including “Long Covid”\(^2\)) will continue to be fully paid for a period of up to six months and the absence will not be counted towards a reduction of sick pay entitlement during that time. Staff in these situations will be asked to work/work from home if they are fit to do so (as determined by the Occupational Health Service where appropriate).
- Staff waiting for medical treatment that is delayed because of Covid-19 and who are too ill to work in the meantime will receive contractual sickness pay.
- Staff required to quarantine after a foreign holiday will be expected to work from home if they can, otherwise they will be expected to use up any outstanding TOIL, or take annual leave (including up to five days from the following year), or the time not worked will be unpaid.
- Staff with caring responsibilities will be expected to work as flexibly as they can and will be paid as normal. Where staff are not able to carry out their full duties due to their caring and/or home-schooling responsibilities, line managers will be encouraged to consider and seek agreement to furlough or partly (flexibly) furlough under the CJRS or KJRS in order to relieve the pressure on those members of staff.

A table setting out the proposed arrangements in detail is shown in Appendix 1.

8. **Absence reporting**

In order to ensure that all staff receive full pay during any period of sickness absence related to Covid-19, absences will be recorded in Staff Connect by managers as Paid Authorised Absence and not sickness absence. The University is waiving the requirement for staff to provide a Fit Note (GP’s certificate) for any Covid-19 related absence.

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\(^2\) Cases of Long Covid must be diagnosed and validated by Kent’s Occupational Health Service who may also recommend any “reasonable adjustments”. At present, Long Covid has been defined as, “not recovering [for] several weeks or months following the start of symptoms that were suggestive of covid” with there being a “distinction between very sick people who have recovered to an extent and [and have been] left with some impact of their severe sickness, versus those who had a relatively mild sickness from the start, in whom it is ongoing.” (BMJ)
For the avoidance of doubt, all other sickness absence should continue to be reported by staff in the normal way.

9. **CJRS and the Kent Job Retention Scheme**

Whilst the majority of staff will be able to continue working more or less normally, depending on the restrictions imposed there are likely to be some staff who are unable to carry out their normal work. Until 30 April 2021, it is expected that the pay of the majority of these staff will be maintained with the help of the Government CJRS alongside the continual management of gradually returning staff to campus. However, there may be employees who will not be eligible to be included in CJRS claims due to not having been on the payroll by 30 October or the direct nature of the public funding for their posts. It is also not clear that the University will be eligible for Government support after the CJRS ends on 30 April. The University is therefore running its own version of the CJRS, the Kent Job Retention Scheme (KJRS), with effect from 1 December 2020. The aim of the KJRS is to protect jobs which suffer from a reduction in demand or volume of work due to the impact of Covid-19, but where this reduction in work is deemed to be temporary. Under the KJRS, the University will seek the agreement of staff members to be fully furloughed or partly (flexibly) furloughed as an alternative to redundancy, thereby providing individuals with continued employment and to be paid a proportion of their normal salary, whilst avoiding the loss of skilled and experienced staff and the cost of recruiting replacements. Unlike the CJRS, the KJRS will be fully funded by the University.

The KJRS has three bands:

- **Band A** – staff with no work or who can only deliver up to 50% of their normal work will be fully or flexibly furloughed and will be paid 50% of their normal salary
- **Band B** – staff able to deliver between 50% and 80% of their normal work will be flexibly furloughed and paid 80% of their normal salary
- **Band C** – staff in bands A and B who also agree to carry out any other work required by the University, such as delivering food to students in the event of a lockdown and including outside of their normal working hours, will be able to maintain 100% of their normal salary for the weeks in which such work can be given, provided they are available to do the work and that they and carry it out.

Furlough arrangements should be agreed between the line manager and the member of staff, with HR advice sought as required. The minimum KJRS furlough duration is one month and the maximum is six months. After this, consideration would need to be given to a permanent contract change, or redundancy, depending upon individual circumstances.

Pension contributions (employer and employee) would be maintained for all staff who are part of the KJRS and those who are furloughed under the CJRS. Staff furloughed under the CJRS will have their pay topped-up by the University to 100%.

10. **Timesheet staff**

The University recognises that staff paid for variable hours will be affected by decisions to close campuses, work remotely or, in some cases, activities being cancelled as no longer
being required. The University, in balancing the needs of its workforce in line with its own financial situation, will adopt the principles below in calculating variable pay.

The University will pay timesheet staff as follows:

- Where work is being completed as normal, this will be paid as normal, regardless of whether or not the work is done on campus or remotely.

- Where work has been offered, scheduled or otherwise committed to, then payment should be made for this work, regardless of whether or not the worker is in a position to undertake it as a result of Covid-19. This covers work which has been scheduled and the individual has committed to undertake it. An expectation of work will not normally be sufficient to qualify for payment.

- Where appropriate, timesheet staff will be furloughed under the CJRS or KJRS with payments made in accordance with the rules of the relevant scheme. Staff who are to be furloughed will be notified of the intention to fully or flexibly furlough them and any hours they will be expected to work. They must not carry out any more work for the University during the period in which they are furloughed than those advised.

- Student Ambassadors should, where possible, be offered alternative work equivalent to that which they would have undertaken as an Ambassador. Where such work is not available, then no payment will be made and an application can be made to the Student Hardship Fund. Such applications will be reviewed sympathetically, taking into account any savings off-sets, such as no longer being required to meet term three rents.

- Where student workers do not fall into any of the categories set out above, then they may also apply to the Hardship Fund https://www.kent.ac.uk/finance-student/funding/alf.html

- For all other timesheet staff, managers can apply for a maintenance of pay, on an exceptional basis, with applications being focussed on the reasonable expectation of the pay concerned, with reference to the relationship between the individual and the University and the financial impact on the individual. Please send such applications to erbp@kent.ac.uk in the first instance.

Where work is being completed, then this should be claimed for in the normal way via the completion of a batch timesheet and submission to Pay Office by the published monthly deadline. This will include where work has been offered, scheduled or otherwise committed to.

Where timesheet staff are placed on furlough, then payment will be made in line with the relevant scheme rules and no timesheet should be submitted.

11. Review

The continuing uncertainty around the length of the pandemic and its social and financial impact means that this policy should be regarded as still temporary in nature and designed to deal with short-term but potentially severe impacts on staff and the University. It does not have contractual status, will be kept under review and may be amended at short notice to respond to the changing operational and financial context.
## Appendix 1 - Arrangements for Pay and Work During Covid-19

<table>
<thead>
<tr>
<th>Situation</th>
<th>Pay Arrangements</th>
<th>Mitigation Options</th>
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</thead>
<tbody>
<tr>
<td>Confirmed cases of Covid-19</td>
<td>Fully paid on production of an Isolation Note and recorded as Authorised Absence Paid (AAP) in Staff Connect.</td>
<td>If sufficiently well to undertake work, then: Work from home if possible. Allocated other suitable work that can be undertaken at home. Asked to make up time later or swap shifts/rotas, if this would be beneficial to the department.</td>
</tr>
<tr>
<td></td>
<td>Student Ambassadors &amp; Timesheet-paid staff – Statutory sick pay if eligible. Contracted hours already agreed for up to two weeks will be paid.</td>
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<tr>
<td>Waiting for medical treatment delayed due to the pandemic and unable to work due to the medical condition</td>
<td>Sickness Pay in accordance with contractual entitlement</td>
<td>None – Treated as sickness absence</td>
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<td></td>
<td>Student Ambassadors &amp; Timesheet-paid staff – Statutory sick pay if eligible.</td>
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<tr>
<td>Required to isolate before or after medical treatment</td>
<td>Sickness pay if already in receipt of this (see Waiting for Medical Treatment, above). Alternatively, fully paid if recorded as Authorised Absence Paid (AAP) in Staff Connect</td>
<td>If not in receipt of sick pay, work from home if possible. Allocated other suitable work that can be undertaken at home or asked to make up time later or swap shifts/rotas, if this would be beneficial to the department.</td>
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<tr>
<td></td>
<td>Student Ambassadors &amp; Timesheet-paid staff – Statutory sick pay if eligible. Contracted hours already agreed for up to two weeks will be paid.</td>
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<tr>
<td>Quarantine after holiday abroad</td>
<td>If staff can work from home, then recorded as Authorised Absence Paid (AAP) in Staff Connect and will be fully paid.</td>
<td>Work from home if possible.</td>
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<td></td>
<td>If unable to work from home, then recorded as Authorised Absence Unpaid (AAUP). TOIL should be used or annual leave including up to 5 days from the following year, or unpaid.</td>
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<tr>
<td></td>
<td>Student Ambassadors &amp; Timesheet-paid staff – Unpaid</td>
<td></td>
</tr>
<tr>
<td>Situation</td>
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<td>Mitigation Options</td>
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<tr>
<td>Staff required to isolate :</td>
<td>Fully paid on production of an Isolation Note and recorded as Authorised Absence Paid (AAP) in Staff Connect. Student Ambassadors &amp; Timesheet-paid staff – Contracted hours already agreed up to two weeks will be paid.</td>
<td>Work from home if possible. Allocated other suitable work that can be undertaken at home. Asked to make up time later or swap shifts/rotas, if this would be beneficial to the department.</td>
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<tr>
<td>Due to case of Covid-19 in household</td>
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<td>Due to advice from NHS track &amp; trace</td>
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<td></td>
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<td>Has symptoms &amp; awaiting test result</td>
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<td></td>
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<tr>
<td>Caring responsibilities prevent full working</td>
<td>If staff are unable to carry out their full duties due to the caring responsibilities related to Covid-19, line managers will be encouraged to consider furloughing them or flexibly furloughing them under the CJRS or KJRS. Student Ambassadors &amp; Timesheet-paid staff – Unpaid</td>
<td>If the situation continues beyond two weeks and staff are not eligible for the CJRS, then seek HR advice regarding other options including KJRS.</td>
</tr>
<tr>
<td>In the event of a local or national lockdown</td>
<td>Fully paid if staff can work effectively from home. If staff cannot work effectively from home then Mitigation Options can be explored. Student Ambassadors &amp; Timesheet-paid staff – Contracted hours already agreed up to two weeks will be paid.</td>
<td>Work from home if possible. Allocated other suitable work that can be undertaken at home. Asked to make up time later or swap shifts/rotas, if this would be beneficial to the department. Asked to work on another campus where this is operationally feasible and subject to maximum occupancy rules. Eligible staff may be furloughed under the CJRS. If the situation continues beyond two weeks and staff are not eligible for the CJRS, then seek HR advice regarding other options including KJRS.</td>
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<tr>
<td>Staff who cannot work from home and are required to return to campus but are unwilling to do so</td>
<td>Fully Paid whilst case is reviewed. Recorded as Authorised Absence Paid (AAP) in Staff Connect. Mitigation Options can be explored. Student Ambassadors &amp; Timesheet-paid staff – Unpaid</td>
<td>Allocated other suitable work that can be undertaken at home. Asked to make up time later or swap shifts/rotas, if this would be beneficial to the department. Asked to use TOIL and/or annual leave from this year or next</td>
</tr>
</tbody>
</table>