



COVID-19 Secure – Government Guidance released

May 2020



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Following Prime Minister Boris Johnson's announcement on Sunday 10 May about limited easing of lockdown restrictions, the government published various guidance documents to businesses on 11 May to assist with the process of returning to work.

The official page launching the guidance can be found [here](#)

Subsequent to that, eight sector specific documents were published, and these can be found here:

1. **Construction and other outdoor work** - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/construction-and-other-outdoor-work>
2. **Factories, plant and warehouses** - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/factories-plants-and-warehouses>
3. **Other people's Homes** - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/homes>
4. **Labs and research facilities** - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/labs-and-research-facilities>
5. **Offices and contact centres** - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/offices-and-contact-centres>
6. **Restaurants offering takeaway or delivery** - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>
7. **Shops and branches:** - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/shops-and-branches>
8. **Vehicles** (ie those who work in or from vehicles): <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/vehicles>

Whilst there are certain nuances between each sector, much of what is said applies across them all. Whilst there is no substitute for reading the relevant guidance in full, we thought it would be helpful to summarise a number of the key themes that apply to all sectors.

COVID-19 risk assessment

Businesses should have risk assessments, that is not new. However, to reflect the COVID-19 situation, if this has not already been done, these should be revised to identify risks to staff and others of contracting and/or spreading the disease and methods by which the risk can be reduced to the lowest reasonably practicable level. Ideally this process should be documented, and a record of changes made. It should be done in consultation with staff and Unions where involved. Collaboration is encouraged, with the results of the review to be shared with the workforce. Much of this is simply a reflection of existing health and safety law. However, the guidance also says that, if possible, businesses should consider publishing the results on their website, and further that "the government expects all employers with over 50 workers to do so", which goes further than legal requirements. Companies will wish to consider carefully how to address this aspect of the guidance.

Communication

This is key at all stages of this process and can boil down to a number of "C's": consultation, configuration, and confirmation of compliance. Consultation with staff (and Unions) should continue as the situation develops. Configuration of a workplace may be adapted to include appropriate signage to remind staff and others of measures being taken, and/or other markings to assist social distancing. The guidance recommends display of a notice confirming five steps taken towards compliance

Staying COVID-19 Secure in 2020

We confirm we have complied with the government's guidance on managing the risk of COVID-19

FIVE STEPS TO SAFER WORKING TOGETHER

- ✓ We have carried out a **COVID-19 risk assessment** and shared the results with the people who work here
- ✓ We have **cleaning, handwashing and hygiene procedures** in line with guidance
- ✓ We have taken all reasonable steps to **help people work from home**
- ✓ We have taken all reasonable steps to **maintain a 2m distance** in the workplace
- ✓ Where people cannot be 2m apart, we have done everything practical to **manage transmission risk**

Implementation

The risk of contracting or spreading of infection is controllable in a number of potential ways, essentially aimed at avoiding or limiting personal contact and/or minimising infection risk where people are working in proximity to each other:

- working from home, that remains the default position where that is possible
- where a worker's attendance at work is business critical, prioritising that, and aiming for a phased return, managing frequency of visits or shifts
- limiting numbers of people on site at any one time – having a system for checking people in and out will pose different challenges in different circumstances e.g. an office as opposed to retail premises
- reminding people of the 2m distance, depicting this on site by appropriate signage, directing access routes so as to minimise person to person contact
- minimising infection risk, for example encouraging regular and effective handwashing, making sanitisation available, regular effective cleaning, installation of plexiglass barriers at points of interaction
- Personal Protective Equipment (PPE) – regarded as a last resort if other measures taken are effective, but still an important consideration.

Staff welfare

In a time of unprecedented stress and anxiety, businesses are encouraged to take particular care for the mental health and well-being of staff as well as their physical health. It remains to be seen how regulatory authorities will approach this.

Enforcement

The Health and Safety Executive (HSE) has indicated an intention to take a proportionate approach, implying a measure of tolerance of businesses struggling to adapt to very challenging circumstances in difficult times. Nevertheless, the HSE has also confirmed that where appropriate it will issue enforcement notices, and it follows that if an inspector were to conclude that appropriate standards were not being maintained, the business could reasonably expect fee for intervention invoices to be issued. Spot checks on businesses are likely to be carried out. Being able to demonstrate compliance with the guidance will be essential, as mentioned above. The HSE's own guide, entitled Working safely during the coronavirus outbreak – a short guide, is available [here](#).

Summary

Applying these common themes to the circumstances of particular businesses and individuals within them will of course be a detailed process. In cases of doubt, specialist advice may well be required. The different sets of guidance do not deal with every scenario, and are not a set of prescriptive rules as such. Nevertheless, they do emphasise a number of broad principles which employers will be expected to follow unless there are compelling reasons not to.

Key contacts



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