

CORONAVIRUS (COVID19)



EDUCATION RESTART

FREQUENTLY ASKED QUESTIONS

GUIDANCE ON SUPPORTING STAFF TO RETURN TO SCHOOL

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Frequently Asked Questions

Guidance on Supporting Staff to Return to School

Q1. How do I deal with a situation where a member of staff who does not wish to return to work due to living with a vulnerable person?

If a member of staff is living with someone who is considered clinically vulnerable, the current PHA advice does not require them to self-isolate therefore they are able to attend work.

It may be the case where a member of staff living with a vulnerable person, feels they cannot return to work in any capacity at present despite the assurances and appropriate measures being put in place by the school. In this case the staff member and Principal/line manager should consider options which may include reduced hours/days, annual leave (if the contract of employment allows for this) or unpaid leave as appropriate.

If however, despite all of the above arrangements and assurances being put in place, the member of staff still does not come to work or avail of the options available then HR advice should be sought from the Employing Authority.

Q2. Can you please explain what is meant by 'Clinically Vulnerable' and 'Clinically Extremely Vulnerable'?

Clinically Vulnerable individuals are considered to be at higher risk of severe illness (for example, people with some pre-existing conditions as set out in the [staying at home and away from others \(social distancing\)](#) guidance) and have been advised to take extra care in observing social distancing and should work from home where possible. Principals/line managers should endeavour to support this, where possible, for example by asking staff to support remote education, carry out lesson planning or other roles which can be done from home.

'Clinically Vulnerable' includes

- Staff with specific underlying conditions
- People over the age of 70 and
- those who are pregnant

[Click here](#) for a more complete breakdown and further information.

Clinically Extremely Vulnerable is a category of individual who have been strongly advised not to work outside the home and should follow PHA advice on shielding.

Shielding is a measure to protect clinically extremely vulnerable people by minimising interaction with others. People who are shielding remain vulnerable and should continue to take precautions but as of the 5 June 2020 can now leave their home if they wish, as long as they are able to maintain strict social distancing.

With effect from 31 July 2020 “Shielding” will be paused and full details will be provided by PHA and this guidance will be further updated at that time.

Current restrictions are in place with the aim of reducing social contact with those outside of the household. This is to protect those who are at very high risk of severe illness from COVID-19 from coming into contact with the virus. Staff who fall into the clinically extremely vulnerable category will have received a letter from the NHS/GP and should continue to follow Government advice. The Government is regularly monitoring its position on clinically extremely vulnerable individuals.

[Click here for a complete breakdown and further information.](#)

You should note that Government guidance published on the 11 May 2020 called for particular attention to be paid to people who live with **clinically extremely vulnerable** individuals. Such staff should have an individual risk assessment conducted before the most appropriate course of action is determined. [Click here for Individual Risk Assessment Appendix A1.](#)

Q3. I have a pregnant teacher. Can I ask her to continue to work?

Pregnant women have been included in the list of people at moderate risk (clinically vulnerable) as a precaution however, there is no evidence that pregnant women are more likely to get seriously ill from COVID-19.

Clinically vulnerable individuals have been advised to take extra care in observing social distancing and should work from home where possible. Principals/line managers should endeavour to support this, where possible, for example by asking staff to support remote education, carry out lesson planning or other roles which can be done from home.

If pregnant women cannot work from home they should take extra care in the work place observing social distancing, staying 2 metres¹ away from others wherever possible, although the individual may choose to take on a role that does not allow for this distance if they prefer to do so. If they have to spend time within 2 metres¹ of other

¹ Based on current PHA Guidance
The Stormont Executive has agreed to reduce social distancing in Northern Ireland from 2 metres to 1 metre with restrictions from 29 June. The Stormont Executive agreed that people should keep 2 metres distance where possible, but from 29 June can come within no less than 1 metre where appropriate mitigations can be made.

people, Principals/line managers should undertake a risk assessment with the individual to assess and control measures to reduce risk. They should, if necessary, be offered the safest available onsite roles.

Pregnancy And Risk

Pregnant women have been included in the list of people at moderate risk (clinically vulnerable) as a precaution. This is because pregnant women can sometimes be more at risk from viruses like flu. At present it is not clear if this happens with COVID-19 but because it is a new virus, it is safer to include pregnant women in the moderate-risk group.

Q4. If teachers are expected to start work on 17 August does this mean they will have to work more days/hours in the year?

A teacher will not be directed to work on more than 195 days or 1265 hours in the academic year as a direct consequence of the change to the restart date.

This was confirmed in a joint letter of agreement issued by TNC on 23 June 2020 and will remain extant for the period of the academic year 20/21.

This is applicable to all teachers in grant-aided schools in Northern Ireland.

Q5. If non-teaching staff who are employed on a term time contract of employment commence work prior to September 2020 will they receive payment?

Yes. Non-teaching staff will be paid for all hours worked at their contractual rate of pay.

Q6. Some of my teachers are not available to start on 17 August as they will be away on holiday. Can I insist that they come in or take unpaid leave?

Teachers, Principals and Vice-Principals who have pre-booked holidays or have other commitments that were arranged prior to 18 June 2020, (the official notification of a change in the start date for the academic year 20/21) shall be allowed to honour those commitments without detriment.

Staff were advised to notify their holiday arrangements to their Principal or line manager by 30 June 2020, in order to inform workforce planning.

Q7. A teacher has advised me they will not be available to start on 17 August due to holiday quarantine arrangements. Can I insist that they come to work in the school?

No. Quarantine arrangements are a legal requirement and staff cannot attend the workplace during the quarantine period.

Teachers, Principals and Vice-Principals who have pre-booked holidays arranged prior to the announcement of quarantine arrangements and who may be required to isolate after travelling abroad, will be required to work from home during any isolation period.

Staff likely to be affected by quarantine arrangements were advised to notify their Principal or line manager by 30 June 2020. If they have not already done so they should notify their Principal immediately.

It is appreciated that the situation concerning travelling outside the Common Travel Area is uncertain at this time and official advice may change. Teachers, Principals and Vice-Principals should ensure they follow Foreign and Commonwealth Office advice regarding foreign travel.

Q8. Some of my Classroom Assistants have advised me they will not be available to start on 17 August due to holiday quarantine arrangements. Can I insist that they come to work in the school?

No. Individuals and employers must adhere to quarantine guidelines which are valid at the time. In line with the NJC guidelines however, the school leader / manager must first consider whether working from home is practical and feasible. Should this not be the case, the manager should consider whether the employee can be redeployed during the quarantine period to work which can be completed at home. Where this is not possible, managers can require staff who are quarantining and unable to work at home to:

- take additional paid annual leave (from their usual leave allowance).
- take unpaid annual leave.
- take special leave (paid/unpaid).
- make up the 14 days' leave over a period of time, so they do not incur a drop in pay

These arrangements should be clear, understood and agreed by both parties before the employee embarks on leave that will require quarantine.

Staff should continue to reference **government guidance** and be aware that some guidance may change over the course of the summer period.

Q9. I have completed a restart plan for my school but in order to comply with social distancing I will need additional staff to cover additional supervision requirements. How can I get additional staff and also will any additional finances be made available to cover the costs that will be incurred?

It is understandable that in some cases additional staff may be required in order for schools to meet the requirements for restarting in August. There are a number of options available to School Leaders e.g. offer temporary additional hours to current staff or employ additional staff on a temporary basis. NISTR can be utilised for the engagement of substitute teachers if required.

DE recognises the financial impact the current COVID-19 pandemic is having on the education sector, and will continue, in conjunction with the Education Authority, to assess the financial impact of COVID-19 responses on grant aided schools. Once the detailed plans are established for the re-opening of schools, the resulting funding requirements will be further assessed.

Q10. If a staff member is displaying symptoms of COVID-19 as Principal what advice should I give to them regarding testing?

Staff who exhibit any symptoms associated with COVID-19 should not attend school.

The N.I. Executive has rolled out a Test and Trace and Protect strategy designed to control the spread of COVID-19 and symptomatic staff are expected to follow the advice and obtain a test for COVID-19.

[Testing](#) is available for school staff or a member of their household (whoever is displaying the symptoms).

Q11. I have staff with caring responsibilities and they may experience difficulty returning to school at the end of August. What options are available to assist?

As Principal you should establish what the caring responsibilities entail and how they impact on the staff members working pattern.

Caring responsibilities may include; the care of children in the household, the care of vulnerable adults or children in the household, the need to support vulnerable

members of the family outside of the household with essentials for example, food and medicine deliveries.

The N.I. Executive announced the publication of the Childcare Recovery Plan on 18 June. The Childcare Recovery Plan aims to restore the childcare sector to pre-COVID-19 capacity levels as quickly and safely as possible. The aim of the plan is to ensure more parents can access childcare. School re-opening plans and the availability of childcare are inextricably linked, and work is ongoing to build the capacity of the childcare sector as quickly as possible.

Staff should seek to investigate and source all childcare options available to them in order that they can attend school when it restarts. In an emergency situation staff can apply for emergency carer leave should childcare arrangements breakdown.

It is understood that there may be some staff who still find it difficult to return to school in their usual capacity due to caring responsibilities. In such circumstances they are expected to communicate effectively and regularly with their Principal/line manager about any concerns. If a member of staff is wishing to consider flexible working and/or a corresponding reduction in hours staff should make a formal request in accordance with the relevant HR policies.

Q12. A member of staff has claimed that they have a medical condition which prevents them from returning to school. Am I entitled to request information on what the medical condition is?

The Principal/line manager and Employing Authority are entitled to request and be provided with evidence to confirm medical conditions and inform, where necessary, risk assessments.

Q13. The Guidance on Supporting Staff to Return to School refers to individual risk assessments. Where can I get these risk assessments?

There are four individual risk assessment templates and guidance on how to complete these on the DE web site [here](#).

Q14. Why is an individual risk assessment required?

By carrying out an individual risk assessment the Principal can consider the requirements of the vulnerable member of staff and decide what control measures can be put in place to minimise the risk to the member of staff. The Principal should discuss with the member of staff the details in the risk assessment.

It is unlikely that generic assessments will be totally appropriate for each individual employee, there may be different circumstances pertinent to each case. They should therefore be modified for each individual making that assessment specific to their medical vulnerability and specific area of work.

The information on an individual risk assessment should be regarded as highly confidential and appropriate security/safeguards should be in place to ensure confidentiality.