

Adverse Weather Policy (Management of Staff)	
Date approved by Trustees	January 2014
Date for next review	May 2022
Compliance lead	Director of People, Employee Engagement and PSTE
Agreed Policy file name	Adverse Weather Policy (Management of Staff)
Agreed policy location:	RMT Information area\Policies and Procedures RMT website

ADVERSE WEATHER POLICY - MANAGEMENT OF STAFF

1. Introduction

The Trust recognises that severe weather conditions may present a variety of reasons that make travel unwise or unsafe, or that cause disruption to road networks and public transport infrastructure.

Only in very exceptional circumstances will The Trust issue a direct instruction to staff regarding the need to close the colleges, schools, buildings, other provisions, or reduce service provision due to extreme weather conditions. In these circumstances full instructions will be provided as to how this time should be reflected. All staff will be made aware of these arrangements as soon as the decision has been made.

In all other circumstances, employees will be expected to present themselves for work appropriately. This may mean, with the provision Senior Management/Leadership Team and/ or a Director's approval, that an alternative work base is appropriate.

2. Aim

The Trust recognises the need to safely maintain services during adverse weather conditions, whilst properly discharging its duty of care to employees. This policy is based on the clear principle that in accordance with an employee's contract of employment they are required to attend for work in order to receive payment.

At all times during periods of severe weather, the Trust will prioritise the health, safety and wellbeing of our employees. No employee should be placed at risk because of their contractual work obligations or due to the necessity to travel to, and from, the place of work.

This policy sets out how the Trust approaches situations where employees are unable to get to their workplace due to severe weather, or where it may be unsafe to do so and is intended to provide guidance, advice and support to both staff and managers.

This Adverse Weather Policy - Management of Staff does not form part of any employee's contract of employment and is entirely non-contractual. It may be amended, withdrawn, suspended or departed from at the discretion of The Trust.

3. Responsibilities of the member of staff

It is the responsibility of each member of staff to make every effort to attend for work at their usual place of work.

In the event of adverse weather, the member of staff must report their inability to attend for work to their designated person within their college, school, provision or Head of Service/directorate, or if this number is not working to their line manager or the Department of Human Resources or a Member of their Senior Management/Leadership Team for college/school/provision staff and or head of service/director for corporate staff.

Notification must be by telephone as soon as possible and no later than one hour before their normal start time. No other means of contact is permitted e.g. by text, letter or email. Only in exceptional cases may a relative or friend report an employee's absence in the same manner. Advance notification will ensure there is sufficient time to discuss alternative arrangements and/or flexible working.

The Trust understands that some schools are unlikely to open or stay open during severe weather events. Where employees have children that cannot go to school, they should notify their line manager on the morning of the day in question providing details of the situation, and the member of staff will be permitted to take dependant leave to care for their child in accordance with the Trust's Time off for Dependant Leave Policy.

4. Management of staff during adverse weather conditions

There is no specific definition of severe weather, however, the Trust will implement this policy where instances of severe weather cause significant disruptions to the transport infrastructure and where extreme weather events have local or national consequences. In the context of this document, adverse weather is defined as weather conditions that prohibit staff from travelling to work safely, due to high winds, floods, ice, snow or any other equivalent act of nature.

Line managers should use their discretion and knowledge of individual staff circumstances in determining the appropriate arrangements to be made during any period of adverse weather conditions. This will include both managers and staff monitoring a changing position as periods of adverse weather improve or deteriorate.

It is recognised that staff will hear news broadcasts giving an indication of whether travel is appropriate. However, broadcasts of this nature can be very broad and represent a large geographical area, and so specific local advice should be sought from your college, school, provision or work area.

If staff are concerned about travelling or unable to attend their usual place of work they must contact their college, school, provision or main place of work, preferably their line manager, or, in the event their line manager not being available a member of the Department of Human Resources or a Member of their Senior Management/Leadership Team for college, school, provision staff and their head of service/director for corporate staff to seek instructions.

The following arrangements shall apply in most cases. Exceptional circumstances should be referred to the principal, headteacher or director as appropriate.

5. Alternative working options

Staff should inform their line manager should they be unable to travel to their normal work base. The line manager will discuss the situation with the member of staff and agree a course of action. Alternative working arrangements should be explored such as working out of an alternative base if appropriate or working from home if appropriate. It should not be assumed that adverse weather in the early morning for example will prevent any attendance throughout the course of the working shift. The weather situation may improve later in the day facilitating attendance for at least part of the shift. In the event of adverse weather improving employees will be expected to attend work for the remaining part of the shift as normal.

It is important that managers consider the wider aspect of staff attendance and consideration will be given to staff safety due to the risk of travel.

Staff that have agreed with their manager to work from home must agree an appropriate work programme for the day and be able to demonstrate productive work was carried out. Staff should also ensure that they are contactable during their normal rostered hours. Should the adverse weather continue for more than 1 day the working from home arrangement may not be feasible due to the limited amount of work a staff member can do away from their normal work base.

If a full day's work programme cannot be agreed then annual leave should be utilised or staff will be required to work back the time lost over a reasonable period (normally 30 calendar days). The Senior Management/Leadership Team or head of service/director's agreement to work from home on day 1 of adverse weather does not constitute agreement for subsequent days.

Agreement must be obtained on each day of adverse weather. In the event that the absence is not covered either by annual leave or working the time back over a reasonable period then the absence may be treated as unpaid leave, resulting in a deduction from the member of staff's pay.

Where the member of staff has incurred excess mileage, car parking or additional travel expenses as a result of attending another Trust site, work base or their normal work base

(in some incidences with road closures staff may incur excess mileage travelling to their normal work base) they will be entitled to have these additional expenses reimbursed (receipts must be supplied for car parking and additional travel expenses). Expenses should be claimed in the normal way by completing an expense claim form.

6. What if alternative working arrangements are not feasible?

If alternative working arrangements are not feasible then annual leave can be used or the time lost can be worked back over a reasonable timeframe (usually 30 calendar days) subject to Senior Management/Leadership Team or the head of service/director's discretion.

Staff who have agreement to work back the hours lost to cover their absence at work, will be given a reasonable timeframe to work back the hours lost which is usually 30 calendar days from the first day of absence to make up their hours accordingly. Any hours still outstanding after the agreed time period may be treated as unpaid leave as described above. On the staff member's return from absence they must discuss how to make up their hours with their manager to agree a manageable work pattern. Staff are expected to keep a record of their hours and to discuss this regularly with their line manager.

If staff do not wish to use annual leave (or they have no outstanding annual leave to use) and do not wish to work back the hours lost, or due to the nature of the role it is not feasible to work back the hours, or they subsequently fail to work back the hours, then unpaid leave will apply as described above.

7. What if my work base / area of work is closed.

In some circumstances a college, school, provision site or area of work may be closed due to adverse weather conditions. In these circumstances every effort should be made to make alternative working arrangements as set out in section 5 above.

In these exceptional circumstances, only when the Senior Management /Leadership Team or head of service/director has made the decision to close a college, school, provision or one of its sites or an area of work and it is not possible to make alternative working arrangements, then the member of staff will not be required to work back their lost hours.

8. What if a staff member cannot attend due to carer's responsibilities?

Staff who could have attended work but are prevented from attending due to childcare or carers' commitments on a day of adverse weather, who register this with their line manager, may be entitled to special leave in accordance with the Time off for Dependants Policy or Domestic Incident Leave Policy and Procedure.

This is to enable them to deal with the emergency situation due to the closure of facilities related to their caring responsibilities and to make alternative arrangements. In the event of continuing adverse weather only 1 day of paid special leave will normally be awarded after which point staff can opt to use annual leave, unpaid leave or subject to Senior Management/Leadership Team or head of service/Director's discretion can work the hours lost back within reasonable timescales (normally 30 calendar days). All approvals for special leave or the use of annual leave or to work the hours lost back are subject to Senior Management/Leadership Team or head of service/ director's approval.

9. Notification of Absence

In continuing adverse weather staff are expected to contact their manager, or, in the event their line manager is not available to contact a member of the Department of Human Resources or a Member of the Senior Management/Leadership Team for college, school, provision staff and head of service/director for corporate staff in a timely way on each day to discuss the ongoing situation and explore alternative working arrangements or appropriate absence arrangements.

Staff not attending work and who have not contacted their line manager or other designated personnel without satisfactory explanation will be treated as taking unpaid unauthorised absence and may be subject to disciplinary action under the Trust's Disciplinary and Dismissal Procedure.

10. Working additional hours due to adverse weather

Staff may be asked to work additional hours or undertake alternative roles due to the necessity to cover for other members of staff who cannot attend their normal place of work due to adverse weather conditions.

Staff who work additional hours during the period of adverse weather, with the approval of a Member of their Senior Management/Leadership Team for college, school, provision staff or head of service/ director for Corporate staff to cover colleagues will be entitled to time off in lieu (TOIL), or at the discretion of the Senior Management/Leadership Team or head of service/director, to be paid in accordance with their terms and conditions. To claim either TOIL or payment for additional hours worked staff should complete the appropriate claim form and forward to a Member of their Senior Management/Leadership Team or head of service/director's for authorisation on a weekly basis.

All TOIL must be taken within six weeks of the time being accrued otherwise it will be lost.

11. Absence and lateness due to severe weather

Severe weather absences will be recorded in employee records but will be disregarded for the purposes of internal procedures including absence management.

Where the employee is able to travel to their workplace but is late as a consequence of severe weather, this lateness will be recorded in employee records but will be disregarded for the purposes of internal procedures.

12. Business Continuity

The Trust will use the Business Continuity Plans to further inform their actions. These plans will be specific to their own situation. This will include coordinating the arrival and deployment of staff from other departments/areas, for which it is also their nearest Trust worksite.

The principal/head teacher/ provision leader or the designated deputy will communicate with other provisions within the Trust as appropriate so to include linkage to social care planning for our children, young people and students, with a view to maximising joint resources. Should the adverse weather continue to have a major effect on the ability of services within the Trust or colleges/schools/other provisions to offer support to the children, young people and students, it may be necessary to plan for a pooling of resources and staff with other colleges/schools/other provision within the Trust. This will be planned and coordinated by the relevant provision leader, principal, head teacher or the designated deputy.

13. Additional Information

Staff who attend work during the adverse weather conditions will be treated as being present for their full rostered working period whether or not they are able to attend for the full shift or were sent home early subject to Senior Management/leadership Team or head of service/director's agreement.

Failure to adhere to this policy may result in disciplinary action being taken under the Trust's Disciplinary and Dismissal Procedure.