

Delegated Decision

3 November 2020

HR Issues / Implications – COVID-19:
4 Week Lock Down -
5 November – 2 December 2020



John Hewitt, Corporate Director of Resources

Purpose of the Briefing

1. To provide an overview of the issues and decisions required concerning the workforce (Council and schools) of the announced 4-week lock down, ahead of a meeting with TUs and Communications taking place.

Shielding

2. Clinically extremely vulnerable are advised not to go to work if they cannot work from home. It is anticipated that such individuals will be written to by the NHS/CMO over the coming days. However, the criteria appear to be different from that which previously identified people as shielding and therefore, we await official notification. The numbers are likely to be less rather than more than those previously identified.
3. Those that are deemed to be vulnerable (not clinically extremely vulnerable) – health conditions identified for this category (however now also includes those over 60), can work in a Covid secure environment where working from home is not an option and must adhere to all other protection measures. It is therefore essential that managers review and update risk assessments for these employees.
4. The numbers of employees who were previously recorded as shielded and not WFH were 71.
5. For information, previously **160 school-based employees** were identified as shielding (not working from home) from a workforce of over 7200 employees (7500 posts).
6. **CMT is asked to note the position and impact from the individuals above not being able to work and that communications with managers and employees will follow in the coming days.**

Schools

7. Whilst there is pressure from Trade Unions to close schools, the government has determined that schools should remain open. Public Health are currently preparing a report for CMT to demonstrate the impact of Covid on school employees and pupils.
8. **Once again, the guidance on those in the highest category of risk not being able to attend work will have an impact on schools.**

Services

9. The advice remains, work from home where possible. Updated HR guidance in relation to this is currently in draft.
10. It should be noted that where business cases to return to a workplace were agreed, these must now be reviewed and previous arrangements re-instated in some areas of the organisation where considered appropriate. This work is currently in progress. **CMT to agree that managers will be advised of this and that they must identify any staff who have returned to a workplace, not through a business case. Communications to managers and employees will be issued to confirm a return to working from home.**
11. Services are now considering the impact of a national lockdown on closure / suspension of service areas. It is essential that once decisions have been made in this regard, this is communicated to HR, Tus, employees and service users / public as soon as possible. **A clear position on the impact on all / any services to be clarified by HoS for CMT by Thursday so a full organisational picture is available.**
12. Leisure and entertainments venues are clearly required to close in line with government guidance along with sections of other services e.g. weddings / civil ceremonies. Any other services will need to be determined in the next few days.

Alternative Work / Redeployment

13. This should be discussed with employees affected by service changes and redeployment agreed to areas of essential need as far as possible, especially for those employees where furlough cannot be applied. **As those employees will continue to be paid, it is a matter of principle they should be redeployed as appropriate/necessary. Discussions with Trade Unions will take place in this regard.** Issues will be dealt with on an individual basis.
14. **A central record will be held by HR of all staff affected by service closures full or partial and these will be drawn on where additional resources are required elsewhere through the re-instatement of the emergency redeployment process.**

Furlough

15. The government have committed to extending the existing Coronavirus Job Retention Scheme (furlough) until the 2 December 2020 to accommodate this second planned lockdown. This will allow DCC to claim 80% of the pay for those employees who are stood down during this period and who work in services that meet the required eligibility criteria.
16. It would appear, that the service areas affected during the first lockdown will be predominantly the same for this second lockdown. The Local Collective Agreement which was developed and signed up to with the Trade Unions will continue to facilitate furlough across those services and areas of work.
17. In line with the previous process, service managers will engage verbally with affected employees. This will be followed up with a written communication to remind employees of the terms of furlough arrangement. The process will determine any small numbers of staff where work can be given and those subject to furlough.
18. **CMT will be provided with an updated picture of all employees not working including those subject to furlough in the coming week/s.**

Casual Employees- Furlough

19. **March Lockdown** – casual workers who met criteria of having worked and were paid in all of the preceding 3 months, and who committed to otherwise being available for work should they be required, were paid an average monthly pay during the stand down period. As services have been reinstated the casual average payments have ceased and workers reverted to being paid only for hours offered and worked.
20. Whilst there was no contractual obligation on the authority to continue to pay the casual workforce whilst there was no potential to offer them work in their respective venues, this decision was taken at a point in time when the duration and impacts of lockdown were uncertain and to ensure that those affected were not financially disadvantaged.
21. This position in practice meant that some casual workers were put at an advantage based on the period used for calculating the average (e.g. panto period in the Theatres), whereas others were not. Whilst an element of funding through the government's Coronavirus Job Retention Scheme (furlough) has been accessed this does not cover the significant costs associated with continuing to follow this principle for casual workforce into a second lockdown. This is considered a financially unsustainable position, particularly in those services most affected i.e. Culture, Sport and Tourism.

22. **November Lockdown** – it is proposed that casual workers who are stood down from duty are paid only for those hours already agreed and planned for within the next 4 weeks. Where there has been no formal agreement on those hours between the service and the casual worker, there will be no payment unless they are offered and accept work in a service that is continuing to operate.

Annual Leave

23. **It is proposed that the taking of at least one weeks' annual leave is strongly encouraged where employees are unable to undertake the full remit of their duties during November.** Managers should discuss this on an individual basis with the aim of reaching agreement with the employee.
24. **Those employees who will be furloughed, can be required to take annual leave in line with the furlough local collective agreement as long as they are provided with notice which is twice the period of leave.** Therefore, 2 weeks' notice should be given for 1 weeks' annual leave to be taken. It is proposed that this period of notice is covered in the new furlough letters to employees.

Training

25. It is proposed that statutory/mandatory training for front line staff e.g. client manual handling, Streetworks, Winter Service Operations, Gas training etc. previously agreed by CMT continues during the lockdown period to ensure these staff can safely undertake their roles and do not put themselves or others at risk.
26. Due to the first lockdown this business-critical training was delayed/ suspended and is now overdue which could impact on the delivery of frontline services e.g. care both in house and the independent sector, road gritting. Where this training is covered by regulatory bodies e.g. CQC, HSE, no agreements are in place for this training to be delayed.
27. All training is delivered in accordance with COVID-19 training delivery guidelines to ensure that the necessary control measures are in place.

Mental Wellbeing

28. Where managers have concerns regarding the mental wellbeing of employees, they should continue to provide assistance regarding continued working from home arrangements and take advice from HR about the range of support measures that are available.
29. It should be noted that this may mean some employees who have returned to the workplace may need to revert to working from home during this period of lockdown.

30. HR will communicate the range of support available and encourage managers to manage this closely.

Resourcing the Community Hub

31. The Community Hub on day one received in excess of 200 calls and a request has therefore been received to add resource to the hub.

32. **A total of 23 staff from CST/RES areas who were previously trained in the Hub have been requested. As some of these areas are affected by service closures, CMT are asked to support the decision to redeploy these individuals immediately.**

33. At the busiest period, the number of staff within the hub were 214. It is proposed that the Council plan for this eventuality, identifying key individuals previously in the Hub to be on standby.

34. It was recently agreed that the current staff in the Hub would remain until 31 December 2020. **To cope with the increase in demand, bank staff are requested from the following areas a total of 18 P/T and 9 F/T from CS = a total of 27:**

- Libraries 10 (+ 2 p/t supervisors from Libraries) = 12
- Leisure = 3
- Business Support = 1
- IT/Transformation = 2 (1 p/t manager, 1 p/t supervisor)
- Customer Services 7 (f/t) (+ 2 supervisors) = 9

Staff Absence (COVID Illness & Isolating)

35. As the number of cases increase it is highly likely we will see an increase in absences, this will need to be tracked in order that we can ensure key services can continue to run. **Contingency resourcing plans will start to be engaged to prepare across key services for this purpose.**

Care Homes

36. There is now an urgency to conclude with Elected Members the way forward for resourcing care homes in order that an advert can be placed quickly for volunteers.

Extended period of home working

37. The Council were already set to communicate on this issue in the coming week including providing clarity on some issues for managing the extended period. working from home including those who have returned to offices. **The communications will now be revisited in terms of the message around the majority**
38. **HoS will be asked to confirm where they have staff attending workplaces who have not been subject to a business case by Thursday.**
39. The guidance to be issued for the extended period of home working will include; mandatory DSE assessments, equipment which can be provided, managing remotely, health and wellbeing advice and support.

Frontline Services Operating

40. It is noted that a number of frontline services will continue to operate due to the nature of the work.
41. **Communications to be issued to revisit risk assessments. Managers guidance will cover this.**
42. Support to frontline services will also need to be considered due to the nature of some of the roles being carried out. HR/ H&S will work with HOS to determine any specific requirements.

Elected Members & buildings

- 43 CMT are asked to revisit the communications to Elected Members with the focus on not visiting office buildings.

Transport Restrictions

- 44 In line with the guidance on restricting use of transport, managers will be asked to discuss this with staff and support any flexibility required with shifts/ hours of work if necessary.

Buildings Considerations

43. CMT will need to consider keeping certain main office buildings open, and if all main office buildings are to remain open, agree to a system of manning reception desks to ensure accurate recording of any staff usage.

Resourcing other priorities

44. Communications to CMT/EMT/ T4 managers to send any requests for additional resources to HR and for the Emergency redeployment Process re-instated.
45. HOS to advise HR of any temporary movement within services of resources in order that a full picture of movement can be retained.
46. To note that there may be a requirement to utilise some tier 4 Managers or others with key skills to lead some of the COVID work required. This may need to involve a discussion with CMT on some areas of Council work which can be delayed in the short term in order to reallocate resources.

Progress with Ongoing Resourcing Plans

47. CMT are to note the progress of resourcing as set out below:

Service	Posts	Progress
Neighbourhood Protection	X6 Covid Awareness Co-Ordinator's – Grade 10	
Community Protection	X1 Community Protection (Covid19 Compliance) Manager – Grade 15 X3 Community Protection (Covid19 Compliance) Team Leader – Grade 12 X18 Community Protection (Covid19 Compliance) Officer – Grade 9	
Community Protection	Core COVID team to be put in place from existing resource and posts backfilled	Team now in place following discussion and realignment of existing resources into dedicated provision. Rota for out of hours working in place
AHS – Public Health	PH Strategic Manager PH Advanced Practitioner Programme Manager (G12) Business Support (G6)	Recruitment complete Rota for out of hours in place
Communications and Marketing		Rota for out of hours being developed
CCU	To be determined	Capacity to support testing being investigated, along with wider resource considerations associated with CCU

Urgent HR Actions / Next Steps

- TU meeting to discuss furlough arrangements / the taking of annual leave / approach to shielding / pay for casual workers.;
- Review FAQs / guidance (including furlough and shielding guidance);
- Work with service managers to identify employees where furlough will apply / assist with communication / give notice regarding annual leave;
- Communications to managers re the points set out in this report.
- Re-introduce Emergency Redeployment process and communicate to managers
- Support early discussions with employees regarding opportunities for redeployment;
- Continue to monitor and review government guidance