

Inaugural meeting of the Business Advisory Network for Flu

Tuesday 30th June 2009

Business Innovation and Skills, 1 Victoria Street, London

What is the Business Advisory Network for Flu (BANF)

The Business Advisory Network for Flu provides a formalised network administered by the Cabinet Office that:

- Ensures the delivery of advice and guidance needed by business groups and individual firms to allow them to undertake their own planning.
- Passes back feedback from firms and business groups on the questions they have and the issues they would wish to see addressed.

BANF assists in the delivery of co-ordinated advice to employers and a conduit for two-way communication. The network is based on the existing forums maintained by sector sponsor government departments and within the UK's devolved administrations, adapted to fit the present circumstances. Information and guidance is sent to these departments and Devolved Administrations for onwards transmission to business groups and individual firms.

Business Continuity Management

Organisations without a business continuity plan are encouraged to consider acting now to prepare themselves for possible disruption. For these organisations, the following resources may be of use:

- [Cabinet Office Pandemic Influenza Checklist for Businesses](#) provides a checklist of important and specific activities organisations can do to prepare for a pandemic as well as more general guidance.
- [Cabinet Office Business Continuity Tool kit](#) is designed to assist organisations to put in place business continuity arrangements. The toolkit is a step-by-step guide to the six elements that make up the business continuity lifecycle as set out in the Business Continuity Management standard BS 25999.

BANF Meetings

The Business Advisory Network for Flu met on 30th June 2009 providing an opportunity for business groups and individual firms to receive a briefing on the current situation and the chance to make comments and raise questions.

Over 130 sector representative bodies and individual businesses attended. The following material provides a record of the questions and issues raised by business groups and individual firms at this meeting. The slide pack can also be downloaded from [here](#).

Future meetings

The Cabinet Office intends to hold future meetings of the Business Advisory Network for Flu subject to requirements and how the Pandemic develops. Details of these future meetings will be communicated through the network.

Presentations

Civil Contingencies Secretariat
Business Continuity Institute

Frequently Asked Questions from BANF

At the inaugural meeting of the Business Advisory Network for Flu, held on the 30th June 2009, business groups and individual firms were given the opportunity to ask questions and raise issues to the Cabinet Office. The following provides a record of the issues and question raised:

Resilience of critical infrastructure	3
Quarantine of businesses/ locations	3
H1N1 Virus incubation period	4
Telecommunications resilience	4
WHO Pandemic Phases	5
Insurance	5
Working Time Directive and Drivers Hours Regulations	6
Antivirals and vaccines	8

Resilience of critical infrastructure

What national engagement is taking place with Critical National Infrastructure operators?

Many operators of Critical National Infrastructure are members of the wider resilience community as Category 2 responders under the Civil Contingencies Act 2004, and are therefore engaged at various levels of response within the UK. Those organisations with links with Local and Regional Resilience Forums will be working in partnership with other organisations in response to the outbreak of Swine Flu. In addition, Government Departments are keeping contacts in the critical national infrastructure community apprised of the situation.

The threat of an Influenza Pandemic has been with us for some time. Over that time operators of critical infrastructure and providers of other essential services have been involved in the preparedness work to improve our capability to manage a pandemic. This extensive work means the UK is one of the best prepared countries in the world for a Pandemic; there is no indication that the current outbreak will disrupt the provision of essential supplies.

Quarantine of businesses/ locations

Will Government tell businesses to close down during the pandemic or stop people travelling to work?

The Government does not intend to advise closure of businesses or the cancellation of mass gatherings, although clearly, staff or attendees should be encouraged to stay at home if they are ill. Decisions to close businesses or cancel mass gatherings are for the business or event organisers to take.

The Government does not intend introducing any restrictions on internal or international travel.

When considering operational changes to the business, organisations should take account of any potential impacts on the delivery of key products and

services. Businesses are urged to act proportionally to the situation that they face.

H1N1 Virus incubation period

What is the incubation period for Swine Flu?

HPA's current advice indicates that the incubation period for Swine Flu can be up to 7 days but most likely to be between 2 and 5 days. It is, however, too early to be able to provide any details on virus characteristics, including incubation period, with absolute certainty at this time. As more information becomes available, this will be communicated.

People are most infectious to others soon after they develop symptoms though they can continue to shed the virus, for example, in coughs and sneezes, typically for up to five days (seven days in children). People become less infectious as their symptoms subside, and once symptoms are gone, they are considered no longer infectious to others.

Further information relating to the virus, including incubation periods can be found on the NHS Choices website:

<http://www.nhs.uk/Conditions/Pandemic-flu/Pages/Introduction.aspx>

Telecommunications resilience

Given the potential number of additional staff across all UK businesses who will be asked to work from home, what is the view of the providers of Broadband and other infrastructure suppliers to support these requests? Will they be able to manage this extra workload?

Broadband and infrastructure providers believe that it is unlikely that the number of people asked to work from home would impact significantly on broadband provision nationally. However, when connecting into an office network remotely, there are several points within the network where congestion can occur. As part of their contingency planning, businesses should ensure with suppliers that they have contracted for appropriate infrastructure equipment and have selected a suitable package to meet their remote office working needs.

In the provision of Broadband/internet services, to what extent will the major telecoms providers prioritise organisations within the Critical National Infrastructure?

The major telecoms providers will concentrate on maintaining existing services in the event of staff shortages caused by swine flu. All organisations should consider their likely capacity for home working as part of their ongoing business continuity planning. Organisations should speak to their suppliers to understand their individual contractual arrangements regarding the provision of broadband services.

WHO Pandemic Phases

What are the current WHO and UK Alert Levels?

We are currently at WHO Phase 6 (announced by WHO on 11 June 09), meaning that a pandemic has been declared. A "pandemic" simply means that an influenza virus, new to humans, has appeared, is spreading and is causing disease in many parts of the world.

The criteria for making this declaration are based on the geographic spread of the virus and not its severity. Phase 6 was declared because of clear evidence of sustained community transmission in countries outside North America and Mexico.

Our response is based on the situation here and our preparations are well advanced – indeed the WHO has recognised that we are one of the best prepared countries in the world for a pandemic. The move to Phase 6 does not change our overall assessment that, so far, the virus is generally mild in most people, but proving more severe in a small number of cases.

Now WHO has moved to Phase 6, what is the process for determining the UK Alert Level?

Many organisations have found the UK Alert Levels (1= no cases in the UK, 2= virus isolated in the UK, 3= outbreaks in the UK, and 4 = widespread in the UK) useful as a planning tool, however, the Government response has been based on the situation on the ground; UK Alert Levels are primarily for planning purposes and the Government will continue to issue advice to both health and non-health sectors on the appropriate level of response.

Organisations should continue to make preparations for disruption to their business and ensure that their response is commensurate to the situation.

Insurance

Will my organisation be insured against a Pandemic?

Disruption caused by a pandemic is unlikely to be covered under most business interruption policies. It is therefore essential that businesses put appropriate business continuity planning in place to minimise the impact of a pandemic on their business.

Basic business interruption (BI) cover and most BI policies are offered as an extension of a property insurance policy, and will only be activated when the insured's own premises suffer physical damage. There may also be some policies that will cover other causes of disruption such as denial of access. However, these are generally offered as specific extensions to standard property insurance, and will be tied to business interruption resulting from property damage.

BI policies do not cover disruption caused by large amounts of staff, absence where there is no damage to property. Insurance policies provide the customer with protection against disruption due to damage resulting from a specific insurable event, such as a fire or a flood. These policies are designed to minimise the financial impact of an event while damage is repaired and full capacity is restored to the business. Pandemic flu is an

anticipated risk and insurers will expect appropriate continuity plans to be in place. Organisations should discuss their own circumstances with their insurers directly.

Business Interruption policy says I may be covered if I lose revenue because of the presence of a "notifiable disease". Is this relevant in light of this current swine flu outbreak?

Some Business Interruption policies can be extended (for additional premium) to cover loss of revenue, etc. if the building has to be closed because of the presence of a "notifiable disease".

Not all policies are worded the same way. Some will cover the statutory list of notifiable diseases (which do not include swine flu), whereas others will provide a list of diseases which are covered under the policy (this list does not include swine flu).

You are therefore unlikely to be covered if you have to close your business because of swine flu, but if in doubt, you should speak to your insurer or insurance adviser.

The Department of Health has no plans to make pandemic swine flu a notifiable disease.

I have an Employers' Liability insurance policy. Does this provide cover for swine flu?

There is unlikely to be cover under Employers' Liability policies. Employers' Liability insurance covers all injuries and diseases caused by or at work. There are no exclusions.

An Employers' Liability policy will only be triggered if the employer is liable for the illness. Employers can only be held liable if they have been negligent or if they have breached a statutory duty. Employers should be including swine flu in their risk assessments and have policies in place to manage this risk, for example, by sending people home if they have symptoms.

If there were to be a successful claim, the Employers' Liability policy would cover it. However, the chances are remote and insurers report that they do not come across claims brought for everyday bugs/viruses or for seasonal flu.

Working Time Directive and Drivers Hours Regulations

Would the Government suspend the Working Time Directive and driver hour restrictions to enable, for example, cash in transit to maintain service despite staff shortages?

Working Time Regulations

It is recognised that during a Pandemic event, it may be that special measures and flexibilities contained within the Working Time Regulations (WTR) may have to come into play.

While workers cannot be forced to work more than 48 hours a week on average, workers can agree to work beyond this limit. The agreement must

be in writing and signed by the worker under terms of Regulations 4 and 5 of the WTRs. It can be for a specified period or for an indefinite period (a proforma is available on:

<http://www.businesslink.gov.uk/bdotg/action/detail?type=RESOURCES&itemd=1073793563>). Without any further special measures (as below) coming into play, this would allow a 78 hour maximum (allowing for 11 hours rest per day x 6 days and a weekly rest of 24 hours per week – 168 hours – 90 = 78 hours).

Moving to more serious disruption, the WTR (in particular Regulation 21 and Regulation 24) have been drafted in such a way so as to give an amount of flexibility where the worker's activities are affected by special circumstances.

Regulation 18 (2) allows for certain provisions under the WTR including the 48 hour maximum and the various rest periods (eg daily, weekly and breaks at work) to be excluded where the armed forces, the police and certain civil protection activities (i.e. ambulance service, fire service) are engaged in a manner that will "inevitably conflict with the provisions" of the WTR.

Regulation 21 makes various special provisions, generally for less serious situations, allowing the non-application of:

- rights to restrictions on length of and protections connected with night work
- rights to daily rest (normally 11 hours per day)
- rights to weekly rest periods (24 hours per week or 48 hours per fortnight)
- rights to rest breaks (at least 20 minutes per six hours)

Circumstances which these provisions might be brought into play during a pandemic include:

- where a worker's activities are located distantly from his place of residence (for example, specialist teams might be deployed at locations in the UK far from their home addresses - see regulation 21(a))
- where a worker is engaged in security activities requiring a permanent presence to protect persons or properties (for example, where security requirements arise because of an emergency, eg. security around quarantine sites or around sensitive or vital public buildings or locations – see regulation 21(b))
- where there is a need for continuity of service or production due to the emergency in one or more of the following activities:
 - Hospitals
 - Civil protection services (eg. police, fire service, ambulance service)
 - Research and development (eg. Vaccines, etc)
 - Transport
- where a workers activities are affected by:
 - an occurrence due to unusual and unforeseeable circumstances beyond the control of the worker's employer;
 - exceptional events, the consequences of which could not have been avoided; or

- an accident or the imminent risk of an accident.

However, following the sorts of events and working scenarios set out above where normal rest entitlements have been abridged or lost, the worker should be allowed to take compensatory rest. Compensatory rest is normally a period of rest the same length as the period of rest, or part of a rest period, that a worker has missed. This means that the worker gets their rest entitlement later than normal. Regulation 24 WTR makes provision in this regard.

Regulation 24(b) provides that there may be exceptional circumstances where it is not possible to grant such rest periods. In these circumstances, the employer should still take steps to safeguard the worker's health and safety.

Driver Hour Restrictions

The Department for Transport (DfT) do not expect there to be any special measures needed for relaxing the drivers' hours for mobile workers. We would expect all sectors to have contingency plans in place to manage unforeseen events (such as a flu pandemic). If a relaxation is still required after the contingency measures have been implemented, then each case would be considered on its merits.

Antivirals and vaccines

How are antivirals distributed?

With the move to the Treatment phase on 2nd July 2009, primary care will take the lead in diagnosing and distributing antivirals, and Primary Care Trusts will establish antiviral collection points where necessary.

As cases rise further, we will move to a system where cases are diagnosed and dealt with by the National Pandemic Flu Service. This will take the pressure off GPs by allowing people to be diagnosed and given their antiviral vouchers either online or via a central call centre. This option will be ready for use when required.

Further information relating to antiviral drugs can be found on the NHS Choices website: <http://www.nhs.uk/Conditions/Pandemic-flu/Pages/Treatment.aspx>

Who will be a priority for vaccination?

The priority groups would be reviewed in light of evidence on the virulence and severity of the new virus in different groups. We aim to achieve universal vaccination but because vaccine will be delivered over time, it is right that we start thinking now about groups to be prioritised.

Who will decide who falls into these priority groups?

This will be decided nationally by the Civil Contingencies Committee and communicated widely.