

23 October 2020

The Rt Hon Gavin Williamson CBE MP  
The Secretary of State for Education  
20 Great Smith Street  
LONDON  
SW1P 3BT

By email to: [Sec-OF-STATE.PS@education.gov.uk](mailto:Sec-OF-STATE.PS@education.gov.uk)  
[Ministers@education.gov.uk](mailto:Ministers@education.gov.uk)  
[Sec-OF-STATE-Diary.PS@education.gov.uk](mailto:Sec-OF-STATE-Diary.PS@education.gov.uk)

Dear Secretary of State

**Letter before claim in proposed judicial review proceedings concerning failure to direct and support universities and further education colleges to move to online teaching from September 2020 unless face-to-face teaching is absolutely essential**

1. **Proposed Claimant:** University and College Union, Carlow Street, London NW1 7 ('UCU').
2. UCU's legal adviser dealing with this claim and to whom correspondence should be addressed:

Julia Maguire, Head of Legal Services, UCU  
Email address: [REDACTED]  
Telephone number: [REDACTED]

3. **Proposed Defendant:** The Secretary of State for Education, as the Secretary of State with responsibility, amongst other things, for higher and further education policy, and supporting professionals who work with young people and adult learners.
4. **Details of the matter being challenged**

The failure of the proposed Defendant to direct and support universities and further education colleges to move to online teaching from September 2020, having received advice from the Scientific Advisory Committee Group for Emergencies ('SAGE') on 21 September 2020 that all university and college teaching should be online unless face-to-face teaching is absolutely essential.

This letter constitutes the proposed Claimant's letter before claim in accordance with the Pre-action Protocol for Judicial Review under the Civil Procedure Rules.

## 5. Interested party

The proposed Claimant considers the Minister for the Cabinet Office, as the Minister responsible for supporting the Prime Minister and ensuring the effective running of government, to be an interested party. We confirm that a copy of this letter has also been sent to the Minister for the Cabinet Office.

## 6. The factual background to the claim

- 6.1. On 18 March 2020, amid rising hospital admissions and deaths from Covid-19, the government announced the closure of further education colleges at the same time as schools.
- 6.2. On 22 March 2020, UCU called for all face-to-face education provision to be halted in prisons following health and safety concerns from UCU members.
- 6.3. On 24 March 2020, Her Majesty's Prison and Probation Service confirmed that all non-essential activities (including prison education) should be stopped with immediate effect.
- 6.4. On 2 April 2020, UCU wrote to you calling on the government to provide immediate support to colleges and universities to ensure that they could help lead the UK's post-Covid recovery. UCU called on the government to guarantee funding for colleges and universities at existing levels, and protect the additional funding already earmarked for research and further education sector jobs and salaries.
- 6.5. On 14 April 2020, the statutory body, the Office for Budget Responsibility, which provides independent and authoritative analysis of the UK's public finances, published its reference scenario predicting that the education sector would be the hardest hit sector in economic terms by the effects of the Covid-19 pandemic.
- 6.6. On 23 April 2020, UCU published a report warning that the Covid-19 pandemic and ensuing recession will lead to 111,000 fewer UK and 121,000 fewer international first-year students attending UK universities in this academic year, resulting in a £2.5bn funding shortfall. The report, by London Economics for UCU, shows that the universities hit hardest by the falls in fee and grant income are those that cater for significant numbers of international students. However, the difficulties those universities face will also have severe knock-on effects for the rest of the sector.
- 6.7. On 4 May 2020, the government announced an early drawdown for universities of some of the following year's tuition fees from the Student Loans Company, and a numbers cap on students so as to protect institutions from the effects of more prestigious universities accepting greater numbers of domestic students in order to compensate for the fewer numbers of international students taking up places during the pandemic. UCU's General Secretary, Dr Jo Grady, responded that the measures were insufficient to stabilise the sector, and that *"the government must underwrite funding lost from a fall in domestic and international student numbers and remove incentives for universities to*

*compete against each other at a time when we need to be pulling together."* For the avoidance of doubt, it is this inter-market competition between universities that is at the heart of their decision-making and which, as a result of the government's failure to encourage more effective coordination and support a move to online teaching, has consistently failed to prioritise the health and safety of staff and students.

- 6.8. On 12 May 2020, the government set out plans for secondary schools and further education colleges to open for some students to have face-to-face teaching. In response, on 13 May 2020 unions representing staff in further education (UCU, GMB, UNISON, NEU and Unite) set out the five tests they believe must be satisfied before face-to-face teaching resumes:

***Test 1: Much lower numbers of Covid-19 cases***

***Test 2: A national plan for social distancing***

***Test 3: Comprehensive testing***

***Test 4: A whole college strategy for health and safety***

***Test 5: Protection for the vulnerable***

- 6.9. In May 2020, as universities started to make individual plans for the coming academic year, which varied between all lectures being online, trying blended online and face-to-face teaching and trying to operate as usual, Dr Grady said in a statement:

*"We have now seen a few universities set out plans for the next academic year and there is no consistency. This only adds to the confusion for students and for staff, and does not suggest their health and safety is the top priority. Unfortunately, we warned this would happen if the government refused to encourage more effective coordination and provide financial support.*

*Universities are worried about loss of income and students being poached by other institutions. The government needs to step in and underwrite income lost through fees and teaching grants and, in response, universities must promise to work together on plans for safely reopening and when to recommence face-to-face teaching.*

*Without decisive action from government, we will see an unseemly scramble for students at a time when universities should be working together to safeguard the sector and continue their work combatting Covid-19 and supporting key workers".*

- 6.10. On 4 June 2020, the government published its guidance on "*Higher education: reopening buildings and campuses*". UCU re-iterated the five tests referred to above.
- 6.11. On 7 June 2020, a report from the British Council predicted that there would be 14,000 fewer new enrolments from East Asia alone at UK universities this academic year, compared to 2019-20. UCU said the report was further evidence of the need for the government to step in and provide universities with urgent financial help.

- 6.12. On 12 June 2020, in a letter to the Prime Minister to launch UCU's "*Fund the Future*" campaign, Dr Grady said the government's limited actions so far had failed to meet the challenges further and higher education face. She explained that the total economic cost to the UK from the reduced economic activity generated by universities alone - due to their loss in income - is estimated at more than £6bn, and that in further education the Association of Colleges was reporting that losses could be up to £2bn.
- 6.13. On 27 June 2020, the government announced a university research support package, including £280m grant extensions for universities and research organisations and loans for research-active universities. Dr Grady responded, "*This latest announcement from the government fails to put students and staff at the centre of its recovery plans. While there is some new money in the form of a grant to research-intensive universities, the rest of the package consists of loans and repackaged existing spending*".
- 6.14. On 6 July 2020, the Institute for Fiscal Studies published a briefing note on the economic impact of the Covid-19 pandemic on universities saying that its central estimate was of long-run losses of £11bn or more than a quarter of income in one year.
- 6.15. On 16 July 2020, you announced the Higher Education Restructuring Regime. This is a scheme to support English universities at risk of insolvency, by means of repayable loans, which would come with restrictions to be determined on a case-by-case basis, and with no guarantee that universities would "*be prevented from exiting the market*".
- 6.16. On 21 July 2020, commenting on a new support package by the Welsh government for Welsh universities and colleges worth over £50m, Dr Grady said "*This announcement is a welcome recognition of the problems that both further and higher education face. It is important that both colleges and universities use this funding to protect jobs and expand opportunities for students. Ministers in Westminster now need to step up their game and deliver more than the piecemeal funding with problematic strings attached that we have seen so far*".
- 6.17. On 31 July 2020, UCU demonstrated the importance of the university sector to local economies with a study by Hatch Regeneris showing that universities are often among the largest local employers, with 19 UK institutions directly employing more than 5,000 people each, and 10 of these accounting for at least 5% of all jobs in their local authority area.
- 6.18. On 18 August 2020, Dr Jo Grady wrote to the Secretary of State, alongside the National Union of Students ('**NUS**') president Larissa Kennedy, urging the government to provide financial protections for higher education and prioritise safety by working closely with trade unions, so it can restore the confidence of staff and students. Dr Grady's letter observed that government guidelines for reopening universities recognised the need for unions' involvement to "*help ensure campuses are as safe as possible and protect the health and wellbeing of staff, students and visitors to campus*". Despite UCU's representations, UCU was not invited to join the higher education taskforce, which UCU understands

was set up by the Minister of State for Universities to identify and resolve challenges faced by universities.

- 6.19. On 19 August 2020, Dr Grady wrote to the Minister of State for Universities expressing concern that UCU had not been invited to join the higher education taskforce. Dr Grady stated: *"As the union representing academic staff in higher education, it is imperative that our voice is heard in any plan to resolve the issues faced by universities. UCU set out what the sector needed from the government to weather the pandemic and to continue to provide world class teaching and research at the beginning of the crisis. Had we been listened to in April, when we raised concerns about this year's assessment plans, we would not be in this situation"*.
- 6.20. On 20 August 2020, the senior private secretary to the Minister of State for Universities replied to Dr Grady's letter by email. This email acknowledged UCU's concerns and stated that the Minister wished to maintain a separate dialogue with UCU and NUS.
- 6.21. On 20 August 2020, Independent SAGE published a consultation statement on Universities in the context of SARS-CoV-2. As you know, Independent SAGE is a group of scientists who are working together to provide independent scientific advice to the UK government and public on how to minimise deaths and support the UK's recovery from the COVID-19 pandemic. It was founded with the intention of putting scientific facts and debate into the public domain and believes that openness and transparency leads to better understanding and better decision making. The SAGE consultation statement recommended that, *"Universities should focus on providing excellent quality remote learning rather than on opening up campuses that are likely to close again"*.
- 6.22. The Independent SAGE consultation statement discussed in detail the particular public health challenges which universities present:
- *"Core to university operations is the mass movement and mass migration of a million or more people around the world, at multiple points of the year (at least the start and end of every term, if not more frequently). A report from the Department for Education (DfE) to SAGE in June 2020 included the following implications:*
    - a. *"Students moving from their family households to set up new, temporary households during term time, and will want to return to their family households at the end of term. This may vary from small shared households with fully mixed living environments, to large scale university accommodation blocks;*
    - b. *"Additional pressure on public transport infrastructure around universities, particularly if there is a continued need to limit capacity to preserve social distancing;*
    - c. *"Commuter students, who travel regularly to university from home. About 25% of fulltime undergraduate students are now commuter students. In 2018, in 10 universities, including City University London,*

*University of Wolverhampton and University of Bradford, more than 50% of students lived in the parental home.*

*d. "International students arriving from overseas will create a further potential impact on the transmission of the virus, although some students, depending on the country they are arriving from, will have to comply with a 14 day self-isolation expectations upon arrival to the UK"*

- *Universities also vary greatly in their physical organization, from central city to campus locations, connected to large and smaller towns and cities, with larger and smaller international populations, and many or few postgraduate students, making implementation of consistent safe behaviours complex.*
- *Most students in the UK are under 25 and therefore more likely to be asymptomatic carriers of COVID-19, and thus undetected. There is a concern that the spread may be masked by so-called 'Freshers' flu'. Further, there is increasing evidence of a surge of infections in young people which has led to WHO issuing a specific warning.*
- *Most students are in the age group which the latest data shows has the lowest level of both complete and partial compliance with social distancing rules.*
- *Around the world, many of our recommendations have been implemented outside of the UK In addition:*
- *Unlike school-aged students, university students are adults with more resources and more autonomy to decide where to travel to, where to live, etc., including whether or not to travel to their parental home if they fall ill.*
- *If campus facilities are closed, this "may prompt staff and students to visit external cafés or travel home to eat, which could lead to higher risk of transmission." In other words, universities will likely have to consider risks in the community, not just on campus.....*
- *Also core to University operations is a particular intensity, variety, number, and duration of (teaching) interactions, with constantly changing populations, in enclosed indoor spaces, increasing the likelihood of 'superspreader events'.*
- *Students also socialise together - in each other's rooms, in university bars, at parties, at sports and other clubs, with alcohol.*
- *Students may be reluctant to get tested if it means they and their friends must isolate for 14 days. There may be further reluctance for contacts to isolate - especially if they are repeatedly contacted for different cases.*

- .....*In short, what happens on campus has direct implications for the wider populations in the town, city, regional, and (inter)national communities that Universities operate within*".
- 6.23. On 29 August 2020, UCU called for universities to abandon plans to fully reopen in September in order to prevent a major public health crisis, saying that the migration of over a million students across the UK risked doing untold damage to people's health and exacerbating the worst health crisis of our lifetimes.
  - 6.24. On 3 September 2020, SAGE published its report on "*Principles for Managing SARS-CoV-2 Transmission Associated with Higher Education*". The report stated, "*There is a significant risk that Higher Education (HE) could amplify local and national transmission, and this requires national oversight. It is highly likely that there will be significant outbreaks associated with HE, and asymptomatic transmission may make these harder to detect*".
  - 6.25. On 9 September 2020, UCU responded to the Prime Minister's plan to force students to stay in their university town or city in the event of a future lockdown. The union said universities should move the majority of teaching online to avoid students having to travel across the country and risk being locked down in unfamiliar surroundings.
  - 6.26. On 10 September 2020, the government published updated guidance for universities ahead of start of term. This was to go ahead with face-to-face teaching as long as Covid-secure plans are in place. Face coverings were recommended to be worn in all communal and enclosed spaces. In student accommodation, universities were expected to identify 'households' to manage routine contact as safely as possible. Universities should have strong test and trace measures in place and plans for local outbreaks, whether in student accommodation or in certain academic departments, so that action can be taken quickly.
  - 6.27. On 16 September 2020, UCU launched a system to allow members to directly relay their concerns, after it was revealed that the Department for Education does not hold information on the number of confirmed cases of Covid-19 in schools.
  - 6.28. On 21 September 2020, SAGE held a meeting of which the notes were not publicly disclosed until 12 October 2020. The notes of this meeting describe a shortlist of "*non-pharmaceutical interventions (NPIs) which should be considered for immediate introduction*". These NPIs include, "**All university and college teaching to be online unless face to face teaching is absolutely essential**". At paragraph 6 of the notes, SAGE stated, "*The more rapidly interventions are put in place, and the more stringent they are, the faster the reduction in incidence and prevalence, and the greater the reduction in COVID-related deaths (high confidence)*".
  - 6.29. The 21 September 2020 meeting had before it a paper entitled "*Summary of the effectiveness and harms of different non-pharmaceutical interventions*". This paper recommended, "*Higher education tuition to move to on-line /*

*distance learning for term 1. In place until prevalence has fallen". In addition, there was a document entitled "NPIs Table". Neither of these documents was disclosed publicly until 12 October 2020. In the "NPIs Table" SAGE's analysis of closing universities was as follows:*

### **"Intervention: Closure of Higher Education**

#### **Impact on COVID transmission**

**Moderate impact** (high confidence). *Outbreaks are very likely in universities, given their size and the degree of close contact typical through shared living arrangements and while socialising and during lectures and practicals. Universities associated with outbreaks of other diseases (e.g. mumps and meningitis) and clear evidence from the US of transmission of COVID in this setting. Closing universities associated with a ~0.3 (0.2-0.5) reduction in the R number. Mitigations short of closure should include strong steer towards online learning for all but essential practical activities.*

#### **Direct impact on COVID deaths and severe disease**

*Risk within the HE workforce more than the student body – as FE.*

#### **Non-COVID impact (incl. social and psychological; excl. economic)**

*Less impact on broader health and wellbeing, equity than closing schools or FE.*

#### **Implementation issues**

*Students may remain in term accommodation even if campus activities are closed, so social events could continue regardless.*

*Consider need to keep essential courses running (e.g. medical)*

*Universities will need to manage and address student welfare needs for students living in university and private housing.*

*Disruption of lab-based and medical courses (e.g. dentistry) will impact the graduate pipeline into health roles.*

*Highly feasible for HE institutions to offer remote learning for many courses. Likely fewer issues with equity of access for students, though these remain problematic. A clear statement about online teaching for FE and HE could avoid institutions believing that they have to maintain in-person tuition to avoid being at a competitive disadvantage."*

On the subject of closing further education colleges, SAGE's opinion was as follows:

### **"Intervention: Closure of Further Education**

#### **Impact on COVID transmission**

**Moderate impact** (moderate confidence). *Less data than from schools, though students are older and thus more likely to be infectious. Cryptic transmission from asymptomatic individuals likely.*

*FE is highly networked linking households, FE setting and workplaces, but this tends to be local.*



### **Direct impact on COVID deaths and severe disease**

*Impact primarily through reduction in transmission. However, FE workforce somewhat older and more high risk, and a greater fraction of students are BAME and live at home. Therefore there is the potential for transmission in FE to lead to infection of higher risk individuals.*

### **Non-COVID impact (incl. social and psychological; excl. economic)**

*Moderate impact. Disruption of education, wellbeing of students. Knock-on impacts lower than for schools due to lower childcare needs.*

### **Implementation issues**

*Significant equity issues because FE students are of lower SES/higher BAME representation than school 6th form or HE students.*

*Expanding online teaching provision including resources required, e.g. laptops, wifi could minimise disruption to education which could otherwise widen existing inequalities."*

- 6.30. On 22 September 2020, when presumably in receipt of the SAGE recommendation to move all university and college teaching online as rapidly as possible, the Prime Minister gave a statement to the House of Commons in which he said, "We will ensure that schools, colleges and universities stay open - because nothing is more important than the education, health and well-being of our young people".
- 6.31. On 28 September 2020, UCU wrote to the Prime Minister to urge him to make online learning universities' default position, protect students' education and stop any further damage to community health.
- 6.32. On 1 October 2020, in a joint statement, UCU and NUS called for online working, students to be allowed to return home if they wish and funding guarantees to safeguard universities' finances and protect jobs.
- 6.33. The joint statement called for:
- a national test and trace system for universities;
  - a safe way for students to leave campus if they need or want to;
  - no financial detriment to any student giving up accommodation, or choosing to defer or leave university;
  - a move to online learning wherever possible;
  - guaranteed funding for universities to help them deal with any shortfall or additional expenses due to Covid-19.

### **Infections and deaths since the start of the academic year**

- 6.34. University terms mostly began across the UK around 21-28 September 2020. Students living in rented or other accommodation close to their places of study

were beginning to take up residence in that accommodation from the start of the month.

- 6.35. According to the data published by Public Health England, on 1 August the number of cases of Covid-19 in the UK, as indicated by a positive test result was: Wales 16, Scotland 23, Northern Ireland 10 and England 494. On 1 September 2020, the case numbers were: Wales 57, Scotland 199, Northern Ireland 65 and England 1,930. On 22 September 2020, the day the Prime Minister disregarded the advice of SAGE to move university and college teaching online, the case numbers were: Wales 379, Scotland 497, Northern Ireland 174 and England 5,365. As at 14 October 2020, England alone had over 10,000 cases.
- 6.36. According to National Records of Scotland, from mid-July deaths involving Covid-19 in Scotland remained around the same level with some weekly fluctuation. Unlike in other parts of the UK, in most of these weeks there were no deaths. There were 5 deaths registered in the week 7 to 13 September 2020 where Covid-19 was mentioned on the death certificate, an increase of 3 from the previous week (31 August to 6 September 2020). In the following four weeks to 11 October there were 11, 10, 20 and 25 deaths respectively.
- 6.37. According to the ONS infections survey, data for the period 28 August to 8 October 2020 shows the Covid-19 infection rates for the UK rising highest in the group "school year 12 to age 24" – most students at universities and further education colleges are in this age group.
- 6.38. On 16 October 2020, the Prime Minister gave a statement in which he acknowledged that cases in the UK had doubled in the last nine days.
- 6.39. In universities themselves, there have been huge outbreaks of Covid-19 since the beginning of this academic year. By 15 October 2020, Newcastle University had 1,770 cases, Nottingham University 1,728, Manchester University 1,664, Northumbria University 1,522 and Durham University 1,220. These are just the top five largest outbreaks that UCU knows about. UCU does not have numbers of cases for all universities, since some have refused to disclose them.
- 6.40. It is very clear that the new university term has seen a huge rise in cases across the UK, that infections have risen highest in the age group into which most students fall, and that universities are recording huge numbers of infections with Covid-19.

## **7. The claim**

- 7.1. On 21 September 2020, SAGE advised the government that all university and college teaching should be moved online unless face-to-face teaching was absolutely essential. SAGE's advice was that the more rapidly such an intervention was put in place, and the more stringent it was, the faster the reduction in incidence and prevalence, and the greater the reduction in Covid-related deaths.

- 7.2. The government has not followed the advice given by SAGE on 21 September 2020. No explanation has been given for not following the SAGE advice, despite the clear evidence, as outlined above, that continuing face-to-face teaching in colleges and universities has contributed to the significant rise in Covid-cases across the UK and has seen infection rates rising highest in the age group into which most students fall, and universities recording huge numbers of Covid-infections.
- 7.3. Further, the government failed to carry out any consultation with stakeholders and interest parties prior to taking the decision not to follow the SAGE advice, and has ignored requests by UCU and NUS to make online learning the default position in universities and further education colleges.
- 7.4. UCU contends that the government's failure to direct and support universities and further education colleges to move to online teaching from September 2020 is unlawful and unfair. In particular, the decision (insofar as a decision was made as opposed to a failure to take action) not to follow the SAGE advice provided to the government on 21 September 2020 is irrational, was taken without observing the principles of natural justice, and was taken without necessary consultation.

### **Irrationality**

- 7.5. The government's acts and omissions are irrational in that no reasonable government considering the SAGE advice of 21 September 2020 and the other relevant matters outlined above could fail to direct and support universities and further education colleges to move to online teaching from September 2020 (see *Tesco Store Ltd v Secretary of State for the Environment* [1995] 1 WLR 759; *Re Findlay* [1985] AC 318; *R (Khatun) v Newham London Borough Council* [2005] QB 37).

### **Procedural unfairness**

- 7.6. The government's failure to take proper account of the appropriate considerations outlined above, including the SAGE advice of 21 September 2020, renders the decision not to direct and support universities and further education colleges to move to online teaching from September 2020 and to instead promote colleges and universities staying open and continuing to provide face-to-face teaching procedurally unfair.
- 7.7. In *R v Parliamentary Commissioner for Administration, ex parte Balchin* [1998] 1 LPR 1, the court identified the test as being "*whether a consideration has been omitted which, had account been taken of it, might have caused the decision-maker to reach a different conclusion*".
- 7.8. UCU contend that had the government taken proper account of the SAGE advice of 21 September 2020, the evidence underlying it and the representations made by interested parties as outlined above, a different conclusion ought to have been reached regarding face-to-face as opposed to online teaching in universities and further education colleges.

## Lack of consultation

- 7.9. Consultation is an essential element of fair process. Moreover, the more serious the impact of a decision is on affected individuals, the more important it is that the right decision is reached and that those affected feel that their concerns have been considered by the decision-maker. Accordingly, the more serious the impact the more likely it is that fairness requires the involvement of affected individuals in the decision-making process by way of consultation.
- 7.10. The government decision not to implement the SAGE advice and recommendation that all university and college teaching should be moved online unless face-to-face teaching was absolutely essential has had a serious impact on staff, students and the public generally. As stated above, it has contributed to the significant rise in Covid-cases across the UK and has seen infection rates rising highest in the age group into which most students fall, and universities recording huge numbers of infections.
- 7.11. UCU, as the union representing academic staff in higher education, and its members are clearly affected in the most serious way by the government's decision not to implement the SAGE advice. Accordingly, it was imperative that UCU should have been consulted following the SAGE advice being given to the government on 21 September 2020. Not only was UCU not consulted, but it was not invited to participate in the higher education taskforce. In all the circumstances, the failure to consult renders the government's acts and omissions, as outlined above, unlawful.

## **8. The action that the proposed defendant is expected to take**

- 8.1. The government is required to reconsider the decision not to direct and support universities and further education colleges to move to online teaching from September 2020 unless face-to-face teaching is absolutely essential, and to consult with all interested parties, including UCU, prior to making a fresh decision.
- 8.2. The government is also required to provide the information and documentation requested below.

## **9. Request for information**

When responding to this letter before claim please provide a full explanation of the reasons for not following the SAGE advice of 21 September 2020 and not directing and supporting universities and further education colleges to move to online teaching from September 2020 unless face-to-face teaching is absolutely essential.

## **10. Request for relevant and necessary documents**

Please provide all submissions, emails, memos, discussion papers, costings and any other documents relating to the substantive consideration by the Secretary of State for Education and/or the Minister for Universities of:

- the financial support to be given to the higher education sector;

- questions asked by Members of the Opposition in the House of Commons relating to the call for universities to move to online teaching;
- the impact of moving to online teaching on:
  - universities' ability to attract students;
  - universities' contractual obligations to students;
- the risks related to Covid-19 infection inherent in universities' return to face-to-face teaching from September 2020;
- the risks related to Covid-19 infection inherent in further education colleges' return to face-to-face teaching from September 2020;
- the differential impact on BAME and working class communities of increased risk of Covid-19 infection from face-to-face teaching in further education colleges; and
- the recommendation from SAGE on 21 September 2020 that all university and college teaching be moved online.

#### 11. **Proposed response date**

Please respond to this letter before claim no later than **6 November 2020**.

We look forward to hearing from you.

Yours faithfully



Dr Jo Grady  
General Secretary, University and College Union

Copy: Minister for the Cabinet Office (by email)