



27 May 2022

Further Joint Unions' statement on ARK's changes to Covid practices

The recognised trade unions welcomes the response from ARK to concerns raised in our recent communication to the Trust in respect of the Trust's new practices in relation to Covid-19, particularly confirmation that a clarifying note has been sent to Principals confirming that Covid-19 needs to be retained as part of a school's overall risk assessment.

In moving forwards, the recognised trade unions would appreciate being sighted on the clarifying note in order to advise our members accordingly should any Covid-19 specific questions or queries be raised in respect to risk assessments.

However, the recognised trade unions remain concerned at the fact that enhanced cleaning regimes do not appear to feature as part of any mitigation against Covid-19, especially in the short to medium term.

The recognised trade unions have yet to be presented with any evidence from the Trust that suggests enhanced cleaning regimes could not have been scaled back over time.

Furthermore, the recognised trade unions would seek clarification from ARK over the impact that a reduction in cleaning hours would have on those staff employed to provide cleaning across the Trust, particularly if there is no financial imperative to do so.

In addition, the recognised trade unions remain extremely disappointed and concerned at the approach taken by the Trust towards the management of Covid-19 related sickness absence.

Whilst welcoming the position for pre-April 2022 Covid related absences, the recognised trade unions retain the belief that it is unfair and unreasonable to apply sickness absence triggers (including loss of pay and possible dismissal) for covid absences given the level of occupational exposure suffered by school staff.

As such, the recognised trade unions repeat their request that ARK keeps in place arrangements whereby Covid absences are recorded separately and do not count towards targets or triggers within occupational sickness policies.

Furthermore, the recognised trade unions would welcome clarification from the Trust as to how it monitors the level of discretion applied by schools in response to Covid-19 related absences, including how this is monitored in regards to ARK's public sector equalities duties and those with protected characteristics.

As Ark will not doubt be aware, the Trust is the employer, so any discretionary approach from individual schools runs the risk of potential direct or indirect discriminatory practices. Such a situation would be avoided if the Trust retained the reasoned approach established during the pandemic.

Finally, the recognised trade unions remain disappointed and concerned at the way in which changes to ARK's approach to Covid-19 were communicated to us. The recognised trade unions do not accept that the ability to consult/negotiate was hampered by the cancellation of the meeting scheduled prior to May 2022.

The Covid-19 pandemic has demonstrated the important and vital role played by technology in keeping us in touch, something colleagues at ARK are more than well aware of. As such, an emergency meeting could have been suggested via Teams etc, or, at the very least, the consultation could have taken place electronically.

The Trust must be cognisant of the importance of such a document and the fact that this has the potential to damage the very good working relationships which have been established with trade union colleagues throughout the pandemic.

Best wishes,

P. J. Walters