





# ASCL, LGA and NAHT Joint School Workforce Guidance COVID-19: Quarantine on entering or returning to the UK-and self-isolation prior to admission to hospital

The latest government guidance for British people travelling overseas during COVID-19 is available here: <a href="https://www.gov.uk/guidance/travel-advice-novel-coronavirus">https://www.gov.uk/guidance/travel-advice-novel-coronavirus</a>

- At the time of writing (19 June), the Foreign Office advice remains unchanged people should not travel abroad other than for essential purposes. School staff should be reminded of this government advice.
- Any person entering or returning to the UK from abroad is currently required to provide contact details and remain at the contact address provided for a period of 14 days from the date of entering the UK. Fines will be imposed for persons refusing to provide contact details or refusing to self-isolate.
- 3. Persons returning from Ireland, Isle of Man or the Channel Islands (Common Travel Area) will not be required to provide details or self-isolate providing they have remained in the CTA in the previous 14 days before the date of entry into the UK. There is also a lengthy list of travellers who will be exempt from English border rules.
- 4. Obviously, it is unclear whether these measures will remain in place all summer, but we have written this guidance on the assumption that they will do. We therefore recommend that schools also assume this is the case, and plan accordingly.

## Relevant terms and conditions for maintained school employees:

- 5. A reminder that teachers' terms and conditions are covered by the <u>Burgundy</u> Book, and school support staff are covered by the <u>NJC Green Book</u>.
- 6. School staff may have pre-booked travels plans in the school summer closure period and there may be concerns over whether these plans can go ahead. This has been a particularly difficult period for school staff, and it is understandable that they may wish to consider making travel plans for a chance to rest and recuperate over the summer closure period.
- 7. Our key recommendation in relation to this issue, is that school leaders and managers have conversations with all their teaching and support staff as early as possible, about the potential impact of this governmental requirement.
- 8. Clearly the biggest concern in schools is likely to be if staff take holidays abroad requiring quarantine which could impact on the start of the autumn term.

### School support staff - NJC Circular issued 5 June 2020

9. The NJC issued a <u>circular</u> relating to quarantine on entering or returning to the UK covering Green Book terms and conditions.

This circular referenced the 12 February NJC circular which drew attention to the provision set out in the 'Green Book' sickness scheme at Part 2 Para 10.9, which says:

"An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme"

- 10. Similarly, the Burgundy Book also has paragraphs relating to sickness scheme in relation to infectious diseases: Section 4 Sick Pay Scheme, Paragraph 10 'Contact with infectious diseases' and 10.3 as follows:
  - 10.3 "A teacher residing in a house in which some other person is suffering from an infectious disease shall at once notify the employer and the teacher shall, if required, take such precautions as may be prescribed, provided that if in the opinion of the approved medical practitioner it is considered inadvisable, notwithstanding such precautions, for such teacher to attend duty, full pay shall be allowed during any enforced absence from duty, such pay being sick pay for the purpose of paragraphs 3 to 7.5 above.

This provision will also apply where, in the opinion of an approved medical practitioner, it is inadvisable for a teacher to attend duty for precautionary reasons due to infectious disease in the workplace. The period of the absence under this paragraph shall not be reckoned against the teacher's entitlement to sick leave under paragraph 2 above, though such absences are reckonable for entitlements to Statutory Sick Pay."

11. If an employee is required to self-isolate or is placed in quarantine (after displaying COVID-19 symptoms for example), the Burgundy Book and NJC provision's (detailed above) should be applied.

#### How this applies now:

12.We now have a new and different circumstance (so the paragraphs above, do not apply to the "quarantine" required by government) given that if you arrive in the UK on or after 8 June 2020, you will not be allowed to leave the place you're staying for the first 14 days. Therefore, from this point forward school staff travelling abroad will be doing so fully cognisant of the quarantine requirements on re-entering the UK. Some countries may also require travellers to quarantine on arrival which may impact their length of stay and school staff should therefore be advised to check carefully whether this is the case before they make any bookings.

- 13.Although it has never been relevant for the majority of school leaders and managers to be aware of staff summer holiday plans, schools are now in a position where the requirement to self-isolate for 14 days on return may impact on the ability for school staff to return to work in school at the start of the autumn term. Managers should-have open conversations with staff about the potential impact of this, and how it can be best managed locally if staff are considering travelling outside the UK this summer.
- 14. There will be a number of considerations that need to be taken into account to ensure the school's policy is clear, applied fairly and is reasonable in relation to individual contracts of employment and personal circumstances.
- 15. Much of the emphasis within the NJC Circular issued on 5 June is to explore options for working from home during the quarantine period, but this is obviously going to be much harder to achieve within the school environment, particularly if (as seems to be the case) there is a renewed focus on getting schools to open more widely by September.
- 16. Nevertheless, school leaders and managers should in the first instance talk openly with the individual and consider whether working from home during the quarantine period is practical and feasible. For example, where an employee cannot do their normal work at home, the employer should consider whether it would be reasonable to redeploy them to alternative duties that they could carry out at home.
- 17. There is no one-size-fits-all answer to this issue. School leaders are encouraged to take full account of the need to maintain positive employment relations during these extraordinary times and to give more sympathetic consideration to certain circumstances which could include:
  - an employee who has extenuating circumstances such as a family funeral abroad.
  - pre-booked holidays that cannot be cancelled without incurring significant financial cost (i.e. insurers will not reimburse cost) that were arranged before quarantine could have been envisaged
  - pre-booked holidays that the tour operator has not cancelled but has instead rescheduled on fixed dates which, if cancelled by the customer, would be at financial cost to them.
- 18. However, where this is not feasible, school leaders may have to consider asking staff to:
  - take additional paid annual leave
  - take paid special leave
  - make up the 14 days' leave over a period of time
  - take unpaid special leave
  - take unpaid annual leave

Accepting that some options are likely to be very challenging within schools-

- 19. These arrangements must be clear to the employee before they embark on leave that will require quarantine.
- 20. Please note, anyone who has had to travel for the purpose of their job and has to quarantine on their return, should continue to receive normal full pay.

#### Self-isolation prior to admission to hospital

21. The NHS has instructed that anyone who is due to go into hospital as an in-patient (including day surgery) for planned or elective surgery / medical care must self-isolate, along with all members of their household, for 14 days prior to admission.

Unless already on sick pay, all school employees should remain on normal full pay for the duration of the self-isolation period and those who can work from home should do so. Employees should remain in contact with their head teacher / manager so that any changes of dates for hospital admission are discussed, particularly where this will require a change to or an extension of the period of self-isolation required. We very much hope that dates scheduled for hospital admission do not get deferred, resulting in a further period of self-isolation being required, but this may be something that school leaders and managers will unfortunately have to accept as a consequence of the current situation.

All information contained in this circular is correct at time of publication but all links to external websites should be checked regularly as official advice is likely to be updated as the situation continues to develop.

Please continue to visit the LGA's Coronavirus: <u>information for councils webpage</u> and the DfE website for all up to date advice. You may also find it helpful to refer to the <u>LGA Frequently Asked Questions</u>.