

## 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 be undermining 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 disciplinarys 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 closed during the crisis? If so, will I be paid?**

We are expecting many private nurseries to close. The government has said that it will continue to fund nurseries and childminders for the free entitlement during any closure period or if these children are no longer attending the setting. We would hope that nurseries will continue to pay staff wherever possible. The government has announced that it will support employers with a grant to pay 80% of the wages of staff laid off during the crisis. However, many nurseries will be struggling with cash flow as they rely on income from parents and it is not clear when they will receive funding from the HMRC. UNISON has called on employers to prioritise the payment of wages to staff over any other financial obligation. 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.

## **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?**

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.

Some schools have indicated that they will be opening during what would normally be the Easter holidays in order to provide support for the children of critical workers. Some have also indicated that they intend to open seven days a week.

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 and 36 hours per week in 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.

## **HEALTH AND SAFETY**

**PLEASE NOTE HEALTH AND SAFETY IS THE TOP PRIORITY ISSUE FOR US. WE ARE PUSHING GOVERNMENT TO PROVIDE SCHOOLS WITH PRACTICAL ADVICE ON THE PROTECTIVE STEPS SCHOOLS SHOULD BE TAKING IN TO KEEP SAFE PUPILS AND STAFF STILL WORKING IN SCHOOLS.**

**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 have an underlying health condition that puts you at greater risk or you live with someone with one of the serious conditions that means they need to totally self-isolate, you must not be required to be in schools. Under these circumstances you must be allowed to work from home on full pay and if home working is not possible you should be allowed to self-isolate at home on full pay. This provision has been agreed under NJC Green Book terms, which cover vast majority of LA schools and other employers should do likewise in line with government guidance on self-isolation. Staff who live with partners in other vulnerable groups as per government guidance should work at home wherever possible on full pay.

**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.

## **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 clearing 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