Department for Education

Guidance

Contingency framework: education and childcare settings

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The contingency framework is a set of guiding principles designed to help decision makers in local areas and educational settings plan to apply, tighten or relax restrictions in education and childcare.

Nurseries, childminders, schools, 16 to 19 academies and further education (FE) providers will need to take into account local circumstances and risks when applying the approaches for easing and tightening of restrictions become necessary in their local area. This includes how they would ensure every child, pupil or student receives the education they are entitled to and ensure that schools know they are normally entitled, whether onsite or remotely.

Any restrictions on education are always a last resort and should only be initiated following a ministerial decision. This framework is separate to the processes in place for managing outbreaks and operational challenges.

Who this guidance is for

This guidance is for:

- local authorities
- childcare and education settings

Early years settings

This includes:

- all providers on the Ofsted early years register
- providers registered with an early years childminder agency
- all other childcare providers (non-provision in maintained, non-maintained and independent schools)

Schools (including independent schools) and alternative provision (AP)

This includes:

- primary schools (including reception classes)
- middle or upper schools
- secondary schools (including school sixth forms)
- residential and day special schools
- special post 16 providers
- AP (including short stay schools, AP academies and AP free schools)
- 16 to 19 academies

Further education providers (FE)

This includes:

- sixth form colleges
- general FE colleges
- independent training providers
- designated institutions
- adult community learning providers
- special post 16 institutions

Higher education providers (HE)

This includes:

- universities
- specialist and independent HE providers

Out-of-school settings

This includes:

- breakfast clubs
- after-school or holiday clubs
- other out-of-school settings (including providers of wraparound childcare for children over the age of 5)

This guidance should be read alongside the detailed guidance for education and childcare settings and providers operating during coronavirus (COVID-19):

- actions for early years and childcare providers
- actions for schools during the coronavirus (COVID-19) outbreak
- actions for FE colleges and providers during the coronavirus (COVID-19) outbreak
- incentive arrangements during the coronavirus (COVID-19) outbreak
- protective measures for holiday and after school clubs, and other out-of-school settings during the coronavirus (COVID-19) outbreak
- guidance for special schools and other specialist settings
- guidance for higher education providers
- guidance for children's social care services

Introduction

The coronavirus (COVID-19) vaccination programme is now underway in the UK. Vaccination will be a key part of our long-term plan to manage the risk of infection from significant harm to learning, life chances and mental and physical health.

This is especially true for young and vulnerable children and young people, lower academic achievement also translates into long-term economic costs which affect the standard of living that pupils and students will have over the course of their lifetime.

It is also important that parents and carers are able to return to work and having access to childcare and onsite education for their children will allow them to happen.

Easing and tightening of restrictions in education and childcare

This document has made it a national priority that education and childcare settings should continue to operate as normally as possible during the coronavirus (COVID-19) outbreak.

If there is extreme high prevalence of coronavirus (COVID-19) and local authorities have failed to reduce community transmission, restrictions affecting education and childcare may need to be considered. This could be the case if a local area is a hotspot contrary to our commitments and keep pace of the R0.

Restrictions may also be necessary to help minimise the impact from new variants of the virus.

Any decision that attendance at education or childcare settings should be restricted will not be taken lightly. These are time-limited decisions made on an ongoing weekly basis in the light of all available evidence, public health advice and local and national circumstances.

Any restrictions will be kept under review and should be lifted as soon as the public health and scientific advice says it is appropriate to do so.

The purpose of restrictions in education and childcare is to reduce the number of contacts that all us have with people in other households. Restrictions of this kind should be put under no additional operational challenges, including staff shortages.

If individual settings are facing operational challenges in allowing all children, pupils or students to attend, they should first seek to make use of their own staff across their settings, DfE Contacts or DfE Operational teams (FE providers) and local authority children's services (LA) to ensure they can continue to operate safely. The deployment of sectors for settings to consider if they are facing staff shortages or capacity issues.

Where setting closures will not generally be necessary. Such closures should only be considered on the advice of local health protection teams or the Regional Director of Public Health.

Decisions about easing or tightening of restrictions

The Department for Education (DfE) will work with the Joint Biosecurity Centre (JBC), NHS Test and Trace and the Department of Health and Social Care, the Chief Medical Officer, Public Health England, other government departments, as well as relevant local authorities and local Public Health Directors of Public Health (DPHs) to inform changes to restrictions in education and childcare are informed by the available evidence established Local Action Committee command structure.

This brings together representatives from NHS Test and Trace and JBC, the Chief Medical Officer, PHE, and other government departments.

The Local Action Committee command structure will review the epidemiological data on a regular rolling basis for any areas which situation restrictions are in place. to consider if restrictions need to be eased.

The decision that attendance in education or childcare settings should be restricted or have restrictions eased will be made by DfE ministers.

Contingency framework principles

Depending on the scientific and public health advice, DfE may call for a tightening or easing of restrictions in education and childcare including or regionally.

The guiding principle for decision making should be that any restrictions to attendance should be lifted as soon as it is safe to do so. Local and national circumstances should be allowed to inform decisions about if and when restrictions in education and advice at the time.

The criteria described in this framework should be used to guide decisions about restricting attendance as well as prioritising groups to return to face-to-face education and childcare. Local authorities and providers will need to make decisions about the need for restrictions in education and childcare.

In all circumstances, and in all settings, priority should continue to be given to vulnerable children and educational provision should be allowed to attend. DfE will keep this under review.

Any restrictions will be kept under review and should be lifted as soon as the public health and scientific advice says it is appropriate to do so. Government will keep pace as much notice as possible of such changes.

The framework set out in this section describes the range of measures that may be advised across different sectors. The exact nature of the restrictions that should be applied will depend on the local circumstances. The Local Action Committee operational guidance will be published when restrictions are advised.

Early years settings

The default position for early years settings is to allow all children to attend.

If attendance needs to be limited in early years settings, DfE may advise that only vulnerable children and children of critical workers should be allowed to attend. DfE will advise when children should be permitted to return.

Primary schools

The default position for primary schools (including reception classes) is to allow all pupils to attend.

If attendance needs to be limited in primary schools, DfE may advise:

- that primary schools only allow vulnerable children, children of critical workers, children in reception, year 1 and year 2 to attend; or
- that primary schools only allow vulnerable children and children of critical workers to attend.

In these circumstances, high-quality remote education should be provided for all other pupils.

Where it is appropriate to increase attendance, DfE may advise that those groups listed above should be prioritised for return.

Middle schools

Middle schools (with some primary and secondary year groups) may need to adopt a combination of approaches to primary and secondary schools depending on which phase the local area. High-quality remote education should be provided for all pupils who are not attending.

Secondary schools

Where restrictions are required, DfE may advise:

- that secondary schools allow only vulnerable children and young people, children of critical workers, pupils in years 10, 11, 12 and 13, and other pupils who were due to take GCSE and A level exams in the current academic year
- that secondary schools only allow vulnerable children and young people and children of critical workers to attend

High-quality remote education should be provided for all other pupils.

Where it is appropriate to increase attendance, DfE may advise that those groups listed above should be prioritised for return.

16 to 19 Academies

16 to 19 academies should follow the guidance for either sixth forms in FE, according to which type of provision their own provision most closely reflects.

Further education (FE) providers

FE provision is varied and broadly includes a high degree of flexibility to reflect the different age ranges and types of programmes.

Where restrictions are required, the default position for FE providers is to allow only vulnerable children and young people and those who are undertaking assessments or need access to specialised equipment, and other students who were due to take GCSE and A level exams in the current academic year to attend in the current academic year.

Where there is scope to increase attendance beyond the default position, recognising that some provision is mandatory, DfE will advise providers to attend during periods of restriction. FE providers have the flexibility to prioritise attendance of other students who need to attend in order to ensure they can complete their course, including subsequently, student engagement with remote education, and maintaining high work students taking equivalent qualifications in schools or HE.

Apprenticeship delivery and assessment (including the assessment of functional skills qualifications) is extremely flexible. Where restrictions are introduced, these activities should continue to take place in person if online delivery is not feasible.

This includes training and assessment in the workplace (unless the workplace is closed), training and assessment in other settings such as training providers and colleges and in community settings where a venue is being used for training or assessment.

Boarding schools

Where restrictions are introduced, boarding schools should follow the guidance for primary and secondary schools for determining which children should be taught in the school. Boarding schools should also follow the guidance for primary and secondary schools for determining which groups to prioritise for return to face-to-face education.

Boarding schools should also follow the guidance for primary and secondary schools for determining which groups to prioritise for return to the classroom once restrictions are eased.

Special schools and special post-16 institutions

Attendance expectations in special schools will remain in line with the equivalent age groups in mainstream schools, and expectations in special post-16 institutions will remain in line with the equivalent restrictions in mainstream FE.

However, we recognise that the definition of vulnerable means the cohorts in specialised provision will be different to those in other schools and colleges and that it may be more attendance in a mainstream, children and young people should attend as per their usual timetable. Where attendance is not mandatory, special schools should continue to provide high-quality remote education for those who are not in attendance. Special schools should also be able to attend. Similarly, special post-16 institutions should continue to welcome and encourage students to attend as per their usual timetable where the provision is mandatory.

In exceptional circumstances, special schools and special post-16 institutions may encounter circumstances where they cannot provide their usual interventions and provision in the same way as they would in a normal year. In these exceptional circumstances, they should not be in course or close as possible to the specified provision for the child or young person as soon as possible. Where attendance is mandatory, full-time provision should be provided.

High-quality remote education should be provided for all pupils and students who are not attending.

Alternative provision (AP)

Alternative provision (AP) should continue to allow all children or pupils to attend full-time.

On occasion AP will encounter circumstances where they cannot provide their usual interventions and provision in the same way as they would in a normal year, including specialist training. In these circumstances they should seek to resume as close as possible to full-time provision, as soon as possible.

High-quality remote education should be provided for all pupils and students who are not attending.

Hospital education

Hospital schools should continue to provide full-time education where it is safe and feasible to do so, and in line with hospital infection prevention and control guidance.

Permanent schools should continue to provide high-quality education, including remote education and pastoral support, to minimise the impact of their hospital day on their education.

Out-of-school settings and wraparound childcare

Providers of out-of-school settings, holiday clubs, breakfast or after-school clubs, including those providing childcare for children aged 5 and over, and wraparound childcare for children over the age of 5 should be able to continue to open for both indoor and outdoor provision.

Where restrictions are required, these providers should only offer face-to-face provision to children who are vulnerable or children of critical workers, or who are expected to have educated and of equivalent age to those eligible groups.

Clinically extremely vulnerable pupils and students

Individuals who are defined as clinically extremely vulnerable are at the highest risk of severe illness from coronavirus. Pupils and students who are clinically extremely vulnerable should follow national guidance regarding formal shielding measures in place at the time.

Higher education (HE) providers

HE providers are autonomous and are responsible for putting in place the appropriate measures, in line with guidance, based on the individual circumstances of their provider.

Universities should continue to provide face-to-face teaching, including practical classes, with their facilities and accounting for safety guidance notwithstanding. Limitations on attendance need to be made, DfE may advise that, in line with the higher education sector, universities should prioritise face-to-face teaching for students most benefit from the volume, critical and practical classes.

Where higher institutions are required, we may advise that most of the provision should be online, with buildings open only for essential workers and students in the cohorts to attend because in-person teaching is essential. This should include the continuation of provision for those who are in clinical settings, such as medical and dentistry and nursing courses. DfE may advise that student cohorts should be prioritised for return in published guidance.

Infection prevention and control

Schools, nurseries, childminders, FE providers and Ofsted-registered providers caring for children under the age of 5 should follow the latest DfE and PHE guidance on infection control (which includes infection prevention and control) outlined in the:

- actions for schools during the coronavirus (COVID-19) outbreak
- actions for early years and childcare providers
- actions for FE colleges and providers during the coronavirus (COVID-19) outbreak
- guidance for special schools and other specialist settings
- protective measures for holiday and after school clubs, and other out-of-school settings during the coronavirus (COVID-19) outbreak

These controls still apply if restrictions are lifted/eased.

All settings should update their risk assessment, in consultation with staff and unions, to reflect the contingency mode and review implementation of control measures in light of this.

Remote education

For digital or remote education expectations and the support available to schools, colleges and further education providers is available at Get Help with Remote Education.

DfE is providing laptops and tablets to schools, colleges and further education providers to ensure disadvantaged pupils can participate in remote education. Schools and responsible bodies can find out if they have any remaining laptops and tablets available to order in their current allocation by signing into the Get Help with technology portal.

Department of Health is transferred from DfE to the health and social care sector, academy trusts, schools and further education providers who receive their share of the pooled allowance.

Support is also available for disadvantaged children and young people who need an internet connection for and internet access.

The government is funding expert technical support to help schools and colleges set up secure systems for accessing Google and Microsoft education platforms.

Technical advisers can access the government technical support site or go on one of the regional digital education platforms, G Suite for Education or Office 365 Education.

Education workforce

Employers should continue to implement the system of controls set out in our guidance. Staff who are clinically extremely vulnerable or who live with someone who is clinically extremely vulnerable should be offered a role that can be undertaken from home, or have reduced numbers of students onsite and the use of remote education for students scheduled to be in at home. Employers should have regard to staff mental health and wellbeing.

This includes considering how best to balance the demands of on-site teaching and support for remote education, which should be done within the terms and conditions of teachers' and staff employment.

Safeguarding and disadvantaged safeguarding leads

There should be no change to local multi-agency safeguarding arrangements, which remain the responsibility of the Safeguarding partners:

- local authorities
- clinical commissioning groups
- chief officers of police

If restrictions are implemented in any education or childcare settings, we would expect all local safeguarding partners to be vigilant and responsive to all safeguarding risks and ensure vulnerable children and young persons are safe, particularly in more disadvantaged areas and those with high prevalence.

Keeping children safe in education is intended for all schools and further education providers, FE colleges, sixth form colleges and designated institutions must have regard. Other providers of education and childcare should be aware of their responsibilities with regard to the guidance in relation to children who are educated by parents in home agreement.

Early years providers must continue to take all necessary steps to keep children safe and well and have regard to the statutory guidance on working together to safeguard children.

Providers must continue to follow the safeguarding requirements in section three of the Early Years Foundation Stage (EYFS) framework and this should be read alongside the latest early years foundation stage coronavirus disapplications and modifications.

Schools and FE providers (ideally by the designated safeguarding lead (DSL)) or a member of senior leadership team should continue to liaise with children's social care services effective. In exceptional circumstances, DSL(s) will arrange an addendum that summarises any key local restriction related changes might be made to their child protection policy and procedures. This should be shared with staff and with the local safeguarding partners, children's services and the local authority.

Schools and FE providers (ideally by the designated safeguarding lead (DSL)) or a member of senior leadership team should continue to liaise with children's social care services effective. In exceptional circumstances, DSL(s) will arrange an addendum that summarises any key local restriction related changes might be made to their child protection policy and procedures. This should be shared with staff and with the local safeguarding partners, children's services and the local authority.

It is expected that schools and FE providers will have a trained DSL (or deputy) available on site. However, it is recognised that for some schools and FE providers there may be operational challenges to this. In such cases, there are two options to consider:

- a trained DSL (or deputy) from the early years setting, school or FE provider can be available to be contacted via phone or online video, for example working from home
- sharing trained DSLs (or deputies) with other schools or FE providers (who should be available to be contacted via phone or online video)

Where a trained DSL (or deputy) is not on site, in addition to one of the above options, a senior leader should take responsibility for co-ordinating safeguarding on site.

Transport

Transport services to education settings should continue to be provided as normal where children are attending education settings. The transport to school and other places of education: 2020 to 2021 academic year guidance remains in place.

School and FE meals

Schools should provide meal options for all pupils who are in school. Meals should be available free of charge to all infant pupils and pupils who meet the benefits-related free school meals eligibility criteria.

Schools should also continue to provide free school meals support for pupils who are eligible for benefits related free school meals and who are not attending school because they:

- are self-isolating
- have had symptoms or a positive test result themselves
- are a close contact of someone who has coronavirus (COVID-19)

Schools should work with suppliers to prepare meals or lunch parcels to be collected by, or delivered to, these eligible children during their time at home. Any parcels should be distributed in line with guidance on social distancing and local restriction tiers and should meet the school food standards.

The guidance on providing school meals during the coronavirus (COVID-19) outbreak outlines how and when children eligible for free school meals should be supported at home. It also contains information regarding best practice arrangements where food parcels are needed.

FE providers should continue to support students who are eligible for, and usually receive, free meals. This includes students in further education, who are newly eligible. FE providers should provide support even if students are studying remotely due to coronavirus (COVID-19).

There's further guidance on free meals in further education-funded institutions.

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