



GMB union - response to Department for Health & Social Care Consultation on making vaccination a condition of deployment in the health and wider social care sector

Online form submissions

Which of the following best describes your opinion of the requirement: Those deployed to undertake direct treatment or personal care as part of a CQC regulated activity in a healthcare or social care setting (including in someone's home) must have a COVID-19 and flu vaccination?

Covid-19 Vaccination in Healthcare: NOT SUPPORTIVE

MAX 500 WORDS

GMB union are opposed to legally enforced medical procedures as a condition of employment. As stated previously in the submission made into the consultation on making Covid-19 vaccination a condition of employment in adult residential social care, we believe mandating workers to have the Covid-19 vaccine signals a heavy-handed and rudimentary approach from government. Instead, other more holistic approaches should be fully explored and implemented, including understanding and addressing many of the underlying reasons for vaccine hesitancy amongst a relatively small portion of the health and social care workforce.

GMB has proactively promoted the vaccine - running online public health sessions for members to access more information on the vaccine as well as circulating communications to our members from PHE and advice from the DHSC and NHS England. GMB believes government should be looking at what has been successful so far and where more can be done.

GMB surveyed our members in health and social care - 38% of respondents were from the ambulance service, 24% NHS, 27% social care including domiciliary care and the remaining 11% were from primary care, children's social care and private companies working within the NHS. The respondents are broadly split down the middle regarding mandatory vaccinations and 68% have already had both doses of the Covid-19 vaccine.

49% of respondents are not supportive of making the Covid-19 vaccination a condition of employment, 46% were supportive and 5% are unsure. This increases to 58% when asked the question as to whether this should also apply to workers who do not provide personal care or treatment. There were 54% who do not support extending this to those who are under 18 years.

Across the UK the vaccination rates of NHS, ambulance and social care staff vary. As of the 14th October NHS England weekly data on vaccinations shows that, in the NHS, 92.5% of staff have had their first vaccination and 89.3% have had both doses. We have also been advised by GMB Representatives employed in ambulance services that several ambulance service trusts have up to 12% of their workforce who do not want to be vaccinated.

When asked why they have not had the vaccine, 41% raised fears over the safety of the vaccines and had concerns about what long term effects the vaccine may cause on their health that are yet unknown. 11% have already had Covid-19 and do not understand why they should have to take it.

GMB has grave concerns about what the implementation of this will do to the staffing crisis that we are currently facing across the NHS and ambulance services. Both are operating under extreme pressures, after a decade of austerity and cuts, with an exhausted and demoralised workforce who are fearful of what is to come as we head through winter. Staff are already leaving their employment and this will certainly force many more to go, as we are currently witnessing in adult residential social care as a result of this legislative change to their employment.

Covid-19 Vaccination in Social Care: NOT SUPPORTIVE

MAX 500 WORDS

In the recent GMB survey of our members in health and social care - 49% of respondents are not supportive of making the Covid-19 vaccination a condition of employment, 46% were supportive and 5% are unsure. This increases to 58% when asked the question as to whether this should also apply to workers who do not provide personal care or treatment. Most respondents at 54%, do not support extending this to those who are under 18 years of age.

The 14th October NHS England weekly data on vaccinations shows that 94.3% of the workforce in older adult care homes have had their first vaccine and 88% have had both doses. Uptake reduces slightly in the wider social care sector.

GMB has grave concerns about what implementation will do to the staffing crisis that we are currently facing across social care. There has been a huge staffing crisis across social care for years as all Governments have failed to address the low pay and terms that the workforce is faced with. GMB is calling for a minimum £15 per hour wage for the social care workforce and access to contractual sick pay. This is the only way the recruitment and retention crisis will be addressed. Workers in social care are exhausted and demoralised and many have already chosen to leave employment for work in other sectors.

We are already witnessing the impact of this policy on adult residential care and GMB is predicting as a result of the mandatory legislation that comes into effect on 11th November 2021, we will be faced with 170,000 staffing vacancy by the end of the year. If this policy is extended across wider social care, that estimate will be significantly lower than what the reality will be that we are faced with. We note that research funded by the Department found that inadequate sick pay was a significant predictor of

higher infection rates in care homes, and addressing this chronic problem should be a immediate priority for the DHSC and wider Government.

GMB believes that Government focus should be on ensuring Covid-19 risk factors are managed through ensuring testing, social distancing and ventilation measures continue to be in place as well as a more comprehensive approach to persuading the public, including care workers to take the vaccine. The Equality and Human Rights Commission (EHRC) in their response to the Covid-19 status certification review said employers must make sure that making vaccinations mandatory is 'objectively justified' and 'applied in a proportionate manner'. We do not believe these conditions have been met.

We oppose attempts to make the vaccine mandatory for workers while the government has failed to take all steps to encourage vaccine take up. Ministers have previously acknowledged that any steps would be discriminatory.

Flu Vaccination in Healthcare: NOT SUPPORTIVE

MAX 500 WORDS

In the recent GMB survey of our members in health and social care - 56% of respondents stated that they are not supportive of making the flu vaccination a condition of employment, 36% were supportive and 8% are unsure. 92% of respondents have not had the flu vaccine. The reasons given as to why they have not had the vaccine included 58% not wanting it, 10% not believing that they need it and 7% worried about potential side effects. This increases to 67% when asked the question as to whether this should also apply to workers who do not provide personal care or treatment. There was also a majority of respondents at 60%, who do not support extending this to those who are under 18 years of age.

GMB union has concerns over the growing precedent of workers having to declare their medical history, or the state legally requiring individuals to have what is a medical procedure before they can work in a profession. We believe this could be the thin end of the wedge with the government coming under pressure from a whole range of other sectors demanding the same. There are fundamental human rights issues to consider, including the right to privacy. Further to that, there is a risk that vaccination status becomes a substitute for managing infection risks.

We also understand that NHS Employers do not support the mandating of the flu vaccine for their employees and a letter has been sent to the Minister of Health jointly with unions on the Staff Council to state this. If unions and employers are raising together the potential damage this policy could impart on the health service, then Government should listen and not pursue this damaging policy.

GMB has consistently, alongside other health union, refused to support any proposals to mandate flu vaccination across healthcare. We will continue to do so.

Flu Vaccination in Social Care: NOT SUPPORTIVE

MAX 500 WORDS

GMB union would argue that the government needs to take a different approach and not impose any mandatory vaccines and instead look at alternative ways of increasing uptake. Health and care workers must have a choice over what vaccines they have. Government must ensure public health support services are in place to have a genuine dialogue around concerns. The effectiveness of public health communications to date must be reviewed and attention given as to how the health and social care workforce can access advice.

The care sector went into the Covid-19 pandemic with a staff vacancy rate that was estimated at around 7.3% in England in 2019/20 which is equal to approximately 112,000 vacancies at any one time. In London those figures were higher with a vacancy rate of 9.5% throughout 2019/20. Legally mandating care workers to have the vaccine will mean potentially more workers leaving the profession, and the National Care Association has warned that vacancies could rise to 170,000 by the end of the year.

If GMB survey results are borne out across England where 54% of health and care workers that responded said they would consider leaving the profession if the government mandated vaccinations and 13% maybe considering it, you are in danger of an even worse staffing crisis. More workers will leave the profession, many already are.

Hospitals won't be able to offer safe standards of care, the ambulance service will struggle even further to respond and social care service users will be hugely impacted. The lack of any serious public health communications strategy to address Covid-19 and flu vaccine hesitancy within the health and social care workforce has played its part in why some are still choosing not to be vaccinated. Most social care workers have not received any dedicated public health communications or access to public health support services to speak with professionals or trusted individuals, beyond messages from their employers. Communications have been limited without detail or without any meaningful interchange to address hesitancy.

Which of the following best describes your opinion of the requirement: Those under the age of 18, undertaking direct treatment or personal care as part of a CQC regulated activity (in a healthcare or social care setting, including in someone's home), must have a COVID-19 and flu vaccination?

Covid-19 Vaccination in Healthcare: NOT SUPPORTIVE

MAX 500 WORDS

The majority of respondents to the GMB survey at 54% do not support making the Covid-19 vaccination mandatory for those who are under 18 years of age and working in healthcare.

Covid-19 Vaccination in Social Care: NOT SUPPORTIVE

MAX 500 WORDS

The majority of respondents to the GMB survey at 54% do not support making the Covid-19 vaccine mandatory for those who are under 18 years of age and working in social care.

Flu Vaccination in Healthcare: NOT SUPPORTIVE

MAX 500 WORDS

The majority of respondents to the GMB survey at 60% do not support making the Flu vaccine mandatory for those who are under 18 years of age and working in healthcare.

Flu Vaccination in Social Care: NOT SUPPORTIVE

MAX 500 WORDS

The majority of respondents to the GMB survey at 60% do not support making the Flu vaccine mandatory for those who are under 18 years of age and working in Social Care.

Are there particular groups of people, such as those with protected characteristics, who would particularly benefit from COVID-19 vaccination and flu vaccination being a condition of deployment in healthcare and social care?

No.

Are there particular groups of people, such as those with protected characteristics, who would be particularly negatively affected by COVID-19 and flu vaccination being a condition of deployment in healthcare and social care?

Yes.

Which particular groups might be negatively impacted and why?

MAX 500 WORDS

In the recent GMB survey, 34% of respondents raised concerns about potential negative impacts on workers with protected characteristics.

Age - younger workers may feel they do not need the vaccine as they are the least vulnerable to Covid-19 and flu.

Black Asian and Minority Ethnic workers - according to the latest figures from Skills for Care, nationally 21% of the adult social care workforce is from Black, Asian and minority ethnic backgrounds and the figure in London is 67%. This is compared to 14% across the whole of the overall population. Also, 12% of the workforce is from Black/African/Caribbean and Black British backgrounds, compared to 3% in the whole population. It has been well documented throughout the pandemic that vaccine hesitancy is more prominent amongst this group of workers. Significantly in London, where vaccine take up is lowest in the profession, there is a significant proportion of the workforce from Black, Asian and minority ethnic backgrounds compared to other regions of England or the UK. Forcing vaccination on concerned BAME or women workers creates potential direct or indirect discrimination. We have had concerns raised with us from people of different religious backgrounds. During one focus group we held, a care worker from a Sikh background raised the issue of NHS information on the Covid-19 vaccine referring to the vaccine being Halal and this being an issue for Sikhs that do not consume Halal.

Women - those who may be considering starting a family have concerns about the vaccines potential impact on their fertility. Pregnant women also continue to have concerns regarding the safety of the vaccine. Information issued at the start of the pandemic advising them not to take the vaccine have stayed in people's minds. Therefore, even though pregnant women are now being advised to take the vaccine, many still do not feel safe to do so and have genuine concerns for the health of their unborn babies. Also, in social care, the workforce is predominantly female, therefore this causes a bigger issue for women in comparison to more male dominated professions. 82% of the adult social care workforce are women.

Disability - some may be vulnerable to potential side effects resulting from the vaccines.

Do you think a vaccination requirement policy could cause any conflict with other statutory requirements that healthcare or social care providers must meet?

Yes.

Please give further detail on other statutory requirements that a vaccination requirement policy could conflict with.

MAX 500 WORDS

If staff continue to leave the NHS, ambulance services and social care, this will have a worsening impact on the crisis that we are already facing.

Patients and service users will not be able to access the level of care and treatment that they need. Ambulance services are already operating under extreme pressures with some of the worst response times since records began. People are waiting for many

hours for ambulances and then upon arriving at hospital they are having to wait in the back of ambulances for hours before beds are made available.

This is not the level of care that people deserve or should be receiving.

Social care staffing levels will impact on the care that is being delivered in service users homes. Without the right level of care being available, people will be forced out of their homes and into hospitals or care homes, further exacerbating the crisis in both hospitals and care homes. There are already some care providers responsible for residential social care homes that are having to turn away new service users due to being unable to offer safe levels of staffing.

What could the government do to encourage those working in unregulated roles to have the COVID-19 and flu vaccine?

MAX 500 WORDS

In the recent GMB survey, 28% stated that better access to up to date and accurate information would assist. 17% of respondents stated that improved access to the vaccines would help, as would access to local vaccine champions 14% said.

Ultimately, the Government have not done enough to understand and address the many varied reasons for vaccine hesitancy. People need to be able to speak to someone to ask questions and raise their concerns. This advice needs to be accessible in a wide variety of ways and times of the day that suit people's working patterns. 74% of respondents stated that they have not been offered access to support or advice to talk through their concerns regarding the vaccines. Paid time off to seek advice should be given. Paid time off should be given to get the vaccines. 34% of respondents reported to GMB that they were unable to access either the Covid-19 or Flu vaccine at their place of work. Guaranteed full paid sick leave should be given in the cases of negative side effects from the vaccines that result in people needing time off work. 25% of the people who responded to the survey stated that they would lose money if they had to take time off due to side effects from the vaccines.

We would welcome any comments you may have relating to Annex B - proposed addition to the code of practice - criterion 10

MAX 500 WORDS

The requirement of individuals having to prove their vaccination status to their employers could raise concerns regards what can be expected reasonably for an individual to disclose of their personal data and also lead to potential data breaches.

The process will also cause a great deal of additional administrative work for employers to check the details of all staff, not only when they have been vaccinated, but when they have received any boosters. This could potentially result in errors being made and staff being suspended or dismissed unfairly.

There is also no evidence to explain why people who exempt from vaccinations are any safer to offer patient care when compared with their non vaccinated colleagues. Risk

assessments and appropriate mitigations are advised for medically exempt workers and this should be guaranteed for all workers in health and social care.

We welcome any further comments you may have relating to this consultation.

MAX 500 WORDS

We are disappointed with the consultation which we do not consider to be meaningful. The consultation is designed with restrictive tick boxes and word limits to get a positive outcome for what the government has already decided it is going to do.

We worry bad employers will use this to save costs, cut corners and not ensure all health and safety measures are in place and maintained especially testing, ventilation, social distancing and PPE.

We know that Covid transmission remains a live hazard at all times especially as new Covid variants are discovered. There has been a very limited public health campaign from government around ensuring the public and employers know that they need to ensure these health and safety measures are kept in place as the vaccine rollout continues and restrictions lift. Public health communications are focusing too solely on getting the vaccine and GMB believes this should be part of a wider public health strategy that includes the need to ensure other measures such as good ventilation, mask usage, testing and social distancing are kept in place.

GMB believes the policy of mandating health and care workers could be difficult, time consuming and potentially unworkable to enforce. Further still it is difficult to explain to health and care workers why they must be vaccinated whilst those who may visit may not have had the vaccine.

GMB surveyed our members in care to investigate the mental health impacts of work during Covid-19: the results showed that between September and October 2020 care workers reported anxiety levels that were 35% higher than all employers, by December to January 2021 the gap had grown to 44%.

Many GMB members who we have spoken to on this issue feel they are being singled out unfairly. They are genuinely in fear that they will lose their jobs as a result, but they are ready to do so if this is what the government imposes. With the correct levels of PPE and appropriate social distancing and ventilation, alongside social distancing measures and regular testing, there should be no need to mandate the workforce to have vaccinations.