

Date: 7 December 2020

Our Ref: 201207/Swinney J/PR/FC

John Swinney MSP  
Deputy First Minister and Cabinet Secretary for Education & Skills  
Scottish Government  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

Dear John,

### **School Christmas and New Year holidays 2020**

With reference to your letter of 3 December 2020 to the Convenor of the Scottish Parliament Education and Skills Committee setting out your reasons why no change should be made to the planned Christmas and New Year holiday dates for 2020/21.

In your letter you state that you have based your decision on Christmas and New Year school holidays on the view that:

- keeping schools open as planned will provide children with a controlled environment that is more preferable to social mixing outside of school if schools are closed early;
- vulnerable children may be at greater risk if they are out of school for an extended period;
- on balance, there would be less transmission of COVID-19 through children and young people being in school than mixing out of school;
- an extension to the school holidays could cause significant difficulties for working parents;
- There is no evidence that schools and ELC settings are driving transmission, and there is no clear rationale for disrupting them and children's education.

We note that none of the arguments you cite confirm that schools and ELC settings do not operate as sites which may facilitate transmission of Covid-19. Indeed, as the NASUWT has raised with you on a number of occasions previously, there is significant evidence linking virus transmission to schools and that rates of exposure

to the Coronavirus have increased significantly since schools reopened fully in Scotland at the start of the autumn term.

The NASUWT notes with serious concern your recourse to non-scientific advice being provided to you by the Coronavirus (COVID 19): Advisory Sub-Group on Education and Children's Issues, and, in particular, the statement made by the Advisory Sub-Group (dated 1 December 2020) expressing concerns that extended closure of schools over Christmas and New Year period *"would be inconsistent with Scottish Government's emphasis on school safety and on keeping schools open."* We further note with concern that the Advisory Sub Group also states that *"clarity and consistency of message were seen to be important factors. Closing schools for a 3 week period to reduce transmission would undermine the consistent message that schools are safe, and would serve to amplify the concerns that had already been expressed by teachers about the safety of working in schools."*

In my previous correspondence, I have stressed to you the paramount importance of following scientific evidence when making your decisions over the safety of schools and protection of public health during the pandemic. It is therefore extremely regrettable that you appear to have determined to base your decisions on school opening on grounds of political expediency and that you have sought to pray in aid the partisan and inflammatory opinion of the Advisory Sub-Group to the Scottish Parliament's Education and Skills Committee in order to further bolster your decision.

I must point out to you that there continues to be strong evidence of the risk of in-school virus transmission which is only likely to be exacerbated by the inevitable rise in virus cases as a result of Christmas and New Year gatherings.

I must again stress to you that decisions regarding the operation of schools leading to the Christmas period and from the start of the new term must make every effort to assure the safety and welfare of pupils and school staff. In light of the genuine and evidence-based concerns of teachers about the continued risk of virus transmission within schools, I must again ask that you consider the introduction of additional measures to protect pupils and staff at this time.

I note in your recent correspondence to me dated 3 December 2020 your insistence that *'ONS data from 2 September to 16 October show no difference in the positivity rates of preschool, primary and secondary school teachers and staff, relative to other workers of a similar age (medium confidence).'* You have previously stated that schools remain relatively safe environments with regard to infection and transmission and also made clear that the Scottish Government is in no way complacent and will continue to keep the data and evidence under very close review.

Notwithstanding our concerns regarding the analysis and timing of the ONS data to which your letter refers, you should also be clear of the wider scientific evidence that highlights the very real risk of Coronavirus transmission within school settings. Indeed, I would draw your attention to evidence collated by the Independent SAGE which confirms that:

*'While cases have increased rapidly in the general population, this has been particularly acute among school-aged children and young people. There has*

*been a 50-fold increase since the start of September for 11-16 year olds, and infections are now higher for this age group than any other.<sup>1</sup> Infections for primary school children continue to rise...*

*'It is now clear that secondary school students can be infected and infect each other and adults, and this is at last acknowledged by the government's official advisers in SAGE.<sup>2</sup> Children and young people at school tend to have a wide transmission circle which can endanger parents and grandparents.<sup>3</sup> Whilst wishing to minimise disruption to children's education, stricter guidelines are urgently needed for reducing opportunities for infection...*

*'The risks from casual contact on school transport, breaks and lunchtimes have not been adequately recognised. Misleading information has been given on health risks to teachers.<sup>4</sup> Action is urgently needed, to make schools safe for staff and students and to reduce infections in the community.'*

A key lesson to date from the pandemic is that proactive measures taken sufficiently well in advance can have a major impact in helping to minimise and/or prevent the spread of the virus. It is not acceptable and, indeed, it would be reckless, to await a further surge in Covid-19 cases in schools before appropriate actions are taken to protect pupils, staff and the public.

The NASUWT believes that you have an important opportunity to signal to the sector that recourse to a blended learning model of provision may be utilised by all schools in order to maintain continuity of education provision, with priority given to vulnerable pupils, and to reduce the risk of virus transmission prior to and immediately following the Christmas and New Year holiday period.

Finally, I would like to welcome your recent advice that it is essential for school staff to have their planned holidays without interruption due to the need to engage in contact tracing and that every effort must be made to ensure that senior leadership teams and school staff get a proper break. I should be clear, however, that the pressure on the contact tracing system does not provide a basis to justify decisions to keep schools open over the Christmas and New Year period or to prevent schools closing if it is not safe for them to remain open.

We do concur with you that where staff in schools are invited to support contact tracing, this must be done on the basis that individuals are willing to volunteer to be on-call for a local area and that additional overtime payments must be made to staff who elect to volunteer. Given that the Union continues to receive enquiries from our members regarding this matter, we trust that you will, as a matter of urgency, emphasise your advice regarding appropriate contract tracing arrangements to all local authorities and schools.

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<sup>1</sup> Coronavirus Infection Survey, Office of National Statistics ons\_infection\_survey\_by\_age\_20201113.xlsx It is not possible to show separate statistics for older secondary students (Years 12 and 13) as they are included in the same age group as college and university students and other young people up to age 24.

<sup>2</sup> [www.gov.uk/government/publications/sage-65-minutes-coronavirus-covid-19-response-4-november-2020](https://www.gov.uk/government/publications/sage-65-minutes-coronavirus-covid-19-response-4-november-2020)

<sup>3</sup> <https://www.nytimes.com/2020/11/20/opinion/sunday/covid-bubble-thanksgiving-family.html>

<sup>4</sup> <https://www.tes.com/news/coronavirus-schools-urgent-warning-over-misleading-teacher-covid-data>

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Roach', written in a cursive style.

Dr Patrick Roach  
**General Secretary**