



COVID-19 Related Absence/Attendance & Long Covid Briefing Note for Schools – September 2022

Having lifted most restrictions and rules around COVID-19 in February 2022, the Government issued further updates on 1 April 2022 to support its announcement on learning to live with COVID-19.

This briefing note reflects the current guidance and advice coming from the Government and relevant agencies.

Key Government Changes

- Removed the legal requirement to self-isolate following a positive test.
- Adults and children who test positive continue to be advised to stay at home and avoid contact with other people for at least 5 full days.
- No longer ask fully vaccinated close contacts and those aged under 18 to test daily for 7 days, and remove the legal requirement for close contacts who are not fully vaccinated to self-isolate.
- End routine contact tracing. Contacts are no longer required to self-isolate or advised to take daily tests.
- Ending the legal obligation for individuals to tell employers when they are required to self-isolate.
- Easing of travel restrictions for returning to the UK.
- Living with COVID-19 plan published ([Living safely with respiratory infections, including COVID-19](#)).
- Masks are [no longer legally required in most public spaces](#) - although they are still recommended in some situations.
- Face coverings are [not mandatory on Transport for London's tubes, trains or buses](#), but they are still "strongly encouraged".
- Removed health and safety requirements for employers to explicitly consider COVID-19 in their risk assessments.
- PCR and lateral flow COVID-19 [tests will no longer be free for most people](#).
- COVID-19 passports will no longer be recommended, except for international travel.

Government Guidance

- If you have symptoms of a respiratory infection, such as COVID-19, and you have a high temperature or do not feel well enough to go to work or carry out normal activities, try to stay at home and avoid contact with other people, until you no longer have a high temperature (if you had one) or until you no longer feel unwell.
- If you leave your home while you have symptoms of a respiratory infection, and you have a high temperature or feel unwell, avoid close contact with anyone who you know is at higher risk of becoming seriously unwell, especially those whose immune system means that they are at higher risk of serious illness, despite vaccination.

- If you have a positive COVID-19 test result, it is very likely that you have COVID-19 even if you do not have any symptoms. You can pass on the infection to others, even if you have no symptoms.
- Many people with COVID-19 will no longer be infectious to others after 5 days. If you have a positive COVID-19 test result, try to stay at home and avoid contact with other people for 5 days after the day you took your test.
- Try to work from home if you can. If you are unable to work from home, talk to your employer about the options available to you.
- At the end of this period, if you have a high temperature or feel unwell, try to follow this advice until you feel well enough to resume normal activities and you no longer have a high temperature.
- Although many people will no longer be infectious to others after 5 days, some people may be infectious to other people for up to 10 days from the start of their infection. You should avoid meeting people at higher risk of becoming seriously unwell from COVID-19, especially those whose immune system means that they are at higher risk of serious illness from COVID-19, despite vaccination, for 10 days after the day you took your test.
- If you are a household or overnight contact of someone who has had a positive COVID -19 test result it can take up to 10 days for your infection to develop. It is possible to pass on COVID-19 to others, even if you have no symptoms.
- The term clinically extremely vulnerable is now no longer used. Government advice for those who were previously considered extremely vulnerable is that most are no longer at substantially greater risk than the general population and they should follow the guidance which applies to the general public, as well as any further advice they receive from their medical practitioner.
- The Government recommends that anyone with an underlying health condition takes care to avoid coughs, colds and other respiratory illnesses.
- However, there is a small group that is still at higher risk from the virus due to having either a weakened immune system or another specific medical condition. There is specific guidance for this group. Employers who employ anyone in this group should take into account individual circumstances, including advice from the individual's medical practitioner, when determining what steps need to be put in place to allow the individual to continue to work safely.
- The current Government advice for people with COVID-19 and their contacts provides that household contacts of an infected person should limit close contact with others especially in crowded, enclosed or poorly ventilated areas.
- An employer should consider taking steps to either allow the employee to work at home or ensure that the workplace provides a suitable environment in which they can work safely with others. If neither of these options is possible, an employer may consider whether or not the employee should attend the workplace or remain at home on paid leave, taking into account all the circumstances of the case. In many cases the conclusion will be the employee should still attend work if they have no symptoms.

Considerations for Schools

Risk Assessments

- Whilst there is no longer a mandatory duty for employers to explicitly consider COVID-19 in their risk assessments, it is good practice to continue to do so whilst COVID-19 still remains a threat to public health. Schools will still have a duty to review their workplace risk assessments and discuss any changes with staff (particularly important for staff who are most vulnerable). For staff who are considered most vulnerable, schools are advised to carry out and agree on an individual risk assessment.

Testing

- National (and Brent Council) guidance still advises positive COVID-19 cases to isolate;
- In order to try to minimise absences in circumstances where an employee has some symptoms of a respiratory infection, but has not yet had a COVID-19 test, employers may wish to consider having a supply of Lateral Flow (LFD) tests to provide to employees.
- That way, employers could be more confident that the worker has COVID-19 and they are not unnecessarily asking them not to come to the workplace.
- Tests could also be provided to workers who do test positive so that they can take a test from day 5 onwards, to see if they could safely come back to the workplace.
- Although there will be a cost to this provision, it will be less than paying sick pay unnecessarily.

Pay

- An employer could have a policy of asking an employee who has or may have COVID-19 not to come to the workplace. However, the employer would still be subject to its contractual obligations and would need to pay the employee the appropriate amount according to the contract.
- If the employee was able to work from home and was well enough to do so, then they would be entitled to their normal pay.
- An employee who is not able to work from home but is not too unwell, and would otherwise have been able to attend work, would also be entitled to their normal contractual pay. This is because they are not attending work at the employer's request. Although in some cases this pay may be referred to by some employers as 'sick pay', it should not be offset against the employee's occupational sick pay entitlement, nor should it be treated as sickness absence under the employer's sickness policy.

Sickness Triggers

- Longer term and in line with national guidance, consideration will need to be given on managing COVID-19 absence and isolation as part of sickness triggers. However, it would be difficult to consider at present if employees are told not to attend work if positive/awaiting test. Schools may wish to consider whether staff can work from home if they are well enough and their role is conducive to doing so.
- The treatment of COVID-19 absence has varied across employers. However, if an employee with COVID-19 is too sick to work whether at home or otherwise, then unless otherwise agreed at a local level the employee would normally be entitled to be paid in accordance with the employee's normal occupational sick pay entitlement and their absence categorised as sick.
- In terms of sickness absence management policies, at the start of the pandemic, the NJC for Local Government Services (Green Book) issued a joint circular on 6 March 2020 which provided that *"Given the exceptional circumstances, employers may wish to suspend targets or triggers in occupational sickness policies for any absences connected with coronavirus."*
- This suggestion was made to address the danger that employees who may have the infection may come to work if they were at risk of being subject to a sickness absence management process. At the time of the outbreak of COVID-19, the management of the virus and the removal of disincentives to following isolation advice were seen as more important than using sickness absence management processes. As part of the development of its policy on living with COVID-19, employers may wish to consider whether or not it is still appropriate to discount period of sickness absence due to the COVID-19 infection/isolation itself (i.e. usually a 10-day period or less) in relation to triggers.

Evidence to cover employee absence

Schools are able to request evidence from an employee to support their absence from school, much the same as they would receive a medical certificate to cover sickness absence, subject to the following:

- a. A consistent approach must be maintained. Do not ask some staff for evidence but not others.
- b. Any information received must be treated in the strictest confidence and not shared with other staff.
- c. Staff should be able to produce evidence of a positive test result (LFT or PCR).

Schools should be aware that whilst they may request this evidence, it is not mandatory for the individual to notify the school of their result. However, if the individual is still absent on day 8, they would be required to provide a fit note as per any other medical condition and in line with the school's sickness absence reporting procedures.

Staff who are symptomatic with COVID-19 symptoms

If staff have symptoms of COVID-19 or another respiratory illness (see list of symptoms below), have a high temperature, or do not feel well enough to go to work or carry out normal activities, they are advised to try to stay at home and avoid contact with other people until they no longer have a high temperature or they no longer feel unwell.

If they consider that they have symptoms of COVID-19 and can access a test for COVID-19, they should do so and notify their school of any test result.

If they test negative, they can return to school if they no longer have a high temperature or feel unwell.

COVID-19 and other respiratory symptoms:

- continuous cough,
- high temperature, fever, or chills,
- loss of, or change in, your normal sense of taste or smell,
- shortness of breath,
- unexplained tiredness, lack of energy,
- muscle aches or pains that are not due to exercise,
- not wanting to eat or not feeling hungry,
- headache that is unusual or longer lasting than usual,
- sore throat, stuffy or runny nose,
- diarrhoea, feeling sick or being sick.

NHS COVID-19 symptoms list [Symptoms of coronavirus \(COVID-19\)](#).

When or if the member of staff feels well during this period, they can work from home if their role is conducive to doing so.

Staff who have been diagnosed with COVID 19 or have members of their household who have been diagnosed with COVID 19

If a member of staff tests positive for COVID-19 they should stay at home and avoid contact with other people. They should notify the school of their positive test result and the date it was taken. It is advisable for the individual who has tested positive to stay at home and avoid contact with other people for 5 days after they took the test.

See guidance for staff who get a positive COVID-19 test result [People with symptoms of a respiratory infection including COVID-19](#).

If a household member of a member of staff tests positive for COVID-19, they can be shown the guidance in the link above about 'How to reduce the spread of infection in your household' and 'What to do if you are a close contact of someone who has had a positive test result for Covid 19'.

Staff who have tested positive should not be at school as is detailed above.

Staff who are not unwell may be able/agree to work from home if their role is conducive to doing so.

Reduce the spread of infection to others

If a member of staff tests positive for COVID-19, find below practical actions to help them prevent spreading the infection to others:

- Wearing a well-fitting face covering made with multiple layers or a surgical face mask.
- Avoiding crowded places such as public transport, large social gatherings, or anywhere that is enclosed or poorly ventilated.
- Taking exercise outdoors in places where they will not have close contact with people.
- Covering the mouth and nose when coughing or sneezing; washing your hands frequently with soap and water for 20 seconds or using hand sanitiser after coughing, sneezing and blowing the nose, and before eating or handling food; avoid touching the face.
- Try to keep their distance from people they live with.
- In shared areas wear a well-fitting face covering made with multiple layers or a surgical face mask, especially if they live with people whose immune system means that they are at higher risk of serious illness, despite vaccination.
- Ventilate rooms they have been in by opening windows and leaving them open for at least 10 minutes after they have left the room.
- Regularly clean frequently touched surfaces, such as door handles and remote controls, and shared areas such as kitchens and bathrooms.
- Advise anyone that does need to come into the home that they have a positive test result, so the visiting individual can take precautions to protect themselves such as wearing a well-fitting face covering or a surgical face mask, keeping their distance if they can, and washing their hands regularly.

Staff whose immune system means that they are at higher risk and guidance for those previously considered to be Clinically Extremely Vulnerable (CEV)

Please refer to [COVID-19: guidance for people whose immune system means they are at higher risk](#). This guidance confirms which groups are considered at highest risk and may therefore be eligible for treatments and further vaccinations.

See also guidance for people previously considered CEV:

[Guidance for people previously considered clinically extremely vulnerable from COVID-19](#)

Staff who are pregnant

Pregnant staff and their employers should consider the advice issued by the NHS – “pregnancy and coronavirus (Covid 19)” [Pregnancy and coronavirus \(COVID-19\)](#). This was published on 1 April 2022.

It is still a requirement to undertake a pregnancy related risk assessment for a member of staff who confirms they are pregnant. If the pregnant member of staff has any concerns about COVID-19, the workplace and their pregnancy then they should raise these with the school and also discuss their concerns with their clinician or medical adviser. These concerns should either be incorporated into their current pregnancy related risk assessment or a separate Covid Individual Risk Assessment should be undertaken in order to identify whether any reasonable adjustments can be made to help mitigate any risks identified.

Staff who have experienced a bereavement linked to COVID-19

Bereavement leave provisions to be applied as per the school’s Leave of Absence/Special Leave policies.

If the school buys into the employee assistance programme provided through workplace options, they may be able to provide support through counselling.

Please refer to guidance

<https://www.london.gov.uk/coronavirus/how-cope-bereavement-and-grief-during-coronavirus-outbreak>

General

Where individual members of staff have any COVID-19 related concerns, these should be dealt with sensitively on a case-by-case basis. In such circumstances, schools would be advised to undertake a Covid Individual Risk Assessment with the individual as necessary.

List of key documents for schools for reference and information

- [Living safely with respiratory infections, including COVID-19](#)
- [COVID-19: guidance for people whose immune system means they are at higher risk - GOV.UK \(www.gov.uk\)](#)
- [National Joint Council for Local Government Services](#)
- [People with symptoms of a respiratory infection including COVID-19 - GOV.UK \(www.gov.uk\)](#)
- [Guidance for people previously considered clinically extremely vulnerable from COVID-19 - GOV.UK \(www.gov.uk\)](#)
- [Who is at high risk from coronavirus \(COVID-19\) - NHS \(www.nhs.uk\)](#)
- [Symptoms of coronavirus \(COVID-19\) - NHS \(www.nhs.uk\)](#)
- [Pregnancy and coronavirus \(COVID-19\) - NHS \(www.nhs.uk\)](#)
- [Ventilation to reduce the spread of respiratory infections, including COVID-19 - GOV.UK \(www.gov.uk\)](#)
- [Reducing the spread of respiratory infections, including COVID-19, in the workplace - GOV.UK \(www.gov.uk\)](#)

Long Covid Guidance

What is Long Covid?

'Long Covid' is the term given to the condition where people who have had COVID-19 continue to experience symptoms of the illness, often subsequently testing negative to the presence of the virus.

Having residual symptoms of viral infections is not unusual, e.g. having a cough many weeks after a cold. However, Long Covid is characterised by continuing to experience symptoms, such as fatigue and/or shortness of breath, sometimes leading to exhaustion after minor activity, for a considerable period after the initial infection.

Long Covid symptoms include:

- fatigue;
- shortness of breath;
- joint pain;
- chest pain;
- loss of taste/smell.

Symptoms can be debilitating and have significant effect on ability to perform day-to-day tasks. Symptoms can also vary on a day-to-day basis.

Although a relatively new disorder, it is clear that Long Covid exists and employers should ensure that they are supportive and sympathetic.

NHS state the following:

- How long it takes to recover from COVID-19 is different for everybody.
- Many people feel better in a few days or weeks and most will make a full recovery within 12 weeks. But for some people, symptoms can last longer.
- The chances of having long-term symptoms does not seem to be linked to how ill you are when you first get COVID-19.
- People who had mild symptoms at first can still have long-term problems.

Is Long Covid a disability?

COVID-19 in itself is not a condition considered to be a disability under equalities legislation. However, someone with long-term symptoms of the virus may be protected under the Equality Act, as disability is one of the protected characteristics covered by this legislation.

Schools must have due regard to the need to remove or minimise any disadvantages suffered by people due to their protected characteristics, including disabled workers.

The definition of a disability under the Equality Act 2010 is a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on a person's ability to perform normal daily activities.

- 'Substantial' is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed, whilst 'long-term' means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection. The condition does not have to have lasted for 12 months, but could reasonably be expected to do so.

Long Covid Management

Schools should consider managing Long Covid cases in line with their sickness procedures. However, ensuring the following points are adhered to:

- Emphasis should always focus on a supportive and sympathetic approach to affected employees
- Regularly engage with employees experiencing Long Covid symptoms and consider whether any reasonable adjustments are possible
- Applicable employees referred to Occupational Health (OH) to gain a better understanding of the prognosis and possible reasonable adjustments.
- Take HR advice regarding management of Long Covid cases, including whether COVID-19 absence should count towards sickness triggers.

It is recognised that in a small amount of cases, employees may experience debilitating symptoms preventing attendance at school for a prolonged period of time which cannot be indefinitely sustained. In these circumstances schools are advised to speak with their HR provider on a case by case basis particularly given the possibility that Long Covid sufferers may be deemed as having a disability under the Equality Act.

Long Covid - Reasonable adjustments

Individual advice must be sought for each case. However potential adjustments may include:

- Implementing / enhancing flexible working (e.g. part week work from home, part week work on site at school); reduced hours and/or adapting working patterns to accommodate employees suffering from exhaustion so they can take rest breaks or naps as needed and plan their day and/or commute around their energy levels.
- Making changes to work stations for those suffering from joint and muscle pain so they are able to work more comfortably.
- Relaxing targets/reallocating work, even if this is on a short term basis.
- Where an employee has lost confidence in their abilities as a result of having been off sick for a long period of time employee may wish to have a mentor or counselling until they have recovered their confidence.
- Time off for medical appointments or rehabilitation they may need
- External sources of support provided by the school (such as any employee assistance programme, confidential counselling helpline, income protection or private medical insurance) have been signposted to employees.
- Phased return back to work after long term absence.
- Maintaining regular contact with staff who are suffering with the condition.
- Ensuring that those dealing with sickness absence recognise the symptoms of Long-Covid to help identify when an individual may be suffering with the condition to enable earlier supportive interventions.

Long Covid Summary

- Sympathetic and supportive regular communication.
- Early OH intervention.
- Appropriate and individual reasonable adjustments (via OH).
- Ensure a further OH referral no later than 12 week point of absence.
- Undertake further case assessment at this point.
- Always seek HR advice on each individual case before proceeding with managing formally under sickness procedure.