

Shielding advice for those in employment and education

Employment

Coronavirus Job Retention Scheme (CJRS/ Furlough)

The guidance for the CJRS has since been updated and can be found [here](#). The guidance makes clear that people who are clinically extremely vulnerable (CEV) are eligible for the scheme.

What provision is there for CEV public sector workers?

- The majority of public sector employees are continuing to provide essential public services or contributions to the response to the Coronavirus outbreak. We hope that arrangements will be able to be made to facilitate working from home wherever possible including reprioritisation and redeployment to protect CEV people and minimise issues with service delivery.
- CJRS policy is that those working for fully funded public sector organisations, including those that are CEV, should be paid as normal out of existing budgets. Where working from home isn't possible for CEV people, public sector employers can still consider 'furloughing' their employees, i.e. continuing to pay them whilst they are not attending/conducting work. However, given staff costs are included within the organisation's public funding, this arrangement will not be eligible for grants through the CJRS.
- Where a CEV individual works for a public sector organisation that is not fully funded by public grants, and working from home is not possible, furloughing may be appropriate. This remains at the employer's discretion.
- The [CJRS guidance for employers](#) states:
 - If you have staff costs that are publicly funded (even if you're not in the public sector), you should use that money to continue paying your staff, and not furlough your staff.
 - Organisations can use the scheme if they are not fully funded by public grants and they should contact their sponsor department or respective administration for further guidance.

If an employer refused to use the furlough scheme, would that mean the individual is only eligible for SSP?

- The Government has extended the CJRS (furlough) until 31 March 2021 which you may be eligible for. Please speak to your employer if you think you are eligible.
- If you cannot work, you may be eligible for Statutory Sick Pay (SSP), Universal Credit (UC) or Employment Support Allowance (ESA). Eligibility criteria apply.
- The letter you will receive will act as evidence for your employer or the Department of Work and Pensions that you are advised to shield and may be eligible for SSP or ESA.
- SSP is payable for up to 28 weeks per sickness absence. If an individual has used up their SSP entitlement, they may be able to claim UC and/or ESA when their SSP ends, depending on individual circumstances.
- SSP is intended as a safety net for individuals who are clinically extremely vulnerable, in cases where their employer chooses not to furlough them under CJRS and does not have other suitable policies in place (e.g. the ability to work from home, or the provision of special leave).

Will the letter act as proof that the CEV person cannot work outside the home?

- Yes. This is referenced in the [CEV guidance](#) on gov.uk: *"The formal shielding notification you receive may act as evidence for your employer or the Department for Work and Pensions*

(DWP) that you are advised to follow shielding guidance and should not work outside of your home for the period stated in the letter.”

What employment rights do parents of CEV children have now that the guidance means that they cannot go to school and therefore requires childcare?

- The Government has extended the [Coronavirus Job Retention Scheme](#) (furlough) until 31 March 2021 which you may be eligible for if you are unable to work because you have caring responsibilities resulting from coronavirus. Please speak to your employer if you think you are eligible.
- If an individual is unable to work due to caring responsibilities arising from coronavirus, such as caring for children who are unable to go to school because they are required to self-isolate or who are shielding, they should speak to their employer about the policies they have in place. Some employers may have policies for individuals who are unable to work due to childcare; for example, employers may pay full pay for all or some of the period, allow an employee to take paid holiday for the time they're off work, or offer emergency leave.
- A parent of a CEV child who cannot work from home is eligible for Employment Support Allowance (ESA) under the ESA Coronavirus regulations – subject to satisfying the normal conditions of entitlement.
- Those who need urgent support may be entitled to Universal Credit, depending on individual circumstances.
- There are also employment protections in place to support individuals in these circumstances. Employees have the right to take time off work for dependents in need, although this is unpaid. All employees have the legal right to request flexible working, provided they have worked for the same employer for at least 26 weeks. Employers can only reject a request where they have sound business reasons for doing so. Having flexible start and finish times may help parents to better balance work and childcare needs.

Are people who are CEV eligible for furlough if (for example) their workplace is continuing to function?

- Yes. The Government has extended the [Coronavirus Job Retention Scheme](#) (furlough) until 31 March 2021 which CEVs are eligible for if they are unable to work from home. They should speak to their employer if they think they are eligible.

Education

What is the rationale behind advising non-CEV children to go to school where there is a CEV sibling, who are advised not to go to school, or CEV parent?

- The current guidance for CEV people applies to the individual only, not the household. Therefore, children of CEV parents, or those with other CEV people in their household, should still attend school.
- This decision balances the potential risk to the mental health and general wellbeing of children missing school with the indirect risk of children contracting the virus at school and transmitting to others.

What support are parents eligible for if they have CEV children and therefore must stay home and cannot go to work or work from home?

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What is the IT support being given to those children who have to stay off school?

- The Department for Education has invested over £195 million to support remote education and access to online social care, delivering over 220,000 laptops and tablets during the summer term for disadvantaged children who would not otherwise have access to a digital device.
- The Department is adding to this support by making over 340,000 additional laptops and tablets available to support disadvantaged children that might face disruption to their education. Since September, over 100,000 of these have been delivered to schools.
- This scheme is intended to enable schools to support disadvantaged children in years 3 to 11 who do not have access to a laptop or tablet privately or through school. Schools will also be able to order laptops and tablets for disadvantaged children across all year groups who are shielding as a result of official or medical advice, all year groups who attend hospital schools and those completing their Key Stage 4 at a further education college.
- Where the child is disadvantaged and does not have access to a device through other means, schools should contact us so that they can order a device that they can lend to the child. Laptops and tablets are available for shielding children across all year groups.
- We want to make clear that schools have a duty to provide remote education for state-funded, compulsory school-age children who are unable to attend school due to coronavirus (COVID-19) in line with guidance and the law. The Secretary of State gave a Direction which places an express legal duty on schools to provide remote education in these circumstances. This has been in effect since 22nd October 2020.
- Where a pupil is unable to attend school because they are complying with clinical or public health advice, we expect schools to be able to immediately offer them access to remote education in line with previous guidance and the law.
- In our [school guidance for full opening](#) published in July, we set out expectations that schools develop plans to offer immediate, high quality, remote education, as and when needed.

- To support schools to meet the expectations set out in the guidance, the department published a remote education support package which can be found on the [remote education service](#) on gov.uk.

Many families caring for disabled children at home have continued to shield but have also had lots of support services cut (e.g. respite, day services) or have children who haven't been able to return to school, is there provision planned for these families?

While the government has introduced additional guidance to help keep people safe when accessing support services, we have not advised that support services should close.

Where a child has spoken to their GP, who will provide that confirmation to the school that the GP has recommended that the child comes in?

While there is no legal requirement for a parent to provide confirmation that a child is no longer CEV, if schools require reassurance parents may wish to provide a doctor's note.

Will there be additional guidance for forming support bubbles and what this means for childcare arrangements?

Additional guidance can be viewed here: <https://www.gov.uk/guidance/making-a-childcare-bubble-with-another-household>