



Jesus College Oxford

Flexible Furlough

Coronavirus Job Retention Scheme

(Updated on 20 July 2020)

Question and Answer - 2

We appreciate that the coronavirus pandemic is continuing to have an impact on daily lives for every person, family, and business around the world. As a College we continue to face a number of challenges. In particular, there has been a significant loss of income due to conference events not going ahead. In some areas there has been a reduction in day-to-day activity and we are operating very limited services.

The Government's Job Retention Scheme has enabled us to furlough employees and we have appreciated your co-operation and support with this. At this time we need to manage costs carefully, think about how to make the most of our resources and take all available opportunities for support. We want to be well positioned to go back to operating at full capacity when the time is right and are working together to review workloads and resources that are available.

A priority for us is to look after our staff and consider what work is available for them to do. As Government restrictions are gradually being lifted the furlough scheme has been updated to provide more flexibility in supporting employees returning to work. As a College, we are keen to make use of the flexibility where it is beneficial to do so.

The basis of the flexible furlough scheme is that some individual employees will be able to return to work part-time and be furloughed part-time. This note sets out in and Question and Answer format what this means, and how it will operate.

What is Flexible Furlough?

From 1 July 2020, the rules around Furlough changed. Whereas previously Furlough had to be continuous for a minimum of three weeks, Flexible Furlough means that employers may bring Furloughed employees back to work on a part time basis.

The employer can still claim the furlough grant for the hours the employee does not work. For example:



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Someone on a 20 hour a week contract (worked over 5 days), comes back to work for 15 hours a week and will work these hours of over three days whilst on Flexible Furlough. The employee will continue to be paid for 20 hours a week but the College would claim the 5 hours (hours not worked) on the Furlough scheme and would not claim for the 15 hours (those hours worked). The financial impact on the employee would be unchanged.

Employers do not need to place all employees on Flexible Furlough. Full Furlough may continue if the workload means that that is appropriate.

What are the differences between “Furlough” and Flexible Furlough?

Furlough	Flexible Furlough
This is assigned by the employer and agreed with the employee.	This is assigned by the employer and agreed with the employee. If employees are already furloughed then a new agreement will be put in place for flexible furlough.
Employees cannot work for the College whilst on furlough	Employees can work part-time for the College and be furloughed part-time. Any form of part time arrangement can be implemented (to the nearest hour).
A claim can be made for employees from 19 March 2020, subject to Government scheme	A claim can be made for employees from 1 July 2020, subject to Government scheme
To be eligible employees must have been employed by Jesus on 19 March 2020 and be on our PAYE payroll on/before this date (RTI submission also has to be made by this date).	To be eligible employees must have previously been furloughed for at least 3 consecutive weeks taking place any time between 1 March 2020 and 30 June.
No record of hours is needed for furlough as the employee is not working for the College.	A record needs to be kept of the part-time hours worked and furloughed and submitted to payroll. Once the hours have been worked and submitted to payroll then these should not change.
A period of furlough can last any amount of time but claims to the scheme have to be for a minimum of 3 weeks.	A period of furlough can last any amount of time but claims to the scheme have to be for a minimum of seven calendar days (1 week)



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Employees can enter into a furlough scheme more than once, providing they have been furloughed for 3 weeks before 1 July.	Employees can enter into a flexible furlough scheme more than once.
Employees can complete training whilst furloughed	Employees can complete training during any furlough period
Employees should continue to book and take annual leave in the usual way	Employees should continue to book and take annual leave in the usual way
The College will give at least 24 hours' notice to any member of staff who is required to return to work at College.	The College will give at least 24 hours' notice to any member of staff who are required to return to their normal full duties, including changes to the detail of Flexible Furlough

Am I eligible for Flexible Furlough?

From 1 July 2020, employers may only Furlough employees who have been successfully Furloughed for at least three consecutively weeks by 30 June 2020.

I have heard there will be changes in the rates within the Flexible Scheme how does this affect me?

There are now the following five stages. Through each of these stages, unless otherwise notified, Jesus College plans to continue to pay the difference between the Government contribution and full pay, so that staff are paid 100% of salary.

June

From 10 June the original Furlough scheme is effectively closed for employees who have not been previously furloughed.

- Until 30 June employers could claim for 80% of a Furloughed employee's current salary, up to £2,500 but the employee must not work for the employer.
- Employer National Insurance Contributions and certain pension contributions could be claimed too.
- Employers are not **required** to contribute anything towards furloughed employees' salaries for June.

July

The new flexible scheme allows for previously Furloughed staff to return to work part time.

- Employers can still claim the Furlough grant for normal hours not worked
- Any amount of working time and any shift pattern can be agreed with the previously furloughed staff



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- Until 31 July employers can still claim for 80% of the furloughed employees' current salary, up to £2,500 as well as employer National Insurance Contributions and pension contributions. This only applies for the hours the employee doesn't work.

August

From 1 August, employers can no longer claim for employees' National Insurance or pension contributions. This applies to both the hours not worked and hours worked, if any.

- Until 31 August the government will pay 80% of furloughed employees' wages up to a cap of £2,500 for hours not worked.
- Employers are required to pay employees for the hours they work.

September

- From 1 to 30 September the government will pay 70% of furloughed employees' wages up to a cap of £2,187.50 for hours not worked.
- Employers will be required to pay 10% of wages to make up 80% total up to a cap of £2,500 plus employers' total NICs and pension contributions. However, Jesus College will pay 30% meaning employees continue to receive 100% pay, unless otherwise notified.

October

- From 1 October until the end of the scheme on 31 October the government will pay 60% of wages up to a cap of £1,875 for the hours the employee does not work.
- Employers will pay 20% of wages to make up the 80% total up to a cap of £2,500 plus employers' total NICs and pension contributions. Jesus College will pay 40% meaning employees continue to receive 100% pay, unless otherwise notified.

How long will Flexible Furlough last?

Employees are assigned a status of furlough or flexible furlough on an individual basis and the detail will be set out in a letter. The Furlough will have a start date, but will not have a specified end date, although each period of flexible furlough must, under the government scheme, last for at least seven calendar days.

Individual members of staff may be taken off flexible furlough by the College, at any point. This may involve coming back to work full time or returning to full Furlough. The College may take some employees off flexible furlough after a period and assign others instead. As such, all flexible furloughed employees should ensure they are in a position to pick up normal duties and hours at any time. To keep things practical, the College will give at least 24 hours' notice to any member of staff who is required to return to normal duties and hours.



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What about holiday / sickness leave?

Being on flexible furlough leave does not change the arrangements for booking annual leave or reporting sickness absence.

While on furlough (flexible or the original scheme) employees will continue to accrue holiday entitlement in the normal way. This will continue to be reviewed in line with Government advice and you will be updated if there are any changes. During Furlough annual leave may be taken and must be booked with line managers.

If a member of staff is unwell, this should be reported to line managers and/or HR so that it is recorded in the usual way.

How will I know if I am to be on Flexible Furlough, and what will happen?

The College will write to any member of staff whose status is likely to change to flexible furlough, the individual will be asked to confirm their agreement to the changes set out in the letter. From the date of flexible furlough (set out in the letter), the employee will work part-time hours and be furloughed for the remaining part-time hours.

- Hours worked under Flexible Furlough cannot be part hours (for example 7.5 hours is not allowed, it would need to be 7 hours or 8 hours)
- The hours cannot vary from the written agreement put in place, if there is a need to increase the hours or reduce them going forward this must be discussed with HR who will need to put a new written agreement in place before alternative hours can be worked.

Employment contracts with the College will not change in any other way, and staff remain bound by the terms and conditions set out in the College Policies.

As with standard Furlough, during the period of Furlough employees should not undertake any other form of paid work without permission from the College. Please contact HR if you are unsure).

What records must be kept if employees are on Flexible Furlough?

Employers and employees must discuss and agree the arrangements for Furlough (including Flexible Furlough), this is particularly important for part time working which is less straightforward in record terms. Once agreed the details will be confirmed in writing and a



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written record of the Furlough agreement will be kept for five years. For this reason is very important that each employee signs and returns the documentation for each different period of Furlough.

Can an employee refuse to consent to an extension of furlough or to flexible furlough?

All Furlough needs to be agreed, a refusal to return to work at either fully contracted hours or reduced hours, without good reason, could lead to action being taken with regard the individuals ongoing employment, and may even result in termination of employment.

However, if changes to Furlough are likely to cause problems the employee should talk to their line manager in the first instance to identify whether there are ways to overcome any problems.

How long will I be on Flexible Furlough?

Flexible furlough agreements do not have to be for a minimum of three weeks, this requirement has been removed. Furlough under the flexible scheme must be for a minimum period of seven calendar days. Any flexible furlough period of less than this cannot be claimed for via the scheme. As with the initial Furlough Scheme employers may Furlough under the flexible scheme more than once.

Care First Support

All staff are reminded that they have access to a confidential telephone counselling service. If you would like to talk to a trained counsellor about any worries that you may be having whether work related or not. You can access this service by calling CareFirst on 0800 174319

Further questions

If you have any further questions, please contact your line manager or Human Resources.