# Assurity
## Consulting
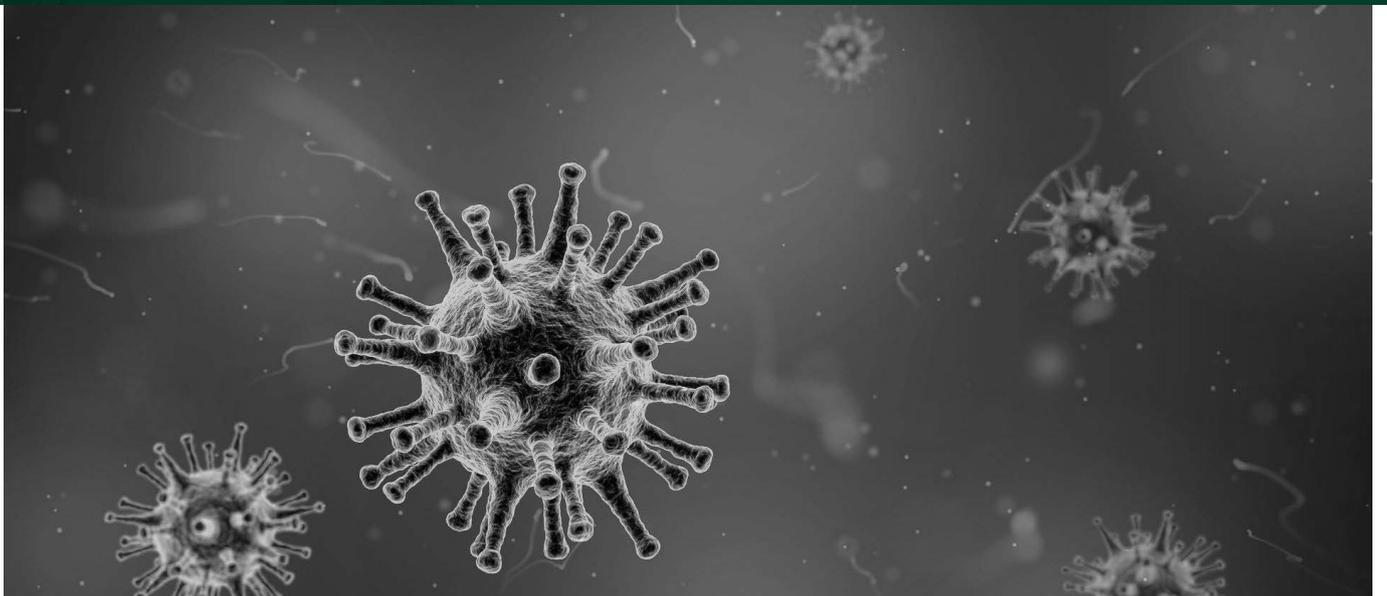### Independent workplace compliance

# Managing COVID-19: 2021 health and safety lockdown considerations

# Managing COVID-19:
## 2021 health and safety lockdown considerations

Monday 11th January 2021

---

We are set to live with COVID-19 well into 2021, so what will the requirements be for health and safety over the next 3 months?

**The situation**

The current national lockdown puts a hold on a return to what we previously recognised as normality. From 5th January 2021 there are again restrictions on who can go to work and these are outlined in https://www.gov.uk/guidance/national-lockdown-stay-at-home#going-to-work.

The legislation behind this runs to 31st March 2021.

**Who can go to work?**

The message is to stay at home. You can only leave home for work purposes where it is unreasonable for you to do your job from home. This includes, but is not limited to, people who work within critical national infrastructure, construction or manufacturing that require in-person attendance.

Even where you can justify going to work, this does not mean that everything you do has to be done outside of the home. Risk is minimised by reducing contacts; therefore, staff should only leave home for the task that they cannot do from home.

From 5th January 2021 the government has said that anyone who is clinically extremely vulnerable should not attend work and should only work from home.

**Risk Assessments**

Wherever your staff are working, you are required to assess the risk to their health and safety, and this has not changed. Review risk assessments for continuing operations to make sure the relevant controls are still in place.

Changes that may impact risk assessment include, reduction or change in staff, lone working or change in operations. Additionally, for those who normally review risk assessments annually, this could have lapsed, yet is more important than ever to ensure change is captured.

## COVID-19 Risk assessment (COVID-19 Secure)

The requirements for COVID-Secure means assessing and controlling the risk of transmission of the virus in your workplace by way of a risk assessment. Last year the Government produced guidance for different workplaces, and these should still be followed as best practice for control within your industry sector. The guidance documents focus on key controls and advice to maintaining social distancing and hygiene as we remobilise.

In documenting your risk assessment, you should consider what work you can do safely and what measures are needed to reduce risk. If you have more than 50 employees there is still an expectation to publish your risk assessment on your website.

It is important to remember that the guidance has been updated regularly since May 2020 and your COVID-19 needs ongoing review against the guidance and current local or national restrictions.

## Positive cases of COVID-19 in your workplace

Workplaces have a responsibility to support the 'Test and Trace' system by maintaining records of who is on their premises.

This guidance puts the onus on the employee to follow the requirements of test and trace and businesses are required to support them in allowing them to self-isolated where required.

More information of test and trace can be found:

https://www.gov.uk/guidance/nhs-test-and-trace-workplace-guidance

It is worth bearing in mind where you are unable to maintain distancing of 2 metres between staff that this may have an impact on the number of staff who are required to self-isolate. Therefore, in addition to reducing risk, adhering to this will help maintain business continuity.
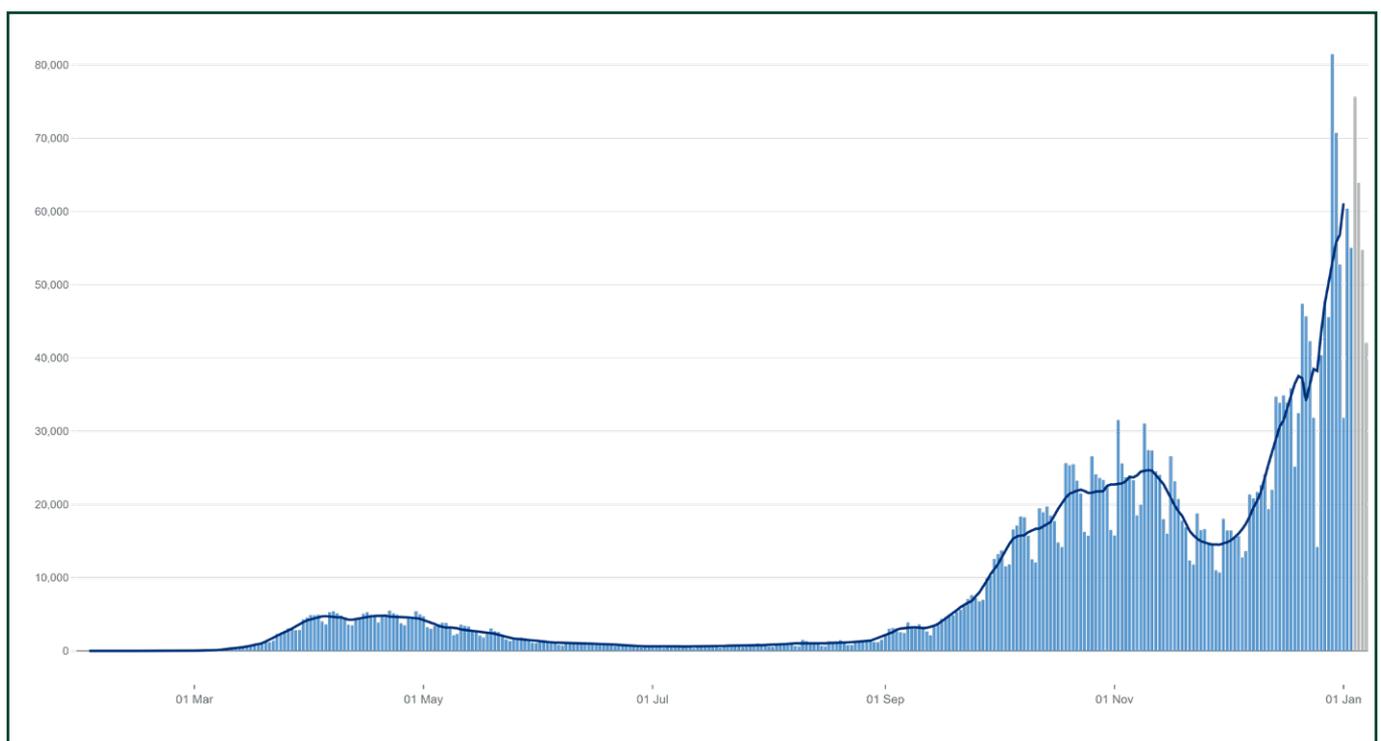
**The Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR)**

You must only make a report under RIDDOR of a COVID-19 case if the exposure was due to someone's work.

- An unintended incident led to exposure (a dangerous occurrence) - for example if a lab worker accidentally smashed a vial containing the virus.
- A worker has been diagnosed and there is reasonable evidence it was caused by exposure at work (case of disease).
- A worker dies as a result of occupational exposure to coronavirus. This must be reported as a work-related death caused by a biological agent.
- As COVID-19 is prevalent in the general population, there has to be reasonable evidence that a work-related exposure is the cause of the disease.

Further information on determining this can be found on the HSE website: https://www.hse.gov.uk/coronavirus/riddor/riddor-reporting-further-guidance.htm#diseaselaw

**Lone working**

Workplaces will continue to have fewer individuals in the coming months increasing the likelihood of lone working. Check your lone working policy and risk assessment and review all risk assessments and method statements from contractors who may be lone working on site to check that they still meet with your site safety requirements.

Consider implementing specific communication methods and put in place a regular check-in procedure. If two-way radios are available, linked to security, make sure that all units are fully charged and issue a unit to any contractor lone or remote working on site. If not, instruct contractors to use a mobile phone where possible to keep in contact with security or your building manager etc.

For employees who need to be in your property, make sure that they have an 'off site' contact (such as their line manager) that they can check in with at regular intervals. Make sure that they check-in with a designated person on arrival, and on leaving, together with pre-arranged intervals throughout the day. Some further considerations:

- Identify tasks that can still be carried out and more importantly those that may no longer be safely possible.
- If your permit to work system requires someone to accompany contractors and others, what alternatives, if any, can you employ?
- Can supervisors or line managers give authorisation?
- Is the person already familiar with the site?
- How will you liaise with others where the building has shared occupancy?
- If revised, what will be your checking in/out procedures and how will they be implemented?
- Are there any further training requirements (e.g. emergency procedures, checking in and out, site safety etc.)?

**Fire Safety management in the workplace**

Workplaces will have amended their arrangements since the start of the pandemic to reflect change. This may need reviewing again depending on your current operations. Please see our whitepaper on fire safety during the COVID-19 pandemic. https://www.assurityconsulting.co.uk/knowledge/white-papers/covid-19-fire-safety-considerations

**Working from home – mental health**

Many staff will have been working from nearly a year and this prolonged time away from the workplace, Winter and the recent changes will have an impact. Some will still be on or returning to furlough leave and they can feel detached from the workplace. The key to supporting all staff is maintaining good communication.

The HSE have also produced guidance on "Lone working without supervision", the link is below https://www.hse.gov.uk/toolbox/workers/home.htm#Lone

Please also see our various insights on our website on this subject published during 2020/2021. https://www.assurityconsulting.co.uk/knowledge/insights

**Staff welfare**

The Workplace (Health, Safety and Welfare) Regulations 1992 cover a wide range of basic health, safety and welfare issues and apply to most workplaces. Where staff are in your workplace, you still need to make sure that they have adequate access to suitable washroom facilities and drinking water. Other considerations will be making sure that services including replenishing consumables and arranging waste collection are suitable.

With the recommendation to increase ventilation, you may consider relaxing dress codes to make sure staff remain comfortable and that sleeves do not hamper increased hand washing.

Cleaning continues to be significant in helping control the spread of COVID-19. The Government have provided advice for cleaning in non-healthcare settings at: https://www.gov.uk/government/publications/covid-19-decontamination-in-nonhealthcare-settings/covid-19-decontamination-in-non-healthcare-settings

The HSE have also produced information on "Cleaning, hygiene and hand sanitiser" at: https://www.hse.gov.uk/coronavirus/working-safely/cleaning.htm

**Display Screen Equipment (DSE)**

With many individuals in office based roles having worked from home for nearly a year, most organisations have, over the last months taken steps to make sure that staff have the equipment and information to set up a suitable workstation, minimise risk and have a comfortable working environment. This has included provision of furniture, additional equipment such as screens, laptop stands and keyboards, risk assessment and ongoing communication.

For some, this may change as children who had been at school throughout Autumn are again competing for suitable workspace within the home. Therefore, now is a good time to make sure that staff have the set up they need as this may have changed.

With high numbers of employees enabled to work remotely, we have produced separate advice for managing DSE. This can be accessed here: https://www.assurityconsulting.co.uk/knowledge/insights/working-remotely-workstationguidance

It is important that businesses communicate, and staff have opportunity to raise any issues with their home DSE set up so that you can provide them with any additional equipment they may need or advice.

The HSE have updated their advice to "Protect home workers", which includes advice on DSE: https://www.hse.gov.uk/toolbox/workers/home.htm

**Maintenance and statutory testing**

A combination of maintenance, external statutory inspection, formal internal inspection and pre-user checks will be standard controls for work equipment.

Where the operation of your building and facilities is not considered critical, it is possible that you will be unable to have your equipment maintained or inspected within industry guidelines where lockdown has created a backlog of inspections.

Equipment should only be used outside of its test regime, if you can demonstrate that it is critical for essential work and that it can still be operated safely. Therefore, it is important that tests and inspections are re-established.

Your legal obligation remains to ensure that equipment is safe to use.
The HSE have produced various guidance including that covering: Gas safety during the coronavirus outbreak - https://www.hse.gov.uk/coronavirus/gas-safety/index.htm

Thorough examination and testing of equipment during the coronavirus outbreak - https://www.hse.gov.uk/coronavirus/equipment-and-machinery/work-equipment.htm

## Training and Competence

All staff will need to be informed of any updated control measures for distancing and COVID-19 and the findings of your risk assessment.

Staff who are temporarily covering additional tasks and roles must have received relevant training to undertake the role safely. They may not be in a situation where they will be receiving the level of supervision that a trainee would have ordinarily, so please make sure that they have support.

Whilst this is an emergency situation, you must not bypass the requirement to complete certificated training for your staff, for example operating with HV electrical systems. If you do not have trained staff to work in these areas, they will have to be closed off and staff made aware of this.

## Moving roles to be permanently home based

Finally, we are finding organisations have recognised opportunities to make home working permanent for selected job roles. The decision to make a role home rather than office based has considerations much further reaching that health and safety alone.

Thought needs to be given to other areas such as the space and ability to work to work from home, working hours, technology, data security, equipment, performance management, communication, insurance, requirement to attend the workplace, contract and the impact of HMRC rules on any home working remuneration.

Management of health and safety is relatively simple once these considerations have been addressed.
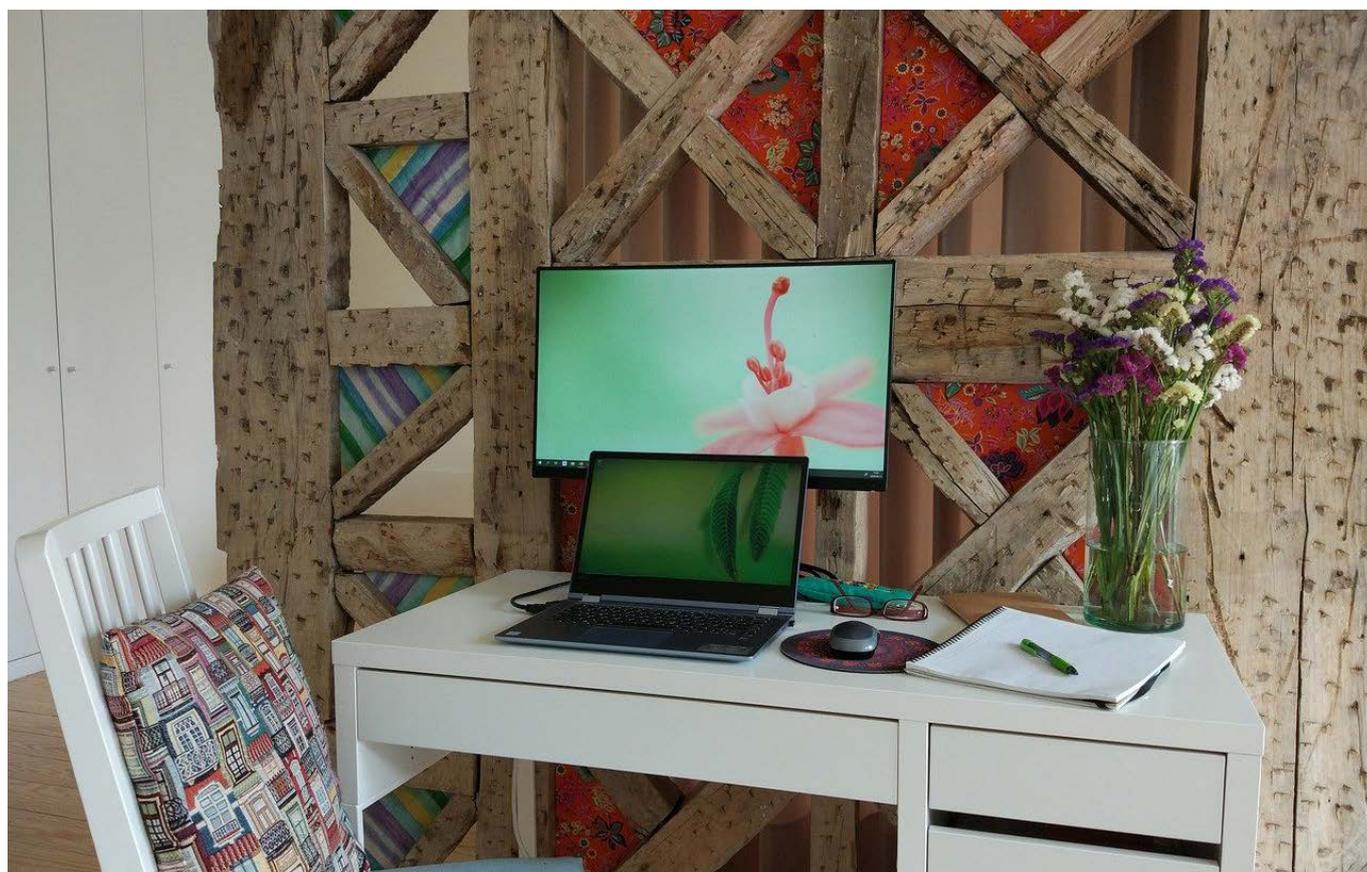
Assurity Consulting will continue to take guidance from authoritative sources including Public Health England, the Health and Safety Executive and the Government regarding COVID-19. As further information becomes available so we will update this guidance as required. Sources of information include:

1.  **COVID-19: General advice (GOV.UK)**

https://www.gov.uk/coronavirus

2.  **Working safely during Coronavirus (COVID-19) (GOV.UK)**

https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19

3.  **COVID-19: Guidance for educational settings (GOV.UK)**

https://www.gov.uk/coronavirus/education-and-childcare

4.  **Working safely during the coronavirus (COVID-19) outbreak (HSE)**

https://www.hse.gov.uk/coronavirus/working-safely/index.htm

5.  **Coronavirus (COVID-19): latest information and advice (HSE)**

https://www.hse.gov.uk/news/coronavirus.htm

6.  **Staying safe outside your home (GOV.UK)**

https://www.gov.uk/government/publications/staying-safe-outside-your-home/staying-safe-outside-your-home

This guide was produced on 8th January 2021.