

Wrigleys' upcoming and recorded webinars

Please note – All information in these slides were correct at the time of the presentation which took place on Tuesday 20 October 2020.

Since then, important changes have been made to the Job Support Scheme. Here is a link to an article written by presenter Michael Crowther outlining these changes and providing the most up to date information.

https://www.wrigleys.co.uk/news/employment-hr/changes-to-the-job-support-scheme-announced-by-the-treasury/





- Reviewing your charity's business needs
- Ending furlough
- Seeking agreement to new employment terms
- How does the new Job Support Scheme (JSS) work?
- Moving staff on to the JSS
- What about the Job Retention Bonus?
- What if we are making staff redundant?

Considering your charity's business needs

- Keep in mind your charitable objects and purpose
- Review current financial and operational position
- Consider surveying service users / customers / stake-holders / funders about short- and medium-term plans
- Consider staff surveys attitudes to remote working / return to the workplace / safety measures / changes to working arrangements
- Develop business plan for short and medium term



Considering your charity's staffing needs

- Will you need furloughed staff to return? All of them?
- Will some need to work from home?
- Will you need to change roles, terms and conditions?
- Will you need to use lay-off / short-time clauses in the contract?
- Can you use the Job Support Scheme?
- Will you have a redundancy situation?



Ending furlough

- Write to staff to:
 - Give notice of furlough leave coming to an end
 - Explain any changes to working practices
 - Be clear about:
 - Return date
 - Pay
 - Holiday entitlement
 - Impact of furlough leave on any relevant processes



Health and safety measures

- Set out measures taken to keep the workplace safe
- Duty to consult on H&S
- Speak to individuals about any concerns on returning
- Clinically vulnerable / extremely vulnerable staff
- Investigate any medical conditions
- Working from home / phased return



Communicate and consult

- Maintain regular communication with staff and trade unions and include them in planning
- Don't forget to include staff who have been on furlough AND staff who have not
- Plan ways to reintegrate staff into teams



Changing contractual terms

- Have a clear business case for the changes you wish to make
- Seek agreement to any changes to hours / pay etc (may need to reach collective agreement with a trade union)
- Imposing a fundamental change is effectively a dismissal and could give rise to claims
- Consider dismissing and offering new terms, but only as a last resort



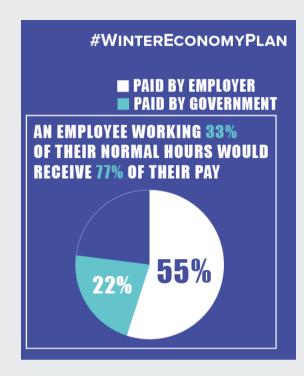
The new Job Support Scheme – how does it work?

Overview

- Open 1 November to 30 April 2021
- Only for individuals in work/ on payroll
- Govt funding via grant claim in arrears

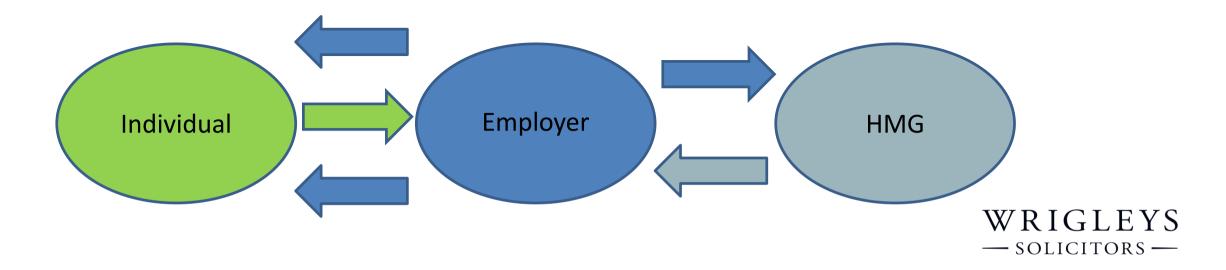
NB: At time of writing, information is sparse:

- JSS and JSS Extension 'factsheets'
- HM Treasury Winter Economy Plan para 2.4





- 1. Employer proposes JSS
- 2. Individual agrees/ works min 33% of hours
- 3. Employer pays employee min '77%' of pay
- 4. Employer claims for funds from JSS
- 5. HMG pays grant money to employer



Who qualifies?

- Employer who:
 - Has UK bank account and registered on UK PAYE system
 - Is an SME = support without an HMRC assessment
 - Is 'large' = subject to assessment and must show there has been a business downturn since the start of the pandemic

NB: employers are expected not to make capital distributions while using the JSS



Who qualifies?

- Individual who:
 - Is on employer's payroll on or before 23 September 2020 (must show in RTI submission on or before this date)
 - Is working at least 33% of their <u>'usual hours'</u> (awaiting guidance)
 - Has not been made redundant or is on notice of redundancy at time of claimed 7 consecutive day period

NB: employee does not need to have been furloughed previously



How does it work?

- Employer pays individual as normal for at least 33% of usual hours
- For every hour of 'usual hours' not worked, employer pays 1/3 and government pays 1/3 of the 'usual hourly wage' (awaiting guidance)
- Government contribution capped at £697.92 per month
- Government payments will not cover Class 1 employer NICs or pension (employer remains liable for these)
- Claim for JSS grants in arrears (see 'How do you claim?')



The practicalities of moving an employee on to JSS

- Employers must agree new short-time working arrangements with staff
- Amends to terms of employment contract:
 - By operation of contractual clause; or
 - By agreement (most likely)
- Good practice to keep records:

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For possible employment disputes with employees

How do you claim?

- Scheme operates from 1 November
- Employers will be able to start claiming in December (expected)
- Claims will be via an online portal through gov.uk and paid on a monthly basis
- Because claims are in arrears, they must reflect actual wage costs
 actually incurred and once these have been reported to HMRC via an RTI
 return

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The JSS 'Extension'

- Same basic eligibility and access rules as regular JSS
- For any business required to close due to C-19 area restrictions
- Individuals must be off work a minimum of 7 consecutive days
- Government pay 2/3 of salaries up to a maximum of £2,100 per month
- Employers will only be required to cover NICs and pension contributions
- If businesses close prior to 1 November see Job Retention Scheme



The Job Retention Bonus

Overview

- Where individuals have been furloughed
- £1,000 (to employer) per employee still employed on 31
 January 2021
- Subject to rules re minimum employee pay
- Can't be claimed until 15 February 2021 and must be submitted by 31 March 2021



The Job Retention Bonus (cont.)

Who qualifies?

- Employers who have furloughed staff and made an eligible CJRS claim
 BUT if funds were repaid = not eligible
- Individual must have been continuously employed from end of CJRS claim period until 31 January 2021
- Individuals serving contractual notice (incl retirement) not eligible

The Job Retention Bonus (cont.)

How to claim

- You must wait until 15 February 2021
- Submission via online portal on gov.uk website (guidance expected in January 2021)
- In the meantime:
 - Report all payments to employee up to 5 February
 - Ensure you are enrolled for PAYE online and file PAYE accurately
 - Comply with all requests for data from HMRC re past CJRS claims



Dealing with a redundancy situation

- Prepare your business case and redundancy proposals
- Consult with staff and their representatives (consider statutory consultation periods if there might be 20 or more dismissals)
- Follow a fair procedure including meaningful consultation, seeking alternatives to redundancy, offering alternative roles and offering an appeal



Dealing with a redundancy situation

- You should take into account in your business case / when considering alternatives to redundancy:
 - the new JSS
 - the Job Retention Bonus
 - any possibility of short-time working / lay-off



Resource Links

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Ending furlough – template letters

https://www.acas.org.uk/furlough-letter-templates

Health and safety measures

https://www.hse.gov.uk/coronavirus/working-safely/protect-people.htm

JSS and JSS Extension Factsheets

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921389/Job_Support_Scheme_Factsheet.pdf

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Resource Links (cont.)

Winter economy plan (see para 2.4)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921060/CCS207_CCS0920237970-001 Winter Economy Plan print.pdf

Tier 3 businesses

https://www.gov.uk/guidance/local-covid-alert-level-very-high#business-and-venues



Any questions?

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