

## Health and Safety for Supply Teachers during the COVID-19 Pandemic

Supply teachers have a vital role to play in raising and maintaining high educational standards in schools. Campaigning to secure professional entitlements for supply teachers is a key priority of the NASUWT, together with securing decent pay and working conditions for all supply teachers.

This advice and guidance should be considered in line with the comprehensive advice and health and safety checklists ([www.nasuwat.org.uk/reopeningschools](http://www.nasuwat.org.uk/reopeningschools)) produced by the Union to assist Workplace Representatives and contacts, and to NASUWT local officers who will be engaging with employers to seek to ensure that no school or college engages in the wider reopening from 1 June 2020 unless it is safe to do so.

The NASUWT has written to all employers advising them of their legal obligations to their employees and reserving our members' legal rights and entitlements. Members were notified of this information, and the letters can be viewed on the NASUWT website: [www.nasuwat.org.uk/reopeningletters](http://www.nasuwat.org.uk/reopeningletters).

The NASUWT is committed to ensuring that each individual member, including supply teachers, have the information they need in terms of health and safety and the obligations on local authorities, employers and employment businesses (i.e. supply agencies) during the COVID-19 pandemic, particularly the planning for the wider reopening of schools.

The Union recognises that the opportunities for supply teachers to undertake work during the current phased reopening of schools will be limited. Indeed, the Department for Education (DfE) advice and guidance on actions for schools during the coronavirus outbreak places an expectation on schools to draw on existing staff to maintain provision.

However, where supply teachers are required to undertake work, they should ensure that they are fully informed about any health and safety issues with each assignment.

## **Who is responsible for ensuring my health and safety as a supply teacher?**

Although supply teachers are not generally employed by the placement school (referred to as the 'end user' or 'client' in legislation), the school must ensure the safety of its temporary workers, such as supply teachers, as it does that of its own employees.

**The Health and Safety at Work Act 1974 (HASAWA)** places a responsibility on all employers to ensure, as far as is reasonably practicable, the health and safety of all employees and non-employees in their workplace. This includes identifying and assessing risks to health and safety, and steps to reduce or eliminate these risks. This applies to COVID-19 in the same way as it would to any other hazard.

### **Joint responsibility**

Under the Health and Safety at Work Act, a supply teacher being employed by an agency does not remove the school's duties under the Act. Indeed, there is a joint responsibility between the provider (i.e. the supply agency) and the end user with regards to the health and safety of agency workers, such as supply teachers. Supply staff must therefore be treated exactly as permanently employed teachers with regards to health and safety during the COVID-19 pandemic.

This applies equally if you are supplied via an umbrella company, as they are legally your employer. The umbrella company would therefore have the responsibility for your health and safety and taking steps to address this, as you are their employee.

As a supply teacher, you should expect your agency to take reasonable steps to identify any known risks concerning health and safety during the COVID-19 pandemic. The agency should satisfy itself that the school for which you are undertaking an assignment has taken appropriate steps to mitigate the risks associated with the COVID-19 pandemic.

This should be provided to you by the agency in enough time to fully familiarise yourself with the situation with that employer.

It may be appropriate to liaise with a contact person to ensure that they can talk you through and familiarise you with the arrangements they have in place for contractors or temporary workers in the school.

This should include, but not be limited to:

- the overall risk assessment for the school;
- details regarding the arrangements for social distancing and how pupils are expected to be managed to ensure social distancing (e.g. classroom layouts and the expectations regarding equipment and resources);
- the arrangements for staff and pupils during breaks and lunchtimes, including the supervision of pupils in the context of social distancing;
- any subject-specific requirements during the COVID-19 pandemic, including revised schemes of work and programmes of study you may be required to teach, including the provision and access to teaching materials and resources;
- the details of those pupils who will be on site and those you will be expected to teach, including those with special/additional educational support needs and those with individual risk assessments which you should be aware of;
- the revised school behaviour management policy that accounts for COVID-19-related incidents;
- the details of the staff in school, including a designated contact person, as appropriate;
- details on the provision and availability of appropriate personal protective equipment (PPE) and where to locate and access hot water and soap, as well as the arrangements for the regular cleaning of touch surfaces throughout the day;
- details of the arrangements for school transport and the maintenance of social distancing, as appropriate.

The agency should also ensure you are provided with the details of how to raise any health and safety concerns in the workplace.

### **Your duties as a supply teacher**

Whilst your agency and the school have responsibilities in regards to your health and safety, you also have a duty to take reasonable care for your own health and safety

and that of other people who may be affected by your actions at work, particularly during the COVID-19 pandemic.

You must co-operate with your agency and the end user where you are working, including by providing them with any information which may necessitate the provision of a risk assessment before you undertake an assignment with a school.

For example, if there is a concern over your situation which makes it difficult for you to undertake an assignment in a school, or which should be disclosed to a school prior to an assignment, then you should disclose this as soon as possible. This would include any conditions that increase your vulnerability to COVID-19 (e.g. you are pregnant or you are from a black and minority ethnic (BME) background). This may also include personal situations which impact on your ability to undertake an assignment (e.g. you are a single parent or you have issues relating to childcare).

Once disclosed to the agency, they have a statutory obligation to consider whether it will be safe for you to undertake an assignment.

However, this should not automatically impact on your ability to undertake an assignment, provided there is evidence that this has been factored into the risk assessment and you have been fully advised before you undertake the assignment.

If you have secured work in one school, then, provided you have adhered to the guidelines set out by the DfE and the relevant public health body, as well as any additional guidance provided by the school, there is no reason why you should not be able to undertake work in another school.

The NASUWT would want to hear from supply teachers if an assignment is cancelled on the basis of providing such information.

If information is provided which does not impact on your ability to undertake an assignment but the assignment is cancelled nevertheless, you should contact the NASUWT for further advice and guidance at: [advice@mail.nasuwt.org.uk](mailto:advice@mail.nasuwt.org.uk).