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Risk control
Redeployment during
COVID19



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Redeployment during COVID19

Introduction

In the wake of the coronavirus crisis, local authorities have been instructed by Central Government to close buildings and cease delivery of non-essential services from gyms to community centres. Tens of thousands of UK council employees are now being redeployed into critical roles to support front line service delivery¹.

Cambridge County Council publicised a positive example of their redeployment in action with a long standing Human Resources (HR) Officer who is now working in the council's reablement service team. The HR Officer now visits vulnerable residents daily to check on their needs and she speaks highly of the training she received to be able to undertake the role and feels the new skills she has learned will be with her for a long time².

Training and Skills

GMB's national officer Karen Leonard said: "Any role changes should be a reasonable alternative that matches the skill set and knowledge as closely as possible³."

Unions are being consulted on the process and local authority leaders need to ensure that safety is a priority and common sense must be applied to any redeployment activities. Skills surveys and audits are being undertaken by local authorities to determine the suitability of employee transfers into critical areas such as social care, crematoriums and waste collection services. There are particular roles, which are skilled and high risk that should only be delivered by trained and experienced professionals in that field. However, there are a number of roles where transferrable skills, competence and training will be sufficient and the local authority needs to ensure it is sufficiently assessing the risk and reaching a reasoned decision on which roles to redeploy into.

Local Government has been supportive of the initiative and has provided a number of COVID FAQs on their website. In relation to the redeployment of staff during the pandemic their advice is:

Where necessary, employees who are suitably trained or skilled to carry out tasks can be asked temporarily to provide cover if the number of employees available for work who normally provide the service becomes too low. This might apply across sections/departments as well, particularly for those employees who are not able to work in

their own area if the service is suspended. In these exceptional circumstances the underlying principle is that if someone has an acceptable level of training or skills and knowledge to carry out the basic task, it should in many cases be reasonable to expect them to do it, although it will very much depend on the individual's circumstances, such as whether they have any underlying condition which might require adjustments in order to perform the new role⁴.

Health and Safety

Local authorities should ensure they are assessing the risk of redeployment as part of their decision making process. The Management of Health and Safety at Work Regulations 1999 contains the requirement that every employer "shall make a suitable and sufficient assessment of the risks".

The phrase "suitable and sufficient" is not defined within legislation but it is suggested that to meet the criteria, the risk assessment should "identify the risks arising from or in connection with work", be "appropriate to the nature of the work" and include what an employer could reasonably be expected to know.

HSE guidance states that whoever undertakes the risk assessment:

- is competent to do so,
- involves workers in the process,
- understands where specialist help might be needed.

Contextually, this means that whoever undertakes the Covid-19 risk assessment in relation to role redeployment needs to be competent to do so, and that competency must extend to include a comprehensive knowledge and understanding of the risks presented by the virus and reasonable and effective controls to be implemented to prevent harm. A failure to achieve competency in this situation could bring the validity of the risk assessment into question and foreseeably place persons in harm's way from exposure to the virus if the appropriate and proportionate controls are not identified and effectively implemented.

It is for the organisation to satisfy itself that the appropriate level of competency has been established by its intended risk assessors. If competency cannot be fundamentally established in respect of internal staff, then the use of specialist external consultancy would seem the most prudent course of action.

¹ <https://www.bbc.co.uk/news/uk-england-52067981>

² <https://www.cambridgeindependent.co.uk/news/council-employee-tells-of-redeployment-to-help-vulnerable-during-coronavirus-outbreak-9105883/>

³ <https://www.bbc.co.uk/news/uk-england-52067981>

⁴ <https://www.local.gov.uk/covid-19-employment-law-faqs>

In undertaking the risk assessment, consideration should be given to the requirements of the role, minimum training that needs to be provided in order for the role to be carried out safely and suitably and management of potential exposure to the virus.

Social distancing measures will need to be applied where staff are on site and any necessary personal protective equipment for barrier protection and/or safety reasons will need to be provided with training on its correct use/application if necessary.

As standard, high levels of personal hygiene should be encouraged – such as frequent hand washing and travel and contact with others should be limited as far as is reasonably possible.

Summary

These are challenging and unprecedented times and very important decisions are being taken which could have a lasting legacy impact. It is vital that local authorities seek advice and support in making those decisions and document their rationale and outcome in case it needs to be referred to at a later date.

Any redeployment should be optional and local authorities must ensure they are advising staff of the risks they are potentially exposed to through the findings of the risk assessment process. It is also the council's responsibility to ensure the redeployed individual is suitable for the role, competent, trained and supervised in undertaking their new activities/tasks.

It is clear that public sector employees are rising to the challenge and want to help and support their residents. A spokesman for the Local Government Association (LGA) said:

"Council staff are stepping up to this unprecedented challenge and are having to be flexible to ensure that vital local services can be maintained".

"They continue to do an amazing job in hugely challenging circumstances."⁵

References

- 1 <https://www.bbc.co.uk/news/uk-england-52067981>
- 2 <https://www.cambridgeindependent.co.uk/news/council-employee-tells-of-redeployment-to-help-vulnerable-during-coronavirus-outbreak-9105883/>
- 3 <https://www.bbc.co.uk/news/uk-england-52067981>

⁵ <https://www.bbc.co.uk/news/uk-england-52067981>

4 <https://www.local.gov.uk/covid-19-employment-law-faqs>

5 <https://www.bbc.co.uk/news/uk-england-52067981>

Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

Get in touch

For more information, please contact your broker, RMP risk control consultant or account director.

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