

6th January 2022

Dear Colleague

Re: Omicron and Reopening of Schools and Colleges in January 2022

We hope you are well and that you had a restful Christmas break. We write further to the letter we sent to you before the break to provide updated guidance on the reopening of schools and colleges in the spring term. As a result of the surge in cases of the coronavirus linked to the new Omicron variant, school and college employers are required to take steps to demonstrate that they have in place appropriate measures to safeguard the health and safety of staff and pupils.

Colleagues will be aware that the Department for Education (DfE) published additional [COVID-19 Operational Guidance](#) on 2nd January 2022, which confirms:

- the requirement that all pupils in year 7 and above to wear face coverings in all school classrooms and communal areas, until at least 26 January;
- the requirement for schools to update their health and safety risk assessments;
- the importance of schools ensuring they have in place a contingency plan to manage a Covid outbreak;
- the requirements governing isolation of close contacts;
- essential Coronavirus control measures.

We shared with you our guidance for the reopening of schools in the spring term which is still valid and re-attach to this letter for your reference.

Teacher absence cover

The DfE issued an email bulletin to schools on 2nd January 2022 which states that:

'Where workforce issues arise, you may wish to use existing teaching, temporary and support staff more flexibly where required to ensure your setting remains open, whilst ensuring that you continue to have appropriate support in place for pupils with SEND. As pupils do not need to be kept in consistent groups, you may wish to consider combining classes.'

NASUWT wishes to make clear that this statement in respect of absence cover is advisory only and is not mandatory. The NASUWT position remains that teachers at a school may be required to undertake cover for absence rarely and only in circumstances that are not foreseeable. Given the ongoing nature of the Coronavirus pandemic, teacher absence arising from staffing shortages due to COVID-19 are

foreseeable. Appropriate alternative arrangements, including the use of supply teachers, should be relied upon by schools where teacher absences arise. Splitting classes or combining classes is not an appropriate response where this results in a teacher being asked to cover for absence. We would seek assurances from employers that the statutory and contractual provisions in respect of rarely cover will continue to apply.

Employers must also demonstrate that they have updated their risk assessments including individual risk assessments (i.e. VERAs) in consultation with staff and trade unions, including their legal obligations to take all reasonably practicable steps to safeguard the health, safety and welfare of staff and pupils. Risk assessments must also make clear how the school intends to address the issue of staff absences where they arise whilst also maintaining COVID-safety at all times.

The NASUWT has made clear to the Department for Education that it is not appropriate when seeking to manage staffing shortages for schools to require teachers, who are not contractually required to undertake absence cover, to do so. When dealing with compromised staffing levels due to absence, schools retain the option to send pupils home where the safety of provision cannot be maintained.

Remote education

The latest DfE guidance confirms that the requirement to continue to provide remote education for pupils who cannot attend school remains in place. The NASUWT continues to expect that schools organise provision in line with the Union's [advice](#) on remote and blended learning. Where the use of live streaming is contemplated, the NASUWT is clear that provision should meet the criteria set out in the Union's live streaming [checklist](#).

Further Guidance

Attached to this letter, please find our Joint Union Safety Checklist and our Joint Union advice for the medically vulnerable and those at higher risk. We hope you find them useful.

We would like to remind you that the employer has a duty during this pandemic 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 changing nature of the pandemic, we trust that you will fully consider the matters raised in this letter. As previously stated, the NASUWT would like to continue to work with you in the interests of children, young people, and our members in all schools.

Yours sincerely,

Pippa Richings, Manjinder Bhandal and Nigel Buckler
NASUWT Coventry

16th December 2021

Dear Colleague

Re: Omicron and Reopening of Schools and Colleges in January 2022

We hope you are well. We write further to the letter we sent you earlier in the week to provide our guidance on the reopening of schools and colleges in the spring term. As a result of the surge in cases of the coronavirus linked to the new Omicron variant, school and college employers are required to take steps to demonstrate that they have in place appropriate measures to safeguard the health and safety of staff and pupils.

All school and college employers have been reminded of the need to update risk assessments in consultation with staff and trade unions. Employers must take all reasonably practicable steps to demonstrate that they have in place appropriate measures to safeguard the health and safety of staff and pupils.

The NASUWT maintains that it is a matter of priority to ensure that members can continue to work safely. As previously shared, the national Union is continuing to make strong representations to governments and employers for further measures to be implemented to protect the safety of staff when schools reopen in the new year.

Ready for the start of the spring term, all school and college employers should be able to confirm to staff:

- the preventative measures in place to limit the transmission of the new Omicron variant;
- that revised and updated risk assessments and safety protocols are in place and that these have been the subject of consultation with staff and the NASUWT. (NB. Risk assessments prepared for use during the autumn term are not sufficient for the purpose of meeting the employer's statutory duties and legal obligations in regard to health and safety at work);
- that reviewed and updated individual risk assessments (i.e. VERAs) will be provided for staff/pupils with vulnerable clinical conditions and those at higher risk;
- that staff who can work from home will be able to do so. Where any aspect of a teacher's work can be undertaken off-site, e.g. attendance at meetings, there should be no expectation for teachers to remain on-site;

- the additional measures in place to encourage the effective use of lateral flow device (LFD) tests on reopening;
- the arrangements for the effective implementation of mass on-site testing of pupils, where applicable;
- that all measures are in place to ensure full compliance with the relevant Government guidance, including full compliance with rules on self-isolation.

We would like to remind you that the employer has a duty during this pandemic 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 changing nature of the pandemic, we trust that you will fully consider the matters raised in this letter. As previously stated, the NASUWT would like to continue to work with you in the interests of children, young people, and our members in all schools.

In the spirit of joint partnership, we will share any updates to our guidance made available over the holiday in advance of the start of the spring term.

We wish you a safe, festive and restful Christmas and a Happy New Year.

Yours sincerely,

Pippa Richings, Manjinder Bhandal and Nigel Buckler
NASUWT Coventry