

## **Covid-19: HR guidance attendance at the workplace including guidance for employees who are Clinically Extremely Vulnerable or Clinically Vulnerable**

**Last updated: 5 November 2020**

**This guidance is regularly being reviewed. Please check back for the latest information and advice.**

### **1. Introduction**

COVID-19 case numbers are rising rapidly across the whole of the UK and in other countries. The government has introduced new national restrictions from 5<sup>th</sup> November 2020 to Wednesday 2<sup>nd</sup> December 2020 which will control the spread of the virus. The single most important action we can all take to fight coronavirus is to stay at home, to protect the NHS and save lives.

The Government has taken the following action:

1. Requiring people to stay at home, except for specific purposes (i.e. work, essential activities - going out for food/medicine, education).
2. Preventing gathering with people you do not live with, except for specific purposes.
3. Closing certain businesses and venues, like hospitality and non-essential retail.

This document provides managers with guidance on asking employees to attend the workplace during the national lockdown to provide essential services to the residents of the Borough.

It is based on the following assumptions:

- If an employee is able to effectively undertake their job role at home, then in line with government guidance, they will not be asked to attend the workplace.
- If a manager needs to ask an employee to attend the workplace, as they provide an essential service, that workplace will be “Covid-19 secure” and all

required health and safety measures, including individual risk assessments and training, will be in place.

This guidance is divided into the following sections:

1. employees who are clinically extremely vulnerable
2. employees who are over 60 and/or clinically vulnerable
3. employees who live with someone who is vulnerable to Covid-19
4. employees with a caring responsibility
5. what if an employee refuses to attend the workplace?
6. contacts and wellbeing support

## 1. Employees who are clinically extremely vulnerable

Employees who are defined as clinically extremely vulnerable are at very high risk of severe illness from coronavirus. There are two ways they may be identified as clinically extremely vulnerable:

1. Have one or more of conditions listed below, or
2. A clinician or GP has added the employee to the 'Shielded Patient List' because, based on their clinical judgement, they deem to be at higher risk of serious illness if they catch the virus.

If an employee falls into any of these categories, they should have been contacted and confirmed they are on the 'Shielded Patient List', a copy of the notification must be provided to their Manager.

If an employee think there are good clinical reasons why they should be added to the 'Shielded Patient List', they must discuss this with their GP or hospital clinician and supply appropriate medical evidence.

Employee's with the following conditions fall into the clinically extremely vulnerable group:

- solid organ transplant recipients
- people with specific cancers:
  - people with cancer who are undergoing active chemotherapy
  - people with lung cancer who are undergoing radical radiotherapy
  - people with cancers of the blood or bone marrow such as leukaemia, lymphoma or myeloma who are at any stage of treatment
  - people having immunotherapy or other continuing antibody treatments for cancer

- people having other targeted cancer treatments that can affect the immune system, such as protein kinase inhibitors or PARP inhibitors
- people who have had bone marrow or stem cell transplants in the last 6 months or who are still taking immunosuppression drugs
- people with severe respiratory conditions including all cystic fibrosis, severe asthma and severe chronic obstructive pulmonary disease (COPD)
- people with rare diseases that significantly increase the risk of infections (such as severe combined immunodeficiency (SCID), homozygous sickle cell)
- people on immunosuppression therapies sufficient to significantly increase risk of infection, adults with Down's syndrome
- adults on dialysis or with chronic kidney disease (Stage 5)
- women who are pregnant with significant heart disease, congenital or acquired
- other people who have also been classed as clinically extremely vulnerable, based on clinical judgement and an assessment of their needs. GPs and hospital clinicians have been provided with guidance to support these decision

Employees who are at very high risk of severe illness from Covid-19 because of an underlying health condition as detailed above, are required to stay at home until at least the 2<sup>nd</sup> December 2020. Whilst this is not a return to the very restrictive shielding advice employees may have followed earlier in the year, these employees are strongly advised to follow these extra precautionary shielding measures to help keep safe. Employees should stay at home as much as possible but are encouraged to go outdoors for exercising and attending health appointments.

Employees that fall within this category must work from home wherever possible. If an employee is unable to work from home because they provide a public-facing essential service they must stay at home. A manager must consider if the employee can undertake alternative duties during this time that the employee is able to undertake at home, this may include redeploying the individual to another role within their service or another service in the Council. If a solution cannot be found and the individual remains unable to work, they will continue to receive their normal pay. This will remain the case as long as the government guidance on extremely vulnerable remains in force.

If an employee is required to stay at home and is unable to work due to their job role the manager must record their absence on Fusion as Special Paid leave, Self-isolating well, but unable to work from home due to job role.

[Summary of National Guidance](#)

## 2. Employees who are over 60 and/or clinically vulnerable

If an employee is over 60 or defined as clinically vulnerable, they could be at higher risk of severe illness from coronavirus. They:

- should be especially careful to follow the rules set out by both government and their Council team (for example wearing of face coverings in vehicles) and minimise contacts with others;
- wear a face mask in indoor settings, such as shops or places of worship where these remain open, and on public transport;
- stay two metres apart from anyone not in their household - meaning the people they live with - or their support bubble. Where this is not possible, stay 1 metre apart with extra precautions (e.g. wearing a face covering);
- should continue to wash their hands thoroughly and more frequently than usual and maintain thorough cleaning of frequently touched areas in their home and/or workspace;
- Should make sure that their work space is well ventilated and distanced.

Employees with the following conditions count as being clinically vulnerable:

- are 70 or older
- have a lung condition that's not severe (such as asthma, COPD, emphysema or bronchitis)
- have heart disease (such as heart failure)
- have diabetes
- have chronic kidney disease
- have liver disease (such as hepatitis)
- have a condition affecting the brain or nerves (such as Parkinson's disease, motor neurone disease, multiple sclerosis or cerebral palsy)
- have a condition that means they have a high risk of getting infections
- are taking medicine that can affect the immune system (such as low doses of steroids)
- are very obese (a BMI of 40 or above)
- are pregnant.

All employees must work from home where possible. If an employee is unable to work from home because they provide a public-facing essential service and are over 60 and/or defined as clinically vulnerable their manager must:

- Ensure they have carried out an individual risk assessment review. This should have been completed after the 1<sup>st</sup> October 2020, for details of the review process and the form please review at [Individual Risk Assessment](#).

The review is critical to be carried out as the risk assessment tool has been updated and some of the calculations that are embedded in the form have changed (based on evidence and research by Association of Local Authority Medical Advisors-ALAMA). This means an individual's vulnerability may have changed from their previous risk assessment. Some staff may find their vulnerability may have changed from Very High to High or even moderate and possibly may have gone from Moderate to High, this is because ALAMA, based on their research of the virus, have altered the algorithm used to determine the vulnerabilities.

- Meet with the individual to discuss the outcome of the review, to ensure that the control measures in place are reviewed and to discuss if they are adequate and to take account of any specific changes to the individual or their work to ensure that it is safe for the employee to continue to attend their workplace or whether a more distanced non-contact role is possible;
- Reiterate the health and safety measures that have been put in place, including the service Risk Assessment (required for all services operating in the workplace);
- Explore whether additional PPE measures for example wearing a medical mask for contact work would mitigate risk;
- Discuss how the employee has been travelling to the workplace to confirm if any adjustments are required;
- Focus on the employee's well-being. Some employee's might be anxious about their attendance at the workplace or their travel arrangements during the national lockdown period. Managers should encourage employees to talk to them about any concerns they have, and resolve them together. See wellbeing support below;
- Reiterate the requirement for safe working practices, including face coverings, thorough handwashing and maintenance of social distancing.
- Ensure the mandatory training of Infection Prevention and Control, Handwashing, Putting on and Taking off PPE (with quiz)  
<https://onesourceict.sharepoint.com/sites/Intranet/Health-and-Safety/Pages/Training-and-e-Learning-.aspx>

### **What happens if an employee or their manager feels the adaptations are not adequate in order for the employee to work safely?**

In this instance the manager should seek advice from the Corporate Health and Safety Team to discuss the outcomes of the Risk Assessment and the measures that have been put in place.

### 3. Employees who live with someone who is clinically extremely vulnerable to Covid-19

If an employee lives with someone who is clinically extremely vulnerable they may be worried about leaving home and attending the workplace. However, government guidance does not advise these individuals to stay at home.

In common with all employees, these individuals should work from home wherever possible. However, if an employee is unable to work from home because they provide a public-facing essential service they will be required to attend the workplace and follow the Covid-19 safe working practise.

Additional guidance on minimising the risk of getting or passing on COVID-19 can be found at the Government site on [stay at home guidance](#).

### 4. Employees with a caring responsibility

Employees may be unable to work due to a caring responsibility for a child who needs to self-isolate for example the child:

- has been identified by their childcare provider/school as being a close contact of a positive case;
- the school/nursery has temporarily closed;
- to care for a child that has been identified as clinically extremely vulnerable.

Employees who are able to work from home and flexibly balance their caring and work responsibilities should do so. This may include a manager agreeing variations to working hours and job role. Given the exceptional circumstances, managers should consider flexibilities that exceed those they might ordinarily consider with the aim of enabling the employee to find a way of continuing to safely work.

Sometimes it will not be possible for an employee to continue working – for example, where an employee's child or children require constant supervision. In these circumstances the council is:

- extending its special leave provisions and will ensure the employee continues to receive their normal pay for a maximum of 14 days, from the date the child was identified as a contact, the manager must record the absence on Fusion as Special Paid Leave using the category “unable to work due to caring responsibilities associated with Covid-19.”

If the employee cannot work from home due to their job role, in these circumstances the council is:

- extending its special leave provisions and will ensure the employee continues to receive their normal pay for a maximum of 14 days, the manager should record the absence on Fusion as Special Paid Leave using the category “unable to work due to job role”. Employees may be asked to undertake alternative duties that can be carried out from home during this time, including duties which may be required to support the pandemic.

Absences should be recorded on Fusion please refer to [Covid-19 absence recording guidance](#).

In the circumstances above, the Council expects, where possible, that the employees share the childcare responsibilities i.e. where a child has another parent/guardian.

## 5. What if an employee refuses to attend the workplace?

If the steps above have been completed and Occupational Health advice has been sought and it confirms it is appropriate for the council to ask the employee to work onsite, and yet the employee maintains they will not attend the workplace during the lockdown period, the manager and the employee should work together to try and find a solution. Options include:

- redeploying the individual into another role than can be undertaken at home;
- redeploying the individual into another role that is undertaken in the workplace but enables greater social distancing than the employee’s substantive post;
- any other reasonable adjustment.

The HR team is available to support these conversations with employees. Managers who require assistance should contact:

[Newham.HRSupport@newham.gov.uk](mailto:Newham.HRSupport@newham.gov.uk)

If it is not possible to find a way of enabling the employee to work, then the manager should contact HR to discuss next steps. Each employee’s circumstances will be considered on a case-by-case basis, taking equality



considerations into account where relevant. Additional options that may be available to a manager, following consultation with HR, include:

- allowing the employee to take unused annual leave
- seeking the employee's agreement to be placed on unpaid leave
- withholding pay from the employee if they do not agree to unpaid leave

These steps cannot be taken without seeking advice from the HR team, who in turn will consult with colleagues in Legal Services as required.

## 6. Contacts and Wellbeing Support

The following contacts are available for advice and support:

- Human Resources Human Resources Support at:

[Newham.HRSupport@newham.gov.uk](mailto:Newham.HRSupport@newham.gov.uk) or telephone **0203 373 6426**.

- Wellbeing Support:

The Council's **Employee Assistance Programme** offers a variety of support, including 24/7 freephone access to Counsellors and advisors who can provide confidential practical and emotional support on a variety of issues. Call 0800 328 1437 (via minicom: 01482661 814). For further information and additional sources of specialist information employees may access the website: [www.employeeassistance.org.uk](http://www.employeeassistance.org.uk) (online access code: Newham).

Mental Health First Aiders – to help and support employees who are concerned around their mental health. Employees can speak to a mental health first aider about anything from how they are feeling emotionally, to money issues, family concerns or relationship issues. If they are feeling emotionally overwhelmed, stressed or depressed, employees can call on a mental health first aider for support. Please access further information on mental health first aiders [Mental Health First Aider Information](#)

To contact to request a chat with a Mental Health First Aider at [wellbeing@newham.gov.uk](mailto:wellbeing@newham.gov.uk).

- Corporate Health and Safety: [healthandsafetysupport@onesource.co.uk](mailto:healthandsafetysupport@onesource.co.uk).