

# COVID-19 BULLETIN

**From the feedback that we're receiving in the Yorkshire & Humberside regional office we expect that your employers plans are reaching an advanced stage in relation to planning the return to campus and teaching.**

The ambiguous recommendations provided by the government (link [here](#)) particularly as described on Page 6 regarding the scale of the return has resulted in a wide range of responses from Colleges in Yorkshire and Humberside. We are aware that a small number of Colleges are interpreting that to mean all 16-19 yr old students returning to

face to face as soon as possible whereas others are taking a more cautious and careful approach including getting the three on site tests done first, staggering and phasing returns, prioritising particular cohorts and/or operating rotas.

A very small number have proposed to return adult students before Easter whereas the guidance explicitly allows for reduced and delayed attendance of this group. It is UCU's view that the government's guidance is more nuanced than simply being a directive to bring all young people back from 8<sup>th</sup> March. The recommendations

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enable Colleges some flexibility about the scale of the return and the differing approaches by individual providers bears this out. It remains to be seen as to what impact the ESFA will have on the managed return to education and whether they will use the threat of reducing funding to force through increased attendance numbers.

Just before the Government's announcements on opening up, the UCU National Office produced the following updated Health and Safety advice which can be found [here](#)

Since the advice was published, regional and national officials have attended several meetings with local officers and their employers to discuss and consult on reopening plans and the following points are beginning to emerge:

1. Employers should reassess the level of risk in line with the emergence of the new more transmissible variant strains of the Covid virus. This means reviewing and updating risk assessments.

2. We expect employers plans for the return to campus to follow a risk based approach. This means that risk assessments should be available to unions and staff before any sizeable return to campus. Branch Officers have requested copies of risk assessments and an opportunity to consult upon them to make sure they are suitable and sufficient and have been produced by a competent person in line with Health & Safety legislation

3. We expect to see a road map up to Easter and then a plan for the period post Easter (accepting that this will have to be flexible).

4. Testing – most colleges are placing a great deal of reliance on the testing of staff and students. The research evidence on the reliability of a single LFT test in the hands of

non clinician is not good (link [here](#)). However the efficacy of LFT tests may improve given that the government guidance is for regular testing. On the balance of probabilities it is not unreasonable to expect that if staff and students engage in a programme of regular testing there will be a greater chance of picking up asymptomatic infections. However, there is no way of knowing whether students will engage with the voluntary testing regime, especially when testing is administered at home. This means that Colleges must also be reviewing and enhancing all their safety standards once again.

5. Many colleges are also asking for staff to volunteer to run testing centres, which certainly falls outside of any college staff job description. While this is a personal choice, we would advise and emphasise to members that this is a voluntary activity and they should not feel coerced into providing this service. Anyone with an underlying health condition, CEV or CV should not volunteer. Anyone who does volunteer should have full training and access to the employers risk assessment for the process. Full PPE, including high grade medical face masks, must also be provided. There are also concerns that in the event of a volunteer contracting COVID, employers could use the volunteer status to defend themselves against any future legal claim.

6. It is important that face to face teaching and attendance on site is kept to as low level as possible. Colleges should also retain remote learning and blended learning, and continue to allow staff who can to work from home.

7. There should be strict adherence to the wearing of face coverings in all areas of the college. The only exception to this should be those who are medically exempt. Students who refuse to co-operate should

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be provided with the alternative of remote learning. There is a link [here](#) to a recent article in the British Medical Journal about Face Coverings and Masks which you may find helpful.

8. Strict adherence to hand washing and sanitising routines across the day.

9. Social distancing – a safe distance of 2 metres between individuals should be retained in all college buildings inclusive of entrances, corridors, stairs, classrooms, workshops, labs, kitchens, salons, offices, staff rooms etc. Where the nature of the work requires close contact such as: learning support staff; teaching staff delivering practical activities; staff providing personal care; or those with multiple contacts with many people, then we expect to see additional mitigations in place such as keeping the contact to as low a time period as possible, reducing the number of contacts, and if this is not possible, providing PPE to staff and students in these situations.

10. Ventilation – we expect all rooms to have good ventilation whether that be by way of mechanical or natural ventilation. While none of us are expert ventilation engineers we expect employers to provide you union Safety Reps with access to maintenance reports and service records of mechanical ventilation systems. Where rooms are known to be stuffy or have poor air supplies we would suggest that these not be put into general use. We would also suggest that employers purchase a supply of portable CO2 monitors so that readings can be monitored in areas of concern.

11. Cleaning schedules should be enhanced and include instructions to staff and students on the safe use and proper application of sanitisers, disinfectant sprays and wipes when it is expected that staff other than cleaners are personally

responsible.

12. All incidents and near misses should be recorded in the Accident Book and information provided to staff on how to report incidents.

13. We are also asking that employers provide information on infections of staff and students by area, building and job type/ subject area to your Safety Reps on a weekly basis.

We anticipate that many members will have anxieties about returning to campus and it is important that colleges recognise this – we therefore expect colleges to support staff who feel worried or fearful. Clearly good safety standards as outlined above should help overcome anxieties but anyone with particular worries and genuine issues about what they are being asked to do should contact your local branch officer.

#### **ERA Section 44**

Much has been written and said about the use of the Employment Rights Act Section 44 and 100.

It is unlawful for trade unions to seek to induce their members to breach their contracts - including by refusing to attend work or downing tools and leaving the workplace. However, we can advise members of their individual rights under ss. 44 and 100 and will support members who are considering or intend to invoke their individual rights. Anyone seeking advice because of acts or omissions by the employer particularly not meeting the minimum standards as set down in the government guidance or experiencing situations at work that make them feel unsafe should take advice from local officers.

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# UCU LAW EXTRA



supporting members beyond the workplace

## Legal help for you and your family

As part of our service we're committed to providing a wide range of benefits including expert legal help to members and their families. UCU offers UCU Law Extra, and award winning team of experts covering the complete range of legal services which can meet all your needs, including:

**family law services • wills online • probate and estate administration • lasting powers of attorney • property (including conveyancing and landlord & tenant) • road traffic defence • professional negligence • medical negligence**

UCU is the largest post-school union in the world: a force working for education that your employer and government cannot ignore. It understands the work you do, and the problems you face. And, of course, the more members UCU has, the more effective the support and protection we offer will be.

Non-members can JOIN UCU at

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You can check and update your details by visiting **MY UCU** which can be found here:

[www.ucu.org.uk/ucumembership](http://www.ucu.org.uk/ucumembership)

## Future of the profession

**Young workers need the union more than ever.**

As part of UCU's drive to support education workers at the start of their careers, as of 1 October 2017, we have been offering free membership to some further and higher education staff.

Free membership applies to staff in the following categories:

- enrolled postgraduates contracted to teach in UK higher education institutions
- staff working in further education not on lecturing contracts but part of the teaching and assessing team such as instructor, assessor, trainer, or coach.

Join online today and simply choose 'standard full membership' to activate the free membership offer option.

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