

Coronavirus update -what's new? 23 March 2020

This update covers:

- The Coronavirus Bill in brief – we've covered it separately on the Coronavirus hub
- Furlough payments – the government promises to pay 80% of wage costs
- DBS ID checks – the need for face to face is relaxed
- Right to work checks – is face to face still required?
- REC Audited Education/ CCS – is face to face interviewing still required?

1.1 The Coronavirus Coronavirus Bill was published Thursday 19 March 2020

This is the emergency legislation which will give the government powers to bring in a raft of measures to tackle the coronavirus outbreak - including some of the support previously announced by the chancellor in the budget.

The two key budget announcements covered by the Coronavirus Coronavirus Bill that members have been waiting to hear further details about include:

- The scheme to refund SME employers for the cost of SSP payments made to employees self-isolating because of coronavirus.
- Making SSP payable from the first day of sickness absence rather than the fourth day.

The Coronavirus Bill provides a framework for further regulations to be made – the regulations will provide the detail that recruiters and other businesses have been waiting for.

The chancellor stated in the budget that the refund scheme would be for employers with 250 or fewer 'employees'. We are still waiting for clarification about whether this will include temporary workers on the payroll. If yes, many recruiters will not be eligible for the refund payments. The Coronavirus Bill doesn't provide this clarification so we've got to wait for the regulations to be released.

The Coronavirus Bill does state that the amount of SSP could be paid up front to eligible employers, rather than employers having to claim a refund. It may also be possible for amounts over and above the SSP amount limit to be paid to employers but again, we need to wait for the regulations to clarify that position.

The Coronavirus Coronavirus Bill does include the power to make SSP payable from day 1.

When will the Coronavirus Coronavirus Bill become law?

The Coronavirus Bill should be in force by the end of March 2020 - the SSP provisions will be backdated to 13 March 2020.

1.2 'Furloughed workers' - payments to employers to cover 80% of employee wages

Fast on the heels of the Coronavirus Bill being published, the government followed up with an announcement on Friday 20 March 2020 about the Coronavirus Retention Scheme. This will provide employers with funding to enable them to continue to pay employees up to 80% of their wages rather than laying them off. All businesses will be eligible, regardless of number of employees, turnover etc.

The [information for employers provided so far](#) states that to access the scheme, employers will need to:

Designate affected employees as 'furloughed workers,' and notify your employees of this change - changing the status of employees remains subject to existing employment law and, depending on the employment contract, may be subject to negotiation

Submit information to HMRC about the employees that have been furloughed and their earnings through a new online portal (HMRC will set out further details on the information required)

HMRC will reimburse 80% of furloughed workers wage costs, up to a cap of £2,500 per month. HMRC are working urgently to set up a system for reimbursement. Existing systems are not set up to facilitate payments to employers.

Employers will still need to get the employee's agreement to designate them as 'furloughed' and take a 20% reduction in pay if there is no provision in the contract for employees to be temporarily laid off. Employees might otherwise face redundancy with no job at all so it is likely that many employees will accept this change to their contracts.

The guidance that has been issued to employees makes it clear that in order for employers to access the scheme, employees will need to have ceased working i.e. employers will not be able to claim payment for employees who are still undertaking some work.

What has not been made clear at this stage is whether the scheme will extend to all workers on an employer's pay roll – and temporary workers. The REC is seeking clarification regarding this point. Please bear with us and we will update the Coronavirus hub as soon as we have any further information.

1.3 Other updates

The DBS standard and enhanced ID checking guidance will be changed for a temporary period.

The change will enable:

- ID documents to be viewed over video link
- scanned images to be used in advance of the DBS check being submitted

The applicant will be required to present the original versions of these documents when they first attend their employment or volunteering role.

The change came into effect from Thursday 19 March 2020.

1.4 Right to work checks

The rules have not changed but the REC is well aware of the practical issues that this is now causing for members and all businesses. The REC policy team is raising all of these issues with government.

The current guidance is available via the [Home Office](#).

1.5 REC Audited Education

An update will be issued to members shortly regarding in person interview requirements.