

Managing health and safety risks during COVID-19



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For employers and employees, COVID-19 is changing the way we work as we respond to an evolving situation. This is new territory, and brings changes in employers' duties, be that legal requirements, or ensuring the wellbeing of their employees.

The following document includes guidance from various government sources to help employers understand their responsibilities, provide helpful advice on steps they can take and help inform thinking on how businesses can manage this new way of working.

Relevant legislation

- The Health and Safety At Work etc Act 1974
- Management of Health and Safety at Work Regulations 1999 (MHSWR) as amended
- Display Screen Equipment Regulations 1992
- Manual Handling Operations Regulations 1992
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013(RIDDOR)
- Control of Substances Hazardous to Health Regulations 2002 (COSHH)*

*Coronavirus which causes the COVID-19 infectious disease is classified as a biological agent under the Control of Substances Hazardous to Health Regulations 2002. The general duties of COSHH apply to incidental exposure to, and deliberate work with, biological agents. However, COSHH does not cover a situation where one employee catches a respiratory infection from another. This is because regulation 2(2) specifies that COSHH only applies in those circumstances where risks of exposure are work related, and not those where they have no direct connection with the work being done. This means that while a specific COSHH assessment need not be undertaken (unless working with the virus to develop a vaccine for example), general risk assessments should include the hazards of exposure to Coronavirus an assessment of the risks and details of the controls introduced to ensure the health and safety of employees.

Advice on businesses operating during COVID-19

Can I keep my business open?

With the exception of **some non-essential shops and public venues**, the Government is not asking any other businesses to close – rather encouraging businesses to keep operating.

However, businesses should ask employees to work from home unless it is impossible for them to do so.

Sometimes this will not be possible, as not everyone can work from home. Certain jobs require people to travel to their place of work – for instance if they operate machinery, work in construction or manufacturing, or are delivering front line services. See the **full guidance on work**.

What do I need to do if someone develops symptoms of coronavirus (COVID-19) on site?

If anyone becomes unwell with a new, continuous cough or a high temperature in the business or workplace they should be sent home and advised to follow the **stay at home guidance**.

If they need clinical advice, they should go online to **NHS 111** or call 111 if they don't have internet access. In an emergency, call 999 if they are seriously ill or injured or their life is at risk. Do not visit the GP, pharmacy, urgent care centre or a hospital.

If a member of staff has helped someone who was taken unwell with a new, continuous cough or a high temperature, they do not need to go home unless they develop symptoms themselves. They should wash their hands thoroughly for 20 seconds after any contact with someone who is unwell with symptoms consistent with coronavirus infection.

It is not necessary to close the business or workplace or send any staff home, unless government policy changes. Keep monitoring the **government response page** for the latest details.

What are the rules for sick pay?

Those who follow advice to stay at home and who cannot work as a result will be eligible for statutory sick pay (SSP), even if they are not themselves sick.

Employers should use their discretion and respect the need to self-isolate if another member of the household gets ill.

Anyone not eligible to receive sick pay, including those earning less than an average of £118 per week, some of those working in the gig economy, or self-employed people, is able to claim **Universal Credit** and or contributory Employment and Support Allowance.

For those on a low income and already claiming Universal Credit, it is designed to automatically adjust depending on people's earnings or other income. However, if someone needs money urgently they can apply for an advance through the journal.

Do I need to get my employees to certify their absence?

By law, medical evidence is not required for the first 7 days of sickness. After 7 days, employers may use their discretion around the need for medical evidence if an employee is staying at home.

Employers should use their discretion around the need for medical evidence for a period of absence where an employee is advised to stay at home either as they are unwell themselves, or live with someone who is, in accordance with the public health advice issued by the government.

If evidence is required to cover **self-isolation or household isolation** beyond the first 7 days of absence then employees can get an isolation note from **NHS 111 online** or from the **NHS website**.

What if one of my employees needs time off work to look after someone?

Employees are entitled to time off work to help someone who depends on them (a 'dependant') in an unexpected event or emergency. This would apply to situations related to COVID-19. For example:

- If they have children they need to look after or arrange childcare for because their school has closed.
- To help their child or another dependant if they're sick, or need to go into isolation or hospital.

There's no statutory right to pay for this time off, but some employers might offer pay depending on the contract or workplace policy.

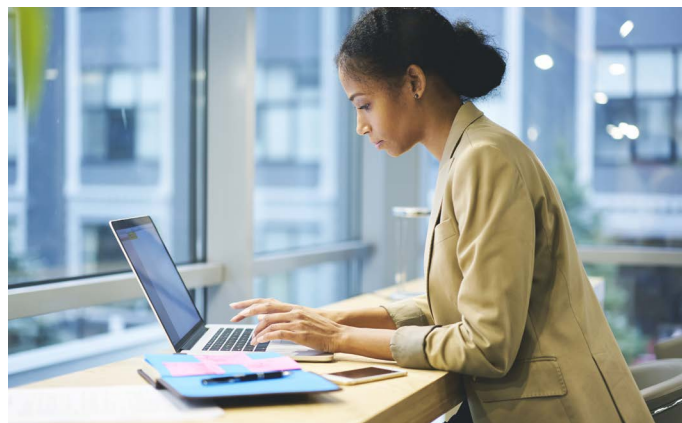
ACAS has more **information on coronavirus** and can help with specific queries by phone.

How can I limit the spread of COVID-19 in the workplace?

Businesses and employers can help reduce the spread of COVID-19 by reminding everyone of the public health advice. **Posters, leaflets and other materials** are available.

Employees and customers should be reminded to wash their hands for 20 seconds more frequently than normal.

Frequently clean and disinfect objects and surfaces that are touched regularly, using your standard cleaning products.



I employ drivers, what are my responsibilities towards their welfare in COVID-19?

All drivers must have access to welfare facilities in the premises they visit as part of their work.

Preventing access is against the law, equally it's not the sensible thing to do.

Those who already provide reasonable access to toilets and handwashing facilities should continue to do so.

With the latest advice for hands to be washed regularly, failure to allow access to welfare facilities may increase the risk of the COVID-19 infection spreading.

The Department for Transport (DfT) has announced that there will be a temporary and limited relaxation of the enforcement of drivers' hours rules in England, Scotland, and Wales for the drivers of vehicles involved in the delivery of:

- Food
- Non-food (personal care and household paper and cleaning)
- Over the counter pharmaceuticals

Driver safety must not be compromised, and they should not be expected to drive whilst tired. Employers remain responsible for the health and safety of their employees, other road users, and anyone involved in loading and unloading vehicles.

These arrangements may change during this time.

Remote and home working

You have the same health and safety responsibilities for homeworkers and the same liability for accident or injury as for any other workers. This means you must provide supervision, education and training, as well as implementing enough control measures to protect the home worker.

When someone is working from home, permanently or temporarily, as an employer you should consider:

- How will you keep in touch with them?
- What work activity will they be doing (and for how long)?
- Can it be done safely?
- Do you need to put control measures in place to protect them?

Working with display screen equipment

For those people who are working at home on a long-term basis, the risks associated with using display screen equipment (DSE) must be controlled. This includes doing home workstation assessments.

HSE have advised there is no increased risk from DSE work for those working at home temporarily, however, a definition of 'temporarily' has not been provided- so what will this mean for long term homeworkers due to the virus?

You could provide workers with advice on completing their own basic assessment at home.

There are some simple steps you can take to reduce the risks from display screen work:

- Breaking up long spells of DSE work with rest breaks (at least 5 minutes every hour) or changes in activity.
- Avoiding awkward, static postures by regularly changing position.
- Getting up and moving or doing stretching exercises.
- Avoiding eye fatigue by changing focus or blinking from time to time.

Specialised DSE equipment needs

Employers should try to meet those needs where possible.

For some equipment (e.g. keyboards, mouse, riser) this could mean allowing workers to take this equipment home.

For other larger items (e.g. ergonomic chairs, height-adjustable desks) encourage workers to try other ways of creating a comfortable working environment (e.g. supporting cushions).

Stress and mental health

Home working can cause work-related stress and affect people's mental health.

Being away from managers and colleagues could make it difficult to get proper support.

Put procedures in place so you can keep in direct contact with home workers so you can recognise signs of stress as early as possible.

It is also important to have an emergency point of contact and to share this so people know how to get help if they need it.

Risk Assessment

You'll need to look at the risks from both perspectives – your organisation's and the individual worker's.

It's best to start at the organisational level by asking some basic questions:

- How many staff are working remotely and how many are likely to do so in the future?
- What's the geographical spread of remote workers?
- What types of activity are involved?
- Are remote workers working from home, from other work locations, or travelling from place to place?

The way you manage health and safety risks will depend on all these factors.

You need to consider risks associated with using computers and work equipment, stress, lone working, manual handling, fire and so on. The assessments need to take account of the specific work environment and needs of each employee, so a major consideration will be how you manage individual assessments for many remote workers over a wide geographic area.

You may need to train remote workers to carry out their own assessments, with the manager or trained assessor only becoming involved when there are specific problems that the remote worker can't deal with.

Checklists and/or interactive computer-based packages can lead inexperienced staff through the risk assessment process.

Asking the remote worker to provide a plan or photo of the workstation can help the manager check that the assessment is adequate.

Vulnerable workers

Businesses should take extra care of vulnerable workers, such as pregnant women. Risk assessments for pregnant women need to consider the unborn child as well as the mother herself.

Electrical equipment

Any business equipment provided by the employer that is being used by an employee at home is the responsibility of the employer. The employee is responsible for the sockets and supply.

Lone working: Protect those working alone

As an employer, you must manage any health and safety risks before people can work alone. This applies to anyone contracted to work for you, including self-employed people.

Lone workers are those who work by themselves without close or direct supervision, for example:

- Delivery drivers, health workers or engineers
- Security staff or cleaners
- Warehouses or petrol station employees
- Home workers

There will always be greater risks for lone workers without direct supervision or anyone to help them if things go wrong. Many of them are exposed to work-related road risks.

Keep in touch with lone workers, including those working from home, and ensure regular contact to make sure they are healthy and safe.

If contact is poor, workers may feel disconnected, isolated or abandoned. This can affect stress and mental health.

Under the Management of Health and Safety at Work Regulations, you must manage the risk to lone workers. Think about who will be involved and which hazards could harm those working alone.

You must:

- Train, supervise and monitor lone workers.
- Keep in touch with them and respond to any incident.
- When a lone worker will be at someone else's workplace you must ask that employer about any risks and control measures to make sure they are protected.

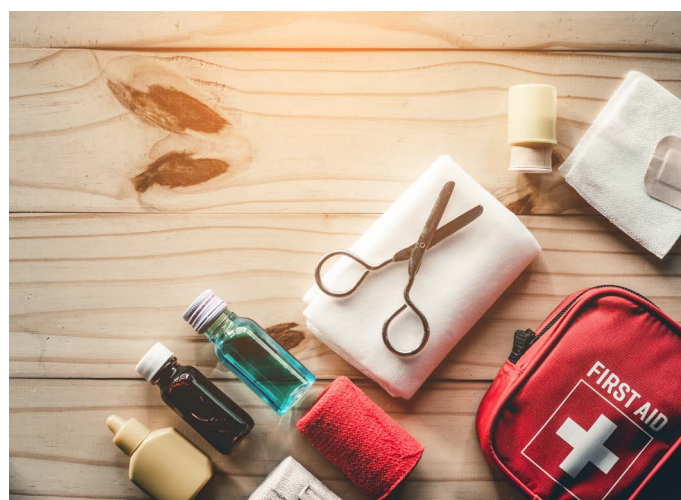
Risks to consider

- Risks that particularly affect lone workers include:
- Violence in the workplace.
- Stress and mental health or wellbeing.
- A person's medical suitability to work alone.
- The workplace itself, for example if it's in a rural or isolated area.

High-risk work

Certain high-risk work requires at least one other person. This includes work:

- In a confined space, where a supervisor may need to be there, along with someone in a rescue role.
- Near exposed live electricity conductors.
- In diving operations.
- In vehicles carrying explosives.
- With fumigation.



First aid cover and qualifications during COVID-19

If first aid cover for your business is reduced because of COVID-19 or you can't get the first aid training you need, there are some things you can do so that you still comply with the law.

You should review your first aid needs assessment and decide if you can still provide the cover needed for the workers that are present and the activities that they are doing.

Keep enough first aid cover

If there are fewer people coming into your workplace it may still be safe to operate with reduced first aid cover. You could also stop higher risk activities.

Share first aid cover with another business

You could share the first aiders of another business, but be sure that they have the knowledge, experience and availability to cover the first aid needs of your business.

Shared first aiders must:

- Be aware of the type of injuries or illnesses that you identified in your first aid needs assessment and have the training and skills to address them.
- Know enough about your work environment and its first aid facilities.
- Be able to get to the workplace in good time if needed.

Whoever provides the temporary cover must make sure they do not adversely affect their own first aid cover.

First aid certificate extensions

If you hold a first aid certificate that expires on or after 16 March 2020 and cannot access requalification training because of coronavirus you may qualify for a 3-month extension. This applies to:

- Offshore Medic (OM)
- Offshore First Aid (OFA)
- First Aid at Work (FAW)
- Emergency First Aid at Work (EFAW)

To qualify for the extension, you must be able to explain why you haven't been able to requalify and demonstrate what steps you have taken to access the training, if asked to do so.

Interrupted first aid training

If because of coronavirus you cannot complete training for your first aid qualification within the usual timeframe, training can restart at a later date as long as:

A full recap of training delivered before the interruption is done before moving onto undelivered modules.

The awarding body is content that you can show:

- A full understanding of all aspects of the course content.
- The knowledge required and competencies at the end of the training.

How Gallagher can help

When interruption to your business happens due to a long-duration event such as a pandemic, severe weather or natural catastrophe, it can present numerous and complex issues. There are many ways Gallagher can help in times like these.

Remote health and safety risk management services

- Health and safety audits, system design, training and implementation
- Health and safety training courses
- Business continuity planning
- Fleet risk audits, system design and implementation
- Property risk management reviews
- Contract risk reviews and training

Managing health & safety at work has been a legal requirement since 1974. Done right, it's a potent differentiator which can strengthen your tenders, reduce downtime, and cut labour costs through fewer accidents.

From simple phone-based advice to bespoke consultancy and training, we can provide health and safety risk management services which could make a real difference to your business success, delivered as much as possible via video conferencing and phone whilst governmental restrictions are in place. We do this in a way which links your legal obligations to your insurers' expectations – affordably, accurately and sustainably.

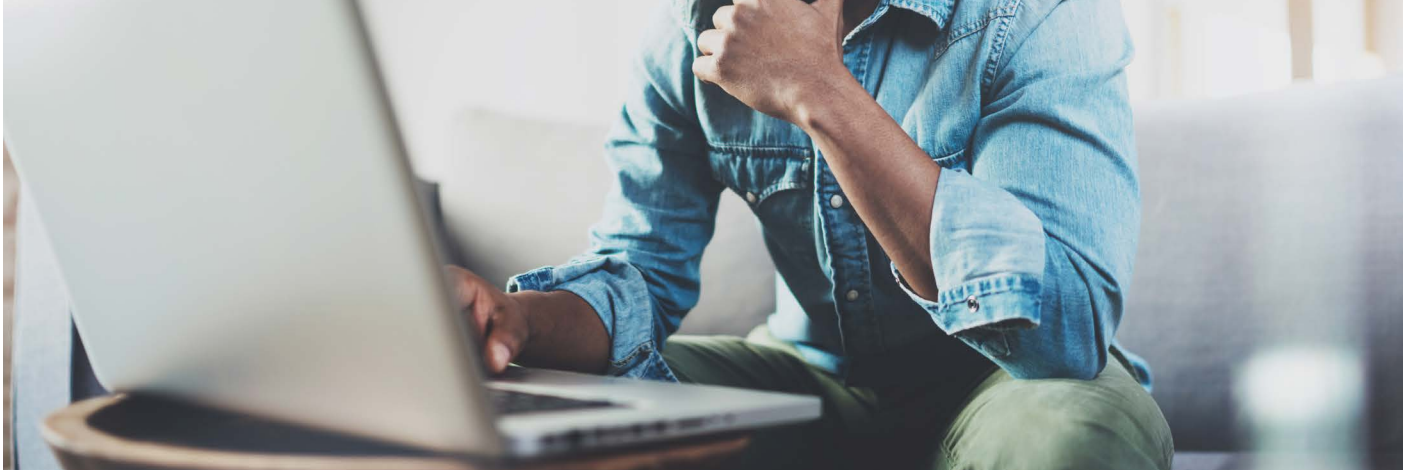
We can help your business to fulfil its regulatory requirements by providing a competent person service, health & safety documentation, reviews and audits of management systems, risk assessments, inspections, essential testing & maintenance, certificated training and online entry-level planning.

Risk Management Solutions consultancy and training services can be linked to your insurance placement. Our consultants work closely with our brokers, so that they, and insurers, better understand your placement requirements or your claim, and can offer effective and competitive responses.

Risk management services

Gallagher provides robust risk management and wellbeing strategies that can help you to mitigate or minimise the impact of business interruption for your organisation and your people.

Whether that's reviewing key covers such as general liability insurance, management liability insurance, employers' liability insurance, property/business interruption insurance and travel/accident insurance, or working with you to analyse your risk to see what specialist products you may need, if any, and then determining a suitable level of cover.



Employee health and wellbeing

Within Gallagher we have one of the leading, full-lifecycle employee benefit consultancies. We provide effective protection, healthcare and wellbeing strategies to support the physical and emotional wellbeing of your people. Our healthcare consultants and group risk consultants can advise on a range of benefits from private medical insurance to income protection.

As well as being able to offer these consultancy services to businesses large and small, Gallagher can deliver advice on the more unusual challenges that your business and people may sometimes have to face. In the event of a pandemic, for example, you may need help with staff training for your business continuity plans, and advice on communication protocols and home working solutions that also focus on employee welfare.

Business reviews

When there's a significant, ongoing event to deal with and prioritise, it can be tempting to put aside some of the 'business as usual' meetings and projects but we are committed to supporting you, whatever is happening in the world that may be impacting your business.

Companies of all sizes can be vulnerable, and during challenging and uncertain times, it's even more important to have adequate support in place. We are here to help and can arrange a time convenient with you to set up a video conference for a business review discussion if circumstances don't permit meeting face to face.

Would you like to talk?

If you have any questions about how our consultancy services could help you, or you would like to arrange a business review, please get in touch with us.

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