

FREQUENTLY ASKED QUESTIONS

RISK ASSESSMENTS

Q. There are people not adhering to the risk assessment and there are some control measures in the risk assessment that are not being applied. What should I do?

A. Both examples are Health and Safety breaches that need to be addressed. If you have a Rep in your school, bring the issue to their attention. If there is no rep, you have the right to raise the matter with your line manager or Head Teacher. Adherence to the measures set out in the risk assessment and the implementation of control measures, designed to minimise risk are key in keeping you safe at work and it is important failures are highlighted and addressed as a priority.

BREAK TIMES

Q. Since schools fully reopened, my break time has been shortened. Is this ok?

A. Workers have the right to one uninterrupted 20-minute rest break during their working day, if they work more than 6 hours a day. This could be a tea or lunch break. The break doesn't have to be paid - it depends on the employment contract.

If you are now working more hours, then you should be paid for this work. Schools should not be claiming staff owe hours for time spent at home during the pandemic. Also, if additional hours become a regular feature of your post you have the right for these to be incorporated into your substantive contract of employment. It is important your contract reflects the hours and role you perform to ensure your statutory rights are protected e.g. for the purpose of sick pay, maternity or redundancy. (As per Green Book NJC Terms & Conditions)

VACCINATION STATUS

Q. Many colleagues are now vaccinated but I am not because my age group has not yet been invited to have the vaccination. Does this make a difference to how staff should be used for different duties across the school?

A. There should be no change in the employer's health and safety management system. Vaccination status is private health information held by the individual worker, and it is not for the employer to base decision on risk mitigation on the vaccination status. Employers do not control the vaccination process, and they cannot rely on it as a mitigation in any circumstances. Ventilation, social- distancing and face coverings remain the key measures that must be in place, along with hand hygiene and high standards of cleanliness.

Workers should not be redeployed due to vaccination status – the control measures should make the workplace 'Covid secure'. These measures should not be lessened just because increasing numbers of workers have been vaccinated.

Vaccination should not be a consideration in the risk assessment process. Just because a worker has been vaccinated, it cannot be assumed that can no longer contract Covid-19, or pass it on to others. Where there are higher levels of Covid exposure risk associated with certain roles or tasks (such as close personal care), the appropriate level of PPE must be provided to the worker.

This will only be a short-term situation in terms of unvaccinated workers, as all workers should have received a least the first dose by September 2021, assuming current Government projections on delivery remain on track.

Until this time, employers will need to ensure that all Covid secure measures remain in place – ventilation, face coverings, social distancing, hand hygiene, cleanliness – until the infection rates have reached such a low point that the Government removes the requirement to have the measures in place.

WORKING ACROSS BUBBLES

Q. My school is requiring me to work across more than one bubble and I feel this puts me at greater risk as I am exposed to even more children and adults. Is this ok and is there anything I can do to address this?

A. Schools should be aware of the additional risks of staff working in more than one bubble including but not limited to the extra risk to the staff member by being in contact with greater numbers, the potential increased spread of infection and the numbers required to self-isolate in event of a positive test. These risks need to be identified and addressed on the risk assessment. Allowing 48 hours between moving across of bubbles is one way of minimising risk and is one consideration your school could take. GMB has maintained the position throughout the pandemic that staff should only work in one bubble to minimise risk but know that schools have not always been able to accommodate this. It is still important to raise your concerns with your Head Teacher though and ask to see the risk assessment.

PUPIL BEHAVIOUR POLICY

Q. GMB asked whether my schools pupil behaviour policy was being applied regarding Covid-19 safety measures. Why is the pupil behaviour policy important?

A. School support staff deserve to be respected and supported in their workplace. Often, poor pupil behaviour impacts on the safety and welfare of staff and therefore it is important Schools ensure behaviour policies are adhered to, to protect staff. It is especially important for schools to be applying pupil behaviour policies in relation to Covid-19 because failure to follow Covid-19 guidelines presents such a risk.

