

Coronavirus crisis

Joint union advice on COVID-19

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During this time of crisis school leaders, teachers and support staff are doing essential work – caring for the children of key workers and vulnerable children. The Secretary of State for Education, Gavin Williamson, has said that he is proud of the work you are doing. Your unions are proud of you too and want to work together to enable you to manage your professional and personal lives and keep yourselves and your students safe during this crisis.

The Covid-19 crisis means that school leaders, teachers and support staff are working in new situations and new ways in order to meet the challenges they face every day. These are very stressful and anxious times. Educators want to do the right thing – so that the NHS is not overwhelmed and other essential services keep functioning.

Good professional relationships between colleagues will enable us all to meet the challenges we face. Discussion is essential so that the decisions made are well informed, well explained and capable of being implemented. Resilience will be fostered by all colleagues feeling that they have been able to be involved in as many decisions that affect their professional lives as possible.

Keeping schools running

We are pleased that the great majority of schools operating restricted opening are now operating rotas for working in school.

Head teachers should work with their teams to ensure a minimum number of staff are on the school site. This will support the NHS in keeping the spread of COVID-19 to a minimum.

Only staff working directly with students or key to opening, and cleaning, should be on the school site.

Teachers should not be asked to be on site if they are not looking after pupils. They should not be asked to attend full staff meetings, or to clean cupboards, or take down displays for example because this increases their exposure to the virus and endangers the NHS.

All supply teachers must be fairly treated – kept in post, supported if unable to work and employed as a key part of local authorities' response to this crisis.

The Department for Education (DfE) has made it clear that the additional costs schools incur as a result of managing this crisis will be reimbursed. As unions, we are currently in discussions with the Government about how this will work.

During the Easter opening, staff should be organised so that colleagues know when they are working (either in school or at home) and when they are on holiday. Staff on holiday should not be expected to keep in touch – they need some time to switch off and physically and mentally recuperate.

We do not expect schools to have to open on Good Friday and Easter Monday. However, we are aware that there is increasing concern about the pressure on the NHS over this period and we know that many schools are now considering how best they can play their part over the Easter bank holidays.

Schools and colleges considering opening on these days should first determine whether or not demand exists for provision from key worker parents, many of whom will have alternative arrangements already in place, and depending upon response engage their own staff to determine availability. Our expectation is that take-up is likely to be low, and so in many cases we still expect that schools will be closed. Any staff working on these days should do so on the basis that they have volunteered to help in these extraordinary circumstances.

We would emphasise that this is a matter for local judgement and local agreement.

Staff holidays should be operated on a rota basis so that staff get two weeks off, either before, during or after the period when the school would normally be closed for Easter. Having weeks rather than days off will offer significant benefits in protecting staff health through minimising the extent of contact with different colleagues. It should not be assumed, however, that staff can change their plans, even during the current situation.

We recognise that the use of rotas may pose some particular challenges in special schools where higher staff ratios are required, but leaders should still try to take a similar overall approach to the use of rotas where possible.

Which staff should be in school?

Colleagues who are healthy and not in a high-risk vulnerable group can be called upon to be in school. Colleagues should be consulted on when they are able to work. There are many considerations, including accommodating staff who now have childcare responsibilities during the normal working week. Schools should try to accommodate these needs wherever possible, although it is important to recognise that this could pose some challenges to those designing the rotas and there will need to be an element of flexibility all round.

Colleagues who have health conditions which make them vulnerable to being badly affected if they catch the virus should not be included on staff rotas for working in school. They will be able to support in other ways which should be discussed with them.

Colleagues who live with someone in the most vulnerable health groups, as set out in the guidance on shielding should not be included on staff rotas for working in school as it is highly unlikely that the required stringent social distancing can be adhered to. It is essential that we do all that we can to reduce the number of people who would require hospitalisation if they caught the virus. Colleagues should not, in addition to all their other worries, be afraid that, because of their attendance in school, they will infect vulnerable relations who they live with.

Industrial relations during this time

Crisis invariably brings out the best in school teams. Most teams will be able to agree rotas and ways of working through normal work practices and conversations. We are hearing reports of great team meetings where colleagues have supported one another to step up with confidence whilst supporting those who are unable to take part. This effort cannot be about command and control. Success will be borne out of mutual respect, understanding and support underpinned by a generosity of spirit.

The speed with which we need to move right now should not be compromised with formality. The pursuit of perfection should not become the enemy of a good solution. However, as we settle in for the longer term, we will need to establish the new normal and it is important that teams have confidence in, and some ownership of, their situation.

Involving and consulting colleagues over the longer term must include involving and consulting their trade union representatives as you normally would. School leaders should, wherever possible, consult with union representatives before publishing protocols and consider comments from staff generally when keeping those protocols under review. School leaders will already be consulting the advice provided for them by their own organisation. They should also consider the advice published by other trade unions via their websites.

During this period, it is not possible to proceed on matters such as reorganisation/redundancy or academy conversion which require meaningful consultation in order to meet the law's requirements, or to proceed on disciplinary, capability or grievance matters which require hearings and representation. In the most serious disciplinary cases, suspension on full pay may be necessary to facilitate this.

Education during the COVID crisis

This is not education as we have known it. SATS, GCSEs, AS and A level exams, as well as Ofsted inspections have all been cancelled.

Children and young people have very different home lives and very different levels of parental support. It is not feasible to carry on as before during this crisis. We cannot 'home school' the nation's children.

Children in school will not be following a normal timetable – with lessons and homework. The main focus, certainly in the short-term, will be on ensuring that children are safe and supported. In the slightly longer-term, teachers or educators may have more capacity to think about the learning opportunities they can provide to children in school, recognising that this is likely to continue to look very different from a whole-day timetable of structured lessons.

Whilst the immediate focus will be caring for and supporting those pupils in school, leaders and teachers are also starting to put in place processes and resources to support children's learning at home. However, it is not possible to replicate a usual school experience at home. It is not reasonable, or feasible for schools to continue to provide a 'normal' school education during this time. Many schools do not have the resources to do this and we know that children and young people have very different home circumstances. Some will have good access to the internet. Others will not.

As schools start to think about how they might want to support those pupils at home, they need to be mindful of these very different circumstances, particularly pupil's access to technology which may have changed as whole families are working from home. There may be children who aren't able to complete online work and in these situations schools should set alternative or complementary learning activities that do not require technology.

It is important to remember that when it comes to younger pupils, schools may also want to give parents ideas for interactive activities, games and 'challenges'.

Teachers working at home can only carry out a reasonable workload, and this must be discussed with staff. Schools should also explore opportunities for teachers to collaborate when it comes to designing home learning activities.

Schools need to be mindful that their staff will have demands and pressures of their own, such as childcare and so it may not be possible for them to work a 'usual' school day.

Schools also need to be mindful that those staff who are in school cannot be expected to be supporting home learning at the same time.

Schools should not be formally monitoring staff 'performance' during this period.

Teachers should not be asked to personally contact individual students on a daily basis, except where they have agreed with their head teacher a system to contact vulnerable children and families. Teachers should not use personal phones or emails for this contact. It is extremely important that all schools remind their staff and pupils of their policies for safe internet usage and review whether any specific changes to the policy need to be made to take the new circumstances into account.

Schools should also consider setting out a clear statement for parents which details the school's approach to any home learning and protocols for communication between school and home.

Until we know what arrangements will be made by Ofqual, in consultation with us, about the awarding of grades for public exams, teachers should not be setting exam-related work for year 11 and 13 students, grading and marking it, collating 'portfolios', and/or doing predicted grades.

School closures

It's important to reiterate that school leaders will still need to make individual decisions about whether it is safe to open their school.

It remains the case that if a school does not have enough staff to care for pupils safely (even based on the new 'reduced provision' approach) then, subject to a risk assessment and consultation with the chair of governors, a full or partial closure may be necessary. Schools will need to keep this decision under daily review and should inform their local authority if they are not able to open.

Safeguarding and supporting vulnerable pupils not in school

The DfE has said that it will publish further guidance to schools on safeguarding arrangements and this will be available on the DfE website.

It is important not to confuse the role of schools and social services.

Our expectation is that schools will continue to have the usual safeguarding responsibilities for pupils that are attending school. This includes making referrals to social services in the usual way if necessary.

For pupils who are not in school, if schools have safeguarding concerns, these should be reported in the usual way to social services. However, we do not believe that it is the role of school staff to be carrying out home visits. If necessary, this is something for the local authority and Children's Services team to consider.

Schools may want to produce a short annex to their safeguarding policies detailing any changes they have put in place during this period,

Teachers and leaders bringing their own children to school

We are seeking clarity on this from the DfE but our understanding is that many schools and LAs have agreed to this. If you are unsure, you should seek advice from your local authority.

Performance management

Given that schools are now officially 'closed' and only open for a small number of pupils, performance management and capability should both be paused until schools formally re-open.

Opening hours

The Government has stated:

" We expect schools to operate as close as possible to their normal hours. Where possible, we would encourage breakfast club and after school provision to help support the children of workers critical to the COVID-19 response."

Schools should note the use of the phrase 'where possible'. There is no expectation that teachers should staff these clubs.

School closures continued...

What happens in the event the school has no designated safeguarding lead or first-aider?

Government guidance published on 22 March states: "Where schools and trusts have concerns about the impact of staff absence – such as their Designated Safeguarding Lead or first aiders – they should discuss immediately with the local authority or trust. We support this approach.

The role of local authorities and schools

The large majority of schools have already put in place plans that are working well for them and their communities. Where this is the case we do not expect local authorities to override these decisions. Given the high level of disruption and anxiety, it will generally be the case that those pupils attending this reduced provision offer will be better off in their own schools with the staff they already know well. However, schools should continue to engage with local authorities and discuss any long-term plans being developed. They should also work with local authorities where there is a risk that they may not be able to sustain the provision being offered.