**New Government Guidance - Clinically Vulnerable and Clinically Extremely Vulnerable Staff**

On the 5th November 2020 the Government initiated the second period of national restrictions as part of the on-going fight against Covid-19. As a result, new guidance was issued relating to clinically vulnerable and clinically extremely vulnerable individuals. Below we have summarised the key points in this guidance and how it relates to staff in schools.

*Please note this guidance is correct at the time of publication.*

**Clinically Extremely Vulnerable (CEV)**

Adults are classed as clinically extremely vulnerable where:

* They have one or more of the conditions listed [here](https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19#cev) in the Government guidance under ‘Definition of clinically extremely vulnerable groups’;

or

* Their hospital clinician or GP has added them to the shielded patients list because they assess the individual as being at a higher risk of serious illness if they contract Covid-19.

Where staff members think they may be clinically extremely vulnerable but do not have any of the listed conditions, or have not received a shielding letter, they should be directed to their hospital clinical or GP to discuss further.

**CEV – Working Arrangements**

Letters have been sent directly to individuals who have been identified as needing to shield. The letter states that individuals identified as clinically extremely vulnerable are “strongly advised to work from home” and “if you cannot work from home, you should not attend work for this period of restrictions”. Whilst this is guidance and therefore not law, the duty of care on the employer in respect of their employees’ health and safety takes precedence here.

This means that even if there are clinically extremely vulnerable staff who wish to continue attending work, the advice is that they cannot do so safely and so they should remain at home whilst this period of restrictions remains in place. Schools are also strongly advised against allowing CEV staff to attend work even with an individual risk assessment in place. In most circumstances, working from home should be a viable option as even if the individual is unable to carry out the full range of their substantive duties, there will likely be tasks they can do to continue supporting the school from home.

**Clinically Vulnerable (CV)**

Adults are classed as clinically vulnerable where:

* They are aged 70 or over regardless of medical conditions

or

* They have an underlying health condition listed [here](https://www.gov.uk/guidance/new-national-restrictions-from-5-november#protecting-people-more-at-risk-from-coronavirus) in the Government guidance under “Protecting people more at risk from coronavirus”.

or

* They are pregnant.

Adults aged over 60 are also considered at a higher risk of severe illness from coronavirus.

**CV – Working Arrangements**

Clinically vulnerable staff should be especially careful to follow the rules on social distancing, hygiene, including washing their hands more frequently and carefully than usual and ensure frequently touched areas in their home and/or working environment are thoroughly cleaned on a regular basis, and to minimise contact with other people.

There may be staff members who were classed as clinically extremely vulnerable during the first period of national restrictions but are now classed as clinically vulnerable, in which case these staff members would be expected to be in work, following the relevant guidelines and with an appropriate risk assessment in place.

Previously, some advice relating to pregnant staff who were at 28 weeks+ gestation from the Royal College of Obstetricians and Gynaecologists stated that this fell into the clinically extremely vulnerable category and as such, women at this stage of pregnancy should not attend work. However, this is no longer the case and the current advice from the RCOG states that women at this stage of pregnancy should be particularly attentive to social distancing. Employers should, however, take any relevant factors into consideration including any other medical advice received and use their discretion where appropriate.

Should you require any further advice or guidance on the above, please contact your HR Business Partner.