



Business Services
Organisation

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Adverse Weather Protocol

November 2019



Policy Development Overview

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Contents

1.0	Introduction/Purpose.....	4
2.0	Scope of Protocol.....	4
3.0	Definitions.....	4
4.0	Role & Responsibilities.....	4
4.1	Employees must:.....	5
4.2	Managers Should:.....	5
4.3	Human Resources Department Should:.....	5
5.0	Guidance on Managing Leave.....	6
5.1	Staff unable to Travel.....	6
5.2	Requests to Leave Early / Early Release of Staff.....	7
6.0	Equality Statement.....	7
6.1	Review.....	7
6.2	Equality Impact.....	7

1.0 Introduction/Purpose

This protocol outlines the required action to be taken when an employee is unable to travel to work because of adverse weather conditions. It also describes the process where managers can consider the early release of staff, or respond to staff requests to leave work early, due to adverse weather conditions.

It is acknowledged that individual circumstances will vary greatly and therefore it is unlikely that this protocol will cover all eventualities. Therefore, management will have the authority to make reasonable decisions when there are exceptional circumstances.

It is recognised and very much appreciated that during periods of inclement weather in the past, employees have gone to extraordinary measures, often above and beyond the call of duty, to ensure that patient and client care is not compromised.

2.0 Scope of Protocol

This protocol applies to all staff.

3.0 Definitions

Adverse weather conditions could be defined as snow, severe ice, fog, floods, or high winds which render travelling conditions extremely hazardous for both public and private transport.

Extremely hazardous travelling conditions could be defined as those conditions whereby the Police and/or appropriate motoring organisations advise people not to make unnecessary journeys or indeed travel at all.

Each case should be considered on its own merits whilst ensuring a locally fair and consistent approach, ensuring business continuity where the health & safety of staff is not compromised.

4.0 Role & Responsibilities

The BSO recognises and accepts its responsibility as an employer under the Health & Safety at Work (NI) Order 1978 for providing a safe working environment for its employees and a safe environment for its patients, visitors and other members of the public. It will discharge these responsibilities through its managers and will expect its staff to comply with policies and procedures and to act at all times in a responsible manner.

4.1 Employees must:

- (a) Make all reasonable efforts to attend work during periods of adverse weather conditions;
- (b) Make telephone contact with the Line Manager or Supervisor in person to report their inability to attend work and to outline all reasonable efforts that have been made to attend. This contact must normally be made prior to the normal starting time on the day concerned, or if there are circumstances which prevent this, as soon as is practicable and when it is safe to do so. Failure to notify an appropriate manager that they are unable to attend work may be deemed as unauthorised absence and recorded as unpaid leave. Recourse to the disciplinary procedure should be based on the circumstances of the case. For those employees with a disability that prevents them from making contact by phone, an agreed alternative, method of communication may be acceptable;
- (c) Discuss with their Line Manager the feasibility of contacting other facilities to which travel may be a safe option to determine if they may undertake duties agreed by their manager as being relevant to their post within this location/facility;
- (d) On return to work request that the absence is recorded in accordance with the agreed procedure

4.2 Managers Should:

- (a) Ensure staff are aware of their responsibilities for communicating with their manager/s about potential problems caused by adverse weather in accordance with this protocol;
- (b) Ensure that appropriate records are kept relating to time lost due to adverse weather;
- (c) Ensure that unpaid leave (if approved), is recorded on HRPTS accordingly via MSS access.

4.3 Human Resources Department Should:

- (a) Ensure the provisions within the Protocol are compliant with employment legislation and best practice;

(b) Provide advice to ensure consistent and fair management of the protocol;

(c) Provide advice on the management of individual cases as appropriate.

5.0 Guidance on Managing Leave

5.1 Staff unable to Travel

Where travel to an alternative facility is not possible due to the weather conditions, or if working from another site is not feasible given the nature of the work that the staff member carries out, then leave should be recorded as below:

- Annual leave / Flexi / TOIL
- Unpaid Leave

Employees who do not have access to the flexi scheme and TOIL, who are prevented from reaching their normal place of work or alternative facility due to adverse weather, may be granted a day's leave without loss of pay, which should be worked back in full within a period of 4 weeks.

However, in considering whether or not to allow an employee to avail of this option, managers should take account of the employees remaining annual leave balance. Employees must have complied with the requirement to make contact as set out in section 4.1 above. It should be noted that this provision is only applicable to this protocol, and should not be requested in any other circumstances.

Employees who have access to the flexi scheme, but do not have the required amount of time accrued for a half day/day's leave under the provisions of the flexi scheme, may be allowed to exceed the normal debit arrangements, on the provision that the level of debit is again compliant with the provisions of the scheme, within a period of 4 weeks from the date of the absence. However, in considering whether or not to allow an employee to avail of this option, managers should take account of the employees remaining annual leave balance. Employees must comply with the requirement to make contact as set out in section 4.1 above. It should be noted that this provision is only applicable to this protocol, and should not be requested in any other circumstances.

Where an employee is unable to travel to their normal place of work or alternative facility due to adverse weather, remote working may be allowed, if this is authorised by the Line Manager on the day and appropriate to the employee's job/role. It should be noted that not all roles

are suitable for working from home and will be dependent on existing remote access arrangements.

Where adverse weather conditions result in a breakdown of normal caring provisions, staff will be given reasonable time to make alternative arrangements. Where staff are unable to make alternative caring arrangements when normal caring arrangements break down or where schools/places of respite or day centres have closed at short notice, Carers Leave requests will be considered on a case by case basis to enable alternative arrangements to be put in place. Where adverse weather is expected to be in place for a number of days and is not therefore unforeseen, Carers Leave provisions will not apply for an extended period of time.

5.2 Requests to Leave Early / Early Release of Staff

In exceptional cases, managers can consider the early release of staff, or respond to staff requests to leave work early, due to adverse weather conditions if for example, the staff member is concerned that their route home could become difficult to travel on or if public transport services which they normally avail of have indicated that they will cease at a certain time.

If an employee has genuine travel difficulties and there is no impact on service continuity, then they may be allowed to leave earlier. Employees will be expected to make up this time by using annual leave/flexi time/TOIL.

In very exceptional circumstances where services are affected by severe adverse weather and employees are sent home by the organisation due to safety advice, staff will not suffer a financial detriment, or a loss in their leave allowance.

6.0 Equality Statement

6.1 Review

This protocol will be reviewed no later than three years from its implementation.

6.2 Equality Impact

This protocol has been screened for an equality implication as required by Section 75 of the NI act 1998 and is assessed as having no serious

impact on the Section 75 groups. However, it is recognised that it might bring to attention a number of staff who may have a disability or have difficulty attending work because of carer arrangements and sets out specific actions to address such issues. Each circumstance will be dealt with in accordance with the relevant legislation as it is identified.

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