

ARRANGEMENTS FOR EMPLOYEES ASSISTING WITH CIVIL EMERGENCY RESPONSE

Submitted by: Executive Management Team

Portfolio: Finance and Budget Management

Ward(s) affected: Not Applicable

Purpose of the Report

To obtain approval for a set of terms and conditions to apply to employees undertaking alternative roles during civil emergency situations and to facilitate the training of appropriate staff.

Recommendations

- (a) That the terms and conditions as proposed at Appendix A be adopted.
- (b) That officers be authorised to roll out relevant training to appropriate staff in order to meet the needs of the Council during civil emergency situations.

Reasons

The proposed arrangements will assist the council to meet its obligation in the provision of civil emergency response to the public and the council's partner organisations. The proposals also ensure that employees who are assigned to specific roles are suitably trained and are treated fairly, consistently and without detriment and that the staffing costs associated with civil emergency response provision are reasonable and justifiable.

1. Background

- 1.1 In exceptional circumstances, employees may be asked to undertake duties that are different from their usual roles in order to assist the council to meet its obligations in the provision of civil emergency response to the public and the council's partner organisations.
- 1.2 An Emergency Control Centre may have to be set up to accommodate the council's 'gold' and 'silver' response teams and it may also become necessary for rest centres to be set up and staffed to deal with members of the public who have been affected by the emergency.
- 1.3 Some training has recently been provided by the Staffordshire Civil Contingencies Unit in relation to this which prompted requests for clarification for the arrangements that would apply in such circumstances, in particular the terms and conditions that would apply to employees assisting. Resolving this matter will facilitate the roll out of further training to appropriate staff.
- 1.4 The terms and conditions proposed are attached at Appendix A.

2. Issues

- 2.1 The proposals were discussed at the Employees Consultative Committee (ECC) meeting on 17 October 2012.
- 2.2 The committee recommended that the wording at Section 9:

'In the event that employees are required to work additional hours to their contracted hours, the usual arrangement regarding overtime payments will apply, based on the evaluated grade of the temporary position and in accordance with the relevant parts of Section 4 of the 2005 (Single Status) Collective Agreement (Overtime Working).'

be replaced with:

'In the event that employees are required to work additional hours to their contracted hours, the usual arrangements regarding overtime will apply.'

- 2.3 If the ECC recommendation was to be adopted, this would mean, for example, that in an emergency scenario where an employee whose substantive post is say Grade 10, works hours in addition to their normal contracted hours but in a temporary, alternative role of say a Grade 7 Forward Control Officer, they would be entitled to receive an enhanced overtime payment rate based on Grade 10 rather than Grade 7.

3. **Options Considered**

- 3.1 The proposed arrangements will only apply on rare occasions and in exceptional circumstances where employees may be asked to undertake specific emergency response duties that are different from their usual roles. They have been designed to ensure that those employees who carry out specific, identified roles in connection with a civil emergency that are different from their usual jobs, would do so on a basis that will in no way be detrimental to them in terms of pay and conditions of service.

4. **Proposal**

- 4.1 That the proposed terms and conditions at Appendix A be adopted.

5. **Reasons for Preferred Solution**

- 5.1 The proposed arrangements will assist the council to meet its obligation in the provision of civil emergency response to the public and the council's partner organisations. The proposals also ensure that employees who are assigned to specific roles are treated fairly, consistently and without detriment and that the staffing costs associated with civil emergency response provision are reasonable and justifiable. Additionally the proposals will enable necessary training to be targeted appropriately.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

Not applicable

7. **Legal and Statutory Implications**

- 7.1 The Council has a statutory responsibility for the provision of civil emergency response to the public and the council's partner organisations (Civil Contingencies Act 2004).
- 7.2 The proposals are in accordance with relevant employment legislation including the European Working Time Regulations.

8. **Equality Impact Assessment**

- 8.1 The arrangements will apply equally to all employees.

9. **Financial and Resource Implications**

9.1 The proposed arrangements are designed to ensure that as far as is practicably possible, the Council is able to meet its response obligations during a civil emergency situation while maintaining normal service provision to an acceptable level.

9.2 Depending on the nature and duration of a particular civil emergency, it may be the case that some overtime costs incurred by the council as a consequence of responding may be reclaimable via the Bellwin Scheme.

10. **Major Risks**

10.1 The Council may fail to meet its statutory response obligations if adequate arrangements have not been made to ensure appropriate numbers of trained staff are available in an emergency situation.

11. **Sustainability and Climate Change Implications**

Not applicable.

12. **Key Decision Information**

No applicable.

13. **Earlier Cabinet/Committee Resolutions**

None.

14. **List of Appendices**

Appendix A – Proposed Terms and Conditions Applying to Employees Assisting with Civil Emergency Response.

15. **Background Papers**

Not applicable.