

## BRC SOCIAL DISTANCING AND PPE FAQ

*TO NOTE: GOVERNMENT GUIDANCE IS LIKELY TO BE FORTHCOMING OVER THE COMING DATES BUT BASED ON OUR UNDERSTANDING THE CONTENTS OF THIS FAQS IS CONSISTENT WITH THE DRAFTS AS THEY CURRENTLY STAND*

### 1. PPE

#### WHAT IS PPE?

PPE is equipment that will protect the user against health or safety risks at work. In everyday circumstances it can include items such as safety helmets, gloves, eye protection, high-visibility clothing, safety footwear and safety harnesses. It also includes respiratory protective equipment (RPE). **Current government advice is that PPE is not required outside of clinical and care settings.** However, businesses have found that the provision of items including masks, shields and gloves has helped allay any concerns among the work force. Where this equipment is provided it is important to provide guidance and instruction to ensure that it is used properly and its use does not compromise adherence to the key control advice issued by government. This is to stay at home if displaying symptoms, practice good hand hygiene and maintain a 2m distance from people you do not live with.

#### WHAT TYPES OF MASKS ARE THERE?

There are two different groups for respiratory protection (all should be CE marked):

##### Respirators

Have to be [fitted](#) properly and professionally to the user before use. These are based on a grading system which specifies how much protection they offer.

FFP3 (European standard) respirators filter 99% of particles. FFP2 respirators are specified to filter 94% of particles.

The N99 (American standard) respirator is an alternative to the FFP3 and also filters 99% of particles. An N95 respirator is specified to filter 95% of particles and is a close equivalent to the FFP2.

Current NHS guidelines stipulate FFP3 respirators for virus and bacterial infection control when the contagion is spread through coughing and sneezing (such as with the coronavirus). These are the ones used by frontline clinicians providing close contact care to confirmed Covid19 patients on the ward or ICU.

##### Face Masks

The Type IIR (European Standard) fluid resistant surgical mask is the “regular” surgical mask often used in clinical settings, often a four-ply construction.

Type II Standard, 3 ply construction can sometimes be used the difference being the lower level of fluid resistance and bacterial filtration.

Primary care health professionals are advised to wear the Type IIR where social distancing cannot be maintained due to the risk of being in close contact for a prolonged period with patients.

### **WHAT TYPES OF MASKS ARE THEREFORE BEING USED BY RETAILERS?**

It is NOT Government guidance to require any form of PPE in non-clinical workplaces. Businesses should undertake a risk assessment as per health and safety legislative requirements to confirm which type of mask is necessary. Most businesses are providing gloves, masks and/or face guards to those that request them.

When using gloves hands should still be washed regularly and the wearer should avoid touching their face. Visors or shields should be cleaned frequently before, during and after use and should be reused only by the same individual.

Businesses that are supplying masks for general use and making these available on a voluntary basis will need to determine their own policy for accompanying user information. It is important to ensure that enough are available for changes where necessary. Anytime a mask is removed by the user, a new mask should be put on before returning to work.

Businesses that are supplying masks tend to be sourcing the type II 3 ply mask tested to EN14683 standard, this is not medical grade.

There have been recent examples of fake products being distributed and purchasers should ensure that the products you are being supplied with have the right [certification](#).

### **Shields/Visors**

Some businesses have provided their staff with polycarbonate face shields/visors. These cover the whole face including eyes. These are a sustainable option compared to masks as they can be kept by an individual cleaned and reused.

### **HOW ARE MASKS BEING DISPOSED?**

If your risk assessment confirms the need for masks due to direct contact with individuals infected with Covid-19 then this should be treated as clinical waste.

Non-clinical use of masks should be disposed of as normal.

### **IS PPE BEING PROVIDED FOR CUSTOMERS?**

Not that we are aware of. Some businesses are providing hand sanitiser and surface wipes at store entrances. It is advisable to have posters in prominent areas to remind customers to stay at home if displaying symptoms and to remind people of the general hygiene rules around hand washing etc.

### **WHAT HAS COLLEAGUE UPTAKE AND REACTION BEEN TO PPE, WHERE PROVIDED?**

Anecdotal feedback indicates that where provided the option to use is a mechanism for reassurance for staff that wish to use it. However, it is important for the government messaging on hygiene practice and symptom control to be reinforced over and above the use of gloves, masks and /or shields.

## WHAT REACTION HAS BEEN SEEN FROM CUSTOMERS?

Initially some colleagues were being asked why they were not wearing masks. Several businesses are now giving staff the option to wear masks, gloves or shields and we are not aware of any negative reaction.

## ARE THERE ANY SOURCING ISSUES?

We understand that there is a steady supply of non-medical grade masks. However, there are also recent instances of fake PPE being [sold](#).

## 2. TESTING

### SHOULD WE BE MAKING TESTS AVAILABLE TO STAFF?

We are aware some businesses are considering it but not aware of any that are doing given that testing capacity has now been made available for [essential workers](#) and more widely:

- [an essential worker](#) with coronavirus symptoms
- aged 65 or over with coronavirus symptoms
- someone who cannot work from home and has coronavirus symptoms (for example, construction workers or delivery drivers)
- anyone with coronavirus symptoms can apply if they live with an essential worker, a person aged 65 or over, or someone who travels to work.

You can also apply for a test if you have a clinical referral from NHS 111 online.

### SHOULD WE BE TEMPERATURE TESTING CUSTOMERS AND STAFF?

There is no government advice to suggest this is necessary. Several businesses have looked into the efficacy of temperature testing staff and are taking a cautious approach to its introduction. This is because there are concerns about the accuracy of results and acknowledgement that there are other causes of high temperatures. Also, some Covid-19 sufferers do not have high temperatures. However, we are aware of some businesses who do intend to temperature test using contactless thermometers their staff at the start of each shift.

## 3. DISINFECTANTS AND SANITISER

### ARE RETAILERS PROVIDING SANITISER FOR CUSTOMERS AT STORE ENTRANCES?

Most business have a cleaning station at the store entrance. This may include hand sanitiser and if trolleys or baskets are used wipes or disinfectant spray to sanitise handles.

### HAVE THERE BEEN ANY SOURCING ISSUES?

We are not aware of any current shortages but maintain dialogue with your supplier as this can fluctuate.

## **WHAT IS THE RISK OF CROSS CONTAMINATION?**

Current government guidelines suggest that Coronavirus can survive outside a host for 72 hours. However, this will differ depending on the type of surface. We have sought guidance from government on how this could affect day to day tasks like trying on garments, jewellery and clothes.

## **ARE PEOPLE CHANGING RETURNS/EXCHANGE POLICIES DUE TO COVID-19?**

Due to lockdown restrictions, some businesses have extended their returns window. There remains a lack of clarity on how to deal with returns. We have asked government for advice on survival of the virus outside of a host to determine if there is a need to amend return policies further.

## **4. SOCIAL DISTANCING**

### **HOW ARE BUSINESSES CALCULATING THE NUMBER OF CUSTOMERS THAT CAN SAFELY SHOP?**

There is no definitive answer to this and will depend on several factors including:

- Store format
- Layout
- Number of tills available
- Consideration of high traffic areas
- Number of members of staff

Where you have a primary authority relationship it is advisable to agree your capacity calculations with your PA. This can be agreed as assured advice.

### **WHAT ADVICE IS AVAILABLE FOR SMALL STORE FORMATS, <1500 SQ. FT?**

Government advice is that “all employers are expected to follow social distancing guidance. Where the production environment makes it difficult to do so, employers should consider what measures may be put in place to protect employees. Once staff have left the work areas, social distancing and further hand washing guidance should be adhered to.”

There is also recognition that “the practical implementation of this advice will depend on the local circumstances.” The guideline goes on to acknowledge the need for a local management assessment of measures that can be implemented.”

It is advisable for small stores to consider a number of measures including; restricting numbers of customers where necessary and manage flow of people in high traffic areas. Some businesses currently open have an extra member of staff on the door and in much smaller stores maximum numbers entering at one time is being managed through the use of very clear signage at the entrance of the two ie only one or two people allowed at one time.

## **5. OUTSIDE STORE**

### **HOW ARE BUSINESSES IN SHOPPING CENTRES ANTICIPATING MANAGING QUEUES OUTSIDE MULTIPLE BUSINESSES?**

We have raised this issue with government and Revo, the trade association for shopping centres. We hope guidance will be available soon. In the meantime, we propose you should be liaising with local shopping centre managers.

### **HOW WILL QUEUES BE MANAGED ON THE HIGH STREET?**

We have raised this issue with government and will update when there is further guidance. We expect it will be for local businesses to work collaboratively together to assess how to manage people flows outside stores safely.

## **6. IN STORE**

### **ARE BUSINESSES PLANNING ON CHANGING ROOMS BEING KEPT OPEN?**

This is a business decision. Some businesses have already decided not to reopen changing rooms immediately. If you decide to allow customers to try on clothing, social distancing must be maintained. Ensure that a member of staff is posted in the changing room to manage social distancing.

### **HAS THERE BEEN ANY PUSHBACK FROM STAFF ABOUT ACCEPTING RETURNS?**

We are not aware of any staff reusing returns. Government advice has been sought to clarify whether any changes to returns policies are necessary.

### **WHERE RETURNS ARE BEING ACCEPTED, ARE THESE BEING QUARANTINED?**

We have sought advice from government on whether this is necessary. Many of those currently open are handling such returns with gloves, separating such goods for 72 hours and potentially using antibacterial cleaners if appropriate before returning the item to stock.

### **WHAT IS THE APPROACH TO INSTORE PRODUCT TESTERS?**

These have been removed from most stores.

### **WHAT IS THE APPROACH TO CASHLESS PURCHASES?**

Encourage cashless purchases where possible. This may not be an option for some shoppers and it is important that staff are aware and prepared to be flexible.

### **HOW ARE DELIVERIES AND STOCK ROOMS BEING MANAGED?**

Staff should be given guidance to ensure social distancing is maintained at back of house.

## **7. SPECIFIC TASKS**

### **HOW ARE TWO CREW TASKS, ESPECIALLY DELIVERIES BEING MANAGED?**

There is no definitive answer to this and we have requested clarification from government and sought FTA advice. Many big-ticket retailers have interpreted the current Government guidance on social distancing to mean that two-man delivery into customer's homes contravenes these guidelines. In many cases part of the decision is undoubtedly being driven

by not only doing the right thing, but by being seen to do the right thing. The reputational damage that could result from a retailer being seen as flouting the guidelines, especially when the 'stay at home' mantra is pushed as heavily as it has been, is a real concern.

Some two-man deliveries taking place now are using two vehicles, with one man in each vehicle, meeting at the customer's property and offloading the item together. Others are still operating two man in one vehicle or are investigating the use of Perspex screens in vehicle or operating crew consistency.

The item is in many cases is being left in an uninhabited room such as a garage – or on the doorstep. Customers are therefore having to carry these doorstep deliveries into their homes and then attempt to assemble and install themselves. Others are not delivering at all, not even doorstep. And others are delivering into people's homes but only items that meet a real need e.g. replacement fridge and some are offering in home delivery full stop.

In many cases installation and/or assembly is an integral part of being able to effectively deliver product. The product is often heavy, awkward to manoeuvre, so requires specialist knowledge and training to not only move into and within a home – but to then to safely assemble and install it. Even more so when it has mechanisms or electrical components.

Inevitably to ensure tasks are safely undertaken there will be some instances where the 2m separation is unavoidable. It is important for the employer to fully risk assess the task and decide what protective measures can be implemented. Some options on how to manage alongside government sickness and hygiene advice are as follows:

- Arrange shifts to ensure same people work together
- Ensure ventilation in cab by leaving windows open
- Thoroughly clean cab between shifts
- Hands should be washed at the start and completion of entry to customer homes
- Ask drivers to call ahead of delivery to ensure the customer is not self-isolating
- Drivers should remind customers to maintain the 2m separation and leave rooms clear for crew entry.
- Give drivers discretion to refuse deliveries if they do not feel safe
- If you are providing PPE for completion of tasks where there will be close crew contact. Seek expert advice/assessment on exactly when this should be used and how to use safely.

We are aware of at least one large business who have decided to mandate the use of FFP2 masks for roles where it's not possible to maintain 2m distancing, e.g. 2-man product handling and deliveries, and manual container unloading. Additionally when their stores re-open this will apply for certain loading / warehouse operations where 2m cannot be maintained and for loading products into customers' cars.

## 8. LIABILITY

### WHAT IS THE RETAILER'S LIABILITY TO EMPLOYEES AND CUSTOMERS FOR CORONAVIRUS RELATED ISSUES?

In the absence of any specific changes in the law, the situation would be the same for coronavirus as it would be for any other health and safety issue for any employer or business owner – be it in relation to shopworkers or office workers or members of the public visiting their premises.

Businesses have a duty of care to their employees and customers in stores under common law. Claims for compensation would arise if it can be shown that harm was caused as a result of a breach of this duty.

Under health and safety legislation, businesses are also under a duty to take steps, as far as reasonably practicable, to ensure the safety of anyone who may be placed at risk by their business activities (e.g. employees and customers in stores) Businesses are exposed to investigation and enforcement action (including prosecution with unlimited fines) if this duty is breached immaterial if whether or not actual harm is caused by the breach: the focus is on the risk of harm.

If an employee has an accident at work, or contracts a disease that the employee can show was a direct result of the work environment, businesses might, depending upon the circumstances, have a statutory obligation to report the matter (under RIDDOR) depending upon the specific circumstances. Further information is available on the HSE website in relation to reportable incidents.

All businesses should undertake a risk assessment in relation to the risk of coronavirus. This should identify everyone who is at risk throughout the business and set out the appropriate control measures to protect against this risk. Any existing risk assessments should also be reviewed as they might be impacted by any changes made to protect against the spread of coronavirus.

When considering appropriate control measures, businesses should take into account any legislation and Government guidelines; for example relating to: social distancing; capacity to work from home; capacity for safe travel to and from work; vulnerable/higher risk workers; cleaning and hygiene; what to do when someone is showing symptoms at work; and protective equipment. If there is any discretion in the guidelines (ie 'wherever possible') and they cannot be followed, the risk assessment should explain why not and evaluate the risks of not following the guidance. It might be that some tasks are cannot be performed safely and therefore should not be undertaken.

If an employee were to show symptoms of the disease or be diagnosed with the disease,

- retailers should consider how to address the situation in line with government guidance.
- Whether or not an employee would have a claim depends upon the steps taken by their employer to manage the risk which is addressed in the paragraphs above and also being able to establish that, on the balance of probabilities, infection arose from the workplace and the failure to manage the risk of infection.

In a store a customer can claim compensation for an accident – such as a trip or fall. It is possible that if a customer came into contact with an employee who had coronavirus and the customer could show on the balance of probabilities that the customer caught it from that employee they could have a case – probably easier if there were a cluster of cases linked to that employee but otherwise somewhat difficult in an epidemic. The retailer would then need to show it was taking all reasonable steps, in line with regulations and guidelines, to protect against this risk..



The retailer/employer would also need to check with their insurer to ensure they were covered for the specific situation of coronavirus (ie no exclusions) and if there were any specific requirements to be covered.