Human Resources Policy

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Signed: Chief Executive and Employee Director
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Adverse weather policy statement

Introduction

As all employees are aware, NHS Borders must continue to provide a service to the public at all times. During periods of adverse weather, the efforts and goodwill of all employees in attending work are hugely appreciated.

NHS Borders expect all employees to make reasonable efforts to attend work during adverse weather conditions but emphasises that responsibility for assessing the risks involved in travelling from home to work remains entirely with the individual employee.

Principles and aims

The aim of this policy and associated protocol is to support, advise and guide staff and managers in dealing with problems arising from severe disruption due to adverse weather. It aims to balance the needs of the service with that of individual employees, whilst ensuring that employees who face exceptional difficulties or risk to themselves as a result of adverse weather conditions are treated in a fair and consistent manner.

In the majority of cases it is expected that employees will be paid for hours lost as a result of adverse weather conditions. As long as this policy and protocol are followed, managers will ensure that employees who have made reasonable attempts to attend work in adverse weather but who were unable to attend work / arrived late / left early are paid accordingly in line with NHS Borders Special Leave Policy.

It is recognised that there is the need for a significant amount of management discretion in the application of this policy and protocol. Managers know their staff and their personal circumstances and should use the knowledge and information they have to make a justifiable and fair judgement in each individual situation.

As such during an unbroken spell of adverse weather managers have the discretion to authorise paid leave for the first day / shift. This will be recorded as Special Leave and processed in line with the separate NHS Borders Special Leave Policy. If the absence exceeds one day / shift, managers must discuss with their employees how the additional time lost should be processed. The options include authorising additional special leave, working up hours lost (i.e. using flexi-time) or the use of annual leave. Managers will assess each case on an individual basis and retain the discretion to process the hours lost as unpaid leave where appropriate.

If this policy and protocol are not followed by the employee, it is expected that all hours lost will be worked up, taken as annual leave or processed as unpaid leave. This will be at the manager’s discretion; the manager must discuss this with the employee and record the reason for their decision. This could ultimately be dealt with through the Management of Employee Conduct Policy (Disciplinary).

In cases where care arrangements for dependants have broken down due to unforeseen adverse weather conditions e.g an elderly relative is cut off by heavy snowfall or schools
are closed, leave may be recorded as Carer Leave. In this situation, leave will be processed in line with the separate NHS Borders Special Leave Policy.

**Scope**

Adverse weather conditions usually arise from very heavy snowfalls and drifting snow but may also include other exceptional weather conditions e.g. high winds, flooding, an extreme cold spell.

This policy and protocol applies to all employees regardless of grade, hours or length of service and should be applied in conjunction with NHS Borders Major Emergency Procedures (Section 9 – Severe Weather).

The principles within this policy may be applied to other exceptional circumstances under the direction of the Chief Executive.

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Chief Executive

Employee Director
Adverse weather protocol

1 Adverse weather warnings

When adverse weather conditions are forecast, employees should assess the risks and try to identify the implications for them when travelling to or from their place of work. Employees should consider making alternative travel arrangements e.g. travelling with other colleagues, using public transport or using an alternative route to work.

In extreme cases senior managers should maintain regular contact with the Emergency Planning Officer and support managers in their area of the service to make the necessary plans for the continued provision of local health services. All severe weather warnings are currently circulated by global email. This reflects the information available on the Met Office website. [www.metoffice.gov.uk]

2 Employees unable to reach work

An employee who anticipates travel problems or is unable to reach his / her normal place of work must telephone their line manager at their base as soon as possible to explain their circumstances. If their immediate line manager is unavailable, an alternative ‘senior’ member of staff must be contacted. This does not mean that the employee is automatically excused duties for the remainder of the day / shift unless the normal place of work is to be closed because of the adverse weather conditions. The manager must assess the current and anticipated staffing levels for imminent shifts and may ask the employee to continue to try to attend work if it is safe to do so without putting themselves at risk.

An employee who is unable to get to their normal place of work should discuss the possibility of working from an alternative place of work with their manager. In all such cases, the manager must consider the particular needs of the service and the contribution the employee is able to make, taking into account the competence / skills, qualifications / professional responsibilities of the employee and whether appropriate supervision would be available. Managers should only instruct an employee to attend an alternative place of work if they have agreed this with the manager of the alternative base / unit, there is a need for additional staff at the identified base / unit and it is considered safe to do so. Employees presenting at an alternative base / unit will be required to provide some recognisable form of photographic identification i.e. NHS Borders photo ID badge, photographic drivers licence or a passport.

Employees with community-based caseloads should consider the needs of each patient on an individual basis and wherever possible maintain patient contact by telephone. It is particularly important that these employees liaise closely with their manager. In extreme cases, the manager should contact the Emergency Planning Officer to highlight the needs of particularly vulnerable patients.
3 Late arrival at work

Employees are urged to notify their manager of any difficulties in travelling to work as early as possible to allow the manager time to consider what, if any, alternative work arrangements might be necessary. Employees should notify their manager immediately when they arrive at work.

An employee might arrive at work late as a result of having to make alternative care arrangements for dependents. In this situation the time lost will be recorded as Carer Leave and the employee will not be required to either make up time or lose payment. Employees will then be expected to complete their normal working shift unless weather conditions worsen during the period at work, in which case the protocol for early release (see below) will be followed.

The manager is responsible for assessing whether individual employee’s attempts to report for work on time have been reasonable. Consideration should be given to the distance and method of transport normally used, together with weather warnings, road reports, school closure reports and accessibility of alternative methods of transport. The manager will also take into account the attempts made by the employee to vary their departure time and/or normal transport arrangements and the ability, or otherwise, of other staff from the same area to report for duty.

If, in exceptional circumstances, the manager does not consider that the employee has made a reasonable attempt to arrive on time, the reasons for this should be explained to the employee and arrangements made for the time lost to be made up by the employee or for payment to be restricted to hours worked only. This decision should be recorded by the manager (a generic Record of Discussion (RoD) template can be found in the ‘guidance’ section of the HR Intranet page if required) and could ultimately be used in the application of the Management of Employee Conduct Policy (Disciplinary).

4 Early release of employees in adverse weather

In some cases managers should consider the early release of employees, or respond to employees requests to leave work early, due to adverse weather conditions (if for example they have greater distance to travel, use minor roads or their care arrangements have broken down). Employees who expect to reach home safely will continue to work as normal.

The timing of the early release will be decided by the manager, who should be guided by official weather forecasts; information obtained from the local media, Police and Automobile Association; local reports detailing Met Office announcements as distributed by global email from NHS Borders Emergency Planning Officer. Where the manager is satisfied that the employee will have genuine travel difficulties, and having given due consideration to the need to maintain service levels, they may regard the employee as having completed their normal working hours for that period and the employee will not be required to either make up time or lose payment. The manager will record this as special leave.
Depending on the nature of the work, if bad weather is anticipated, employees should consider the possibility of working from home. This arrangement would be with the agreement of their manager. If work at home is computer based, the IM&T Servicedesk should be contacted to ensure that NHS Borders Internet and NHS Borders Email Policies are followed i.e. ‘Access to the Internet from laptops or other remote PCs should only be gained by initially connecting to the NHS Borders network’. It should also be noted that it is not permitted to use personally owned computers to store or process information that NHS Borders is responsible for ensuring the security of. This means that any computer-based work performed at home should be on an NHS Borders laptop.

5 On return to work

Employees who have been unable to report for work for part or all of the day / shift because of adverse weather conditions should discuss the circumstances in full with their manager on their return to work. If the manager is satisfied that all reasonable attempts (e.g. using public transport; car pooling; working from home; swapping base etc.) have been made and the reason for non-attendance at work is considered satisfactory, the manager should authorise the payment of the hours and record this as Special Leave.

If the time lost exceeds one full day / shift, the manager should discuss the circumstances with the employee and consider how the additional hours lost should be met. One, or a combination of more than one, of the following options can be used:

- Additional leave with pay
- Working up the hours lost (possibly using flexi-time or time back where applicable)
- Taking the hours lost as part of annual leave
- Processing the hours lost as unpaid leave

6 How should time lost be processed..?

Managers have discretion in deciding how hours lost as a result of adverse weather are processed as outlined above. As long as this policy and protocol are followed, managers will ensure that employees who have made reasonable attempts to attend work in adverse weather but who were unable to attend work / arrived late / left early are paid accordingly in line with NHS Borders Special Leave Policy.

Managers must assess each individual employees circumstances and be able to support their decision. In considering the employees individual circumstances, the managers should consider:

- Was the Adverse Weather protocol followed..?
- Did the employee contact their manager at an early stage..?
- Were reasonable attempts made to attend work..?
Were alternative travel or work arrangements considered? 
Did other employees who live in the same area manage to attend work?

In exceptional circumstances, where managers feel that employees have not made reasonable attempts to get to work, the leave may be recorded as unpaid leave. The manager must discuss this with the employee and record the reason for their decision.

7 Additional hours worked

Towards the end of a shift or work period, managers must assess the current and anticipated staffing levels in their area and decide if it is possible to deliver an acceptable service with potentially fewer staff. If the risk is considered to be too great, the manager may ask those employees present to remain in the department. If an employee agrees to undertake extra hours, over and above the number of hours of their original shift or work period, they should have the option of the hours being taken back as paid time. Any hours in excess of full time working will be paid in line with any existing overtime arrangements for that staff group. Employees may request to have time as 'time off in lieu', which should be taken at a mutually agreeable date.

Whether or not an area has a full complement of staff, the managers and employees should do all they can to ensure that appropriate breaks are taken in line with the Working Time Directive.

8 Accommodation

In exceptional circumstances where employees find that they have become stranded and cannot travel home, the manager should try to arrange alternative accommodation on site e.g. within NHS Borders Residencies for BGH staff, this will be offered to employees at no charge. Wherever possible, priority for on site accommodation should be given to employees who are required to provide an overnight on-call service and who are unable to provide this from their home. Employees will be responsible for meeting the cost of any meals taken. Where overnight accommodation is not available on site, managers should support employees to find alternative accommodation by allowing them time to make the necessary arrangements and providing access to telephones. When an employee stays overnight in a Hotel, B&B or equivalent with the agreement of their manager, the cost will be reimbursed in line with current NHS Borders expenses guidance.

9 Work related driving

Employees who undertake driving activities in the course of their work should liaise closely with their manager to make sure that risks in the event of adverse weather are assessed in a systematic and ongoing way. Alternative systems and methods of work may have to be adopted to reduce risk as far as is possible. These employees should also refer to NHS Borders Personal Safety Policy and NHS Borders Transport Policy.
10 Resolution of disagreements

Should a disagreement arise as a result of this policy and/or protocol, employees have the right to raise a formal grievance. It may be preferable in such circumstances, however, for the manager to seek advice on resolving the matter from their nominated HR Manager and a Staff Side Representative.

If a manager or employee has any queries regarding this policy and/or protocol they should contact their nominated HR Manager.

11 Summary of roles and responsibilities

The responsibilities of all Service Managers / Heads of Departments are to:

- Ensure that they are familiar with NHS Borders Major Emergency Procedures (Section 9, Severe Weather Procedures)
- Maintain links with NHS Borders Emergency Planning Officer during periods of severe adverse weather and monitor the met office website
- Provide information and support to managers in their area of responsibility during periods of severe adverse weather

The responsibilities of every Line Manager in NHS Borders are to:

- Ensure that employees are treated fairly and consistently
- Regularly assess current and anticipated staffing levels during periods of adverse weather
- Assess the need for staff to report for work at an alternative base / unit and the compatibility of the individual and the post
- Balance the needs of the service with that of individual employees
- Give due consideration to any employees request to leave work early during periods of adverse weather
- Try to ensure that appropriate breaks are taken when staff numbers are reduced as a result of adverse weather
- Assess whether individual employee’s attempts to report for work on time have been reasonable
- Discuss specific circumstances in relation to adverse weather with each individual affected on a case-by-case basis
- Record hours lost as a result of adverse weather appropriately

The responsibilities of all employees are to:

- Regularly assess the risks involved in travelling to and from home / work
- Plan ahead – try to identify possible alternative travel options for periods of adverse weather and consider what arrangements you could make to enable you to continue to work after your agreed working hours to support your ward / base if required
Contact your manager; or, if your immediate line manager is unavailable, an alternative ‘senior’ member of staff at your normal place of work as soon as possible
Maintain contact with your manager and notify him/her when you arrive at work
Make reasonable efforts to attend work during periods of adverse weather (after considering the risks)
Be prepared to work from an alternative base / unit during periods of adverse weather

Be prepared – carry emergency equipment in your vehicle e.g. warm clothing, sturdy footwear, a mobile phone (and charger) food / drink and an overnight bag

The responsibilities of all Staff Side Representatives are to:

- Represent staff fairly and in line with this policy and protocol
- Act at all times in line with their responsibilities under the Partnership Agreement

The responsibility of NHS Borders Emergency Planning Officer is to:

- Liaise with senior staff within NHS Borders in line with NHS Borders Major Emergency Procedures (Section 9, Severe Weather Procedures)

The responsibility of HR is to:

- Proactively advise, support and guide all staff (in particular, line managers) in this policy and protocol

The responsibility of Training and Professional development is to:

- Develop the skills of managers and staff representatives to allow this policy and protocol to be put into practice effectively
Appendix 1

What to do in adverse Weather: Guidance for staff
What to do in adverse weather: Guidance for staff...

- Plan ahead – find out who lives near you and travels to the same place of work. Discuss possible shared travel arrangements
- Be prepared – carry emergency equipment in your vehicle e.g. warm clothing, sturdy footwear, a mobile phone (and charger) food / drink and an overnight bag
- Carry supplies of any medication you may require
- Regularly assess the risks involved in travelling to and from work (use the media to help with this)
- Inform your manager of anticipated travelling difficulties as soon as possible
- Maintain regular contact with your manager during periods of adverse weather
- Tell your family where you are
- Be prepared to work from an alternative base / unit during periods of adverse weather if required
- Consider what arrangements you could make to enable you to continue to work after your agreed working hours to support your ward / base if required
- Complete all the relevant paperwork as soon as possible