

**COVID-19 – Government proposals for the wider opening of
schools
May 2020**

Introduction

1. NASUWT, The Teachers' Union, in addition to the support we are providing to our members across the UK, are committed to ensuring that politicians at all levels remain informed of developing challenges in schools and colleges as the country responds to the COVID-19 crisis.

Government proposals for the wider opening of schools

2. As you will be aware, following the Prime Minister's statement on 10th May 2020, the Government published its COVID-19 recovery strategy and the Department for Education (DfE) issued guidance to prepare schools for wider opening.
3. The NASUWT has considered carefully the DfE guidance issued so far and the Union believes that there are fundamental concerns about the guidance, including that it is, in parts, inconsistent with wider Government guidance for other workplaces and lacks detail on a number of critical issues. The scope of the Government proposals for nursery and primary schools reopening are particularly concerning, and whilst the proposals for secondary schools appear more limited, in all circumstances we believe there are serious health, safety and welfare issues for staff and pupils which have not been addressed.
4. The Union has also reviewed the SAGE advice relating to the reopening of schools and found it be inconclusive. The papers highlight the

significant gaps in evidence, knowledge and understanding which remain in terms of the susceptibility of children to COVID-19 and how infectious those with mild and asymptomatic cases of the virus may be. Importantly, the Committee concluded that interventions around preventing the spread of the virus must be eased in a logical manner, yet the arrangements for easing the current restrictions on schools have been far from logical and are yet to secure the confidence of parents and school staff.

5. The NASUWT has raised our very serious concerns with DfE officials and with the Secretary of State for Education.
6. The NASUWT is also sure that you will share our view that, when dealing with a life-and-death situation as a result of the global pandemic, it is essential that the guidance on which local authorities and schools base their decisions is robust and accurate to enable the right decisions to be reached.
7. Stringent guidance has been issued for the NHS, for care homes and for employers across the UK. It is unacceptable that this has not been the case for schools. The NASUWT believes that teachers and other school staff have the right to the same consideration and protections, and to be confident that their health and welfare, as well as that of pupils, is at the heart of any planning for wider opening.
8. In the absence of the DfE setting out clearly for schools the legal basis in which its guidance is operating, the NASUWT has written to employers, including Directors of Education/Children's Services, head teachers of all schools, chief executive of Multi-Academy Trusts and principals of sixth-form and further education colleges to set out our position on this matter, which we are confident you will share and will advocate for within your local authority.
9. The Government's guidance for employers states that, *'this guidance does not supersede any legal obligations relating to health and safety, employment or equalities and it is important that as a business or an*

employer you continue to comply with your existing obligations, including relating to those individuals with protected characteristics’ (HM Government, Working safely during coronavirus (COVID-19)).

10. The NASUWT is clear that no teacher should be expected to go into a school that is not safe, and until it can be demonstrated that it is safe to do so, we will be continuing to support and advise members on that basis.

11. We have also advised our members that:

- there has been no change to the current COVID-19 restrictions for schools at this point in time. There should be no increase in the number of pupils or staff going into schools or requirement for any teacher not currently in school to go into work at this time;
- 1st June 2020 is the date from when schools may be able to extend their opening arrangements. It is neither a fixed nor hard-and-fast date by which all schools must open and there is no requirement or obligation currently on any school to reopen to more pupils from that date;
- schools are not in a position to make any meaningful preparations or finalise any plans for opening schools at this time, as the DfE has not issued all the required guidance. Planning by schools can only take place when the full suite of information has been issued by the DfE;
- even when schools are in a position to plan, no final decision can be made by schools to open or extend the number of pupils in school. The Government guidance makes clear that: ‘We will only do this provided that the five key tests set by Government justify the changes at the time...’ and so there are no guarantees that there will be any change to the current circumstances after 1st June.

12. The Government has been clear to employers that: ‘to help you decide which actions to take you need to carry out an appropriate COVID-19 risk assessment... This risk assessment must be done with unions or workers.’ The NASUWT looks forward to working with local authorities to

ensure that the health, safety and welfare of staff and pupils are protected in these unprecedented circumstances.

13. As a starting point, the Union has produced a health and safety checklist: (<https://www.nasuwt.org.uk/advice/health-safety/coronavirus-guidance/requirements-for-reopening-of-schools.html>) to inform the planning for the wider opening, which we hope you will find helpful.
14. The NASUWT recognises that schools and employers, including local authorities, have been placed in a situation where the wrong decision will result in people becoming seriously ill and dying, and will therefore appreciate that there can be no compromise on health and safety. If this means that schools are unable to open safely before September because they are unable to make arrangements to safeguard their staff and pupils, then that position must be accepted.

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