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Employment Law News

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Revised COVID-19 health and safety guidelines for offices and contact centres published

Back in May 2020 the Government published COVID-19 secure guidelines setting out the health and safety measures to be adopted in different types of workplaces. Following the Prime

Minister's announcement that, from 1 August 2020, employers will have more discretion about whether to return workers to the office, the guidelines governing offices and contact centres (Guidelines) have been updated. In this briefing, we highlight the latest core objectives for office-based employers contained in the updated Guidelines published on 23 July 2020.

Introduction

The detailed [Guidelines](#) are designed to provide a practical framework for employers to think about what they need to do to continue, or restart, office or contact centre operations. Each business will need to translate the Guidelines into a set of specific actions to take. These actions will, to some extent, turn on the nature, size and type of the business and how it is organised, operated, managed and regulated.

The Guidelines highlight that businesses should make every reasonable effort to ensure their employees can work safely and that staff are not obliged to work in an unsafe environment. From 1 August 2020, this may be working from home, or within the workplace if the Guidelines are followed closely.

The Guidelines are non-statutory and supplement binding legal obligations on employers regarding health and safety and employment. Where relevant, they should be considered alongside any additional guidance issued by the devolved administrations in Wales, Scotland and Northern Ireland.

Thinking about and managing risk

- Conduct an assessment of the risks posed by COVID-19 as soon as possible, having particular regard to whether any staff are especially vulnerable to COVID-19.
- Consult with employee or trade union health and safety representatives about workplace risks.
- Respond to advice or notices issued by the enforcing

authorities within any prescribed timescale and follow all instructions from authorities in the event of new local restrictions.

- Share the results of the risk assessment with the workforce and consider publishing it on your website (all employers with over 50 employees should do this).
- Take action to reduce identified risks to the lowest reasonably practicable level by taking preventative measures in order of priority.
- Display an official [notice](#) in the workplace to demonstrate compliance with these guidelines.

Who should go to work?

- Ensure workplaces are safe, whilst also enabling working from home.
- Consult with employees to determine who can come into the workplace from 1 August 2020, taking into account the following factors:
    - use of public transport;
    - childcare responsibilities;
    - protected characteristics; and
    - other individual circumstances.
- Protect clinically vulnerable and clinically extremely vulnerable employees. In both cases, such employees should usually work from home. If a clinically vulnerable worker cannot work from home (in their role or an alternative role) then they should be offered the safest available role in the workplace.
- Treat everyone in the workplace equally and be mindful of the particular needs of different groups of workers (e.g. disabled or pregnant workers or those who live with a clinically extremely vulnerable person).
- Ensure that those who need to self-isolate do not attend work. This includes those who:
    - have COVID-19 symptoms;
    - live in a household with someone who has COVID-19

symptoms;
  - are in a "support bubble" with someone who has COVID-19 symptoms; and
  - are advised to self-isolate as part of the Government's "test and trace" programme.
- Keep in touch with homeworkers and monitor their wellbeing.

Social distancing at work

- Maintain 2 metre social distancing wherever possible, including upon arrival and departure from work and ensure handwashing upon arrival at work (or provide access to hand sanitiser if not possible).
- Maintain 2 metre social distancing between individuals wherever possible when they are moving around the workplace, at their workstations and using common areas such as lifts and corridors.
- Avoid face-to-face meetings wherever possible and maintain social distancing in essential meetings.
- Where 2 metre social distancing is not viable, consider whether the activity can be redesigned to maintain either 2 metre distancing or 1 metre distancing with added "risk mitigation" steps such as:
  - increasing handwashing and surface cleaning;
  - keeping the activity time involved as short as possible;
  - using screens or barriers to separate people from each other;
  - using back-to-back or side-to-side working whenever possible; and/or
  - reducing the number of people each person has contact with by using fixed teams or partnering.
- Where social distancing guidelines cannot be followed (even through redesigning the activity), consider whether that activity needs to continue for the business to operate. If it does, then the business should "take

all the mitigating actions possible" to reduce the risk to staff.

- Do not maintain social distancing if there is an emergency such as an accident or fire.

Managing customers, visitors and contractors

- Minimise the number of unnecessary visitors to the office.
- Make sure visitors understand what they need to do to maintain safety (e.g. by using signs in the premises and providing information by email and/or on your website).
- Business are permitted to host groups of more than 30 people either indoors or outdoors, providing a risk assessment has been conducted and steps are taken to reduce the risk of transmission.

Cleaning the workplace

- Before reopening make sure that any site that has been closed, or partially operated, is clean and ready to restart.
- Keep the workplace clean, especially surfaces which are touched by multiple people.
- Help everyone keep good hygiene throughout the working day (e.g. by encouraging frequent handwashing and providing hand sanitiser in multiple locations).
- Minimise the risk of transmission in changing rooms and showers (if any).
- Reduce transmission through contact with objects and/or vehicles entering the workplace from outside.

PPE and face coverings

- Do not encourage the precautionary use of PPE outside of clinical settings.
- If a risk assessment shows that PPE is required, then this must be provided free of charge to workers who need it.

- Wearing a simple face covering is optional and not required by law. However, if a worker chooses to wear one, provide advice on how to use them safely.

Workforce management

- Change the way work is organised to create distinct groups and reduce the number of contacts each worker has.
- Keep a temporary record of staff shift patterns for 21 days to assist the Government's "test and trace" service.
- Provide guidance in the event of a COVID-19 outbreak in the workplace.
- Avoid unnecessary work travel and keep people safe if they need to travel between locations.
- Help workers making deliveries outside the workplace maintain social distancing and hygiene practices.
- Make sure all workers understand the COVID-19 related safety procedures through consultation with representatives, written communications and training prior to their return to work.
- Make sure all workers are kept up to date with how safety measures are being implemented or changed.

Inbound and outbound goods

- Maintain social distancing and avoid surface transmission when goods enter and leave the workplace.

BDBF is currently advising many employers on the challenges presented by the coronavirus. If you or your business needs advice on any coronavirus-related matter please contact Amanda Steadman (amandasteadman@bdbf.co.uk) or your usual BDBF contact.

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