



People, Performance and Development Committee
7 December 2021

Surrey County Council Vaccination policy

Purpose of the report:

To brief the Committee on new legislation in respect of mandatory Covid 19 vaccinations and invite the Committee to note the Vaccination policy.

1. Recommendations

- 1.1 That the Committee note the Vaccination policy.
- 1.2 That the Committee agree for the policy to be updated as new legislation is published without further presentation where a review of the council's policy position on vaccination is not required.

2. Introduction

- 2.1 As a result of the Covid pandemic the government has made changes to the regulations for care services. The purpose of the Vaccination policy is to set out the county council's position on vaccination related to employment or entry to a designated setting.
- 2.2 The policy is intended to be a general policy in respect of vaccinations where they relate to employment or deployment to a setting covered by specific regulations. Specific legislation will be cited as it is published, and the policy updated.

3. Policy position

- 3.1 Where the Government has not made the taking of a vaccine mandatory in respect of employment, it remains a matter of choice for each individual.

- 3.2 Where the Government has made a specific vaccination mandatory as a condition of employment, employees who choose not to be vaccinated will be subject to a formal process to redeploy or dismiss them. This will be managed in line with HR policy and process for dismissal.
- 3.3 Where the Government has made a specific vaccination mandatory as a condition of access to a designated setting, managers will be required to identify the applicable roles, confirm each individual's vaccination status and to notify HR if they are not able to deliver their service in line with the regulations. This may include reviewing how work is delivered to remove the need for employees to attend the designated setting.
- 3.4 Where the requirement to attend a designated setting is so material that an unvaccinated employee cannot effectively be deployed to alternative tasks within their role, they are likely to be subject to a formal process to redeploy or dismiss them. This will be managed in line with HR policy and process for dismissal.

4. Medical exemption

- 4.1 Where regulations also provide for medical exemption, employees will be supported to complete the process as set out in the regulations.

5. Specific legislation in relation to mandatory vaccination

- 5.1 The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021 require anyone who enters a care home registered with the Care Quality Commission (CQC) in a professional capacity to have received both Covid-19 vaccinations or to have evidence they are medically exempt.
- 5.2 This applies to all staff employed to work in residential care homes as well as supported living in Adult services where staff are appointed to a setting and required to work flexibly across the sites in that setting. Someone not entering the building, entering to provide emergency services, as well as visitors and residents, would not need to comply with this condition. This became law on 11 November 2021.
- 5.3 As a result of this legislation, 6 employees have been dismissed and 4 are going through the formal medical exemptions process.
- 5.4 On 9 November, the Government confirmed they will be introducing additional regulations to only allow providers of CQC-regulated activities to deploy individuals who have been vaccinated against COVID-19 to roles where they interact with patients and service users.
- 5.5 This will primarily impact hospitals and a review of social care staff who will be impacted by this regulation is underway. It will be monitored as additional guidance is published by the Government.

6. Conclusions:

4.1 Financial and value for money implications

There are no direct financial implications at this time.

4.2 Equalities Implications

The application of the legal requirements for mandatory vaccination are neutral conditions set out in law however it is known the majority of the workforce who will be impacted within adult social care are female (84%).

4.3 Risk Management Implications

Where vaccination is a requirement in law, the council is obligated to act accordingly. It is expected that there will be an increase in turnover and a reduction in attraction to care roles covered by the legislation. This is being monitored within the council as well as within the wider sector by the Adult Social Care Leadership team.

This policy will enable us to ensure that our workforce are legally compliant and a robust process is in place to support Managers to identify, mitigate and manage risk associated with any change in vaccination legislation.

4.4 Implications for the council's Priorities or Community Strategy

The policy sets out the councils stance and expectations in relation to vaccination and forms part of a clear and honest approach to supporting our workforce.

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Sources/background papers:

Surrey County Council Vaccination policy

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