

Safe Distancing Note – 3rd June 2020 update

Welsh Government has recently set out guidance to help businesses to reopen. There are 5 points that need to be considered.

1. Workforce health
2. Test & trace
3. Restarting
4. Physical distancing
5. Risk Assessment (NB required for pregnant women regardless of business size)

A summary of key points for businesses are here:

<https://gov.wales/sites/default/files/publications/2020-06/keep-wales-safe-at-work-key-information.pdf>

A video explaining the measures one manufacturing company has put in place

https://www.youtube.com/watch?v=BVuVxhme_nY&feature=youtu.be

The guidance from the Welsh Government <https://gov.wales/keep-wales-safe-work>

Taking all reasonable measures to maintain physical distancing in the workplace

New rules have come into force in Wales regarding social distancing and the workplace. The rules force businesses which are still operating to make sure they take reasonable steps to keep the 2 metre distance between people on the premises. Businesses are required to take proportionate justifiable measures.

The legislation was announced by the Welsh Government and is effective as of 07042020. The key purpose is to prevent the spread of Covid-19.

The Welsh Government guidance is here <https://gov.wales/taking-all-reasonable-measures-maintain-physical-distancing-workplace>

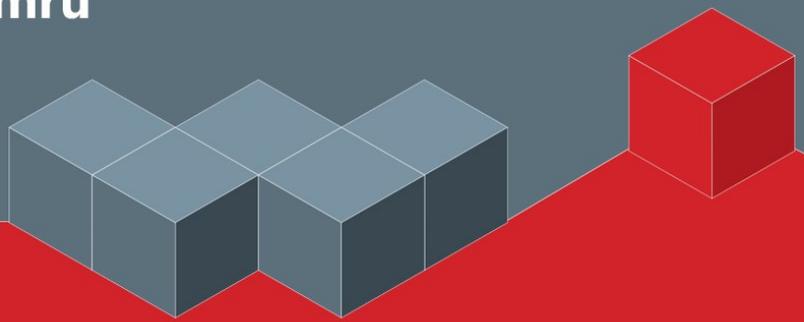
Our summary of it follows, with examples of how social businesses have adapted.

Businesses affected

This new legislation affects businesses that are still operating. This may include social businesses in the following settings: public facing essential services, factories such as food production, construction sites, housing associations, health and social care services, childcare for critical workers and vulnerable children in schools and childcare settings, and domestic abuse refuges.

Who is responsible?

For public facing businesses still open, such as community centres, the responsibility is with the person responsible for the premises. For other businesses the responsibility is with the individual in charge, ie in factory production this means the management control, not the premises owner.



The guidance also refers to everyone's personal responsibility in preventing transmission.

Implementation

The physical distance of 2 metres is intended to supplement a range of other actions being taken to minimise risk. These should include:

- self isolating when exhibiting symptoms
- working from home where practicable
- erecting barriers between people where suitable
- wearing personal protective equipment where guidance says it is necessary

Reasonable steps

Businesses will need to justify what steps were taken to comply and how reasonable they are. Try to map out the processes for your service delivery and highlight the risk points. Document these into a risk assessment so you have a record of decisions made. Implement practical mitigating actions to minimise risk.

A childcare setting has documented its risks into a risk assessment, see below.

Considerations

The guidance explains business can take into account:

- cost
- nature of the service
- health and Safety
- feedback from staff – asking staff for suggestions may be a starting point

For example it may not be reasonable for a business to start a new fleet of lorries but it may be reasonable to stagger shifts.

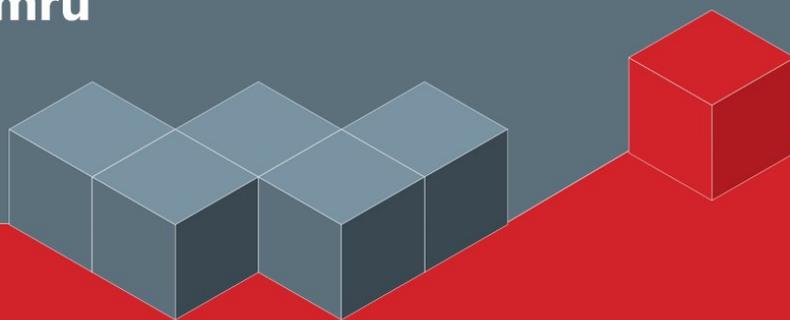
Reasonable measures

Here are some suggestions in the guidance your business could consider:

- Reducing the number of people in an area at any one time
- Reduce congestion - provide additional space or stagger breaks, shifts
- Increasing space - between staff or customers, for example leaving 2 m gaps between people and indicating spacing with markings
- Reduce contact - altering tasks undertaken – making adjustments to the way that work is done

According to the guidance, carrying a passenger in the back seat rather than the front seat of a taxi would be a reasonable measure.

A community shop has removed its café seating to make space and marked out 2m distances to maintain between customers with signage. They also have a system for minimising contact at the till.



Exemptions

There are no blanket exemptions, but there may be cases where there are physical restrictions or close contact is required to deliver the service. For example in childcare of key workers, bottle feeding may be required. It will be important to list other measures taken.

Care or medical workers

- Staff can stay 2 metres apart from each other and the patient or client for some or most of the time
- Clients/patients can stay 2 metres apart from each other
- Staff do close contact work with the client to give treatment to continue delivering the service

Other possible exemptions:

- Provision of personal services, including in the home
- Tasks that require two or more people to undertake them safely, including heavy lifting although there may be measures that can be adopted
- Education and childcare settings
- Exceptions where close contact is required between workers and the users of services, although there can be measures in the wider workplace to minimise the risk of transmission
- Where workers are required to travel together
- Working in confined spaces, for example repairing infrastructure for utilities

Close contact work

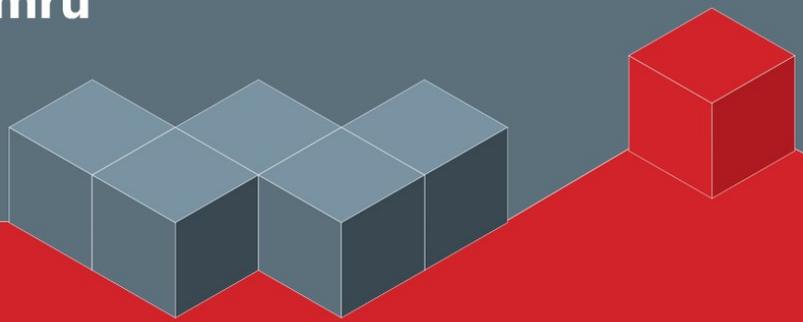
Where close contact is required as in the examples above, other measures must be considered:

- minimising the level of interaction – reducing the time
- physical barriers, e.g. screens, PPE (personal protective equipment) where recommended
- improved hygiene and reminders about the importance of hygiene
- washing hands well for 20 seconds with soap after close contact
- ensuring those with symptoms are not present on the premises

Examples of implementation

Here are some measures social business have taken when close contact work is still required.

- a) A childcare setting - conducted an ongoing risk assessment to adapt to the situation.



Activity which may involve close contact	Risk	Measure to implement 2 meter distance (mitigating action).	Is the measure reasonable and practical	Other measures (mitigating actions)	Agreed by	Implemented	Review
Children in setting	transmission	Reduction in numbers so there is more space	Yes lower numbers	-Sterilising all toys -posters & info for staff on extra hygiene	Board	070420	16/04/20
Parents dropping off children	transmission	Ask parents not to enter premises	Yes – but some limited contact still required	-Display posters -Sanitise after contact	MD	070420	16/04/20
Intimate care eg change, feeding	transmission	Close contact still required	-	Following procedures on intimate care eg disposable aprons -Using appropriate PPE	-	continuous	6 month

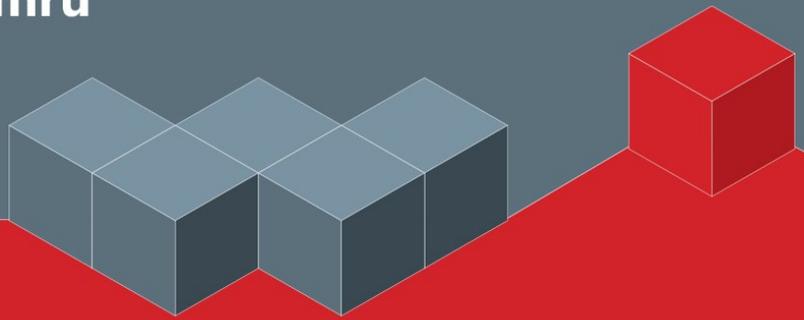
b) A domestic abuse charity

A domestic abuse charity has taken the following steps, after consulting with specialist advisors and industry colleagues and conducting a risk assessment. The organisation has made its board members and funders aware.

- Reducing contact – by putting in a rota in place for staff coming into the premises
- Reducing contact – where there is still contact, for example in shared accommodation, reducing or pausing new referrals into the refuge or move on accommodation to provide more space. Suggesting a rota for use of shared areas.
- Protection – providing appropriate cleaning equipment and sanitisers.
- Removing contact – offering support online for new clients

Enforcement

Police and local authorities have the power to enforce fines (£60 fixed penalty doubling for further offences) and/or charging with a criminal offence.



Review

The legislation is enforced now and Welsh Government intends to review it by 16 April which gives the opportunity for stakeholders to engage now.

Sector Specific Guidance

Food Standards Authority

<https://www.gov.uk/government/publications/covid-19-guidance-for-food-businesses>

Food Innovation Wales has set up a helpline and issued good practice notes <http://foodinnovation.wales/welsh-food-and-drink-industry-guidance-good-manufacturing-practice-covid-19-eng/>

Housing

Inside Housing magazine has links to guidance and current practise around the UK

<https://www.insidehousing.co.uk/news/government-sets-out-social-distancing-rules-for-repairs-and-construction-workers-during-pandemic-66024>

CIH (Chartered Institute of Housing) <https://cihnews.org/p/YRX-FXV/our-approach-to-covid-19>

Social Care Wales <https://socialcare.wales/service-improvement/information-and-resources-to-guide-you-through-covid-19>

Trade Unions

Wales TUC have introduced a whistle-blowing hotline for those who feel unprotected at work.

<https://www.tuc.org.uk/news/your-health-and-safety-concerns-work>

Further information

The guidance is issued under regulation 7A of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 (the "Coronavirus Regulations").

List of businesses able to operate

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close/further-businesses-and-premises-to-close-guidance>