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Home > Coronavirus (COVID-19) > Business and employers: coronavirus >

>> Follow the advice for coronavirus (COVID-19)

Your responsibilities as an employer: coronavirus > Workplace guidance for employers and employees: COVID-19 > Keep Wales safe at work [HTML]

Keep Wales safe at work

GUIDANCE

Workplace guidance for employers and employees during the coronavirus (COVID-19) pandemic.

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Contents

Introduction

Key information

PPE Personal Protective

Equipment

Face coverings

Businesses that are permitted to operate, or premises that are allowed to open, must do so safely in a way that complies with the Regulations, in addition to other legal obligations imposed on employers (such as health and safety legislation). The Welsh Government has issued **Statutory Guidance** on taking all

To tackle the spread of coronavirus, the Welsh Government introduced

regulations imposing strict restrictions on gatherings, the movement of people

and the operation of businesses, some of which had been required to close

reasonable measures to minimise exposure to coronavirus in workplaces and premises open to the public. The Keep Wales Safe – At Work guidance builds

on these requirements and aims to help employers, employees and the selfemployed to work safely. Each business is unique and will need to decide what actions it needs to take to operate safely, depending on the nature of the business including the size and type of business, how it is organised, operated, managed and regulated. All businesses must have regard to the

Coronavirus Regulations and the Statutory Guidance. In the event of any discrepancy between this guidance and the **Statutory** Guidance, you should have regard to the Statutory Guidance. This guidance is not a substitute for legal advice, which you should consider obtaining where

necessary, nor does it supersede any legal obligations including in relation to health and safety, employment or equalities. It is important that as a business or an employer you continue to comply with your existing obligations including those relating to individuals with protected characteristics. Failure to comply with the relevant public health legislation could result in enforcement action by the relevant authorities. This document contains guidance to take into account when complying with these existing obligations. When considering how to apply this guidance, take into account agency workers, contractors and other people, as well as your

employees and anyone else on premises. To help you decide which actions to take, you must carry out an appropriate COVID-19 risk assessment, just as you would for other Health and Safety related hazards. This risk assessment must be done in consultation with the recognised trade union or, if there isn't one, a representative chosen by workers. We expect that this document will be updated over time. This version is up to date as of **28 July** 2020.

guidance. If someone becomes unwell in the workplace with a new, continuous cough; high temperature; and/or the loss or a change in their normal sense of smell or

taste they should be sent home and advised to follow the advice to stay at

home. They must also stay home if a member of their household becomes

unwell with these symptoms, or if they are contacted as part of the **Test**,

Carry out a risk assessment through meaningful discussion with staff and/or their recognised trade union and share the results with your workforce. You

especially vulnerable to COVID-19. Risk assessments are a legal requirement

should have particular regard to whether the people doing the work are

for pregnant women no matter the size of the business.

of exposure to coronavirus.

in Wales on how to Test, Trace, Protect.

2. Take practical measures to work safely and actively implement Test, Trace, Protect in the workplace The detailed guidance includes specific, practical measures that you can take to work safely during the COVID-19 pandemic by implementing cleaning, handwashing and good hygiene procedures. You should provide information

to people entering or working at your premises about how to minimise the risk

coronavirus symptoms, asking them to isolate whist taking a test and waiting

for a result and tracing those individuals who have been in close contact with

precautions and self-isolate (for 14 days). Guidance is available for employers

the person who has tested positive for coronavirus, requiring them to take

Test, Trace, Protect (TTP) will work by testing those people who have

3. Help staff to work from home whenever possible The most effective way to minimise exposure to coronavirus is to enable some or all of your staff to work from home, some or all of their time. There is an

expectation that employers should be as flexible as possible and make

adjustments wherever that is possible. This may include issuing staff with

possible Where working from home is not reasonably practicable, those responsible for workplaces or for premises open to the public must ensure that everything reasonable is done to maintain a 2 metre distance between people while they are working, including outdoor locations. This is a legal requirement in Wales under the Coronavirus Regulations. Those responsible must have regard to the **Statutory Guidance**, which has been issued to help you understand what

'taking all reasonable measures' means and what to do if it is not possible to

5. Where people cannot be 2m apart, manage the risk of

maintain a distance of 2 metres in certain circumstances.

• using physical barriers. • increased hygiene, environmental cleanliness and providing reminders about the importance of hygiene.

• washing hands well for 20 seconds with soap and drying thoroughly, or

using alcohol based hand gels, before and after close contact.

The Welsh Government has issued Statutory Guidance on taking all

• minimising loud noises which will require people to shout over them.

reasonable measures to minimise exposure to coronavirus to which you must have regard. Failing to take reasonable measures to minimise exposure to coronavirus is an offence in Wales, which on conviction may lead to a fine. Five principles for safety at work To support businesses to work safely the Welsh Government has adopted five

In terms of your workforce: you should help your staff to work from home for some or all of their time, if it is reasonably practicable for them to do so. Additionally, securing childcare and finding a safe way to travel to and from work may be difficult and a source of anxiety. Employers should be mindful

have the evidence as to why groups are impacted more than others, so employers should take extra care to safeguard vulnerable employees. There is more information on vulnerable groups and social distancing here: COVID-19 social distancing guidance for everyone in Wales. The

Employers and business operators are still under legal obligations to ensure the decisions they make in response to COVID-19 do not directly or indirectly discriminate. You should not make biased assumptions and use those to disadvantage workers or block them from the job market.

2. Comply: The laws that keep us safe must be obeyed

Employers and business operators must continue to fulfil their legal duties

b. Ensuring that other reasonable measures are taken to minimise risk of exposure to the virus, in particular by limiting close face-to-face interaction and by improving hygiene; and c. Providing information to those entering or working at premises about how to minimise risk.

3. Involve: We all share the responsibility for safe work

employees, and others, from harm. Employees and contractors also have a

duty of care for their own safety and those of others on the premises. This is a

You should maintain regular and meaningful communication with employees

chosen by workers (including their health and safety committee, if this exists).

and with the recognised trade union or, if there isn't one, a representative

This should identify and deal with risks before anyone re-starts work, and

Employers and business operators are required by law to protect their

shared responsibility.

new risks.

SO.

4. Adapt: We will all need to change how we work To comply with the duties describe above you and your staff will need to change the way you work. If you are currently operating, you are likely to have

gone through a lot of this thinking already. We recommend that you use this

document and the detailed sector guidance applicable to you to identify any

working. In your reviews, you should also consider if any measures may no

All workplaces are different, but there is a growing body of industry specific

guidance and examples of good practice available to draw upon that can help

to the Coronavirus Regulations and Statutory Guidance applicable at the

periodically to reflect any regulatory changes and we encourage you to use

this guidance to help you to implement any changes that may be required.

5. Communicate: We must all understand what to do

You are required by the Coronavirus Regulations to provide information to

those entering or working at premises about how to minimise exposure to

communication between employers, employees, the self-employed, trade

unions (if one exists), visitors and anyone else on the premises about the

reasonable and proportionate actions being taken. It is important that

coronavirus. It is therefore essential that there is clear, precise and constant

time. This guidance and the detailed sector guidance will be updated

you decide what actions you need to take. At all times you should have regard

longer be effective or if there are changes in the workplace that could lead to

continuously review the measures you have put in place to make sure they are

further changes or improvements you may need to make. You must

everyone gets the same message and same instruction. Employers and business operators should ensure that communications are accessible for all. The aim is to give clear communications and assurance of the management of COVID-19 risk and to minimise exposure to the virus. **PPE Personal Protective Equipment**

groups you should refer to the Public Health Wales information for health and social care professionals. Unless you are in a situation where the risk of COVID-19 transmission to your workforce is very high, your risk assessment should reflect the fact that the role of PPE in providing additional protection to staff is extremely limited.

must provide this PPE free of charge to workers who need it. Any PPE

not possible. From 27 July it is mandatory to wear a face covering on public transport. If worn, effective face coverings should have a water repellent outer layer if possible, and are comprised of 3 layers of different fabrics, which are nonstretchy. They should fit well with no air gaps around sides and under chin. They are not a substitute for other preventative measures, such as physical distancing. Where 2m physical distancing can be maintained in Wales we do not recommend wearing a face covering. We do not recommend that they are compulsory; however, we do support the public's right to choose whether or not to wear them.

Employers should support their workers in using face coverings safely if they

when wearing a face covering, avoid touching your face or face covering,

avoid touching a face covering and do not hang it from the neck or pull

• if the material is washable, wash in line with manufacturer's instructions.

If it's not washable, dispose of it carefully in your usual waste and help

practicing physical distancing is the most effective way of reducing the

You can make face coverings at home and can find guidance on how to do

as you could contaminate them with germs from your hands.

• change your face covering if it becomes damp or if damaged

What to do if you are concerned about work place safety If you are concerned about the safety measures in your workplace or in a work

 assessing risk specific advice for your industry talking with your workers • who should go to work?

The HSE Guide can be found here: Coronavirus (COVID-19): latest

Terms and conditions

The Health and Safety Executive (HSE) has produced a short guide on

Working Safely during the Coronavirus Outbreak. The Guide contains

• information and guidance PPE (personal protective equipment)

information and advice.

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temporarily. Incrementally, as a result of regular review of the Regulations, an increasing number of these have been allowed to operate again.

Introduction

open up our society and the economy in Wales, these aims still stand. Businesses should operate lawfully and safely. The Welsh Government has produced detailed guidance for a number of sectors on how to work safely and we encourage you to comply with this guidance. There are five key steps all those responsible for work in Wales should implement to help us Keep Wales Safe - together. It complements all other

protecting public health and protecting the NHS. As we continue to move to

Since the beginning of the Covid-19 outbreak our aim has been clear:

Key information

Trace, Protect programme. 1. Carry out a COVID-19 risk assessment

laptops or mobile phones and facilitating communication with all. 4. Maintain 2m physical distancing in premises open to the public and where work is being carried out, where

exposure to coronavirus Where people are unable to observe the 2m distancing rule and where closer working is required, take all reasonable measures to minimise exposure to coronavirus, for example by: limiting the level of face-to-face interaction.

principles for safety at work: 1. Care: Our health and well-being comes first Everyone should approach the health, safety and well-being of members of the public and customers, as well as employees and contractors and anyone

The COVID-19 outbreak is a new and fast moving situation for everyone. It will

be challenging, worrying, and potentially stressful for many.

that this could pose a barrier to an employee's safe return to work.

The COVID-19 pandemic poses health risks to everyone, but for certain

vulnerable people, there is an increased risk of becoming seriously ill. It is also

evident that certain members of our community, such as those from black and

minority ethnic backgrounds, are impacted more than others. We do not yet

else on premises as paramount.

online COVID-19 Workforce Risk Assessment Tool is a two-stage risk assessment for NHS and Social Care workers, which is suitable for use for all staff who are vulnerable or at risk of contracting COVID19, including people from Black, Asian and Minority Ethnic (BAME) backgrounds.

under new and existing health and safety laws, including maintaining and protecting the health, safety, and well-being of employees and contractors, customers, and visitors. In Wales, the Coronavirus Regulations require persons who are responsible for work or a premises that is open to the public to minimise exposure to coronavirus by:

a. Taking all reasonable measures to ensure that a distance of 2 metres

between all persons is maintained on particular premises;

manage risks in the workplace on an ongoing basis. Staff should be involved with implementing control measures and reporting risks to protect workers and visitor.

PPE protects the user against health or safety risks at work. It can include items such as safety helmets, gloves, eye protection, high-visibility clothing,

safety footwear and safety harnesses. It also includes respiratory protective

equipment, such as face masks. Where you are already using PPE in your

At the start of this document we described the steps you need to take to

that is possible, or and taking all reasonable measures to maintain 2m

fixed teams or partnering, not through the use of PPE.

and personal protective equipment (PPE).

physical distancing on your premises where work is carried out or that are

open to the public. When managing the risk of COVID-19, additional PPE

beyond what you usually wear is not recommended. This is because COVID-

19 is a different type of risk to the risks you normally face in a workplace, and

needs to be managed through physical distancing, good hygiene routines and

The exception is clinical settings, like a hospital, or a small handful of other

roles for which Public Health Wales advises use of PPE. For example, first

responders and immigration enforcement officers. If you are in one of these

However, if your risk assessment does show that PPE is required, then you

provided must fit properly. More information on PPE in Wales: Coronavirus

manage COVID-19 risk in the workplace. This includes working from home if

work activity to protect against non-COVID-19 risks, you should continue to do

Face coverings There are some circumstances when wearing a face covering may be marginally beneficial as a precautionary measure. The evidence suggests that wearing a face covering does not protect you, but it may protect others if you are infected but have not developed symptoms. A face covering can be very simple and may be worn in enclosed spaces where physical distancing is not possible (see below). A face covering is not the same as the surgical masks or respirators used by healthcare and other workers as part of higher specification PPE. It just needs to cover your nose and mouth. Similarly, face coverings are not the same as the PPE used to manage risks like dust and spray in an industrial context. Supplies of PPE,

including face masks, must continue to be reserved for those who need them

It is important to know that the evidence of the benefit of using a face covering

to protect against risks in their workplace, such as health and care workers,

and those in industrial settings like those exposed to dust hazards.

to protect others is weak and the effect is likely to be small, therefore

management for the purpose of their health and safety assessments.

face coverings are not a replacement for the other ways of managing risk,

for close-up work, and increasing hand and surface washing. These other

measures remain the best ways of managing risk in the workplace and we

would therefore not expect to see employers relying on face coverings as risk

Wearing a face covering is optional and is not required by law, including in the

workplace. A three-layer face covering is recommended for the public for

short-term use where other controls, such as physical distancing, are

including minimising time spent in contact, using fixed teams and partnering

choose to wear one. This means reminding them of the following information: wash your hands thoroughly with soap and water for 20 seconds (or use hand sanitiser) and dry thoroughly before putting a face covering on, and before and after removing it

down from the nose

keep Wales tidy

this and use them safely.

Where to find out more

information on:

continue to Wash your hands regularly.

wash your face covering daily

transmission of COVID-19.

place you visit, or in a premises that is open to the public then you can report this to the Public Protection services of your local authority (which include environmental health and health and safety) who are responsible for advice and enforcement. In many "closed" workspace settings (i.e. where there is no

working practices is in the remit of the Health and Safety Executive.

access for the public or external contactors) regulation and enforcement of

• protecting people who are at higher risk getting into and leaving work work area moving around common areas • good hygiene

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What to do if you are concerned about work place safety

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