



COVID-19– Geldards Public Sector Update

Business Emergency Advisory Team

16th April 2020

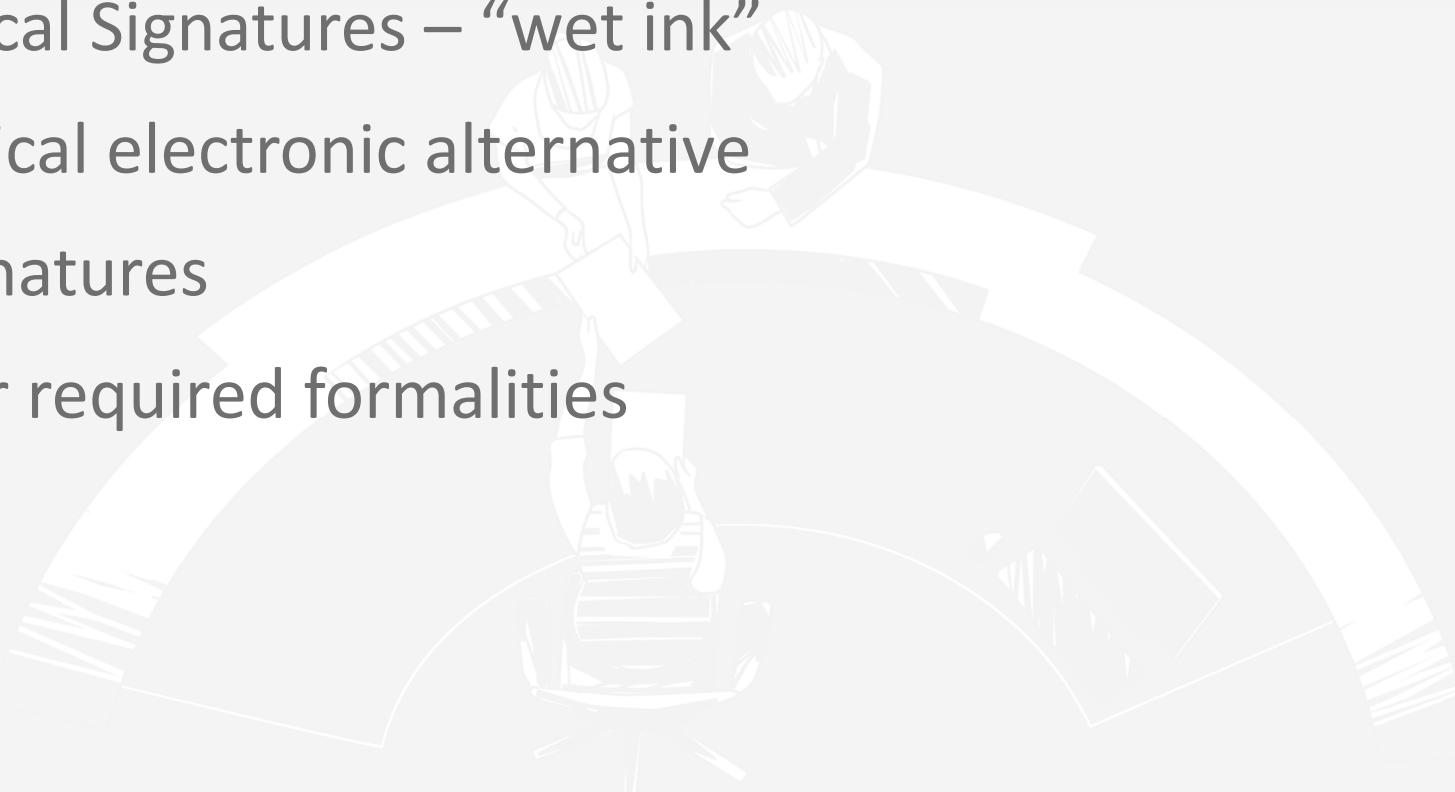


Signing documents during social distancing.

Chris Williams, Partner, Commercial Services

Signing Documents

- Physical Signatures – “wet ink”
- Practical electronic alternative
- E-Signatures
- Other required formalities





Social Distancing - Employer Workplace Obligations

Helen Snow, Senior Associate, Employment

16th April 2020

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Legal Duty

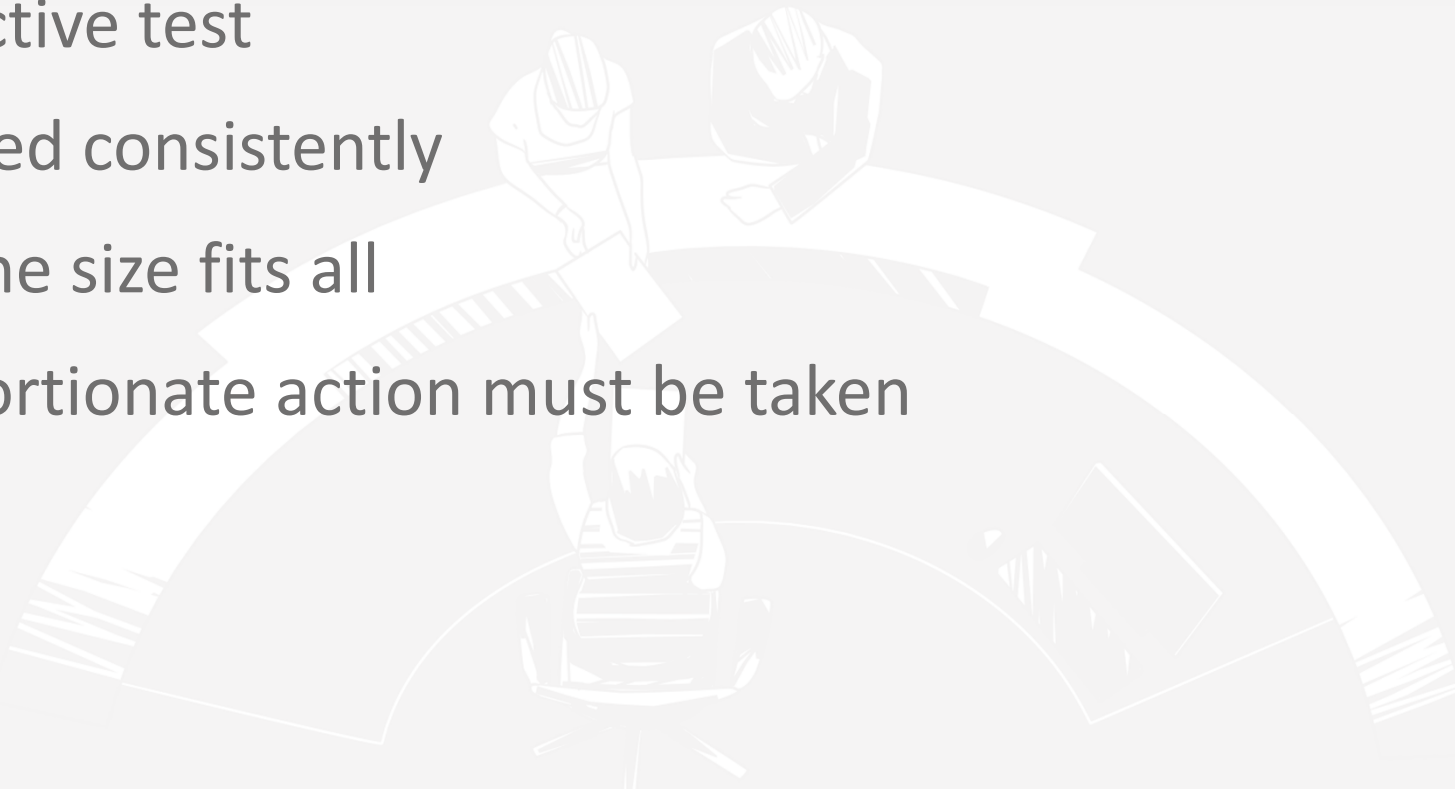
- Regulation 7A Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020
- Requirement to take “all reasonable measures” to ensure distance of 2 metres is maintained
- 7 April 2020
- Every workplace which remains open

Guidance

- Employers must have regard to the guidance
- Assist employers in understanding what “reasonable measures” means
- What to do if it isn’t possible in certain circumstances

What are reasonable measures?

- Objective test
- Applied consistently
- No one size fits all
- Proportionate action must be taken



Factors to take into account

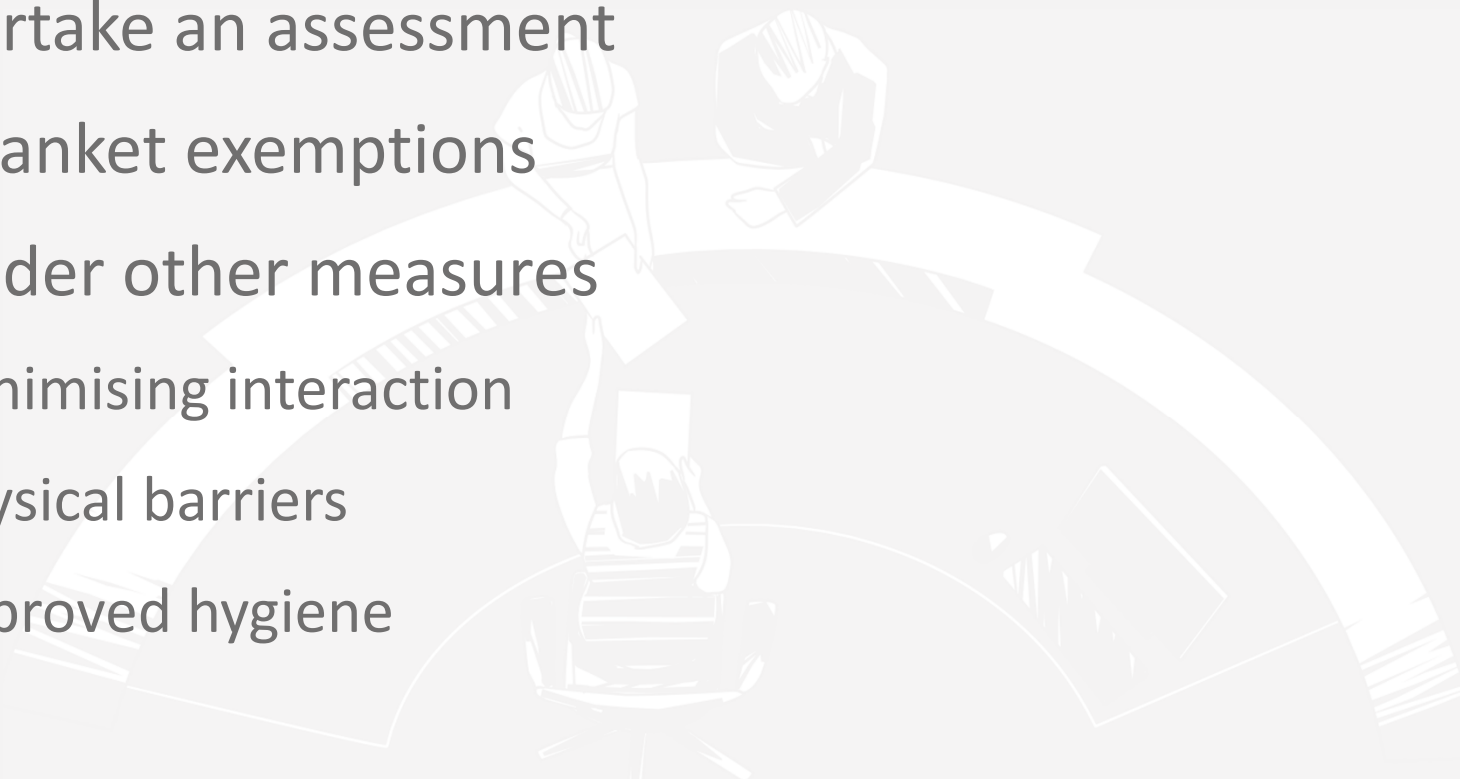
- Cost and proportionality
- Practicality based on nature of the work
- Increased health and safety risk
- Reasonableness
- Staff confidence
- Accountability

Possible measures

- Reducing the number of people
- Increasing space between workers
- Provision of adequate rest space and potentially stagger breaks
- Making adjustments to the way that work is done to reduce contact
- Stagger shifts

Reasonable measures not possible?

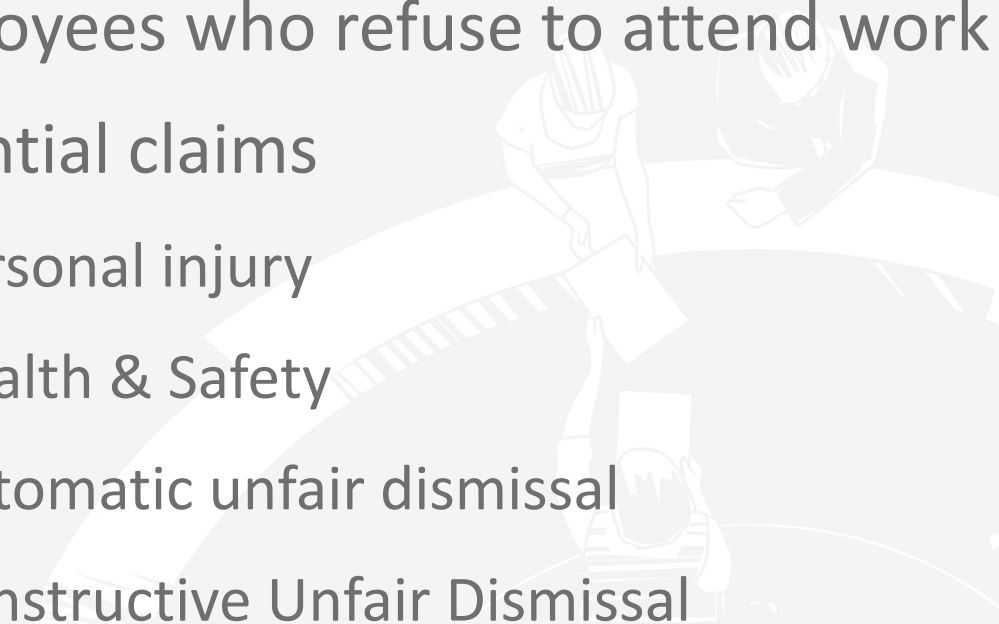
- Undertake an assessment
- No blanket exemptions
- Consider other measures
 - Minimising interaction
 - Physical barriers
 - Improved hygiene



Enforcement

- Against the responsible person (most cases employer)
- Fixed penalty fine (£60/£120)
- Enforcement powers to “relevant persons”
 - Public sector exercise powers

Employer – Key Considerations

- Employees who refuse to attend work
 - Potential claims
 - Personal injury
 - Health & Safety
 - Automatic unfair dismissal
 - Constructive Unfair Dismissal
- 



Effect of lock down on construction/development agreements

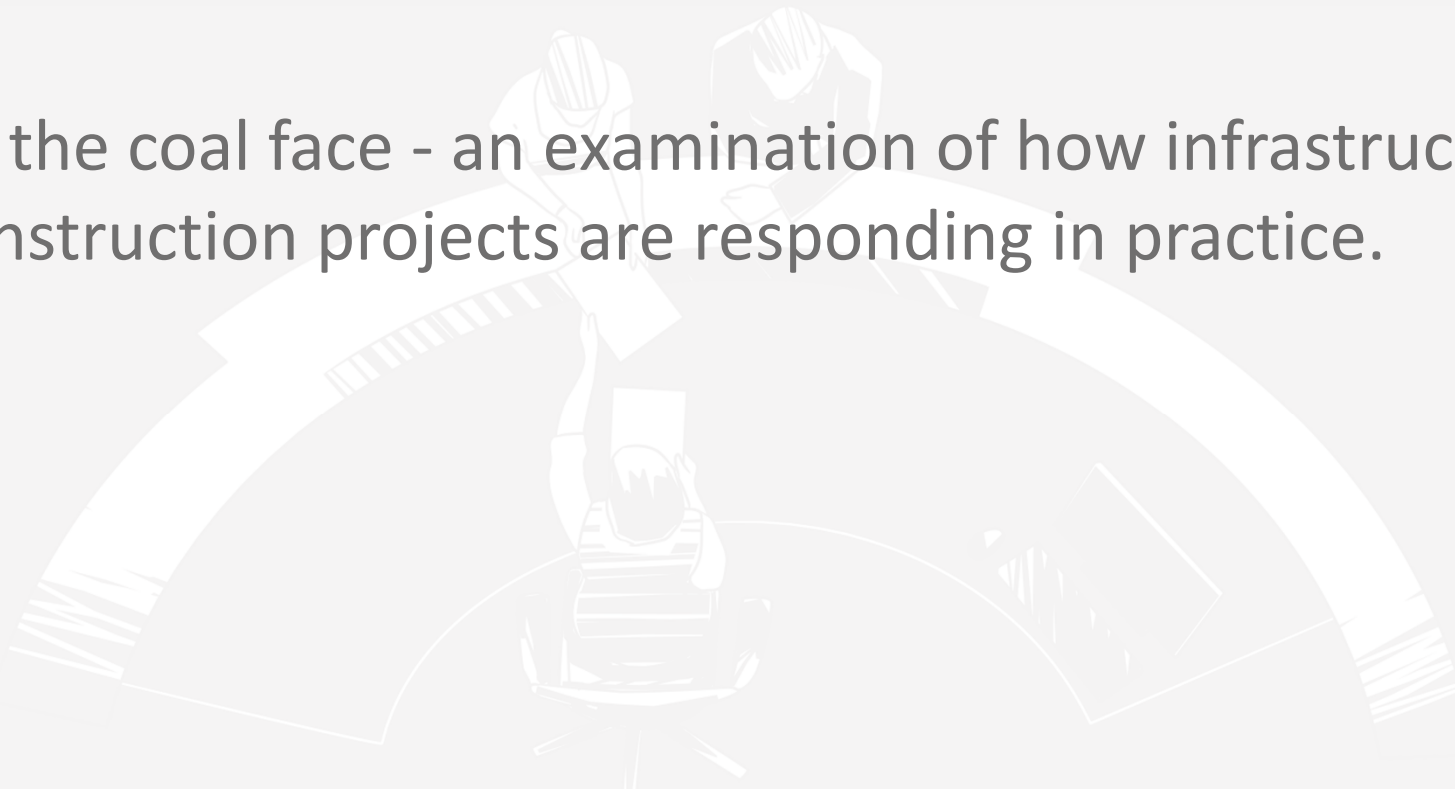
Tony Norris, Partner, Infrastructure & Construction

16th April 2020

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Effect of lock down on construction/development agreements

CVD at the coal face - an examination of how infrastructure and construction projects are responding in practice.



Any questions



Contact details



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