

1<sup>st</sup> March 2021

Dear Head Teacher

**Re: School wider reopening – 8<sup>th</sup> March 2021**

Prior to the announcement on Monday 22<sup>nd</sup> February 2021 by the Prime Minister that schools will be reopening wider to all pupils from Monday 8<sup>th</sup> March 2021, nine education organisations, including the NASUWT, put together a joint statement calling the plans 'reckless'. We remain concerned that this will trigger another spike in Covid infections, prolong the disruption of education, and risk throwing away the hard-won progress made in suppressing the virus over the course of the latest lockdown.

We still believe that the science around the role that schools play in the overall rate of transmission is uncertain. Scientists have expressed different views on this point. What we do know is that the full reopening of schools will bring nearly 10 million pupils and staff into circulation in England – close to one fifth of the population. This is not a small easing of lockdown restrictions. It is a massive step.

These factors necessitate a cautious approach with wider school and college opening phased over a period of time. This is the approach being taken by the devolved administrations and it allows public health experts to assess the impact of the first phase before moving to the next. We enclose a full copy of the joint statement for your reference.

The concerns raised in the joint statement issued prior to the announcement are still valid and we would like all employers to consider a phased wider reopening in all settings next week.

Further to the letter, sent to you by our General Secretary, Dr. Patrick Roach dated 26<sup>th</sup> February 2021 setting out our national position, we write to you to share further guidance regarding the wider reopening of schools in Coventry from Monday 8<sup>th</sup> March 2021. With the impending full reopening to staff and pupils next week it is essential that your previous COVID-security plans are revised and updated, subject to appropriate consultation.

**The NASUWT insists that you must immediately act to ensure that your school will have the following in place before wider reopening to staff and pupils from 8<sup>th</sup> March 2021 (with due regard to your duties and obligations under the Health and Safety, Employment and Equalities legislation):**

- **a comprehensive and updated COVID-19 operational plan, including new risk assessments and equality impact assessments which will have been the subject of full consultation with all staff and unions and been through the Coventry Local Authority quality assurance process. Also taking into account updated Government guidance and informed by the data and increased risks identified by the Government and Public Health Teams of Coronavirus transmission in our local area;**
- **updated the guidance and training provided to all employees on safe working practices in light of the additional risks and control measures identified by the Government;**
- **conducted new individual risk assessments (i.e., VERAs) for clinically vulnerable employees and with regard to other employees identified as at higher risk from Coronavirus;**
- **notified all employees who are clinically extremely vulnerable (CEV) (particularly as we are still under national restrictions) that they must stay at home/work from home.**
- **updated their plans and protocols with regard to the safe deployment of supply teachers;**
- **put in place such procedures as necessary to ensure full compliance with the measures in the risk assessments and have a notified procedure for dealing immediately with any breaches.**

We are clear that given the acute challenges posed by the new variant of the Coronavirus, the introduction of mandatory wearing of face masks or visors within school buildings including classrooms must also be considered, together with additional provision of personal protective equipment (PPE) and the maintaining of 2 meters distancing alongside other risk management measures to mitigate the increased risks. To be helpful, we enclose a copy of our latest Health & Safety checklist, Operational Guidance and Workload checklist for schools to use.

The NASUWT is reminding employers that, irrespective of the Government's guidance or lack of it, they remain responsible and liable for health and safety in the workplace. The Union also reiterates the position it has stated previously: that we are putting employers on notice, by reserving our members' legal rights in the context of a tortious claim for breach of duty of care and personal injury due to foreseeable risk, and any other legal recourse available.

The Union will consider an employer to be in breach of our members' legal rights under Section 44 and 100 of the Employment Rights Act 1996, if they are subjected to detriment and/or dismissal in circumstances of danger which our members have reasonable belief to be serious and imminent. NASUWT members' rights under sections 47B and 103A of the Employment Rights Act [protected disclosure for the

purposes of whistleblowing], including their rights under the Equality Act 2010, are also reserved.

**The NASUWT recognises that schools and employers 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 need to delay reopening to all pupils or opening on a phased basis in order to ensure they can complete all necessary planning, consultation and training of staff required to safeguard the health and safety of staff and pupils, then that position must be accepted.**

We welcome that Lateral Flow Tests (LFT) are being made available to staff and pupils in schools, but we must make clear again that teachers and school leaders cannot be required to administer tests or to participate in any of the processes involved in delivering testing. As previously communicated, we are also strongly advising our members against doing so on a voluntary basis. We will support this by sharing the information with our members.

We remind you that the employer has a duty during this crisis to do whatever it takes to ensure that all schools are safe places for teaching and learning. The contents of this letter have been shared with Kirston Nelson, Director of Education and Skills at Coventry City Council.

Given the urgency of the situation, we trust that you will reconsider the matters raised in this letter to be of the utmost priority. As previously stated, the NASUWT stands ready to work with you in the interests of children, young people, and our members in all schools.

We look forward to your response.

Yours sincerely,

Pippa Richings, Nigel Buckler and Manjinder Bhandal  
NASUWT Coventry

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Joint Statement on wider reopening from 8<sup>th</sup> March 2021 – 19<sup>th</sup> February 2021  
Letter sent on Friday 26<sup>th</sup> February 2021 from NASUWT National  
Operational Guidance for 8<sup>th</sup> March 2021 wider reopening  
Health and Safety Checklist for 8<sup>th</sup> March 2021 wider reopening  
Workload Checklist