

Health & Safety Guidance

Essential and Critical Workers

Date: January 2021

The terms 'key workers', 'essential workers' and 'critical workers' have been used interchangeably within government guidance and by the media. This document produced for the University of Southampton seeks to clarify these terms and provide a pragmatic approach to enable the identification of those working on campus and those who can potentially access school places.

University Essential Workers

The University's definition of essential workers is set out below together with the underpinning guidance from the Government. Most of these groups will also fall into the definition of "critical worker" for the purposes of school places.

On 4th January 2021 the government issued guidance on the 'lockdown' announced by the prime minister. The guidance states:

- *'You may only leave your home for work if you cannot reasonably work from home. Where people cannot work from home they should continue to travel to their workplace. This includes, but is not limited to, people who work in:*
 - *critical national infrastructure*
 - *construction*
 - *manufacturing*
 - *childcare or education*
 - *essential public services'*

The guidance clearly states that those who cannot work from home can still travel to their workplace. Later in the guidance it states that only those identified as 'critical workers' will be able to access school places for their children.

It follows therefore that not all those who are required to work on campus will necessarily be identified as 'critical workers' for the purpose of obtaining a school place for their children. As such and in order to avoid misinterpretation and inconsistency, a broad definition of University essential workers was developed as follows to take into account all government guidance, Health & Safety legislation and the business needs of the University:

- Those required to continue research which can only be carried out on campus and which cannot be done in any other way remotely;
- Those required to teach students who under government guidance can return to campus for practical work and undertake site placements;
- Those required to provide a face to face service to support student wellbeing and welfare;
- Those required to be on site to carry out estate maintenance and assessment to keep the campus and student accommodation safe and COVID-secure;
- Those minority few who for whatever reason cannot work from home and cannot undertake remote redeployment;
- Those required to support parents and carers through the continued availability of early years childcare provision on campus as specific in government guidance.

The use of the word 'those' is intentionally broad to include members of staff, PGR's and others who may fall under this definition.

The final bullet above reflects government guidance to keep nursery schools open. The bullet before that recognises that there may be a very small number of people who due to home and personal circumstances cannot work from home and thus a return to the workplace may be a better option for them. This includes those who may be subject to abuse in the home, those who have a poor home

working environment because space is extremely limited and those who suffer adverse mental health whilst working at home. In all such cases the line manager will need to carry out a personal risk assessment to ensure that this is the most suitable option, always bearing in mind government guidance that work from home is the default position but 'you can leave your home to go to work, or provide voluntary or charitable services, if you cannot reasonably do so from home'.

A template letter was sent to senior managers to carefully consider and assess those roles who would be considered essential within their areas in order to follow the default position of working from home where reasonably possible to do so in order to limit numbers on campus and ensure a COVID secure environment. The definition above is intended to support their assessment.

Critical Workers

Government guidance issued on the 4th January stated that;

- *'Colleges, primary and secondary schools will remain open only for vulnerable children and the children of critical workers.'*

A definition of vulnerable children and critical worker is included within separate guidance dated 8th January 2021 in which a critical worker is described as:

- *'Parents whose work is critical to the coronavirus (COVID-19) and EU transition response include those who work in health and social care and in other key sectors outlined in the following sections. Children with at least one parent or carer who is a critical worker can go to school or college if required, but parents and carers should keep their children at home if they can.'*
- Under the sector of education this included *'childcare, support and teaching staff, social workers and specialist education professionals who must remain active during the COVID-19 response to deliver this approach'*
- Other sectors include *'the sale and delivery of food'*.

On 12th January 2021, the Department for Education issued a letter to all universities in which it stated:

- *'Following the Prime Minister's announcement on 4 January 2021 of new national restrictions, only children of critical workers and vulnerable children and young people should attend school or college. All other pupils and students will receive remote education. DfE guidance confirms that higher education staff who are required to deliver or to support delivery of teaching or research and the provision of appropriate university facilities are considered critical workers for the purposes of access to education.'*

The letter goes on to describe four broad categories which include roles that may be prioritised for accessing school places:

- Staff or research students responsible for research and other activities to mitigate the effects of COVID-19 and for other essential research and supporting activity necessary to meet regulatory, legal, health and safety or other on-going requirements. This would include long-running research which cannot tolerate a break, staff or others looking after living resources (e.g. animals, plants or bacterial cultures) or hazardous materials; or those that are essential for the maintenance of equipment and facilities.
- Academic and teaching staff, to deliver face to face teaching to those students that are permitted to receive teaching on campus, or to support those students who are continuing their placements in person and cannot be supported remotely, as well as those developing or delivering resources for remote learning including where these need to be created or updated using facilities only available on the provider's premises.
- Staff responsible for providing services for students who need to remain in student accommodation or in facilities which remain open for students or essential research, including catering staff, cleaners, wardens, mental health support, IT and security staff.
- Staff critical to the safety and security of the university estate and other business critical operations.

REFERENCES:

<https://www.gov.uk/guidance/national-lockdown-stay-at-home#summary-what-you-can-and-cannot-do-during-the-national-lockdown>

<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>

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