UK Withdrawal from the European Union

FAQ for Kent Schools

Q. What is the issue?

A. The government has stated that the UK will leave the EU on 29 March 2019. There may be a period of disruption to trade, transport and services, especially in the case of a “no-deal Brexit”, with no agreement between the UK and the EU concerning future trading arrangements.

KCC has therefore produced some guidance for schools to help them prepare for this possible scenario.

Q. What do I need to do now?

A. The guidance to schools provides some ideas on preparatory work that will help a school maintain its business continuity in the event of disruption. The advice is for all schools to work their way through the suggestions.

This exercise would be useful even if the disruption does not materialise as many of the measures have value to ameliorate challenges during other types of emergency.

Q. If on a day where there is significant disruption, I haven’t sufficient staff to provide a full education to all the pupils/students, what do I do?

A. It is important to be aware of the impact on the community. For example, if a 2FE primary school closes, it might potentially result in several hundred working parents having to leave their place of work to look after their child. These parents may be in an occupation that provides a vital service to the community (e.g. nurses, carers, bus & lorry drivers, social workers, or even teachers themselves). This exacerbates the challenge to the community.

During periods of staff shortage due to an emergency, before head teachers decide to close, they should consider two alternative courses of action.

First consider suspending normal teaching and instead adopt a ‘carer’ role, with classes being supervised. The decision on safety is made by the head teacher through a risk assessment and formal decision.

Secondly, consider closure of separate year groups. To use a primary school example, if you have no Year two teachers but a full team of every other year, then consider just closing the Year 2 class or arrange for the Year 2 class to work with the Year 1s.

Q. What are the staff : pupil/student safety ratios?

A. With the exception of ‘rising fives’ in Year R, there are no staff : pupil safety ratios. Pupils under the age of five may not be in a teaching or care scenario with more than 30 children per qualified teacher.

Q. Under what circumstances should I consider school closure?

A. The decision to close a school is down to the head teacher. Following a risk assessment, the head teacher determines that not only is normal schooling not possible, moving to a carer role is not possible either. This decision rests with the head teacher, but as stated in the ‘School attendance - Guidance for maintained schools, academies, independent schools and local authorities, September 2018’, it is the legal obligation for all head teachers to do whatever they can to remain open, or as open as possible.
Q. What should I do if the school transport is delayed or cancelled, with pupils/students waiting at the school?

A. You should keep the pupils/students inside the school until new travel options can be put in place. This task falls to the transport provider, but might be some time. You might have to consider feeding and ensuring sufficient staff remain on site to care for stranded children.

If transport is not forthcoming, you will have to consider other methods, including asking parents whether they can pick up and potentially picking up friends and dropping them off. Early planning is key to this working, although you should keep safeguarding in mind and take reasonable steps to ensure the safety of your students/pupils when considering alternative arrangements.

Q. What if staff cannot get home?

A. You need to speak to HR now, to request advice on what options are available to you. You should definitely speak to staff to establish whether there are any informal local arrangements that staff could use.

Q. How do I manage staff absences?

A. In the same way that you manage staff absence during any other emergency. You will have to satisfy yourself that the member of staff has made every effort to get in to work. It is reasonable to request that staff undertake some form of work even if not in school.

Q. How do I manage student/pupil absences?

A. In the same way that you manage student/pupil absence in any other emergency. See: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739764/Guidance_on_school_attendance_Sept_2018.pdf for more information, but the likelihood is that absent students they should be marked down as Code Y. From the guide:

**Code Y: Unable to attend due to exceptional circumstances**

**This code can be used where a pupil is unable to attend because:**

- The school site, or part of it, is closed due to an unavoidable cause; or
- The transport provided by the school or a local authority is not available and where the pupil’s home is not within walking distance; or
- A local or national emergency has resulted in widespread disruption to travel which has prevented the pupil from attending school.

Q. But if I use code ‘Y’ for a pupil who is not in school, will this affect my attendance figures?

A. KCC recognise the lack of incentive to keep open part of the school, if the school’s absence/attendance figures will be negatively affected. We have contacted the Department for Education and they have confirmed that pupils/students that are coded ‘Y’ for non-attendance, will not be counted in the school’s attendance figures. However, they do advise that for any days when code ‘Y’ is used, the school note down the reasons that absent pupils are reporting. It would be sensible for this practice to be used for any instance where code ‘Y’ is used, including harsh weather, boiler breakdown, flood, etc.

This is referenced in the Guidance on School Attendance (above) where the instructions in the use of code ‘Y’ is under the section headed:

“**Administrative Codes - The following codes are not counted as a possible attendance in the School Census**”.

Q. What school services might be affected?
A. This is difficult to say for certain, although it may help to consider direct and indirect effect.

A direct consequence of disruption at the ports and tunnel terminal could cause congestion that might make it difficult for food, fuel and other supplies to be delivered to the schools in a timely manner.

An indirect consequence of disruption could see a reduced availability of food, fuel and other supplies, because the amount coming into the country isn’t enough to match demand.

Q. Going from past experience, I don’t think that my suppliers have a sufficiently robust Business Continuity plan. What should I do?

A. You must discuss this with the supplier. If following discussion, you are still not reassured, then you should consider whether you need to have another supplier on standby.

If you identify any areas of Business Continuity that you cannot reconcile, you should contact the Area Education Officer.

Q. What do we do if our food suppliers are not going to be able to get to the school today? We only keep enough food for one more day.

A. This is something that needs to be planned for now. Speak to the service provider and ask them this question. Ensure that your service contract allows the capability for you to purchase food ‘off contract’ if the contractor is unable to fulfilling their obligations. You may wish to speak to local suppliers to ascertain whether their stock levels would be sufficient to accommodate your needs in an emergency.

Q. The school who cooks and delivers our hot lunches cannot deliver to us today. What should we do?

A. Although it is preferable for pupils and students to have hot food, there is no legal obligation to do so. It is therefore acceptable for a school to provide a cold alternative.

You should ensure that any cold food adheres to the pupil/student dietary requirements, particularly around intolerance, allergy and religious observance.

The least desirable, but still acceptable, alternative to this is to ask parents and carers to provide a packed lunch for their child.

Q. How will public transport and school coaches be affected?

A. If the disruption is significant, passenger carrying transport will be affected both operationally and logistically. Heavy traffic will increase the time it takes for minibuses, buses and coaches to get to their destinations. It may also be that buses and/or drivers are not in the correct place at the end of the day, leading to further delays.

There is no specific risk to fuel supply due to Brexit, however public perception may result in temporary ‘panic buying’. If there are fuel shortages, then this may affect public and school transport. However, if the National Emergency Plan for Fuel (NEP-F) is enacted, it is likely that public and school transport would be prioritised.

Q. We use oil for heating and hot water. Will oil supplies be affected?

A. Fuel oil is delivered by road, so there would be more risk to availability if traffic disruption becomes significant. A suggestion would be that if you think that you will need more fuel in the next six months, you arrange for a delivery before 29 March.
If you do find that you do need a delivery after 29 March, you might talk to your supplier about delivering at quieter times, e.g. late evening or night.

It is unlikely that water supply will be affected due to the contingency arrangements that the Water Industry has in place.

Q. Will it affect Gas supplies?
A. Very unlikely. Gas comes into the UK mainly via pipe from the North Sea or Europe, with a smaller amount (9%) by seaborne tankers. Domestic gas is not delivered by road, apart from a very small percentage that is delivered to domestic customers by large gas bottle. It is unlikely that there would be any gas shortages

Q. Will it affect Electricity supplies?
A. No, this would be very unlikely. UK electricity is generated mostly in the UK, although some of it is dependent on imported gas.

Q. How will this impact on school examinations?
A. This issue has been raised with the DfE. We are waiting on further DfE guidance but initial feedback from those schools that have raised this issue with examination bodies, is that is that they are not minded to change procedures at this time

Q. Our school is flying a party of Year 11 students to Switzerland for a skiing trip in April. What should we do?
A. Switzerland is not in the EU. There should be no issues about flying to Switzerland, as long as the correct paperwork has been completed. Temporary arrangements have been agreed by the EU to enable travel by UK bound flights through their airspace from third party countries, however, flights to and from EU countries may be affected in the event of “no deal”. The likely challenge will be at UK airports where you might have to manage longer queues and delays.

Q. In April, our school is sending a coach of Year 6 pupils to Boulogne for a day trip. We are travelling by ferry. What should we do?
A. This is less clear cut. It would be premature to suggest cancelling or postponing the trip, but if you do go, then you should prepare for longer delays than usual. Ensure that the staff and pupils/students are properly equipped for the trip.

One very important issue is passports. If a passport has less than six months validity remaining on the date of travel, it will need to be renewed in advance. People with passports of less than 6 months may be refused exit or entry

Consider cancellation insurance to avoid issues with parents in the event that the trip cannot go ahead at the last minute.

Q. We have a number of vulnerable pupils/students who may be more adversely affected by the challenges that may occur. What advice is available to support these children?
A. Providing detailed advice for all the possible sets of circumstances that could foster vulnerability in pupils/students would be unwise, as all children are different. What would be best is to involve these children and their parents or carers, as early as possible. It may be that providing a full clear explanation of
what might happen would go some way to reduce anxiety. Consider also, whether it is appropriate to involve medical specialists and social workers.

Once you have done all that can be done, conduct a risk assessment using some of the scenarios and examples included in this FAQ.

Q. Our school is near a motorway. Will we see traffic build up near us?

A. KCC Highways, Kent Police and the Highways Agency have undertaken extensive planning to mitigate the disruption caused by delays at the channel terminals. Several plans are in place that can implement contraflows, fixed parking areas, tourist traffic management and other measures. The plans are dynamic and can by escalated or downgraded depending on how much traffic is trying to get to/from the channel terminals.

If implemented, the plans might see freight traffic parked on motorways, similar to that seen during Operation Stack. The motorways would be affected, initially the M20, where local traffic will have access via contraflow. Later phases include using the M26.

Q. Our school is near a main route to the terminals, or a road that could be used by freight trying to get around the traffic management plan. What can we expect?

A. The main two concerns are the increased risk of accident as bikes, cars and trucks take risks that they might not normally take, and the possibility of reduced air quality due to stationary traffic.

Schools should advise staff, parents and students/pupils to take additional care when trying to cross roads. Parked vehicles reduce visibility so crossing between vehicles should be avoided. Use Zebra, Puffin and Pelican crossings wherever possible.

Many freight vehicles will tend to keep their engines running, even when stationary for long periods. For many trucks this is unnecessary, but refrigeration units do need to keep their engine running.

The District Councils monitor air quality, (see www.Kentair.org.uk) for an immediate picture of the air quality in your area. It is hoped that additional air quality monitoring will be implemented before 29 March. If you notice that the air quality is deteriorating, then it is probably best to move all staff and students inside the school. Once inside the school building, substance exposure is reduced by about 90%. To reduce the risk of exposure even lower, check all windows, doors and trickle vents are closed and turn off mechanical ventilation or air conditioning to reduce air circulation.

Q. Our school is near to an area where lorries are parking. What additional measures should I consider?

A. The planned lorry park is at Manston. Whilst arrangements will be communicated to support lorry drivers in complying with the traffic management plans, it is quite likely that lorries will find many other unofficial places to park, particularly at night time. Many of these parked lorries could be in completely unsuitable places.

Monitoring parked lorries is the responsibility of the Police or Highways departments, depending on the location.

Q. I have a teacher who is an EU Citizen. Will their teaching qualification be valid?

A. Yes, if their qualification has been recognised in the UK or they have applied for a recognition decision before 29 March 2019.
The current system of reciprocal recognition of professional qualifications between the EU, EEA EFTA and Switzerland and the UK will not apply after 29 March 2019, although the government would seek to get this re-instated as soon as possible.

This does not affect those who have already had their qualifications. There will be no retrospective change for people who have already had their EU, EEA EFTA and Swiss professional status and qualifications recognised and been awarded Qualified Teacher Status.

Q. I am finding it a challenge to recruit new teachers. Can I still recruit a teacher from the EU?

A. Yes, if the teacher has already acquired or applied for qualified teacher status in the UK. Academies can employ teachers without UK qualified teacher status but are advised wherever possible to seek QTS teachers.

If you are unable to meet these constraints, then you may have to wait until a new system of qualification recognition reciprocity has been set up the government.

Q. Will the pupils of EU nationals be allowed to apply for a place in a UK school?

A. Yes. Any child living in the UK can apply for and access a school place irrespective of migration status. This will continue after our exit from the EU. The KCC school admissions processes do not take into account either immigration status or nationality and so schools must not deny a child a place on the basis of their nationality or migration status.

The right of Irish nationals to access education in the UK will continue to be protected under the Common Travel Area arrangements.

Q. Can EU Nationals get Free School Meals?

Receipt of certain benefits might also qualify families for free school meals. Parents will need to check if their child can get free school meals by looking at the GOV.UK website.

Q. With whom should I/can I discuss this?

A. Initially, you should discuss this with SMT, staff and governors. There will also be some actions that you will need to discuss with parents. There is nothing in this FAQ that is sensitive, although we would not advise that this FAQ is sent to parents as the subject can be very emotive.

General Brexit information

Q. You say, “there may be a period of disruption”? How likely is this?

A. It is difficult to determine in advance of the 29 March, but nearer the time, the likelihood and level of any disruption will become clearer.

If the government plan is taken forward, a transition period of 20 months will begin, during which time things will in the main, continue as they are.

If the government plan is not adopted, then a possible scenario is that the UK will simply leave the EU with no formal agreement in place. Although, there will likely be last minute fixes put in place to alleviate some of the challenges, the likelihood is that there will be a period of disruption, possibly severe disruption. Government advice stipulates that contingency planning for a “no deal” scenario should plan for a possible 3 to 6 months of disruption.
Q. What are the possible impacts on the Country?

A. Currently the UK membership of the European Union allows for free movement of people, goods and services between mainland Europe and the UK. Further, all those international trade deals to which the UK is party are EU agreements. Leaving the EU could remove some or all of these arrangements.

If the UK or continental ports are required to implement more robust customs inspections and import/export checks, there would likely be delays which could create congestion challenges and possibly, shortages of consumables and increased difficulty in accessing services.

Q. What are the possible impacts on Kent?

A. Port of Dover and the Channel Tunnel terminal at Folkestone are two of the country’s primary access and egress points for people and goods. If there are delays, then freight traffic may be placed in a holding pattern, called Operation Brock. This plan would see parts of the Kent motorway network and Manston being used as contraflow and holding areas to manage freight traffic build up. The impact of this is threefold.

1. there is the potential to make movement around the county by road much more challenging, even impossible.
2. there might be shortages of food, fuel or services, due to the ability of providers to deliver them.
3. the impact of both the above on the ability of students/pupils, staff and contractors to attend school.

Q. When will all this happen?

A. As stated, the Government is planning to keep disruption to a minimum by seeking arrangements with the EU. If there are no arrangements or such measures are not yet in place, then the disruption could begin on the day after UK leaves the EU. It is possible that disruption will be manageable because of the contingency planning undertaken by response agencies and businesses. However, we are planning for the possibility of more severe disruption as time passes.

Q. Are there any other issues that could exacerbate the challenges at the terminals?

A. In the past, there has been disruption at the Channel ports due to protests and blockades from fishing vessels, port staff, farmers and ship crews. There is also a long running protest about a variety of issues that has seen motorway and major road blockages that impact on the free movement of freight in the area.

Although there is no knowledge of such protests being planned after the UK leaves the EU, it is sensible to factor in the possibility.

There is a possibility that passenger traffic may also be affected if there are changes to the way in which tourists cross the channel, including an increase in the time it takes to conduct passport checks.

Q. How long will it go on for?

A. The government is suggesting that the disruption could last six months. However, it would be reasonable to assume that there will be peaks and troughs in the level of the disruption.

Q. I have a query that is not covered by this FAQ. Who can I speak to about this?

A. Talk to your Area Education Officer.