Coronavirus (COVID-19) guidance note: HR and staffing

UPDATE 1st Sept 2020

This guidance note was first published on the 16th April 2020 prior to the Welsh Government's publication of sector guidelines and the guidance on Test, Trace, Protect.

The Welsh Government has undertaken several reviews since this time and has published detailed guidance for various sectors. You can find all the latest and sector specific guidance here: https://gov.wales/your-responsibilities-employer-coronavirus

You can find guidance for employers on Test, Trace, Protect here: https://gov.wales/employers-coronavirus-test-trace-protect-guidance

We have updated this guidance note with some additional links since its original publication.
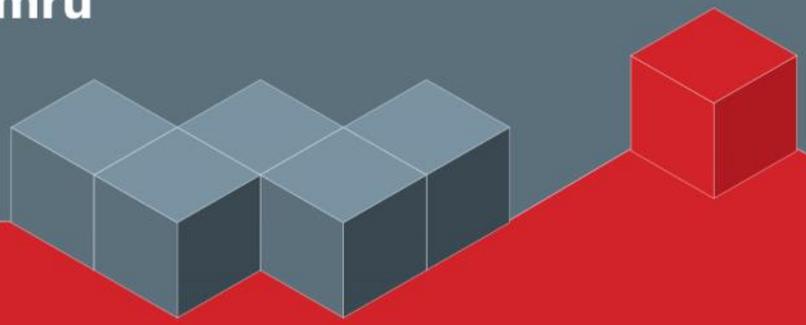
As a sector we all value our staff and aim to provide safe working environments, fair pay and secure employment. These are unprecedented times and many social businesses across Wales will wish to ensure their employees are protected from infection and also supported if they are required to self-isolate or if they become ill.

Unfortunately, some social businesses may also be facing difficult decisions in relation to their employees. Some may need to consider short term closure or reduction in hours for employees, and possibly potential threats of redundancies for some.

This briefing note is intended as a means of signposting you to useful information and resources relating to HR and staffing concerns during this pandemic. We may update this briefing regularly as more information and advice becomes available.

Many of the links in this document are to external websites; we share them in good faith but we have no control over their content or accuracy.

Events are moving quickly and we are working as a team to develop specific tools, advice and resources that will become available soon so please watch out for our email updates and check on our website http://wales.coop/covid-19 and https://businesswales.gov.wales/socialbusinesswales/covid-19-support-your-social-business regularly.

We would also welcome any feedback on what issues are most urgent for you and your social business. Please email us and let us know: sbwenquiries@wales.coop

Protecting employees and procedures for dealing with COVID-19 (self-isolation, sickness, sick pay)

- For those businesses that remain are open or are planning to re-open, please refer to the new Welsh Government legislation (the Coronavirus Regulations) in relation to physical distancing in the workplace, specifically maintaining a distance of 2 meters between persons within a workplace setting, when and wherever possible to do so: https://gov.wales/taking-all-reasonable-measures-maintain-physical-distancing-workplace

- Information on the UK Government Statutory Sick Pay Support in the event that an employee cannot work due to COVID-19 can be found on the UK Government site: https://www.gov.uk/statutory-sick-pay

- and the Coronavirus Job Retention Scheme on the Business Wales website: https://businesswales.gov.wales/support-employees

- ACAS: advice on HR for employees and employers, including procedures, sick pay, contracts, holiday and laying off staff. https://www.acas.org.uk/coronavirus

- ACAS also have a general a guide to setting up and managing homeworking: https://archive.acas.org.uk/index.aspx?articleid=4853

- With the latest announcement from Welsh Government regarding state school closures, this In the event of further state school closures in the future, gguidance from ACAS on parental leave may also be helpful: https://www.acas.org.uk/parental-leave

- Our friends at WCVA are giving daily updates on COVID-19 and you can sign up here. They have also released a very informative coronavirus statement: https://wcva.cymru/coronavirus-statement/

- NCVO have regularly updated advice on many aspects of keeping staff safe, sick leave and also many other areas such as contingency planning, insurance and governance: https://www.ncvo.org.uk/practical-support/information/coronavirus

- Co-operatives UK have produced a very helpful guidance note on protecting employees from infection, leave and pay, business continuity planning as well as all the key external advice: https://www.uk.coop/hrpackage/coronavirus

- Peninsular HR have provided a useful guide on returning to work after lockdown and work-place safety: https://pages.peninsulagrouplimited.com/rs/023-IMK-845/images/Peninsula_Back_to_Work_Guide.pdf
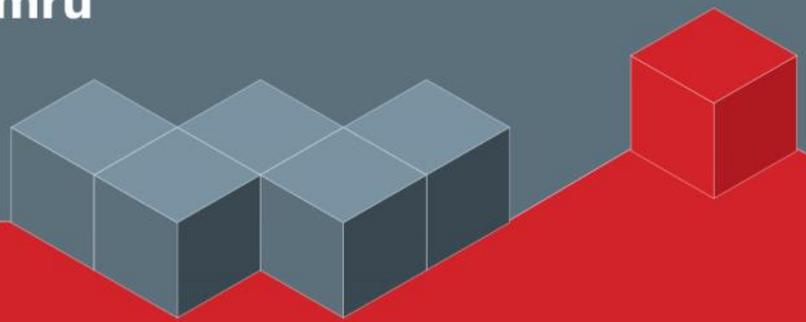
- We have produced our 'Journey to re-opening your social business' series which includes lots of information on returning to work and re-opening, including checklists of key things to work through as an employer.

Part 1 can be found here: https://wales.coop/wp-content/uploads/2020/06/Journey-To-Reopening-Stage-1-v1.1-final-eng.pdf

Part 2 can be found here: https://wales.coop/wp-content/uploads/2020/08/Journey-To-Reopening-Stage-2-v1.pdf

Keep checking back for Part 3, which is coming soon!

NHS Wales Test, Trace, Protect Service – guidance for employers

It's important to understand how the NHS Wales Test, Trace, Protect service is operating especially in the event that the contact tracing process is initiated because someone within your premises tests positive for COVID-19 or is identified as a contact. Employers in Wales can find out more about the NHS Wales Test, Trace, Protect Service here: https://gov.wales/test-trace-protect-guidance-employers

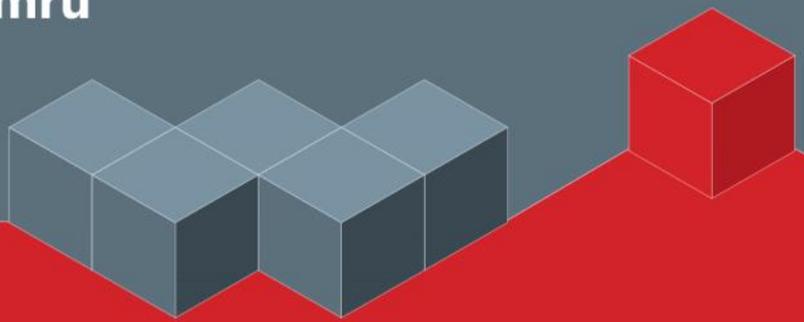**Record-keeping and data protection**

Once you have re-opened your business, you should ensure you have a system for keeping a record of all staff, customers and visitors to your business premises. This is not a legal requirement under the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020. However, it is a very important part of supporting the NHS Wales Test, Trace, Protect Service.

With regards to your employees (as well as visitors/customers who visit any premises) it's important also to refer to guidance on data protection in relation to data collection and Test, Trace, Protect.

Welsh government has published guidance for all businesses in Wales on how to collect and retain records of staff, customers and visitors to their premises. The retention of these records is short term. Full guidance can be found here: https://gov.wales/keeping-records-staff-customers-and-visitors-test-trace-protect

Questions employers may have are also answered here: https://gov.wales/test-trace-protect-your-questions

The usual data protection regulations do apply. Further information on data protection and GDPR in relation to COVID-19 can be found on the Information Commissioners Office (ICO): https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/coronavirus-recovery-data-protection-advice-for-organisations/collecting-customer-and-visitor-details-for-contact-tracing/

Guidance on reducing staff levels and threat of redundancies

Please refer to our two guidance notes on the UK Government's Coronavirus Job Retention Scheme for detailed information on support available for businesses furloughing their employees: https://wales.coop/covid-19-factsheets/

- For the Coronavirus Job Retention Scheme, you can also find information on the UK Government site: https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme
- ACAS provide best practice guidance on closure, lay-offs and short-time working via their coronavirus advice for Employers & Employees: https://www.acas.org.uk/coronavirus
- ACAS – additional guidance on Layoffs and short time working: https://archive.acas.org.uk/index.aspx?articleid=1639

HR and Employment Law – sources of up to date legal advice

- ACAS website has information and advice on legal issues relating to employment: www.acas.org.uk/
- Perspective HR, have produced some very helpful advice on employment law matters and COVID-19. They have also outlined some frequently asked questions and scenarios from an employment law perspective: https://www.perspectivehr.co.uk/blog/
- Co-operatives UK can also provide comprehensive HR legal advice service to their members, if you are a member of Co-ops UK: https://www.uk.coop/developing-co-ops/hr-services/hr-law

Engagement and team working:

The latest guidance from Public Health Wales can be found here: https://covid19-phwstatement.nhs.wales/

Welsh Government's latest coronavirus advice can be found here: https://gov.wales/coronavirus

For those organisations that continue to operate work from home policies, Here are some useful sources of guidance on how to continue communication and engagement with staff:

Keep in touch with teams remotely

- Microsoft teams: for Office 365 users https://teams.microsoft.com/start
- Slack: team discussion on any device https://slack.com/intl/en-gb/
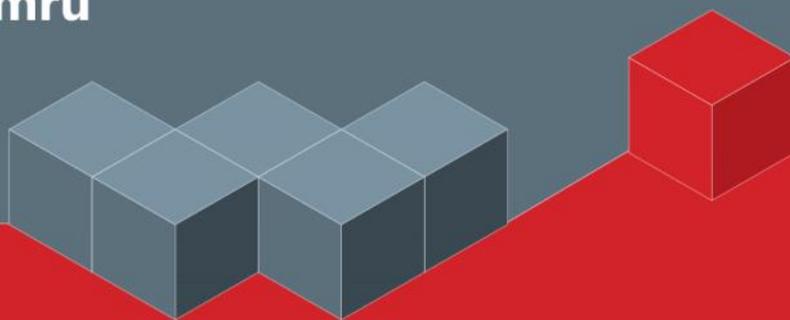
- Zoom: for online meetings, webinars and conference calls https://zoom.us/
- Some clients have told us that they have switched to WhatsApp to support their discussions and decision making in order to act quickly regarding suspending activities, cash flow, shutting down, contingency plans, etc.

Articles on remote working during the pandemic

- BBC: https://www.bbc.com/worklife/article/20200312-coronavirus-covid-19-update-work-from-home-in-a-pandemic

- Forbes article on being a remote leader: https://www.forbes.com/sites/jasonwingard/2020/03/13/team-working-at-home-because-of-coronavirus-heres-how-to-lead-them-effectively/#7387d4b43162

Decision-making and critical staff approaches:

It's important to identify staff that are business critical (for example this could be the Finance Officer) and to develop a plan of how you will operate if this person becomes ill.

Ensure there is a clear line of command to allow operational decisions to be made quickly. Develop a basic plan on how decisions will be taken if a key person such as Chair or CEO is taken ill. Ensure that members of the Board of Directors of your business are engaged with this process.

Mental Health support:

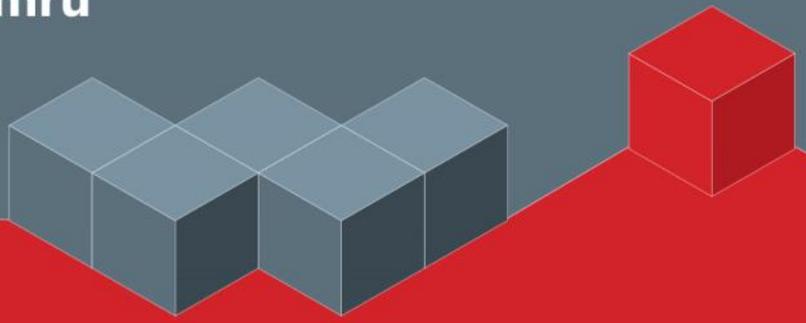Sources of information to help you take care of yourself and staff:.

- ACAS https://www.acas.org.uk/supporting-mental-health-workplace
- Mental Health Foundation: quick reference links for those needed to seek help immediately https://www.mentalhealth.org.uk/your-mental-health/getting-help
- They have also produced this useful article: https://www.mentalhealth.org.uk/publications/looking-after-your-mental-health-during-coronavirus-outbreak
- Mind: https://www.mind.org.uk/information-support/coronavirus-and-your-wellbeing/#collapse7b25d
- Time to Change Wales: https://www.timetochangewales.org.uk/en/
- WHO (World Health Organisation): https://www.who.int/docs/default-source/coronaviruse/mental-health-considerations.pdf?sfvrsn=6d3578af_8

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