

From NEU, UNISON, GMB and Unite

Letter to LAs

Dear

As you know the Department for Education is continuing its plans to start the wider opening of schools from 1 June 2020. You will also, no doubt, be aware that the position of the education unions is that the wider opening of schools should begin only when it is safe.

The Department for Education has placed the decision on wider opening, as it should, on the shoulders of the employer and the head teacher or principal. It has, however, failed to provide clear and robust guidance that if properly implemented will ensure the health and safety of pupils, staff and the wider community.

The National Education Union, GMB, Unite and Unison have produced a comprehensive checklist to assess whether it is safe, or not, for a school to re-open. We attach a copy of that checklist, which you may already have seen.

You will know that, as the local authority, you have legal responsibility for all children in your area. That extends beyond responsibilities for educational provisions but also for their health, safety and welfare. When exercising any decision-making process, you must follow the principles of the Children Act 1989 and 2004 that state that the welfare of children is paramount. This child centred approach is fundamental to safeguarding and promoting the welfare of every child. A child centred approach means keeping the child in focus when making decisions about their lives. Plainly this extends to a decision of any school to open more widely in the context of a pandemic.

Therefore, whilst multi-academy trusts or individual schools have numerous duties under health and safety legislation, you have, as the local authority, fundamental responsibilities to:

- a) Ensure the health, safety and welfare of children will be properly protected should they attend school,
- b) Engage with all schools in your area, including those which are part of a multi-academy trust and independent schools, to ensure that they are able to meet the requirements of the attached checklist and therefore safe to undertake a wider opening plan.

Your input is essential in that you have knowledge of the local R rate, the availability of testing & tracking and of PPE; as well as the availability of transport. All of these factors plainly impact on whether a particular school is likely to risk the health and safety of pupils and staff should they open more widely.

You will of course also have responsibility for the health and safety of employees where you are the employer.

We are acting with good reason. Scientific evidence is yet to be released that establishes that the measures contained with the DfE guidance are capable of ensuring the risk to the health of pupils, staff and the wider community is reduced to an acceptable level.

We are asking you to ensure that decisions in each workplace on wider opening are taken in a manner which accords with the unions' advice on procedures and standards needed to ensure that safety can be maintained and which fully consults and involves our representatives and all schools in your area.