

COVID-19 and Schools Update

17 April 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 parliamentarians remain informed of developing challenges in schools and colleges as the country responds to the COVID-19 crisis.

Partial of Full Re-opening of Schools

2. There has been a good deal of speculation about when schools should reopen to pupils and, understandably concerns have been raised about the impact of partial school closure on the education of children from less advantaged backgrounds. Whilst it is right that these concerns are debated, the decision to institute the partial closure of schools was made on public health grounds. Any decision to partially or fully re-open schools and colleges must, in our view, be guided by the same overriding public health interest and priority.
3. The Government's decision on the partial or full re-opening of schools and colleges must be led by the scientific evidence and advice. It is essential that lives are not put at risk, recognising that teachers, support staff and pupils and their families remain at risk of contracting the Coronavirus.

4. The NASUWT has set out five key points that we believe must be addressed fully before moving to relax the current arrangements on partial school closure:

- Recognise the impact of Coronavirus on the existing workforce in schools and colleges. A significant number of teachers will be affected by COVID-19 because they are being 'shielded' due to their health status, or because of underlying health conditions, or because they or someone in their household has COVID-19 or symptoms of COVID-19. The Government needs to recognise that with a depleted workforce in schools and colleges, this will impact on support and provision available for pupils, with potentially smaller classes sizes and fewer pupils or classes in school/college on any given day.
- The Government will also need to ensure that teachers are guaranteed the same protections as other workers, as provided for in the Government's general COVID-19 advice to employers and employees. Furthermore, the Government could act to ensure that supply teachers are guaranteed employment in schools to assist in addressing staff shortages, by enabling local authorities to organise dedicate teacher supply pools and ensuring that schools have the additional funding they may require.
- Where the incidence of COVID-19 remains in the general population, it is important that teachers and those working in schools are protected from the spread of the virus as far as possible. Access to PPE including universal access to soap and hot water is essential in every setting to enable teachers and pupils to wash hands regularly. In addition, other items of PPE, including gloves, aprons and in some instances face masks for those working with children with particular learning needs, will be essential.
- Social distancing is recognised as a critically important strategy in the fight against COVID-19. However, it is widely recognised that

stringent social distancing practice is difficult to achieve in certain educational contexts, including working with the early years and with some children with SEND. The Government should publish advice to social distancing in certain settings. Furthermore, any decision to re-open schools wholly or partially must also take account of the potential consequences for practising stringent social distancing. This may necessitate fewer pupils in classes and fewer classes able to be in schools at any one time. Physical space constraints in many schools must also be addressed as part of any guidance issued by your Department.

- COVID-19 risk assessments undertaken in consultation and agreement with the workforce and trade unions must also be an overriding requirement prior to re-opening schools and colleges. In addition, regular cleaning, including deep cleaning, will also be essential in securing the confidence of parents and teachers when schools re-open. It is vital that schools have the necessary cleaning resources and staff to undertake cleaning tasks.
5. The NASUWT recognises that children's education has been disrupted as a result of this global pandemic. Our members continue to work hard to ensure that every child has access to learning whether in school/college or from home. Children will need support, not only from teachers and other school staff, but by other agencies that can assist every child to access learning opportunities whether they are in school/college or staying at home.

School and College Performance Measures

6. The NASUWT has welcomed that announcement by the Government that they will not hold schools and colleges to account on the basis of exams and assessment data from summer 2020 and that data will not be used by others, such as Ofsted and local authorities, to hold schools and colleges to account.

On-site Assessments in Schools

7. It has been reported that some schools are bringing pupils on-site to compete mock examinations or other assessments, despite the Government being clear that schools are open only for the children of key workers and for those pupils who have been identified as vulnerable.
8. Ofqual and the Department for Education have confirmed that there is no need for any additional assessment material to be produced to support the centre assessment process and that examination centres must act in accordance with Government instructions. The NASUWT is clear that such practices must cease immediately.
9. The Union is urging all parents to ignore requests for their children to attend to school to undertake an a mock examination or other assessment and to report any such requests to the Department for Education directly. The Union will also intervene robustly to protect any of its members who are instructed by their employer to participate in such reckless and wholly unnecessary activity.

Initial Teacher Training and the Induction of Newly Qualified Teachers

10. The NASUWT has also welcomed the clarifications issued by the Department for Education on how Initial Teacher Training and the induction of Newly Qualified Teachers should be handled during the COVID-19 outbreak.

Data Protection and Arrangements for the Award of Qualifications

11. The NASUWT accepts that in order for qualifications to be awarded fairly and reliably, it will be necessary for centre assessed grades and candidate rankings to be submitted to awarding bodies. So that the processes for generating centre assessed grades and rankings are rigorous, equitable and objective, grades and rankings must not be shared with individuals outside centres, including candidates and their parents. As Ofqual has noted, centre staff must be protected from

pressure to submit centre assessed grades and rankings that do not reflect their professional judgements faithfully.

12. The NASUWT, therefore, welcomes the confirmation in Ofqual's guidance that paragraph 25(2) of Schedule 2 of the Data Protection Act 2018 provides an exemption for centres in respect of personal data requests for examination information that are made before the publication of final grades. Ofqual has rightly emphasised that under no circumstances should this information be shared and it is important that centres are confident of the legal basis on which they can decline access requests. The Union has already drawn attention to this provision in the Act in its advice for members, and it would be helpful for the DfE to do so in its public communications on this matter.
13. However, it should be recognised that this exemption only continues to be available to centres for 40 days after the official announcement of results. It is, therefore, not clear that centres would have any legitimate grounds on which to decline requests made after this period has elapsed. As I am sure you will appreciate, there is a significant risk that candidates or their parents who are not content with the grades that have been awarded may seek disclosure of centre assessed grades or rankings.
14. Notwithstanding the fact that responsibility for final grades will rest with awarding bodies and that these grades may not reflect the information submitted by centres due to the application of statistical standardisation, candidates or their parents may blame teachers for final grades that fall below their expectations. The NASUWT is concerned that not only could disclosure of centre assessed grades and rankings result in candidates or their parents expressing their dissatisfaction in inappropriate ways, but also that the anticipation by teachers of such behaviour could lead them to conclude with good reason that they are not in the best possible position to provide assessed grades and rankings based only on their professional evaluation of candidates' potential performance.

15. There is, therefore, an evident need to secure the highest possible levels of trust by teachers in these arrangements by providing a permanent exemption for all access requests made for centre assessed grades and rankings in respect of the summer 2020 series.

Early Careers Framework

16. The Prior to the COVID-19 outbreak, the Department for Education was taking forward plans for a two-year pilot of the Early Career Framework (ECF) in the North East of England, Greater Manchester, Bradford and Doncaster. The pilot was scheduled to begin in the September of this year, followed by full national roll-out in September 2021.

17. The NASUWT has been broadly supportive of the ECF. However, even before the outbreak and its consequences for the education system, the timescale within which the ECF pilot was to be developed appeared challenging. Given current circumstances, it is now even more difficult to envisage how schools, their staff, local authorities and externally contracted providers of support could be in a position to prepare effectively for meaningful and manageable participation in the pilot.

18. The NASUWT telephone believes that the introduction of the ECF pilot should be postponed until September 2021 at the earliest so that it can be launched at a time when a greater semblance of normality has returned to the education system.

Redundancies, Restructures and Academy Orders

19. The Union continues to deal with large number of calls from distressed and anxious teachers where employers are continuing with procedures that will lead to job loss or detrimentally affect teachers' pension provision, including redundancies, restructures and academy orders.

20. Contracts are being prematurely terminated with immediate loss of salary. Government guidance on unnecessary journeys is being ignored.

callously, unfairly and unjustifiably continuing with practices which are adversely affecting teachers' lives and livelihoods.

21. The NASUWT believes the Department for Education should instruct all schools to suspend these processes until some degree of normality has returned to the education system.

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