UCU Covid-19 H&S guidance for UCU reps – 'Living with Covid'

7 April 2022

The Westminster government recently announced their 'Living with Covid' strategy and in England from 1 April, they removed access to free universal Covid-19 testing, the legal duty for those infected to self-isolate and they also stated that every employer no longer needs to explicitly consider Covid-19 in risk assessments. The devolved governments' of Wales and Scotland have taken similar steps but with difference dates of implementation. For the difference in policy across devolved nations see: **www.gov.uk/coronavirus**

The Westminster government now feels that removing various requirements on employers will make them 'empowered' by public health guidance to do the right thing. Unfortunately, this guidance is not 'following the science' and is extremely unhelpful as it risks undoing many of the good practices already implemented across post-16 education workplaces.

Government guidance should not seek to undermine health and safety legislation or provide misleading and contradictory advice about how employers can and should keep their workforce safe. UCU are clear that employers must continue to meet their statutory duties under health and safety legislation and abide by the best public health advice as the pandemic continues. We are supportive of the recent Independent SAGE campaign which asks employers to sign up to **'The Covid-19 Safety Pledge'** and encourage UCU reps to ask their employers to sign up.

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'.

There has been a significant reaction to the removal of testing and isolation and the requirement for Covid-19 risk assessments from the scientific community and from the trade union movement[1]. UCU has also written to UK governments, HSE and employers to

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[1] '*If we are no longer "following the science", what are we following?*'
www.bmj.com/content/377/bmj.o930

highlight our concerns. Infection control measures and health surveillance measures are essential to avoiding outbreaks of Covid-19 and will prevent further disruption to education. Unless the Westminster government reverses this decision, employers must now provide access to free asymptomatic testing in workplaces. UCU is committed to continue working together with employers across post-16 education to ensure effective measures to control the spread of Covid-19 remain in place.

Overview

- Risk assessments must continue to identify Covid-19 as a foreseeable risk in our workplaces and employers must continue to consult with UCU. The government's 'Living with Covid' strategy undermines the health and safety legislation which has kept many workers safe throughout the pandemic and kept many services running effectively.
- It is reckless to remove access to free universal Covid-19 testing at a time when Covid-19 rates and hospitalisations are high and increasing across the UK. We also know from the government's own data that 30% of Covid-19 infections are asymptomatic and a responsible government would ensure these tests continue to be readily available, free of charge to the public.
- UCU is supportive of any calls made by post-16 education employers to have government funded testing available, including at higher risk times during the academic year.
- In the absence of government funded asymptomatic testing, UCU calls on post-16 employers to provide free access to LFD tests and to develop additional health surveillance measures in partnership with UCU and local public health teams to prevent Covid-19 outbreaks and to improve infection control measures in workplaces.
- Protective measures that prevent spread of Covid-19 should remain in place as part of workplace risk assessments.
- Workers, students and visitors to workplaces who test positive for Covid-19 or have Covid-19 symptoms should be asked to stay home and given support to do this.
- Alternative means of delivering education must be developed to minimise any disruption to education and to contain outbreaks
- Hybrid and flexible working options must be accessible to workers and students to ensure their education is not disrupted and their health protected
- Protective measures for those staff at higher risk should be prioritised, such as greater access to flexible working, home working, well-ventilated work spaces, well-fitting and high quality respiratory protective equipment.
- Long term strategies to deal with the impact of Long Covid-19 on workers and students must be developed. There should be a review of sickness absence policies to ensure no unfair treatment for those experiencing ongoing health issues due to Long Covid.

Covid-19 response and government guidance across UK

Scotland: **www.gov.scot/coronavirus-Covid-19/**

Wales: **https://gov.wales/coronavirus**

Northern Ireland: **www.nidirect.gov.uk/campaigns/coronavirus-Covid-19**

Regulatory guidance

HSE Covid-19 guidance: **www.hse.gov.uk/coronavirus/index.htm**

HSE NI Covid-19 guidance: **www.hseni.gov.uk/topic/Covid-19-advice-and-guidance-places-work**

UCU guidance

UCU Covid-19 resources: **www.ucu.org.uk/coronavirus**

UCU's Five Principles for Post-16 Education Recovery: **www.ucu.org.uk/recovery-principles**

Independent SAGE

Weekly Briefing, 1 April 2022, including discussion on creating safe workplaces headed by Prof. Stephen Reicher and joined by guests from the trade union movement: **www.independentsage.org/weekly-briefing-1st-april-2022/**

'*Why is the UK seeing near-record Covid cases? We still believe the three big myths about Omicron*' Prof Christina Pagel: **www.theguardian.com/commentisfree/2022/mar/30/uk-near-record-Covid-cases-three-myths-omicron-pandemic**

Further information: risk assessment controls

Flexible, hybrid and homeworking

UCU recognise that remote/homeworking where possible, requested, or required will help to prevent transmission and significantly reduce the spread of Covid-19.

Employers must 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.

HSE stress and homeworking resources: **www.hse.gov.uk/home-working/index.htm**

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**

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 CO_2 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.

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',* 4 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, well fitted, multi-layer face masks should be worn in indoor spaces and especially in spaces that are crowded or have poor ventilation controls. Face masks are also effective where social distancing may be difficult. UCU want to see employers offer better quality face masks to staff at a minimum FFP2 standard which offers at least 94% filtration of virus particles. FFP2 or FFP3 masks (without an exhalation valve) will offer better protection to individuals.

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

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 ao be undertaken to ensure individual risk factors are identified and appropriate measures put in place to protect people from harm.

ONS: *Prevalence of ongoing symptoms following coronavirus (Covid-19) infection in the UK: 7 April 2022:*
www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/condition sanddiseases/bulletins/prevalenceofongoingsymptomsfollowingcoronavirusCovi d19infectionintheuk/7april2022

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, health surveillance and promoting protective behaviours

In the absence of government funding, free LFD testing should continue to be provided by employers for staff who are symptomatic or asymptomatic 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.

Employers should ensure they have suitable health surveillance measures in place and ask those with any potential Covid-19 symptoms to self-isolate, even without a positive test for Covid-19. Employers should agree with UCU a range of health surveillance measures to monitor sickness absence, Covid-19 symptoms and potential infections across the

workplace to understand the effectiveness of existing infection control measures and to prevent workplace outbreaks. Encouraging protective behaviours and utilising health surveillance measures will be especially important in the absence of testing.

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

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

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