

# Adverse Weather Policy

This policy provides guidance to managers and employees in the event of adverse weather conditions such as heavy snowfall, high winds, flooding or excessively hot weather.

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Adopted by:	Strategic Workforce Group	
Date Adopted:	10 July 2019	
Name of Author:	Julie Hamore, Senior HR Advisor	
Name of responsible Committee:	Workforce and Wellbeing Group	
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Target audience:	All staff	
Type of Policy		Non Clinical
Which Relevant CQC Fundamental Standards?	13	

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## Version Control and Summary of Changes

Version number	Date	Comments (description change and amendments)
1	17 January 2012	Adopted and updated the Former LCR Policy
2	May 2012	
3	March 2016	Policy copied into new template  Added Section 3: Purpose and Section 4: Scope  Added sentence in paragraph 2.2 'While accepting that staff should not take unreasonable risks in attempting to get to work in difficult conditions'...  Added Due Regard; Appendix 2
4	May 2019	5.1 – Updated the Public Health Heatwave Plan for England to latest version 2019.  6.1.1 – Deleted reference to the Major incident Plan – no requirement for this as all appropriate actions are listed in the Business Continuity Plans that are already referenced

**All LPT Policies can be provided in large print or Braille formats, if requested, and an interpreting service is available to individuals of different nationalities who require them.**

**For further information contact:**

Senior HR Advisor 0116 295 3402

### Equality Statement

**Leicestershire Partnership NHS Trust (LPT) aims to design and implement policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 and promotes equal opportunities for all. This document has been assessed to ensure that no one receives less favourable treatment on the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity.**

## Due Regard

LPT will ensure that Due regard for equality is taken and as such will undertake an analysis of equality (assessment of impact) on existing and new policies in line with the Equality Act 2010. This process will help to ensure that:

- Strategies, policies and services are free from discrimination;
- LPT complies with current equality legislation;
- Due regard is given to equality in decision making and subsequent processes;
- Opportunities for promoting equality are identified.

Please refer to due regard assessment (Appendix 3) of this policy.

## Definitions that apply to this Policy

<b>Adverse weather</b>	Adverse weather conditions usually arise from heavy snowfalls and drifting but may also include exceptionally high winds, flooding or excessively hot weather.
<b>Due Regard</b>	Having <b>due regard</b> for advancing equality involves: <ul style="list-style-type: none"><li>• Removing or minimising disadvantages suffered by people due to their protected characteristics.</li><li>• Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.</li><li>• Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low</li></ul>
<b>Dependents</b>	Children or other persons for whose care the staff member is responsible

## **1.0. Purpose of the Policy**

- 1.1 The purpose of this policy is to ensure a fair and consistent approach is adopted when normal daily travelling arrangements of employees are disrupted by events such as adverse weather conditions.
- 1.2 It will be applied when staff are unable to attend work or who have to work a shorter day than normal, due to adverse weather conditions.
- 1.3 It does not apply to personal emergencies, which should be addressed requesting annual leave or other forms of leave as outlined in the Special Leave Policy. Discussion with the employee's line manager will determine the most appropriate response to a personal emergency.

## **2.0. Summary and Key Points**

- 2.1 The Policy provides the principles which apply to all staff in the event of adverse weather conditions.

## **3.0. Introduction**

- 3.1 The Adverse Weather Policy and Procedure applies to all employees of Leicestershire Partnership Trust which will be referred to throughout as 'the Trust'.
- 3.2 During periods of adverse weather, the Trust still needs to provide services and appreciates the efforts made by its employees to get in to work. While accepting that staff should not take unreasonable risks in attempting to get to work in difficult conditions the Trust reminds staff that they are expected to make reasonable efforts to attend work during adverse weather conditions. It is the contractual duty of each employee to make their own arrangements to get to work in the event of adverse weather conditions. The Trust recognises and appreciates that, in the vast majority of cases; staff make every effort to attend their place of work at the correct time.
- 3.3 This policy is designed to give guidance, advice and support to managers and employees in the event of adverse weather conditions which prevent staff members from making normal journeys to and from their place of work and in consequence affects the ability of employees to attend work or have to work a shorter day.
- 3.4 This policy applies to all employees who are unable to attend work due to adverse weather conditions regardless of grade, hours, length of service and any protected characteristic(s).

## **4.0. Scope**

- 4.1 This policy applies to all employees of the Trust including those on secondment to the Trust.

## **5.0 Definition of Adverse Weather**

- 5.1 Adverse weather is where the weather conditions are unusual and are such that working conditions are affected and employees are prevented from attending work, or have significant problems getting home from work. Adverse weather conditions usually arise from heavy snowfalls and drifting but may also include exceptionally high winds, flooding or excessively hot weather. Excessively hot weather for the East Midlands is defined by the Met Office as 30° Celsius during the day or 15° during the night (Public Health Heatwave Plan for England, May 2019)
- 5.2 The Trust accepts that bad weather may affect different localities within a geographical area with different degrees of severity.

## **6.0 Applicable Situations**

### **6.1 Where Employees are unable to reach their usual base.**

- 6.1.1 If due to the adverse weather conditions, employees are unable to attend work at their usual base, then the following procedure should be followed:

#### **Clinical Employees.**

Clinical employees must in the first instance contact their Line Manager/Team Leader to agree that they will contact their nearest base to report for duty or to offer their assistance as appropriate in accordance with the arrangements set out in the local Business Continuity Plan(s). Where practicable Managers/Team Leaders may agree to clinical staff working from home.

#### **Non Clinical Employees.**

Non clinical employees should liaise with their Line Manager/Team Leader so that an agreement can be made as to whether they are able to work from home, or if they are able to access a base near to their home to work from there.

#### **Home Visiting Clinical Employees**

Home visiting employees should contact their Line Manager/Team Leader to agree that they will contact their nearest base to offer their assistance. Employees will also need to discuss their caseloads with their Line Manager/Team Leader to identify any urgent and non-urgent visits, paying particular attention to patients needing drug therapy, palliative care or essential equipment. Where practicable Managers/Team Leaders may agree to home visiting clinical staff working from home.

#### **Line Manager's/Team Leader's Responsibility**

- Line Managers/Team Leaders must make every effort to ensure that normal services are provided by using all available resources, for example in the event of clinic cancellation, moving clinical employees to "in patient areas".

- Line Managers/Team Leaders must be aware of local Business Continuity Plans and ensure that the actions detailed in those plans are followed through.
- Managers need to ensure that all staff are also aware of the business continuity plan in relation to adverse weather.
- If clinical services are disrupted, Line Managers/Team Leaders must inform their Manager as appropriate.
- Line Managers/Team Leaders must ensure that they hold up to date contact details for their staff.

### **Employees Unable to report for Duty**

6.1.2 Where employees are unable to report for duty, even if they have attempted to fulfil their duties by trying to travel to an alternative base, they must take the time they are not at work as time in lieu, flexi time or annual leave. Where applicable and agreed by the manager, the employee may be able to work from home. Where none of these options are available employee will be expected where practicable to agree with their manager to work additional hours to make up for the time lost or alternatively take unpaid annual leave.

### **6.2 Where employees have to leave work earlier than normal in order to ensure a safe journey home.**

6.2.1 Where adverse weather conditions are worsening during the day Line Managers/Team Leaders will have discretion to decide whether employees should be released early.

6.2.2 Line Managers/Team Leaders should consider service needs and employees individual circumstances such as genuine travel difficulties when making the decision to release employees early.

6.2.3. Employees permitted to leave early should take the time they are not at work as time in lieu, flexi time or annual leave. Alternatively, where it is practicable to do so, employees may with the agreement of their Manager/Team Leader leave early and make up their hours by working from home on agreed pieces of work. When working from home employees must have due regard to personal safety, data security and confidentiality.

### **6.3 Where employees are unable to attend work at the usual time due to adverse weather conditions.**

6.3.1 Employees will not be penalised for arriving late for work due to travel difficulties or where they have had to make alternative care arrangements for dependents. However, Managers will assess service needs and may request employees to complete their normal working hours where it is appropriate to do so.

## **6.4 Dependent Responsibilities**

### **School closures**

- 6.4.1 In the event of schools being closed, employees should in the first instance exhaust all options for alternative child care arrangements. However, it is accepted that in these circumstances child care may not be immediately available and where this is the case employees may be entitled to Carer's Leave as defined within the LPT Special Leave Policy. Carer's leave should only be used in an emergency situation. It is therefore expected that employees will make alternative child care arrangements during periods of prolonged adverse weather conditions.
- 6.4.2 The principles above will also apply to employees with other dependent responsibilities.

## **6.5 Closure of Base**

- 6.5.1 Where a decision has been taken to close a base, Managers must ensure that every effort is made to contact members of their team(s) who have not yet arrived at work in order to notify them of the decision and any alternative arrangements which may have been agreed.
- 6.5.2 In the event that an employee arrives at work to find that their base is closed, they must in the first instance contact their Manager to agree the appropriate course of action to take.

## **7.0. Duties within the Organisation**

- 7.1 The Trust Board has a legal responsibility for Trust policies and for ensuring that they are carried out effectively.
- 7.2 Trust Board Sub-committees have the responsibility for ratifying policies and protocols. Workforce and OD committee have the responsibility for ratifying this policy.
- 7.3 Divisional Directors and Heads of Service are responsible for ensuring the development and implementation of appropriate guidance to support managers with this policy.
- 7.4 Managers and Team leaders are responsible for:
- To ensure that individuals are treated in a fair and consistent way
  - To ensure that this policy is adhered to
  - To offer a range of options to staff unable to attend their normal location work location



- To ensure accurate recording of attendance at work on ESR/e-roster
- In exceptional circumstances, should arrangements such as overnight stays for staff, costs of food or transports be considered to be required, a manager should discuss this in the first instance with the manager who is co-ordinating the emergency response.

#### 7.5 Responsibility of Staff

- All employees are responsible for making their own arrangements to get to work on time.
- All employees are expected to make all reasonable attempts to attend work in order for services to be maintained, such as utilising public transport, even if this means they may arrive late. In these circumstances employees must contact their manager to advise them of the situation and reason for delay. Where reasonably possible this must be prior to the commencement of their shift. At this time both the manager and employee will agreed when contact will be made again (by either the manager or the employee) in order to update on the progress of their journey. The employee will notify their manager when they arrive at work
- Employees who are unable to attend work on their normal base/site will be expected to make every reasonable effort to attend work at an alternative base/site within the Trust. In these circumstances arrangement to work on an alternative site/base must be discussed and agreed with their manager and reference should be made to the Trust/department's relevant Service Contingency Plan.
- When inclement weather or major disruption to travel links can be reasonably foreseen and, depending on the role, if it is possible for work to be undertaken at home then the home working option may be agreed with their manager.
- Staff will **follow** the guidance contained within the policy.

#### 8.0. Training needs

There is no training requirement identified within this policy.

## 9.0. Monitoring Compliance and Effectiveness

Ref	Minimum Requirements	Evidence for Self-assessment	Process for Monitoring	Responsible Individual / Group	Frequency of monitoring
	Employees will be treated in a fair and consistent way	Section 5- Managers Responsibilities	Review of grievances received	SWG/HR	Monthly

## 10.0. Standards/Performance Indicators

TARGET/STANDARDS	KEY PERFORMANCE INDICATOR
Care Quality Commission registration standards (outcome 13) <i>Staffing</i> (21) of the Health & Social Care Act (2008) (Regulated Activities Regulations 2010 <a href="#">CQC essential standards</a> )	That the trust maintains compliance with CQC registration standards, this policy supports outcome standards 13

## 11.0. References and Bibliography

The policy was drafted with reference to the following:

NHS Leicester City – Policy regarding Adverse Weather Conditions

LCR – Adverse Weather Policy

Public Health England, Heatwave Plan May 2015

## The NHS Constitution

The NHS will provide a universal service for all based on clinical need, not ability to pay. The NHS will provide a comprehensive range of services

<b>Shape its services around the needs and preferences of individual patients, their families and their carers</b>	<input type="checkbox"/>
<b>Respond to different needs of different sectors of the population</b>	<input type="checkbox"/>
<b>Work continuously to improve quality services and to minimise errors</b>	<input type="checkbox"/>
<b>Support and value its staff</b>	<input checked="" type="checkbox"/>
<b>Work together with others to ensure a seamless service for patients</b>	<input type="checkbox"/>
<b>Help keep people healthy and work to reduce health inequalities</b>	<input checked="" type="checkbox"/>
<b>Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance</b>	<input type="checkbox"/>

**Stakeholders and Consultation**

**Key individuals involved in developing the document**

<b>Name</b>	<b>Designation</b>
Julie Hamore	Senior HR Advisor

**Circulated to the following for comment**

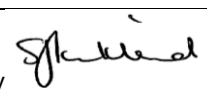
<b>Name</b>	<b>Designation</b>
Directors / Heads of Service and Direct Reports	
Operational HR Team	
Equalities Team	
Staffside	
Workforce & Wellbeing Group	

## Due Regard Screening Template

Section 1					
Name of activity/proposal	Adverse Weather Conditions Policy and Procedure				
Date Screening commenced					
Directorate / Service carrying out the assessment	Enabling/Human Resources				
Name and role of person undertaking this Due Regard (Equality Analysis)	Julie Hamore				
<b>Give an overview of the aims, objectives and purpose of the proposal:</b>					
<b>AIMS:</b> The aim of this policy is to ensure a fair and consistent approach is adopted when normal daily travelling arrangements of employees are disrupted by events such as adverse weather conditions.					
<b>OBJECTIVES:</b> It will be applied when staff are unable to attend work or who have to work a shorter day than normal, due to adverse weather conditions.					
Section 2					
Protected Characteristic	If the proposal/s have a positive or negative impact please give brief details				
Age	This guidance is deemed to be equality neutral. The guidance is applicable to all staff regardless of any protected characteristic who are unable to attend work due to Adverse Weather conditions.				
Disability	Appropriate methods of communications will be included to ensure anyone with accessibility or communication challenges are made aware of relevant information in an appropriate format				
Gender reassignment	As above				
Marriage & Civil Partnership	As above				
Pregnancy & Maternity	As above				
Race	As above				
Religion and Belief	As above				
Sex	As above				
Sexual Orientation	As above				
Other equality groups?	As above				
Section 3					
<b>Does this activity propose major changes in terms of scale or significance for LPT? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please <u>tick</u> appropriate box below.</b>					
<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Yes</th> <th style="width: 50%;">No</th> </tr> </thead> <tbody> <tr> <td>High risk: Complete a full EIA starting click <a href="#">here</a> to proceed to Part B</td> <td>Low risk: Go to Section 4. <span style="float: right;">✓</span></td> </tr> </tbody> </table>		Yes	No	High risk: Complete a full EIA starting click <a href="#">here</a> to proceed to Part B	Low risk: Go to Section 4. <span style="float: right;">✓</span>
Yes	No				
High risk: Complete a full EIA starting click <a href="#">here</a> to proceed to Part B	Low risk: Go to Section 4. <span style="float: right;">✓</span>				
Section 4					
<b>If this proposal is low risk please give evidence or justification for how you reached this decision:</b>					

<b>Signed by reviewer/assessor</b>		<b>Date</b>	
<i>Sign off that this proposal is low risk and does not require a full Equality Analysis</i>			
<b>Head of Service Signed</b>	<i>Larry D B4</i>	<b>Date</b>	5.6.19

## DATA PRIVACY IMPACT ASSESSMENT SCREENING

<p><b>Data Privacy impact assessment (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet Individual's expectations of privacy.</b></p> <p><b>The following screening questions will help the Trust determine if there are any privacy issues associated with the implementation of the Policy. Answering 'yes' to any of these questions is an indication that a DPIA may be a useful exercise. An explanation for the answers will assist with the determination as to whether a full DPIA is required which will require senior management support, at this stage the Head of Data Privacy must be involved.</b></p>		
<b>Name of Document:</b>	<b>Adverse Weather Policy</b>	
<b>Completed by:</b>	<b>Julie Hamore</b>	
<b>Job title</b>	<b>Senior HR Advisor</b>	<b>Date 30/05/2019</b>
<b>Screening Questions</b>	<b>Yes / No</b>	<b>Explanatory Note</b>
<b>1. Will the process described in the document involve the collection of new information about individuals? This is information in excess of what is required to carry out the process described within the document.</b>	No	
<b>2. Will the process described in the document compel individuals to provide information about them? This is information in excess of what is required to carry out the process described within the document.</b>	No	
<b>3. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information as part of the process described in this document?</b>	No	
<b>4. Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?</b>	No	
<b>5. Does the process outlined in this document involve the use of new technology which might be perceived as being privacy intrusive? For example, the use of biometrics.</b>	No	
<b>6. Will the process outlined in this document result in decisions being made or action taken against individuals in ways which can have a significant impact on them?</b>	No	
<b>7. As part of the process outlined in this document, is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For examples, health records, criminal records or other information that people would consider to be particularly private.</b>	No	
<b>8. Will the process require you to contact individuals in ways which they may find intrusive?</b>	No	
<p><b>If the answer to any of these questions is 'Yes' please contact the Data Privacy Team via <a href="mailto:Lpt-dataprivacy@leicspart.secure.nhs.uk">Lpt-dataprivacy@leicspart.secure.nhs.uk</a></b></p> <p><b>In this case, ratification of a procedural document will not take place until review by the Head of Data Privacy.</b></p>		
<b>Data Privacy approval name:</b>	Sam Kirkland, Head of Data Privacy 	
<b>Date of approval</b>	31/05/2019	

Acknowledgement: This is based on the work of Princess Alexandra Hospital NHS Trust