

## **Critical National Infrastructure Exemption Scheme (Education Staff)**

**Note: This guidance relates to the Critical National Infrastructure (CNI) Exemption Scheme, which is ending from 6 January 2022 and being replaced by population wide changes to isolation policy.**

**However, there may be a need for people who were isolating before 6 January 2022 to continue to attend work under the guidance of that scheme that was in place at the time:**

- **people who are already daily testing under the CNI scheme from 5 January or earlier should continue to follow the CNI guidance until the end of their isolation period;**
- **people who were asked to isolate prior to 6 January but who have not yet been able to return to work under the CNI scheme may engage in daily testing and return to work in line with the rules set out in the CNI guidance, if required.**

**In these circumstances, the previous guidance, as set out below, will continue to apply.**

### Previous guidance (from version 7.1 of the Reducing Risks in Schools Guidance)

Provision is available for business and organisations providing vital public services to apply for an exemption to allow essential workers to volunteer to leave self-isolation and return to work, in certain limited circumstance, to allow vital services to continue. As per advice from the National Incident Management Team, the education sector falls within that definition.

In order for this to apply, schools / local authorities must be able to demonstrate that:

- a school is impacted by staff shortages as a direct result of self-isolation requirements
- those staff shortages are in danger of putting essential functions and services at risk, and
- all other options to address pressures on operations have been exhausted

In the case of schools, this means considering exemptions in order to avoid school buildings closing and avoiding moving to remote learning where possible.

Staff who volunteer not to self-isolate must only do so following a risk assessment of their personal circumstances, and the employers' duty of care to all their employees must be respected.

Under the process, before a staff member who is a close contact of a positive case can return to work, they must meet the criteria as set out in the guidance for critical workers exemptions. As of 16th December 2021, the detail of those criteria was as follows:

- have had their second COVID-19 vaccination more than 14 days ago
- have a valid vaccination record (You can download the NHS Scotland Covid Status app or get a paper record of your vaccine status from NHS Inform.)
- not have symptoms of COVID-19
- have evidence of a negative PCR test
- take daily lateral flow tests for up to 10 days after being exposed to the virus

- fully comply with any PPE requirements, hand hygiene and other infection control measures

Staff who cannot reasonably isolate from on-going exposure to a COVID-19 positive household member should not volunteer to return to work.

Responsibility for assessing such exemptions will reside with local authorities in their role as employer. In making any such decision, all the conditions above need to have been met. The following information should also be recorded:

- the impact of no action
- the scope of the requested exemption – location, number of staff etc
- whether they are currently engaging with their local incident management team (IMT) regarding an outbreak

During a period of exemption from isolation the staff member should be vigilant in following all required mitigations (including maintaining physical distancing from others wherever possible) and must not work closely with those who are at the highest clinical risk from coronavirus (as defined in the relevant section of this guidance).

In an outbreak situation the local health protection team can override exemption from self-isolation as per the Scottish Government guidance on management of public health incidents. The exemption from isolation is also only applicable to the place of work, and cannot be treated as a blanket exemption for other purposes.

Independent and grant-aided schools should email [IndependentSchoolsMailbox@gov.scot](mailto:IndependentSchoolsMailbox@gov.scot) to request an exemption. To receive such exemptions, School Managers must be able to similarly demonstrate the same level of evidence as set out above.