

FAQs for Re-Opening Your Business and Trading Safely

We understand that this is a concerning time for you all and that our businesses are dealing with unprecedented times due to the pandemic. Please be assured that local council regulators such as Environmental Health and Trading Standards teams are here to help and support you so that you can trade and operate effectively and safely, as soon as possible.

All our Covid Secure checklists, guides and templates can be found here:

<https://www.hertfordshirelep.com/what-we-do/priorities/business-support/better-business-for-all/covid-19-advice-and-support/>

What do I need to consider and what guidelines do I need to follow to protect my staff and customers during Coronavirus?

Under the Health & Safety at Work Act every employer has a responsibility to look after the health and wellbeing of their staff, members of the public and themselves. The Government website provides guidance on trading safely during Coronavirus, including specific sector guidance: <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19> this includes information on social distancing in the workplace if your employees cannot work from home. The government has also set out '5 steps to working safely': <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/5-steps-to-working-safely> and has a checklist you can use: <https://assets.publishing.service.gov.uk/media/5eb96e36d3bf7f5d4043931f/staying-covid-19-secure.pdf>

There is also guidance on the NHS test and trace service for employers, businesses and workers: https://www.gov.uk/guidance/nhs-test-and-trace-workplace-guidance?utm_source=3ad1e505-7776-4963-b366-f718239cf904&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

Please also see our social distancing, cleaning and re-opening your business checklists.

You should also check if your sector trade body has tailored guidance on trading safely for your industry or type of business, you can search the Trade Associations Directory here: <https://www.taforum.org/trade-associations/> and here: <https://www.gov.uk/guidance/coronavirus-support-from-business-representative-organisations-and-trade-associations>

You can find all Coronavirus government support for businesses in one place on the dedicated business support pages, including funding and support schemes: www.gov.uk/coronavirus/business-support

How should I go about creating a Covid19 risk assessment?

All businesses should carry out a Covid19 risk assessment at this time, and this new risk should be considered alongside existing risks. It should assess the risk of employees, volunteers, contractors, cleaners, drivers, members of the public or others contracting or spreading Covid-19 and conducting activities safely. Businesses with more than 5 employees must ensure it is written down. Risk assessments are vital to justify your decisions and actions as a business and should be communicated with your employees. Some of the key points to consider are:

- Ways the virus can be transmitted/spread

- Identify actions and locations where transmission is key
- Apply the hierarchy of controls to develop a suitable strategy

Once completed, this should be shared with the workforce so that employees and others are clear of their role in this.

Please see the following guidance on working safely: <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19> and further guidance on the HSE website, including specific guidance and templates for risk assessments: [HSE's guidance](#)

Please also see our example Covid19 risk assessment and action plan template, but please bear in mind that this is a generic example and will need to be tailored to your type of business or sector.

What support can I get from my local council and Hertfordshire County Council?

Hertfordshire local councils have business grants, templates, checklists and guides on risk assessments and re-opening/trading safely: <https://www.hertfordshirelep.com/what-we-do/priorities/business-support/better-business-for-all/covid-19-advice-and-support/> Our Officers are available to help you with any particular concerns or questions you may have, for example around health & safety, including social distancing and hygiene in the work place; diversifying your business, including amending consumer contracts or terms & conditions and manufacturing new products; which businesses must remain closed, including advice on providing delivery/takeaway/click & collect services.

What other support is available in Hertfordshire?

As well as the new Coronavirus support packages from central government, there are also local support schemes for Hertfordshire businesses. The Growth Hub is the central portal for business support in the county and you can access their Covid19 resource page for all the latest news and guidance here: <https://r1.dotdigital-pages.com/p/4OQI-9KW/hgh-covid19> and their resource hub which includes local support schemes: <https://r1.dotdigital-pages.com/p/4OQI-9RX/hgh-covid19-hub>

Is there specific guidance for appropriate cleaning and hygiene measures?

You should ensure you have thoroughly cleaned your premises and have adequate facilities for staff to wash their hands at the work place, including ensuring you have a hot water supply to all sinks and basins, liquid hand soap, disposable paper towels for hand drying and hand gel where possible (minimum 60% alcohol).

You should use disposable cloths and first clean surfaces with **warm soapy water** or **detergent and then** use a **disinfectant** to clean the surface. Increase routine cleaning and disinfection of **frequently touched surfaces**. Frequently touched surfaces should be cleaned and disinfected regularly in line with your risk assessment (dependant number of people, employees, contact etc)
All disinfectant solutions should be stored in opaque containers, in a well-ventilated, covered area that is not exposed to direct sunlight and freshly prepared every day.

An example of a chlorine-based disinfectant is Milton. An example of a combined cleaner / disinfectant is Chlor-clean. There are many other products available and manufacturer guidelines should always be followed.

For cleaning guidance for a work place/area where a person with suspected Coronavirus has been, please see government guidance: <https://www.gov.uk/government/publications/covid-19-decontamination-in-non-healthcare-settings>

You can find further information on our trading safely checklists.

Is heating or air con within indoor settings safe?

- All workplaces should have carried out individual risk assessments to ensure they are safe to operate see guidance here - <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>
- In terms of ventilation including air con and heating there is available guidance here:
 - <https://www.ecdc.europa.eu/sites/default/files/documents/Ventilation-in-the-context-of-COVID-19.pdf>
 - The Federation of European Heating, Ventilation and Air Conditioning Associations has also published COVID-19 guidance: <https://www.rehva.eu/activities/covid-19-guidance>

Is there anything else (aside from risk assessment, cleaning and social distancing) I need to consider with my premises being shut for some time?

There are several other areas you will need to do/consider before re-opening. These include checking equipment is safe and in good working order; carrying out the appropriate measures to prevent the risk of legionella developing in water systems that have remained dormant; ensuring you don't have any issues with commercial waste or pests. You also need to consider how customers will queue outside and inside your premises; all these areas should form part of your risk assessment and subsequent measures you put in place to keep your staff and customers safe.

You can find further information on our re-opening checklist and Managing Queues at Business Premises guide.

Should my business have PPE for me/my staff and where can I get it?

You should follow government sector guidance: <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19> and guidance from your sector trade associations in regards to whether you/ your staff need to wear PPE and if so, which type. This should also form part of your Covid19 risk assessment. **Please also see our guide on PPE.**

The county council has provided information on manufacturing/supplying PPE, along with what to look for when purchasing PPE from suppliers and manufacturers:

<https://www.hertfordshire.gov.uk/services/health-in-herts/professionals/covid19-ppe.aspx>

including a 'PPE Product Standards Document' and 'PPE donation checklist'.

What does the law say if staff are fearful to return to work?

Where you run a business where staff cannot work from home, you should ensure you have followed all the government guidance for re-opening your business, which includes consulting with your staff on the new health and safety measures you have put in place in line with the 5 steps to re-opening: <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/5-steps-to-working-safely>

ACAS have produced a guide for employers on working safely and social distancing and offer a helpline service for both employers and employees for all employment law queries: <https://www.acas.org.uk/coronavirus>

Citizens Advice has outlined **the top six need-to-knows** on returning to work when it comes to employment rights: <https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/returning-to-work-citizens-advice-outlines-the-top-six-need-to-knows/>

How should I deal with queuing?

You should plan for how customers will queue in and outside of your premises and build this into your risk assessment. It is advisable to also liaise with neighbouring businesses and contact your local council if you need further support. **Please also see our guide on Managing Queues.**

How should I deal with Anti-Social Behaviour (ASB) issues in my workplace?

If there are concerns around ASB in the workplace, in the first instance this should be escalated through the normal channels e.g employee inform their Manager. However, if the ASB is significant and the manager needs to escalate the issue – it is best to contact 101 (and a crime reference number will be issued) and the ASB will be investigated appropriately'. If there is an emergency – the business should call 999. This should also be built into your risk assessment as a possible risk.

What do I need to consider regarding returns and cancellations?

There is Coronavirus guidance from the Competition and Markets Authority here: <https://www.gov.uk/government/publications/cma-to-investigate-concerns-about-cancellation-policies-during-the-coronavirus-covid-19-pandemic/the-coronavirus-covid-19-pandemic-consumer-contracts-cancellation-and-refunds>

If goods are not purchased in a shop/premises, you should give instructions on how to return items and include returns labels with the order if possible. Consumers automatically get a 14-day 'cooling-off period' when they buy something they haven't seen in person (unless it's bespoke or made to measure), and there doesn't need to be anything wrong with the item for them to get a refund. They don't have to return the item in its original packaging, but it needs to be packaged in a way that means it doesn't get damaged. For further information please see our guidance document: <https://www.hertfordshirelep.com/media/8046/postage-delivery-cancellations.pdf> and contact Trading Standards team for further advice.

What do I need to consider for a food takeaway and delivery service?

You must ensure that food supplied is safe, and that social distancing is maintained when collections/deliveries take place. You must notify your local Environmental Health department that you are changing the way in which your business operates. Please read the following guidance for further information:

- Trading safely as a takeaway and delivery businesses during Coronavirus:
<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>
- <https://www.gov.uk/government/publications/covid-19-guidance-for-food-businesses/guidance-for-food-businesses-on-coronavirus-covid-19>
- Business Companion have written a guide for all food businesses that covers how to comply with both Trading Standards and Environmental Health regulations for food businesses at this time:
https://www.businesscompanion.info/sites/default/files/BEIS_Coronavirus_Bulletin_Food_1_4.05.20_Pages.pdf
- The Food Standards Agency have created a re-opening checklist for food businesses:
<https://www.food.gov.uk/business-guidance/reopening-checklist-for-food-businesses-during-covid-19>
- Hertfordshire councils have also written a short guide on deliveries/takeaway for Hertfordshire businesses: <https://www.hertfordshirelep.com/media/8064/advice-to-food-business-operators-looking-to-provide-delivery-service.pdf> and please also see our checklist on trading safely.

I'm starting to sell online – what do I need to do?

There are certain pieces of information that you must provide to consumers when trading at a distance such as the price, information about the consumer's right to cancel the contract, as well as your business address. For more information on this please read our guidance sheet below. <https://www.hertfordshirelep.com/media/8042/distance-selling-advice.pdf> you should also consider any changes you are making to how your business operates, as this may mean you need to revise/review your Terms & conditions

I've had to raise prices due to my suppliers pricing increasing – is this allowed?

If the price of goods has risen, then it would be justifiable that you cover your legitimate costs/maintain margins. If you have artificially inflated prices and are seen to be taking advantage of the Coronavirus crisis then this may be an offence under the Consumer Protection from Unfair Trading Regulations 2008, which could lead to a fine and/or imprisonment. The Competition and Markets Authority (CMA) is also looking at this area very closely.

I am only accepting payment via card/contactless payment – can I refuse to accept cash?

Yes, you do not have to accept cash as for payment of goods. You should however make it clear to the public what payment types you do accept before people decide to make a purchase.

For further guidance and advice on any of the above you can contact your local Environmental Health Service (number available on your district/borough council website) or Hertfordshire Trading Standards Business Advice Line: **01707 281401** open Monday to Friday 9am-5pm, email: trading.standards@hertfordshire.gov.uk