



HC-ONE Mandatory Vaccine Group GMB Members Update

Date: 09/08/2021

GMB representatives attended the second meeting of HC-One mandatory vaccine group, this meeting is also attended by various levels of employees across the company.

Vaccine figures

HC-ONE has shared the updated vaccination figures across the company which indicates that over 90.7% of employees have at least had the first vaccine, a discussion took place on the number of people that are still not vaccinated, it was accepted that there are around 3,000 employees who have not been vaccinated across the company around half of which are currently not in work (sick, mat leave etc). Any persons leaving company will still be on list for approx. 4 weeks until data cleansing takes place.

Update on legislation

Guidance given by Dept of Health in England only, now final version provided. Medical exemption refers to the [Green book, chapter 14\(a\)](#), exemptions are limited to:

1. Clinical trials.
2. Previous serious allergic reaction to previous vaccination.
3. Tested positive with covid in last 4 weeks.

It is not expected any other exemptions will be accepted.



GMB's Challenges to HC-One

GMB went through the proposals and the draft policy in line-by-line detail with the Employer, and raised the following questions, which we produce as minutes here for members' information.

Scotland & Wales

GMB: **What about Scotland & Wales?**

HC-One: Nothing in Scotland and Wales changed since last week.

GMB: **Will be any difference in the policy to reflect the differences to legislation in Wales & Scotland as this is not mandated?**

HC-ONE: Policy is based on England legislation so that it is one approach to vaccination the decision was made before the UK government had made the announcement that it was going to mandate. HC-One believe this is the kind and ethical thing to do.

GMB: **What changes can be made if any for those employees working in Wales & Scotland, the purpose of consultation is to make changes before a decision is made, HC-One failed to consult with us before deciding the company stance, if GMB cannot make any improvements for those working in Wales & Scotland where there is no mandate from government is there any movement to make changes within the policy?**

HC-ONE: There is if needed, purpose of group, the decision to make this condition of employment has been made, purpose is how. For group to consider if changes should be made. Under 18s has now been finalised so that 16-18 can also be vaccinated.



Draft policy

Equality Impact assessment statement standard paragraph within HC-One documents

GMB: **Has an Equality Impact Assessment been carried out?**

HC-ONE: An EIA had not been carried out. We will take this as an action and add additional advice to the policy.

– The date was changed to 16th Sept from 13th for first vaccine, to realign with legislation in England & 11th Nov for 2nd vaccine. Members will be informed.

GMB: **The date for PILON given to staff in England is 16th Sept if not vaccinated, what is the process for Wales & Scotland?**

HC-ONE: Will be looked at on an individual basis.

GMB: **How is that possible if policy is the same across borders, GMB needs to be able to advise and represent members across the country, need to understand policy.**

HC-One: Discussion took place over how Wales & Scotland employees will be treated at the end of the period; HC-One asked if GMB wanted all staff to be treated the same.

GMB: **We're clear that we do not want any staff member dismissed over the fact that they can't/won't take vaccine, GMB advised that members were very upset about what was happening and that HC-One is not clear on their own stance across the devolved nations then this does not help, clear communication is essential.**

GMB maintain that there should be no dismissal for any pregnant worker who has chosen not to vaccinate because they are fearful of

the effects and want to protect their unborn baby or those that may have medical conditions that cause them concerns but not been exempted should not be forced to be vaccinated when legislation does not impose. Need to be clear what company position is.

HC-ONE: We will take this as an action.

GMB: **Given that the deadline is less than a month away, this need to be clear now.**

Vaccination evidence

The DOH document show how members in Scotland and Wales can now evidence vaccine.

GMB questioned if this was only for travel and not for Employment purposes?

HC-One advised that the information was available to anyone.

In England NHS /ONLINE or paper copies available.

Declining vaccination

Discussion took place on possibly incorrect information being sent around about recruitment of new starters.

Medical exemptions evidence

GMB: **Policy states will be different for devolved countries, can you clarify this?**

HC-One Referred [to green book](#). Discussion took place on how this can be achieved, numbers are not too big. HC-One would reimburse for letters from GP, many people may not have advised company that they are medically exempt.

GMB: **What is the company position when member is medically exempt, what process will they go through?**

HC-ONE: Individual risk assessment will be carried out, to protect the unvaccinated employee. If the home is in outbreak need to make sure they are protected,

GMB: **Should that option be available to those that work in Wales & Scotland where this is not mandatory?**

HC- ONE: If medically exempt yes, the same process would apply.

GMB: **If someone has gone on mat leave after first vaccine, do they need second one before they return?**

HC-ONE: Yes, after 16th September they must have both before the return.

Breastfeeding - Group was asked for opinion on if this should be exempt.

GMB: **This is why EIA is an important tool and breastfeeding mothers are very concerned about the impact and assumed risks to their babies, many women would have already vaccinated but are unclear around any potential risk their child, that is a very real fear, even when the government state the vaccine is safe.**

This may well have to be tested at a tribunal, but GMB members have real concerns about how this, and these issues need to be carefully considered.

GMB: **Will people who are working from home be subject to mandatory vaccination?**

Chair asked group for opinion.



GMB: Policy is for staff that are entering Care homes, GMB do not see why these staff would need to be mandated.

HC-ONE: Company believes all employees under the provider should be vaccinated.

Stakeholder: They should be treated the same, even if you work from home.

HC-One Only handful of staff may be affected. There may be a need to look at issues on a case-by-case basis.

Long term sick and mat leave will need to be vaccinated before return and will be consulted with during the period of return to work.



Religious / philosophical belief.

GMB: EIA is important, issues of veganism or religious-based dietary restriction may exempt some due to animal products – this information should be factored into an Equality Impact Assessment.

HC-ONE: Will look into this. **Adjustments:** unvaccinated staff due to exemptions staff should be referred to Occupational health.

Absence after vaccination: will pay staff if unwell after vaccinated.

GMB: **Request for clarity on paid time off to be vaccinated: need to allow time off in work, paid.**

HC-One Will support staff to be vaccinated and transport to have the vaccine, taxi or minibus.

GMB: **This needs to be explicit in the policy.**

Question was asked if there could be a group set up to look at exceptional cases to review?

HC-One Stated that they would look at this proposal and consider.

GMB: Scope needs to include support for workers too.

HC-ONE: Trade Union representation, will draft letter that will state that members can be represented and will share with GMB.

Next steps, need to look at proposals and send back to group for agreeing.

Comms to go to managers, shared to group.

Data cleansing will need to be completed

1-1 meetings will start from 16th August members will be written to invite them to attend meeting.

If individuals change mind to become vaccinated at late stage or have been tested positive and cannot come back to work, then they would need to stay away from work until able to prove vaccination has been given.

GMB: **This absence should be at full pay and that employees should be put on garden leave until they are able to do this.**

HC-ONE: Agreed, and that it would be looked on a case-by-case basis.

KEY ACTIONS

HC-ONE

- Complete detailed equality impact assessment (EIA)
- Change deadline dates from 13th to 16th September
- Pilon
- Issue guidance on policy
 - Clarity of exemptions informed by EIA

Agenda for next meeting

Draft policy

Comms

Next meeting: **19th September @ 2pm**