

# Extend Covid-19 financial support and paid leave to vulnerable and pregnant NHS wales bank workers

Y Pwyllgor Deisebau | 23 Mehefin 2020  
Petitions Committee | 23 June 2020

Reference: RS20/12730-2

**Petition Number:** P-05-964

**Petition title:** Extend covid-19 financial support and paid leave to vulnerable and pregnant NHS Wales bank workers.

**Text of petition:** NHS Wales bank workers who are vulnerable, require safeguarding or are over 28 weeks pregnant might not be given the same financial support or safeguarding as full time NHS staff by health boards. Some of these NHS Wales bank HCA's, Nurses, Midwives et al. have worked for the NHS for years and this is their primary income. The vulnerable and pregnant could be facing working or receiving no pay, and that is subject to them being offered alternative work. Please support the NHS bank workers.

The Equality Act 2010 protects vulnerabilities (under disability) as well as pregnancy and maternity against discrimination.

The Health and Safety at Work Act 1974 along with management of health and safety at work 1999 dictates that risk assessments must be carried out in regards to NHS bank workers in relation to the Covid-19 crisis. Where those NHS bank staff cannot work or be offered alternative work, they may be left without an income.

In these unprecedented times the Welsh Parliament, NHS Wales and relevant health boards should ensure financial support and safeguarding to NHS bank workers. Currently NHS bank workers in Wales might only have the choice to work or stay at home with no financial support.



# 1. Background

The NHS Wales Employers website sets out **guidance** for the Welsh NHS workforce in relation to coronavirus. The website includes a link to an NHS Wales document - [COVID – 19 \(Coronavirus\) Frequently Asked Questions for NHS Managers and Employers \(28 May 2020\)](#).

The information below, taken from the document, sets out some of the terms and conditions of service that apply to NHS Wales staff during the coronavirus pandemic.

## *Individuals who are shielding or in self-isolation*

Individuals who are ‘shielding’ or who are in self-isolation will be categorised as being “medically excluded” from work. In these circumstances they should be encouraged to work if they are in a position to do so. If an individual’s role prevents them from working from home, then the circumstances of medical exclusion are that it is authorised absence, they will be paid full pay and they would not be expected to work back any of the time off. In addition, it is expected that individuals fully comply with any public health advice.

## *At-risk workers*

Pregnant women may be particularly vulnerable, and employers have additional responsibilities to protect them. As the situation progresses, employers should regularly risk assess and should discuss with pregnant employees whether it is appropriate to move them to a different location, arrange for them to work from home or even to temporarily remove them from the workplace. In which case they will receive full pay. It is imperative that any action is done with their consent and preferably with support from Occupational Health. Further advice is available from the [Royal College of Obstetricians and Gynaecologists](#).

Similar action should be taken for other vulnerable individuals, particularly those who are immuno-suppressed or have long term conditions. [Public Health Wales advice](#) should be followed in these circumstances.

Where an individual has received a letter from Welsh Government advising them that they should be shielded for a period of 12 weeks, then employers should in the first instance explore what work they can do from home. If an individual’s role

prevents them from working from home, then they will be paid full pay and they would not be expected to work back any of the time off.

### ***Self-isolation***

Any self-isolation absence in the interests of control of infection (household isolation) will be disregarded in respect of the cumulative absence and triggers which operate within the Managing Attendance at Work Policy. These absences will be treated as medical exclusion and will be paid at full pay.

Where individuals self-isolate for 7 days with symptoms this will be classed as normal sickness absence but will also be disregarded in respect of cumulative absence and triggers which operate within the Managing Attendance at Work Policy and the individual will receive full pay as noted above.

### ***Taking time off to look after a child or dependant who has been advised to self-isolate because they are in an at risk category***

Staff are entitled to time off work to help someone who depends on them (a “dependant”) in an unexpected event or emergency. This would apply to situations to do with COVID-19 and may be a combination of time off in lieu (TOIL) / unpaid / annual leave.

In respect of the longer term support for the changed circumstances e.g. school closures, a change to working arrangements should be considered.

### ***Death-in-service benefits***

The Welsh Government has announced a new Coronavirus Life Assurance Scheme to provide benefits for eligible NHS and social care staff who perform vital frontline work during the pandemic.

### ***Bank staff***

The [COVID - 19 \(Coronavirus\) Frequently Asked Questions for NHS Managers and Employers \(28 May 2020\)](#) document includes the following information relating to bank staff.

If a bank staff member cancels a shift due to the need to self-isolate, they will be paid for the booked shifts. However, this is for the purpose of control of infection only and in these circumstances, all bank workers should recognise the reasoning and intent behind this provision and not book multiple shifts knowing that they may need to self-isolate.

There is no further, specific reference to bank staff in the document.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.