

TITLE	Covid 19 Vaccination Policy
FOR CONSIDERATION BY	Personnel Board on the 7 February
WARD	None Specific
LEAD OFFICER	Interim HR Business Partner – Russell Gabbini

OUTCOME / BENEFITS TO THE COMMUNITY

Compliance with The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021 sets out this requirement which came into force on 11 November 2021 (the 'Regulations').

RECOMMENDATION

That the Board approve the Covid 19 Vaccination Policy

SUMMARY OF REPORT

To propose a Covid 19 Vaccination Policy that includes:

- Guidance to employees and managers regarding arrangements for vaccinations.
- The Council's stance on employees being vaccinated and how the vaccination programme impacts the workforce.
- Provides information about specific Government legislation that will mandate some Council staff to be fully vaccinated to be able to undertake their work.

Background

Since the start of the vaccination programme in December 2020, the government has encouraged the population of the UK to get vaccinated against Covid 19. The initial vaccination programme prioritised the vaccination programme roll out based on clinical vulnerability and age.

Based on government scientific evidence, it was identified that vaccination was a key factor in the fight against Covid 19, to reduce the spread of infection, mitigate against severe illness, reduce hospitalisations, and therefore relieve pressure on the NHS.

The Council has actively encouraged its employees to get vaccinated based on the rollout criteria and the proposed Vaccination Policy aims to provide guidance and advice regarding vaccinations and to formalise the Council's stance on vaccination protocols.

The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021 sets out specific requirements for Health and Social Care staff working in Care Quality Commission (CQC) registered care homes. Some Council staff working in the Adult Social Care and Health directorate were identified as being in scope of the legislation and this proposed Vaccination Policy aims to highlight these requirements and set out the implications for council employees, especially regarding non-compliance with the legislation. This potentially includes:

- Reasonable adjustments wherever practicable

- Redeployment if appropriate and available
- As a last result, possible dismissal

Risks to implementation of the policy

- If dismissal is required, this may lead to attrition in a directorate already struggling with recruitment and retention of Social Care workers
- There may be legal challenge to the legislation as some view the legislation as an infringement of their human rights (there are currently no case studies available yet to influence the Council's policy)

The policy covering the guidance and new legislation is attached at Appendix A

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.

No direct financial implications

Other financial information relevant to the Recommendation/Decision
None initially, but potential costs if legal challenges are made

Cross-Council Implications
None at present

Public Sector Equality Duty
Not required as the policy includes legislative requirements

List of Background Papers
Attachment 1 – Covid 19 Vaccination Policy

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