

# **ENFIELD COUNCIL**

## **WORKFORCE BUSINESS CONTINUITY PLANNING – GUIDANCE AND PROCEDURE: CORONAVIRUS**

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## Introduction

This guidance document has been developed to assist managers and the workforce on business continuity issues during this unprecedented pandemic.

This guidance focuses on people-related issues that need to be addressed and managed in emergency pandemic situations.

## Purpose

This guidance is to assist managers in addressing human resources issues that may arise during this current pandemic situation and to ensure, as far as is practicable, that delivery of Council services is maintained, with a focus on the delivery of functions and roles that are identified as being of critical importance for service users.

It specifies adjustments to normal working practices which may be implemented as part of the Council's response to the current coronavirus emergency and outbreak.

## When does it apply?

This is a **temporary guidance** which will only be applied in full or in part in response to the above. The decision to invoke the all or part of this guidance will rest with the Council's Executive Management Team (EMT) and will stay in place until the effects of a situation have substantially diminished and normal working can be reasonably resumed, as determined by the Chief Executive and EMT.

The operation of different parts of the guidance will be dependent on local circumstances and service priorities at any given time.

## Who does it apply to?

This guidance applies to all employees of the Council, including those any staff on secondment to the Council, but **excludes** staff employed to work by schools, where such matters are under the control of the Governing Body.

It can also be applied, where reasonably practicable, to casual, relief and agency workers. It is important to note that in the latter case any proposed change to working arrangements, such as temporary redeployment to another role or location, must be discussed and agreed with the supplying agency.

## Review

This Guidance will be reviewed and updated in light of Government guidance and advise.

## Roles and Responsibilities

### Chief Executive

- The Chief Executive (or nominated deputy) of the Council, in consultation with the Executive Management Team, will be responsible for providing strategic leadership and overall management of the Council's response, where all or part of this guidance is to be invoked.
- The Council in all its actions, will continue to consider, its legal obligations whilst responding to potentially unprecedented situations.

### Managers

- To maintain the Council's functions and services and to reduce any potential risk to both staff and service users, each Department will follow the guidance as set out in the Council's Business Continuity Plans.
- Identify any vital areas that are likely to have a shortage of staff as the situation develops, in line with their service's Business Continuity Plan, or where they might have surplus staff if services are suspended in line with any agreed approach and report this on an on-going basis to the Emergency Planning Team and Human Resources lead. Ensure they have contact numbers for essential staff and establish an appropriate contact system within the service.
- Keep staff informed of any changes to working arrangements and maintain regular contact.
- It is recognised that staff may be required to work long hours in difficult circumstances and managers should be mindful of the Working Time Regulations and monitor the well-being of their staff during this time, ensuring adequate breaks are taken.
- Keep a record of additional hours worked by staff and additional duties.
- Keep appropriate records and follow reporting systems for all staff absence, including sickness and self-isolation.
- Where employees are being moved between departments, ensure essential training, health and safety risk assessments, lone working assessments and DBS clearances were reasonably practicable.
- Consider employees who may have additional needs such as adjustments for disability, high risk underlying health conditions, pregnancy and young workers and those with caring responsibilities. Balance caring responsibilities of staff against needs of the service.
- When the emergency is over or has been stabilised, deal with any unexplained absences or concerns that have arisen or had to be postponed during this period.

### Employees

- Be aware of your role and responsibilities in the event of the current coronavirus situation.
- Be as flexible as possible in response to requests for changes to your normal working hours and location, actively seeking to find solutions to personal circumstances to attend work.

- Have a duty to co-operate with the Council during this evolving emergency, undertaking any duties within their scope and skills and being willing to learn new skills where reasonably required.
- Keep in regular contact with your line manager and ensure you are contactable.
- Advise your manager of any disability, health conditions, personal circumstances which may need to be considered when considering temporary redeployment, to assist service priorities
- Be aware of your own health and follow the Public Health England Guidance and the NHS' Guidance if you develop any Covid-19 symptoms.
- Keep a record of any additional hours that you work.
- Follow the reporting procedures and guide lines in relation to absence.

### Human Resources

- During this emergency HR Services, like many others may change to support priorities identified as the situation evolves.
- It may be necessary that any disciplinary/grievance/capability investigations and hearings will be suspended as well as periods of consultation and restructures until after the end of the emergency recovery period. The powers of suspension on full pay will be retained in the event of serious disciplinary events taking place and the need to protect staff.
- Work with the Knowledge and Insight Team to provide updated workforce information.

### Communications Team

- Responsible for necessary internal and external communication channels within the business continuity planning process;
- Handling and approving all communication between the organisation and the media/press.

## Implications for HR Policies

This guidance may take precedence over existing Human Resources (HR) policies and procedures as the situation evolves.

The following policies/procedures may be temporarily adjusted/over-ridden, proportionate to the nature/extent of the emergency.

- Flexible Working Arrangements
- Flexible Working Hours Scheme
- Absence and Attendance Guidance & Procedures
- Working Time Regulations
- Overtime Guidance
- Leave Guidance
- Parental Leave Guidance
- Time Off for Dependants
- Induction & Assessment, Capability, Disciplinary and Grievance Procedures

In addition, the following contingency plans and changes in working arrangements can be invoked as a temporary arrangement:

- Redeployment (alternative duties)
- Alteration to work patterns
- Disruption to travel infrastructure
- Workplace Closure/Unavailability of Work
- Additional staffing provision
- Support to staff
- Pay arrangements

### **Working Arrangements**

Staff who can work from home where the role permits are encouraged to do so, however, you must seek the approval of your line manager prior to doing this.

Some staff, particularly in front line roles, cannot perform their jobs from home. These staff should continue to come to work as usual, providing they do not have a new, continuous, cough or high temperature (37.8 degrees or above), and or live with other people where someone displays similar symptoms. In these instances, the following advice should be followed:

- If you live alone and have a new, continuous, cough or high temperature (37.8 degrees or above), then you should isolate and stay at home for 7 days
- If you live with other people and one of you displays symptoms, everyone in your household should isolate and stay at home for 14 days

Where you are required to attend work the Council will do everything possible to protect those staff in vital roles with the appropriate PPE.

Where your role allows you to work from home, you staff are Staff are required to attend work as normal, which however, if you have any symptoms of the covid-19, underlying health conditions or are in one of the high-risk categories, discuss this with your line manager and where appropriate following the government guidelines on self-isolation.

### **School and Nursery closure**

Where schools and other services may be closed due to the current situation, which impacts on the ability of staff with caring responsibilities to attend work, managers will consider offering temporary changes to working hours/days and home working where compatible with the provision of core essential services. Where this is not practical, staff may be asked to take parental leave/annual/flexi or unpaid leave. [Parental leave](#) will be paid in accordance with the Council Policy

### **Time Off for Dependants (Including Childcare)**

Employees may not be able to work if they have caring responsibilities for a sick dependant, vulnerable adult or child, or if they have a child under 16 who is unable to go to school because their school or nursery is closed. If a member of staff has caring responsibilities and needs to take time off to care for a child or sick relative s/he should discuss this with his/her manager. Unless otherwise instructed by EMT the normal Parental Leave Guidance and Dependants Leave will continue to apply.

Wherever possible employees in this situation may be allowed to work flexibly, i.e. work from home or work at a designated Council building at a time of day when they have alternative arrangements in place.

### **Flexible Working**

Temporary working arrangements might be identified and implemented in the event high levels of staff absence and increased workload. These arrangements may apply to working hours, work locations, duties and responsibilities, working from home, or taking special leave and changes in line management.

Circumstances permitted, staff may be asked to work more flexibly, including covering different roles. Staff will not be expected to undertake roles for which they are not competent. Staff will however be expected to co-operate with management requests for changes to working patterns and arrangements in line with the roles and responsibilities defined above. There will be no permanent changes to contracts of employment and normal working arrangements will be resumed once the emergency has been declared over.

Where additional staffing levels are needed to cover absences, line managers will, in the first instance, seek volunteers from existing employees and agree additional hours, subject to commitments of the Working Time Regulations (See section below). To provide essential cover in critical services this may include asking staff to consider evening work, night work and/or weekend work. (See relevant section below for payments)

Any changes in working arrangements will be discussed in advance with the member of staff and requests will be reasonable, taking into account individual skills and personal circumstances and balancing these with the needs of the organisation at a critical time.

### **Annual Leave**

Annual Leave arrangements will still apply during an emergency, and new requests should be made in accordance with normal procedures. It may however, become necessary to limit annual leave to sustain essential services.

All new annual leave requests will be considered on their merits and on a case by case basis. Managers will be particularly sensitive to the needs of staff whose requests are due to caring responsibilities, where other options have been explored unsuccessfully.

Pre-booked annual leave will be honoured, but in exceptional circumstances, where it is crucial that an employee attends work, e.g. it is the only practical means of ensuring a vital role is carried out, leave may be cancelled or postponed. As much notice as possible will be given in these circumstances and employees will be permitted to carry forward any unused leave which they have been unable to take. Staff will be permitted to carry over more than the usual five days annual leave into the new leave year. When considering this course of action managers should establish whether any costs would be incurred by cancellation or postponement and whether these are covered by insurance or otherwise refundable.

### **Flexi-time Arrangements**

To maintain critical services managers may need to suspend flexitime arrangements until after the emergency is over. Flexi-time is not an employee right but operated at manager's discretion as detailed in the Flexible Working Hours Guidance.

## **Working Time Regulations**

The Working Time Regulations specify requirements on maximum working hours (48 hours per week) daily rest breaks, weekly rest breaks and a minimum of 11 hours break between the end of one shift and the commencement of the next. However, the Working Time Regulations do not apply in emergency situations as these are classified as “unforeseeable circumstances” or “exceptional events” that are beyond the control of the employer. Nevertheless, managers should ensure staff do not work excessively long hours and that they take regular rest breaks. It is difficult to stipulate a period of time as this will depend on the circumstances e.g. heavy physical work should be for shorter durations. However, as a general guide, no more than 12 hours (with breaks) should be worked in one ‘shift’. A recovery period of a minimum of 8 hours is recommended before employees return to their normal duties.

Flexibility will be required with respect to the Working Time Regulations particularly in relation to night work limits, right to rest periods and minimum number of breaks. Additionally, during an emergency where the delivery of essential services is in threat, it may be necessary to ask individual employees to voluntarily waive their right not to work 48 hours per week to allow for increased flexibility. Such staff are likely to possess specialist skills and are likely to be in heavy demand, e.g. maintenance and IT support staff. In addition, senior staff may be required to be available to provide guidance and leadership. These staff will need to be approached at the earliest stage possible and be requested to sign temporary “opt-out” agreements. In such cases managers are required to monitor working hours to ensure safe practices.

“Opt-outs” will only be used in exceptional circumstances and staff should not be subject to any detriment if they choose not to comply with this request and inducements cannot be offered.

## **Overtime (working more than 36 hours per week)**

Staff who are asked to work non-contractual overtime may, as agreed by their manager, take either time off in lieu, flexi leave or receive an overtime payment at the appropriate rate in accordance with Terms and Conditions of employment. However, it is likely that payment for additional hours will have to be made in arrears depending on the capacity and availability of the payroll service, which may also be affected during the emergency. Managers and staff must keep copies of working hours for payroll documentation in the event of paperwork/IT records being lost during the emergency.

## **Redeployment (Internal and External)**

There are roles and functions that have been identified in the Business Continuity Plan as critical and non-critical, i.e. some functions could be suspended for a period of time in the event of an emergency. The Council reserves the right to redeploy staff to different duties and / or locations and / or require staff to change their working patterns as the need arises. It is expected that requests of this nature that are reasonably made, taking into account the emergency, will not be unreasonably refused. Circumstances taken into consideration shall include relevant health conditions and dependant/ care responsibilities. These changes will be for the duration of the emergency only. There will be no change to the contract of

employment and normal working hours will resume at the end of the crisis. Where staff are redeployed to a different location the Council will reimburse any additional travel costs over and above the cost incurred in travelling to and from the normal place of work, where this is evidenced.

Managers must ensure all staff who are temporarily redeployed to a different post/duties are appropriately qualified and checked e.g. DBS checks and Independent Safeguarding Authority checks in the case of staff who will be working unsupervised with children or vulnerable adults. Managers should bear in mind that obtaining a Disclosure could take between six to eight weeks depending on national timescales and the nature of the incident. Managers should also ensure that redeployed staff are given essential training. Risk Assessments must be undertaken, as necessary.

It may be necessary to request that staff work outside of their normal contractual hours and undertake different duties and responsibilities within their skills and capabilities. In such cases overtime payments, Acting Up or Honorarium payments may apply. (See relevant section below)

In this situation, there will **not** be a recruitment and selection process rather managers will match skills that an employee has with those required for the role. The matched employee will be expected to undertake the role. Given these circumstances, normal timescales for HR procedures such as sending out a letter informing employees of changes will not apply.

To redeploy employees effectively, there will be a need to establish and maintain accurate records of all staff including the following information:

- Home and/or mobile phone numbers
- Home Address
- Work address and phone number (usual location and temporary)
- Job title and grade

To ensure that such records are maintained as accurately as possible, HR will issue a corporate annual reminder to staff to update their personal records, whether on-line or with their line manager, as appropriate.

Managers will update all notified changes to staff personal contact records without delay.

Managers may choose to keep additional data of staff in terms of workforce planning in the event of emergencies, such as details of skills that would enable staff to work elsewhere. In case of disruption to power supplies, managers should keep a confidential paper record of emergency contact details for their direct reports in addition to any computer records.

### **External Redeployment**

In cases of Civil emergencies affecting neighbouring boroughs or public-sector partners, where approaches are made for support for specialist services, or is offered and accepted, EMT will agree protocols for staff to be transferred to the other party, on a temporary and **voluntary** basis to assist during the crisis.

There will be no requirement to follow the Council's secondment policies in an emergency, but staff will be selected based on skills and experience needed as appropriate to the crisis.

Voluntary transferees will be advised of their new temporary line manager to whom they will report on a daily basis. They will continue to be paid by Enfield Council and retain their existing terms and conditions of employment during this period, together with any agreed changes detailed in this guidance.

The employee and their substantive manager should maintain regular contact during any external emergency, redeployment and annual leave/sick leave will need to be notified and authorised in accordance with Enfield policies.

### **Emergency Incident Leave**

Should it become necessary for some functions or services to be suspended for a period, where there is no immediate opportunity for redeployment, and remote working is not feasible, staff may be requested not to report for work. This will be regarded as special emergency incident leave and affected employees will receive their normal contractual pay, but no overtime where not contractual.

If you are requested to remain away from work, you will be expected to remain contactable and available for work within a short time scale (same day) during your normal working hours. Your manager will be expected to keep you apprised of the latest situation.

### **Honoraria and Acting-Up Payments**

Honoraria or Acting-Up Payment(s) will be made to staff who are required to carry out the duties and responsibilities of a higher-level post when temporarily redeployed. In emergency situations staff will understand that any such payments may need to be processed retrospectively after the end of the emergency.

If you are redeployed into a lower graded role you will continue to be paid at your substantive salary.

### **Travel Claims**

Staff who are required to work at a different location to their normal place of work and incur **additional** travel expenses may submit receipted travel/mileage claims for reimbursement.

### **Lone Working**

Staff who are required to work alone must comply with the Lone Working Guidance.

### **Who should avoid social contact, the current government advice is as follows:**

- People over the age of 70
- Other adults who would normally be advised to have the flu vaccine (such as those with chronic diseases)
- Pregnant women

## Whole households to stay at home

The current government advice is if one person in any household starts to display symptoms, everyone living there must stay at home for 14 days. Employees are required to keep their line managers informed of their situation.

## ADDITIONAL STAFFING PROVISION

Additional staff may be required during the coronavirus outbreak due to increased demand for services and/or increased absence levels. The Council will look to increase staff numbers, on a temporary basis, in the following ways:

- The Council may contact partner organisations for additional support.
- The Council may call upon leavers and retired staff to ascertain if they would be willing to assist the Council in emergency situations.
- Temporary agency workers – agency workers who have not secured substantive employment may be available for work. Those workers who have DBS clearance and have had history with the Council may be employed on a temporary as and when basis until the emergency is over. The Council will not use new agency workers to cover staff shortages due to official strike action, (See additional Guidelines on Industrial Action).
- Volunteers – volunteers may come forward during this period. Consideration will be given to the skills and abilities of volunteers and the work that is needed. Volunteers will be given appropriate contracts and will be subject to the usual clearances, where appropriate.

## SUPPORT FOR STAFF

Staff will continue to have access to Occupational Health Services. There is also the Employee Assistance Programme, (Advice and Counselling Service). This free and confidential service is available seven days a week, 24 hours a day on 0800 328 1437

Where needed, consideration will be given to buying in additional resource to support staff during an emergency.

Staff will be supported in as many ways as possible to allow them to attend work. Staff will be allowed to occasionally contact home during work-time to allay any concerns they may have about the welfare of their relatives and friends.

It is possible that staff may lose close relatives in the current situation. The Council will give as much support as possible in the immediate recovery stages of the emergency. Due to the trauma this is likely to have caused, additional support will be given to those employees who might have been affected.

## PAY ARRANGEMENTS

During this period, whilst the Payroll Service will have contingency plans in place and will endeavour to pay staff their full entitlement the only guaranteed payment will be basic salary. It may not be possible to make other payments such as allowances and overtime payments

until the end of the emergency. Where necessary, Payroll reserves the right to vary the method of payment. Managers and staff must keep details of payroll documentation that they have completed in case of paperwork/IT records being lost during the emergency.

## **INSURANCE**

Council employees undertaking different roles during an emergency will be working under the direction of their employer and the Council's insurance policies will provide cover for such duties. It is important, however, that staff feel able to raise any questions or concerns they may have in fulfilling their temporary role and seek advice accordingly with their line managers or nominated deputy.

## **EMERGENCY SPECIFIC INFORMATION**

### **PANDEMICS AND HEALTH ALERTS**

Employees who are ill and/or potentially infectious during this pandemic should report their sickness in accordance with the Council's Absence and Attendance Guidance.

During this time, it is likely that there will be a suspension of the issue of medical certificates and the Council recognises that employees may not be able to comply with the requirements to provide a Doctor's Certificate in these circumstances, if they are away from work due to ill health or injury. A system of self-certification will be brought in to cover the emergency period where an employee is unable to obtain a medical certificate. This may only be activated by EMT.

Employees may be absent because:

- they are ill with an illness relating to the Coronavirus
- they are ill with another illness or injury

If you feel ill during a Pandemic and/or are displaying the classic symptoms whilst at work, the Council will encourage you to stay at home until you are fully recovered. It is of paramount importance that employees displaying symptoms stay at home until these have disappeared, both for their own wellbeing and to reduce the risk of spreading infection to others.

Your manager will be responsible for ensuring that if you become ill at work with symptoms of the pandemic, you do not remain at work. Where staff feel well enough to be at work they will, as far as practicable, be enabled to work from home, in these circumstances.

You are encouraged to regular review and consider government and medical guidance, keep your line manager informed and take appropriate measures.

If you become ill with known symptoms of covid-19, you should follow the NHS advice.

If you have been informed following medical advice to self-isolate, but are not unwell, where you can work from home, you should do so. Staff in front line positions who can not work remotely should stay at home and self-isolate. If you are prevented from attending work

because of covid-19 you shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against your pay entitlements

Normal sick pay entitlement will continue to apply throughout this period.

Staff returning to work after visiting a Category One country should follow the government guidelines, which may include self-isolation. It is important that staff keep their line managers informed, and with their agreement, work remotely where this is possible.

### **Unreasonable Refusal to work**

Where employees are anxious about attending work, every attempt should be made to encourage them to attend by giving them all available information about the current outbreak and any risk to health. Flexible and remote working may also be considered, where practicable. With the expected high levels of sickness absence during this pandemic, it is essential that all staff who are fit and well attend work as normal.

Where employees refuse to come into work without reasonable grounds, and alternative arrangements are not acceptable, the absence will be treated as unauthorised and will be unpaid, it is likely that failing to attend work without authority will result in a disciplinary investigation and an appropriate sanction. Please refer to the Disciplinary Guidance.