

COVID-19 HR Guidance on Re-Opening of Schools

Scope of Guidance

The purpose of this document is to provide HR guidance to all schools in Havering based on the following government documents: Actions for education and childcare settings to prepare for wider opening from 1 June 2020, Coronavirus (COVID-19): implementing protective measures in education and childcare settings, Opening schools for more children and young people: initial planning framework for schools in England and Coronavirus (COVID-19): safer travel guidance for passengers.

This document also builds upon Return to School Planner issued to schools on 13 May 2020.

Government Position

Before opening, every school should carry out risk assessments to directly address risks associated with COVID-19, ensuring that the impact on employees and pupils with protected characteristics, including race and disability have been considered, so that sensible measures can be put in place to control those risks. In doing this, schools also have a duty to consult employees on health and safety.

In carrying out risk assessments, schools should take into account the Government's position on the following:

Social Distancing

The Government position is to limit the risk of increasing the rate of transmission as a consequence of opening schools. In doing so, it is acknowledged that "early years and primary age children cannot be expected to remain 2m apart from each other and staff" and that "while in general groups should be kept apart, brief, transitory contact such as passing in a corridor is low risk."

In managing the risk and rate of transmission, the Government have factored in that "there is high scientific confidence that children of all ages have less severe symptoms than adults if they contract coronavirus (COVID-19)" and "there is moderately high scientific confidence that younger children are less likely to become unwell if infected with coronavirus (COVID-19)".

It is noted that the risk of children transmitting the virus to others has not been referred to in the Government documentation. The role of children in transmission is unclear, but consistent evidence is demonstrating a lower likelihood of acquiring infection, and lower rates of children bringing infections into households.

Use of PPE

The Government position is that employees will not require PPE beyond what is normally needed for their work, even if they are not able to maintain a distance of 2 metres from others.

The wearing of a face covering or face mask is not recommended and schools should not require employees to wear them.

The only published exception to this is if a pupil becomes unwell with symptoms of coronavirus and needs direct personal care until they can return home. In this case a face mask should be worn by the supervising adult if a distance of 2 metres cannot be maintained. If contact is necessary, then gloves and an apron should also be worn. Furthermore if a risk assessment determines that there is a risk of splashing to the eyes, then eye protection should also be worn.

Shielded and Clinically Vulnerable Employees

Employees who have been classed as clinically extremely vulnerable due to pre-existing conditions should not be attending school, however, they should work from home where possible.

Employees classed as clinically vulnerable should also work from home where possible. If they cannot work at home then they should be offered the safest available on-site roles, staying 2 metres away from others wherever possible, although an employee may choose to take on a role that does not allow for social distancing if they prefer to do so.

For clinically vulnerable employees who will have to spend time within 2 metres of other people, schools must carefully assess and discuss with them whether this involves an acceptable level of risk before doing so.

Employees Living with a Shielded or Clinically Vulnerable Person

If an employee lives with someone who is clinically vulnerable, including those who are pregnant, they can work in school.

If an employee lives with a clinically extremely vulnerable person then they should only work in school if stringent social distancing can be adhered to. If this cannot be achieved then the employee should work from home where possible.

Employees who have symptoms of Coronavirus

An employee who develops a fever or a new continuous cough should self-isolate for 7 days from when the symptoms started, or until the result of a negative test is received, whichever is the sooner.

Someone in Employees Household has symptoms of Coronavirus

If any person in the employee's household develops a fever or a new continuous cough, the employee should self-isolate for 14 days from when the person becomes ill, or until the result of a negative test is received, whichever is the sooner.



Travelling to and from Work

Employees are discouraged from using public transport, but will need to do so if there is no other alternative to get to work. Public Health England recommends keeping a 2 metre distance from other people, where possible. Where this is not possible then the time spent near others should be as short as possible and to avoid physical contact. The advice is also to wear a face covering when using public transport.

Employees who are either clinically vulnerable or are living with a shielded or clinically vulnerable person are not prohibited from using public transport.

HR Guidance on Issues Arising from the Government's Position

Communicating the Return to Work

It is worth reminding ourselves that 10 weeks will have passed from when schools were closed on 19 March 2020, and from the beginning of their potential re-opening from 1 June 2020. Also that with the measures to be taken to manage the risk of transmission, there will be no return to normal.

It will be understandable, especially for those who have had a limited time, if any, at school during those past 10 weeks, if employees had their own personal anxieties about their school re-opening. Especially, as the return is very much Government led and with all of the trade unions expressing strong and public concerns about this. Also during the 10 week period, people will have been affected in different ways and would have had their own personal challenges which may as a result have affected their mental health and wellbeing.

With this in mind employees should be consulted on the arrangements to re-open the school and also consulted on the risk assessments undertaken in advance of pupils returning to school. This should especially be the case where there will be changes to working patterns and/or substantive changes to job roles and also where training may be required. This should also especially apply to shielded and clinically vulnerable employees and those employees who live with a shielded or clinically vulnerable person.

In any event, risk assessments and return to work plan will no doubt be subject to review either because of new/revised Government advice/instruction or because of changes/adjustments that need to be made within the school. Not only would it be good practice to involve those affected in this process, but it would more likely lead to the smoother running of the school.

Managing the Return to Work

After the summer break, schools would normally have an inset day before pupils before return to school. As this will be a 10 week period, schools may wish to have something similar and to delay the opening of the school to allow for a "re-orientation" event so that staff have the opportunity to familiarise themselves with the working environment and to experience how the measures put in place will work before pupils return to school.



It is recommended that return to work interviews are also held with returning employees to give them the opportunity for employees to express any concerns they have and for the school identify if any additional support is required to enable the employee to return to work as well as to consult and agree upon any temporary changes to working patterns and duties that may be needed.

Any agreed temporary changes to working patterns should be formally confirmed to the employee.

Shielded and Clinically Vulnerable Employees

Employees who have been classed as clinically extremely vulnerable should not be in school and will continue to be paid as normal and where reasonable work from home.

Employees classed as clinically vulnerable should also work from home where possible. If they cannot work at home, then if social distancing can be upheld at all times then the employee can be required to work in school. If not then they working in school will be subject to a risk assessment.

For employees with underlying health conditions, as their return may involve changes to their previous work practices, the school may first need to make reasonable adjustments to accommodate their needs in order to facilitate their return to work.

Any employee who is pregnant should either have a pregnancy risk assessment, or if they have already had one before, to have it revisited before returning to school.

If social distancing cannot be continually upheld then the school will need to estimate the frequency and length of each likely occasion and also whether it is with a child or an adult. From which a judgement would then need to be made as to whether or not this would constitute a manageable level of risk.

If the risk is manageable then the employee would be required to work in school and if not then to remain at home on normal pay as to such a time when it would be acceptable for the employee to return to work.

Employees Living with a Shielded or Clinically Vulnerable Person

If an employee lives with a clinically extremely vulnerable person then they should only be in school if stringent social distancing can be adhered to. That is to say that social distancing can be maintained at all times, and if this cannot be achieved then the employee should work from home where possible and will continue to be paid as normal.

If an employee lives with someone who is clinically vulnerable, including those who are pregnant, then they are required to go to work in the same way as those who live with people who are not clinically vulnerable.

In stating this, it is recognised that previous HR advice to cover the period for schools remaining open to continue to provide care for children of critical workers and vulnerable children was for schools to consider the option of reducing the risk of spreading COVID-19 in cases where employees are known to live with some-one who is medically vulnerable by either:

- Placing them as a stand-by on any rota or if that is not possible, to be given the minimum number of shifts to work, and/or
- Allocating them duties that can be performed at home, such as contacting vulnerable children who have not attended school.

To avoid any confusion, this advice does not extend to the reopening of schools. With an increased intake expected in early June alongside the Government's ambition for all primary school children to return to school before the summer, then for primary schools at least, it would no longer be operationally possible to continue with this, even if a school wanted to.

Employees who have Childcare Responsibilities

Employees who have childcare responsibilities are expected to make their own arrangements so that they can attend work. However, to support an employee, temporary flexible working should be considered and if there is no other option, a period of unpaid authorised leave may be granted.

Employees who choose not to return to School

The school has a duty to provide a safe working environment, and by following the return to work planner, carrying out risk assessments, and by following this HR guidance in full, there should be no valid reason for employees choosing not to go return to school.

This would mean that it would not be acceptable for an employee to choose not to return to work for any of the following reasons:

- I cannot maintain social distancing travelling to and from work
- I cannot maintain social distancing at work
- I live with a clinically vulnerable person
- I live with someone whose job places them at risk of transmitting COVID-19
- The school is not issuing me with additional PPE
- I have not been consulted on the health and safety arrangements now in place
- I feel safer staying at home
- I am acting on the advice of my Trade Union

If an employee has made themselves unavailable to work in school, but the school considers it acceptable for the employee to return as it is in accordance with government advice and the school have also taken reasonable measures to limit the risk to the employee, then this will be treated as unauthorised absence without pay. Also depending on the circumstances of the case, the employee may have also rendered themselves liable for formal disciplinary action.

Further Guidance

The reopening of schools will be continually reviewed and updated by Government and should any of this guidance change as a result, schools will of course be advised of this.

Also further guidance will be issued in response to any emerging issues brought to our attention by Havering schools.