

Covid-19 school closures – UNISON Cymru Wales FAQs 7th April

EASTER AND WEEKENDS

Will schools be opening over Easter holidays and weekends? If so, do I have to come in and will I be paid?

Critical workers will need to access care for their children during the Easter period and the usual holiday or activity programmes will not be available. The Minister for Education has therefore asked teachers and school staff to offer up some time to help keep schools open during what would have been the school holidays, to look after the children of NHS staff and carers: people who are saving lives. The Minister has said she is extremely grateful for everyone who is able to help in this way.

Many local authorities have already started to put provision for the Easter holidays in place - we expect all local authorities to do the same.

UNISON is encouraging members to support the national effort to enable critical workers to continue working. However, we do not believe that staff should be forced to work outside their normal contracted hours, particularly if they have caring commitments of their own.

The provision of facilities for the children of critical workers should be a whole school effort, involving teachers as well as support staff - the responsibility must not fall solely upon our members – the lowest paid - to be keeping these services going.

'If staff on 'term time only' contracts are asked to work over the Easter holiday period, this is outside their normal contracted hours and UNISON advice is that they should be paid for this work. In addition, any staff required to work on Easter Monday or Good Friday should be paid the relevant premium for working on a public holiday.'

Many staff in schools are on term time only contracts. This means that they are not contracted or paid to work during school closure periods.

If term time only staff are required to work outside their normal contracted hours, i.e. in the school holidays, then they should be paid for this. This is specified (para 4.5) of the NJC guidance on term time only working, which states, '*If term time only employees are required to undertake work outside of their contracted hours, they must be appropriately remunerated.*'

Staff will normally be paid at their standard hourly rate if they are working on what is a normal working day. However, if staff are required to work on a weekend or a public holiday then we would expect overtime premiums to apply.

These are normally agreed at local authority level but are typically time and a half for working on a Saturday and double time for Sundays or public holidays.

In addition, we would also expect overtime premiums to apply if you work over the standard working week in any given working week. The standard week is normally 37 hours per week outside London. Some authorities have a shorter standard working week. Where staff are being required to work beyond the standard working week they should normally be paid at time and a half for these hours.

We would expect schools to seek volunteers in the first instance and to consider any booked holiday or caring commitments.

If this becomes a regular working pattern, then consideration will need to be given to the annual leave accrued whilst working additional hours.

OPERATIONAL ISSUES

Should my school be expecting all support staff to be in?

Schools are only open for vulnerable children, and those whose parents are critical to the Covid-19 response and cannot be safely cared for at home. The government is clear that any children who can be safely cared for at home should **not** attend. Many schools will be arranging rotas and schedules for support staff in order to provide safe care for children who need to attend, while minimising the number of people on site to reduce the potential for spreading the virus. So, schools should not be asking all staff to come in and undertake routine tasks. It would undermine the social distancing measures in place to try and limit the spread of the virus.

I have been asked to provide cover for other roles, but this work will be very different to my usual role at school. Where does this leave me?

We know that support staff are absolutely committed to doing their part and UNISON is totally committed to doing all we can to support you, protect your finances and your health and wellbeing. There may be a need for staff to help with alternative roles, but this should be on a voluntary basis first and with proper support from your employer. If you have any concerns about any changes, please speak to your local branch.

In addition, for employees covered by the NJC green book (which is the vast majority of support staff working in LA schools), UNISON has negotiated guidance which states employees who agree to undertake a different role and / or working pattern should suffer no financial detriment and continue to be paid at their usual contracted rate. Where employees are temporarily undertaking roles that are paid at a higher rate than their usual contracted rate, they should receive the higher rate of pay for the duration of the assignment.

My school is in the middle of a redundancy consultation. Should this be put on hold?

We are in a middle of a global health emergency and school support staff are in the front line with others in the battle to help beat this virus and help save lives. Absolutely nothing should detract from this effort and UNISON is therefore calling for all redundancies, restructures, TUPE transfers and non-urgent disciplinaries to be put on hold. The battle to save lives must come first.

Can I be asked to work at a different school within the local authority?

We all recognise the need to work together and for flexibility to help get the country through this health crisis. We know that support staff are absolutely committed to doing their part and UNISON is totally committed to doing all we can to support you, protect your finances and your health and wellbeing. In terms of redeployment it is likely to be within your school or another school within your local authority. There may be a need for staff to help with alternative roles, but this should be on a voluntary basis first and with proper support from your employer. If you have any concerns about any changes, please speak to your local branch.

Will private nurseries and private registered childminders be open during the crisis?

The Welsh Government is launching a coronavirus childcare assistance scheme to support Wales' critical workers.

Under the new plans, over the next three months local authorities will be able to use funding from the Welsh Government's Childcare Offer to support registered childcare providers to care for pre-school-aged children of critical workers. Children who are considered vulnerable will also be included in the scheme.

This will ensure families have the childcare they need and childcare providers have the security they need.

The changes will cover the next three months and provide care for children under five.

The existing offer will be suspended for three months and replaced with the coronavirus childcare assistance scheme to support critical workers and vulnerable children.

The Welsh Government will honour its commitment to continue to pay childcare providers for the hours of childcare already booked under the childcare offer for three months.

The coronavirus childcare assistance scheme will ensure parents, who are critical workers, will get the childcare they need, and childcare providers will have security about how their businesses will operate.

Private registered childminders will be closed unless they are providing childcare to children whose parents are critical workers as defined by the government.

PAY

If I have to self-isolate will I still be paid?

The overwhelming majority of school members are covered by protections under the NJC 'Green Book' terms and conditions. The Green book is negotiated by UNISON and the other support unions and contains the following clause:

“An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee’s entitlements under this scheme”

This means that if you are employed under Green Book terms and conditions and are required to self-isolate you will continue to receive your normal pay.

In addition, this period should not be recorded as sickness absence.

Even if you’re not covered by Green Book terms and conditions your employer should observe this agreement during this emergency. If you have issues with your employer, please urgently raise with your UNISON branch.

I work for a catering or cleaning contractor in the school what will happen to my pay?

Private outsourced catering cleaning companies are still being paid by the school, so the contract staff should be fully paid. Also, UNISON believes contractors need to comply with the same procedures as the school in this emergency, otherwise this could undermine attempts to reduce the spread of virus.

I am an agency staff member. Will I still be paid during this emergency period?

The school should at the minimum pay you to the end date of your assignment. In addition, many schools have already committed to continue full pay for agency staff, in line with directly employed staff, during the entire health emergency. Agency staff will, alongside other school-employed staff, play a vital role and UNISON is arguing that you should be kept on full pay during this period.

HEALTH AND SAFETY

What MUST your school do to keep you safe?

Your employer has a legal duty to ensure your health, safety and welfare as far as is reasonably practicable, under [section 2 of the Health and Safety at Work Act](#). *They are also required by law to carry out a risk assessment to find out what they need to do to keep you safe.*

In the context of COVID-19, working at home would be the best way of minimising risks of contracting or spreading the virus. However, this is not possible for all staff, due to the efforts of schools to remain open to supervise vulnerable children and those of critical workers.

What if I have an underlying health condition or live with someone who has one of the conditions identified by government requiring strict social isolation? Do I have to come into school?

If you or someone you live with has an underlying health condition, is pregnant or over 70, you should arrange to work from home. The NJC national unions and Local Government Association employers have issued clear guidance to schools that staff in this position should not be in school during the epidemic. So you should be either working from home, or if that is not possible, be home on full pay for the duration of this emergency. Some employers have agreed CPD plans for staff to undertake at home ([see UNISON resources](#)).

<http://www.ewc.wales/learningexchange/index.php/en/>

<http://www.skillsforschools.org.uk/training/>

This can be particularly helpful for staff whose role cannot be done at home. Also, you could temporarily agree to take on other work tasks from home.

I am pregnant. Can the school make me come in during the epidemic?

Staff who are pregnant should not be expected to work in schools during this epidemic, as per [government guidance](#) on vulnerable groups. Under NJC Green Book terms and condition you will be able to work from home on full pay, or if this is not possible then your employer will have to accept that you have to self-isolate at home on full pay. If your partner is pregnant, your school should allow you to work from home on full pay.

If you have any issue with your employer, please urgently contact your local branch.

How should schools and childcare settings implement physical and social distancing?

The Welsh Government has now introduced **Physical Distancing in the Workplace Guidance** under the **Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020**

The regulations require employers to take reasonable measures so that workers can maintain 2 metres distance from one another. They do not require all employers to enforce 2 metres distance between all workers all of the time.

The regulations recognise that it would not be possible or appropriate for people to stay 2 metres apart for the duration of their work time in education and childcare settings – especially where young children cannot understand the concept of physical distancing and where the appropriate support from adult workers may require closer contact.

The most effective way of ensuring physical distancing it is to enable some or all staff to work from home, some or all of the time. As “reasonable measures” there is an expectation that employers should be as flexible as possible and make adjustments wherever that is possible. However working from home is not possible in the provision for the children of critical workers and vulnerable children in schools and childcare settings and where there are safeguarding concerns. Although physical distancing may be made easier by allowing some staff to work from home, the reasonable measures required in these instances will need to be taken in the workplace.

The Welsh Government has issued this guidance on social distancing for schools–

To help ensure that the risk of virus spread for both staff and children is as low as possible, education and childcare settings that remain open should:

- tell children, parents, carers or any visitors, such as suppliers, not to visit the education or childcare setting if they are displaying any symptoms of coronavirus (COVID-19)
- consider how children arrive at the education or childcare setting and reduce any unnecessary travel on coaches, buses or public transport
- ensure class sizes reflect the numbers of teaching staff available and are kept as small as possible
- stagger lunch times, break times and the movement of pupils around the school to reduce large groups of children gathering
- discourage parents from gathering at school gates
- try to follow the [social distancing guidelines](#)

Social distancing within education and childcare settings with very young children will be harder to maintain. Staff should implement the above measures as far as they are able, whilst ensuring children are kept safe and well cared for within their settings.

We are asking schools and childcare settings to:

- think about how the above can be implemented in your education or childcare setting, potentially making use of Hwb and remote learning practices where appropriate
- make sure anyone who is feeling ill stays at home (for residential special schools and colleges, this means self-isolating as a school or college ‘household’ if a resident is ill).
- ensure all staff and children wash their hands with soap and water for 20 seconds frequently, and are encouraged not to touch their face, while using a tissue or elbow to cough or sneeze and using bins for tissue waste. If children or young people have trouble washing their hands, ensure help is available (It is important to note the health advice that

thorough handwashing with soap and water is more effective than the use of hand sanitisers. Hand sanitisers should be used as an addition to hand washing)

- inform parents and communities about the measures that you are taking and get their help to implement them
- increase cleaning of surfaces in classrooms, including desks and handles, and within toilet blocks and changing rooms, adhering to [guidance on cleaning of non-healthcare settings](#)
- for children and young people with a statement of SEN, work with the local authority as well as with parents to decide how best to continue supporting these children and young people to stay healthy

Will personal protective equipment (PPE) be made available to frontline education and childcare staff who are caring for children of critical workers?

This is the guidance on PPE for schools from Welsh Government –

‘It is essential that those who need personal protective equipment (PPE) have access to it. It is also important to avoid its waste and improper use given the unprecedented nature of the COVID-19 health emergency. Last week, a rapid review of the PPE guidance in the UK was carried out by the Academy of Medical Royal Colleges and Public Health England. The Deputy Chief Medical Officer for Wales was involved in this review. [New guidance](#), which applies across the UK, was subsequently published on Thursday 2 April.

The guidance does not recommend PPE for other sectors, including teachers and school staff, who are classed as low or no-risk.

Children or staff who are feeling ill or displaying any symptoms of coronavirus (COVID-19) should not visit or attend their school or childcare setting. The number of social interactions in the education or childcare environment will be reduced, due to there being fewer children attending. Operating a strict social distancing protocol, encouraging frequent and thorough hand washing by staff and children using soap and water, and encouraging more frequent cleaning and disinfection of hand contact surfaces will further reduce the infection risk. Headteachers should liaise with their local authority health and safety or infection control leads for schools if they have any concerns over the supply of hygiene products for cleaning and disinfection.’

What can I do personally to keep myself as safe as possible?

Do not go into school if you are displaying any symptoms of COVID-19 or live with someone who is doing so. Follow the government’s [staying at home guidance](#).

Avoid, where possible, physical contact with children. Try to focus on verbal reassurances if a child needs to be comforted.

Wash your hands with soap and water after any physical contact with children soap, or alcohol-based hand sanitiser where soap and water is not immediately available.

If administering medication or first aid to children, wash your hands before and afterwards and always before moving to another child. Use Personal Protective Equipment (PPE) such as disposable masks, gloves and apron if you're concerned about potential exposure. If not available, urgently raise this with your head teacher and [UNISON branch](#).

Try to avoid touching your face and regularly wash your hands and use alcohol-based hand sanitiser.

Keep 2 metres apart from others wherever possible, in classrooms, in the staff room and generally around the school.

Avoid using colleagues' phones or other work tools and equipment. If it is necessary, always clean the equipment before and afterwards.

Speak to your line manager about difficulties maintaining safe practice with any individual children so the situation can be discussed with parents.

When you get home, wash your hands and remove shoes straight away. Take work clothes off immediately reaching home and launder them, where possible, before touching any members of your family.

There is a wide range of guidance from Welsh Government via this link - <https://gov.wales/health-and-well-being-school-staff-and-learners-coronavirus>

What should I do if I have concerns about the health and safety measures being taken at my school?

Ask to see a copy of your school's risk assessment and contact your local [UNISON branch](#) for urgent assistance.

Will tests for Covid-19 be carried out for staff and pupils still in schools?

At the moment, testing is limited to those admitted to hospital with symptoms. The government is expanding the number of tests being carried out daily. UNISON is pushing for all frontline public service workers to be tested. At the moment, if you or pupils at school are displaying symptoms of Covid-19 it is crucial that you are not at school and follow government advice on self-isolation.

Our school doesn't have adequate supplies of hand soap and sanitiser. How can we work safely? What should I do?

It is incredibly important that pupils and staff have access to soap and warm water or sanitiser to wash your hands as this is a key recommendation to protect ourselves from the virus. The school must provide adequate supplies of soap/ sanitiser for all staff and pupils. Ask the employer to increase the supply as a matter of urgency. Stocks of soap should be checked and replenished

before the start of every day and children should be supervised in washing their hands, for at least 20 seconds, on arrival at school and regularly throughout the day. Hand sanitiser should be made available in classrooms.

Who should be cleaning the school given the heightened levels of risk and what provisions should be made for their safety?

Those employed to clean the school should be provided with the correct equipment. This will include Personal Protective Equipment (PPE) such as gloves and appropriate cleaning solutions along with instructions. See our detailed advice here: <https://www.unison.org.uk/coronavirus-rights-work/personal-protective-equipment-coronavirus/>

What should happen in a deep clean situation when there has been a suspected or confirmed case of Covid-19?

In this situation the employer should do the following:

- 1) Conduct full risk assessments
- 2) Contact the Local Health Protection Team for advice and support
- 3) Ensure only those fully trained and equipped with the relevant protective equipment are involved in any deep clean. A specialist cleaning team may have to be established.
- 4) Provide the correct Personal Protective Equipment (PPE) including appropriate face masks for those responsible for decontaminating the school
- 5) Notify all staff and keep them updated on any development.

See our detailed advice here: <https://www.unison.org.uk/coronavirus-rights-work/personal-protective-equipment-coronavirus/>

Also see the link to the government advice on Covid-19: cleaning in non-healthcare settings: <https://www.gov.uk/government/publications/covid-19-decontamination-in-non-healthcare-settings/covid-19-decontamination-in-non-healthcare-settings>

HOME-WORKING

I don't have a role that can be done from home. Will I still be paid over any potential full closure of the school, for example during a deep cleaning period if we have a case of Covid 19 in the school?

Under the terms of the NJC green book agreement, which covers vast the majority of support staff in LA schools, you will be paid for this closure period.

UNISON would also argue that other schools should follow this commitment during this health emergency. If you have any issues, please contact your local branch

This time could be an opportunity to undertake some online training to maintain your CPD or update your EWC Professional Learning Passport; resources can be found on UNISON's 'Skills for Schools' website

<http://www.skillsforschools.org.uk/training/>

and on the EWC website <http://www.ewc.wales/learningexchange/index.php/en/>

What support is available to supply staff during the coronavirus outbreak?

The Minister for Education has published the following letter for supply staff -

'Supply staff are a valued part of the school workforce, and, with the current school closures, I appreciate that this must be a difficult and uncertain time for all those currently working in the supply sector.

As you will appreciate, this is a fast moving and complex issue and advice is changing daily. Whilst education policy is devolved to Wales, employment law is outside the legislative competence of Welsh Ministers and therefore advice on these matters can only issue from the UK Government. However, the following information may provide some clarification on what may be available to support those in the supply sector during this difficult time.

Advice for staff will depend on how they are employed and who the employer is. As supply staff can either be employed by LAs, supply agencies or directly by schools, consequently any advice will depend on this. It is advised that they check the terms of their contract and discuss this with their employer in the first instance.

If supply staff are employed by the LA or school on a long-term contract, they are expected to be contracted on the same terms and conditions as permanent staff. If so, these workers should be paid accordingly. For those employed via a supply agency, the contracts may vary and therefore these staff need to discuss the terms of the contract with their agency.

For those working for an agency, the [National Procurement Service \(NPS\)](#) has a national framework in place for supply teaching in Wales, which aims to ensure improvements to supply teachers' pay and conditions. Agencies on the framework are required to register with a representative professional recruitment body and to sign up to the Welsh Government's Code of Practice on Ethical Employment in Supply Chains and our Fair Work principles. Since the framework began operating in September 2019, we have encouraged supply staff, local authorities and schools to only engage with agencies on the framework. Over the past few weeks, framework agencies have been engaging with Welsh Government and the NPS to understand what support is available to their staff. Please contact your agency to discuss this if you have any concerns.

You may be aware that the UK Government has recently announced support for employers under the Coronavirus Job Retention Scheme. I understand that this scheme is open to all businesses with PAYE employees and may therefore be available for agency supply staff.

[Further information on this scheme is available](#), and staff are advised to discuss this with their agency.

Additional measures have also been announced to support those who are self-employed, although very rarely will supply staff fall into this category. [Further information on this scheme](#) is available.

If you are [unsure of your employment status](#), you can find further advice and guidance.

The Welsh Government has tried to address many of your concerns in [our FAQs](#), which are being updated regularly. This page includes advice on SSP, how to access Employment and Support Allowance and Universal Credit, and further information on the schemes announced by the UK Government.

We will continue to work with the UK Government and to update the education workforce in Wales as and when the situation changes.

I hope that you find this information helpful.

Yours sincerely
Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education'