GUIDANCE

Creative industries: guidance for a phased return

Guidance on coronavirus and working safely in creative industries.

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Introduction

The creative industries has been one of the fastest growing parts of the Welsh economy for a number of years. The sector doesn’t just create jobs and wealth – it contributes to a strong national brand and helps to promote Wales and its culture and talent to the world. A creative society in its widest sense promotes well-being and a more inclusive society.

This document offers high-level guidance for organisations operating in the creative industries in Wales.
Emerging from lockdown successfully requires a vigorous approach to finding common solutions that control and mitigate the spread of COVID-19 as part of a collective effort towards managing risk. As the First Minister of Wales stated in *Leading Wales out of the Coronavirus Pandemic – a framework for recovery*, relaxing the current lockdown should not cause further harm.

The Welsh Government has published an update to the *Coronavirus Control Plan*, which builds on the traffic-light framework of restrictions put in place in May 2020. The revised plan puts in place four alert levels, aligned to the measures needed to control the spread of the virus through the difficult winter months ahead and to protect people’s health. This guidance must be considered in the context of the alert level in place in Wales.

This guidance does not supersede any legal obligations relating to health and safety, employment or equalities, and 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. It contains non-statutory 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. This guidance does not repeat the guidance already available, but signposts to that guidance and to specific advice for key sub-sectors.

The Welsh Ministers must review the need for the requirements and restrictions in the Coronavirus Regulations taking into consideration the latest evidence from the UK Scientific Advisory Group for Emergencies (SAGE) and the advice of the Chief Medical Officer for Wales.

You should only restart activities when you feel able to do so safely. It is also for each employer to decide when it is the appropriate time to return workers to work.

It is an expectation that each organisation will apply detailed and bespoke solutions that focus on safeguarding all workers and the public, and will give due consideration to the local communities in which they exist and operate. Plans should be proportionate, should be reviewed regularly, and must offer a careful, phased approach to resuming activity. Organisations should also focus on
creating agile solutions that can be paused or rapidly reversed in the event of further COVID-19 outbreaks.

Public and worker confidence will be key in supporting a successful and commercially viable return to business, and therefore a careful, coherent process of emerging from lockdown is essential.

This guidance reflects a continuing conversation between Welsh Government and the sector, as outlined in the First Minister’s ‘Unlocking our Society and Economy’ roadmap. The Welsh Government welcomes the opportunity to discuss the sector’s responses to this guidance, and to understand the individual challenges faced by sector partners.

- Unlocking our society and economy
- Leading Wales out of the coronavirus pandemic – a framework for recovery
- Coronavirus regulations: frequently asked questions
- Coronavirus (Covid-19): employers and businesses guidance
- Taking all reasonable measures to minimise the risk of exposure to coronavirus in workplaces and premises open to the public
- Travelling safely during the coronavirus pandemic: guidance for the public
- Workplace guidance for employers and workers: COVID19
- Child employment: Coronavirus
- How to self-isolate when you travel to Wales: coronavirus (COVID-19)
- Travellers exempt from Welsh border rules: coronavirus (COVID-19)
- Guidance for tourism and hospitality businesses
- Retailers: Coronavirus guidance
- Guidance for reopening of culture and heritage destinations and venues
- Tourism and hospitality businesses: Guidance for a phased reopening
- Offices and contact centres: Coronavirus workplace guidance
- National rules: Frequently asked question
- Coronavirus control plan: alert levels in Wales
Coronavirus Regulations

To tackle the spread of coronavirus, the Welsh Government introduced regulations ("the Coronavirus Regulations") in March which imposed strict restrictions on gatherings, the movement of people and the operation of businesses, including closures in Wales. Since then the Welsh Government has introduced a number of new time bound measures which have included local lockdowns and a firebreak lockdown, in an attempt to minimise the spread of coronavirus in Wales.

In these difficult times the safety, health and wellbeing of everyone is of paramount importance to us. We have produced this guidance to help employers and employees in the creative industry sector understand what we believe is important and how everyone should approach the shared endeavour of safe work.

This guidance does not replace legislation and statutory guidance, nor should it be considered a substitute for legal advice, which employers and employees should consider obtaining where necessary.

We have published guidance and a set of frequently asked questions to support any amendments.

Working within public health regulations and guidelines

It is a legal requirement that all reasonable actions will have been taken in order to minimise transmission of Coronavirus in the workplace. The Welsh Government has issued guidance on taking all reasonable measures to maintain physical distancing in the workplace, and also guidance for employers and employees on keeping safe in the workplace. The work place guidance will be an essential tool as you being to resume activity, and includes information on key issues such as risk assessment, communication, signage and arrangements for visitors.

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All reasonable measures must be taken to maintain a two metre distance between individuals in the workplace. The guidance above will help when considering the measures needed to reduce infection transmission rates at work. All activity should be consistent with the Welsh Government’s guidance regarding health, social distancing and hygiene.

Anyone working in the creative industries who has tested positive for COVID-19 must not work at their place of work, although they can work from home if they are able to. Anyone who feels unwell and displays symptoms of Coronavirus, should immediately self-isolate (as well as their household), follow the Welsh Government’s self-isolation guidelines, and apply for a Coronavirus test. This includes anyone who has:

- any of the symptoms of new onset cough, raised temperature over 37.8 C or new onset anosmia (a loss of or change to sense of smell or taste) or
- been identified as a contact of a positive case of coronavirus and told to self-isolate for 10 days in case they are incubating the infection.

**Symptoms and self-isolation for contact tracing**

You should follow Welsh Government guidance should anyone in the workplace display symptoms of Coronavirus and isolate the person, make arrangements to remove them to their home or a clinical facility if needed, and arrange suitable decontamination of their work space and any other areas they may have accessed e.g. toilet area.

Those working in the creative industries that are deemed ‘extremely vulnerable’ on medical grounds should continue to follow Welsh Government advice.

It is essential that good hygiene practices are in place in workplaces in the creative industries, that equipment is disinfected regularly, and that it is made clear to employees that anyone who is symptomatic - or suspects they may have been exposed to the virus - does not come into work, or should work from home if that is possible.

The Welsh Government has published guidance to help employers understand their responsibilities and to allow workplaces to operate as
safely as possible as well as guidance on employers' responsibilities to help with Coronavirus testing and contact tracing.

Face coverings

The Welsh Government has published guidance on face coverings and Coronavirus.

Keeping the workplace clean

Cleaning protocols should be put in place to limit Coronavirus transmission. It is advised that touch points (e.g. door handles, desks, specialist equipment) should be particular areas of focus for increased cleaning.

Frequent cleaning of work areas and equipment between uses, using your usual cleaning products, is advised. As is clearing workspaces and removing waste and belongings from work areas at the end of shifts.

To help everyone maintain good hygiene, consideration should be given to:

- ensuring handwashing facilities that provide running water, automatic soap dispensers and paper towels;
- using signs and posters to build awareness of good handwashing technique, the need to increase handwashing frequency, avoid touching your face and to cough or sneeze into your arm;
- providing regular reminders and signage to maintain hygiene standards;
- providing hand sanitiser in multiple locations in addition to washrooms;
- setting clear use and cleaning guidance for toilets, showers and changing facilities to ensure they are kept clean and social distancing is achieved as much as possible;
- enhancing cleaning for busy areas;
- providing more waste facilities and more frequent rubbish collection;
- replacing hand dryers with paper towels in handwashing facilities;
- minimising use of portable toilets;
- setting clear guidance on how to handle goods, merchandise and materials.

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Test, Trace, Protect

Test, Trace, Protect is the Welsh Government’s strategy for testing the general public and tracing the spread of the coronavirus in Wales. The strategy provides information on implementing an appropriate and thorough record-keeping system to support the Welsh Government’s Test, Trace, Protect strategy in terms of workers to ensure they can be traced, contacted, advised to self-isolate and tested accordingly for Coronavirus in the event of them working at the same time as an individual, or staff member, who has since tested positive for Coronavirus.

Employers will need to ensure that workers are duly advised (verbally by phone, or via a website or on-line booking system) of the need and reasons under GDPR rules for their personal information to be retained, and the duration required, to support the Welsh Government’s Test, Trace, Protect strategy.

The Health and Safety Executive has also produced a series of guidance documents that will be helpful to support safe working environments in the creative industries:

- Making your workplace COVID-secure during the coronavirus pandemic
- Coronavirus (COVID-19): working safely

Developing a collaborative phased return and guidance for resuming activity in the creative industries

Whilst much activity has now resumed, the industry must consider what is permitted by the Coronavirus Regulations and relevant industry guidelines for your sector. A summary of the latest Coronavirus Regulations and accompanying guidelines and live links are provided in section 2. Information on industry guidance published and in development is also set out later in this section.
This guidance should also be considered in the context of other provisions in the Coronavirus Regulations, and guidance in other areas of life where there are key interdependencies that will affect the way we move forward.

This document includes links to guidance produced by industry bodies at a UK level. These provide advice on the law as it applies in England. When using these resources to support activity in Wales it is essential that they are considered in the context to the law as it applies in Wales and that you familiarise yourself with the Welsh Regulations.

The sections on ‘getting around’, exercise and working or running a business are also relevant for those organisations operating in the creative industries.

Since the publication of the roadmap, the sector has continued to develop a joined-up approach. This has culminated in the establishment of stakeholder groups for the following sub-sectors:

- screen (Film and TV production)
- digital
- music

In addition, the Creative Wales team has sought the views of the Books Council of Wales on opportunities to resume activity and support recovery in the publishing sector.

For each specialist area, consideration has been given to developing an approach for a phased return to activity and opportunities that can be presented to the Welsh Government as part of reviews. Many of the issues are shared across the sector. However, there are also a number of issues and challenges that are very specific to each of the areas identified.

The following section provides a summary of the current situation in Welsh Government’s four creative industries priority sectors, and work undertaken to develop guidance to support a safe and practical resuming of activity.
Screen

Current situation and key issues

The Coronavirus Regulations do not prohibit film and TV production.

To confirm, filming can continue in Wales providing there is full compliance with Welsh law. Appropriate Welsh Government COVID-related guidance documents should also be followed. This includes a legal obligation and guidance on taking all reasonable measures to maintain physical distancing in the workplace, compliance with relevant industry guidelines for physical production and receipt of any permissions needed from Welsh Government, the local authority and / or land owners in which filming would take place.

Any filming that cannot be done in accordance with guidance should be discussed with Creative Wales in the first instance.

The Welsh Government has worked closely with the screen sector within Wales and with key partner organisation across the rest of the UK, to ensure that filming in Wales can be done safely in compliance with Welsh law.

There is significant training available across Wales to ensure workers and crew have the necessary skills to operate in the context of the Coronavirus Regulations. These courses will help to ensure all those working in the screen industry, irrespective of their role, are aware of the risk of COVID-19 and how it is transmitted, and how to protect themselves, their co-workers and the working environment. This includes training on health and safety, mental health, observing the social distancing requirements and good hand hygiene practises, and changes to working practices.

The UK Government has launched their film and TV production restart scheme, which will help productions across the country that have been halted or delayed by an inability to obtain insurance for COVID-19 related risks to get back up and running, by giving productions the confidence they need that they will be supported if future losses are incurred due to COVID-19. Further information: Film & TV Production Restart Scheme

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The Welsh Government recognises that many businesses in the creative industry sector will operate around the UK, and that there are a number of differences in the laws across the UK that businesses will have to consider. Further information on this is included in our Frequently Asked Questions guidance.

There are also significant costs associated with the need to incorporate stricter health and safety practices which will have to be met by companies who are already struggling with cash flow. In addition, restrictions impacting on the wider supply chain are having a knock-on impact in the screen sector. Creative Wales is continuing to work with stakeholders to identify these issues and identify opportunities to support the sector in response.

**Guidance**

**Industry guidelines for safe TV production from broadcasters** - new industry guidance, produced in collaboration between broadcasters, industry experts and safety consultants, has been published, setting out steps for a safe return to television production.

**British Film Commission (BFC) industry-wide safety protocols** - the BFC has published industry-wide safety protocols specifically for physical production in Film and High-End TV Drama. The ‘Film and High-End TV Drama Production Guidance (Coronavirus COVID-19)’ has been produced as part of the wider BFI Screen Sector Covid-19 Task Force recovery initiatives, and is designed to keep sets safe from coronavirus by introducing measures including pre-shoot safety training, testing and quarantining foreign actors. They are designed to be scalable for productions of different sizes and can be used alongside company-specific protocols.

**BBC guidance on Close Contact Cohorts and Increased screening for COVID-19 – Protocol for TV production** - a working group of BBC, Sky and ITV has published guidance which specifically addresses an approach to support the resumption of on production activity which unavoidably requires interaction within the current social distancing boundary.
UK Screen Alliance guidance for the Visual Effects (VFX) and Post-Production - UK Screen Alliance has published its COVID-19 Guidance for safe working for the Visual Effects (VFX) and Post-Production community, documenting best working practices already in use, as Post and VFX has remained open for business during the pandemic. This guidance aims to provide a framework for companies as they transition back to on-premises working, whilst ensuring the safety of their workers, contractors, and clients.

Bectu Film and TV Recovery Plan - Bectu has been working on detailed guidance on its definition of safe-working practices should there be a return to work in the context of physical distancing rules. Hundreds of Bectu Representatives have contributed to the document, representing approximately 15,000 members working in the UK film and TV sector. It contains detailed guidance on specific departmental work as well as an overview of industry practices.

Advertising Producers Association (APA) Covid-19 Shooting Guidelines - the purpose of the guidelines is to enable production companies to take reasonable and practical steps to safeguard the health and safety of everyone attending a film shoot in relation to Covid-19.

Coronavirus (COVID-19) Awareness on Production - ScreenSkills has introduced an online Coronavirus (COVID-19) Awareness on Production course.

Digital

Current situation and key issues

As the majority of this sector’s work is office based, there is no specific industry guidance in circulation for these businesses (other than where they are involved in the filming of content and / or covering post production / VFX already covered in the Film and TV section).

This sector already makes good use of remote working techniques. We would encourage stakeholders to relay any future issues arising in this subsector.
related to safe working conditions back to Creative Wales.

Guidance for offices and contact centres - the Welsh Government has published guidance for people who work in or run offices, contact centres and similar indoor environments.

Music

Current situation and key issues

The Coronavirus Regulations impose a number of restrictions on businesses and other services, including music venues. These restrictions vary depending on the severity of the coronavirus situation and alert level at a particular point in time.

If you are permitted to operate your business you must do so safely in a way that complies with any restrictions imposed by the Coronavirus Regulations, in addition to other legal obligations imposed on employers (such as health and safety legislation).

Creative Wales is working very closely in collaboration with the music industry through its music stakeholder group, which represents all areas of the industry. The group has been extremely helpful in establishing a consensus view that the industry recognises it is likely to be some time before the sector is able to return to any form of normal activity. The sector is clear on the need for a long-term strategy for its survival, to address the impact of loss of earnings for a sustained period and to broaden on line training and tools. There is also recognition of the possible impact of ‘audience confidence’ even when restrictions are eased and venues are able to open. Additional concerns extend to the non-devolved issue of VAT on ticket sales and access to insurance for gigs.

We consider it unlikely that large gatherings and performances in public spaces will be able to go ahead until spring 2021. This is why the £63m Cultural Recovery Fund has been established to support the sector to ensure its long-term sustainability in the meantime.
Guidance

Reopen Every Venue Safely (REVS) - the Music Venue Trust is taking the lead on an initiative called REVS, a phased series of interactions between Government, Music Venue Trust and grassroots music venues exploring options for allowing safe reopening of venues in the future.

Guidance for Culture and Heritage Venues - the Welsh Government has produced high-level guidance for organisations and individuals in Wales who manage culture and heritage destinations and venues that are open to the public. These include cinemas and arts venues, including concert halls and theatres.

This guidance will be expanded in coming weeks to include guidance for organisations and individuals who rehearse, present or take part in arts activity, following further consultation with stakeholders in the arts sector across Wales.

WG guidance for Tourism and Hospitality Businesses - the Welsh Government has produced guidance for the phased reopening of tourism and hospitality businesses in Wales.

Musicians’ Union COVID-19 advice - the Musicians’ Union has produced information which pulls together COVID-19 guidance for musicians.

The Welsh Government is developing guidance for events and festivals in accordance with likely re-opening schedules. A link will be added to this guidance when available.

Publishing

Current situation and key issues

The Welsh Government has produced guidance to support retailers in Wales and is working with the Books Council of Wales to ensure guidance is available to support book shops to operate safely when the regulations allow. The Books
Council of Wales is engaging with publishers on the logistical adjustments that will be needed to support shops, for example through publishing schedules, deliveries and marketing.

The Books Council of Wales has also developed bilingual signage that can be used by book shops in Wales to present information, raise awareness and promote site safety and good hygiene and comply with the physical distancing duty. In addition, the Books Council of Wales is working with the industry to identify suitable suppliers of hygiene and protection equipment.

Guidance has been issued from the Booksellers Association of Great Britain and Ireland (BA) to its members, providing a guide for what should be considered as owners begin to consider re-opening their book stores.

Further guidance is available for other sectors of the economy that will support the safe reopening of book shops. Easing of measures or developments in other areas essential to the publishing supply chain, for example schools and libraries, will also have a significant impact on the publishing sector.

**Guidance**

**Retailers: coronavirus workplace guidance** - the Welsh Government has published guidance for people who work in or run shops, branches, stores or similar environments.

**Guidance for factories, plants and warehouses** - the UK Government has published guidance for people who work in or run factories, plants and warehouses.

**Booksellers Association of UK and Ireland links to coronavirus resources** - the Booksellers Association of UK and Ireland has set out a range of resources for retailers regarding the developing situation on Covid-19.

**Guide to physical distancing on reopening for bookshops**
Effective communications

Organisations will need to communicate clearly and regularly the steps they are taking to manage risk and what advice they are giving to their workers and suppliers.

This should include:

• complying with the Welsh Government’s Test, Trace, Protect strategy and informing workers of the need and reasons under GDPR rules for their personal information to be retained, and the duration required, to support this strategy
• regular use of messaging and signage around the workplace to support safe working practices including physical distancing and action to take if feeling unwell and good hygiene
• engaging with workers directly and also through unions to quickly explain and agree any changes in working arrangements
• clear and regular communication to improve understanding and consistency of how ways of working are applied
• communication and training materials on new procedures. Consideration of how these materials are delivered, including online to maintain physical distancing between workers
• awareness and focus on the importance of mental health at times of uncertainty
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