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**Horticulture, Fruit and Vegetable Industry Sector**

**Advice to support stakeholders develop safe working practices to reduce the spread of COVID-19**

Please note, this document is provided as guidance only and does not amount to legal advice. Businesses may wish to seek their own advice to ensure compliance with all legal requirements. This guidance will be updated regularly and you should always refer to the ‘live’ version which is available at: <https://www.sasa.gov.uk/document-library/social-distancing-guidance-horticulture-fruit-vegetable-sectors>.

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**1. ADVICE FROM SCOTTISH GOVERNMENT**

**1.1 Overview**

This guidance is for the Horticulture, Fruit and Vegetable sector. It comes into effect immediately and extends until further notice. Guidance will be reviewed on a regular basis in line with the regular three weekly review of lockdown requirements.

The Scottish Government is keen to build confidence and create the right environment for supporting safer work as we continue to live with COVID-19.

We have worked with employers, STUC and Unite to ensure that this guidance is evidence-based, fair and ethical, clear and realistic. As each workplace is different it is for individual businesses to work withtrade union or workforce representatives to determine how best to apply this guidance in their circumstances.

This guide is underpinned by a spirit of collaborative working between companies and their workforce. Throughout the term companies and trade union or workforce representatives is used in that context, recognising that companies have a legal responsibility to maintain workplace health and safety and must consult with the health and safety representative selected by a recognised trade union or, if there is not one, a representative chosen by workers. Companies cannot decide who the workforce representative will be.

This document is one of a set of documents about how to work safely in different types of workplace. This guidance is for use by Horticulture, fruit and vegetable sector in Scotland. It sets out our expectations on what businesses of all sizes and sub-sectors need to consider as part of their planning for restart. The guidance emphasises in particular the importance of undertaking a robust and ongoing risk based assessment with full input from trade union or workforce representatives, and to keep all risk mitigation measures under regular review so that workplaces continue to feel, and be, safe.

This Guidance is based on the principles set out in COVID-19: A Framework for Decision-Making and our long-established commitment to fair work, which was set in the context of the current crisis in a [joint statement](https://www.gov.scot/publications/coronavirus-covid-19-fair-work-statement/) which the Cabinet Secretary for Economy, Fair Work and Culture issued with the STUC, CoSLA; the Institute of Directors, Scotland; Scottish Council for Development and Industry and the Scottish Council for Voluntary Organisations on the 19th July 2020. It outlines the shared expectation for employers, workers and trade unions (or worker representatives) to work in partnership to ensure the right decisions about workplace issues are taken and workers are treated fairly.  This was a refresh of the lockdown statement published in March which was co-signed by the STUC.

The remainder of this guidance sets out our minimum expectations across five key areas companies will need to consider as part of their planning for a restart and ongoing production while minimising the transmission of the virus:

* assessing risk - involving the workforce in a risk based approach to a safer workplace
* workforce planning - supporting those who should come to work, and those who should not
* operational guide and checklist - changing the workplace environment to protect your workforce
* deliveries, distribution and visitors -  protecting your workforce and those who come on-site
* training and compliance

The regulator for health and safety at work is the Health and Safety Executive (HSE) who will utilise the powers under the Health and Safety at Work Act 1974 to ensure people at work or possibly enforcement of this legislation is undertaken by Environmental Health and Trading Standards local authority staff in agreement with Police Scotland.

**1.2 Where we are now**

The First Minister announced that Scotland would be entering a lockdown on 23 March 2020. The [Coronavirus (COVID-19): framework for decision making – Scotland’s route map through and out of the crisis](https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making-scotlands-route-map-through-out-crisis/), was published on 21 May and sets out the phases by which we will aim to ease lockdown. They will be gradual and incremental and will be matched with careful monitoring of the virus. Fruit and vegetable production activities, critical to the national infrastructure, continued to operate with physical distancing measures and hygiene procedures in place. Garden Centres and outdoor landscaping activities resumed activities in phase one.

On Friday 23rd October the First Minister published the new Strategic Framework which was debated by the Scottish Parliament on 27th October and entered into force on Monday 2nd November. The Strategic Framework outlines how we will work to supress the virus to the lowest possible level and keep it there, while we strive to return to a more normal life for as many people as possible and tackle the four harms of the virus. The framework sets out an approach to outbreak management based on 5 levels of protection. The protection measures are targeted mainly at social interactions and specific industry sectors.  They do not currently restrict activities related to critical national infrastructure such as food supply or other outdoor work, as long as the measures described in this guidance to minimise risks of transmission are fully implemented. However, its good practice to take into account the level of COVID-19 risk when carrying out risk assessments to help identify any additional controls that may be needed. It is essential that everyone complies with all regional protection measures and restrictions which apply when not at work.  This will help protect the communities we live in and those we work with.  The full text of the Strategic Framework can be found [here](https://www.gov.scot/publications/covid-19-scotlands-strategic-framework/). The level which applies to a particular area can be found [here](https://www.gov.scot/publications/coronavirus-covid-19-protection-levels/).

Physical distancing duties are set out in regulation 4(1) of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020.  A person who is responsible for carrying on a business or providing a service must take all reasonable measures:

* to ensure that a distance of two metres is maintained between any persons on the premises (except between members of the same household or a carer and the person assisted by the carer)
* to ensure that they only admit people to its premises in sufficiently small numbers to make it possible to maintain that distance
* to ensure that a distance of two metres is maintained between any person waiting to enter the premises (except between members of the same household or a carer and the person assisted by the carer)

We want a strong horticulture, fruit and vegetable sector to help drive Scotland's economic recovery and future prosperity. Companies should therefore use this guidance to continue maintaining workplace operations in a safe manner.

The Scottish Government has initiated a broad collaborative process to develop sectoral guidance which will underpin that managed transition and provide clarity and confidence to industry, employees and local communities, protect public health and concurrently optimise economic recovery. Aligned with that we are reviewing and enhancing testing and enforcement arrangements, and ensuring that the guidance is coherent and connected, recognising for example transport and other inter-dependencies.

We are working with the UK Government to align our approach and guidance, where possible and on the basis of scientific evidence on the levels of infection in Scotland. This guidance is intended to work alongside UK Government guidance and aims to assist employers, businesses and their workforce ensure a safe working environment and readers will recognise consistent themes within this guidance with the UK Government’s  [Working Safely during COVID-19](https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19)publications.

This guidance should be read in conjunction with the Scottish Government’s  [business and physical distancing guidance](https://www.gov.scot/publications/coronavirus-covid-19-business-and-social-distancing-guidance/) which still applies.

**1.3 Business support**

There has been an unprecedented package of support announced from both the Scottish and UK Governments to support businesses. This support should help many employers preserve their business, maintain jobs and pay their workers throughout this crisis. Information on this support is available through [findbusinesssupport.gov.scot](https://findbusinesssupport.gov.scot/). We urge all businesses to make use of this. In the event of closures for the horticulture sector all available support measures must be utilised to protect the jobs and incomes of horticultural workers.

**1.4 Assessing risk**

While homeworking remains the default position for those who can, it is vital that risk assessment is carried out for those attending the workplace to ensure safety of workers.

The Health and Safety Executive’s [short guide](https://www.hse.gov.uk/news/assets/docs/working-safely-guide.pdf) can help to support employers with what they need to do to comply with the law. Risk assessment guidance and a COVID-age tool for individual risk assessment which should be used by employers to support staff and line managers to understand and carry out effective risk assessments can be found on the [Scottish Government website](https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-individual-risk-assessment-for-the-workplace/).

As a minimum we expect:

* an equality, human rights and risk-based approach to be followed to protect health and safety of employees and ensure the longer-term economic viability of the business and
* employees to be fully engaged in that process, through trade union or workforce representatives.

A risk assessment or adoption of mitigation measures should not be a one off exercise, rather part of a regular and ongoing dialogue and feedback loop between employers and trade union or workforce representatives to identify what measures are working, where refinements are possible and any gaps remaining. The open and ongoing engagement between trade union or workforce representatives should enable adjustments to be made quickly and smoothly at the relevant stage, including potentially tightening workplace restrictions or reducing numbers onsite if the dynamic risk assessments indicate this is necessary.

Detailed information on risk assessment and the return of workers to a workplace that has been closed due to the COVID-19 restrictions can be found in annex 1 of this document.

**1.5 Advice for those at highest risk**

Shielding was paused on 1 August. Since then we have been advising those who are at highest risk should they contract coronavirus, including those who were formerly asked to shield, to follow the same guidance as the rest of the population stringently and with extra care. The best protection for people who are most at risk from the virus is to stop its spread in our communities. Building on the support we put in place at the start of the pandemic, we are providing the information, advice and tools people need to make choices about their day-to-day activities and interactions, including work.

The Strategic Framework introduces enhanced advice at each protection level to protect people with the highest clinical risk, setting out clearly how advice will change depending on the rates of infection in local areas. As the levels in a local area change, the protection advice for people on the shielding list in that area will change as well. People at highest risk should still follow the advice for the general public as a minimum, but these levels provide additional advice for areas like work, schools, shopping and contact with others.

The majority of workplaces can be made safe. We are not advising people to stop going into work if you cannot work from home, but advise them to ask their employer to use the [workplace risk assessment tool](https://www.mygov.scot/support-shielding/) to support discussions with their employer so that the necessary adjustments to their workplace can be made. If their workplace cannot be made safe, at Levels 2 and 3, we are suggesting they can discuss whether they need a fit note with their GP or consultant.

At Level 4, the Chief Medical Officer will issue a letter to people on the shielding list which is similar to a fit note and which will last for as long as the individual’s area is under Level 4 restrictions. This letter can be used in the few cases where it is not possible to make their workplace safe. This does not automatically mean they should not attend work.

We are also asking people on the shielding list to sign up to our text message service to get updates to your mobile. To sign up they need to send their Community Health Index (CHI) number to 0786 006 4525.

**1.6 Test and Protect**

[Test and Protect](https://www.gov.scot/publications/coronavirus-covid-19-test-and-protect/), Scotland’s approach to implementing the 'test, trace, isolate, support' strategy is a public health measure designed to break chains of transmission of Coronavirus (COVID-19) in the community.

The NHS will test people who have symptoms, trace people who may have become infected by spending time in close contact with someone who tests positive, and then support those close contacts to self-isolate. That means if they have the virus they are less likely to pass it on to others. Organisations will play a vital role in ensuring that their workers are aware of and able to follow the public health advice.

Organisations should follow public health guidance if a worker becomes unwell with coronavirus symptoms at work, see further information below. The person should leave work to self‑isolate straight away and, if possible, wear a face covering on route and avoid public transport.

Organisations should direct workers to NHS Inform or, if they can’t get online, call 0800 028 2816, to arrange to get tested.

Until they have been tested and told if it is safe to leave home, organisations should make sure that staff do not have to, or feel that they have to, come in to work.  Workers can request an isolation note through NHS Inform.

People who have tested positive for the virus will need to self-isolate in line with current public health advice. NHS contact tracers will interview them and get in touch with people they have been in close contact with and tell them they must self-isolate for 14 days.  If your employees are informed by a contact tracer that they should isolate, you should help them to do so straight away. They may feel well, as the virus could still be incubating when they are asked to isolate. Some people who are asked to isolate may not become unwell, but they must stay at home and self-isolate for the full 14 days.  Organisations can ask them to work from home if they are able to and they are not unwell. Organisations should not ask someone isolating to come into work before their period of isolation is complete, in any circumstances.

A close contact is defined as:

* Those that are living in the same household as a case.
* Face to face contact with a case for any length of time within 1 metre of a case.
* Extended close contact within 2 metres for more than 15 minutes with a case.

Where Infection Prevention Control measures have been utilised such as protective screen or use of PPE the contact tracer will conduct a risk assessment to identify contacts at risk. The priority is to public health in order to break the chain of transmission of COVID-19.

See Scottish Test and Protect website and [NHS Inform](https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/coronavirus-covid-19-guidance-for-households-with-possible-coronavirus-infection) for further health advice and information including on duration of self-isolation. Advice for employers on [helping staff who need to self-isolate](https://www.gov.scot/publications/coronavirus-covid-19-test-and-protect-advice-for-employers/) is also available.

Test and Protect – Contact Tracing App

Protect Scotland is an entirely voluntary app that is an additional part of NHS Scotland’s Test & Protect service. Having the app should never be a requirement for any workplace. The app complements but does not replace manual contact tracing. It enhances contact tracing and quickly alerts app users that are at risk as they have come into close contact (less than 2m for 15 minutes or more) with an app user that has since tested positive for Covid-19. [Further information about the contact tracing app](https://protect.scot/) for employers, workers and customers is available.

**1.7 Face coverings**

Unless exempt, people must by law wear a face covering in shops, on public transport and public transport premises, and in certain other indoor public places such as shops, restaurants/cafes including workplace canteens (when not seated), libraries and places of worship.

In workplaces (other than an early learning or school setting), people are legally obliged to wear a face covering in communal areas indoors, unless exempt.

Please see the Scottish Government [website](https://www.gov.scot/publications/coronavirus-covid-19-phase-3-staying-safe-and-protecting-others/pages/face-coverings/) for full face covering guidance.

**1.8 Next steps**

Since 2nd November 2020 the [Coronavirus (COVID-19): framework for decision making – Scotland’s route map through and out of the crisis](https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making-scotlands-route-map-through-out-crisis/) has been supplemented by the Strategic Framework which provides further detail on the different levels of restriction required to control the virus in accordance with criteria set out in the framework.

Easing restrictions will not mean returning to how things were before the virus. Physical distancing, hand hygiene, and other critical behaviours will be essential in each area to ensure public and workforce confidence.

This guidance will be updated and reviewed as required in consultation with the sector’s employers and unions. Please ensure you use the latest version.

It is for individual businesses in conjunction with trade union or workforce representatives to decide how best to successfully adopt and adapt guidance for their individual circumstances.

**2. HORTICULTURE, FRUIT AND VEGETABLE SECTOR CONSIDERATIONS**

The following advice is aimed at supporting horticulture, fruit and vegetable businesses to work safely, and in accordance with regulation 4(1) of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020, specifically around the issues of PPE, accommodation, transportation and field and packhouse operations**.**

Businesses should maintain physical distancing in the workplace or implement mitigation measures to reduce the transmission of COVID-19 in the workplace, such as using physical screens, shift working, re-designing tasks and work areas, cohort working and face coverings in indoor communal areas where people mingle or gather.

Agricultural businesses should see also the Scottish Government’s[Guidance for farmers, crofters and other agricultural workers on measures to prevent spread of COVID-19](https://www.ruralpayments.org/) and the [UK government guidance](https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/construction-and-other-outdoor-work) for construction and other outdoor work. Garden centres and plant nurseries should ensure that they adhere to the current Scottish Government [retail guidance](https://www.gov.scot/publications/coronavirus-covid-19-retail-sector-guidance/), whilst landscaping businesses should consider the current [construction guidance](https://www.gov.scot/publications/coronavirus-covid-19-construction-sector-guidance/) where this is applicable to their activities. In addition, industry guidance from the Horticultural Trade Association (available through the HTA members portal) and the [British Association of Landscape Industries](https://www.bali.org.uk/help-and-advice/documents/landscaping-protective-measures-for-covid-19/covid-19-landscape-site-operating-procedures-protecting-your-workforce-18-may-update.pdf) is available to support members meet COVID requirements (see Additional information section).

**2.1 General considerations**

* Please note, individuals with suspected or confirmed COVID-19 should be [self-isolating](https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-and-treatment/how-long-to-self-isolate/) and **not be at work** (other than working from home).
* Physical distancing applies to all parts of a business, not just the place where people spend most of their time, but also entrances and exits, break rooms, canteens and similar settings.
* A risk assessment should be undertaken with particular regard to whether the people doing the work are especially vulnerable to COVID-19, further guidance can be found [here](https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-individual-risk-assessment-for-the-workplace/).
* Increase the frequency of hand washing and surface cleaning.
* Use screens or barriers to separate people from each other.
* Use back-to-back or side-to-side working (rather than face-to-face) whenever possible.
* Reduce the number of people each person has contact with by using ‘fixed teams or partnering’ (so each person works with only a few others).

**2.2 Personal Protective Equipment (PPE)**

* Routine (business as usual) PPE should continue to be worn as required, in accordance with local policies and existing health and safety risk assessments and method statements.
* The most effective methods to reduce transmission of COVID-19 is a physical separation of at least 2-metres; thorough regular hand washing for at least 20 seconds; workers refraining from touching their faces; and regularly disinfecting surfaces.
* Health Protection Scotland (HPS) have provided COVID-19 information and [guidance for general (non-healthcare) settings](https://www.hps.scot.nhs.uk/web-resources-container/covid-19-guidance-for-non-healthcare-settings/) which offers advice on the use of PPE, confirming workplaces should use PPE consistent with local policies and in line with measures justified by a risk assessment.
* Both the Scottish Government and the Health and Safety Executive (HSE) recommend a risk based approach focused on a hierarchy of control which seeks to eliminate risks, combat risks at source, adapt workplaces to individual needs, ensure adequate staff training around processes to manage the risk and then use PPE where required. Where PPE is deemed necessary, an adequate supply and quality must be maintained which is provided free of charge to workers and which must fit properly.
* Any use of PPE should (i) follow completion of a risk assessment, (ii) be used in accordance with manufacturer’s guidelines, (iii) be replaced as necessary or disinfected thoroughly (as applicable), and (iv) accompanied with appropriate training to ensure its correct use, as **incorrect use can increase the risk to workers** (for example, unwashed gloves are worse than regularly washed hands).
* Any **use of PPE is not a substitute for physical distancing and hygiene measures**.
* Regular checks should be made on the health status of each worker to ensure symptomatic workers are not at work and following NHS advice. The use of PPE does not negate the need for self-isolation of symptomatic individuals.
* Suitable systems should be put in place to keep the PPE clean, disinfected and free of contamination.

**2.3 Accommodation on farm**

* Workplace housing units, such as caravans, are ‘households’ and all individuals within a household unit should self-isolate if one member becomes symptomatic, according to current [health guidance](https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-and-treatment/how-long-to-self-isolate/), so it is not advisable to house large number of workers in one household unit, due to the potential impact if one falls ill.
* Physical distancing requirements may be supported by, where possible, organising household units to work and travel together.
* Employers should implement procedures to safely introduce new or seasonal workers into work-based accommodation, with a 14-day period of segregation upon their arrival (see ‘Seasonal Workers from out-with the UK’ section below). Thoroughly deep clean accommodation between a change in workers.
* Businesses should consider the areas they provide for their workers to take breaks or consume food to ensure these comply with social distancing requirements i.e. to allow workers to remain at a distance of 2-metres at all times and hygiene requirements i.e. surface cleaning, access to hand washing facilities etc.
* Businesses should identify and disinfect key touch points regularly, such as door handles, handrails, keypads, vending machines, etc. Using a disposable cloth, ﬁrst clean hard surfaces with warm soapy water then disinfect these surfaces with the cleaning products you normally use.
* It is important to check with your suppliers that your cleaning and sanitising chemicals are certified as effective against enveloped viruses such as coronavirus. Products bearing the EN 14476:2013 standard should have been tested for efficacy against certain coronaviruses (although not specifically the virus responsible for COVID-19).
* Household bleach and other potent oxidisers are also known to kill similar viruses and can be effective for up to 24 hours.
* Provide bins for disposal of used paper towels / tissues and inform staff that these should be used.
* Alcohol hand sanitizer needs to contain at least 70% alcohol.

**2.4 Transportation of workers**

* Where possible, daily checks of employee’s health status should be undertaken before workers are transported to the site.
* Anyone found to be unwell in transit or on site should be immediately returned to their accommodation and supported to follow the stay at home guidance on NHS Inform. Businesses should have plans in place to quickly transport sick workers to their accommodation and disinfect work areas or vehicles.
* Workers with COVID-19 symptoms, or those required to [self-isolate](https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-and-treatment/how-long-to-self-isolate/), should not travel to work. Health Protection Scotland (HPS) guidance for general (non-healthcare) settings reiterates that people should not travel if they exhibit any COVID-19 symptoms. The HPS advice and any subsequent safe travelling advice should be factored into company decisions on planned returns to work.
* Workers from different households should adhere to social distancing requirements where possible. Businesses can support this by providing additional or larger vehicles to transport workers at the required safe distance from each other.
* Vehicles should offer good ventilation and be regularly sanitised to reduce the chance of transmission, paying particular attention to surfaces that are touched regularly. This should be done after each trip.
* Where shared transport is unavoidable, the number of workers in each vehicle should be minimised by considering multiple trips with fewer persons and/or staggered starting and finishing times to reduce the need for close personal contact.
* Workers should space out as much as possible in the vehicle, wear a face covering, and thoroughly wash their hands immediately before and after the journey.
* Where possible, employers should select workers from within one household to travel together, if a 2-metre distance cannot be maintained.
* Where a 2-metre separation cannot be met, alternative methods of transport should be considered, such as shuttle buses, cycling or walking etc.
* Small vehicles, such as cars should ideally be single occupancy to prevent the spread of COVID-19, unless occupied by individuals from one household.

**2.5 Field and Packhouse operations where 2-metre spacing is not possible**

* For critical national infrastructure activities where a 2-metre distance cannot be adhered to, employers should consider reducing staffing levels and shift rotations. Whilst this will have an impact on productivity, it may be necessary to protect staff and maintain output.
* Workers should wear face coverings in communal areas such as corridors. Face coverings are not required on workstations.
* Businesses should also consider physical shielding mechanisms, such as perspex-type barriers. If used, these should be cleaned regularly with disinfectant or soap and water.
* Nonetheless, workers should still be advised to keep 2-metres apart as much as possible and businesses should put practices in place to facilitate this.
* If installation of a physical barrier is not possible, employers should consider shift work or implementing equipment that could reduce the need for multiple workers operating in a confined area.
* Where workers need to work within 2-metres of one another, consider whether members of the same household can be utilised to do these tasks.
* To protect workers, employers should remind colleagues daily to only come into work if they are well and no one in their household is [self-isolating](https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-and-treatment/how-long-to-self-isolate/).
* Employers should remind staff to wash their hands frequently for at least 20 seconds with soap and water and, in particular, before and after operating enclosed or shared machinery. If this is not possible, hand sanitiser should be used. Please note, hand sanitiser is only effective on visibly clean hands, so if no there is access to soap and water, hand wipes should be used first to clean the hands followed by an >70% alcohol-based hand rub. Hand washing should follow as soon as there is access to soap and water.
* Employers should consider installing pop-up handwashing facilities, with soap, water, paper towels and hand sanitiser.
* All equipment being handled should be frequently cleaned and disinfected using standard cleaning products. Workers should be discouraged from sharing phones.
* Non-essential visits from external parties should be prohibited wherever possible. In circumstances where essential visitors are required to spend time on site, take appropriate measures to separate them from employees wherever possible. Ensure the 2-metre physical (social) distancing requirements are adhered to during interactions with on-site staff and, where possible, designate separate waiting areas and toilet facilities, in order to minimise contact with employees.
* Wherever possible, re-design workflow to minimise contact with surfaces. For example, by keeping non-fire doors open to reduce the need for hand contact.
* Workers should be prevented from congregating in groups. Consider marking physical distancing spaces on the ground so they are clearly identifiable, moving certain tasks to different locations where practical, or staggering break times for staff to reduce congestion in communal areas.

**2.6 Polytunnels**

* Workers should maintain a 2-metre working distance at all times, where possible, and businesses should consider revised working practices to facilitate this.
* Where a 2-metre distance cannot be maintained for specific CNI activities, businesses should consider the use of physical screens or shift working to reduce the need for social contact, even if that impacts on productivity.
* Where possible, all vents should be opened to ensure good airflow when workers are required to operate in close proximity.
* If the air-flow is poor, consider ways to improve it.
* Employers should consider installing pop-up handwashing facilities, with soap, water, paper towels and hand sanitiser to allow workers to follow the required hygiene guidance.

**3. SEASONAL WORKERS FROM OUTWITH THE UK**

Seasonal workers are essential to support Scottish farms involved in fruit and vegetable production. **Workers with suspected or confirmed COVID-19 symptoms should not travel.**

In accordance with paragraph 37 of [The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020](http://www.legislation.gov.uk/ssi/2020/169/made), seasonal workers who have an offer of employment to carry out edible horticulture activities are able to work upon arrival in the UK provided that they travel without undue delay to the named farm. They must remain there until either 14 days have expired (counted from the day after which they arrived in the common travel area, which includes the UK, Ireland, Isle of Man and the Channel Islands) (“the 14 day period”) or they depart from Scotland.

**3.1 Information for growers, labour providers and agencies**

To support the needs of the sector, growers, labour providers or agencies employing seasonal agricultural workers from overseas are advised to:

* notify Scottish Government officials of the workers’ travel plans, so that seasonal workers can be supported upon arrival in the UK with advice translated into their own language including relevant contact details. Please contact seasonalworkers@sasa.gov.scot, providing the following information: (1) their country of origin, (2) arrival date, (3) number of workers travelling to each farm, and (4) the workers’ addresses while in Scotland.
* provide worker(s) with relevant documentary evidence, in advance of travel, to confirm that they are travelling to undertake an offer of seasonal agricultural work.
* ensure workers travel immediately to their final place of work and maintain social distancing during the journey. Workers need to be aware of Scottish health guidance ahead of travel.
* ensure workers are aware of the mandatory requirement to wear a [face covering](https://www.gov.scot/publications/coronavirus-covid-19-phase-2-staying-safe-and-protecting-others/pages/face-coverings/) on public transport and public transport premises in Scotland.
* provide clear instructions about the working and living arrangements for workers including any relevant public health guidance within 2 hours of arrival on farm.
* take account of the practicalities of self-isolating groups of workers on farm when considering how many workers should join a cohort.
* ensure that your operations are consistent with existing guidance.
* ensure workers [self-isolate](https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-and-treatment/how-long-to-self-isolate/) and apply for a test if anyone in the cohort is symptomatic. If they test positive, [test and protect](https://www.nhs.uk/conditions/coronavirus-covid-19/testing-and-tracing/nhs-test-and-trace-if-youve-been-in-contact-with-a-person-who-has-coronavirus/) guidance should be followed by anyone who has had contact with them.

Following discussions with industry representatives, the following travel guidance has been used for chartered flights bringing seasonal workers into Scotland during the pandemic. It is recommended best practice for all subsequent travel by seasonal workers and is provided for implementation by growers, labour providers and agencies who are involved in travel arrangements for seasonal workers.

**3.2 Before workers travel**

* Ahead of travel, ensure precautionary arrangements are put in place for both the journey and the workers arrival into the UK (as outlined below).
* Notify workers that those displaying COVID symptoms, or those who have had contact (household or otherwise significant contact) with a suspected or confirmed COVID-19 case **should not travel**. This should also be clearly stated in any offer letter issued to seasonal workers prior to travel.
* Consult latest guidance on use of [face coverings](https://www.gov.scot/publications/coronavirus-covid-19-phase-2-staying-safe-and-protecting-others/pages/face-coverings/).

**3.3 Flight check in precautions**

* Where possible, arrange for multiple, well-spaced, check-in desks to be used to prepare travellers for departure.
* Where possible, ensure the floor will be marked at 2m intervals to ensure physical distancing is maintained.
* Consider having a doctor on hand to check for symptoms before workers can progress beyond the departure desk.
* Consider issuing each worker with a face covering and hand sanitiser (>70% alcohol content) for use during the journey. Please note, face coverings are mandatory on public transport in Scotland,
* Consider appointing a supervisor for each group of travellers to assist the with any health, language or travel concerns during the journey.

**3.4 On board**

* In advance, calculate the flight’s occupancy to ensure sufficient room for workers to physically distance where possible. Groups who will work together should also fly together.
* Consider having a supervisor travel with each group to assist the with any health, language or travel concerns.

**3.5 At the border/destination airport**

* The letter or email from the employing farm will assist upon arrival at the UK border. This should confirm employment as a seasonal agricultural worker.
* The letter should include confirmation of the worker’s name, date of birth and employer in the UK. It should also include the start date, address of the farm where you will be living and contact details of your employer and/or farm.
* Ideally the integrity of planned working groups should be maintained throughout transport, document control and baggage reclaim areas, whilst ensuring physical distancing.
* Aim to ensure a local supervisor guides the workers to the coaches.

**3.6 Onward journey to farms**

* Do not fill the coach; aim to spread out the passengers to maintain physical distancing requirements where possible. Use multiple vehicles to achieve this if necessary.
* On arrival at the destination farms groups should be accommodated in small household units and **should be segregated from others for a period of 14 days**.
* Ensure regular disinfection of surfaces as described in the transportation section above.

**3.7 Induction on farm**

* Farm owners are responsible for ensuring the safety of seasonal workers whilst in Scotland through awareness and training procedures. Ensure workers receive an introductory briefing on health and safety matters including COVID-19 requirements in Scotland within 2 hours of arrival on farm.
* Consideration should be given to the worker’s understanding of English; it may be necessary to translate information to aid their understanding.

**3.8 Following the 14-day travel quarantine period**

* Farm owners need to ensure workers are aware of, and adhere to, physical distancing requirements, both on and off farm.

**3.9 Other modes of travel to Scotland**

* Physical distancing and hygiene measures should be adhered to where possible whilst travelling to Scotland.
* Face coverings are mandatory on public transport.
* On entry to Scotland, the travel quarantine and on farm practices highlighted above should be followed.
* Prior to travel, workers should be issued with a travel exemption letter from their employer to support their arrival as a key worker. See the NFUS website for a template.

Defra has provided information on Public Health England’s good practice on chartered flights, which can be found [here](https://labourproviders.org.uk/wp-content/uploads/2020/04/Charter-Flight-Covid-19-public-health-good-practice-23-April-2020.pdf).

**4. COVID-19 SYMPTOMS AND CONTACT WITH SYMPTOMATIC INDIVIDUALS**

It is the duty of the farm to ensure that all workers are aware of what to do and who to inform and to ensure that workers are facilitated to both report symptoms and follow the public health guidance.

**4.1 If workers develop coronavirus symptoms**

If someone develops coronavirus symptoms - a new continuous cough, a fever/high temperature, or loss or change in sense of smell or taste – they, and everyone they live with, should isolate straight away. The person with symptoms should arrange to be tested through [NHS Inform](https://www.nhsinform.scot/self-help-guides/self-help-guide-access-to-testing-for-coronavirus) or calling 0800 028 2816.  If the test is negative and have not had a temperature for 48 hours, isolation can end.  If the test is positive, the person and their household should self-isolate in line with [current advice](https://www.gov.scot/publications/coronavirus-covid-19-test-and-protect/pages/who-needs-to-self-isolate/).

Read the NHS [stay at home guidance for households](https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/coronavirus-covid-19-guidance-for-households-with-possible-coronavirus-infection) with possible coronavirus infection.

**4.2 Contact with others who have symptoms**

If anyone in the household has symptoms, has tested positive or is waiting for a test result **all other household members should self-isolate for 14 days in line with the** [**guidance**](https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/test-and-protect/coronavirus-covid-19-guidance-for-households-with-possible-coronavirus-infection)**.**

**4.3 Outbreak Management**

Organisations should suspect an outbreak if there is either:

* Two or more linked cases (confirmed or suspected) of COVID-19 in a setting within 14 days - where cross transmission has been identified; or
* An increase in staff absence rates, in a setting, due to suspected or confirmed cases of COVID-19.

If an organisation suspects a COVID-19 outbreak, they should immediately inform their local NHS board Health Protection Team (HPT). The organisation may be then contacted by them, as they may get information from NHS Test & Protect or other sources.

In the event of an outbreak:

* Continue to follow 'General Guidelines' to reduce risk, as detailed above.
* The local Health Protection Team will undertake a risk assessment and conduct a rapid investigation. They will advise on the most appropriate action to take.
* Staff who have had close contact with case(s) will be asked to self-isolate at home. In some cases, a larger number of other staff may be asked to self-isolate at home as a precautionary measure. Where settings are observing guidance on infection prevention and control, which will reduce risk of transmission, the local health protection team will take this into account in determining whether closure of the whole setting will be necessary.
* Depending on the risk assessment outcome, the Health Protection Team may establish an Incident Management Team (IMT) to help manage the situation.
* The Incident Management Team will lead the Public Health response and investigations, and work with the organisation to put appropriate interventions in place.

To control an outbreak the Health Protection Team and Incident Management Team will work with the organisation to put appropriate interventions in place. These will generally include ensuring that the preventive measures described in 'General guidelines to prevent spread of COVID-19' (detailed above) are fully implemented. Other measures may include:

* Cleaning in the setting: for cleaning and waste management, refer to guidance on cleaning in non-healthcare settings <https://www.hps.scot.nhs.uk/web-resources-container/covid-19-guidance-for-non-healthcare-settings/> for maintaining hygiene.
* Consider wider testing of affected population and staff:
* Information: ensure that staff (and other relevant people) are aware of what has happened and the actions being taken.
* Closure: may be done following advice from the Health Protection Team and Incident Management Team or the business may make their own decision on closure ahead of this advice as a precaution or for business continuity reasons.

The Health Protection Team or Incident Management Team will declare when the outbreak is over.

**4.4 Temperature checks**

We do not recommend the use of temperature checking employees as a means of testing for COVID-19 due to the low efficacy rate of this method. Further information about the reliability of temperature checking as a test for COVID-19 can be found on the [MHRA website](https://www.gov.uk/government/news/dont-rely-on-temperature-screening-products-for-detection-of-coronavirus-covid-19-says-mhra).

**5. ADDITIONAL INFORMATION**

**5.1 Scottish Government advice and support**

[Summary of COVID-19](https://www.gov.scot/coronavirus-covid-19/) developments in Scotland

[The Strategic Framework](https://www.gov.scot/publications/covid-19-scotlands-strategic-framework/)

The Strategic Framework level which applies to a particular area can be found [here](https://www.gov.scot/publications/coronavirus-covid-19-protection-levels/).

[Coronavirus (COVID-19): framework for decision making](https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making/)

[Coronavirus (COVID-19): framework for decision making – Scotland’s route map through and out of the crisis](https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making-scotlands-route-map-through-out-crisis/)

[Coronavirus (COVID-19): business and physical distancing guidance](https://www.gov.scot/publications/coronavirus-covid-19-business-and-social-distancing-guidance/)

[Coronavirus (COVID-19): guidance on individual risk assessment for the workplace](https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-individual-risk-assessment-for-the-workplace/)

Advice on substantive [support packages available for business and their employees](https://findbusinesssupport.gov.scot/)

Guidance on childcare can be found at:

<https://www.gov.scot/publications/coronavirus-covid-19-childcare-closures-and-emergency-provision/> and for Key workers <https://www.gov.scot/publications/coronavirus-guide-schools-early-learning-closures/>

COVID-19 information and [guidance for general (non-healthcare)](https://hpspubsrepo.blob.core.windows.net/hps-website/nss/2973/documents/1_covid-19-guidance-for-non-healthcare-settings.pdf) settings

A list of [Scottish Procurement Policy Notes (SPPNs)](http://www.gov.scot/collections/scottish-procurement-policy-notes-sppns/) can be found on gov.scot:

* SPPN 4/2020 covers procurement related issues as a consequence of the COVID-19 outbreak.
* SPPN 5/2020 sets out guidance for public bodies on options for payment to their suppliers to ensure service continuity during the current COVID-19 outbreak.

[Testing for COVID-19 in Scotland](https://www.gov.scot/publications/coronavirus-covid-19-getting-tested/)

[Guidance for farmers, crofters and other agricultural workers on measures to prevent spread of COVID-19](https://www.ruralpayments.org/)

Can be found from <https://www.ruralpayments.org/>

[Scottish Government Retail Sector Guidance](https://www.gov.scot/publications/coronavirus-covid-19-retail-sector-guidance/)

[Scottish Government Construction Industry Guidance](https://www.gov.scot/publications/coronavirus-covid-19-construction-sector-guidance/)

Fair Work during the COVID-19 crisis [Joint Statement](https://www.gov.scot/publications/coronavirus-covid-19-fair-work-statement/)

**5.2 Legislation**

[Coronavirus (Scotland) Act 2020](https://www.legislation.gov.uk/asp/2020/7/contents)

The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020

<http://www.legislation.gov.uk/ssi/2020/169/made> and <http://www.legislation.gov.uk/ssi/2020/171/contents/made>

**5.3 Other relevant guidance**

The [Health and Safety Executive](https://www.hse.gov.uk/news/coronavirus.htm) (HSE) and [COSLA guidance](https://www.cosla.gov.uk/__data/assets/pdf_file/0019/16750/non-healthcaresettingfaqs17042020-1.pdf#FAQs%20on%20COVID-19%20in%20a%20non-healthcare%20setting) for non-healthcare settings.

[Food Standards Scotland’s guidance for food businesses](https://www.foodstandards.gov.scot/publications-and-research/publications/covid-19-guidance-for-food-business-operators-and-their-employees)

[Health Protection Scotland’s guidance](https://www.hps.scot.nhs.uk/web-resources-container/covid-19-guidance-for-non-healthcare-settings/)

[NHS Scotland guidance](https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/test-and-protect/coronavirus-covid-19-guidance-for-households-with-possible-coronavirus-infection)

Further guidance on physical distancing can be found on [NHS inform](https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/coronavirus-covid-19-social-distancing).

[Coronavirus (COVID-19): Test and Protect - advice for employers](https://www.gov.scot/publications/coronavirus-covid-19-test-and-protect-advice-for-employers/)

[Shielding guidance](https://www.gov.scot/publications/covid-shielding/pages/overview/)

[AHDB Best practices to avoid the spread of coronavirus for seasonal workers on fruit and vegetable farms](https://ahdb.org.uk/coronavirus/social-distancing-farm-businesses)

[British Association of Landscaping Industries guidance (BALI)](https://www.bali.org.uk/help-and-advice/covid-19-coronavirus/)

[Horticultural Trade Association website](https://hta.org.uk/)– guidance available to HTA members only

Further detailed guidance on security can be found from [CPNI](https://www.cpni.gov.uk/security-risks-throughout-covid-19-0) and the UK Government [Counter Terrorism Security Office](https://www.gov.uk/government/organisations/national-counter-terrorism-security-office).

To contact Police Scotland for Protective Security advice, please contact your local Counter Terrorism Security Adviser:

* North: SCDCTSAAberdeen@Scotland.pnn.police.uk
* East: SCDCTSAEdinburgh@Scotland.pnn.police.uk
* West: SCDCTSAGlasgow@Scotland.pnn.police.uk

[Public health good practice on Charter Flights - Defra](https://labourproviders.org.uk/wp-content/uploads/2020/04/Charter-Flight-Covid-19-public-health-good-practice-23-April-2020.pdf)

[UK government guidance – Seasonal work on farms: guidance for workers](https://www.gov.uk/guidance/seasonal-work-on-farms-guidance-for-workers)

[UK government guidance – Construction and other outdoor work](https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/construction-and-other-outdoor-work)

[UK government guidance - Vehicles](https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/vehicles)

[UK Government guidance- working safely during COVID-19](https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19)

[UK government guidance - Core guidance for working safely](https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19)

STUC mailbox for safety concerns: safety@stuc.org.uk

[Unite helpline](https://unitetheunion.org/why-join/member-services/24-hour-legal-helpline/)

Version 8

2nd November 2020

**Annex 1- Reopening a workplace following closure due to COVID-19 restrictions**

**1 Joint working**

This guidance has been developed in collaboration with industry and trade unions on the basis that both have essential roles to play in planning for restart. Companies that have successfully been able to maintain or increase production of essential goods during the COVID-19 crisis have highlighted the importance of joint working. Protecting the health of employees has been at the heart of this joint approach which is fundamental to establishing shared confidence around the safety of returning to places of work and supporting a recovery in productivity. The STUC has set up a contact point for requests for support from trade union Health and Safety representatives: safety@stuc.org.uk.

**2 Implementation phases**

Carrying out a robust risk assessment with full workforce involvement (of recognised trade union safety representatives or relevant employee safety representatives) will identify the practical measures that can be put in place to minimise the spread of the virus at a workplace level. The assessment should include a phased implementation timetable, structured broadly as follows:

**2.1 Planning**

Plans to re-open a workplace should be developed in consultation with the workforce and updated on an ongoing basis. That planning must be based around risk assessments and safe systems of work physical distancing, hand washing, and fair work practices and be designed to enable a restart that allows the business to trade while protecting employee health and well-being.

**2.2 Preparation**

Physical distancing and hygiene measures require work to be carried out before a restart – for example screens, one-way systems, 2- metre zones, canteen re-arrangement, PPE provision, hand sanitisers etc. Then briefings and inductions into the new ways of working. These all take time and require resourcing and commitment.

**2.3 Legionella Testing**

There is an increased risk of Legionnaire’s Disease when buildings have been out of use, or not running at full capacity. This is because water systems may become stagnant when not in use, increasing the risk of legionella within water supplies. Many public and office buildings have been closed during the COVID-19 crisis, making legionella a legitimate concern as lockdown restrictions are eased.

The Health and Safety Executive have published advice on the risk of Legionella in buildings which are closed or running with reduced occupancy during the COVID-19 crisis. This can be found on the Royal Environmental Health Institute of Scotland (REHIS) [website](https://rehis.com/story/legionella-risks-during-coronavirus-outbreak).

Building owners or operators should undertake a health and safety check of buildings, and deep cleaning prior to reopening where necessary, to mitigate risks. More information can be found on the HSE website at this link.

**2.4 Pilots**

Experience confirms the value of trialling the new way of working before a fuller restart is attempted, so a limited-scale pilot to test systems, find weaknesses and make improvements before a fuller restart is essential.

**3 Dynamic assessment**

A risk assessment or adoption of mitigation measures should not be a one off exercise, rather part of a regular and ongoing dialogue and feedback loop between employers and trade union or workforce representatives to identify what measures are working, where refinements are possible and any gaps remaining. Reviews of measures and risks should be frequent, with daily assessments of progress initially not unusual. The open and ongoing engagement between trade union or workforce representatives should enable adjustments to be made quickly and smoothly at the relevant stage, including potentially tightening workplace restrictions or reducing numbers onsite if the dynamic risk assessments indicate this is necessary.

**4 Utilising expertise**

Companies should ensure their health and safety professionals and representatives have the skills, training and knowledge to understand the risks associated with COVID-19.  Where companies and their workforce do not have access to these skills in-house they should together explore external support options to put in place appropriate mitigation measures, for example through their trade association, health and safety consultancies or trade union health and safety representatives. All can help companies understand the risks associated with different activities and situations within individual companies and offer the support managers and workers may require.

**5 Building confidence, supporting wellbeing**

Returning workers may have some level of apprehension about how safe they may be and they may require reassurance and demonstration that measures recommended in workplace risk assessments have been put in place to ensure safety. Employers should recognise the need to have clear and regular communications with employees, using multiple channels to reinforce key messages. Visual material has proven to be beneficial in demonstrating changes that have or are being made, especially where language barriers exist.

A clear message from employers and trade unions is that building and maintaining employee confidence is vitally important and a challenge that should not be underestimated.

**6 Workforce planning**

**6.1 Supporting those who should come to work, and those who should not**

As a minimum we expect:

* working from home to continue, where possible
* health factors to be considered in any phasing of who returns to work, with employees living in high clinical risk households only expected to return when new safe working environment measures have been implemented and a return to onsite work is consistent with individual medical advice
* new horticulture, fruit and vegetable sector arrangements to be tested and modified through collaboration between employers and employees and
* companies to take travel to work and childcare considerations into account in decisions around a phased restart

**6.2 Number of workers on site**

Minimising the spread of the virus will remain important in ensuring the overall protection of public health. Therefore companies should plan for the minimum number of people needed on site to operate safely and effectively.

**6.3 Pilot measures**

As implementing new enhanced safety measures may take time to embed it is good practice to pilot measures, either within part of a facility and / or with a proportion of the workforce at lower risk from the virus, before rolling out across the workplace as a whole. Travel to work and childcare considerations for individual employees should be taken into account by companies, in discussion with trade unions or employee representatives, before deciding which individuals to involve in pilots.

**6.4 Employee health and well-being**

Employers should ensure the organisation culture is inclusive, with the aim that every employee should feel that they are returning to a supportive, caring and safe environment. The pandemic has had an unequal impact across the workforce, as different employee groups, and individuals, will have been affected in diverse ways according to factors such as their job role, and demographic/personal circumstances. Therefore, it is important organisations foster a fair and inclusive working environment that does not tolerate discrimination. There is also a risk of victimisation of those infected, suspected, or more vulnerable to COVID-19 which should be addressed.

The following guides from the Health and Safety Executive provide useful sources of information:

* [working safely during the coronavirus outbreak - a short guide](https://www.hse.gov.uk/news/assets/docs/working-safely-guide.pdf)
* [talking with your workers about working safely during the coronavirus outbreak](https://www.hse.gov.uk/news/assets/docs/talking-with-your-workers.pdf)

Individual health circumstances and [protected characteristics](https://www.equalityhumanrights.com/en/equality-act/protected-characteristics) should be considered and discussed with employees before prioritising who is asked to return to work and when. This should recognise the protective measures required to minimise health risks to workers at high risk or those living in high risk households, exploring whenever possible how these staff can work from home. Consideration of health circumstances and protected characteristics should be given to this as part of the risk assessment process.  Permission should be sought from individuals before collecting any information on health conditions of those within their household.

It is important to take into account the particular circumstances of those with different protected characteristics. This could include involving and communicating appropriately with workers whose protected characteristics might either expose them to a different degree of risk, or any steps taken may be inappropriate or challenging for them. Consideration should be given as to whether any particular measures or adjustments are required to fulfil duties under the equalities legislation. Reasonable adjustments should be made to avoid disabled workers being put at a disadvantage, and the health and safety risks for new or expectant mothers should be assessed. It is important to make sure the steps implemented do not have an unjustifiably negative impact on some groups compared to others, for example, those with caring responsibilities or those with religious commitments.

For example, given that there is some evidence which suggests that COVID-19 may impact disproportionately on some groups (Minority Ethnic communities), employers should ensure that Occupational Health Service provide practical support to Minority Ethnic staff, particularly where they are anxious about protecting themselves and their families.  All Minority Ethnic staff with underlying health conditions and disabilities, who are over 70, or who are pregnant should be individually risk assessed, and appropriate reasonable or workplace adjustments should be made following risk assessment.

Further guidance on individual risk assessment can be found [here](https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-individual-risk-assessment-for-the-workplace/).

There are other issues that employers need to consider to ensure workplaces are inclusive. The [Equality and Human Rights Commission](https://www.equalityhumanrights.com/en/advice-and-guidance) can provide advice on a range of issues such as non-discrimination, communication with employees on equality issues, adjustments for disabled people, support for pregnant employees, flexible working for those with caring responsibilities, support for employees affected by domestic abuse, how to deal with harassment at work, and mental health issues. Close the Gap, through their *Think Business Think Equality* toolkit, have produced guidance on [employers supporting employees affected by domestic abuse](https://www.thinkbusinessthinkequality.org.uk/files/tbtecovid19.pdf) during the pandemic and a more [general online self-assessment resource for employers on domestic abuse](https://www.thinkbusinessthinkequality.org.uk/toolkit/9-domestic-abuse/).The  [RNIB](https://www.rnib.org.uk/services-we-offer-advice-professionals/employing-blind-or-partially-sighted-person) also provide information on employing partially sighted and blind workers during COVID, and a COVID risk assessment tool.

**7 Operational guide and checklist**

**7.1 Changing the workplace environment to protect your workforce**

As a minimum we expect:

* enhanced health and safety measures to be in place before staff are asked to return to work, including physical distancing guidance and hygiene measures, generally and at bottleneck situations and
* safe travel to work arrangements to be considered as part of a risk assessment, with any relevant adjustments adopted

**7.2 Safe workplace planning and communications**

It is vital steps are taken to ensure a safe working environment and related workforce confidence. This is best done through early, regular and ongoing engagement between companies and trade union or workforce representatives. As it will take time to complete the necessary risk assessment, identify the relevant mitigation measures and put those measures in place, the engagement between employers, trade union or workforce representatives must started well before a planned restart date (or ramp-up where production of essential goods or delivery of essential services have continued at less than full capacity).

It is important everyone understands the measures taken to establish the safe working environment as this is likely to have a significant impact on workforce confidence. Being and feeling safe will play an integral role in supporting a recovery in productivity levels.

**7.3 Enhanced hygiene**

Enhanced hygiene measures should be a key plank of workplace-specific measures to create a safe working environment, including for example:

* sanitiser and hand-washing facilities at key points, including on entry and exit points
* additional sanitiser and handwash facilities around communal areas
* regular cleaning of work equipment and workstations including considering how often and where deep cleans may be required
* minimising the use of touchpoints throughout buildings, including exploring where possible how digital processes or systems may replace the need for face-to-face discussion

**7.4 Physical distancing**

Physical distancing is the other key plank of workplace-specific measures to crease a safe working environment.

Factors companies will want to consider include:

* facility layout and signage with clear marking of two metre boundaries around the workplace and workstations and signage which reinforces expectations of employees at relevant points. (As English may not be the first language for everyone, companies should consider how best to use visual material to reinforce messages).
* limiting access to parts of the workplace required by an individual to do their job as this will limit the chances for interaction with others.
* staggering entry and exit times to prevent bottlenecks arising as people arrive or leave.
* staggering break times and adjusting canteen arrangements to reduce opportunities for larger numbers of staff to interact on a face to face basis.
* splitting the workforce into specific teams to avoid cross-team contamination and provide a level of operational resilience in case someone in one team develops COVID-19 symptoms.
* considering opportunities to introduce additional technology support and systems to assist in managing the safe working practices and in particular physical distancing.

**7.5 Shift patterns**

Companies may develop plans to change shift patterns to both protect the workforce and optimise productive capacity. This could include considering opportunities to reduce the need for travel at peak times and opportunities for flexible working patterns. This will require proper negotiation with trade union or workforce representatives if it involves a change in employee terms and conditions.

**7.6 Dealing with emergencies**

Protocols for dealing with emergencies, evacuations and accidents will be impacted by the need to maintain physical distancing while individuals who would normally lead or coordinate site responses in such situations may be amongst those working from home. Emergency, evacuation and accident response processes therefore need to be considered to ensure effective arrangements are still in place. Everyone onsite should be familiar with new processes.

**8 Travel to work and Personal Protective Equipment (PPE)**

Health Protection Scotland (HPS) have provided [COVID-19 information and guidance for general (non-healthcare) settings](https://hpspubsrepo.blob.core.windows.net/hps-website/nss/2973/documents/1_covid-19-guidance-for-non-healthcare-settings.pdf) which reiterates that people should not travel if they exhibit any COVID-19 symptoms. The HPS advice and any subsequent [safe travelling advice](https://www.transport.gov.scot/coronavirus-covid-19/transport-transition-plan/advice-on-how-to-travel-safely/) should be factored into company decisions on planned returns to work.

Transport Scotland has produced Guidance to **assist the public** to travel safely during the coronavirus (COVID-19) pandemic. It is important that the latest version of the Guidance is read. <https://www.transport.gov.scot/coronavirus-covid-19/transport-transition-plan/>

The HPS guidance also offers advice on the use of PPE, confirming workplaces should use PPE consistent with local policies and in line with measures justified by a risk assessment. Both the Scottish Government and the Health and Safety Executive (HSE) recommend a risk based approach focused on a hierarchy of control which seeks to eliminate risks, combat risks at source, adapt workplaces to individual needs, ensure adequate staff training around processes to manage the risk and then use PPE where required. Where PPE is deemed necessary, an adequate supply and quality must be maintained which is provided free of charge to workers and which must fit properly.

**9 Security**

The interpretation and use of any guidance should be considered in line with normal protective security operations and practices. Organisations should consult with and involve their security departments in the interpretation and implementation of the guidance.  In particular, security should be considered in any revised risk assessment.

Under no circumstances do we advise the removal or alteration of, or reduction in, existing protective security measures without providing clear recommendations (e.g. from the National Technical Authority/police CT specialists) on how to maintain effective protective security.

Employers should ensure security staff feel safe, e.g. having access to appropriate PPE and hand-washing facilities, and that they are able and confident to raise any concerns.

Read further detailed guidance on security:

[www.cpni.gov.uk/staying-secure-during-covid-19-0](http://www.cpni.gov.uk/staying-secure-during-covid-19-0)

[www.gov.uk/government/organisations/national-counter-terrorism-security-office](http://www.gov.uk/government/organisations/national-counter-terrorism-security-office)

**10 COVID symptoms within the workplace**

The virus is expected to remain in the population for some time, even after lockdown restrictions have been eased and people begin to return to work. This will cause anxiety for people who will also want to understand how any outbreaks in the workplace will be handled. As part of risk assessments companies should explore with trade union or workforce representatives how to respond should anyone develop symptoms while at work, including whether it is possible to identify any particular parts of the site the individual may have accessed or equipment used while symptomatic. As part of this consideration should be given how best to monitor health of all individuals in a workplace.

Employees have a responsibility to ensure they adhere to overall [COVID-19 advice](https://www.gov.scot/coronavirus-covid-19/) which says people with symptoms should remain at home and self-isolate. Companies and employees should remain in regular communication throughout any period of self-isolation with companies encouraged to work with trade union or workforce representatives to enable individuals to work from home while self-isolating if appropriate.

**11 Safe home working**

Home working will be new to many and may have been implemented at pace, without normal health and safety planning to ensure people have suitable working arrangements and equipment. Companies should consider that, and how to best support working from home (for example, provision of laptops, mobile phones, video conferencing services etc). Advice on home working can be found [in the Scottish Government Homeworking Guidance](https://www.gov.scot/publications/coronavirus-covid-19-guidance-for-homeworking/).

**12 Checklist**

A checklist to support companies implement this guidance will be developed in response to initial feedback and added here as part of the regular updating of the guidance.

Organisations who wish to increase workforce or public confidence are encouraged to display the checklist to help to communicate actions being implemented or undertaken.

**13 Deliveries, distribution and visitors**

**13.1 Protecting your workforce and those who come on-site**

As a minimum we expect companies:

* to provide early clarity to their supply chain about honouring of orders in the system, linked to new production capacity and consumer demand/contracts and
* to treat all site visitors including contractors, suppliers and those making deliveries, as if they were employees, ensuring they are offered the same protections and are expected to follow the same rules

**13.2 Early supplier engagement**

The global nature of COVID-19 means it may have impacted on both current demand for some goods manufactured in Scotland and on normal supply chain relationships. Early engagement with suppliers is recommended to understand how well placed suppliers will be to provide inputs at the level required to meet a company's expected demand. This should include considering any additional logistical issues associated with the current functioning of international supply networks.

During the COVID‑19 pandemic minimising pressures on supply chains is paramount to ensure that suppliers at risk are better able to cope with the current crisis and ensure service continuity and delivery during and after the outbreak. Companies are encouraged to work with suppliers to understand the specific pressures they face and identify potential solutions on a case-by-case basis, including providing early clarity on the treatment of existing orders.

**13.3 Site visitors**

Many sites, especially larger sites, may normally have a number of contractors and visitors not employed by the company running the site. This presents increased risk of virus transmission if people do not adhere to the same interpretation of rules. To address this risk companies should consider limiting site access to those who need to be there for safe operation, ensuring safe working practices and production related activities and implementing a permit to work system for contractors and external visitors who still need to access the site. This would set out requirements for how everyone behaves on a site including entering and leaving the site, clarifying responsibilities for all around maintaining good hygiene and physical distancing.

**14 Training and compliance**

As a minimum we expect:

* training around processes and working environment expectations to be provided for all staff before restarting work
* companies to establish measures, in collaboration with trade union or workforce representatives to monitor compliance with relevant regulations and processes put in place to enable a safe return to production

**14.1 Workforce training**

Every workplace should look and feel substantially different for employees. Physical distancing and enhanced hygiene will change how workplaces operate. Training will therefore be essential to build a common understanding of requirements within the new working norm, instilling confidence that changes put in place contribute to a safe workplace.

Training methods should ensure effective delivery of relevant overarching and company specific measures and expectations of staff while onsite, in a way which maintains physical distancing. Companies should consider, as part of their risk based planning, how training can be safely delivered, especially if elements are normally outsourced to third parties. Visual aids may be required as part of the training and for ongoing guidance and communications. Some companies involved with the manufacture of essential goods have initiated a universal induction process covering their new, enhanced hygiene and physical distancing measures. This induction process can help demonstrate companies are taking the COVID-19 risks seriously, building confidence amongst the workforce that they are returning to a safe workplace while also reinforcing the importance of individual employee responsibilities.

**14.2 Compliance**

Employers should also put in place, with trade union or workforce representatives, robust local arrangements to monitor compliance with new operational arrangements. Remedial actions should flow from that monitoring, and be augmented by advice, guidance and support from external enforcement authorities.

It is vital during restart for workers to have confidence in the steps being taken by their employers. Employers should look to establish processes to allow employee feedback on social distancing and safety protocols, enabling employees to input on areas of concern and for employers to act upon these concerns.

A single point of contact has also been established for trade union or workforce to help the Scottish Government understand how all COVID-19 workplace guidance is being implemented, and to help shape and refine that guidance based on the real experience of workers in the workplace. The mailbox can be contacted by email: scottishtradeunioncovidenquiries@gov.scot.

This contact is not intended to be a reporting mechanism for potential breaches of legislation.

Under the Health and Safety at Work etc Act 1974 (HSWA), your Local Authority Environmental Health Service [HSE] is the relevant enforcing authority for how you control the risk of coronavirus in horticulture, fruit and vegetable sectors. HSE can be contacted by phone on 0300 003 1647 or online at [HSE contact form](https://www.hse.gov.uk/contact/concerns.htm).

Local Authorities also have powers under public health legislation, for example, covering whether businesses should be operating, the requirement to take all reasonable measures to maintain 2m distancing, or to ensure your workers in the shielded category can follow the NHS advice to self-isolate for the period specified.

HSE and LAs Environmental Health Services have agreed to maintain the way they allocate different businesses for enforcement according to existing health and safety law for the purposes of workers’ health and safety.

Where the enforcing authority identifies employers who are not taking action to comply with public health guidance to control COVID-19 health risks to workers, they will consider a range of actions to improve control of workplace risks including the provision of specific advice to employers through to issuing enforcement notices or even prosecution.