

UCU Covid-19 H&S guidance for UCU reps – removal or relaxation of public health measures

Updated 31 January 2022

While governments across the UK remove or relax Covid-19 public health measures, UCU are clear that employers must continue to meet their duties under health and safety legislation and should look to go beyond legal minimums to ensure a safe workplace for all. This must include reducing the foreseeable risk of covid transmission to the lowest level practicable. If employers are to fulfil their health and safety responsibilities they must have the option to reduce the amount of face-to face teaching that takes place at any point during the pandemic to prevent or reduce covid-19 transmission. Government guidance should not seek to undermine this health and safety legislation or provide misleading and contradictory advice to employers in post-16 education. Employers should continue to consult with UCU reps to put in place protective measures that prevent avoidable outbreaks of Covid-19, prevent further disruption to education¹ and prevent further negative associated impact on the health and wellbeing of staff and students.

UCU reps can refer employers to their duties under the Management of Health and Safety at Work Regulations 1999, specifically regulations 3 and 4:

www.legislation.gov.uk/uksi/1999/3242/contents/made

Risk assessments must identify and control all foreseeable risks and prevent or reduce risks following the 'principles of prevention', often referred to as a 'hierarchy of control'. HSE details the risk assessment process here: www.hse.gov.uk/simple-health-safety/risk/steps-needed-to-manage-risk.htm

UCU reps in higher education should note that UCEA and the joint unions' agreed statement: '**Principles for working safely on campus during the coronavirus (Covid018) pandemic**' remains in place.

While the Westminster government warned employers to prepare for up to 25% staff absences, UCU are keenly aware of the impact staffing shortages could have on the physical and mental health of staff who are already at breaking point due to high workloads and work-related stress¹. Employers must ensure continuity of education and

¹ www.educationsupport.org.uk/media/x4jdvxpl/es-supporting-staff-wellbeing-in-he-report.pdf

safe staffing levels by reducing the spread of Covid-19 in workplaces. Mechanisms to reduce the number of people required to participate in on site activities while transmission rates are high should be negotiated with the local UCU branch. This will allow those who need to work remotely due to increased risk factors, isolation or caring responsibilities to do so, whilst also enabling those who cannot or do not wish to work remotely to access safer working spaces. This is the best way to manage containing the virus, whilst also managing the needs and wellbeing of staff, students, and minimise disruption to education

Further disruptions to education can be reduced if employers put in place effective control measures that are regularly reviewed in consultation with UCU reps. **UCU's post-16 education recovery principles** call on Government to ensure adequate funding is in place to enable employers to implement mitigations that will protect the health and safety of staff and students in all educational settings.

Reps should continue to seek the implementation of the following control measures:

- reduce the number of people required on site while transmission rates remain high and implement measures to reduce mixing and close contact transmission in indoor work settings
- ensure any workers at increased risk from Covid-19 are not required to undertake in person work at this time and that alternatives are offered to reduce exposure risks
- ensure safe staffing levels and a safe working environment for those working in-person and at home which considers the potential risks to their physical and mental health. Workloads must be considered in risk assessments
- ensure there is a safety threshold for ventilation of 12-17 litres per second per person in indoor spaces (CO₂ proxy of approximately 800ppm²). Employers can also use HEPA air filtration units to clean the air where appropriate and reduce airborne transmission risks
- ensure all workers undertaking in-person work have access to high quality, well-fitting face masks which offer effective levels of respiratory protection from airborne transmission. (FFP2 standard facemasks filter at least 94% of viral particles and FFP3 filter at least 99%)
- ensure a minimum of 2m social distancing as standard to prevent close contact transmission
- ensure effective cleaning and hygiene measures are in place to reduce exposure through contact
- ensure access in work time to regular, free testing (PCR and LFD tests) and provide support to those who are asked to self-isolate. Employers should encourage testing

² SAGE — 800ppm is typically 10-15 l/s/p (page 2):

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/928720/S0789_EMG_Role_of_Ventilation_in_Controlling_SARS-CoV-2_Transmission.pdf

- uptake and improve Covid-19 reporting systems to quickly identify and control potential outbreaks
- ensure all staff have access to vaccinations and boosters in work time without loss of pay
- ensure staff who are required to self-isolate or have caring responsibilities for those who are isolating are offered appropriate levels of support and do not suffer detriment to their pay or conditions notwithstanding contract type such as those on atypical or insecure contracts
- ensure there is adequate instruction, information and training for all stakeholders on any new safety measures that will be implemented.

These measures are designed to ensure that we do not have a chaotic situation again where students are left isolated because of mass Covid outbreaks, or where staff are overworked, which represented the most significant disruption to education during the last two years.

Covid response and guidance across UK

www.gov.uk/coronavirus

Education guidance (Scotland)

Coronavirus (Covid-19): universities, colleges and community learning and development providers:

www.gov.scot/publications/coronavirus-covid-19-universities-colleges-and-community-learning-and-development-providers/

Coronavirus (Covid-19): Advisory Sub-Group on Universities and Colleges - minutes and guidance notes:

www.gov.scot/groups/coronavirus-covid-19-advisory-sub-group-on-universities-and-colleges/

Recommendations from the Covid-19 Ventilation Short Life Working Group for Further Education, Higher Education, Community Learning and Development minutes: 19 October 2021:

www.gov.scot/publications/recommendations-from-the-covid-19-ventilation-short-life-working-group-slwg-for-further-education-fe-higher-education-he-community-learning-and-development-cld-minutes-19-october-2021/

Education guidance (Wales)

<https://gov.wales/education-coronavirus>

Protocols agreed with joint trade unions and employers for FE:

www.ucu.org.uk/media/10934/Agreed-FE-Wales-workplace-return-protocols/pdf/covid-19_walesfe_protocols_mar21.pdf

Protocols agreed with joint trade unions and employers for HE:

www.ucu.org.uk/media/11538/UCU-Wales-Covid-19-protocols-for-HE-review-May-21/pdf/UCU_Wales_-_Covid-19_protocols_for_HE_May_2021.pdf

Education guidance (Northern Ireland)

www.nidirect.gov.uk/articles/coronavirus-covid-19-staying-safe-schools-colleges-and-universities#toc-4

Education guidance (England)

www.gov.uk/government/publications/coronavirus-covid-19-maintaining-further-education-provision (FE) and

www.gov.uk/government/publications/higher-education-reopening-buildings-and-campuses (HE)

UCU guidance

UCU's Five Principles for Post-16 Education Recovery:

www.ucu.org.uk/recovery-principles

UCU Covid-19 resources

www.ucu.org.uk/coronavirus

Independent Scientific Advisory Group for Emergencies (SAGE)

www.independentsage.org/

UCEA joint work with (HE) trade unions

www.ucea.ac.uk/library/publications/principles-for-working-safely-on-campus-during-the-coronavirus-covid-19-pandemic/

Further information and guidance for specific hazards and control measures

Homeworking

At this particularly critical time employers should identify ways to increase the numbers of staff working remotely. UCU recognise that remote / homeworking where possible, requested, or required will help to prevent transmission and significantly reduce the spread

of Covid-19 and the Omicron variant in particular across post-16 education. Doing so will also allow onsite activities to be more safely conducted during this period.

Employers must ensure they have measures in place to ensure homeworking can be undertaken safely. Employers must update organisation wide stress risk assessments to ensure there are appropriate safety measures in place to prevent or control any work-related stressors such as excessive workloads.

UCU Stress Toolkit (stress risk assessment guidance):

www.ucu.org.uk/media/11447/Stress-toolkit/pdf/UCU_stress_toolkit.pdf and stress resources: www.ucu.org.uk/stress

HSE stress and homeworking resources:

www.hse.gov.uk/home-working/index.htm

Ventilation

Risk assessments need to ensure each space to be utilised is well ventilated with clarity on maximum occupation levels to reduce airborne transmission risks. HEPA filtration units can be used to clean the air and CO₂ monitors can also be used as a proxy measurement to ensure there is a good supply of fresh air into a space to prevent spread of Covid-19. SAGE advise, '*[v]entilation should be assessed, and if possible improved, first before considering whether there is a need to use an air cleaner.*' (SAGE EMG, *Potential of Air Cleaning devices and personal decontamination to manage transmission of Covid-19*, 4th November 2020).

UCU ventilation guidance:

www.ucu.org.uk/media/11758/Covid-19-Ventilation-at-work-September-2021/pdf/covid19_ventilation-guidance-202109.pdf

TUC Ventilation guidance:

www.tuc.org.uk/blogs/ventilation-ventilation-ventilation

SAGE EMG '*Potential application of Air Cleaning devices and personal decontamination to manage transmission of Covid-19*' 4th November 2020:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/939173/S0867_EMG_Potential_application_of_air_cleaning_devices_and_personal_decontamination_to_manage_transmission_of_Covid-19.pdf

Face masks and face coverings

High quality face masks should be worn in indoor spaces and at any time where social distancing may be difficult (exemptions excluded). In addition, UCU want to see employers implement better quality face masks at a minimum FFP2 standard which offers at least

94% filtration of virus particles). FFP2 or FFP3 masks (without an exhalation valve) will offer protection to individuals and are subject to the Personal Protective Equipment Regulations 2002.

BSI guide to masks and face coverings for use in the UK during the Covid-19 pandemic, June 2020:

www.bsigroup.com/globalassets/localfiles/en-gb/product-certification/personal-safety/bsi-guide-for-personal-safety-equipment-0520.pdf

Mask Use and Ventilation Improvements to Reduce Covid-19 Incidence in Elementary Schools — Georgia, November 16–December 11, 2020:

www.cdc.gov/mmwr/volumes/70/wr/mm7021e1.htm

Social distancing

Social distancing can reduce close contact transmission and also support better ventilation and reduction in airborne transmission by limiting occupancy rates in indoor spaces. Social distancing should be seen as a positive measure which would help prevent a number of different transmission routes (close contact and droplet transmission, airborne transmission, and fomite transmission).

Independent SAGE statement on 2m vs 1m social distance guidance in indoor settings, June 2021:

www.independentsage.org/wp-content/uploads/2020/07/2m-vs-1m-guidance-Independent-SAGE-statement-June-21.pdf

Cleaning and hygiene

Enhanced and effective cleaning and hygiene measures must be in place. Employers need to ensure cleaning is undertaken by staff who are well trained and equipped to undertake regular cleaning duties. COSHH risk assessments for usage of all cleaning materials needs to be undertaken for cleaning staff and others who may come into contact with cleaning materials, sprays and sanitisers. Appropriate levels of information, instruction and training must be provided to enable safe usage and storage of all cleaning materials.

Cleaning, hygiene and handwashing to reduce coronavirus (Covid-19) transmission, HSE 9 December 2021:

www.hse.gov.uk/coronavirus/cleaning/index.htm

Disproportionate impact

Covid-19 has not impacted on everyone equally, and employers must consider the equality impact in their workplaces. There are many people at increased risk of contracting Covid-19 and many who could have severe and long term health outcomes. There are a number of unknowns about the risk factors for long covid and this must be considered in workplace

risk assessments to protect people from the short and long term impact of Covid-19 infection. Individual risk assessments must also be undertaken to ensure individual risk factors are identified and appropriate measures put in place to protect people from harm.

84th SAGE meeting on Covid-19, 25 March 2021

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/976319/S1163_SAGE_84_-_Final_minutes.pdf

Covid-19 and Health Inequality, Independent SAGE Report 21, November 2020.

www.independentsage.org/wp-content/uploads/2020/11/Inequalities_i_SAGE_FINAL-draft_corrected.pdf

Long Covid: The long-term health effects of Covid-19, 17 December 2021:

<https://post.parliament.uk/long-covid-the-long-term-health-effects-of-covid-19/>

Testing, data and support

Regular, free PCR and LFD testing should continue for those people who are symptomatic or asymptomatic respectively with support mechanisms in place for those required to self-isolate. Staff should not suffer loss of pay where they need to take time off work to self-isolate or care for those self-isolating and should not be subject to absence management procedures.

Workplace risk assessments need to identify the limits of testing as a control measure given the reduced availability of PCR and LFD tests at this time. Employers should ensure they have suitable reporting mechanisms in place to improve the accuracy and transparency of PCR and LFD testing data and have mechanisms in place to monitor the effectiveness of existing measures in preventing transmission.

Using behavioural science to help minimise the spread of Covid-19, Independent SAGE Report 52, Nov 2021:

www.independentsage.org/wp-content/uploads/2021/11/12th-November-Behavioural-Science-report.pdf