

Mandatory Vaccination update Adults & Safer City Scrutiny Update – 19th October 2021

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Recap of where we are

- The Mandatory vaccination policy covers all CQC registered care homes and includes anyone in an employed or voluntary position entering a care home
- The policy does not include families of relatives living in the care setting
- The policy becomes law on 11 November 2021 and registered managers within the care setting have a legal duty to prevent any scheduled admission to anyone who is unvaccinated, emergency situations will be exempt
- The CQC are the regulatory body

Work undertaken so far

- 46 people in ASC are not vaccinated but are in posts that have been identified as requiring a double covid vaccination from Nov 11th.
- This number includes a small number of people working in CWC CQC Registered Care homes who still require double covid vaccinations before Nov 11th.
- Reminders have been posted on City People indicating deadline dates for first and second covid vaccinations ie. 16th Sept and 11th Nov.
- Webinar held for all internal staff 14th September 2021
- Line Managers have explained the legal requirement and timeline to staff members who have yet to be vaccinated.

Work undertaken so far

- Letter dated 1st Sept. sent to all members of staff in ASC whose roles require a double covid vaccination.
- Letter again indicates legal requirement, deadline dates and the requirement for line managers to see evidence of vaccination compliance eg NHS Covid passport.
- From w/c 6th Sept, line managers are meeting with all members of staff identified as requiring double covid vaccination, who have yet to be vaccinated.
- All managers using the same script in their 1:1 and will ask whether the member of staff intends to obtain their initial covid vaccination
- The number of relevant staff who have still not been at least vaccinated once by Sept 16th will be recorded and managers will await further guidance from HR.

Internal Vaccination

- **Bradley Resource Centre** – very small numbers refusing vaccination (out of 52). Through changes to rota's if this remains the case this is a manageable risk within the service
- **Duke Street Bungalows** – small numbers of staff refusing (out of 49,). Through changes to rota's this risk is manageable within the service, further 1:1s with staff due to take place
- **Ernest Bold** – small numbers refusing , further 1:1s to take place with staff and plans to be considered over the next 2 months. The current risk is that Ernest Bold will have to reduce the number of people attending the service.

Internal Vaccination

Social Workers and visiting staff to care homes

- 401 adult services staff have been identified as requiring the vaccination.
- Current HR advice (in more detail below) is to manage each case on an individual basis through a HR process
- CWC at this stage will be able to maintain current levels of care and visits and adult services can manage the risk within the service. Guidance on managing this process has not been released by the NHS or the LGA

Internal Vaccination

Ancillary & Contractors

- All areas of the council that touch Adult Social Care have been identified and Heads of Service for these areas consulted to ensure staff are aware of the need to be vaccinated from 11/11/21
- Heads of Service have provided assurance to Adult Services that relevant staff are vaccinated, no unvaccinated staff will be deployed to care homes
- HR have agreed a reasonable and proportionate approach

Commissioned Care Vaccination

Current data shows:

There are currently 2293 eligible staff, 2092 have had the first vaccination & 1951 have had both vaccinations. For residents, there are currently 1534 eligible residents, 1506 have had the first vaccination & 1454 have had both vaccinations.

- At 11/10/21 95% of staff have been received their first dose of vaccination

Commissioned Care Vaccination

- Eighteen care homes have indicated they have concerns about future staffing levels due to recruitment and retention alongside the mandatory vaccination requirement.
- Each home that has indicated concerns will be supported by commissioning to understand how to manage and mitigate the risks. This includes working with skills for care to develop an increased workforce, understanding if care homes will need to reduce bed availability with reduced staffing and in this event if this impacts on the financial viability of the home.

Next steps – HR & Legal

Employee Consultation

- Following recent guidance we are working with unvaccinated staff to support the take up of the vaccination and explore other options.
- Current legal advice and guidance is that dismissal should be a last resort when all other alternatives have been explored, offer of redeployment and other support to be developed.
- Each case will be reviewed on an individual basis,

Next steps – HR & Legal

Recruitment and New starters

- Wording for job adverts has been compiled with legal and HR to notify of the vaccination requirements for affected roles.
- Job descriptions are being reviewed to be included as an essential criteria and a condition of employment.
- Pre employment check process to be developed.

Next steps – HR & Legal

Recording and Storage of vaccination data

- Data Impact Privacy Assessment completed in collaboration with Information Governance
- HR Privacy notice to be updated.
- Data storage solution to be developed in Employee Check tab in Agresso, to include ability to hold booster vaccination data and flu vaccination status (should this be a future requirement).

Next steps – HR & Legal

Agency Workers

- To ensure that agency providers comply with legal requirements for COVID vaccination a meeting has been held with Yoo Recruit. Yoo recruit to advise on their internal processes for checking compliance and confirm status of current affected workers.
- HR liaising with the Commercial Team to determine if there is a requirement to formally notify Yoo Recruit of the vaccination requirement.

Health and Safety

- Notwithstanding specific requirements around mandatory vaccinations, the City Council as an employer, and a provider of services retains general health and safety responsibilities under Health and Safety at Work etc. Act 1974 to persons in their employment (Section 2) and persons affected by provision of services (Section 3).
- To this effect all settings have conducted service risk assessments and have included risk mitigation measures specific to foreseeable prevention of infection from Covid19.

Equalities and Diversity

- E&D have been represented at Adults IMT throughout the process and supported the approach taken.
- E&D have been an important member of IMT in terms of our approach to staff with protected characteristics and considering different formats support needs to be given in
- Our E&D rep has not raised any issues that we are acting unfairly to any groups of staff.

Trade Unions

Trade Unions have been consulted regularly through weekly HR/TU meetings

All correspondence sent to staff has been seen and approved prior to circulation

Key issues from the TU

- What will CWC's approach be to those staff who continue to refuse?
- Supportive of our approach so far and will continue to support us encouraging staff to take up the vaccination

Overall picture for care provision

Home Care

There has been an increase in hours commissioned for Home Care to support the acute hospital to discharge people home with 4 weeks of rehabilitation and alongside the future potential mandatory vaccination of home care staff this has resulted in issues with recruiting and retaining care staff and the ability to take on additional packages of care.

The contractual framework was varied in the short term to enable providers off framework to take on packages of care. To date this is managing the situation, however this is being closely monitored and raised as a potential risk to meeting care needs.

Residential & Nursing Care

The current situation for bed based care shows significant numbers of beds available, in the short term if vaccinated staff is an issue for providers, we will support the sector to close unnecessary beds, this will present a financial challenge for homes which we will need to monitor and agree a longer term approach to the changing demands in the care sector

Reflections

- Adults IMT have been well supported by colleagues in HR, Legal, Equalities, Public Health, Comms, Health and Safety.
- Trade Unions have engaged and encouraged staff to take the vaccination

Limiting factors:

- Late release of national guidance has prevented Local Authorities from adopting a standardised approach across the country
- Care market stability was fragile prior to implementation of the mandatory vaccination policy, additional staff leaving the sector means CWC must manage the further risk of care shortages heading into winter.