

Guidance on Supporting EA Staff to Return to the Work Place

(6 August 2020)

1. Introduction

As COVID-19 restrictions are eased, there will be greater demands upon Education Authority (EA) services. Inevitably, this will mean that greater numbers of staff are also required to be able to work and, as it is not possible for all roles to be fulfilled from home, some staff will be required to attend the work place.

This guidance is to be read alongside the latest PHA/Government guidance, to support managers and staff when planning their return to the work place. In particular, we draw your attention to the recently published [Coronavirus: Workplace safety guidelines and social distancing](#)

This guidance includes key considerations and responsibilities and sets expectations on how to support staff returning to the work place. It should be used to supplement any specific guidance and social distancing protocols linked to EA services and it recognises that for many staff it may not be feasible to work from home.

This guidance will be kept under review and updated in line with PHA or N.I Executive changes. Please note due to the speed or timing of changes there may be a short lag in updates but we will endeavour to respond swiftly.

This guidance relates staff who working in EA services and services to schools. Please note there is a separate guidance document for school-based staff which can be found [here](#).

For the most up to date version of this guidance please go to the [Education Authority](#) website.

2. Underpinning Principles

EA recognises there will be staff who are worried about the implications of returning to the work place, and who will require support to re-adjust, therefore this guidance is underpinned by the following principles:

- ✓ Guidance will adhere to all PHA/ N.I. Executive directives and updates will continue to be shared with staff through email, FAQs, website and social media platforms as appropriate.

- ✓ Staff will be required to follow any relevant guidance and raise any concerns with their manager in the first instance.
- ✓ EA will work in close collaboration with others such as Health and Safety and Occupational Health Services to support staff as appropriate. Staff will also continue to have access to the Employee Assistance Programme (Inspire Wellbeing), independent Occupational Health Services and EA Health and Wellbeing services.
- ✓ All of the key protection and hygiene measures will continue to apply to minimise the spread of infection.

3. Guidance for Line Managers

For the remainder of this document the term manager will be used refer to a line manager.

The following outlines the current guidance for managers in relation to key groups of staff; namely:

- A. Staff with caring responsibilities
- B. Staff, or a member of their household, who have tested positive or are displaying symptoms of COVID-19 and have been advised to self-isolate
- C. Staff who are considered [clinically vulnerable](#) due to an underlying health condition, age (over 70) or pregnant
- D. Staff who are considered [clinically extremely vulnerable](#) (previously shielding)
- E. Staff who live with someone who is considered
 - clinically vulnerable due to an underlying health condition, age (over 70) or pregnant or
 - clinically extremely vulnerable (previously shielding)
- F. Staff in none of the above categories, who may not want to return to the work place despite being able (without justifiable medical grounds)

The manager and EA are entitled to request and be provided with evidence to confirm medical conditions and inform, where necessary, risk assessments. *See Appendix A, Risk Assessment template.*

In the event of an individual risk assessment being carried out Managers must appreciate that the information on an individual risk assessment should be regarded as highly confidential and appropriate security/safeguards should be in place to ensure confidentiality.

3.1 Category A - Staff With Caring Responsibilities

This includes:

- (a) The care of children in the household
- (b) The care of vulnerable adults or children in the household
- (c) The need to support vulnerable members of the family outside of the household with essentials for example, food and medicine deliveries

The Executive announced the publication of the Childcare Recovery Plan on 18 June. The Childcare Recovery Plan aims to restore the childcare sector to pre-COVID-19 capacity levels as quickly and safely as possible. The aim of the plan is to ensure more parents can access childcare. School re-opening plans and the availability of childcare is inextricably linked, and work is ongoing to build the capacity of the childcare sector as quickly as possible.

To support this, on 27 July 2020 a new [£10.5m childcare recovery support fund](#) opened for applications. Led by the Early Years Organisation (on behalf of the Department of Education) the fund is designed to facilitate and support the reopening of day care providers and nurseries throughout July and August.

Staff should seek to investigate and source all childcare options available to them in order that they can attend the work place if required. In an emergency situation staff can apply for emergency carer leave should childcare arrangements breakdown.

It is understood that there may be some staff who still find it difficult to return to the work place in their usual capacity due to caring responsibilities. In such circumstances they are expected to communicate effectively and regularly with their manager about any concerns. If a member of staff is wishing to consider flexible working and/or a corresponding reduction in hours staff should make a formal request in accordance with the relevant policy, (see Section 11 below).

3.2 Category B – Staff, Or A Member Of Their Household, Who Are Displaying Symptoms Of COVID-19 And Have Been Advised To Self-isolate

Staff in these circumstances must not attend the work place and should stay at home as advised and follow the latest [Government stay at home guidance](#) stay at home guidance for households with possible coronavirus (COVID-19) infection.

Staff in this category and their families should have a test undertaken to establish if they have COVID-19. Managers will inform staff on the arrangements for testing (see link below). Staff who are displaying symptoms have a duty of care to themselves and others so therefore must self-check to be tested.

It is important that managers are fully aware of staff within their service who are self-isolating at any time. Testing is available for them or a member of their household (whoever is displaying the symptoms). [To self-refer the follow this link.](#)

Test and Trace and Protect

Staff who exhibit any symptoms associated with COVID-19 should not attend the work place. The N.I. Executive has rolled out a Test and Trace and Protect strategy designed to control the spread of COVID-19 and symptomatic staff are expected to follow the advice and obtain a test for COVID-19.

Where an individual has had a negative result, it is important to still apply caution. If everyone with symptoms who was tested in their household receive a negative result, the member of staff can return to work providing they are well enough and have not had a fever for 48 hours.

Anyone who tests positive will be contacted by the Contact Tracing Service in the Public Health Agency, and will need to share information about their recent interactions. This could include household members, people with whom you have been in direct contact, or been within 2 metres for more than 15 minutes. Passing in corridors and short periods of contact does not therefore present a significant risk to staff. All household members should follow PHA isolation guidance which currently requires everyone in the house to stay at home.

The guidance is as follows:

- if you have symptoms of COVID-19 or a positive test, you will need to stay at home for at least 10 days;
- if you live with someone who has symptoms or a positive test, you will need to stay at home for 14 days from the day the first person in the home started having symptoms;
- however, if you develop symptoms during this 14-day period, you will need to self-check in accordance with Test and Trace guidance and stay at home for 10 days from the day your symptoms started (regardless of what day you are on in the original 14-day period);
- 10 days after your symptoms started, if you do not have a high temperature, you do not need to continue to self-isolate. If you still have a high temperature, keep self-isolating until your temperature returns to normal. You do not need to self-isolate if you just have a cough after 10 days, as a cough can last for several weeks after the infection has gone;

- if you have symptoms and live with someone who is 70 or over, has a long-term condition, is pregnant or has a weakened immune system, try to find somewhere else they can stay for the 14-day isolation period;
- it is likely that people living within a household will infect each other or be infected already. Staying at home for 14 days will greatly reduce the overall amount of infection the household could pass on to others in the community.

It is essential that all staff follow this guidance, as by doing so staff will not only protect themselves but limit the spread of the virus to educational settings and the wider population.

For full details of the Test and Trace and Protect strategy click [here](#).

New StopCovid NI Proximity App

The StopCOVID NI Proximity App was released in July 2020 to assist in stopping the spread of COVID-19 in Northern Ireland, by anonymously contacting people who have been in close contact with someone who has tested positive for COVID-19. All staff are encouraged to download this free application to help reduce the spread of COVID-19.

Staff Experiencing Symptoms In The Workplace

If anyone becomes unwell with a new, continuous cough or a high temperature/fever or anosmia (a loss or a change in your normal sense of smell, which can also affect your sense of taste) in the work place they must be sent home and advised to follow the guidance for households with possible COVID-19 infection.

3.3 Category C – Those Considered “Clinically Vulnerable” Due To An Underlying Health Condition, Age (Over 70) Or Pregnancy (This May Be Subject To Review By The PHA)

Clinically vulnerable individuals who are at higher risk of severe illness (for example, people with some pre-existing conditions as set out in the NI Government website [Click here for more information](#)) have been advised to take extra care in observing social distancing and should work from home where possible. This includes pregnant women. Managers should endeavour to support this, where possible, by asking staff to work from home.

If clinically vulnerable (but not clinically extremely vulnerable) individuals cannot work from home they should take extra care in the work place observing social distancing,

staying 2 metres¹ away from others wherever possible, although the individual may choose to take on a role that does not allow for this distance if they prefer to do so. If they have to spend time within 2 metres¹ of other people, managers should undertake a risk assessment with the individual to assess and control measures to reduce risk. They should, if necessary, be offered the safest available on-site roles. See *Appendix A, Risk Assessment template*.

Pregnancy And Risk

There is no evidence that pregnant women are more likely to get seriously ill from COVID-19 but pregnant women have been included in the list of people at moderate risk (clinically vulnerable) as a precaution.

This is because pregnant women can sometimes be more at risk from viruses like flu. At present it is not clear if this happens with COVID-19 but because it is a new virus, it is safer to include pregnant women in the moderate-risk group.

Managers should undertake a risk assessment with the individual to assess and control measures to reduce risk in addition to any existing risk assessments. See *Appendix A2 Risk Assessment template*.

Further information is available through this [link](#).

3.4 Category D - The Employee Is Considered “Clinically Extremely Vulnerable” As Per PHA Guidance.

Prior to 01 August 2020 individuals who received letters classifying them as clinically extremely vulnerable were asked to take extra measures to social distance “shield” thus minimising interaction with others.

These restrictions eased over time and with effect from 01 August 2020 “Shielding” has been paused. Full details can be found by clicking on the [following link](#).

The latest advice recommends that clinically extremely vulnerable individuals who are unable to work from home can now return to the work place subject to risk assessment (as explained below).

Restrictions remain in place with the aim of reducing social contact with those outside of the household. This is to protect those who are at very high risk of severe illness from COVID-19 from coming into contact with the virus. Staff who fall into this category

¹ Based on current PHA Guidance.

The Stormont Executive has agreed to reduce social distancing in Northern Ireland from 2 metres to 1 metre with restrictions from 29 June. The Stormont Executive agreed that people should keep 2 metres distance where possible, but from 29 June can come within no less than 1 metre where appropriate mitigations can be made.

will have received a “shielding pause” letter from the NHS/GP. The Government is regularly monitoring its position on clinically extremely vulnerable individuals.

Based on risk assessment the manager and EA reserve the right to request that clinically extremely vulnerable staff do not attend the work place.

Managers should undertake a risk assessment with the individual to assess and control measures to reduce risk. *See Appendix A3 Risk Assessment template.*

The manager and EA also may request evidence that a staff member has been advised to shield. For more information on shielding click on the following [link](#).

3.5 Category E – Staff Members Who Have A Member Of Their Household That Is Considered Extremely Vulnerable Or Vulnerable.

If a member of your household is considered clinically extremely vulnerable or clinically vulnerable, current PHA advice does not require you to self-isolate. If a member of your household falls into this category, you are able to attend work.

With effect from 01 August 2020 “Shielding” has been paused and full details can be found by clicking on the [following link](#).

If a member of your household is considered clinically extremely vulnerable and in receipt of a shielding letter, employees should follow the guidance as [set out by the Government](#) and can continue to work with suitable controls in place. Government guidance published on the 11 May 2020 called for particular attention to be paid to people who live with clinically extremely vulnerable individuals. Such staff should have an individual risk assessment conducted before the most appropriate course of action is determined. *See Appendix A1 Risk Assessment template.*

There may be staff in this situation who feel they cannot return to work in any capacity at present despite the aforementioned measures and assurances. In this situation, the staff member and manager should consider options. These may include;

- flexible working (if possible)
- reduced hours/days
- annual leave (if the contract of employment allows for this) or
- unpaid leave as appropriate

See section 11 for a more information on flexible working policies and schemes.

If despite all of the above arrangements and assurances being put in place the member of staff still does not come to work or avail of the options available then HR advice should be sought.

3.6 Category F - Staff In None Of The Above Categories, Who May Refuse To Return To The Work place Despite Being Able To Do So (Without Medical Grounds).

There may be staff who are not defined as vulnerable, nor have caring responsibilities within their household, but feel they cannot return to work in any capacity at present despite the aforementioned measures, assurances and safety arrangements being implemented.

In this situation, the staff member in consultation with the manager should consider the options of reducing hours/days, annual leave (if the contract of employment allows for this) or unpaid leave as appropriate.

If everything has reasonably been done to address an employee's concerns, and action taken accordingly, but they still refuse to attend work, this may constitute unauthorised absence or partial performance (i.e. where they are only prepared to carry out certain tasks rather than their full range of duties). The manager should explain the individual's contractual obligations and the potential consequences of refusing to work, including, in extremis, the risk of withdrawal of pay. If there is still no change in the individual's position, the manager should seek immediate advice from HR who should ensure an appropriate and consistent approach is taken across the organisation. The employee should also be reminded of their right to seek advice from their trade union representative.

4. Employees Who Have A Disability

A person has a disability for the purposes of Disability Discrimination Act 1995 if he/she has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities. The Act imposes a duty on employers to make reasonable adjustments for disabled people to help them to remove barriers in gaining and remaining in employment.

The Disability Discrimination Act (DDA), covers a very wide range of people and is not confined to those who come within the Government's COVID-19 list of clinically extremely vulnerable people. Many people with a disability may have impairments that are not on the list, but their health is still particularly vulnerable. The reasonable adjustment duty applies to all employees or job seekers who are disabled, regardless of whether they are on the Government's list or not.

Managers should ensure they make reasonable adjustments, as they are obliged to do, in addition to what they will have done to protect the health and safety of all of their employees. Where suitable health and safety risk assessments have been conducted and adequate precautions taken, all that some employees may need is reassurance that their health will be safe at work. If a disabled employee previously

had tailored adjustments at work, these might still adequately meet their particular needs when they return to work. However, it is important that managers are not complacent and are prepared to do more, where reasonable, recognising that individual needs change and may have changed during the pandemic. When considering reasonable adjustments HR advice should be sought. Disability Employment Support advice is available by contacting the Equality Unit on 028 90 564360 or equality.unit@eani.org.uk.

5. Black, Asian and Minority Ethnic Communities (BAME)

As there is some evidence which suggests that COVID-19 may impact disproportionately on some groups with underlying health conditions, notably Black, Asian and Minority Ethnic communities (BAME), EA and managers should ensure that they support positive action measures such as the Occupational Health Service (OHS) providing practical support and advice to BAME staff, particularly if they are anxious about protecting themselves and their families.

All Black, Asian and Minority Ethnic staff with underlying health conditions and disabilities, who are over 70 or who are pregnant should be individually risk assessed and appropriate reasonable work place adjustments should be made following risk assessment. *See Appendix A4 Risk Assessment template.*

HR advice on this matter can be sought by contacting the Equality Unit on 028 90 564360 or equality.unit@eani.org.uk.

6. Return To Work Support Meetings

A re-orientation or re-induction for returning staff is crucial to ensure all staff understand what is required in relation to the service successfully restarting operations. Every manager should have a return meeting or conversation with staff prior to their return into the work place. The key focus should be on health, safety and wellbeing.

Where possible the manager may wish to provide generic information on important changes within the service to groups of staff and where necessary have a one to one sensitive and open discussion with individuals to discuss any adjustments and/or ongoing support they may need to facilitate an effective return to the work place. This should cover any changes to their work duties or tasks where it can be accommodated. It could be that some staff want to discuss a new working arrangement, especially if their domestic situation has changed because of the pandemic.

7. Social Distancing Responsibilities

Managers should consider the best ways to ensure key work progresses whilst adhering to the PHA and [DE guidelines](#) on social distancing at work.

Managers should remain abreast of, comply with and enforce the requisite social distancing guidelines set out by the N.I. Executive/ PHA.

Members of staff who are vulnerable or extremely vulnerable, or live with someone who is vulnerable or extremely vulnerable, should be supported as they follow the recommendations set out in guidance on social distancing and shielding respectively.

All of the key protection and hygiene measures will continue to apply to minimise the spread of infection, such as reminding staff about regular and effective handwashing facilities. Depending on the working environment, it may be necessary to consider providing PPE, including gloves, masks or anti-viral hand gel. For many settings guidance has already been developed and should be followed.

8. Supporting “Healthy Minds” At Work

It must be recognised that the risks to people’s health from this pandemic are psychological as well as physical.

These include:

- Anxiety about the on-going health crisis and fear of infection, as well as social isolation due to the lockdown. Many will have experienced challenging domestic situations, such as juggling childcare or caring for a vulnerable relative, as well as financial worries if a partner has lost their income.
- Some staff will have experienced illness, or bereavement.
- Some may take more time than others to reacclimatise and it is likely that most people will need a period of readjustment. Even if staff have carried on working and participating in video meetings, etc, they will still need to adjust to working in a shared environment with colleagues again.
- Some members of staff may have concerns about travelling to work on public transport – or it may not be as readily available. The current Government advice is to avoid public transport if possible and wear a protective mask if that is not possible.

- Many may find that they are still coming to terms with the significant change which society has seen, and the familiar work place routines could feel very different.
- Staff should be reminded about Employee Assistance Programme (Inspire Wellbeing), our independent Occupational Health Service and Health and Wellbeing Team.
- Every manager should endeavour to ensure that the service remains inclusive, and that every employee feels they are returning to a supportive and caring environment. The pandemic has had an unequal impact across the workforce in many ways, as different groups of employees, and individuals, will have been affected in diverse ways according to their job role and individual circumstances. The uneven nature of people's work and personal experiences and the challenging nature of the lockdown and on-going situation, means there could be potential for some negative feelings creeping into the employment relations climate. Therefore, it is important that managers are sensitive to any underlying tensions and proactive about nipping potential conflict in the bud.

9. Staff Responsibilities

Staff are expected to communicate effectively with their manager regularly. Staff should make their manager aware of any work restrictions or concerns they have during this time.

Staff are expected to make themselves available for work and if they cannot they must clearly explain their situation and agree options with their manager.

Staff in self-isolation because they or a member of their household are experiencing symptoms of COVID-19 (new continuous cough and/or fever and/or change or loss of taste/ smell) should ensure they follow the PHA advice and also inform their manager. Testing is available as indicated above.

The manager and EA are entitled to request and be provided with evidence to confirm medical conditions and inform, where necessary, risk assessments. (See Appendix A, Risk Assessment template)

10. Further Concerns Or Guidance

EA will continue to follow PHA and N.I. Executive guidance and medical advice at all times. This guidance has been produced so managers and employees are aware of arrangements regarding staff returning to the work place.

This guidance will be kept under review and will be updated as necessary.

If an employee has any concerns regarding their attendance at work they should always discuss this with their manager in the first instance.

11. Flexible Working Policies And Procedures

The following Flexible Working Policies and Procedures are available for staff If they wish to consider flexible working.

11.1 Teaching

- [Flexible Working Scheme \(Teaching\)](#)
- [Job Share Scheme \(Teaching\)](#)
- [Temporary Variation of Contract \(Teaching\)](#)
- [Career Break Scheme \(Teaching\)](#)

11.2 Non-Teaching

- [Flexible Working Scheme – \(school based Non Teaching\)](#)
- [Job Share Scheme \(Non Teaching\)](#)
- [Career Break Scheme \(Non Teaching\)](#)

12. Useful Contacts And Links

- [Department of Education Restart Webpage](#)
- [Northern Ireland Re-Opening Schools Guidance - New School Day](#)
- [Coronavirus: Workplace safety guidelines and social distancing](#)
- [COVID-19 \(coronavirus\)](#)
- [Testing and tracing for COVID-19](#)
- [Guidance to support safe working in educational settings](#)
- [Covid-19 Working Through This Together](#)
- [Supporting EA Staff](#)
- [NHS - Every Mind Matters](#)
- [NHS - Pregnancy and coronavirus](#)
- [Health Well](#)
- [Inspire](#)
- Contact Inspire counselling (free and confidential 24/7) – Tel: 0808 800 0002 24/7) – Tel: 0808 800 0002