

# EIS Guidance for Black Asian and Minority Ethnic Members on the Re-opening of Schools

## Introduction

In response to the specific concerns about the risk for Black Asian and Minority Ethnic (BAME) members returning to schools in Scotland while the Covid 19 virus remains a threat, the EIS has produced this guidance.

The EIS understands this is a very emotionally stressful, worrying and isolating time for many of our members. The mental health impacts of Covid19 should not be underestimated.

This guidance is intended to be used by BAME members, outlining the existing guidance and evidence and to give you some tools to support you in keeping safe, as well as mentally and emotionally well.

This guidance should be read in conjunction with the [advice](#) issued to all EIS members on Friday 29<sup>th</sup> May

## Context

Research published on the 2<sup>nd</sup> June 2020 from [Public Health England](#) highlights the significant health inequality facing BAME people during the COVID19 pandemic.

Beyond this research, it has been well documented that people from BAME backgrounds are both at disproportionate risk of contracting COVID19 and of becoming critically ill.

Worryingly, there is not yet clarity as to the reasons why some BAME groups are reported to be twice as likely to develop serious complications from Covid19. The evidence from England and Wales that is currently available does not include information on employment which, given that BAME people are disproportionately represented in many frontline services in England, is a major flaw.

A submission of [evidence](#) to the Scottish Government on race and health inequalities in the Scottish context considers the underlying conditions which are disproportionately present in South Asian and Black African Scottish populations as a cause for concern in relation to the current pandemic. Additionally, this report raises the compounding issues of socio-economic disadvantage and racial discrimination that underpin the pre-existing health inequalities in Scottish society. Existing evidence on health inequalities among ethnic minorities also strongly suggests that the stress of living with racism has an adverse effect on health and raises the risk of disease.

All this is to say that, despite a current lack of evidence on the direct causes of the current disproportionately high risks to BAME members of Covid19, employers have a duty to take specific steps to mitigate any risk of infection or associated anxiety. Employers have a duty to provide additional support to BAME members who have reported being incredibly worried at this time.

## The Equality Act

Under the Public Sector Equality Duty component of the Equality Act, education providers must consider how policies may adversely affect any group which shares a protected characteristic. When looking at return to school policies and provisions, the employer *must* consider the disproportionate risk to BAME teachers, and take necessary steps to mitigate these risks.

## Scottish Government Guidance

The current [advice](#) for BAME staff in relation to the reopening of schools from the Scottish Government is the following:

'Special considerations apply to those who are clinically vulnerable or those who are shielding (or extremely clinically vulnerable). As there is some evidence which suggests that COVID-19 may impact disproportionately on some groups (Minority Ethnic communities), education authorities and schools should ensure that OHS provide practical support and advice to Minority Ethnic staff, particularly where they are anxious about protecting themselves and their families. All Minority Ethnic staff with underlying health conditions and disabilities, who are over 70, or who are pregnant should be individually risk assessed, and appropriate reasonable or workplace adjustments should be made following risk assessment.'

The Scottish Government's Education Recovery Group is currently working on further bespoke guidance for BAME teachers and pupils. The EIS is a member of this group and will continue raising BAME members' concerns in this forum.

## The EIS Position

The EIS position goes beyond that which is currently available from the Scottish Government. Our advice is that *all* BAME staff and those living with BAME people at home should request an individual risk assessment. We will make the case, in consultation with our BME members, for strengthened guidance in this respect, through our representation on the Education Recovery Group.

We are clear that the health inequality of Covid19 *must* be fully addressed in plans for schools reopening in order that BME teachers and pupils feel seen, heard and safe.

The STUC Black Workers' Committee, of which the EIS is a member, has called on the Scottish Government to release racially disaggregated data on the deaths from COVID19, and this must happen as a matter of urgency, in order to inform appropriate policy responses.

In the workplace, BAME members should feel supported by their EIS Representatives and Local Association Secretaries, and confident in raising the issue of their safety, where necessary. This guidance and an accompanying suite of resources is intended to support you in doing so.

The issue of enhanced risk of Covid 19 to BAME people is also being included as part of the EIS Covid-specific Health and Safety training that is soon to be offered to all members and Reps.

### Assessing the workplace risks

Because of the current lack of data on causality, it is difficult to assess specific risks related to BAME members, and our suggestion is therefore that the needs of BAME members are considered similarly to those in other vulnerable groups, with individual risk assessments being carried out to properly evaluate risk and identify appropriate mitigations. A template BAME Risk Assessment can be found in the Appendix.

Living with the threat of disproportionate risk of infection from the Covid 19 virus will have a significant impact on all BAME members. It is therefore crucially important that teachers are supported and empowered to be **at the centre of decision-making to keep them safe at work, and to maximise protections and support for their mental health and general wellbeing at this challenging time.**

Headteachers working on behalf of local authorities as the employers, should work with BAME staff to understand their individual situations, and ensure they feel supported at this time of **significant** worry. BAME members' mental health will be an important factor to acknowledge and be sensitive to in plans for returning to school, and/or in relation to home working, **in addition to ensuring their physical health and safety.**

The relevant adjustments that can be made to ensure the safety at work for BAME staff who are at greater risk of Covid 19 impacts, may include working from home, change of working location/tasks/teaching group, provision of PPE, etc.

Consideration should also be given to the risks for staff – either BAME or non-BAME- living with people who are BAME and who may have additional vulnerabilities that place them at greater risk from the virus. In the event that someone is sharing a household with a BAME person, an individual risk assessment should also be carried out.

## **Racial harassment and prejudice-based bullying**

Additionally, the employer should be alert to the potential for racial harassment and prejudice-based bullying as a result of some misperception around Covid19 - both teachers and pupils are at risk of being targeted. It must be clear to all that such behaviour is unacceptable, with all staff being advised of the relevant policies and protocols for the handling of any such racist incidents.

In the current climate, it would be timely for local authorities and schools to ensure availability of and clear signposting to Equality and Diversity training for all staff.

## **Who can help?**

### **The School**

The EIS understands that raising an issue related to belonging to an ethnic minority group can sometimes be daunting for members, but it is crucial that you take the necessary steps to keep yourself safe if your employer is not already doing this.

A template letter for Headteachers raising the issue of BAME vulnerability to Covid 19 and the need for appropriate risk assessment, which you can adapt to suit your situation, is in the Appendix.

### **The EIS**

If you have concerns about any of the above, or are looking for support in keeping yourself safe, contact your EIS Rep in the first instance. If your school does not have a Rep, or if you are unable to reach them, your Local Association Secretary will be able to help you.

All details and further advice can be found on the EIS website.

## **In Summary**

- ✓ Ensure that you request and receive a bespoke risk assessment if you are BAME, or living or caring for someone who is. Use the template letter to your HT to help you.
- ✓ Be involved in planning any mitigating actions as a result of your individual risk assessment. Your EIS Rep/ Local Association Secretary can support you in this.
- ✓ Contact your Headteacher if you have further concerns about your safety thereafter.
- ✓ Meet virtually/arrange a phone call with the School Rep (or Local Association Secretary if there is no Rep) to get support if you need it.

- ✓ If there is not a risk assessment in place, or it does not adequately address your concerns, or is not followed, then your Local Association Secretary, should be informed by the School Rep or nominated individual.
- ✓ If, despite taking these steps, you believe that a return to the school building would put you at personal risk, put these concerns in writing to your Headteacher and seek advice from your Local Association Secretary.