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HSP XXX - Corporate Overseas Travel Policy

(Health Safety and Wellbeing)

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(Health Safety and Wellbeing)

CONTENTS

1. Introduction
2. Policy Statement
3. Purpose of the policy
4. Scope
5. Definitions, terminologies and legal responsibilities
6. Interactions with other policies and guidance
7. Responsibilities
8. Monitoring & Review

1. Introduction

Globalisation and the search for new business opportunities are encouraging organisations to send more and more workers abroad on business. This policy articulates the City of London Corporation's organisational arrangements when sending employees (and others) on short business trips or when posting them overseas for longer periods.

The City Corporation proactively encourages overseas travel which supports the Square Mile, and a diverse and sustainable London within a globally successful United Kingdom (UK).

Employees and other workers (and students) may travel and/or work overseas. Most of the tasks undertaken are no riskier than the equivalent activity in the UK, however at times the work may take place in countries or parts of countries where the Foreign and Commonwealth Office (FCO) advises against travel. At present, terrorism is a global concern which can occur at any time and British nationals/ex-pats have been the target for such attacks.

No one will be expected to travel to a country where there are legitimate concerns about personal health or safety as advised by the FCO.

This policy with subordinate guidance outlines the steps needed for safe management of overseas activities. It applies to work carried out by employees and others (working alone or with colleagues), by students and staff (as part of a course of study), and includes activities undertaken by and on behalf of the Lord Mayor. It should be noted that the City Corporation extends the organisation's legal duty of care standards as applied in the UK to those travelling abroad and will provide suitable information, training, support and equipment to minimise the risks as far as is reasonably practicable.

1. Policy statement

To consistently meet its duty of care and mitigate the risk of its conduct being found to be unreasonable, the City of London Corporation has developed this policy for overseas travel (health and safety).

There is a strong case for those who have employees and others regularly travelling and working overseas to maintain a working overseas policy that addresses the risks to health, safety, welfare and security, and defines a level of care. This is the policy of the City Corporation.

2. Purpose of the policy

This policy provides a framework within which the City Corporation will encourage and support safe and secure overseas working and travel consistent with our vision and corporate objectives.

3. Scope

This policy applies to all employees and others who are working overseas on our behalf. It also applies to anyone directly involved, with or affected, by overseas travel working under our direct control. This includes overseas travel undertaken by, and on behalf of the Lord Mayor, as well as educational visits overseas involving students, and other non-employees such as appointed parent helpers.

This policy does not apply to situations where non-work activities are undertaken in a private capacity overseas. For example, where a staff member arranges and engages in 'hazardous' activities such as skiing or diving in their own time.

5. Definitions, terminologies and legal responsibilities

5.1 The Law

The City Corporation has a statutory duty under the Health and Safety at Work (HSWA) etc. Act (1974) to ensure the health, safety and welfare of all its employees. The Act also places a general duty on the employee to co-operate with his/her employer to enable that duty to be complied with. The City Corporation will support and promote policies and practices which uphold this statutory duty and any statutory requirements made under the Act including the duty to undertaker risk assessments.

5.2 The Law Overseas

The HSWA 1974 does not apply overseas; such work is subject to the health and safety legislation of the country concerned. However, there are good reasons to ensure employees and others do not work to a lower standard of health and safety just because they happen to be working abroad. The obvious benefits of this include, inter alia, avoiding harm to employees and other workers, preventing financial losses and absence from work.

A number of civil cases in relation to the employer's duty of care for employees while overseas have highlighted the need to take all reasonable best practice precautions to ensure the safety and security of employees on overseas assignments. An employee working overseas who suffers an injury or ill health as a consequence of the way their visit has been organised could potentially claim for compensation. Similarly, claims could also be made under civil law for any injuries to the non-employees such as children on a school trip due to negligence.

5.3 Laws and Culture

Every country has different cultures and laws. Actions that would be innocent in the UK may have serious consequences in other countries, e.g. drinking alcohol or even dropping litter. The consequence of violations of local standards can range from quiet disapproval to criminal charges and punishment. Employees and students should be briefed on how local laws and standards compare with those in the UK, together with religious differences and customs, so that they can avoid inadvertently causing offence.

5.4 Equalities – Equality Act 2010

The City Corporation is committed to equality and continues to strive to increase the diversity of our workforce. This Overseas Travel Policy (health and safety) is designed to help ensure that the City Corporation proactively fulfils our duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people (both employees and others) who share a protected characteristic and those who do not.

All employees have a right to speak out and expect support should they have any concerns on the grounds of any protected characteristic as per the Equality Act 2010 (such as sexual orientation, race, sex and gender reassignment). Specifically:

- Employees will not suffer a career detriment if they decline travelling abroad following a risk assessment because of concerns in relation to a host country's customs and laws.
- That LGBT employees and those sharing any other protected characteristic can receive support from their manager with visa/immigration considerations and cultural differences.

6. Interactions with other policies and guidance

This Policy supports and is aligned with other City Corporation policies and guidance which offer further guidance to staff in relation to health and wellbeing, including but not limited to:

- Health Safety and Wellbeing Policy
- Security Policy (People)
- HSG 60 - Health and Safety Guidance for Overseas Travel
- Equal Opportunity Policy
- Business Travel Policy (City Corporation)
- Sickness Absence Policy
- Stress Risk Assessment (Guidance)
- Employee Assistance Programme
- Union Recognition
- Working Time Regulations (Guidance)
- Managing Shift Work (Guidance)
- Staff Emergency Number (Resilience team 24/7 contact 02073323388)

This Overseas Travel Policy (Health and Safety) should be read in conjunction with other key City Corporation documents including the above. Where necessary reference should be made to:

- BS 8848:2014 *Specification for the Provision of Visits, Fieldwork, Expeditions and Adventurous Activities Outside the United Kingdom*
- PAS 3001:2016 *Travelling for Work — Responsibilities of an Organisation for Health, Safety and Security — Code of Practice*

Attention is drawn to:

- Foreign & Commonwealth Office
<https://www.gov.uk/government/organisations/foreign-commonwealth-office>
The Foreign & Commonwealth Office website provides up-to-date information for people travelling overseas.
- International SOS Foundation
<https://www.internationalsosfoundation.org>
The International SOS Foundation seeks to improve the welfare of people working abroad through the study, understanding and mitigation of potential risks. It publishes various guidance documents on overseas travel.
- Stonewall Workplace Briefings for advice (LGBT Employees) -
<https://www.stonewall.org.uk/global-workplace-briefings>

7. Responsibilities

7.1 Responsibility of the City Corporation

The City Corporation is responsible for:

- Ensuring that robust overseas travel policy and organisational arrangements are applied in respect of health and safety, security and wellbeing so that reasonable best practice precautions are applied
- Ensuring that consistent health and safety standards for overseas travel are articulated and enforced to ensure that an appropriate duty of care is met, and to mitigate the risk of conduct being found to be unreasonable

7.2 Responsibility of Chief Officers, Head Teachers, Directors and other Senior Officers

The Chief Officers and other Senior Officers are responsible for ensuring that robust management arrangements and procedures are in place for overseas travel in respect of health and safety as well as security and wellbeing. In the day-to-day management of health and safety matters within the various, departments and institutions, the responsibility lies with the senior operational manager. For example, in our independent schools the Governing Body will authorise educational visits, but the Head Teacher will delegate operational responsibility to the Educational Visits Coordinator (EVC). Tasks can be delegated; responsibility cannot.

Where more than one department send staff overseas on the same visit, a lead department will take responsibility for the overall planning, coordination and travel management.

7.3 Overseas travel in respect of the Lord Mayor

The Executive Director for Mansion House and Central Criminal Court is ultimately responsible for overseas travel undertaken by the Lord Mayor. However, operational responsibility may be delegated to the Senior Programmes Manager, where necessary in collaboration with the department of Innovation and Growth (IG).

7.4 Overseas travel by the department of Innovation and Growth (IG), Town Clerks

The Director of IG is ultimately responsible for overseas travel of its staff. However, operational responsibility may be delegated to the Deputy Director and/or the Trade and Investment Director.

IG are also responsible for travel undertaken by the Chair of Policy and Resources, where necessary in collaboration with the Mansion House (Programmes).

7.5 Overseas travel by other institutions including the Barbican and Guildhall School

The Director of the Barbican and Principle are ultimately responsible for overseas travel in their respective institutions. However, operational responsibility may be delegated to appropriate Senior Officers with power, authority, and budgetary control.

7.6 The responsibility of managers for overseas travel

Managers are responsible for:

- preliminary (initial scoping) risk assessments of overseas working / travel;

Note: If a significant risk* associated with the overseas work is believed to exist, one of the following actions should be taken:

- Stop the proposed overseas visit.
- Modify the visit so the high-risk aspects can be avoided.
- Conduct a full risk assessment of the high-risk tasks; this may involve visiting the site to assess the risk

***Significant risks:** those that are not trivial in nature and are capable of creating a real risk to health and safety which any reasonable person would appreciate and would take steps to guard against

- ensuring a risk assessment is done, mitigation in place prior to authorising the travel;
- defining clear roles for employees and ensuring that the employees and others are competent to undertake their roles;
- fulfilling any required training needs and arrangements for induction to the host countries;
- detailed planning to ensure that all issues that may need to be considered in detail, both as part of the full risk assessment and in planning are considered before departure;
- health and safety arrangements for working abroad are in place. This may well include induction to host countries, travel arrangements, pre-departure measures such as inoculations, work equipment, personal safety and security arrangements etc.;

- Management arrangements for all non-employees including students and designated adult assistants;
- Arrangements for monitoring and review including debriefing and learning lessons;
- Agreed system of communication and robust emergency arrangements

7.7 Responsibilities of all employees and other workers

All employees have a responsibility to take care of their own health and safety and that of others who may be affected by their actions. This includes:

- taking responsibility for their own health safety and wellbeing including following the agreed systems and procedures;
- raising concerns with their manager line manager whenever necessary, and reporting all accidents, incidents and ill-health incidents;
- being sensitive to the local laws and customs of host countries;
- participating in appraisals and responding to training and development needs;

7.8 Responsibility of Human Resources

Human Resources is responsible for:

- providing appropriate advice and guidance to managers and employees in respect of Human Resource issues arising from or in connection with overseas working

7.9 Responsibility of the Health Safety and Wellbeing Team

The Health Safety and Wellbeing Manager is responsible for:

- providing guidance on risk assessments;
- conducting audits on the management of overseas travel through the audit programme;
- providing health safety and wellbeing advice in relation to overseas working / travel

7.10 Responsibility of Occupational Health

The Occupational Health Service is responsible for:

- Providing advice at recruitment regarding fitness to work and reasonable adjustments;
- Advice in relation to return to work following ill health or injury;
- Facilitating referral to in house rehabilitation and external support networks;
- Offering timely appointments for work related health issues on management referral and providing reports on functionality and reasonable adjustments;
- Conducting statutory health surveillance and advising on statutory requirements in relation to risk assessment and the prevention of work-related ill health;

7.11 Strategic Director (Security), Town Clerks

The SDS can provide and/or secure specialist security advice upon request. In their absence the Head of Security from City Surveyors department can assist.

7.12 The Insurance Team, Chamberlains

The Insurance Team will provide specialist advice and guidance in relation to all matters relating to insurance requirements for overseas working / travel undertaken on or behalf of the City Corporation.

8. Monitoring & Review

The Health Safety and Wellbeing Team has lead responsibility for reviewing this policy and reporting to the Corporate Health Safety and Wellbeing and other committees as required including the People Security Policy Board.

This Policy will be reviewed on a regular basis.

Revisions

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