

Our ref: H&S/Retail

5 June 2020

Dear Sir/Madam

COVID-19 Health and Safety responsibilities for Businesses and Employers

The Health and Safety team within the council's Environmental Health Department is committed to working with businesses to help guide, support and navigate this challenging and rapidly evolving situation.

It is important that you keep yourself right and your employees, customers and visitors to your premises safe. Links to websites/documents are embedded within this letter to make it easier to access the guidance by clicking on the blue text. Your efforts in adapting quickly and changing the way you operate your business whilst protecting employees, members of the public and other visitors to your premises are to be applauded.

COVID-19 has increased health and safety responsibilities and legal obligations for business operators. Now more than ever is the time to safeguard your business by taking all reasonable steps to prevent exposure to the invisible threat of virus and its devastating consequences/impact.

[The Health Protection \(Coronavirus, Restrictions\) Regulations \(Northern Ireland\) 2020](#) and subsequent amendments specify essential businesses which may remain open and non-essential businesses which must be closed. This is enforced by PSNI and Council. Regulations are reviewed every 3 weeks and updated to reflect which business may be open and which activities are permitted. We all must await announcements from the Northern Ireland Executive to determine when and what type of businesses may reopen and what activities may resume.

It is essential for employers to keep themselves informed of the work related risks posed by COVID-19. Current public health advice is available from the [Public Health Agency](#), the [Department of Health](#) and [NI Direct](#). As new information comes to light, further guidance will be issued and changes made to legislation. It is equally important that employees are aware of the most up to date information.

Government guidance on '[Working safely during coronavirus \(COVID-19\)](#)' has been published in consultation with industry to ensure workplaces are as safe as possible and cover a range of work activities and you may need to refer to more than one for your particular business. This guidance is supported by [online webinars](#).

A practical guide to making workplaces safer entitled '[COVID-19: Working Through This Together](#)' gives a useful overview of the principles and steps for employers and employees to keep themselves and their workplaces safe including:

- [Employee consultation](#)
Regular employee consultation is vital for providing and reinforcing safety messages on the steps necessary to keep the workplace safe from the virus and to address staff fear and anxiety.

- Reporting Illness

Employees must be aware of the reporting requirements to report symptoms. If anyone becomes unwell with a new continuous cough or a high temperature they must follow Public Health Agency stay at home guidance. If illness arises while they are at work they must go home immediately.

- Hand washing

Employers must ensure there are facilities for everyone to wash hands with soap and hot water. Everyone should wash their hands for at least 20 seconds on arrival at work, on return home from work and on all the other usual occasions e.g. after blowing their nose, sneezing, coughing also before and after eating and handling food. Where this is not possible, hand sanitiser containing at least 60% alcohol may be used. Hand washing facilities must be cleaned and disinfected regularly and made available to delivery staff if required.

- Cleaning and disinfection

Ensure regular cleaning and disinfection of touch points such as door handles, hand rails, lift buttons, vending machines and biometric clocking-in systems etc. using appropriate cleaning methods and products in line with the manufacturer's guidance. Cleaning frequency should reflect how often touch points are used. Consider the use of pedal rather than hand operated waste bins where possible. Further guidance on cleaning is available from [gov.uk](https://www.gov.uk).

- Social Distancing

Arrangements must be put in place and monitored by management e.g. display of signage and floor markings to ensure members of the public, delivery staff, contractors etc. can access your premises and socially distance by keeping 2 metres apart to protect themselves and others. This applies throughout workplaces including communal areas such as canteens and toilets. Where social distancing cannot be achieved within the normal working environment, businesses should consider additional means of protection e.g. Personal Protective Equipment (PPE) or protective screening which must be stringently controlled.

Government advice including guidance for businesses is available online at <https://www.gov.uk/coronavirus>
Public Health Agency advice including posters are available at <https://www.publichealth.hscni.net/>

The introduction of new legislation and Public Health measures above mean that it is time to review and update your health and safety documentation if you have not already done so.

1. Health and Safety Policy

The Health and Safety at Work (Northern Ireland) Order 1978 requires employers to take all reasonably practicable steps to ensure the health, safety and welfare of their workers and anyone else affected by their business (including members of the public and contractors). This includes keeping up to date with the work-related risks posed by COVID-19, as well as planning and implementing all reasonably practicable risk reduction measures. Health and Safety policies must be reviewed and updated to address the risk of COVID-19. Employees have a duty to adhere to their employer's controls - to protect themselves and others around them.

For further information on Health and Safety policies and a completed example visit the Health and Safety Executive for Northern Ireland (HSENI) website at <https://www.hseni.gov.uk/articles/health-and-safety-policy>

2. Risk assessments

The Management of Health and Safety at Work Regulations (Northern Ireland) 2000 require risk assessments that are suitable and sufficient to address the health and safety hazards, their associated risks faced by your employees and others affected by your operations including customers and contractors. Risk assessments must be in writing if you have 5 or more employees; they must be reviewed and updated as necessary when circumstances change.

The Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003 requires COVID-19 as a substance hazardous to health to be risk assessed taking on board current Government and Public Health Agency advice. It is vital to keep up to date with the latest developments and act accordingly by implementing controls which mitigate or reduce the risk.

Additional reviews may be required in the event of further information being made available. Adequate information, instruction and training must be provided to employees to ensure any additional controls can be implemented.

For further information on Risk Assessments, templates and completed examples visit <https://www.hse.gov.uk/risk/>. A template risk assessment for COVID-19 is available at <https://www.hseni.gov.uk/publications/example-COVID-19-risk-assessment-template-which-you-may-find-useful-in-adapting-for-your-specific-circumstances>.

3. Welfare facilities

The Workplace (Health, Safety and Welfare) Regulations (Northern Ireland) 1993 require every workplace must have adequate sanitary and washing facilities and a sufficient number of wash hand basins which must provide a supply of hot and cold water (or a mix of both). Where employers have taken on additional staff, to cope with demand at this time, they must ensure that facilities are adequate to accommodate everyone. Washing facilities must be cleaned and disinfected regularly. To assist in preventing cross contamination liquid hand soap and disposable hand towels should be used and disposed of appropriately. Reusable hand towels must not be used. Further information is contained in [HSE's Approved Code of Practice L24](#)

4. Personal Protective Equipment (PPE)

PPE may be identified by your risk assessment as an additional control. The Personal Protective Equipment at Work Regulations (Northern Ireland) 1993 require that PPE is suitable and appropriate to prevent or control the risks so far as is reasonably practicable. It must be capable of being fitted correctly and employees must be adequately informed, instructed and trained in its use and removal to reduce the risk of contamination. It must be maintained and replaced as appropriate. If reusable it must be cleaned and disinfected appropriately and frequently. All reasonable steps must be taken to ensure that any PPE is properly used and disposed of in the appropriate manner.

5. Reporting of injuries, diseases and dangerous occurrences

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997, places a legal duty on employers, self-employed people and people in control of premises to report work-related deaths, major injuries or over-three-day injuries, work related diseases and dangerous occurrences (near miss accidents).

Employers must now report cases of COVID-19 within the workforce where there is reasonable evidence that someone diagnosed with COVID-19 was likely to have been exposed due to their work activities. Further information on RIDDOR reporting is available at <https://www.hseni.gov.uk/report-incident>

6. Statutory Inspections (Lifting Equipment, Pressure systems, Gas etc.)

Whilst the requirements for carrying out thorough examination and testing of work equipment remain the same, it is acknowledged that there may be difficulties in arranging statutory inspections. Many insurance inspection bodies are continuing to operate in consultation with their clients. You still have a legal obligation to ensure equipment is safe to use by continuing to carry out plant maintenance and internal inspection processes as normal. Specific advice should be sought from your insurer as you still have responsibility to ensure equipment is safe to use. Where there are concerns about equipment it must be taken out of service immediately. Further information is available from the HSENI website at <https://www.hseni.gov.uk/articles/covid-19-workplace-safety-guidance>

7. Legionella

You need to manage the risk from legionella bacteria that may be present in the hot and cold water system of your building or from any other source of water used as part of your business activities. HSENI have produced specific guidance for [Managing legionella during COVID-19 lockdown](#). Where your business has been closed or scaled down, you must address the issue of stagnation, routine checks and maintenance that may not have taken place. Water dosing may be required, temperature checks, cleaning and disinfection need to be reviewed. The control and management of legionella is dealt with more specifically in [Legionnaires' disease. The control of legionella bacteria in water systems](#), Approved Code of Practice and guidance (L8). Further information can be found within HSE guidance INDG458 [Legionnaires' disease, A brief guide for dutyholders](#).

8. Industry guidance

Your industry body/trade association may also have useful guidance for your particular business.

Failure to address the above issues within your business puts staff, customers and other visitors to your premises in danger. Environmental Health Officers are monitoring premises and surveillance will be carried out at any time as necessary. Where contraventions are detected which present an unacceptable risk we will have no other option than to take formal action in line with the Council's enforcement policy (available at www.causewaycoastandglens.gov.uk) to secure the necessary improvements. The risk from COVID-19 is too great to overlook. Such action may involve business closure until adequate steps are taken to eliminate or reduce risk to an acceptable level. In addition, civil action may be taken by employees where they have been exposed to the risk of contracting the virus and reasonably practicable steps have not been implemented.

Health and Safety information is available on the [Council's website](#) and from [HSENI](#). Any further relevant information/guidance will be sent to you as it becomes available. There is also a dedicated [COVID-19 business support section](#) on Council's website including business support, advice and mentoring.

Thank you in anticipation of your cooperation. The Environmental Health department remains open for business and as always the health and safety team is available to deal with any queries you have by contacting us on 028 2766 0257 or by emailing healthandsafety@causewaycoastandglens.gov.uk.

Yours faithfully

Health and Safety Team

Causeway Coast and Glens Borough Council