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Seamus Searson  
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15 December 2020

Dear Seamus

Thank you for your letter of 16 November and for highlighting your views on the use of face coverings in schools.

Firstly, I would like to echo your gratitude to teachers across Scotland for the effort and professionalism shown throughout this very challenging time. I am acutely aware of how much COVID-19 is asking of all staff across our schools, and I am deeply grateful for their hard work and dedication to keep our schools safe, open and welcoming.

The latest [Guidance on reducing the risks in schools](#) was published on 30 October and is aligned to [Scotland's Strategic Framework](#). This guidance aims to balance the benefits of school attendance, such as wellbeing, social interaction and learning opportunities, alongside the necessity to minimise any risk of infection amongst the school community. As you may be aware, it also reflects advice from the Advisory Sub-Group on Education and Children's Issues regarding [children and transmission of COVID-19](#), which forms part of the most recent [collection of scientific advice](#).

You will note that, in addition to the suite of protective measures outlined throughout the guidance, there are also details of [enhanced protective measures](#) that should also be applied by schools within a local area that has been designated as Protection Level 3 or 4.

In relation to face coverings specifically, you may be interested in paragraphs 112-134 of the aforementioned guidance, which reflects the [Sub-Group's advice on face coverings, physical distancing and related matters](#). You may note that it reflects a precautionary approach that aims to ensure safety in schools and build confidence amongst staff, whilst considering any negative impacts as highlighted in the associated [impact assessment which can found within the 'Supporting files' tab](#).

I would also like to thank you for sharing feedback from your members and highlighting the challenge of ensuring that children and young people view the mitigating measures within schools as equally important to those outside of school. I agree that this is an important issue to raise, however I would like to ensure that the role of different actors in the system is clearly understood.

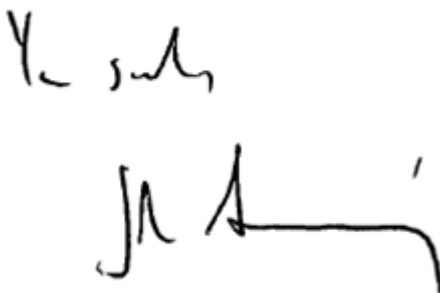
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The Scottish Government has worked with a range of partners to develop non-statutory guidance, informed by scientific and public health advice, to support local authorities and schools to reduce the risks of coronavirus in education settings. I am clear that the Scottish Government has a continuing, central role to play in ensuring that this guidance is robust and fit for purpose and that, when implemented effectively, it will help ensure the safety of staff, children and young people in our schools. I will continue to work with key stakeholders, including yourself and members of the COVID-19 Education Recovery Group (CERG), to keep under close review the way in which guidance is being implemented in schools. Where there is a need to take national action, we will work with teachers, parents, trade unions, local authorities and young people's representatives to do so.

The primary legal duty for the health and safety of school staff rests with local authorities as the employers in Scotland. It is also the case that the Health and Safety Executive is an independent regulatory body and not subject to direction from the Scottish Government. While I am confident you understand these matters, I feel it is important to make them clear.

Throughout the pandemic, and with the support of CERG members, I have kept in mind the necessity of allowing for local authorities and school leaders to be able to apply guidance in order to best suit their environment, school population and the local rates of infection. I recognise that no two settings are the same, and that infection levels will vary across the country at different times. I therefore trust local authorities and school leaders to follow our guidance while taking the best approach for their area or setting.

I hope that you find this response helpful.

A handwritten signature in black ink, appearing to read 'John Swinney', written in a cursive style.

**JOHN SWINNEY**