

Written evidence submitted by NASUWT

The impact of COVID-19 on education and children's services

**NASUWT evidence to the House of Commons
Education Select Committee**

The NASUWT's submission sets out the Union's views on the key issues identified by the Committee in the terms of reference for the Inquiry. The NASUWT's evidence is informed directly by serving teacher and headteacher members and also by the work of its representative committees and consultative structures, made up of practising teachers and school leaders working in the education system.

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Introduction

1. The NASUWT is clear that the decision to partially close schools to all but the children of key workers and vulnerable children from 23 March 2020 was driven by an overriding public health imperative. Notwithstanding the significant impact this partial closure has had on children, their families and the education workforce, it is evident that the decision to limit the operation of schools in this way was a necessary element in controlling the spread of coronavirus and is has been an almost universal feature of disease control in other European countries.
2. The challenges associated with maintaining the operation of the education system in these circumstances are considerable. During the crisis, the NASUWT has offered extensive support to its teacher and school leader members in meeting these challenges, including the establishment of a comprehensive online Coronavirus Hub.¹
3. This service provides guidance and information for members on a range of issues including securing the health and safety of staff and pupils, the management of remote learning, qualifications, safeguarding, mental health advice for teachers at working at home and guidance for supply teachers.
4. It is important to recognise that throughout this period, not only have schools remained open to the categories of pupils identified above but also that teachers have worked hard to ensure that children and young people not attending school have been able to benefit from the ongoing provision of high-quality learning. Teachers have shown remarkable ingenuity and commitment to the wellbeing and education of their pupils in taking forward this work under significant pressure while facing the same challenges and privations that result from lockdown as the rest of the population.
5. It is clear that a comprehensive review of the Government's management of the COVID-19 outbreak, including in relation to its management of

¹ NASUWT (2020). *Coronavirus Hub*. Available at: (<https://www.nasuwt.org.uk/advice/health-safety/coronavirus-guidance.html>), accessed on 27.05.20.

schools and other educational settings, will need to take place at an appropriate time, not least as a means of informing planning for future pandemics. However, the NASUWT would urge the Committee to focus its investigations at this stage on those matters that relate directly to this plan and to how the education system can be supported to recover from the unprecedented experience to which it has been subjected since 23 March.

6. The NASUWT would draw particular attention in this respect to:

- the effectiveness or otherwise of arrangements for the wider opening of schools;
- how the specific needs of learners and staff with protected characteristics, and their families, can be ensured as schools move to increase the numbers of pupils present on their sites;
- how educational provision might best be organised while the virus remains an identifiable risk to public health; and
- how the workforce should be supported to meet the demands that will continue to be placed on the education system.

Each of these considerations is examined in further detail below.

The Government's approach to the wider opening of schools

7. The NASUWT does not underestimate the importance of ensuring that schools can begin to admit more pupils than they are catering for at present as soon as it is safe to do so. In April, the Union set out to the Secretary of State the conditions that would need to be met in order to provide a basis for the successful wider reopening of schools to more pupils, including:

- the need for the Government to demonstrate that its decisions in respect of schools are led by the scientific evidence and advice and address the concerns of teachers and those working in schools and colleges;

- the need for Government and employers to act consistently to protect those teachers affected by COVID-19 because they are being 'shielded' due to their health status, or because of underlying health conditions, or because they or someone in their household has COVID-19 or symptoms of COVID-19;
 - the need to ensure that teachers are guaranteed the same protections as other workers, as provided for in the Government's general COVID-19 advice to employers and employees;
 - the need to ensure that where the incidence of COVID-19 reproduction/transmission remains in the general population, it is important that teachers and those working in schools are protected from the spread of the virus as far as possible, including with access to PPE, and the practice of stringent social distancing; and
 - the need for robust COVID-19 risk assessments to be undertaken in consultation and agreement with the workforce and trade unions before any re-opening of schools and colleges, together with the need to ensure regular cleaning, including deep cleaning, before and when schools re-open.
8. It remains clear that none of these conditions has been met in full. As a result, it is not yet established that pupils and staff can return to school on the basis set out by the Government in a safe way. It is, therefore, entirely irresponsible for the Department for Education (DfE) to continue with its plans for the wider opening of schools on this basis.
9. Teachers and the wider school workforce must be confident that plans for the wider opening of schools are coherent and involve all possible measures being taken to ensure safety in their workplaces. It is, however, clear that this confidence has not been secured. On 14 May 2020, the NASUWT surveyed the views and experiences of teachers in respect of schools' preparations for wider reopening from 1 June. In a short window of 4 days, an overwhelming response was received from some 29,000 teachers. The survey found that:

- 93% of teachers find the Government's plans for 1 June reopening confusing;
- 95% of teachers expressed concern and anxiety about the Government's plans for the wider reopening of schools;
- 85% of teachers did not think it would be safe to return on 1 June;
- 92% of teachers expressed the view that social distancing will not be possible to achieve or will present a major issue in schools;
- 91% of teachers are not confident about the proposed measures to protect their health or the health of children;
- 92% of teachers did not feel reassured by the Government's announcements that it will be safe for more pupils to return to school/college from 1st June;
- on the Government advice that classes should be halved to assist with social distancing, 91% of teachers said that this did not give them confidence about the measures to protect their health and the health of children; and
- 87% of teachers said their employer had not shared with all staff a workplace risk assessment.

10. The NASUWT has pressed the DfE continually to address the concerns of the teaching profession regarding the health and safety conditions that need to be met before the wider reopening of schools. These concerns remain unaddressed, and it is not surprising that only a minority of teachers (just 37%) have expressed confidence that their school or college would take the steps necessary to be COVID-secure before wider reopening.

11. It is evident that further work is needed urgently by the Government to secure the trust and confidence of teachers in respect of the wider opening of schools. The scientific evidence from SAGE that has been made public continues to fall short of that required to ensure that the schoolwork force can be confident that the decision to open schools in the way envisaged by the DfE from 1 June is based on the soundest possible scientific evidence. In particular, this evidence:

- provides only an initial approximation of the relative, direct impact of different scenarios for reopening and does not include the indirect impact on other contacts beyond those in school;
- only focuses on the direct epidemiological impacts of more children returning to educational settings in isolation, without accounting for any changes to wider policy, other behavioural responses to opening schools to more children or adherence to social distancing; and
- does not take effective account of how scenarios for wider opening might be implemented within school nor of the different ways in which children of different ages may respond to social distancing and other measures that schools might introduce to limit the spread of the virus.

12. The NASUWT, therefore, remains unclear that the decision to proceed with permitting schools to open to all pupils in reception, Year 1 and Year 6 classes from 1 June 2020 is based on sufficiently robust scientific foundations.

13. The NASUWT has continued to engage directly with the DfE in respect of these concerns and how the implementation of the decision to open schools to a wider range of pupils is being progressed. Specifically, schools continue to look to the Government for clear and unequivocal guidance on the health and safety measures they will need to have in place before reopening. The guidance that has been produced to date is, in large part, highly discretionary for schools and contains only suggestions that schools might consider taking steps to protect the health, safety and wellbeing of staff and pupils. It compares entirely unfavourably with the guidance produced for other occupational sectors, such as construction and retail, on making their workplaces COVID-secure.

14. There is, as yet, no means to ensure that schools operating in unsafe ways will be subject to intervention so that issues of legitimate concern are identified and addressed. This state of affairs is in contrast to the commitment given by the Prime Minister in respect of other sectors that no worker will be required to attend an unsafe workplace.

15. The NASUWT remains clear that urgent steps must be taken by the DfE to:

- ensure that employers discharge their statutory obligations in respect of the health and welfare of staff and pupils fully;
- make clear to all schools and colleges the actions that they are required rather than those they might choose to take to prevent or minimise the risk of COVID-19 transmission; and
- affirm the actions it will follow to monitor and review schools' effective compliance on measures to safeguard the health and safety of staff and pupils.

COVID-19 and the Public Sector Equality Duty

16. The Committee will be aware of the well-established evidence that black and minority ethnic (BME) children, young people and adults are disproportionately more likely to be impacted by COVID-19 infections and deaths. It is, therefore, critical that the DfE's implementation of its wider opening strategy ensures that it and every school takes effective steps to assess and manage the specific risks that BME staff and pupils will face.

17. The Equality Act 2010 and the Public Sector Equality Duty places significant legal responsibilities on all public bodies, including the Government, when carrying out their functions. Legislation requires such bodies to have due regard to the need to eliminate discrimination, harassment, victimisation, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The DfE, therefore, has an unequivocal duty not only to take every possible reasonable step to address the increased risks people from BME communities face in respect of COVID-19 but also to place comprehensive details of its approach in this regard in the public domain.

18. The Government has, rightly, made clear the need to consider the COVID Alert Level in order to determine how tough it needs to be in terms of mitigation measures to prevent the risk of increased transmission of the

virus. Clarity and transparency in relation to the impact on the "R" number within black and minority ethnic populations are essential when considering the nature of social distancing and other risk mitigation measures that will be necessary locally and nationally.

19. However, in light of the Government's continuing ambition to see schools open their doors to more pupils from 1 June, the Committee will note that the Overview of scientific information on coronavirus (COVID19) published by the Government on 15 May 2020 states that:

This provisional analysis has shown that the risk of death involving coronavirus (COVID-19) among some ethnic groups is significantly higher than that of those of White ethnicity. Further research is needed to understand why some ethnic groups have higher death rates from coronavirus (COVID-19) than others...Schools should be especially sensitive to the needs and worries of BAME members of staff, BAME parents and BAME pupils.²

20. Furthermore, in the papers released by SAGE on 22 May 2020, no additional evidence was forthcoming in this regard.
21. The NASUWT is concerned that while during the next phase, measures introduced by Government or by schools should not force the Reproduction rate of the disease - the "R" - back up over 1, either for the population as a whole or for sections of the population based on their protected characteristics.
22. In these circumstances, it is, therefore, essential that clarification is provided as to how the Government's five tests and its commitments to reopen schools to more children from 1 June 2020 will take into account and contribute towards meeting your Government's statutory obligations under the Equality Act 2010, including the need to prevent further discriminatory impacts related to the transmission of the Coronavirus while

² Department for Education (2020). *Overview of scientific information on coronavirus (COVID-19)*. Available at: (<https://www.gov.uk/government/publications/overview-of-scientific-information-on-coronavirus-covid-19>), accessed on 27.05.20.

also advancing equality and securing good relations between persons with different protected characteristics.

Re-thinking educational provision during the COVID-19 outbreak

23. Since the partial closure of schools was introduced, the Government has rightly been clear that the education system is operating in 'extraordinary times'. Notwithstanding efforts being made to open schools to more pupils than can attend currently, it is evident that a return to an approximation of typical provision is likely not to be feasible for a considerable period. In such circumstances, learning and support for children and young people will need to be organised very differently than before the outbreak. In the first stage of the lockdown, schools have, in effect, been repurposed to enable the provision of supervision and childcare for children of key workers and vulnerable pupils. For pupils who are not in school, the nature of educational provision has had to change significantly due to the provision of online learning. Schools and teachers continue to seek to ensure that all pupils have access to remote learning on an equitable basis. However, while it is welcome that the Government has set out plans to address issues around connectivity and equipment for families facing barriers to access in this respect, more needs to be done at greater pace to assist schools and pupils in this regard.

24. Teachers and school leaders have always had high expectations of themselves and of the pupils for whom they are normally responsible. The impact of the COVID-19 outbreak has not undermined this core professional principle. However, the circumstances that the outbreak has created means that these high standards must, for the time being, be pursued in the face of entirely unprecedented challenges, both for those who are served by the education system and those who work within it.

25. A consequence of the current crisis is that many pupils will not be able to attend school regularly. Those who may attend school when it is safe to do so will be educated in a different environment, characterised by social distancing, staggered start times, remaining in small groups that do not

mix with others and an inability to access resources that may pose health risks, such as items that are shared or that are difficult to clean regularly. Those pupils who are not able to attend school regularly will be reliant on some form of distance learning.

26. These unprecedented challenges require a significant reimagining of how education can best be provided in these circumstances. Attention has quite legitimately been focused particularly on the needs of pupils who are disadvantaged or who are vulnerable as well as on the organisation of the curriculum and the disruption that has been experienced by pupils who are due to sit critical examinations and assessments in the 2020/21 academic year.
27. Uncertainties remain about how the COVID-19 outbreak will impact on the education system over the course of the next academic year. In this context, it is clear that attempts by Government to impose or permit approaches based on the reestablishment of 'business as usual' ways of working or operating will not be sustainable and will not meet the needs of the pupils that the education system exists to serve.
28. Instead, Government and those with decision-making power and authority across the education system will need to develop new ways of organising provision in a way that supports the work of teachers and other members of the school workforce who will be operating in very different circumstances. These new ways of working are still being explored. Still, it is becoming increasingly clear during the course of the COVID-19 outbreak that trusting the professional judgement and expertise of teacher to test and develop approaches to teaching and learning are those that are proving the most enduring and impactful. Putting teachers at the heart of the development of COVID-resilient pedagogy, within a setting-level and national policy context that supports the appropriate use of professional autonomy will ensure that children and young people can continue to benefit from the high-quality learning experiences to which they are entitled.

29. Consideration will also need to be given to how accountability and inspection will be organised and implemented while the outbreak continues to have a disruptive effect on schools. These systems are based on expectations that pertained prior to the COVID-19 outbreak and it will be important to ensure in future that they are aligned to the redesigned nature of school provision that will be necessary during this period.

Supporting the workforce to meet the needs of children and young people

30. In light of the central role that teachers will play in ensuring the highest possible standards of educational provision while the COVID-19 outbreak persists, it is evident that ensuring that they are well placed to secure this provision will be a core policy priority for Government.

31. As well as ensuring that the highest possible standards of health and safety are in place in all settings, a critical consideration in this respect will be on maintaining adequate teacher supply. The Committee will be aware that before the COVID-19 outbreak, the education system in England was confronted by the worst teacher recruitment and retention crisis in modern history. The drivers of this crisis are, by now well established: excessive workload; inconsistent and ineffective regard for teacher mental health and wellbeing; poor pay and pay progression prospects; and the prevalence of adverse management practices that undermine the right and expectation of all teachers to work in a respectful and supportive environment.

32. The need to addressing these contributors to poor levels of teacher recruitment, retention and morale are made even more pressing by the implications of the COVID-19 outbreak for the education system. Teacher supply issues may become even more significant if the organisation of learning is dependent on practices such as smaller group sizes and blended approaches to provision based on a combination of on-site and remote approaches.

33. It is for these reasons that the NASUWT believes that it is no longer tenable for Government to continue to seek to tackle these issues through

approaches that have, to date, fallen short of those required. The Government must instead, as part of its COVID-recovery strategy for education, work with the NASUWT and all those with a stake in the education system, to ensure that the needs and legitimate expectations of the teaching workforce are at the heart of its plans for the future.

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