

Cover Sheet

Trust Board Meeting in Public: Wednesday 19 January 2022

TB2022.06

Title: Vaccination as a Condition of Deployment (VCOD): Trust Board Update

Status: For Information

History: N/A

Board Lead: Chief People Officer

Author: Rachel Stanfield, Director of Workforce

Confidential: No

Key Purpose: Assurance and Performance

Executive Summary

1. This paper provides an overview of Trust progress against the national mandate to ensure COVID-19 Vaccination as a Condition of Employment (VCOD).
2. From 1 April 2022 a new Regulation will apply to healthcare staff who deliver patient care or treatment within CQC registered services, as well as non-clinical ancillary staff who may have social contact with patients, which will require them to be vaccinated against COVID-19. Those staff who refuse the vaccine will not be able to continue in their current role.
3. The Trust set up a Steering Group to manage this programme of work in November 2021. The Group is Chaired by the Chief People Officer (CPO) with attendance from Chief Officer colleagues and their representatives. Working groups are taking forward actions in relation to specific areas including data validation; staff engagement; support for managers; development of policies and procedures; and understanding the potential risk to clinical services.
4. Key issues relate to data quality; national guidance has still not yet been fully released; impact on staff; resources available to implement the mandate; potential risks to services and business continuity from the loss of staff after 1 April 2022; and confirming definitions of staff who are in and out of scope.
5. The key focus to date has been to encourage staff to have the vaccine. From January to March 2022, whilst staff will still be encouraged to have the vaccine, there will be a transition to 1:1 conversations and starting processes to redeploy or potentially dismiss staff.

Recommendations

6. This report is mainly for information but the Trust Board is asked to note the contents of this report and in particular the next steps and overall timeframes.

Vaccination as a Condition of Deployment (VCOD): Trust Board Update

1. Purpose

- 1.1. This paper provides an overview of Trust progress against the national mandate to ensure COVID-19 Vaccination as a Condition of Employment (VCOD).

2. Background

- 2.1. From 1 April 2022 a new Regulation will apply to healthcare staff who deliver patient care or treatment within CQC registered services, as well as non-clinical ancillary staff who may have social contact with patients, but not directly involved in patient care, e.g., receptionists, ward clerks, porters, and cleaners, as follows:

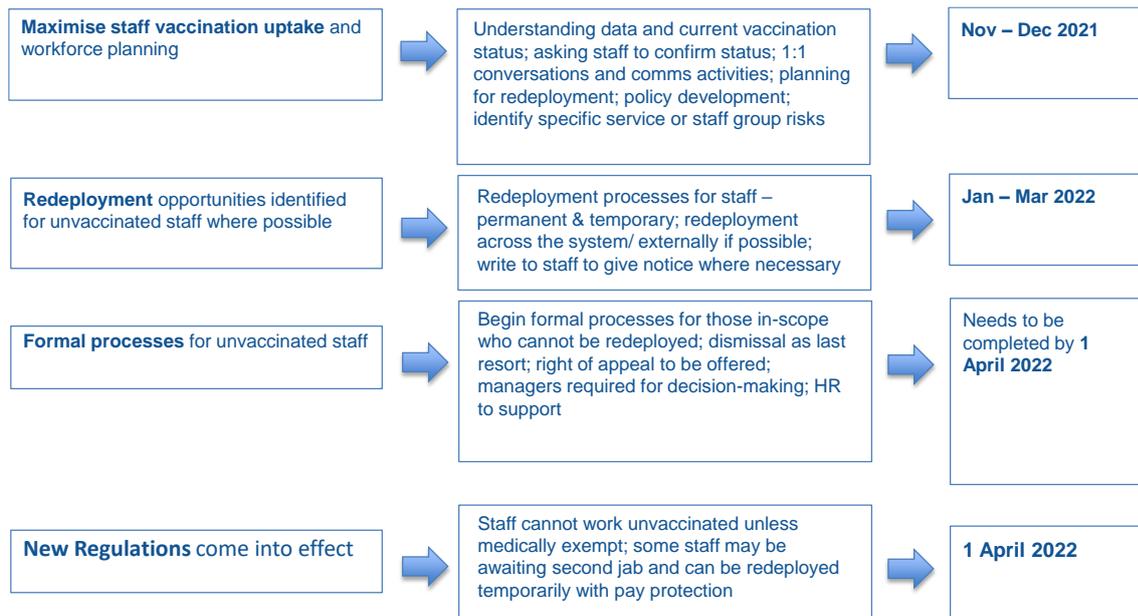
“...new regulation which will come into force on 1 April 2022, requiring people who conduct Care Quality Commission (CQC) regulated activity in public (NHS) or independent sector health and social care settings in England, to have received two doses of a Medicines and Healthcare products Regulatory Agency (MHRA) approved COVID-19 vaccine unless medically exempt”

- 2.2. All substantive Trust staff are in scope and all temporary, voluntary, bank and agency staff/workers, and independent contractors are also in scope.
- 2.3. The Trust set up a Steering Group to manage this programme of work in November 2021 after the announcement signalling the Government’s intention was made. The Group is Chaired by the Chief People Officer (CPO) with attendance from Chief Officer colleagues and their representatives.
- 2.4. The Steering Group meets weekly and takes reports from a range of working groups that are competing the detailed work required for planning and implementation.
- 2.5. National guidance is awaited in several key areas including publication of the Regulation itself; however, the Trust is moving forward as far as practicable in all areas based on the available guidance.

3. High level implications of the Regulation

- 3.1. The high-level implications of the Regulation and the activities required are shown in the figure below.

Figure 1 High level process to implement VCOD mandate



4. Key workstreams and activities to date

4.1. The programme is being approached in a collaborative, inclusive, multi-disciplined way. The working groups are:

- Staff Engagement & Communications
- Health & Safety/ Occupational Health and Infection Prevention & Control
- Staff Redeployment & Recruitment
- Employee Relations & Policy
- Vaccination Centres
- Data Collection, Analysis & Information Governance
- Contractors, Temporary Staffing & Volunteers
- Manager Training & Support
- Clinical Service Impact & Risk Mitigation

4.2. Working Groups provide updates on activities at the weekly Steering Group meetings.

4.3. The key activities completed to date include: focusing on staff engagement and encouraging staff to take the vaccine (see Section 5); making first and second dose vaccines available to staff through additional clinics; issuing guidance to line managers to support conversations about the vaccine; undertaking a significant data validation exercise to confirm numbers of staff affected; developing draft policies and protocols to support formal processes and recruitment processes; understanding the potential risk to clinical services with the available data.

5. Staff engagement and communication

- 5.1. In line with the national mandate, the first approach has been to inform staff and encourage them to have the vaccination. All Trust staff have been informed about the Regulation through Weekly Staff Bulletins, a dedicated vaccine Virtual Q&A held on 22 December 2021, and informally through local managers and HR teams.
- 5.2. The Virtual Q&A held in December was designed by the workforce and communications team, run through MS Teams Live and was advertised to all staff via global emails, Staff Bulletins (which are also sent to all staff), the intranet and through the invitation being put directly into the diaries of all staff on Trust emails (about 20,000 emails).
- 5.3. The Q&A was hosted by CPO, Terry Roberts, who put a series of questions to a panel of experts including Professor Sir Andrew Pollard, from the Oxford Vaccine Centre, as well as a Consultants from Haematology, Gynaecology, Obstetrics, and Infectious Diseases. The questions and the responses given by the experts were based on those submitted in advance to the session by staff, known frequently asked questions and the questions put during the Q&A session.
- 5.4. Most questions were answered during the briefing session and the remainder are being compiled for the rest with a view to publication on the intranet. The answers will then be used to create more FAQs for the vaccination area of the Staff FAQs on the website.
- 5.5. 628 people attended the Virtual Q&A session on the day, with 127 subsequent views on the link circulated to staff and a further 68 views on YouTube. The YouTube link will be advertised via StaffText on Wednesday 19 January and has been included in Staff Bulletins.
- 5.6. Whilst many concerns and questions in relation to the vaccine can be addressed through generic responses, many staff have individual reasons for their hesitancy. It is therefore crucial that 1:1 discussions with staff begin to address these individual concerns and this is the main focus of staff engagement in January 2022. In addition, several Consultants on the Virtual Q&A Panel have offered to talk to staff 1:1 to answer queries and this is being co-ordinated by the Comms team.

6. Key issues and mitigation

- 6.1. The table below shows the key issues currently identified along with mitigation in place.

Issue	Mitigation
Data quality: we do not have a fully verified list of all unvaccinated staff	Data is currently being verified through a process of contacting staff directly to ask them to confirm their vaccination status. We estimate that we will have improved the data quality significantly by mid-January 2022 to allow for the 1:1 discussions to be held in line with the process
National guidance: has not been fully released which is hampering decision-making and actions	Phase 1 (planning) guidance has been received; Phase 2 (implementation) guidance is expected w/e 14 January 2022 and a series of national webinars is planned for later in January to help co-ordinate national efforts and support consistency
Impact on staff: this is having a significant impact on staff across the organisation, not only those who may be redeployed or dismissed, but also potential discrimination for those who are medically exempt and acceptance of unvaccinated staff in areas to which they are redeployed	We have a dedicated working group responsible for staff engagement; we are working very closely with staff side colleagues and all of our staff networks
Resources: we are unlikely to have adequate HR team resources to support all the required activities	We have recruited two additional staff to support the team, though we are not assured this will be sufficient and continue to look for additional temporary resource, which is squeezed nationally
Service delivery & business continuity: the Regulation may lead to the redeployment or dismissal of significant number of staff resulting in service delivery issues/ vacancies	The Clinical group is reviewing data as available to identify hotspots and put remedial plans in place, e.g., additional temporary staffing. The group will be developing the contingency plans to ensure service continuity.
Definitions of staff in and out of scope: we are awaiting the specific wording of the Regulation/ further national guidance to support this	The Clinical group is also reviewing the job roles and has provided a high-level steer on roles that are in and out of scope and those where more detail is needed to determine scope

7. Next steps

7.1. The key focus to date has been to encourage staff to have the vaccine. From January to March 2022, whilst staff will still be encouraged to have the vaccine, there will be a transition to 1:1 conversations and starting processes to redeploy or potentially dismiss staff.

7.2. Other priority steps are:

- Finalising understanding of risk and business continuity plans.
- Staff engagement.
- Developing our VCOD policy.

8. Recommendations

- 8.1. This report is mainly for information but the Trust Board is asked to note the contents of this report and in particular the next steps and overall timeframes.