



EAST HERTS COUNCIL
HR BUSINESS CONTINUITY POLICY
FOR ACTION IN THE OCCURRENCE OF A FLU PANDEMIC

JULY 2007

HUMAN RESOURCES

Contents

| | <u>Page</u> |
|--|-------------|
| 1. Introduction | 3 |
| 2. Triggers | 3 |
| 3. Attendance | 3 |
| 3.1 Encouraging fit staff to attend | 3 |
| 3.2 Working Arrangements | 3 |
| 3.3 Annual Leave | 3 |
| 3.4 Discipline Cases | 4 |
| 5.3 Refusal to Attend Work | 4 |
| 4. Meetings and Travel | 4 |
| 4.1 Meetings | 4 |
| 4.2 Training and development events | 5 |
| 4.3 Movement within a building | 5 |
| 4.4 Travel for work-related purposes | 5 |
| 4.5 Travel for private purposes | 5 |
| 5. Sickness Absence | 6 |
| 5.1 Staff Who Are Sick | 6 |
| 5.2 Sickness Reporting By Staff From Home | 6 |
| 5.3 Sickness Certification | 6 |
| 5.4 Returning to work | 7 |
| 5.5 Redeployment | 7 |
| 6. Health and Safety | 8 |
| 6.1 Personal Protective Equipment (PPE) | 8 |
| 6.2 Additional Hygiene Issues | 8 |
| 6.3 Staff Kitchens | 8 |
| 7. Leave | 8 |
| 7.1 Miscellaneous Leave | 8 |
| 7.2 Discretionary Leave | 9 |
| 7.3 Compassionate Leave | 9 |
| 7.4 Unpaid Leave | 9 |
| 8. Administration | 9 |
| 8.1 Working with other agencies / key partners | 9 |
| 8.2 Communication for staff groups | 9 |
| 8.3 Contact Lists for Staff | 10 |
| 8.4 Maintenance of Pay | 10 |

1. Introduction

This policy outlines the basic principles which must be adhered to in the event of a flu pandemic and has been produced after consultation with HR sections in Local Authorities across Hertfordshire and with Unison.

2. Triggers

It is expected that Herts Resilience (a newsletter called Resilience Matters produced by Emergency Planning of Hertfordshire's District/Borough Councils) will determine appropriate trigger points so that the Council is aware of what will signal the use of this procedure. These triggers will be communicated to staff as soon as they are issued.

3. Attendance

3.1 Encouraging fit staff to attend

Clear communications will be issued to all staff in the event of a pandemic. Information will be available on the intranet, via Team Update and Team Brief to let staff and managers know what they should do. ***There will also be a dedicated advice line available for managers and staff to call should they have any queries.***

3.2 Working arrangements

Where possible, staff will be allowed to work from home to minimise the risk of spreading infection. However, they should report into work on a daily basis and make sure that they have enough work which can be done away from their usual work base. Staff are expected to use their best endeavours to attend work without putting themselves or others at undue risk. Managers should discuss alternative working arrangements with their staff and review these on a weekly basis.

Managers must ensure that there is service continuity at all times, and will need to balance their duty of care to their employees with the needs of the service.

If staff are unable to work from home due to the nature of their job, they will be allowed to make alternative working arrangements, for example making use of flexible working such as compressed hours, providing that service needs can be met.

3.3 Annual leave

Staff may be required to postpone or cancel their annual leave arrangements at short notice, as a result of staff shortages. Managers must discuss this with the employee as soon as possible and find out what impact it may have. In circumstances where financial loss can be proven as a result of cancelling the holiday (e.g. loss of deposit), the annual leave may still be permitted. In exceptional cases such as bereavement, the normal compassionate leave arrangements will apply (see Leave policy).

3.4 Discipline cases

Managers should be aware that as many employees as possible may need to be deployed, and therefore this may cause conflict with the Discipline policy, where staff may have to be suspended.

Where a member of staff has been suspended pending the outcome of a disciplinary investigation, the suspension should remain in place. However in extenuating circumstances managers may need to consider lifting suspensions on a case-by-case basis, with advice from HR and specific agreement by relevant departmental director.

It may be necessary to delay disciplinary matters but where possible the usual Discipline policy should be followed. It is important that disciplinary matters are not disregarded, and are dealt with appropriately.

3.5 Refusal to Attend Work

Fear of contracting an illness is not a sufficient reason for an employee to refuse to attend work, and faced with a refusal, managers may consider taking disciplinary action (e.g. the employee receives a warning).

However, the reason for such a refusal should be fully explored and a risk assessment conducted before such a step is taken. Medical advice should also be sought, where appropriate.

4. Meetings and travel

For the duration of the pandemic, all non-essential journeys between sites should be cancelled. Work-related activities involving contact with other people must be kept to a minimum to reduce the risk of infection. These activities include:

- Meetings, both formal and informal
- Training and development events
- Movement within a building
- Travel

4.1 Meetings

CMT will make a decision as to whether meetings will be permitted to take place. If it is decided to permit a degree of discretion on the holding of meetings, the employee convening the meeting has a duty to consider whether it should take place during the pandemic and if so, whether its business could be conducted in a fashion not involving personal contact. If in doubt they should consult their manager. At time of writing the 3-way conference call facility on the telephone system should be used as an alternative to face to face meetings.

4.2 Training and development

As part of the review of essential training, the relevant director of the Head of People and Organisation Services will decide which room based training and development events will be permitted to take place. If it is decided to permit a degree of discretion on the staging of events, the officer responsible for an event has a duty to consider whether it should take place at all during the pandemic. If it is to continue, it must also be determined whether it could be delivered in a non-contact way.

Development may require attendance at a college or similar institution as part of a course of study. In such a case it is expected that the college will make its own decision on actions to reduce the risk of infection. Should attendance continue to be required, the employee should discuss the implications with her/his manager before reaching a decision.

4.3 Movement within a building

Individual managers will inform their employees that they must restrict movement between locations within a building as much as possible and monitor such movement.

4.4 Travel for work-related purposes

Individual managers will inform their employees that travel between Council sites must be kept to a minimum. Instead employees will be required to make use of e-mails, the telephone and written correspondence.

Individual managers will ensure that travel within the UK and abroad (e.g. for seminars and conferences) is avoided and only undertaken when there is no other alternative. Travel to locations outside the UK designated by the Government as being “high risk”, will only be permitted with the approval of a senior manager or delegated officer. Should travel to “high risk” areas be unavoidable, the employee will be required to spend 3 days after s/he returns to the UK working at home and before s/he goes back to work.

4.5 Travel for private purposes

The Council will provide further guidance at the start of the alert on the use of public and private transport to get to and from work.

The Council will discourage private travel in general, particularly to “high risk” areas outside the UK. However, it recognises that ultimately it is a matter for the individual and accepts that circumstances and contractual arrangements may not permit an employee to cancel or postpone such travel. An employee who has visited a “high risk” area will be required to work from home, take annual leave/ flex-time/unpaid leave/TOIL of 3 days after s/he returns to the UK and before s/he goes back to work.

5. Sickness Absence

5.1 Staff who are sick

If a member of staff reports for work and is displaying flu symptoms, or if they become unwell during the course of the working day, managers must send them home. Symptoms of the flu are – severe headache, fever, aches, cough, and runny nose.

In the event of an employee being sent home managers should ensure that they are fit enough to travel and where necessary should consider alternative methods of returning them home for example using a taxi.

It is essential that all staff who are suffering from the flu should stay at home. This is for two reasons:

- to ensure that they recover and are able to return to work as quickly as possible
- to minimise the risk of spreading infection.

This is fundamental to the Council's Pandemic Flu plan, and it is essential that staff comply with this mandate.

In the event that staff refuse to leave their place of work, managers may be required to use the Council's disciplinary procedure. However, such action should only be used as a last resort.

5.2 Sickness reporting by staff from home

Staff who develop symptoms outside working hours should follow the normal absence reporting procedure and advise their manager as soon as possible at the beginning of the working day.

Where local arrangements are in place to manage large scale absence, details of the variation to normal reporting procedures should be well published within the authority at the first signs of a likely pandemic.

5.3 Sickness certification

Staff will still be required to provide a doctor's certification from the 8th calendar day of sickness, however due to a potential shortage of GPs available, and their increased workload, this may need to be flexible. It is expected that guidance on changes to the length of certification period will be provided nearer the time.

The duration of illness will vary from employee to employee. It is estimated that the average duration of absence will be between 5 – 8 days off work. However staff should be advised to ensure that they are symptom-free for a full 24 hours before they return to work.

Manager should be aware that speed of recovery will be dependent upon the general health of the individual and may take longer for those with an underlying health problem.

5.4 Returning to work

Managers should not pressurise staff to return before they are fit to do so. There may be cases where length of absence appears excessive (for example, longer than two weeks), but if medical advice is not available it may be difficult to challenge. Therefore managers should keep in touch with absent members of staff to encourage employees to return to work as swiftly as possible. Furthermore, to force staff to return to work before they consider they are fit to do so could be construed as a breach of the employer's duty of care under Health and Safety legislation. However, managers should maintain supportive and appropriate contact with employees during their absence from work.

Staff who are starting to feel better should be symptom-free for 24 hours before returning to work to ensure that they are fully recovered, and no longer have the virus. Staff returning from long term sick may be vulnerable to flu and its associated complications. In such a situation up to date medical advice should be obtained in order to properly assess the risk.

Once a member of staff has recovered they will have immunity to the virus and will therefore be valuable to the organisation. A return to work meeting should be undertaken to ensure that where necessary employees are given a phased return (for example, shorter working hours) to give time to recover strength and stamina.

The return to work meeting may also be used to assess whether the employees can be temporarily redeployed to other duties to maintain service provision during the period of the pandemic, this maybe working in areas with a higher exposure to the virus.

5.5 Redeployment

Staff may need to be redeployed to keep essential services going and minimise disruption to the public. This means that staff may be required to perform duties which are not normally in their remit. For example, Payroll is a key function and so HR staff may need to be deployed to cover any staff shortages in this area. Any additional expenses incurred by employees as a result of this will be reimbursed, for example if their journey to work increases.

The County Council will need to obtain the consent of individual employees and / or ask for volunteers to be redeployed to cover certain key services. It is the manager's responsibility to ensure that contingency arrangements are in place, and that adequate training and risk assessments are conducted beforehand as far as possible.

It is essential for managers to ensure that processes are well-documented and plans are in place to provide training for new members of staff.

As stated in the previous section, staff who have already had the virus and are now immune, will be very valuable to the organisation and so are more likely to be redeployed in key service areas.

6. Health and Safety

6.1 Personal Protective Equipment (PPE)

There are certain jobs within the council deemed essential frontline services who could possibly be more vulnerable and may require additional PPE i.e. disposable coveralls, gloves to protect staff from the risk of infection. A risk assessment would be necessary to ascertain the actual requirements. In general, it will be impracticable to provide all non-frontline staff with PPE but this would also be dependent on a risk assessment being conducted.

It is not feasible to stockpile PPE because in some cases there is a shelf life but there is also a question of what to buy and in what quantities. However, if there are areas of work identified via risk assessments then some provision could be made locally dependent on the shelf life of the product.

In any assessment of risk posed by a hazard, PPE should be seen as the last line of control. Alternative Control methods should first be considered first i.e. home working.

6.2 Additional Hygiene Issues

Cleanliness and good hygiene is paramount and all staff must be instructed on the necessary standards required for their own and others personal safety.

This could be:

- Hand washing, hand gels, wipes.
- Cleaning desktops, phones and high use surfaces i.e. door handles, handrails etc.

6.3 Staff Kitchens

Where possible all areas where staff, customers or public can congregate should be subject to regular assessment looking at cross contamination. This could affect staff kitchens/staff room where staff gather and where there is the risk of food contamination. It may be necessary to close the facility altogether which would be dependent on a suitable and sufficient risk assessment.

7. Leave

7.1 Miscellaneous Leave

There are various paid and unpaid leave options available to employees for specific circumstances which will assist them in making necessary arrangements on a short-term basis, e.g., to care for a dependant. A combination of special leave arrangements may be appropriate to cover the period of absence, i.e., annual leave, emergency leave and unpaid leave. If the employee has exhausted their right to leave, alternative working patterns should be considered, i.e., flexible working, compressed hours. Managers should always balance the needs of the service with the needs of the employee, and consider special requests for leave on a case-by-case basis.

7.2 Discretionary Leave

Up to five days paid leave per year may be approved.

7.3 Compassionate Leave

Up to 5 days paid leave per year can be granted for employees who need to be absent for exceptional circumstances such as the death or funeral of a close relative.

7.4 Unpaid Leave

A reasonable amount of unpaid leave may be granted at the discretion of the manager, after consultation with their director and HR.

The number of days granted under the above leave entitlements will be dependent upon the individual circumstances of each employee and may, in exceptional circumstances, be extended at the discretion of the Chief Officer.

8. Administration

8.1 Working with other agencies/ key partners

The Council will need to work closely with its partner organisations and agencies to deliver continuity of service to the public and minimise disruption for our customers and staff.

Agency staff should be managed in the same way as EHC staff to ensure that there is no health and safety risk, and training should be provided for them. Managers should ensure that they communicate with these staff on a regular basis and provide adequate information for them. (For more information, see Business Continuity Planning for Temp Resourcing in appendix).

8.2 Communication for staff groups

Information on the following will be available to staff and managers:

- The virus itself (e.g. signs and symptoms of the flu and how the flu is transmitted)
- Updates on the pandemic
- Steps employees can take to prepare and protect themselves and their families (e.g. stockpiling necessary items, engaging in proper hygiene techniques, and developing contingency plans)
- The County Council's pandemic response plan

The main sources of information for staff will be the pages on the intranet and regular updates via email. *There will be an advice line set up for those who do not have access to email and the intranet and where necessary, staff will receive information leaflets . There will be an external advice line for staff who are off sick, and internal contact numbers for managers, should they have any questions about the pandemic.*

8.3 Contact lists for staff

Line managers will provide staff with lists of names and contact numbers so that they have several different people they can contact if they are off sick. They will also be given the helpline number to phone if they need any information.

8.4 Maintenance of pay

To avoid any additional complication with processing pay etc, all staff may need to be paid at a standardised rate, with a clause to adjust any discrepancies afterwards. This will be communicated to staff via a payslip message. Monthly BACS transfers must be treated as a priority. Any non-contractual pay such as expenses or overtime may need to be paid at a later date. Where possible, the normal sick pay arrangements will apply, but due to the fact that employees may be unable to return to work for some time, this may cause financial hardship for some.