

Planning for your return after COVID-19

Migrating a workforce from home or furlough back into the workplace has many implications. Here is an aide memoire of some issues which might arise. Please note – individual circumstances will vary hence this is for discussion only and not intended as legal or regulatory guidance.

COMPLIANCE

The [Health and Safety at Work Act 1974](#) requires an employer take all reasonably practical steps to ensure the health, safety and welfare of its workers (including anyone else affected by the business operations). This might involve:

- redesigning the job
- replacing materials, machinery or process
- organising work to reduce exposure to the materials, machinery or process
- identifying and implementing practical measures for safe working
- providing personal protective equipment and ensuring it is used

The [Management of Health and Safety at Work Regulations 1999](#) requires an organisation to make suitable and sufficient assessments of the health and safety risks faced by its employees and implement the health and safety measures identified under that risk assessment. Assessments must be kept updated to reflect current circumstances.

The [Personal Protective Equipment at Work Regulations 1992](#) places an obligation on employers to provide PPE in circumstances where risks cannot be controlled by other means. Employees must be trained in its use and the PPE must be cleaned/replaced as required to maintain its effectiveness.

PRE-PLANNING

With reference to guidance from Public Health England ('PHE') and World Health Organisation ('WHO'), determine what PPE and changes to workplace practices might be required. Make enhanced provision for staff who are more vulnerable due to age, pre-existing conditions, pregnancy or disability. Update staff handbook/employment contracts/disciplinary procedures as appropriate. Prepare COVID staff training (ideally delivered online with assessments) prior to any return to work. As recommended by PHE, schedule periodic reminders of key points. Ensure staff are aware of who, when and how to inform at your company if they are unwell or required to self-isolate. Remind those in the notification chain that health data (such as potential coronavirus symptoms) is 'special category data' under the GDPR and subject to additional safeguards.

Employers cannot enforce temperature checks upon staff without their prior consent. If consent is granted, (as above) any results must be handled in a manner compliant with the GDPR.

Consider additional support for staff with stress and mental health issues.

If your premises were mothballed, recommission water and air-con systems carefully with regard to Legionella risk.

Book a deep clean of your premises before restarting (to include hydrogen peroxide dry vapour fogging if required). Irrespective of the additional risks posed by coronavirus, a build-up of bacteria/biofilm is likely on most surfaces.

If utility companies (such as water suppliers) were previously informed of the temporary closure of your premises, notify them in advance of your return to work. If your electricity and gas meters are not self-reading, take opening readings and inform your supplier(s).

Check that your insurance cover is appropriate and adequate.

Review contracts with external suppliers to determine if they give adequate protection (such as force majeure, step-in/non-exclusivity and the right to terminate for non-performance). Similarly, review the obligations and remedies in your onward supply contracts with customers.

Review all manual processes and dispense with any not currently business critical. Try to replace paper processes with digital, and cash payments with electronic. Amend your terms of trade and company documentation accordingly and inform staff.

Advise your suppliers and logistics provider of any new working practices.

Contact your customers, advise them of your proposed upgraded safety procedures, discover if they have any additional requirements and review accordingly.

Define new procedures covering deliveries, reception and visitors and inform relevant staff.

Check if any regulatory/trade bodies require you to capture data and instigate a procedure to support this.

If the return to work is partial and staff remain split between home and workplace, vulnerability to cybercrime increases exponentially. Consider additional protections and online cyber risk training (particularly for finance-related functions).

WORKPLACE CHANGES

Where possible, make access non-touch (automatic doors, proximity cards, voice recognition etc).

Delineate safe distancing via non-slip floor tape/stickers/matting – including dining/smoking/changing areas.

Display COVID-related signage at appropriate locations (PHE website has recommended formats). If possible, implement a one-way system and single entry/exit routes.

Install adequate handwashing stations and supplies of soap, disposable towels etc.

Provide sanitising gel and alcohol wipes, particularly for delivery drivers etc who will not have easy access to handwashing facilities.

Increase workspace ventilation and/or air filtration where possible (if your air conditioning unit is over 5 years old and has an effective rated output of more than 12kw it may be due for a T44 inspection).

Desks should be orientated back-to-back with dividers between rows. Desks and/or workstations taken out of service to ensure social distancing should have 'not in use' signs attached. Toilet facilities should have similar demarcations.

Remove the full complement of chairs from conference rooms. The floor area of common areas (such as meeting rooms) should be calculated and signage displayed to show the maximum permissible number of occupants. Reduce the frequency and attendee list for physical meetings or ideally use telephone or video conference facilities instead.

Ask staff to clean desk phones and keyboards regularly with alcohol wipes. If your telephone system allows it, possibly install a company "softphone" on staff smartphones to minimise the use of communal telephones.

Staff

In circumstances where working within 2 metres of a colleague is unavoidable it should only be for very brief periods (<15 minutes) and faced away from each other.

If possible, stagger arrival time and shift patterns. Discuss the impact of this with each staff member as COVID might have altered domestic arrangements.

Try to subdivide large teams into smaller teams. Teams should avoid exchanging members – in the event of infection this will make it easier to define who has worked with whom, and where. Employees who have been in close proximity to the infected staff member can take appropriate action and the relevant part of the premises (rather than the entire premises) can be deep cleaned.

If possible, cross-train skills in order to make each team resilient if one member is absent.

Car-sharing (but only within work teams) might minimise staff use of public transport. Where possible, minimise cross-team sharing of company equipment and/or vehicles and provide alcohol wipes where sharing is unavoidable.

If your staff are provided with laundered workwear, consider if the items/collection process/wash frequency/wash type is adequate.

Use disposable cutlery/crockery where possible. Manage queues and stagger mealtimes.

Where feasible, encourage staff to bring their own food + drink and control external food deliveries.