

Legislation Outlook

April 2020

This monthly legislation briefing is a **supplement** to your Activ Comply service to help you to **plan ahead** for maintenance of your ISO 14001, OHSAS 18001/ISO 45001, ISO 50001 and ISO 27001 systems. In addition to giving you advance warning about important legislation that will affect your compliance with the standards, we'll provide news, newly-published guidance and government consultations that you might find useful, as well as any other significant legislation beyond the scope of the standards listed that will potentially impact your organisation. Unlike other services, we only report items of value: we don't waste your time on items such as an increase in administrative fees or changes that only affect enforcement agencies.

When legislative changes are announced with short notice (<1 month) they are not reported here. All changes are automatically delivered direct into your [Activ Comply](#) system as they come into effect so you can be confident that you are always 100% up to date.

For obvious reasons, there is little legislation related to compliance with ISO standards being published at the moment. As the Government is understandably focusing on turning the tide of coronavirus, we have decided to publish a special Focus feature to bring you up to date with all the relevant guidance to help you, your organisation and your employees deal with the coronavirus disruption.

Focus: COVID-19

This month we are providing a summary of the latest rules and guidance in relation to dealing with coronavirus and the disease it causes (COVID-19 or coronavirus disease). Please note that the coronavirus situation remains very fluid and, while this information is correct at the time of writing, it may subsequently change. All the information below is freely available on the websites of the UK Government (www.gov.uk/coronavirus), the Health and Safety Executive (www.hse.gov.uk/news/coronavirus.htm), and the Information Commissioner's Office (ico.org.uk/for-organisations/data-protection-and-coronavirus/). However, as it is spread across a number of different webpages we have consolidated the information here to provide you with a concise summary.

General Guidance for Workers

The general guidance from the Government for workers is:

- only travel to work if you cannot work from home, you are well, and neither you nor any of your household are self-isolating;
- stay two metres (six feet) away from other people; and
- wash your hands with soap and water often for at least 20 seconds (or use hand sanitiser gel if soap and water is not available) on returning home.

Which Organisations Can Remain Open

The government has mandated that certain organisations must close in order to reduce the spread of the disease via social contact. This includes:

- pubs, cinemas and theatres;
- retail stores selling non-essential goods;
- libraries, community centres, and youth centres;
- indoor and outdoor leisure facilities;
- communal places within parks;
- places of worship, except for funerals attended by immediate families; and
- hotels, hostels, bed and breakfasts, campsites, caravan parks, and boarding houses for commercial/leisure use, excluding those in use by permanent residents or key workers, and those providing emergency accommodation.

Other organisations may remain open and their employees can travel to work, but only if they cannot work from home.

Financial Support

The Government has announced a series of support measures to mitigate the financial hardship caused by these restrictions, including:

- the Coronavirus Job Retention Scheme, which allows all UK employers with a PAYE scheme to access support to continue paying part of the salary of employees who would otherwise have been laid off. This applies to employees that have been asked to stop working but are being kept on the payroll. HMRC will reimburse 80% of an employee's wages, up to a maximum of £2,500 per month. The scheme will initially be open for three months but will be extended if necessary, more information is available [here](#);
- the Coronavirus Self-employment Income Support Scheme, which provides self-employed people who have suffered a loss in income with a taxable grant. The grant is paid to the self-employed or partnerships, and is equivalent to 80% of their profits up to a cap of £2,500 per month. The scheme will initially be open for three months and will start providing payments from the beginning of June, more information is available [here](#);
- the deferment of VAT payments for three months until 30 June 2020;
- a statutory sick pay relief package for small and medium sized businesses (SMEs) that will refund up to two weeks' SSP per eligible employee who has been off work with coronavirus;
- support for retail, hospitality and leisure businesses by providing a 12-month business rates holiday and grant funding of up to £25,000;
- small business grant funding of £10,000 for all business in receipt of small business rates relief or rural rates relief;
- the Coronavirus Business Interruption Loan Scheme for SMEs, which provides loans, overdrafts, invoice finance and asset finance of up to £5 million and for up to 6 years.
- a new lending facility from the Bank of England to help support liquidity among larger firms, helping them bridge coronavirus disruption to their cash flows through loans;
- the HMRC Time To Pay Scheme, which provides support to business and self-employed people in financial distress with any outstanding tax liabilities; and
- commercial tenants who cannot pay their rent because of coronavirus disease will be protected from eviction if they miss a payment up until 30 June.

Some of the above measures will only support organisations in England, but similar provisions are in force in Scotland, Wales and Northern Ireland. Click [here](#) for further information.

Employer Support for Employees

Employers are advised to support their employees by taking the following actions:

- encouraging their employees to work at home, wherever possible;
- strongly advising the following vulnerable groups to stay at home and work from there if possible:
 - people aged 70 or older (regardless of medical conditions);
 - pregnant women; and
 - people with an underlying health condition (those who are instructed to get a flu jab each year on medical grounds); and
- using their discretion concerning the need for medical evidence for certification for employees who are unwell, in order to allow GPs to focus on their patients.

Managing Homework Health and Safety Risks

Your employees are currently required to work from home where this is possible. You may not be aware that you have the same health and safety responsibilities for home workers as for any other employees, even where the home working is only temporary. As an employer you will need to consider methods for keeping in touch, ensuring that work activities can be carried out safely and that appropriate control measures are implemented.

The Health and Safety Executive have issued guidance which states that the following considerations are of particular importance to home workers:

- lone workers without direct supervision will always be at greater risk. You should ensure regular contact with home workers to make sure they are healthy and safe. If contact is poor, workers may feel disconnected, isolated or abandoned. This can affect stress levels and mental health. Procedures should be put in place so you can keep in direct contact with home workers, recognise signs of stress as early as possible, and provide an emergency point of contact to provide help if they need it; and
- using display screen equipment (DSE) creates associated health risks that must be controlled. You should advise homeworkers of the following simple steps they 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; and
 - avoiding eye fatigue by changing focus or blinking from time to time.

Office/Onsite Workers

Organisations that employ workers in their offices or onsite should:

- implement measures to maintain social distancing, including minimising all meetings and other gatherings;
- send workers home if they become unwell with either a new, continuous cough or a high temperature, and advise them to stay at home for seven days. 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;
- instruct employees to wash their hands thoroughly for 20 seconds after any contact with someone who is unwell or displays symptoms consistent with a coronavirus infection;
- remind employees to wash their hands for 20 seconds more frequently and to catch coughs and sneezes in tissues;
- frequently clean and disinfect objects and surfaces that are touched regularly (this can be done using your regular cleaning products); and
- in relation to handling post and packages, continue to follow existing risk assessments and safe systems of working as no additional precautions are needed.

It is not necessary to close the business or workplace or send all staff home if one or more co-workers are sent home who are identified as having symptoms consistent with a coronavirus infection

Offsite Workers

Organisations that employ workers who work in public areas must remember that gatherings of more than two workers in a public space are prohibited, unless the gathering is essential for work purposes. This rule applies even if a two-metre distance is maintained between workers.

Work carried out in people's homes can continue, provided;

- the worker has no symptoms of coronavirus disease and maintains a two metre distance from any occupants; and
- the household is not isolating or an individual in the household is not being shielded, unless it is to remedy a direct risk to the safety of the household and the worker is willing to carry out the work.

Workplace Hygiene Controls

The following guidance applies after someone with suspected coronavirus disease has left a workplace:

- cleaning an area with normal household disinfectant after someone with suspected coronavirus disease has left will reduce the risk of passing the infection on to other people;
- if an area can be kept closed and secure for 72 hours, wait until this time has passed before cleaning as the amount of virus living on surfaces will have reduced significantly by 72 hours;
- wherever possible, wear disposable or washing-up gloves and aprons for cleaning. These should be double-bagged and stored securely for 72 hours, then thrown away in the regular rubbish after cleaning is finished;
- using a disposable cloth, first clean hard surfaces with warm soapy water. Then disinfect these surfaces with the cleaning products normally used. Pay particular attention to frequently touched areas and surfaces, such as bathrooms, grab-rails in corridors and stairwells and door handles;
- if an area has been heavily contaminated, such as with visible bodily fluids, from a person with coronavirus disease, consider using protection for the eyes, mouth and nose, as well as wearing gloves and an apron; and
- wash hands regularly with soap and water for 20 seconds, and after removing gloves, aprons and other protection used while cleaning.

Data Protection Requirements

The Information Commissioner has issued the following guidance in relation to data protection during the pandemic:

- the ICO will not penalise organisations who are unable to respond to information rights requests within the statutory timescales where the organisation has needed to prioritise other areas or adapt their usual approach due to coronavirus disruption;
- data protection is not a barrier to home working. Employees can use their own device or communications equipment, but you will need to consider the same kinds of security measures for homeworking as you would use in normal circumstances;
- data protection does not prevent you from keeping employees informed about cases of coronavirus disease in your workplace in order to ensure their health and safety. However, you shouldn't provide more information than necessary. For example, in most cases you will not need to name the infected individual;
- health data collected in relation to coronavirus disease about employees or visitors to your organisation should be kept to a minimum. It is reasonable to ask people if they have visited a particular country or whether they are experience symptoms of coronavirus disease. If you need to collect more specific health data, don't collect more than you need and ensure that any information collected is treated with the appropriate safeguards;
- in the unlikely event that your organisation is asked to share information about specific individuals with the authorities for public health purposes, data protection law will not stop you from doing so.

Useful Information for Employees and Self-Employed People

Individuals with symptoms of coronavirus, however mild, are advised to stay at home for a period of 7 days from when the symptoms started.

All other members of that household who remain well are advised not to leave the house for 14 days from the day that the first person started displaying symptoms.

If anyone else in the household starts displaying symptoms, they should stay at home for 7 days from when the symptoms appear, and the original 14 day isolation period should be ignored.

Once isolated, you are strongly advised to remain at home. You should not go to work, school, or public areas. You should not use public transport or taxis. If possible, you should not go out even to buy food or other essentials, other than to exercise, and in that case at a safe distance from others. You should not invite or allow social visitors, such as family or friends, into your home. You must not go to a GP surgery, pharmacy or hospital. If you feel you cannot cope with your symptoms at home, your condition worsens, or your symptoms do not get better after 7 days, then use the [NHS 111 online coronavirus service](#). If you do not have internet access, call NHS 111. For a medical emergency dial 999.

Once isolated, you should:

- if possible, move any vulnerable individuals (those aged over 70, pregnant or with underlying health issues) out of your home for the duration of the home isolation period. If this is not possible, minimise contact as much as possible. Maintain two metre distancing, encourage them to sleep separately, use separate bathrooms (where this is not possible, use separate towels and clean any surface you will both come into contact with), avoid using the kitchen at the same time and eat in separate rooms;

- plan ahead and ask others for help to ensure that you can successfully stay at home and consider what can be done for vulnerable people in the household;
- ask your employer, friends and family to help you to get the things you need to stay at home; and
- wash your hands regularly for 20 seconds, each time using soap and water, or use hand sanitiser.

If you follow the advice to isolate yourself at home, remember that:

- if you are an employee you will be eligible for statutory sick pay from the first day you are absent from work;
- if you are self-employed you will be eligible for universal credit at the same rate as statutory sick pay, and any income tax payments due in July 2020 under the self-assessment system may be deferred until January 2021. You may also be eligible for contribution-based employment and support allowance; and
- if evidence is required by an employer, those with symptoms of coronavirus can get an isolation note from NHS 111 online, and those who live with someone that has symptoms can get a note from the NHS website.

In order to ensure colleagues and staff are receiving accurate, sensible information and advice, our sister company has produced a FREE online course via their e-learning platform. This course can be shared with friends, family, and colleagues to help dispel myths and offer sensible advice for how we can all stay safe.

You can access this free course here: <http://bit.ly/33v1g4w>.

Remote Training on your Activ system

In light of the current situation we find ourselves in, if you or your colleagues are now working from home and need some additional training in the system, please do get in touch. Likewise, should you need to introduce any additional users to specific areas of Activ, we would be pleased to provide training based on your individual needs.

We can offer individual tutorials or group sessions if you have a particular priority, covering areas such as document management, remote auditing or supplier assessment, for example.

Getting Help

General assistance and user guides can be found [here](#), alternatively please contact our support team at support@myactiv.co.uk or by phone on 0333 301 9002.

To arrange any remote training, please contact us either by phone on 0333 301 9001 or email at a.harris@myactiv.co.uk, it would be our pleasure to help.

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