

# Proposed Health and Safety Report to Newcastle UCU Branch

## 15 September 2020

### The return to campus – our framework

UCU Newcastle, along with our sister unions (UNITE and Unison), have been working on a safe return to campus since March. We have also made representations to the employer about the continuing challenges of working from home.

- We are especially keen that the campus is safe for students and staff who need to be there for a variety of reasons.
- We recognise that the campus needs to be secure for research that must be conducted on campus.
- We support the need for pedagogically determined face-to-face teaching, that is teaching that cannot be delivered remotely, as determined by staff undertaking that delivery.

COVID-19 is a risk to all.<sup>1</sup> This risk increases with a rise in the number using the campus. To recap, while there are a few hundred on campus now, there will be thousands of users in October:

1. Some laboratory staff have returned as have some professional services colleagues and the senior management team (SMT).
2. More professional services staff are returning this month.
3. From this month onwards there will be increasing numbers of students returning.
4. From October 19<sup>th</sup> it is planned that most students will be coming on to campus to be taught.

**Recommendation 1:** That we re-seek clarification on the employer’s position as previously agreed with campus unions that *all returns to campus are voluntary*.

As well as responding in detail to the employer’s return to campus documentation, home working and to the generic risk assessments the employer has produced, UCU H&S at Newcastle has put forward [UCU’s five tests](#) for safe campus return. On June 4<sup>th</sup>, we emphasised the need for “comprehensive access to regular testing for students and staff, with isolation for all suspected cases, to ensure colleges don’t become hotspots for COVID-19”. The response received June 10<sup>th</sup> was as follows:

*we are using the principles document which has been formally agreed between UCEA, all Unions, The University Health and Safety Associated etc. as our guiding document. I am not sure the UCU document has been consulted in the same way. We have included information on the NHS track and trace initiative, which is the procedure put in place for the whole country, and are currently following the required procedures. The guidance document now includes all of this.*

Meanwhile, both Leicester and Warwick universities are offering local testing. Warwick’s turn to testing is particularly significant given that this followed an open letter campaign mounted by the Warwick branch.

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<sup>1</sup> “In this brief we argue that: first, given the current UK prevalence of COVID-19, there is a significant risk that any given student or member of teaching staff who attends weekly face-to-face teaching events (lectures, seminars, workshops, laboratories) throughout the autumn term will catch COVID-19; second, that this risk extends indirectly to all workers on campus, including cleaners, professional services staff, and canteen staff; and third that *anyone* who catches COVID-19 is at significant risk of developing serious illness.” USSBriefs #99, <https://medium.com/ussbriefs/why-universities-must-move-all-teaching-online-this-autumn-efdf7d09cce5>

**Recommendation 2:** We restate yet again our demand for regular *effective* testing (and tracking).

Awareness is growing of the difficulties experienced by US colleges on returning to campuses. However, what is less appreciated is that there is a commitment by those bodies to publicly report incidences of COVID-19 amongst their students and staff. This is not the case at Newcastle. The draft documents that UCU H&S representatives have seen do not commit the employer's representatives to reporting incidences to campus unions.

**Recommendation 3:** We insist that campus unions are informed immediately of all known incidences of COVID-19 illness amongst student and staff.

### In Person or physical face-to-face teaching (face-to-face teaching)

The movement of younger people, September/October, in Higher Education will number around one million, is widely recognised as dangerous. This has been recognised by SAGE,<sup>2</sup> and subsequently by the Department of Education in its guidance to Universities, with responsibility pushed downwards to individual 'autonomous providers'.<sup>3</sup>

Earlier doubts about HE employers' plans for face-to-face teaching were brushed aside by the employer. This includes representations by UCU, both locally and nationally, and by Independent SAGE.<sup>4</sup>

There has been media interest in how challenging the situation is, including in the context of changing student numbers and the need for testing.<sup>5</sup> This has included reports that feature our university.<sup>6</sup> None of this has changed the minds of senior managers.

It is now clear that we cannot rely on the government or our employer to recognise the dangers of face-to-face teaching to our members, our families, and neighbours. Face-to-face teaching is not only a risk to staff and students, but to all staff working on campus and to the wider community. Face-to-face, which also brings students into a range of public spaces, including transport, will spread COVID-19 both on campus and off. This is recognised in the recent guidance and advice.

As the campus becomes an increasing site for COVID-19 transmission, campus closure and local lockdowns will become ever more probable. And there are therefore further associated risks, including risks:

- to local businesses
- to research and other activities that can only be conducted on campus

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/914978/S0728 Principles for Managing SARS-CoV-2 Transmission Associated with Higher Education .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/914978/S0728_Principles_for_Managing_SARS-CoV-2_Transmission_Associated_with_Higher_Education.pdf)

<sup>3</sup> <https://www.gov.uk/government/publications/higher-education-reopening-buildings-and-campuses/higher-education-reopening-buildings-and-campuses>

<sup>4</sup> <https://wonkhe.com/blogs/universities-get-some-indie-sage-advice-on-reopening-campuses-in-september/>  
See <https://documentcloud.adobe.com/link/review?uri=urn%3Aaaid%3Aascds%3AUS%3A5e2e1350-dcdc-49db83eb-91f470afee1a#pageNum=1>

<sup>5</sup> <https://www.theguardian.com/education/2020/aug/21/make-COVID-19-tests-compulsory-for-universitystudents-say-scientists-sage>

<sup>6</sup> <https://www.wired.co.uk/article/university-places-clearing-acceptance>

- of associated reputational damage. Blended learning is likely to become an empty promise and “From Newcastle to the World” will take on a new meaning

As far as we can tell, the decision that the spread of COVID-19 through face-to-face teaching can be mitigated is based on modelling commissioned by the employer (see earlier email to members). We have made a short response, which the employer has chosen to ignore (see appendix 1). The spread of the disease is inadequately modelled temporally and spatially. There is no recognition of long-COVID illnesses in the modelling, with staff and students predicted to be only ill for a fortnight before they recover. The modelling itself, while understating risk and making conservative assumptions of disease transmission and community ‘resilience’, still acknowledges that there is a risk of staff death.

As a result of face-to-face teaching across all subject groups, the risk of long-term ill-health and death will increase. This makes the risk unacceptable. Neither the modelling nor the mitigations that have been put in place have made face-to-face teaching for students or staff on the scale proposed safe enough to justify the “blended” learning strategy that has been developed by SMT.

**Recommendation 4:** No face to face teaching in the autumn semester unless determined to be pedagogically necessary by the staff undertaking the activity.

### Working at Home and Mental Health Support

Working at home has not been easy for many of us for a variety of reasons. Newcastle UCU H&S has repeatedly called for better support from the employer for staff working at home. We should continue to do so as even the most optimistic scenario of a return to campus would still have many spending a great deal of time working from home. We also recognise that working from home may have exacerbated existing health conditions. And that there has likely been a deterioration in mental health more generally since March.

**Recommendation 5:** We need to continue to call for better support from the employer for those working from home. More specifically, this includes re-examining the impact of home working on mental health as well as physical disabilities and a rethinking of reasonable adjustments as well as improved occupational health provision and support.

### Individual Risk Assessment

There have been calls on members who feel they might be vulnerable to ask for “an individual risk assessment”. Currently, the employer is using government definitions of clinically vulnerable and clinically extremely vulnerable, and individual risk assessments are likely to be judged by the employer on these relatively narrow criteria (see also the workflow for unit managers to decide who should return). It might be that we can fight for members one at a time, but it is likely to be ineffective given the short time periods. Furthermore, and given the use of such criteria, large numbers of presented cases could be ruled by the employer as vexatious and ignored. It is worth noting that amongst those who have died of COVID-19 there have been individuals unaware of underlying health conditions – an individual risk approach will offer some individuals dangerous reassurance.

More broadly, this approach individualises a collective problem. It makes victims of our members and places responsibility on their shoulders through raising issues of individual resilience and responsibility rather than focusing on the (in)actions of the employer.

**Recommendation 6:** The branch should support individual members who are concerned about health issues and their own individual risks. Encourage and support members to raise any concerns they have with their line managers. However, and overall, maintain a collective approach to risk.

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*Please note, all the above does not replace routine H&S work, including supporting individual members and site and activity inspections which we will need to carry out.*

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## Appendix 1

**Some brief comments by Newcastle UCU H&S on the employer's modelling: "Estimating the impact of COVID-19 in one semester on a University Community. 05 July 2020" (document attached). Sent 28<sup>th</sup> July 2020.**

The paper is a shortened version of "A summary of the V-KEMS Workshop on Unlocking Higher Education Spaces - What Can Mathematics Tell Us?"

In the caveats displayed in red on the first page, the V-KEMS document states "this report contains preliminary findings that have not been peer reviewed. The findings are intended to provoke further study and policy discussion and should not be treated as definitive scientific advice in response to the SARS-CoV-2 epidemic." We believe that these caveats should be taken seriously.

We further note that there are acknowledged shortcomings in the modelling., such as the large age range used for staff (25-64 years). For example, according to data from the New York outbreak, people aged 45-64 years were almost 10 times more likely to die from COVID-19 than those aged 18-44 years.<sup>[1]</sup> Also acknowledged is the inability to include any measures of ethnicity or pre-existing health conditions.

Most seriously, the methods used to estimate the likely numbers infected and deaths from Coronavirus are unorthodox and wholly inadequate as a basis for planning. Incidence figures calculated by the Office for National Statistics over long periods of time are used as if the population at risk were being exposed to a uniform risk factor in a linear fashion. However, as has become public knowledge, Coronavirus is an infectious virus which in an epidemic can cause the number of cases to grow exponentially. The much discussed reproductive " $R_0$ " number means that every person infected will infect  $R_0$  number of other individuals. At the end of March 2020, confirmed cases of coronavirus infection and deaths from COVID-19 in the UK were doubling every three days.<sup>[2]</sup>

In the V-KEMS document it states that no account has been taken of super spreader (concentrated) events. However, epidemics do not spread only through super spreaders and the reproductive number is an average across all instances of passing on the virus. Concentrated events are, however, precisely the sort of events likely on a university campus through which a localised epidemic can grow.

Unless there is routine testing enabling diagnosis and quarantining of asymptomatic cases, outbreaks are inevitable. Without a well-established and efficient system of contact tracing they are likely to spread and it will not be linearly. Nor will it be confined to campuses.

There are other issues we identified, including the following:

- The modelling only produces estimates of cases and deaths; what about hospitalisation, intensive care use and the emerging concerns over long term effects of contracting the virus?
- The modelling relies on an imagined single "university community" and not several communities with wider interfaces. There is a lack of complexity not only in the temporal, but also in the spatial dimension.

- Bringing students from across the UK and from overseas is not considered sufficiently in the model in relation to off-campus communities.
- There is an assumption that student households are in isolated, student-only, accommodations with little interaction with neighbours and local services. Nor do students return to parental homes during term-time in this model, which is what happened with lockdown in late March and included parents arriving to drive students to their parental homes.
- We would also have liked to have seen a greater acknowledgement of public transport and the distance staff and students may be travelling. There seems to be an assumption that the off-campus communities are close to the main campus.
- The rate of student contact is extremely conservative and based on general public statistics. In addition, student behaviour is not referenced. The assumption in Section C of the PowerPoint that, 'Reckless intent not considered', rather misses the point about what we know about the behaviour of 18-21 year old students.

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<sup>[1]</sup> <https://www.statista.com/statistics/1109867/coronavirus-death-rates-by-age-new-york-city/>

<sup>[2]</sup> <https://www.bbc.co.uk/news/health-52056111>

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## **Appendix 2: 29<sup>th</sup> July 2020 reply by a representative of the employer [with notes]**

“Thank you for your detailed email highlighting some and specific aspects of one of the pieces of research the University has referred to during the planning of Health and Safety matters. We have considered a range of research papers throughout the process. As a University our overriding priority is to ensure that we continue to follow and adhere to the Government, Public Health England and Health and Safety Executive advice. [redacted to anonymise author]

“To ensure all of our campus unions play an active role in the development of our approach to the COVID-19 situation the University have set up a number of forums, for consultation purposes [these are not consultative meetings]. Going forward I would encourage the UCU representative at these forums to contribute to those discussion and share any concerns and solutions [this has been done weekly by email for at least three months]. Our documents in respect of COVID 19 have been widely discussed in meetings with UCU and other trade union members present. We all want the University to come through this with good regard to the wellbeing of staff, students and members of the public.

“Due to the high volume of activity and need to respond to the fast changing guidance we have limited capacity to respond to multiple and ad hoc requests. I also want to ensure that UCU’s views are shared and heard in the appropriate forum so we can have a consistent and fair approach to all of our campus unions when reaching decisions.”

*[Note: Employer modelling of COVID-19 has been said to be unusual in the sector.<sup>7</sup>]*

## **Appendix 3**

The UCU national five tests <https://www.ucu.org.uk/article/10781/Unions-set-out-five-testsgovernment-and-colleges-must-meet-before-staff-and-students-can-return>

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<sup>7</sup> <https://wonkhe.com/blogs/theres-a-month-to-go-and-still-lots-of-questions-to-answer/>

#### Test 1: Much lower numbers of COVID-19 cases

The new case count must be much lower than it is now, with a sustained downward trend and confidence that new cases are known and counted promptly. And the Government must have extensive, open and transparent arrangements in place for testing, contact tracing and isolating those with COVID-19 symptoms.

#### Test 2: A national plan for social distancing

The Government must have a national plan in place which includes parameters for both appropriate physical distancing and safe levels of social mixing in all further education settings. To help ensure physical distancing during travel and at colleges, all staff and students who can work and study from home must continue to do so.

#### Test 3: Comprehensive testing

Comprehensive access to regular testing for students and staff, with isolation for all suspected cases, to ensure colleges don't become hotspots for COVID-19. In addition to routine testing, protocols to be in place to ensure testing across whole college sites and other non-college work-based learning sites whenever a confirmed case of COVID-19 occurs.

#### Test 4: A whole college strategy for health and safety

Risk assessments and safe ways of working for all tasks and spaces within a college should be established with relevant staff and unions in advance. This should include regular deep cleaning and stringent hygiene measures. Where PPE is identified as required by risk assessments, supplies of these are secured before re-opening of affected areas. Strategy to be clearly communicated to all stakeholders.

#### Test 5: Protection for the vulnerable

Vulnerable staff, and staff who live with vulnerable people, must work from home, fulfilling their professional duties to the extent that is possible. Plans must specifically address the protection of all staff, students and members of their households who are vulnerable to COVID-19.