

LGA Workforce Guidance following DfE publication of planning guide for primary schools

As you know, the DfE published guidance on May 11 regarding the opening of primary schools **from 1 June** (<https://www.gov.uk/government/publications/actions-for-educational-and-childcare-settings-to-prepare-for-wider-opening-from-1-june-2020/actions-for-education-and-childcare-settings-to-prepare-for-wider-opening-from-1-june-2020>)

While local authorities and schools have started to make plans, the debate has intensified and has now moved in to the public arena, with education trade unions calling for opening to be delayed until five tests have been met
<https://www.tuc.org.uk/news/education-unions-statement-safe-reopening-schools>.

We understand that local authorities will need access to as much information as possible in order to make informed decisions on behalf of their communities. To that end the LGA called for the Government to urgently publish the scientific evidence that underpins their advice – <https://www.local.gov.uk/coronavirus-councils-need-powers-close-schools-new-clusters-covid-19> - which it has now done
https://www.gov.uk/government/publications/overview-of-scientific-information-on-coronavirus-covid-19?utm_source=3997615a-0f3b-415a-b3cb-4d88d98c068c&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

The LGA is also calling for local flexibility to allow schools to take their own decisions about reopening - in consultation with their councils. For example, in communities where there may be a higher risk, such as those with a high proportion of Black, Asian and minority ethnic residents.

Much of the new DfE guidance (key points are discussed below) does reference the need for local authorities to be signing off plans and to be party to the decisions which is an important signal.

There is a risk that some unions may be reluctant to participate in planning discussions (for fear it gives a tacit consent to the 1 June day) but there clearly is room for local decision making in this guidance, and talking the logistics through is a vital part of this process. We are continuing to encourage councils and schools to maintain local engagement.

The DfE published their planning guide for primary schools on 14th May 2020:

<https://www.gov.uk/government/publications/preparing-for-the-wider-opening-of-schools-from-1-june/planning-guide-for-primary-schools>

A summary and points the LGA would draw to the attention of schools and Local Authorities:

- Covers the first phase only of wider re-opening (i.e. from 1 June).
- It has a primary focus only – early years and secondary equivalent versions will be published w/c 18 May.
- It is a DfE guide and there is no requirement for councils or schools to follow this; they can use parts of it or can just follow their own unique plan.
- It was co-produced with the sector including contributions from the LGA and covers a whole range of topics, from preparing the school site and reviewing staffing plans, to practical steps to reducing risk and managing pupil and staff wellbeing and mental health. DfE highlight that this is a comprehensive guide, but not an exhaustive one.
- It's aimed at school leaders.
- It includes a helpful Q&A section
- The phased reopening of schools will require much more work by employers, unions, school staff and parents and therefore further NJC advice will be considered in due course as those discussions develop.

Additional key paragraphs of note:

- 1) Key decisions and plans must be confirmed with local authorities, academy trusts or governing bodies:

"In most cases the preparation for wider opening will be undertaken by the headteacher and senior colleagues. However, relevant bodies (such as local authorities, academy trusts or governing bodies, depending on the school type) retain responsibility for key decisions and plans should be confirmed with them, particularly risk assessments of the school opening more widely, before pupils and staff return."

- 2) Existing health and safety law and best practice continues to apply:

"This guide does not supersede any legal obligations relating to health and safety, employment or equalities and it is important that as an employer you continue to comply with your existing obligations, including those relating to individuals with protected characteristics. It contains non-statutory guidance to take into account when complying with these existing obligations. When considering how to apply this guidance, take into account agency workers, contractors and other people, as well as your employees."

- 3) The guide underlines the need to establish which staff are available, and sets out the detail for those who are clinically extremely vulnerable etc. Communication with staff to understand the concerns and issues for them and helping them understand how this guidance applies to them is going to be extremely important:

"Clinically extremely vulnerable individuals are advised not to work outside the home. We are strongly advising people, including education staff, who are clinically extremely vulnerable (those with serious underlying health conditions which put them at very high risk of severe illness from coronavirus and have been advised by their clinician or through a

letter) to rigorously follow shielding measures in order to keep themselves safe. Staff in this position are advised not to attend work.

If a staff member lives in a household with someone who is extremely clinically vulnerable, as set out in the [guidance on shielding and protecting people defined on medical grounds as extremely vulnerable](#), it is advised they only attend work if stringent social distancing can be adhered to. If stringent social distancing cannot be adhered to, we do not expect those individuals to attend. They should be supported to work at home

***Clinically vulnerable individuals** who are 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) have been advised to take extra care in observing social distancing and should work from home where possible. This includes pregnant women. Education and childcare settings should endeavour to support this, for example by asking staff to support remote education, carry out lesson planning or other roles which can be done from home.*

If clinically vulnerable (but not clinically extremely vulnerable) individuals cannot work from home, they should be offered the safest available on-site roles, staying 2 metres 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 metres of other people, settings must carefully assess and discuss with them whether this involves an acceptable level of risk.

If a member of staff lives with someone who is clinically vulnerable (but not clinically extremely vulnerable), which includes those who are pregnant, they can attend work.”

- 4) The guidance states that eligible children should be offered a full-time place and warns against staff rotas, to enable groups of children to be in the same cohort with as little change within that cohort as possible. You can ask staff to undertake different roles and discuss with the local authority/trust if you need additional resources, however cover must be agreed on a weekly basis (not daily in order to limit contacts).

“Possible approaches to managing a shortfall in staffing include:

- *bringing additional teachers in to help, who may be supply teachers, teachers on temporary agreed loan from other schools, or teachers provided by your trust or local authority (considering the guidance in [section 2](#) about consistent staffing across the week)*
 - *asking suitably experienced teaching assistants who are willing to do so to work with groups under the supervision of a teacher*
 - *using some senior leadership time to cover groups, although you should as headteacher consider your own workload and that of your senior colleagues to make sure this is manageable and you have sufficient leadership time remaining”*
- 5) School may want to give consideration as to how to manage this part of the guidance, particularly if there is a high volume of calls required:

“You should encourage parents whose children have been invited in to call you each day if they are not coming in as normal, so you understand why and can discuss it with them if needed.”

- 6) The guidance makes it clear that the Department only wants children in the year groups announced to return to school:

“What if for example, my year 1 teacher(s) cannot come into school, but my year 2 teacher(s) can? Is it OK to invite year 2 children to school instead of year 1 children?”

No. “

- 7) Schools have discretion and are encouraged to deal with those staff not wanting to attend on a case by case basis:

“Can I direct staff to come into school?”

It is natural that some staff will be worried about coming into school even if the risks for them are very low. You will know your staff best and so will be in the best position to work out how to proceed in individual cases. We are working in an unprecedented context, and more reassurance and discussion than usual may be required. It is always best, if at all possible, to work out a sensible way forward in individual cases that acknowledges any specific anxieties but which also enables the school’s responsibilities to be effectively discharged. If you need support in finding a solution, speak to your local authority or trust.”

The LGA advice on this point is to ensure that whatever determinations you make locally, we strongly suggest this includes a risk assessment as well as reassurance and discussions, and that these are clearly communicated to staff in your school’s policy and applied in a clear and consistent manor.

Supporting well-being:

Alongside the guidance on how school staff support the wellbeing and mental health of pupils the toolkit includes the point that governing boards and school leaders should consider the mental health and wellbeing of staff (including school leaders themselves), and the need to implement flexible working practices in a way that promotes good work-life balance for teachers and leaders. The LGA along with other NEOST members will shortly publish a wellbeing and mental health guide specifically for school staff as a resource for local authorities and schools so look out for that next week.

As always, we will continue to provide additional advice as it develops. We know this is a really challenging situation and we applaud the work that is being undertaken right across the education sector during this unprecedented time.

Yours sincerely,

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