

PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

SEVERE WEATHER POLICY (REVISED)

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To present for the Panel's consideration, a revised draft Severe Weather Policy.

B. RECOMMENDATION

That the Panel;

- a) Considers the revised draft Severe Weather Policy appended to this report with a view to submission to the Council Executive for approval,
- b) Notes that the revised policy reflects the guiding principles for supporting employers and workers set out in Scottish Government's Severe Weather Fair Work Charter,
- c) Notes that the revised policy will be supported by a programme of improved contingency planning measures and guidance for employees;
- d) Notes that the revised policy provides discretion to the Chief Executive to override the normal provisions of the policy during periods when a Red Weather Warning is issued;

C. SUMMARY OF IMPLICATIONS

I Council Values	<p>Focusing on our customers' needs</p> <p>Being honest, open and accountable</p> <p>Providing equality of opportunities</p> <p>Developing employees</p> <p>Making best use of our resources</p> <p>Working in partnership</p>
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The council's existing Policy for Dealing with Disruptions to Normal Working Arrangements due to severe weather has been revised to take account of Red Weather Warning Events. An Integrated Equality Assessment has been undertaken to mitigate the risks for employees with disabilities, medical conditions, pregnancy etc.</p>

III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	None
VII	Consideration at PDSP	None
VIII	Other consultations	The trade unions have been consulted on the revised draft policy.

D. TERMS OF REPORT

D.1 BACKGROUND

During the early part of 2018, the country experienced exceptionally severe winter weather causing considerable disruption to businesses, workers and the public in general and prompting a Red Weather Warning to be issued. While the council has in place arrangements for dealing with disruption caused by severe weather, the unprecedented harshness of the weather conditions on this occasion exposed some weaknesses of the current policy particularly in relation to the effectiveness of the supporting communication and contingency arrangements.

Following consideration of a motion at Full Council on 30 March 2018, the Council instructed the Chief Executive to ;

“undertake a thorough review of communication procedures between managers and staff, engage with the recognised Trade Unions to establish clear lines of communication for adverse weather conditions and explore options in identifying ways to recognise staff who went above and beyond to attend work in such difficult weather conditions and undertake to bring a report to Partnership & Resources PDSP”

A further amendment to the motion was also approved to include an instruction to the Chief Executive to *“undertake a review of the existing Severe Weather Policy”*

D.2 SEVERE WEATHER POLICY (REVISED PROVISIONS)

A review of the existing policy has resulted in the inclusion of a specific section relating to Red Weather Warnings and the contingency arrangements that should be invoked in these circumstances to ensure the safety and well-being of staff and the continuity of essential service delivery.

The review has also been informed by the *Severe Weather: Fair Work Charter* developed jointly by the Scottish Government and the Scottish Trades Union Congress (STUC) which provides a set of guiding principles to support employers and workers to plan for and manage the impact of severe weather.

Discussions have taken place with the recognised trade unions and a number of revisions to the policy have been made with a view to improving its effectiveness in dealing with extreme weather events. In particular there is an emphasis on the need

for well communicated contingency arrangements to be in place especially where decisions are taken to close council buildings or where workplaces become inaccessible due to severe weather.

It has also been agreed that a list of post types deemed as 'essential workers' will be discussed with the recognised trade unions.

A further key change proposed is for the Chief Executive, in the exceptional event of a Red Weather Warning, to have discretion to over-ride the normal policy provisions which may include authorising the general application of special leave or crediting essential workers who attend work with their normal hours/pay during the period that the warning is in force.

A copy of the revised Severe Weather Policy is appended to this report.

E. CONCLUSION

The revised draft policy appended to this report supported by more proactive communication and contingency arrangements should enable the council to respond in a more robust and coordinated manner to periods of severe weather going forward. The policy also reflects the principles set out in the Scottish Government's Severe Weather: Fair Work Charter.

F. BACKGROUND REFERENCES

- Severe Weather : Fair Work Charter – Scottish Government

Appendices/Attachments: Revised Severe Weather Policy (Draft)

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Severe Weather Policy



**Approved by Full Council 18 October 2011
(Revised November 2018)**

SEVERE WEATHER POLICY

CONTENTS

1. PURPOSE.....	3
2. GENERAL GUIDELINES & PRINCIPLES.....	3
3. TRAVEL TO WORK PREVENTED OR DISRUPTED.....	4
4. TEMPORARY VARIATION TO NORMAL ATTENDANCE TIMES.....	5
5. CLOSURE OF COUNCIL SERVICES AND BUILDINGS.....	5
6. RED WEATHER WARNING EVENTS.....	6
7. DISRUPTION TO NORMAL CARE ARRANGEMENTS.....	6
6. IMPLICATIONS FOR PAY AND FLEXIBLE WORKING HOURS ARRANGEMENTS..	6
7. MONITORING.....	7
8. REVIEW OF THE POLICY.....	7
APPENDIX: SEVERE WEATHER – PAY AND FLEXIBLE WORKING ARRANGEMENTS.....	8

SEVERE WEATHER POLICY

1 Purpose

- 1.1 This policy is designed to assist in maintaining continuity of service delivery during periods of severe weather and to provide employees with a range of options where adverse weather conditions prevent them from fulfilling their contractual obligation to attend work or comply fully with normal working arrangements.
- 1.2 The policy covers all council employees.

2 General Guidelines and Principles

- 2.1 The Chief Executive will invoke the terms of this policy according to the severity of the prevailing weather conditions and the impact on service delivery and normal working arrangements.
- 2.2 During periods of severe weather the council's priorities are to:
 - ensure that essential council services are maintained, and
 - ensure the safety and well-being of employees.
- 2.3 Employees have responsibility for ensuring their attendance at work and as such should not assume that they will automatically receive pay if they have been unable to attend work.
- 2.4 Whilst employees should not take unnecessary risks in attempting to get to work, they are expected to make every reasonable effort to report to their normal place of work at their normal start time. Employees should not interpret radio or television announcements that only essential journeys should be made as approval to remain at home. Contact must be made with the relevant line manager or other designated contact person to discuss the most appropriate course of action in the circumstances and/or agree to activate any pre-planned contingency arrangement.
- 2.5 Contingency plans should also include alternative arrangements for travelling to work such as using alternative means of transport, car sharing, public transport or walking where that is a reasonable and safe option taking into account individual personal circumstances and distance to travel. Contingency plans may also extend to agreeing arrangements with their line manager to work from a different council location or from home where such options are feasible.

3. Travel to Work Prevented or Disrupted

- 3.1 If despite all reasonable efforts, an employee is unable to attend their normal work location due to severe weather, he/she should contact their line manager, or if that manager is unavailable, the alternative designated contact person.
- 3.2 Contact must be made within one hour of an employee's normal start time (in the case of teaching staff, contact should be made prior to the start of the school day). Failure to notify the appropriate manager or designated contact without good reason will normally result in the absence being classed as unauthorised and unpaid. A Head of Service may accept late notification/approve absence retrospectively where it

is accepted that mitigating or extenuating circumstances applied.

- 3.3 Weather conditions can change throughout the day and employees should continue to make efforts to attend work if the weather and/or transport conditions improve.
- 3.4 Where an employee is prevented from attending their normal place of work due to a day of severe weather, he or she may request to take annual leave, flexi leave (for those employees who participate in the council's Flexible Working Hours Scheme), unpaid leave or to make up the lost hours. Employees who have utilised their annual leave entitlement for that year, may request to bring forward a period of annual leave from the following year's entitlement. Similarly, employees who have insufficient flexi credit, may request flexi – leave to cover their absence on the condition that the time is worked back at a later date over a period agreed with their line manager.
- 3.5 In the event that weather conditions are sufficiently severe to prevent an employee from attending his or her place of work and the options outlined at 3.4 above are not feasible, the employee may make an application to the relevant Depute Chief Executive for special paid leave. When considering claims for special leave, the Depute Chief Executive will treat each request on its individual merits, taking full account of all relevant circumstances, including:
- Evidence to demonstrate that a contingency arrangement had been considered by the employee and their line manager and that it had either not been feasible or the contingency arrangement had ceased to be effective due to the prolonged severity of the weather;
 - Did other employees living in the same locality report for work;
 - The availability of public transport or alternative means of transport;
 - The distance from the employee's home to their contractual workplace;
 - Did the employee make contact at the earliest opportunity;
 - Advice/guidance provided by and/or agreement reached with line manager;
 - Safety advice and warnings given by the police regarding the state of the roads in a particular area;
 - The employee's personal circumstances where relevant eg pregnancy, a medical condition or a disability which may affect their ability to travel to work during severe weather.
- 3.6 Where, having taken all relevant circumstances into account, the Depute Chief Executive feels it is not appropriate to grant special paid leave, the period of absence will be unpaid. Alternatively, an employee can, however, elect to take advantage of one of the other options set out in 3.4 above.

4. Temporary Variation to Normal Attendance Times

- 4.1 During periods of severe weather it may be appropriate for normal start and finish times to be varied.
- 4.2 There will be no deduction in pay for employees reporting for work after their normal attendance time due to severe weather provided that they comply with the notification requirements set out at 3.2 above.
- 4.3 When severe weather occurs or continues during the working day, managers should respond sensitively to requests from employees to leave work early in circumstances

where they are likely to experience significant difficulty in getting home. This includes occasions where local conditions may be relatively settled but severe weather conditions elsewhere in the country have caused travel difficulties for individuals who commute to and from outlying areas. No deduction of pay will be made where employees are authorised to leave work before their normal finishing time in these circumstances.

- 4.4 It is important that when agreeing to requests to vary start and finish times due to severe weather, managers take care to ensure that there are sufficient employees remaining at work to continue to deliver the service. For certain services, it may not be possible to allow employees to leave early due to the nature of the function in which they are engaged (e.g. Care Line emergency operators, road gritting etc).
- 4.5 A list of posts designated as essential for the continuity of delivery of key council services during periods of severe weather will be maintained in consultation with the recognised trade unions.

5. Closure of Council Services and Buildings

- 5.1 In exceptional circumstances the Chief Executive or relevant Depute Chief Executive may decide that due to severe weather, a council service, building, depot or work location/site should be closed. Such a decision will only be taken in extreme circumstances when to continue with service delivery would endanger the health and safety of employees or members of the public.
- 5.2 Where services or buildings are closed, it may be necessary for employees designated as essential workers in accordance with paragraph 4.5 above to remain at work due to the essential nature of the service they deliver. In those circumstances, the appropriate Head of Service will determine those who are required to remain at work.
- 5.3 Employees who are required to remain at work as part of their normal working pattern, will receive normal pay appropriate to the hours worked.
- 5.4 School closures may in certain circumstances affect only pupils. Teaching and other staff may be required to attend work. Any decision in respect of the closure of a school and the staff affected will be that of the Chief Executive in conjunction with the Depute Chief Executives.

6. Red Weather Warning Events

- 6.1 The Met Office issues weather warnings, through the National Severe Weather Warning Service, when severe weather has the potential to impact the UK. These warnings are given a colour (yellow, amber or red) depending on a combination of both the impact the weather may have and the likelihood of it occurring.
- 6.2 In the event of a Red Weather Warning the Chief Executive in conjunction with the Depute Chief Executives will issue guidance to all staff and the Trade Unions outlining the contingency plans that will be invoked to ensure the safety and well-being of staff and continuity of essential service delivery during the period of the Red Weather Warning Event.
- 6.3 This may include staff being advised to attend their normal place of work, to attend an alternative place of work, or to remain at home. During the period of a Red Weather Warning Event, Heads of Service/Service Managers will be required to keep staff updated on any change to the position advised with regards to their attendance at work.
- 6.4 The Depute Chief Executive (Corporate, Housing and Operational Services)/Head of Corporate Services will be responsible for liaising with the recognised Trade Unions on a

regular basis (at least daily during any such period).

- 6.5 In the exceptional event of a Red Warning Weather being issued, the Chief Executive will have discretion to over-ride the normal policy provisions which may include authorising the general application of special leave or crediting staff who are able to attend work, with their normal working hours/pay during the period that the warning is in force.

7. Disruption to Normal Care Arrangements

- 7.1 Where normal care arrangements are disrupted as a result of severe weather (eg school closure), the following arrangements will apply:

- employees may apply for special leave for the first day of disruption to care arrangements to allow for alternative arrangements to be made;
- employees may request annual leave, flexi-leave or unpaid leave for any additional time required to care for dependents; or
- employees may request to work the 'lost' hours at an alternative time.

8. Implications for Pay and Flexible Working Hours Arrangements

- 8.1 The implications for pay and flexible working hours arising from temporary disruptions to normal working arrangements and/or absence from work due to severe weather are set out in the Appendix to this guidance.

- 8.2 Other than in the case of closure of council workplaces referred to at 5.4 above or in the circumstances referred to at 6.5, discretion to apply those temporary variations to normal working arrangements and the council's Flexible Working Hours Scheme lies with Heads of Service in conjunction with the relevant Depute Chief Executive.

9. Monitoring

- 9.1 Heads of Service will be responsible for monitoring the application of this guidance within their individual service areas. The Head of Corporate Services will monitor the effectiveness of application across all council services.

10. Review of the Policy

- 10.1 This guidance may be reviewed and amended to take into consideration variations in service requirements.

SEVERE WEATHER**PAY AND FLEXIBLE WORKING ARRANGEMENTS**Red Weather Warning Event

Scenario	Employees Participating in Flexible Working Hours Scheme	Other Employees
Non-Essential worker	Paragraph 6.5 applies.	Paragraph 6.5 applies.
Essential worker required to attend work.	Time credit granted for the normal working day.	Payment for the normal working day

Other Severe Weather Events

Scenario	Employees Participating in Flexible Working Hours Scheme	Other Employees
Prevented from Attending Workplace	Dependent on option agreed. (Paragraph 3.4 applies)	Dependent on option agreed. (Paragraph 3.4 applies)
Delayed arrival at work	<p>No deduction of pay.</p> <p>No time credit given if employee arrives at normal place of work or agreed alternative place of work before 10am.</p> <p>Time credit given from 10am if employee arrives at normal place of work or agreed alternative place of work after 10am and before 12 noon.</p> <p>No time credit given if employee arrives at normal place of work or agreed alternative place of work between 12 noon and 2pm.</p> <p>Time credit given from 2pm if employee arrives at normal place of work or agreed alternative place of work after 2pm.</p>	<p>No deduction of pay and requirement to work back all lost time excluding any time credits.</p> <p>No time credit given if employee arrives at normal place of work or agreed alternative place of work before 10am.</p> <p>Time credit given from 10am if employee arrives at normal place of work or agreed alternative place of work after 10am and before 12 noon.</p> <p>No time credit given if employee arrives at normal place of work or agreed alternative place of work between 12 noon and 2pm.</p> <p>Time credit given from 2pm if employee arrives at normal place of work or agreed alternative place of work after 2pm.</p>
Authorised request to finish early.	<p>No deduction of pay.</p> <p>Permitted to infringe core time but no time credit given.</p>	Authorised unpaid leave or agreement to work back lost time.
Compulsory early finish (decision taken to close workplace)	<p>No deduction of pay.</p> <p>Time credit granted to the end of the standard working day (ie the time at which the employee's place of work would normally close to the public).</p>	<p>No deduction of pay.</p> <p>No requirement to work back lost time.</p>