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Dear colleagues

Guidance regarding the management of “Long COVID”

Several of you have contacted the Council with queries regarding the management of absence related to Covid and in particular ongoing staff absence because of the long-term associated effects of the illness. The overarching principle is that Long COVID should be managed in the same way as any other period of sickness absence however schools should also have regard to the following.

Guidance for support staff

I attach for information the joint guidance issued by the National Joint Committee (NJC) for terms and conditions of support staff including those in schools. This was jointly issued by the employers' side and the trade unions on 14 April 2021. You will see that this states; *“For absences identified by a medical professional as, or pertaining to, ‘long COVID’, employers are reminded of the provisions in the Green Book Part 2 Para 10.3. Namely, that discretion can be exercised locally in extending the period of sick pay in exceptional circumstances, which include helping an employee to avoid incurring financial hardship. If this provision is invoked, it is important that a consistent approach is taken across the organisation to all similar types of absence and circumstances.*

Should sickness absence continue, or be expected to continue, for such a period of time that the employee’s return to work is unlikely within a reasonable period, employers should adopt the same practice as they would for any other long-term illness. This should include regular contact with the employee and involving Occupational Health and trade union representatives at the appropriate time.

The unequal impact of COVID on different risk groups means that employers will need to ensure their practices comply with their equalities duties. Appropriate actions may include temporary redeployment or reasonable adjustments” Please see attached FAQs as developed in Waltham Forest.

Guidance for teachers

For teachers’ comparable guidance is contained within the Burgundy Book in which it states;

“10. Contact with infectious diseases

10.1 When the approved medical practitioner attests that there is evidence to show a reasonable probability that an absence was due to an infectious or contagious illness contracted directly in the course of the teacher's employment full pay shall be allowed for such period of absence as may be authorised by the approved medical practitioner as being due to the illness, and such absence shall not be reckoned against the teacher's entitlement to sick leave under paragraph 2 above, though such absences are reckonable for entitlement to Statutory Sick Pay".

For information paragraph 2 referenced outlines sick pay entitlement related to length of continuous service.

Guidance in making decisions

Headteachers should bear in mind that Long COVID is not in itself a contagious disease. In addition, it is very difficult for anyone to know with certainty where COVID itself was contracted. As a result, there is a need for Headteachers to assess sickness absence on a 'case by case' basis. To add further context and assist Headteachers in making assessments it is important to consider;

- the likelihood or otherwise that COVID was contracted at work
- whether the infection was treated as RIDDOR reportable, the triggers for RIDDOR reporting being as follows;
 - a person at work (a worker) has been diagnosed as having COVID-19 attributed to an occupational exposure to coronavirus. This must be reported as a case of disease
 - a worker dies as a result of occupational exposure to coronavirus. This must be reported as a work-related death due to exposure to a biological agent.
- for support staff, whether circumstances are exceptional, for example the employee faces significant financial hardship

Schools are strongly advised to seek support and guidance from their Occupational Health Provider to inform decision making. They are also advised to seek advice from their HR provider and have regard to ensuring consistency in decision making and compliance to appropriate conditions of service.

Regards as always



Gerry Kemble
Assistant Director Schools