

## LETTER 2

January 2021

Dear Head Teacher,

The GMB were dismayed and confused and extremely angry at the decision of the Education Secretary Gavin Williamson to not include all schools in the list for delayed return to their schools.

In Wales, Education Minister Kirsty Williams has not provided any clear leadership or consistency to Local Authorities, allowing for a flexible return without any substantial evidence on how the variant will impact GMB members, learners and the wider communities.

GMB, and sister unions have strongly protested at this flexible approach, which only adds to confusion, disparity and fear from our members, and overly burdens school leaders.

GMB are pleased that face to face learning for the majority will be suspended until at least the 18<sup>th</sup> January 2021, to allow schools to undertake critical risk assessments with the most up to date information available.

The GMB is increasingly worried to see the recent rises in cases of infection within our schools community as well as the evidence emerging about the new variant of the Covid-19 virus. As Government make a new announcement on further lockdown GMB needs to ensure schools that remain open are safe.

The GMB wishes to make it clear that whilst recognising the issues of supporting all our pupils in returning to school, our priority is and always has been the safety of GMB members, all staff, all pupils and their parents in ensuring a return within a 'Covid secure' environment. In returning to schools without a full risk assessment which takes into account the new variant transmission rates and without proper planning we cannot be confident that is the case for all schools particularly if they remain open.

GMB would like to bring to your attention that there is strong evidence that is now becoming available concerning the new variant of the virus. The emerging evidence is clear the new variant is spreading rapidly within the Country.

This new variant is more easily transmitted. GMB cannot support a school to remain open without putting into place a more effective review of all current Covid-19 Risk Assessments, and the implementation of control measures to address the findings of the assessment.

Until this is done you should not, in our view, ask people to return to school, other than to provide for children who are vulnerable and the children of essential workers.

The GMB therefore proposes that all Risk Assessments within school be reviewed in order to address the issues that are emerging from the new variant.

This is in line with Regulation 3 of the Management of the Health and Safety at Work Regulations 1999 which requires: "That employers must conduct suitable and sufficient Risk assessments to identify hazards and evaluate the risk, put effective controls in place to eliminate or reduce risks and manage the work process so it is safe and record the main points" Regulation 8 of the same Regulations requires an employer "to establish procedures to be followed in emergencies and in serious and imminent danger, appoint competent people to implement them. To ensure that they can stop work and immediately proceed to a place of safety in the event of their being exposed to serious and imminent and unavoidable danger, and do not return to work until the danger is removed."

Asking School staff to work in schools without undertaking a new Risk Assessment places all those workers at potential risk of imminent danger. GMB, on behalf of its members at your school, says that it is simply not acceptable to ask workers to work without a new Risk Assessment being undertaken and the measures raised by that assessment having been implemented. We look forward to receiving your invitation to discuss with you and participate in a further risk assessment of our members workplace.

If you have undertaken such an assessment post 2nd January 2021 can you, please, now share that with GMB.

Until we are convinced that the risk assessment undertaken covers all pertinent areas then we will have no choice other than to advise our members that they should not be returning to work in an environment where, as an employer, you have failed to carry out the safety measures imposed upon you by the Health and Safety at Work Act 1974; the Management of Health and Safety at Work Regulations 1999, the Personal Protective Equipment Regulations 1992, the Workplace (Health, Safety & Welfare) Regulations 1992, and Control of Substances Hazardous to Health Regulations 2002.

We look forward to receiving your response.

Your sincerely,

[name]