

## **PUBLIC HEALTH PROTECTION (CORONAVIRUS) REGULATIONS 2020**

### **Direction by Council of Ministers under Regulation 30**

#### **relating to Educational Institutions**

#### **Part 1 - Closure Direction**

1. This Closure Direction is made by the Council of Ministers in accordance with Regulation 30 of the Public Health Protection (Coronavirus) Regulations 2020 ("the Regulations").
2. In making this Closure Direction, the Council of Ministers has had regard to the need to ensure that members of the public have access to essential public services and goods and considered the advice given by the Director of Public Health.
3. This Closure Direction and the prohibitions, requirements or restrictions set out in the Schedule shall be in operation from 14:30 on 9<sup>th</sup> January 2021 and will remain in force until 00:01 on 28<sup>th</sup> January 2021.

#### **Part 2 - Premises to which this Closure Direction relates**

4. This Closure Direction relates to educational institutions as more particularly described in the Schedule.

#### **Part 3 – Revocation of previous Direction**

5. Government Circular No. 2021/0002 in relation to closure of educational institutions is revoked from the date and time when this Direction comes into operation.

**Signed: \_\_W Greenhow\_\_\_\_\_**

**Chief Secretary on behalf of the Council of Ministers**

**Date: 9<sup>th</sup> January 2021**

**Time: 14:10**

## SCHEDULE

### 1. Application to educational institutions in the Island and provisions for closure

For the purposes of this Closure Direction:

**“educational institution”** means a school or college within the meanings given in the Education Act 2001;

**“Permitted Pupils”** means pupils who are permitted to attend Hub Schools as a Specified Person;

**“Permitted Staff”** means staff or other officers who are permitted to attend Hub Schools as a Specified Person;

**“premises”** means any premises which persons regularly attend in order to receive services provided by the institution;

**“responsible body”** means the person or body of persons responsible for the management of an educational institution including the headteacher, principal, the governing body or, as the case may be, the proprietor (within the meaning of section 59 of the Education Act 2001);

**“school”** has the same meaning as in the Education Act 2001 (see section 59 of that Act);

**“specified”** means specified, or falling within a description specified, in this Closure Direction made under Regulation 30 of the Regulations; and

**“Specified Persons”** means persons specified in paragraph 2 c. of this Schedule to this Closure Direction who are permitted to attend Hub Schools.

### 2. Closure of Educational Institutions

- a. The educational institutions in the Island listed in column A of the table below (“Hub Schools”) shall be closed in accordance with this Closure Direction to all persons except for Specified Persons.
- b. The educational institutions in the Island listed in column B of the table below shall be closed in accordance with this Closure Direction (“Closed Schools”).

<b>COLUMN A - Hub School</b>	<b>COLUMN B Closed Schools</b>
Ballacottier	Anagh Coar St Thomas' Vallajeelt Kewaigue Manor Park
Bunscoil Rhumsaa	Andreas

	Dhoon Jurby Sulby
Cronk y Berry	Willaston Braddan
Henry Bloom Noble	Scoil yn Jubilee St Mary's RC
Onchan	Ashley Hill Laxey
Peel Clothworker's	Ballaugh Bunscoil Ghaelgagh Michael
Scoil Phurt le Moirrey	Ballasalla Victoria Road
Rushen	Arbory
St John's	Foxdale Marown
All schools providing secondary education	
All other educational institutions in the Island including University College, Pre-School Assessment Centre and Education Support Centre save that the library in UCM shall remain open	
Any other educational institution in the Island not listed above save where such educational institution provides residential accommodation for its pupils which may remain open, including any arrangements for catering or healthcare of persons residing there (but not for educational purposes)	

- c. In this Closure Direction, Specified Persons shall mean:
- (a) vulnerable children as more particularly set out in any guidance issued by the Department of Education Sport and Culture;
  - (b) pupils of primary school age or secondary school age who is a child of a parent or guardian who is an on-Island essential worker as more particularly set out in any guidance issued by the Department of Education Sport and Culture;
- (those pupils listed in sub-paragraph (3)(a) and (b) shall be referred to in this Closure Direction as "Permitted Pupils")
- (c) a headteacher, teachers, educational support officers, or other non-qualified staff as the headteacher or other nominated officer of the leadership of the educational institution or other authorised officer of the Department of Education Sport and Culture ("the Nominated Officer") as may be required to properly supervise those permitted pupils ("Permitted Staff").
- d. Specified Persons permitted to attend educational institutions
- (1) Specified Persons shall be permitted to attend at a Hub School pursuant to this Closure Direction.
  - (2) Permitted Pupils of Closed Schools in column B of the table in paragraph 1(2) should take all reasonable steps to attend the Hub School immediately adjacent in column A of the table ("the Nominated Hub School").
  - (3) If for exceptional or other compelling reason a Permitted Pupil is unable to attend the Nominated Hub School, Permitted Pupils or their parent or guardian should take appropriate action to notify the Nominated Hub School, and the Hub School which it is intended to attend in lieu of the Nominated Hub School.
  - (4) Specified persons shall take all reasonable steps to observe and abide by any Public Health or other guidance published by the Cabinet Office, or the Department of Health and Social Care in relation to social distancing or self-isolation ("public health guidance") whilst attending at a Hub School.
  - (5) The headteacher, or in the absence or incapacity of the headteacher another Nominated Officer, or the Interim Chief Executive Officer of the Department of Education Sport and Culture or his delegate shall issue directions to all attendees at the school in order to observe and abide by any public health guidance.
  - (6) The headteacher, or in his or her absence or incapacity the Nominated Officer, or in his or her absence or incapacity the Interim Chief Executive Officer of the Department of Education Sport and Culture or his delegate may issue guidance or directions in relation to the operation of or attendance at Hub Schools by Specified Persons.
  - (7) The Department of Education Sport and Culture may close any of the Hub Schools or reduce capacity or operating hours where circumstances require it in order to protect public health.

- (8) Any Hub School may obtain such personal data from the parent or guardian of a Permitted Pupil of any Closed School, or from the Closed School that the Permitted Pupil usually attends provided that:
- a. the personal data obtained is required, in the reasonable opinion of a headteacher, the Nominated Officer or the Interim Chief Executive Officer or their delegate, to ensure the health and safety, or education of that Permitted Pupil or other Permitted Pupil;
  - b. information security protocols are put in place and agreed in advance between the school providing the information and the school receiving it;
  - c. that in all other respects the request and the data which is required is necessary and proportionate for the purposes for which it is collected; and
  - d. where possible given any resource or lack thereof, sharing of information is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller or in the vital interests of the data subject or another natural person.
- (9) For the avoidance of doubt, libraries in any educational institution which is permitted to remain open or partially open in accordance with any Closure Direction given under Regulation 30 of the Regulations for the closure of any premises, shall remain open (specifically the library in Keyll Darree in so far as those premises are referred to or otherwise deemed to be an educational institution at UCM.)
- (10) Notwithstanding the generality of this Closure Direction in respect of the closure of Educational Institution premises, nothing in this direction prevents any Educational Institution whose premises is closed providing online learning from or by any Educational Institution or its responsible body.

## **GUIDANCE ISSUED BY THE DEPARTMENT OF EDUCATION SPORT AND CULTURE**

This guidance is issued by the Department of Education Sport and Culture (“the Department”) in accordance with the Closure Direction for educational institutions and providers of child care services dated 7<sup>th</sup> January 2021 under Regulation 30 of the Public Health Protection (Coronavirus) Regulations 2020 (“the Regulations”).

### 1. Attendance– Does my child have to attend at school?

1.1 No pupil registered or enrolled at a school on the Island is required to attend at school, during the period stated in the Closure Direction.

1.2 No enforcement action will be taken by the Department in respect of any failure of any pupil to attend at school.

1.3 The aim of the Closure Direction is to ensure that a school or child care provided remains open to receive a permitted pupil (that is pupils who are vulnerable, or children of an on-Island essential worker) but does not require attendance at school.

1.4 Where a permitted pupil has adequate arrangements for care at home, that pupil **should not** attend at school and should stay at home.

1.5 The headteacher of a school, or other school leader may ask for details of the pupil’s status, but will not need any formal application or any confirmation to be made.

### 2. Which school should my child attend if his or her school is closed?

2.1 Hub schools (including all secondary schools) remain open. If your child is a secondary school student, they should attend at their usual secondary school. If your child is a primary school student, they should attend the Hub School that is listed below in the column next to the Closed School name.

2.2 Pupils may attend other Hub Schools where there is an exceptional or compelling reason for them to do so, as the responsibility for transport to and from a Hub School will remain with the pupil’s parent or guardian.

2.3 Pupils should not ‘alternate’ between Hub Schools where possible, and should attend at the same Hub School each day.

2.4 Registers will be taken at each Hub School, and emergency contact details will need to be provided (including those who are not attending a Hub School).

### 3. What arrangements are in place in schools to educate and supervise my child?

3.1 Internal arrangements at each school will differ depending on the size of the school, and the numbers of pupils in attendance on any given day and is at the discretion of the headteacher or other school leader.

3.2 Schools may utilise bases for leadership teams, year groups, or may merge or mix groups or classes, and key roles will be established once numbers are established.

3.3 Arrangements will be and remain flexible.

3.4 Where there is sufficient staffing, the priority will be to ensure that there are one or more staff teams rotating in supervising the school, and to ensure social distancing between pupils as far as possible.

3.5 Colleagues from other parts of the Department may be redeployed temporarily from other services to bolster or support supervision, but only where appropriate checks (including DBS) have been undertaken.

3.6 Personal protective equipment (PPE): a person attending an educational institution is encouraged to use their own appropriate PPE, there will however, be a limited amount of supplies available in schools if required.

3.7 Cleaning and caretaking arrangements are being enhanced.

3.8 Hub Schools may need information about your child which they will seek from the Closed School or directly from parents. Sharing of information between the Closed School and the Hub School, and where necessary, to the Department of Education Sport and Culture, is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller or in the vital interests of the data subject or another natural person Your information, nor your child's information, will be shared outside of the Department of Education Sport and Culture unless there is a legal obligation upon us to do so, or where it is necessary in the vital interests of your child or another pupil.

#### 4. Will school meals still be provided?

4.1 School catering services will be available for those attending Hub Schools. Private Educational Institutions will need to confirm their own arrangements where they remain open for on-Island essential workers or vulnerable children. Catering is not available for the period of the Closure Direction at UCM, the Education Support Centre, or the Pre School Assessment Centre.

#### 5. What about exams?

Pupils (whether or not attending at a Hub School) will need to continue to study for exams as normally as possible, and complete any necessary coursework which will still count towards any grade. Pupils will be updated by their own school when more information is available, for example arrangements for mocks or other exams.

#### 6. What if my child does not need to attend school?

6.1 Whether your child is a permitted pupil or not, you may choose to keep your child at home where there are adequate arrangements for their health and safety.

6.2 Parents who are providing education at home at this time are not required to follow a curriculum, and there are no minimum requirements for teaching of subjects. Parents of primary school students are encouraged to ask their children to continue to read regularly, and practice spellings and times tables. Schools are making arrangements to distribute online learning where at all possible, and other remote and home learning opportunities.

#### **6.3 We ask that you keep your child at home if you are able to.**

6.4 Schools will endeavour to keep in touch with any pupils not attending school with remote learning activities and keeping parents up to date with e-mail and social media updates. Please be patient as due to staffing the priority is health and safety of the pupils in school.

## 7. What is a vulnerable child or the child of a 'on-Island essential worker'?

7.1 The Department of Education Sport and Children consider any child to be vulnerable where for example:-

7.1.1 The child is a child who has been placed in care;

7.1.2 The child is subject to a statutory child protection plan;

7.1.3 The child has been placed in a Special Educational Needs Unit by the Department;

7.1.4 The child is subject to a care order or is subject to complex disabilities or needs which would determine it to be in the best interest of the child to continue to attend school;

7.2 The Department of Education Sport and Children consider a child of a 'on-Island essential worker' to be children of any party working in the work sectors set out in the Annex to this Guidance.

7.3 Even if you are an on-Island essential worker, you are encouraged to keep your child at home if it is possible to do so. Attendance at school is intended to be emergency cover for on-Island essential workers who need to go into work and cannot make any suitable arrangements at home for their children.

Guidance issued for and on behalf of the Department of Education Sport and Culture

Date: 7<sup>th</sup> January 2020

## ANNEX

<b>Work Sector</b>	<b>If your work is critical to the COVID-19 response, or you work in one of the critical sectors listed below, and you cannot keep your child safe at home then your children will be prioritised for education provision</b>
<b>Health and social care</b>	This includes but is not limited to doctors, nurses, midwives, paramedics, social workers, care workers, and other frontline health and social care staff including volunteers; the support and specialist staff required to maintain the Island's health and social care sector; those working as part of the health and social care supply chain, including producers and distributors of medicines and medical and personal protective equipment.
<b>Education and childcare</b>	This includes childcare, support and teaching staff, social workers and those specialist education professionals who must remain active during the COVID-19 response to deliver this approach.
<b>Key public services</b>	This includes those essential to the running of the justice system, religious staff, charities and workers delivering key frontline services, those responsible for the management of the deceased, and journalists and broadcasters who are providing public service broadcasting.
<b>Local and national government</b>	This only includes those administrative occupations essential to the effective delivery of the COVID-19 response, or delivering essential public services, such as the payment of benefits, including in government agencies and arm's length bodies.
<b>Food and other necessary goods</b>	This includes those involved in food production, processing, distribution, sale and delivery, as well as those essential to the provision of other key goods (for example hygienic and veterinary medicines).
<b>Public safety and national security</b>	This includes police and support staff, contractor and (those critical to the delivery of key defence and national security outputs and essential to the response to the COVID-19 pandemic), fire and rescue service employees (including support staff), those maintaining border security, prison and probation staff.
<b>Transport</b>	This includes those who will keep the air, water, road and freight transport modes operating during the COVID-19 response, including those working on transport systems through which supply chains pass.
<b>Utilities, communication and financial services</b>	This includes staff needed for essential financial services provision (including but not limited to workers in banks, building societies and financial market infrastructure), the oil, gas, electricity and water sectors (including sewerage), information technology and data infrastructure sector and primary industry supplies to continue during the COVID-19 response, as well as key staff working in the telecommunications sector (including but not limited to network operations, manufacturing and engineering, call centre staff, IT and data infrastructure, 999 and 111 critical services), postal services and delivery, payments providers and waste disposal sectors.

<b>Miscellaneous Services</b>	This includes those that are required for essential commercial cleaning staff who are deployed in any of the working areas of the categories listed above in order to allow them to function.
<b>General Guidance</b>	If workers think they fall within the critical categories above, they should confirm with their employer that, based on their business continuity arrangements, their specific role is necessary for the continuation of this essential public service.