



Llywodraeth Cymru
Welsh Government

GUIDANCE

Keep Wales safe at work

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

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Introduction

This guidance forms the second of the three parts of the **alert level 0: guidance for employers, businesses and organisations**. It is aimed at employers but may also be of interest to employees and is part of the core suite of guidance available.

The Welsh Government has published the **coronavirus control plan for Wales** setting out how we will all work together to manage the risks of coronavirus and it is recommended that you review the plan.

It notes that the **coronavirus regulations** includes obligations on people responsible for premises open to the public or where work takes place.

At the current “alert level 0” there is no legal requirement for any premises to be closed. However there is still a legal requirement for businesses, employers and event organisers to:

1. Carry out a specific coronavirus **workplace risk assessment** (Step 1).
2. Provide information to those entering or working at the premises (Step 2).
People should be informed about the risks identified under Step 1 and what is being done to minimise them under Step 3.
3. Take all **reasonable measures** to minimise the risk of exposure to, or spread of, coronavirus (Step 3).

There are also obligations on individuals to wear face coverings in most indoor places open to the public. Requiring staff or visitors to wear face coverings in other settings can also be one of the reasonable measures employers can take to minimise the risk of spread of the virus in the workplace.

The 3 steps to keep Wales safe at work

Below is a summary of the 3 key steps all those responsible for work in Wales should take.

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1. Carry out a coronavirus risk assessment

Carrying out a specific coronavirus risk assessment continues to be a legal requirement for businesses and other organisations in Wales. Despite other regulations being relaxed, you must assess the risk of exposure to coronavirus and use this as the basis for doing what is reasonable to minimise that risks. When doing the assessment you should engage in meaningful discussions with staff and/or their recognised trade union and share the results. You should have particular regard to whether the people doing the work are especially vulnerable to COVID-19 (**those that have been shielding or are in the increased risk group**).

2. Provide information to employees and those visiting your premises

You should tell staff and visitors about the risk of exposure to coronavirus at your premises and what is being done to minimise it, including what actions they need to take. Although this can be done orally, using signage is important as it informs visitors and reminds staff of what they should do (examples include physical distancing, following a one-way system, washing hands and wearing a face covering).

3. Take reasonable measures to minimise the risk of exposure to coronavirus

To help keep people safe, you must ensure that reasonable measures are taken to minimise the risk of exposure to, and the spread of, coronavirus at your premises. Using your risk assessment as the starting point you should consider what can reasonably be done to minimise those risks such as:

- physical distancing
- limiting face-to-face interaction
- changing the layout of your premises to facilitate physical distancing and to

limit face to face interaction

- limiting the number of people who are present on your premises, for example by allowing people to work from home or reducing the number of visitors who can attend
- limiting the amount of time people are present on your premises
- using outdoor parts of your premises instead of indoor parts
- improving ventilation
- using physical barriers
- reducing the chance of staff or visitors putting others at risk by encouraging or requiring testing and/or vaccination
- improving hygiene, including providing hand sanitisation products or hand washing facilities for people when they enter and leave the premises
- providing personal protective equipment and ensuring it is worn correctly, including requiring face coverings to be worn by visitors as well as staff
- ensuring that employees who are required to self-isolate are allowed
- keeping records of who is on your premises, and taking visitors' contact details, to help the Test, Trace, Protect system

Failing to take reasonable measures to minimise exposure to coronavirus is an offence in Wales. Breaking the law could lead to you being served with a Premises Improvement Notice or Premises Closure Notice. You may also be fined.

The 5 key health and wellbeing behaviours

To support businesses to work more safely the Welsh Government has also adopted five key health and wellbeing behaviours that employers are advised to follow:

1. Care: our health and well-being comes first

We are all in this together and our health and well-being should be everyone's priority. The pandemic poses health risks to everyone, but for certain vulnerable people, there is an increased risk of becoming seriously ill. It is also clear that

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certain workplaces pose a higher risk than others.

2. Involve: we all share the responsibility for safe work

Employers should maintain regular and meaningful communication with employees and with the recognised trade union or, if there isn't one, a representative chosen by workers (including their health and safety committee, if this exists). This process should help identify risks and help employers decide what measures should be taken to minimise them. Staff should be involved in implementing those measures and reporting problems.

3. Adapt: we all need to change how we work

To minimise the risk of exposure to coronavirus, employers and staff need to change the way they work. There are many different types of workplace, but there is a growing body of industry specific guidance and examples of good practice available to help employers decide what actions to take. Employers continuously review the measures they put in place to make sure they are working. This includes considering if any measures are no longer effective or if there are changes in the workplace that could lead to new risks.

4. Communicate: we all need to understand what to do

It is essential that there is clear, precise and constant 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 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 risk and to minimise exposure to the virus.

5. Comply: laws that keep us safe must be obeyed

Employers and business operators must continue to fulfil their legal duties under existing health and safety laws, including maintaining and protecting the health, safety, and well-being of employees and contractors, customers and visitors. They must also comply with the specific Welsh Regulations made in response to the pandemic. In addition employers are still required to ensure the decisions they make in response to the pandemic do not directly or indirectly discriminate. They should not make biased assumptions and use those to disadvantage workers or block them from the job market.

Physical distancing

The specific requirement to take all reasonable measures to maintain 2 metre distancing between those on premises open to the public and workplaces, or waiting to enter the premises, has been removed. However, each business, organisation or premises still need to consider what measures are reasonable to put in place to minimise the risk of exposure to, and spread of, coronavirus. These reasonable measures will be for employers to determine based on the outcome of the risk assessment, however physical distancing remains an important measure and in many cases will be one of the easiest and most obvious measures to take.

Working from home

The most effective way to minimise exposure to coronavirus, and to facilitate physical distancing, 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 flexible and make adjustments to ensure staff are able to work from home wherever that is possible. This may include issuing staff with laptops or mobile phones and communicating that working from home is allowed.

Personal Protective Equipment (PPE)

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.

When managing the risk of exposure to coronavirus, additional PPE beyond what is usually worn is, in general, not recommended. This is because measures such as physical distancing, good hygiene routines and fixed teams or partnering, are likely to be more effective.

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. See: [Public Health Wales information for health and social care professionals](#).

Unless the risk of coronavirus transmission is very high, employers should understand that the role of PPE in providing additional protection to staff is limited. However, where PPE is required, this must be provided free of charge to workers who need it. Any PPE provided must fit properly.

More information on PPE in Wales can be found here: [Coronavirus and personal protective equipment \(PPE\)](#).

Ventilation and air conditioning

Those in control of a premises have a legal duty ([Workplace health, safety and welfare: Workplace \(Health, Safety and Welfare\) Regulations 1992](#)) to ensure effective ventilation. Further advice on air conditioning and ventilation is available from the Health and Safety Executive (HSE): [Ventilation and air conditioning during the coronavirus \(COVID-19\) pandemic](#). The HSE has updated and expanded its advice to help employers provide adequate ventilation in their workplaces and premises during the pandemic. The guidance builds on

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helping you to identify and take action in poorly ventilated areas. It also provides guidance on other factors to consider when assessing the risk from aerosol transmission, and determining whether adequate ventilation is being provided to reduce this risk.

You should be maximising the fresh air in a space and this can be done by:

- natural ventilation
- mechanical ventilation
- a combination of natural and mechanical ventilation, for example where mechanical ventilation relies on natural ventilation to maximise fresh air

Read the updated [guidance on air conditioning and ventilation](#) about adequate ventilation in the workplace, helping to protect workers and other people from transmission of coronavirus.

There is also advice available for building services, particularly about ventilation of buildings, both in use and when returning to buildings which have been closed from the following:

- [Chartered Institution of Building Services Engineers](#)
- [The Building Engineers Services Association](#), and
- [REHVA](#)

Ventilation and the new variants (technical details for those with mechanical systems)

Ventilation is a key mitigation measure to control the far-field (more than 2m) transmission of coronavirus by aerosols between people who share the same indoor space. Ventilation is not likely to have significant impacts on close range transmission by droplets and aerosols (within 1m to 2m) or transmission via contact with surfaces (high confidence).

Higher viral load associated with people who have any new variant of concern could have significant implications for transmission via the air, as previous

scientific modelling suggests that viral load is a major determinant of airborne transmission risks. As new variants of concern became apparent, the Scientific Advisory Group for Emergencies (SAGE) has stated that, for most workplaces and public environments, adequate ventilation equates to a flow rate of 8-10 l/s/person based on design occupancy, although guidance for some environments allows for lower flow rates of 5 l/s/person. Since the emergence of new variants of concern, SAGE has recommended where possible, increasing ventilation flow rates mentioned above by a factor of 1.7 (70%) to account for the increase in transmissibility.

For some existing and older buildings, ventilation systems may not have been designed to meet current standards and additional mitigations may be needed. As a precautionary measure it is recommended that ventilation is included as part of any workplace or public indoor environment coronavirus secure risk assessment and the necessary mitigation measures are adopted.

In most buildings, maintaining comfortable temperatures and humidity above 40% to 60% relative humidity is likely to be beneficial to reducing the survivability of the virus. However, this is likely to be less important than the ventilation rate mentioned above.

Water supplies

If buildings have been closed or had reduced occupancy, water system stagnation can occur due to lack of use, increasing the risks of Legionnaires disease. [HSE guidance covering water management and legionella](#).

Where mains water has been turned off when the premises has been closed, it will need running through when it is reconnected to flush away any microbiological or chemical residues built up while the water supply was disconnected, and to also check water temperature.

The Drinking Water Inspectorate, who are the regulators and technical experts in England and Wales, has produced this [advice on maintaining drinking water quality when reinstating water supplies after temporary closure due to the](#)

COVID-19 outbreak.

Test, Trace, Protect

Test, Trace, Protect (TTP) works by: testing those people who have **COVID-19 symptoms** and asking them to isolate whilst taking a test and waiting for a result and tracing those individuals who have been in close contact with the person who has tested positive for COVID-19, requiring them to take precautions and self-isolate in accordance with the **self isolation guidance**. Guidance is available for employers in Wales on how to Test, Trace, Protect: **COVID-19 workplace testing framework**

NHS COVID-19 app users are able to scan (check-in) when they enter a venue. Employers may wish to consider creating a QR code for use with the app and displaying it on their premises as an additional measure to assist individuals with tracing potential contacts. See: **QR code and display posters**.

Compliance

The Welsh Government has issued **guidance for enforcement officers** that employers or staff may wish to review so that they understand what action can be taken if there is a failure to comply with the Coronavirus Regulations.

What to do if you are concerned about work place safety

Anyone concerned about the safety measures in the workplace should speak to their employer and trade union representative. In the event this fails to resolve concerns, issues can be reported to the relevant local authority or Health and Safety Executive depending on the type of setting. See the **list of enforcing authorities**.

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Where to find out more information

The Welsh Government has produced Sector Specific Action Cards to help businesses identify key actions relevant to their sector.

The HSE has produced a Coronavirus Working Safely Guide that can be found here: [Coronavirus \(COVID-19\): working safely](#), alongside [HSE's general workplace guidance](#).

- Public Health Wales has also produced [advice to support employers and employees](#).

This document will be updated over time and is up to date as of 7 August 2021. You should check for updates at [Keep Wales Safe at Work](#).

The Welsh Government regularly reviews the [Coronavirus Regulations](#) to assess the effectiveness and consequences of the provisions and may result in amendments to the regulations. It is important to note that an increase in the transmission of coronavirus, either across Wales or in a specific locality, might affect what is considered a “[reasonable measure](#)”, with more measures potentially being needed. It is therefore important to regularly revisit your coronavirus risk assessment to ensure that the actions you are taking are in line with the most recent [regulations](#).

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