

## **Inclement Weather Policy (H7)**

If you require a copy of this policy in an alternative format (for example large print, easy read) or would like any assistance in relation to the content of this policy, please contact the Equality and Diversity team on 01803 656680.

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<b>Date of Issue:</b>	December 2018	<b>Next Review Date:</b>	November 2020
<b>Version:</b>	1.1	<b>Last Review Date:</b>	October 2018
<b>Author:</b>	HR Manager		
<b>Directorate:</b>	Workforce and Organisational Development		
<b>Approval Route</b>			
<b>Approved By:</b>		<b>Date Approved:</b>	
JCNC		21 October 2014	
LCNC		23 October 2014	
JCNC (by email)		20 December 2018	
<b>Links or overlaps with other policies:</b>			
H9 Special Leave Policy			

### Amendment History

Issue	Status	Date	Reason for Change
V1		Nov 2014	Integrated with Torbay & Southern Devon and South Devon Healthcare
V1.1		Oct 2016	General Review due – change of logo and new policy template
V1.2		Nov 2018	General Review Due. Inclusion of recommendations from SSEP Adverse Weather AWAF14 STP MOU

## Rapid Equality Impact Assessment

<b>Policy Title (and number)</b>		Inclement Weather Policy			
<b>Policy Author</b>		HR Directorate			
<b>Version and Date (of EIA)</b>		V1.2 October 2018			
<b>Associated documents (if applicable)</b>					
<b>RELEVANCE: Does the aim/purpose of the policy relate to each of the aims of the Public Sector Equality Duty?</b>					
• Eliminate unlawful discrimination or other conduct prohibited by the Equality Act 2010					Yes
• Advance equality of opportunity between people from different groups					No
• Foster good relations between people from different groups					No
<b>SIGNIFICANCE AND IMPACT: Consider the nature and extent of the impact, not the number of people affected.</b>					
Does the policy affect service users, employees or the wider community? (if no, proceed to sign off)					Yes
Does the policy affect service delivery or business processes?					No
Does the policy relate to an area with known inequalities (deprivation/unemployed/homeless)?					No
<b>EQUALITY ANALYSIS: How well do people from protected groups fare in relation to the general population?</b>					
<i>PLEASE NOTE: Any 'Yes' answers may trigger a full EIA and must be referred to the equality leads below</i>					
Is it likely that the policy/procedure could treat people from protected groups less favorably than the general population? (see below)					
<b>Age</b>	No	Disability	No	Sexual Orientation	No
<b>Race</b>	No	Gender	No	Religion/Belief (non)	No
<b>Gender Reassignment</b>	No	Pregnancy/ Maternity	No	Marriage/ Civil Partnership	No
Is it likely that the policy/procedure could affect particular 'Inclusion Health' groups less favorably than the general population? (substance misuse; teenage mums; carers; travellers; homeless; convictions; social isolation; refugees)					No
Please provide details for each protected group where you have indicated 'Yes'.					
What if any, is the potential for interference with individual human rights? (consider the FREDA principles of Fairness/ Respect/ Equality/ Dignity/ Autonomy)					
N/A					
<b>RESEARCH AND CONSULTATION</b>					
What is the reason for writing this policy? (What evidence/ legislation is there?)					
provides arrangements to ensure that where an employee is unable to attend their normal place of work as a consequence of inclement weather, they are able to attend an alternative, appropriate, more accessible workplace or, where this is impossible, are able to work from home					
Who was consulted when drafting this policy/procedure? What were the recommendations/suggestions?					
JCNC					
<b>ACTION PLAN: Please list all actions identified to address any impacts</b>					
<b>Action</b>				<b>Person responsible</b>	<b>Completion date</b>
<b>AUTHORISATION</b>					
<b>Name of person completing the form</b>	HR Manager				

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## 1 Policy Statement

- 1.1 Torbay and South Devon NHS Foundation Trust (hereafter referred to as the Trust) recognises that there will be occasions when, because of the geographical location in which they live or, because of particular transport difficulties, employees will be unable to attend their normal place of work as a consequence of inclement weather. This policy covers all employees of the Trust who find themselves in such circumstances.

## 2 Purpose

- 2.1 This policy provides arrangements to ensure that where an employee is unable to attend their normal place of work as a consequence of inclement weather, they are able to attend an alternative, appropriate, more accessible workplace or, where this is impossible, are able to work from home. Where neither of these is a practical alternative because of the nature of the work in which the employee is engaged, the aim will be to ensure that staff are treated equitably.

## 3 Scope

- 3.1 This policy applies to all staff employed by Torbay & South Devon NHS Foundation Trust under Agenda for Change terms and conditions of service.

## 4 Equality and Diversity Statement

- 4.1 The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person (staff, patient or public) will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.
- 4.2 The Trust is committed to ensuring all services, policies, projects and strategies undergo equality analysis.

## 5 Roles and Responsibilities

### 5.1 Line manager responsibilities:

It is a management responsibility to ensure departments are adequately staffed and managers should therefore have early discussions with employees who may have difficulty attending work due to inclement weather to ensure suitable plans are in place to deal with any problem should it arise.

Line managers need to be clear around defining essential services and the minimum staff requirements to maintain safe patient care. This should be identified and documented within the departments Business Continuity plan. All staff may be deployed to other areas if necessary and should identify secondary

roles that they may be deployed into in the event they are not able to undertake their normal duties. Staff will not be categorised as essential or non-essential in this respect as all staff have a valuable contribution to make in their normal or secondary roles. Managers should also keep a record and detail of staff that are registered as being able to work from home or in exceptional circumstances, at alternative workplaces, as part of the department business continuity plan..

## 5.2 Employee responsibilities:

It is the responsibility of individual employees to attempt to overcome difficulties in order to attend work. Circumstances will vary from place to place and individual to individual. Employees should make every effort to get to work during periods of severe weather but should not put themselves at unnecessary risk in doing so.

Employees may be deployed to other areas or roles to support services delivering safe patient care due periods of inclement weather. In these circumstances employees are asked to be flexible and will not be asked to undertake any role that they do not have the knowledge or skills to do.

## 6 General Principles

- 6.1 Where an employee considers they may have difficulty in the future as a consequence of inclement weather, they must discuss this with their line manager and agree an alternative working arrangement. This may include working from home or registering their name and contact details with an appropriate alternative workplace (which may in exceptional circumstances be at another Trust within the STP), which is more accessible to their home.
- 6.2 Employees with parental and/or caring responsibilities which might, at times of inclement weather, prevent them from attending work or needing to leave work early should ensure their manager is fully aware of the circumstances beforehand. In such circumstances employees may apply for emergency leave under section 10 of the Trust's Special Leave Policy H9. A maximum of 1 day paid leave at any one time may be granted to support immediate unplanned or unknown circumstances due to inclement weather. Any further requests for time off from work will be dealt with as per 7.2 below.

## 7 Procedure

- 7.1 If after having explored all options of being able to attend work the employee is unable to come in due to adverse weather conditions, they must contact their manager or nominated person as early as possible.
- 7.2 If it is not possible for an employee to work from home or the alternative workplace at which they are registered, they should agree with their manager whether:

- They change their shift
  - Make up the time (within one month of the date concerned)
  - Use any lieu time already accrued
  - Take annual leave
  - Take unpaid leave
- 7.3 If the issue is likely to continue for more than one day, the employee should contact their manager daily to discuss and agree the options available to them.
- 7.4 When severe weather occurs and an employee is already at work and potentially limits or puts at risk their ability to get home, they should consult their manager, taking into account any advice issued by the police, motoring organisations and weather bulletins, and agree when they should leave work if necessary.
- 7.3 Employees arriving late (or with the permission of the line manager leaving early) because of inclement weather will be paid at the rate they would have received for that day if normal conditions prevailed.
- 7.4 In some circumstances the Trust may arrange transport for key staff. In such cases a hotline will be set up and managers notified, Employees should discuss with their manager whether they can use this transport
- 7.5 Employees who are able to attend work outside of their rostered hours should report to the designated Staff Deployment Area to register and wait to be allocated to an area.
- 7.4 Employees who work additional hours as result of inclement weather, be this through staying on additionally after normal shift has finished, or attending work for shifts / hours / days they were not rostered for, will receive payment / TOIL for these additional hours in line with their terms and conditions of employment.

## **9 Training & Awareness**

- 9.1 Advice and support will be provided by the HR team to support staff and managers in adhering to this policy.
- 9.2 The HR team will raise awareness of this policy through the publication of information on ICON and to advise staff of changes to the policy through the staff bulletin and ratification processes.

## **10 Contact Details**

- 10.1 Any queries regarding this policy should be directed to the HR team of the Directorate of Workforce and Organisational Development.
- HR Helpline – 01803 655754 (ext. 55754)

- HR department – 01803 654506

## **11 Monitoring, Audit and Review Procedures**

- 11.1 This policy will be monitored and audited on a regular basis. A full review will take place every two years by the Directorate of Workforce and Organisational Development unless legislative changes determine otherwise.