

A joint statement from the council and trade unions

- **Changing work locations,**
- **Hours and/or duties**
- **The impact of caring/childcare responsibilities during school closures.**

During this unprecedented crisis trade unions and the council have agreed a joint statement covering some of the questions that have been coming up regarding staffing that impact both employees and managers.

We appreciate that many staff are carrying out work above and beyond their role and a clear message around the process should help everyone involved. The underlying principal of this advice is that there should always be a meaningful discussion between employees and managers and the approach taken by managers should consider individual circumstances.

If you have any further questions, please speak to your manager, trade union rep or HR.

For staff asked to work at another location and/or different work pattern

The following points will be considered by the manager:

- It is in the same area and does not entail unreasonable travel, i.e. it is local to their normal place of work and within reasonable travelling distance for the individual. Note we would only expect staff to travel to another work location for essential work under the lockdown.
- The employee has suitable knowledge, skills and experience for the role. If the individual requires any essential training, this must be provided to the employee in a reasonable period of time.
- PPE will be provided as appropriate.
- The working hours/work pattern are comparable or can be agreed where they are different from their contracted hours.
- The personal circumstances of individuals are taken into account including any underlying health conditions/pregnancy; reasonable adjustments needed and/or any other health and safety considerations; their ability to travel and access to transport; childcare and/or other caring considerations; whether they are shielding or self-isolating.

Managers should discuss the redeployment with employees, advising them of the hours of work, work pattern, location etc. Managers should ask individuals if they have any concerns, and should seek to find a mutually agreeable way forward to address these if possible. Managers and employees are expected to act reasonably at all times, and a common sense approach to redeployment should be taken.

Where there are a number of staff available, if appropriate in terms of minimising risk of infection employees may be redeployed on a rota basis to ensure a fair spread of work and to make sure that all staff get rest breaks from work. Where applicable managers should rota the staff so they are working in the same cohort then staff can still alternate and it minimises the risk of infection. There will be occasions where this is not appropriate as it will increase risk of staff not normally working together coming into contact.

If appropriate, trade unions will be consulted on the proposed redeployment. Employees can ask their trade union representatives for advice at any time.

For staff asked to Work alternative duties

The following points will be considered by managers:

- In the first instance volunteers will be sought, where no volunteers are available consideration will be given to custom and practice cover: that is where there is an established use of a post to cover work of another post.
- As stated in your contract of employment: “If the circumstances so require, you may be employed on other duties, appropriate to your grade, in your own or another department, after consultation with you and, if necessary, your trade union.
- The employee has suitable knowledge, skills and experience for the role. If the individual requires any essential training, this must be provided to the employee in a reasonable period of time.
- PPE will be provided as appropriate.
- The personal circumstances of individuals are taken into account including any underlying health conditions/pregnancy; reasonable adjustments needed and/or any other health and safety considerations; their ability to travel and access to transport; childcare and/or other caring considerations; whether they are shielding or self-isolating.

Managers should discuss the redeployment with employees, advising them of the hours of work, work pattern, location etc. Managers should ask individuals if they have any concerns, and should seek to find a mutually agreeable way forward to address these if possible. Managers and employees are expected to act reasonably at all times, and a common sense approach to redeployment should be taken.

Ideally where there are a number of staff available, employees should be redeployed on a rota basis to ensure a fair spread of work and to make sure that all staff get rest breaks from work.

If appropriate, trade unions will be consulted on the proposed redeployment. Employees can ask their trade union representatives for advice at any time

Working amended hours due to childcare/caring responsibilities, normally for staff working from home.

If you are a key worker and do not have anyone else to look after your children, childcare is being provided at some schools – please review the information on the website about this.

The manager will discuss with the member of staff their individual circumstances to agree a proposed work pattern.

Consideration will be given to: age of children, needs of children, whether there are other members of the household who can share in the caring responsibilities, the job role of partners, work pattern of partners, household situation, personal circumstances and the type and/or availability of work at the times the person is able to work.

It is expected that managers and staff will be as flexible as service delivery allows to ensure that contractual hours can be met where possible: considering alternative work patterns and amended duties.

Questions and answers to accompany statement:

For staff asked to work at another location and/or different work pattern

Q. Can I refuse the change?

A. Ideally agreement should be reached, provided managers have satisfied the points detailed in the agreement, employees will be expected to carry out the work asked. Employees and managers can seek further advice from the HR Employee Relations team if required. Employees can also speak to their trade union representative. Only in the event that the employee and the line manager cannot reach agreement will this be escalated to a manager at least one level above the employee's manager. They will discuss the request with the employee, the employees manager and if necessary HR and the Trade Unions. They will then decide on whether it is reasonable to refuse the change.

Q. If the alternative location is for working less hours, will this impact on my pay?

A. You will be paid your normal rate of pay whilst volunteering in an essential role. Should your rate of pay be lower than the role that you are covering, your pay will be topped up to the first salary scale point for the grade of the role you are covering.

If the number of hours you are doing is more than your existing contract you will be paid additional hours/overtime at either your rate of pay or the first salary scale point whichever is greater provided your rate of pay is below Spinal Column point 73.

For staff asked to Work alternative duties

Q. Can I refuse the change?

A. Ideally agreement should be reached, provided managers have satisfied the points detailed in the agreement. Employees will be expected to carry out the work if it is what they normally do. Employees and managers can seek further advice from the HR Employee Relations team if required. Employees can also speak to their trade union representative.

Q. If alternative duties require working different hours or at a different grade, will this impact on my pay?

A. You will be paid your normal rate of pay. Should your rate of pay be lower than the role that you are covering, your pay will be topped up to the first salary scale point for the grade of the role you are covering.

If the number of hours you are doing is more than your existing contract you will be paid additional hours/overtime at either your rate of pay or the first salary scale point whichever is greater provided your rate of pay is below Spinal Column point 73.

Working amended hours due to childcare/caring responsibilities (normally for staff working from home)

Q. I cannot work my full contractual hours because of childcare/other caring responsibilities, what will I be paid?

A. If you are able to work some hours but not your full hours during this time you will receive full pay.

If you are unable to work at all during this time and your line manager is satisfied that all alternative options have been exhausted you will receive full pay. You should keep in regular contact with your line manager during the period and update them immediately if you are able to do some work.

Q. Do I have to work in the evening if my manager asks me to do so to make up towards my contractual hours?

A. You would be expected to be flexible around your work hours as you are receiving your normal pay, equally your manager needs to consider your personal circumstances to ensure you do not over commit yourself.