

Covid 19 - Additional guidance issued by Napo to members employed by Cafcass

Preamble

Napo has worked alongside Cafcass in the production and refinement of the suite of policies and guidance that have been made available to Cafcass staff. While many of our suggested amendments have been incorporated into the documents issued by Cafcass, there remains some matters that in our opinion have not been appropriately addressed. Consequently, we are offering this additional guidance, which should be read alongside the Cafcass documents, to assist members to remain safe at work.

We remind members that their right to a safe working environment is enshrined in legislation and no one is obliged to work in an unsafe working environment. (sections 44 and 100 of the Employment Rights Act are attached

Individual risk assessments

All members of staff should consider the individual risk assessment document. It may not be necessary for all staff to complete this process, but you should be familiar with the contents and satisfy yourself that you do not have “additional vulnerabilities”. We recommend that all members of staff who identify with BAME communities complete this risk assessment. Cafcass has also informed Napo that this is the place that you should record if any member of your household falls into a vulnerable group and this consequently affects your level of individual risk.

Meeting Children and families in person checklist

Consider the venue for your meeting and in particular where you are best available to control variables such as who will be present, ventilation, space to ensure 2m distancing, access and egress.

Consider what information is available on local transmission rates. Do any schools or other premises remain closed?

Staff should consider the circumstances of the family being visited and whether there are factors such as substance misuse which may impact upon their compliance with social distancing. They should also consider whether there are any other characteristics, for example a history of aggression, violence or mental health difficulties, that may make them less likely to comply with safe arrangements during the visit.

With regard to the advice to consider taking a colleague with you to a meeting when there is a risk of aggression. We would want to emphasise that a detailed risk assessment should be completed. If a risk of aggression remains it would be rare to conclude that such a meeting should take place in a service users' home, rather consideration should be given to whether a meeting can safely take place at a location such as a Cafcass office, solicitors office or the court. If you are considering asking a colleague to attend, you should ask yourself how their attendance may reduce the risk of aggression and transmission of Covid 19.

Staff should consider their commitments following the visit and whether they will be able to return home and follow the guidance to remove outer clothing and wash.

Attending a visit

Staff should exercise caution if children are using their lap top and ensure that they are able to sanitise the equipment before continuing to use it.

Avoid or limit direct contact with surfaces where the virus can be transmitted.

If you are informed when arriving at a meeting that somebody in the household has developed symptoms or has been told to isolate after being contacted by track and trace, in accordance with Cafcass guidance you should consider whether the meeting should go ahead. We cannot identify any situation where it would be safe for such a visit to proceed.

Consider use of disposable plastic coverings for use at venues and in your car.

What should I do if I have concerns or there is a disagreement with my manager?

The Employment Rights Act 1996 refers to an employee's rights where he/she assessed that they are in immediate or imminent danger. We trust that staff will not be pressured to complete work in dangerous circumstances and Napo will offer guidance in such an eventuality.

Any issues arising should in the first instance be discussed with your line manager and if appropriate recorded as an incident on Assess Net. In the event of the issue remaining unresolved or their being disagreement with your manager contact your local H & S rep* or one of the Napo Co-Chairs Nicki Kenny nicola.kenney@cafcass.gov.uk or Steve Hornby steve.hornby@cafcass.gov.uk

**Napo H& S reps are trained and supported by Napo but have a role in relation to all members of staff regardless of their membership of Napo. For more information about Napo please visit our website www.napo.org.uk*

Nicola Taylor-Ebong & Jay Barlow
National Vice-Chairs Cafcass

Ian Lawrence
General Secretary

9th July 2020

Section 44 & 100 ERA 1996

Individually Framed Rights

(i) 'in circumstances of danger which the employee reasonably believes to be serious and imminent and which they could not reasonably be expected to have averted, they left (or proposed to leave) or (while the danger persisted) refused to return to their place of work or any dangerous part of their place of work'; or

(ii) 'in circumstances of danger which the employee reasonably believed to be serious and imminent, they took (or proposed to take) appropriate steps to protect themselves or other persons in danger.'