



CLYDE&CO

# COVID-19 Stocktake - projects & construction

# Introduction



In light of the fast moving pace of developments on COVID-19, and the varying degrees to which information is available to our clients in the projects & construction sector in relation to its impact on their operations, we will be circulating a regular update that addresses the following:

- Key [developments](#) and [guidance](#) in the UK projects & construction sector related to COVID-19;
- Key changes in [legislation](#) and [policy](#) that may affect your operations at this time;
- Updates across [health and safety](#), [litigation](#) and [standard form contracts](#); and
- Any relevant industry updates with respect to COVID-19.

This list is not exhaustive and should be viewed as a "snap shot" of the key developments to date.

We are endeavouring to stay abreast of all such developments and will regularly circulate updates on matters that may affect your business. Our second update is set out in the table below – [updates to the previous edition are shown in this colour](#). Please note that due to the number of items we have reordered the table to be split by country and not by type of legislation / guidance.


If you have a question about any of the content, please contact [infrastructure@clydeco.com](mailto:infrastructure@clydeco.com) or your usual Clyde & Co contact.

Status colour code	
	Currently in force
	No longer in force/ withdrawn

## Coronavirus Stocktake (No. 3 – Updated 13 May 2020)

### Contents


Coronavirus Legislation (UK)	3
Coronavirus Guidance (UK)	4
Policy Notes	10
Coronavirus Regulations (England)	12
Coronavirus Guidance (England)	13
Construction Leadership Council (CLC)	19
Health and Safety Executive (HSE)	23
Coronavirus Legislation (Scotland)	24
Coronavirus Regulations (Scotland)	25
Coronavirus Guidance (Scotland)	26
Coronavirus Regulations (Wales)	28
Coronavirus Guidance (Wales)	29
Coronavirus Regulations (N.Ireland)	32
Coronavirus Guidance (N.Ireland)	33
Litigation, Arbitration and Adjudication	39
Standard Form Contracts	40

Date	Details	Status	Link
<b>Coronavirus Legislation (UK)</b>			
25 March 2020	<p data-bbox="371 384 663 411"><b>Coronavirus Act 2020</b></p> <p data-bbox="371 432 1733 523">An Act to make provision in connection with coronavirus, and for connected purposes. The Act (except for specified provisions) expires at the end of 2 years beginning with the date of Royal Assent. Royal Assent was given 25 March 2020.</p> <p data-bbox="371 544 1711 735">This Act contains a wide range of powers including: NHS and local authority care and support; investigatory powers; schools; childcare providers etc; statutory sick pay; pensions; courts and tribunals: use of video and audio technology; postponement of elections, referendums, recall petitions and canvass; national insurance contributions; residential tenancies: protection from eviction; business tenancies: protection from forfeiture; and powers relating to potentially infectious persons (as previously provided for in the Health Protection (Coronavirus) Regulations 2020, which have now been revoked), etc.</p> <p data-bbox="371 756 1688 847"><b>Paragraph 52 and Schedule 22 grant "powers to issue directions relating to events, gatherings and premises", notably closure of premises. Premises means any place and so could include construction sites and related premises.</b></p> <p data-bbox="371 868 1738 995"><b>A direction in relation to these powers may only be issued during a "public health response period" (paragraph 6(4) of Schedule 22).</b> A public health response period begins when the Secretary of State makes such declaration, which is to be published online and must, as soon as reasonably practicable after it is made, also be published in the London Gazette.</p> <p data-bbox="371 1016 483 1043"><b>England</b></p> <p data-bbox="371 1064 1653 1123">As far as we are aware, the Secretary of State has not issued a declaration commencing a public health response period.</p> <p data-bbox="371 1144 495 1171"><b>Scotland</b></p> <p data-bbox="371 1192 1711 1251">Scottish Ministers have issued a declaration and Scotland is in a public health response period. See related <a href="#">Gazette Notice</a>.</p> <p data-bbox="371 1272 499 1299"><b>N.Ireland</b></p> <p data-bbox="371 1319 1585 1378">As far as we are aware, the Executive Office has not issued a declaration of threat to public health commencing a public health response period.</p>		<a href="#">Coronavirus Act 2020</a>






Date	Details	Status	Link
<b>Wales</b>			
Welsh Ministers issued a declaration on 29 March and Wales is in a public health response period. See <a href="#">signed declaration</a> .			
<b>Coronavirus Guidance (UK)</b>			
12 May 2020	<p><b>Business Secretary's statement on coronavirus (COVID-19): 12 May 2020</b></p> <p>This speech provides a useful overview of the Government's guidance issued since the Prime Minister's speech on Sunday.</p>		<a href="#">Business Secretary's statement on coronavirus (COVID-19):12 May 2020</a>
12 May 2020	<p><b>Chancellor extends furlough scheme until October</b></p> <p>The scheme will remain open until <b>October (extended from June)</b>. The scheme will be adapted from August in order to assist in getting employees back to work, allowing furloughed workers to work part-time with employers contributing a percentage of their salaries.</p>		<a href="#">Chancellor extends furlough scheme</a>
11 May 2020	<p><b>Our Plan to Rebuild: The UK Government's COVID-19 recovery strategy</b></p> <p>The document sets out a plan to rebuild the UK in a world with COVID-19 and gives a sense of how the government hopes that the next couple of months will play out. The government's aim at the heart of the plan is to "return life to as close to normal as possible, for as many people as possible, as fast and fairly as possible ... in a way that avoids a new epidemic, minimises lives lost and maximises health, economic and social outcomes."</p> <p>Restrictions may be adjusted at a difference pace in England, Wales, Scotland and N.Ireland. Within England, restrictions may be adjusted in some regions before others depending on the level of risk in a given region. The gov't is also hoping to be more nuanced / targeted in identifying who may want to be more or less cautious than they currently are.</p> <p>New COVID-19 secure guidelines will be published throughout this week – the gov't is working with the relevant sections, bodies, authorities, unions, HSE and PHE.</p>		<a href="#">Our Plan to Rebuild</a>





Date	Details	Status	Link
	<p>As to be expected, restrictions may also need to be re-tightened - if data suggests that the virus is spreading again – and the government will try and do so in as limited and targeted a way as possible.</p> <p><b>Phased approach</b></p> <p>Phase one – where we are now.</p> <p>Phase two – smarter controls. This is about shifting, adapting and balancing social restrictions over time to achieve the government's aim. The government intends to introduce "more reactive or localised measures through widespread, accurate monitoring" of coronavirus. Transmission via social contact will be reduced by:</p> <ul style="list-style-type: none"> <li>• making social contact safer (redesigning public and work spaces);</li> <li>• reducing infected people's social contact (testing, tracing and monitoring to tailor restrictions); and</li> <li>• stopping hotspots (localised detection and targeted measures).</li> </ul> <p>Phase three – reliable treatment.</p> <p><b>Timeline</b></p> <p><b>Step one - from Wednesday 13 May 2020:</b></p> <p><i>Work</i></p> <ul style="list-style-type: none"> <li>• For the foreseeable future, workers should work from home where possible. All workers who can't work from home should go to work if their workplace is open. <b>Sectors that are allowed to be open, should be, including construction, manufacturing, logistics and distribution (but this does not include hospitality and non-essential retail).</b></li> <li>• Workplaces should follow new "COVID-19 secure" guidelines.</li> </ul> <p><i>Travel</i></p> <ul style="list-style-type: none"> <li>• The government is working with public transport providers to bring services back to pre-COVID-19 levels. That said, everybody should continue to avoid public transport, wherever possible.</li> <li>• Social distancing on public transport must be followed – COVID-19 Secure guidance to be published this week.</li> <li>• The government will increase funding and provide new statutory guidance to encourage local authorities to widen pavements, create pop-up cycle lanes and close some roads to traffic (apart from buses).</li> </ul>		



Date	Details	Status	Link
	<p><i>Face coverings</i></p> <ul style="list-style-type: none"> <li>• People should aim to wear a face-covering in enclosed spaces where social distancing is not always possible, e.g. on public transport or in some shops. "Homemade cloth face-covering can help reduce the risk of transmission in some circumstances" – this is to protect against inadvertent transmission if you have coronavirus asymptotically. This is not the same as a facemask (surgical mask or respirator used as PPE). See separate guidance on this below.</li> </ul> <p><i>Schools / childcare</i></p> <ul style="list-style-type: none"> <li>• Infection rate still too high to reopen schools.</li> <li>• Vulnerable children / children of critical workers can attend school - <b>construction workers are not included in the list of critical workers</b> – see <a href="#">link</a> - and those who would benefit from attending in person should be urged to do so.</li> <li>• Paid childcare can take place subject to being able to satisfy the 'Staying safe outside your home guidance' (see below). This should enable more working parents to return to work.</li> </ul> <p><i>Public spaces</i></p> <ul style="list-style-type: none"> <li>• People can now spend time outdoors and exercise outside as often as they like, including driving to outdoor open spaces.</li> <li>• People cannot travel to other parts of the UK if doing so would contravene their guidance / regulations.</li> </ul> <p><i>Enforcement</i></p> <ul style="list-style-type: none"> <li>• More stringent enforcement measures are being considered.</li> <li>• The government will seek to make clearer what the public is allowed / not allowed to do.</li> </ul> <p><b>Step two – earliest 1 June 2020</b></p> <p>The government is currently envisaging:</p> <ul style="list-style-type: none"> <li>• Phased return for early years settings (nurseries) and schools.</li> <li>• Opening non-essential retail.</li> <li>• Allowing cultural and sporting events to take place (for broadcast only).</li> <li>• Re-opening more local public transport in urban areas (subject to strict measures).</li> <li>• Allowing those in isolation to have more social contact.</li> <li>• Allowing two households to share childcare.</li> </ul>		




Date	Details	Status	Link
	<ul style="list-style-type: none"> <li>• Allowing gatherings of slightly larger groups e.g. for small weddings.</li> </ul> <p><b>Step two – earliest 4 July 2020</b></p> <p>The current intention is to open at least some of the remaining businesses and premises, including personal care, hospitality, public places and leisure facilities.</p> <p><b>Supporting programmes</b></p> <p>The Plan also provides details of 14 supporting programmes to be put in place to help deliver this plan, including COVID-19 secure guidelines, testing and tracing, better distancing measures, accurate disease monitoring and reactive measures, restoring the economy, economic and social support to maintain livelihoods and restore the economy.</p>		
11 May 2020	<p><b>New guidance launched to help get Brits safely back to work ('Back to work' guidelines)</b></p> <p>'COVID-19 secure' guidance for employers to help them get their businesses back up and running and workplaces operating safely.</p> <p>The government has produced best practice on the safest ways of working across the economy in consultation with approximately 250 stakeholders, including input from firms, unions, industry bodies, Scotland, Wales and Northern Ireland, Public Health England (PHE) and the Health and Safety Executive (HSE).</p> <ul style="list-style-type: none"> <li>• Work from home if you can. Clear message that "you should go to work" to those who can't work from home and whose workplace <u>has not been told to close</u> (further driving home the message that businesses should be open unless they have been told to close (such as pubs and non-essential shops etc)).</li> <li>• <b>Carry out a COVID-19 risk assessment, in consultation with workers or trade unions to establish what guidelines to put in place.</b> Employers should (if possible) publish the results on their websites – businesses with over 50 employees are expected to do so.</li> <li>• Maintain 2m social distancing where possible – re-design workspaces, for example by staggering start times, use of one way systems, more entrances / exits and changing seating layouts in break rooms.</li> <li>• <b>Where people cannot be 2m apart, manage transmission risk</b> – barriers in shared spaces, shift patterns or cohorting, colleagues to face away from each other.</li> <li>• Reinforcing cleaning processes – workplaces to be cleaned more frequently, especially areas such as</li> </ul>		<a href="#">Back to work guidelines</a>










Date	Details	Status	Link
	door handles and keyboards.		
Updated 11 May 2020	<p><b>Claim for your employees' wages through the Coronavirus Job Retention Scheme (CJRS): a step by step guide for employers</b></p> <p>This guidance has been updated to be made clearer and to include recent additions to the process.</p> <p>As the title suggests, this guide explains the information that employers need to provide HMRC to make a claim through the CJRS and the process involved.</p> <p>According to the guide, employers must read the guidance set out here before you proceed with a claim.</p> <p>A Welsh translation has been added.</p>		<a href="#">Coronavirus Job Retention Scheme: step by step guide for employers</a>
Updated 7 May 2020	<p><b>Claim for wages through the Coronavirus Job Retention Scheme</b></p> <p>This guidance tells you what you will need to claim, how to claim – with "Claim Now" button - and what happens next.</p> <p>The service has been updated, so that you can save a claim and come back to it.</p>		<a href="#">Claim for wages through the Coronavirus Job Retention Scheme</a>
6 May 2020	<p><b>Business rates revaluation postponed</b></p> <p>Revaluation of business rates has been <b>postponed from 2021 to 2022</b>.</p>		<a href="#">Business rates revaluation postponed</a>
Updated 4 May 2020	<p><b>Apply for the Coronavirus Large Business Interruption Loan Scheme</b></p> <p>Viable businesses with a turnover of over £45 million per annum can apply for a loan of up to £25 million and those with a turnover over £250 million can apply for up to £50 million. This is available through a number of accredited lenders (listed on the British Business Bank website) and the loans are backed by 80% government guarantee.</p>		<a href="#">Coronavirus Large Business Interruption Loan Scheme</a>
Updated 1 May 2020	<p><b>Check if you can claim for your employees' wages through the Coronavirus Job Retention Scheme</b></p> <p>Businesses with severely affected operations that cannot maintain their existing workforce can furlough employees and apply for a grant of 80% of their monthly wage costs (up to £2,500 per month) plus Employer</p>		<a href="#">Check if you can claim for your employees'</a>




Date	Details	Status	Link
	<p>National Insurance contributions (up to the level of the minimum automatic enrolment employer pension contribution). The scheme is in place for 4 months from 1 March 2020 but may be extended if necessary.</p> <p>This comprehensive guidance covers who can claim, employees you can claim for, how much you can claim, how to claim and what happens after you have claimed and when your employees are on furlough.</p> <p>Individuals originally had to be employed on 28 February 2020 to qualify for the scheme. The eligibility date has been extended to 19 March 2020 (the day before the scheme was announced).</p>		<a href="#">wages through the Coronavirus Job Retention Scheme</a>
Updated 1 May 2020	<p><b>Coronavirus Business Interruption Loan Scheme</b></p> <p>Viable businesses with a turnover of up to £45 million per annum can access loans, overdrafts, invoice finance and asset finance or up to £5 million for up to 6 years. The government will also cover the first 12 months interest through a Business Interruption Payment. This is available through commercial lenders backed by government-owned British Business Bank. The government will guarantee 80% on each loan (subject to pre-lender cap on claims).</p>		<a href="#">Coronavirus Business Interruption Loan Scheme</a>
Updated 30 April 2020	<p><b>Work out 80% of your employees' wages to claim through the Coronavirus Job Retention Scheme</b></p> <p>This guidance sets out how to work out 80% of your employees' wages, National Insurance Contributions and pension contributions if you've furloughed staff due to coronavirus, with online calculator.</p> <p><i>Amendments made, including adding June 2020 daily maximum wage amounts and clarification in relation to employer National Insurance contributions.</i></p>		<a href="#">Work out 80% of your employees' wages</a>
20 April 2020	<p><b>Coronavirus Job Retention Scheme up and running</b></p> <p>The Coronavirus Job Retention Scheme went live 20 April 2020.</p>		<a href="#">Coronavirus Job Retention Scheme up and running</a>
16 April 2020	<p><b>Joint pledge to continue vital building safety work during pandemic</b></p> <p>The Housing Secretary, Mayors and local leaders have pledged to ensure that essential safety work to replace unsafe cladding on high-rise buildings will continue during the Covid-19 emergency.</p>		<a href="#">Joint pledge to continue vital building safety work during pandemic</a>



Date	Details	Status	Link
Maintained	<p><b>Coronavirus (COVID-19) Business Support</b></p> <p>There is a business support hub on gov.uk with the following sections:</p> <ul style="list-style-type: none"> <li>• Funding and support</li> <li>• Self-employed people and sole traders</li> <li>• Your responsibilities as an employer</li> <li>• Managing your business during coronavirus</li> <li>• Business closures</li> </ul>		<a href="#">Coronavirus (COVID-19) Business Support</a>
<b>Policy Notes</b>			
Updated 9 April 2020	<p><b>Procurement Policy Note 02/20 – Frequently Asked Questions (FAQs) for construction contracts</b></p> <p>This document collates questions frequently asked as to the scope and application of PPN 02/20 on supplier relief, including definitional clarifications and more, including:</p> <ul style="list-style-type: none"> <li>• What is the definition of an "at risk" supplier and who determines this? This is for the contracting authority to determine but the Cabinet Office anticipates that most suppliers will be at risk and urges contracting authorities "to apply this as broadly as possible to ensure service continuity and protect infrastructure, supply chains and jobs".</li> <li>• Should contracting authorities continue to pay a supplier who is unable to continue fully delivering their contract due to COVID-19? The answer to this is in general, yes, provided the outcome is to ensure service continuity, i.e. does not relieve suppliers of their contractual obligations. Framework agreements where there is no volume commitment are not included and neither are suppliers who are unable to deliver at all where the contracting authority has to seek alternative supply arrangements.</li> <li>• Do suppliers have to pay back money paid to them during this period? The answer to this is no, even if they have not been able to deliver any of the relevant goods, services or work, but note that they may be required to deliver them at a later date.</li> <li>• When a supplier accesses government support e.g. the CRJS, does it also have to request non-financial contract relief such as relaxation of KPIs or delivery dates? Yes, this will need to be agreed with the authority.</li> <li>• What if staff are furloughed and the authority then discovers they need to be re-deployed? This is fine after 3 weeks have lapsed.</li> </ul>		<a href="#">PPN 02/20 - Frequently Asked Questions (FAQs)</a>

Date	Details	Status	Link
	<ul style="list-style-type: none"> <li>What if the supplier and authority disagree on contractual relief? The authority should review if still satisfied this is the case, then refer them to financial support scheme such as CJRS.</li> </ul> <p>The FAQs will be updated regularly and published on gov.uk.</p>		
6 April 2020	<p><b>PPN 02/20: Guidance Notes for Construction Contracts – Procurement Policy Note 02/20</b></p> <p>These guidance notes were drafted to support contracting authorities in implementing PPN 02/20. They include FAQs and a table setting out the various forms of relief an authority can agree with a supplier as a result of business disruption caused by COVID-19, as set out in PPN 02/20, including accelerated payment of invoices, certifying future interim payments where work has not been done (based on previous valuations), amending existing payment mechanisms to make more regular payments and advance payments.</p> <p><b>The guidance notes also contain model deeds of variation - one for use with NEC3 Engineering and Construction Contract and the other for use with JCT Design and Build 2016 standard forms of contract – for use by contracting authorities.</b> The guidance notes are drafted with these standard forms in mind but can be applied across all forms of construction contract.</p>		<a href="#">PPN 02/20 - Guidance Notes for Construction Contracts</a>
20 March 2020	<p><b>Procurement Policy Note 02/20 – Supplier Relief due to COVID-19: Action Note PPN 02/20</b></p> <p>PPN 02/20 is the government's second recent PPN and focuses on practical steps to be taken by contracting authorities to provide financial support to their supply chains across goods, services and works contracts being delivered in the UK. These arrangements are currently in place until the end June 2020.</p> <p>PPN 02/20, whilst drafted as guidance, urges that contracting authorities "must act now" to protect at risk suppliers. The nature of this intervention from central government and the extent of relief that contracting authorities are expected to provide to at risk suppliers is unprecedented. It includes measures to accelerate payment of invoices, and even for advance payments, and allows contracting authorities to waive their own rights and remedies (e.g. to levy LADs and service credits).</p>		<a href="#">PPN 02/20</a>
March 2020	<p><b>Guidance notes on Model Interim Payment Terms – Procurement Policy Note 02/20</b></p> <p>This note provides a set of terms contracting authorities can use to implement PPN 02/20 in providing contractual relief to suppliers.</p>		<a href="#">PPN 02/20 - Guidance on Model Interim Payment Terms</a>



Date	Details	Status	Link
18 March 2020	<p><b>Procurement Policy Note 01/20 – Responding to COVID-19</b></p> <p>This note recognises that authorities may need to procure goods, services and works with extreme urgency and they are allowed to do so under the Public Contracts Regulations 2015 (Regulation 32(2)(c)). This PPN and related guidance considers options in relation to procurement under those Regulations.</p>		<a href="#">PPN 01/20</a>
<b>Coronavirus Regulations (England)</b>			
12 May 2020	<p><b>Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No.2) Regulations 2020</b></p> <p>The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 have been amended to reflect the changes to restrictions announced this week affecting our personal lives, <b>but these are not directly relevant to the construction sector.</b></p>		<a href="#">Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No.2) Regulations 2020</a>
26 March 2020 as amended 22 April 2020	<p><b>Health Protection (Coronavirus, Restrictions) (England) Regulations 2020</b></p> <p>These Regulations were made in the exercise of powers conferred by the Public Health (Control of Disease) Act 1984. <b>The Regulations place restrictions on movement and gatherings as well as business closure powers, and provide police with enforcement powers.</b></p> <p>The powers in relation to business closures contain and expand those conferred by the Health Protection (Coronavirus, Business Closure) Regulations 2020 (now revoked) and cover more categories of business that are required to close, e.g. cinemas, theatres, spas, car showrooms (see Parts 1 and 2) and also clarifies, in Part 3, which businesses are allowed to remain open, e.g. food retailers, pharmacies, taxis and banks. <b>The business closure powers do not cover construction sites.</b></p> <p>A review of these restrictions is required every 21 days.</p>		<a href="#">Health Protection (Coronavirus, Restrictions) (England) Regulations 2020</a>
21 March 2020	<p><b>The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020</b></p> <p>These Regulations empowered the government to order the closure of businesses such as pubs, clubs and</p>		<a href="#">The Health Protection (Coronavirus,</a>




Date	Details	Status	Link
	<p>restaurants (as announced by the Prime Minister the day before).</p> <p>These powers are now contained in the Health Protection (Coronavirus, Restrictions) Regulations 2020, which revoke these Regulations.</p>		<a href="#">Business Closure (England) Regulations 2020</a>
<p>10 February 2020</p>	<p><b>Health Protection (Coronavirus) Regulations 2020 (applicable to England only)</b></p> <p>The powers granted under these Regulations relate to infectious persons and give the government the right to:</p> <ul style="list-style-type: none"> <li>• detain a person for screening for coronavirus;</li> <li>• impose further restrictions and requirements on certain persons for the purpose of reducing or removing the risk of persons infecting or contaminating others; and</li> <li>• isolate people.</li> </ul>		<a href="#">The Health Protection (Coronavirus) Regulations 2020</a>
<p><b>Coronavirus Guidance (England)</b></p>			
<p>Updated 12 May 2020</p>	<p><b>Remediation and COVID-19: Building Safety update</b></p> <p>The guidance states that building safety, including progressing remediation of high-rise buildings with unsafe cladding remains a priority and it is therefore possible "for construction work to continue in the current context" Employers should continue to ensure their workers are able to follow the public health guidance. Those responsible for commissioning building safety work, such as the remediation of high-rise buildings with unsafe ACM cladding, and the construction companies undertaking the work, are encouraged to consider how best to proceed and/or mitigate the risks arising from such work being paused, taking guidance from CLC SOP and temporary suspension of sites.</p> <p>Section on health and safety added which contains links to important guidance documents on working safely during coronavirus (see below).</p>		<a href="#">Building Safety update</a>
<p>11 May 2020</p>	<p><b>Working safely during COVID-19 in construction and other outdoor work</b></p> <p>This <b>crucial and detailed document provides guidance on how to work safely with practical considerations</b> and includes:</p>		<a href="#">Working safely in construction</a>


Date	Details	Status	Link
	<ol style="list-style-type: none"> <li>1. Thinking about risk – objective: all employers carry out a coronavirus risk assessment.</li> <li>2. Who should go to work – objective: everyone should work from home if they can.</li> <li>3. Social distancing at work – objective: maintain 2m social distancing wherever possible.</li> <li>4. Managing customers, visitors and contractors.</li> <li>5. Cleaning the workplace.</li> <li>6. PPE and face coverings.</li> <li>7. Managing your workforce.</li> <li>8. Inbound and outbound goods.</li> </ol>		
11 May 2020	<p><b>Working safely during COVID-19 in offices and contact centres</b></p> <p>This <b>crucial and detailed document provides guidance on how to work safely with practical considerations</b> and includes the same categories of guidance as the guidance on 'Working safely during COVID-19 in construction and other outdoor work'.</p>		<a href="#">Working safely in offices and contact centres</a>
11 May 2020	<p><b>Working safely during COVID-19 in factories, plants and warehouses</b></p> <p>This <b>crucial and detailed document provides guidance on how to work safely with practical considerations</b> and includes the same categories of guidance as the guidance on 'Working safely during COVID-19 in construction and other outdoor work'.</p>		<a href="#">Working safely in factories, plants and warehouses</a>
11 May 2020	<p><b>Working safely during COVID-19 in other people's homes</b></p> <p>This <b>crucial and detailed document provides guidance on how to work safely with practical considerations</b> and includes:</p> <ol style="list-style-type: none"> <li>1. Thinking about risk – objective: all employers carry out a coronavirus risk assessment.</li> <li>2. Who should go to work – objective: everyone should work from home if they can.</li> <li>3. Social distancing at work – objective: maintain 2m social distancing wherever possible.</li> <li>4. Interacting with householders.</li> <li>5. Cleaning the work area.</li> <li>6. PPE and face coverings.</li> <li>7. Workforce – guidance for employers and agencies.</li> <li>8. Deliveries to the home.</li> </ol>		<a href="#">Working safely in other people's homes</a>



Date	Details	Status	Link
11 May 2020	<b>Staying COVID-19 secure in 2020 – working safely compliance poster</b>		<a href="#">Compliance poster</a>
11 May 2020	<p data-bbox="376 416 797 443"><b>Staying safe outside your home</b></p> <p data-bbox="376 467 1727 523">This is another of the new COVID-19 secure guidelines and is stated in (and annexed to) "Our plan to rebuild" as being the most important guidelines people can follow to stay safer outside their homes.</p> <p data-bbox="376 547 1693 671">This guidance is being used to shape discussions with businesses as to how the principles should apply in different settings, but for now they are to be followed "wherever possible". A lot of this looks very similar to previous guidance but has been amended / updated slightly and repeats what other guidance says but confusingly differs slightly in the detail.</p> <ul data-bbox="421 695 1738 1386" style="list-style-type: none"> <li>• Keep your distance – the guidance recognises that this is not always possible. Risk of infection increases the closer you are to, and the longer you spend time with, another person – you are very unlikely to catch it by walking past someone in the street. <b>PHE recommends 2 metres but the guidance states this "is not a rule" and emphasises the need to "not be too close for more than a short period of time".</b></li> <li>• Keep hands and face clean – use hand sanitiser when entering a building or having contact with surfaces.</li> <li>• Work from home if you can – if you cannot work from home and your workplace is open, you can travel to work.</li> <li>• Avoid face to face contact with people outside your household – by standing side to side the risk of exposure to respiratory droplets is lower.</li> <li>• Reduce the number of people you spend time with in work – where practical an employer should change shift patterns to keep you in the same contained team.</li> <li>• Avoid crowds – businesses are asked to take reasonable steps to avoid this, for example by introducing more and staggering entrances and exits.</li> <li>• Think about how and when you can travel to work – employers should stagger hours, expand bike storage and provide changing facilities and car parking.</li> <li>• Wash your clothes regularly – only change at work where there is a high risk of infection.</li> <li>• Keep indoor places ventilated.</li> <li>• Face coverings – to be used in an enclosed space where social distancing is not possible (separate guidance also issued on this – see below).</li> </ul>		<a href="#">Staying safe outside your home</a>








Date	Details	Status	Link
	<p>When at work, follow the advice given to you by your employer – Employers should assess and manage risks in line with the 'guidance for employers and businesses on coronavirus' (see below): additional handwashing stations, remain 2 metres apart and not face to face, if face to face is essential it should be kept to 15 minutes or less wherever possible, and keep workers in cohorts as small as possible, as well as a reminder to frequently clean communal surfaces.</p>		
11 May 2020	<p><b>Staying alert and safe (social distancing)</b></p> <p><i>Stay alert, control the virus, and in doing so, save lives. Applies to England only.</i></p> <p>This advice also supplements the PMs announcement on Sunday but doesn't seem to say a great deal more than that outlined in the Plan (or other guidance).</p> <ul style="list-style-type: none"> <li>• Staying at home – this remains largely unchanged other than spending time outdoors for recreation.</li> <li>• Going to work - <ul style="list-style-type: none"> <li>○ You <u>should</u> travel to work ... where you cannot work from home and it's open.</li> <li>○ "<b>Sectors of the economy that are allowed to be open should be open – such as ... construction, manufacturing and distribution. As soon as practicable, workplaces should be set up to meet the new Covid-19 secure guidelines. In particular, workplaces should, <u>where possible</u>, ensure employees can maintain a 2m distance from others, and wash their hands regularly</b>".</li> </ul> </li> <li>• Continue to follow self-isolation guidance.</li> <li>• Businesses and venues - there is a non-exhaustive list of businesses, which are to remain closed, including, as before, restaurants, pubs and clothes shops. <b>As before, this does not include construction sites.</b> Garden centres will be allowed to open from 13 May 2020 and food retailers and food markets, hardware stores and certain other retailers can remain open.</li> <li>• Visiting public places – you can exercise outside as much as you like and drive to public places (from 13 May 2020).</li> <li>• Higher fines of £100 (reduced to £50 if paid within 14 days), up from £60 (reducing to £30 if paid within 14 days). This will double with each offence (up to £3200).</li> </ul>		<a href="#">Staying alert and safe</a>
11 May 2020	<p><b>Coronavirus outbreak FAQs: what you can and can't do</b></p> <p>Changes come into effect on 13 May 2020 and existing guidance on social distancing should be followed until then.</p>		<a href="#">Coronavirus outbreak FAQs</a>





Date	Details	Status	Link
	<p>Section 3 covers "Going to work / Safer spaces". The 'back to work guidelines' (see above) apply to those in essential retail, such as construction and manufacturing, and tradesmen, cleaners and others who work in people's homes. More COVID-19 secure guidelines on this will be published later this week.</p> <p>Section 4 covers workers' rights - the main concern seems to be if people are told to go back to work but don't want to due to coronavirus. Employers are urged to take socially responsible decisions, listen to concerns and come to a pragmatic agreement.</p>		
11 May 2020	<p><b>Public advised to cover faces in enclosed spaces</b></p> <ul style="list-style-type: none"> <li>• People using public transport and visiting shops <u>should consider</u> covering their mouth and nose.</li> <li>• Don't need to be worn outdoors, while exercising, in schools, in workplaces such as offices, and retail, or by those who may find them difficult to wear (e.g. young children).</li> <li>• Not a replacement for social distancing.</li> <li>• Don't buy medical grade, so they can be saved for health and care workers.</li> <li>• Beneficial where it's hard to maintain social distancing measures.</li> <li>• Guidance on how to wear and make a cloth face covering - <a href="#">link</a>.</li> <li>• Justification as to the change of approach on the wearing of facemasks.</li> </ul>		<a href="#">Face cover guidance</a>
7 May 2020	<p><b>Guidance on responsible contractual behaviour in the performance and enforcement of contracts impacted by the COVID-19 emergency</b></p> <p>The Cabinet Office has issued further <b>guidance on responsible contractual behaviour</b>, which sets out guidance and recommendations for parties in the public <u>and private</u> sectors where performance of contracts is impacted by COVID-19.</p> <p>The note confirms it is non-statutory guidance (and cannot override individual contracts) but parties are "<i>strongly encouraged</i>" to use it "<i>for their collective benefit and for the long-term benefit of the UK economy</i>". It sets out "<i>responsible and fair</i>" behaviours that should be followed in respect of claims, relief, payment etc. and encourages parties to resolve emerging contractual issues responsibly and avoid "<i>destructive disputes</i>".</p> <p>See also Construction Leadership Council (CLC's) guidance on this below.</p>		<a href="#">Responsible contractual behaviour</a>
Updated 4 May 2020	<p><b>Social distancing in the workplace during coronavirus (COVID-19): sector guidance (England)</b></p> <p><b>This includes construction sector specific guidance.</b></p>		<a href="#">Social distancing in</a>



Date	Details	Status	Link
	<p>The guidance reiterates that where it is not possible to follow social distancing guidelines in full, businesses should consider whether the activity needs to continue for the business to operate, and, if so, take all the mitigating actions possible to reduce the risk of transmission between their staff. It goes on to set out some hygiene measures to be taken if the work does go ahead.</p> <p>The guidance also covers the social distancing points mentioned above in respect of the Guidance for employers and businesses on coronavirus. It goes on to discuss some more construction specific matters, including working in enclosed machinery and using stairs instead of lifts.</p> <p><b>Guidance is also provided for tradespeople carrying out work in others' homes.</b> The guidance states "essential repairs and maintenance" can continue, provided that clients are notified in advance and you have no symptoms. Work cannot continue where an individual is isolating, unless the work remedies a safety risk. When completing the work, normal guidance is reiterated to maintain a safe distance, and regularly wash your hands as well as carrying hand sanitiser at all times and ensuring good ventilation in the area you're working.</p> <p><a href="#">This section has been updated to cover working in people's homes as a tradesperson, cleaner or nanny.</a></p>		<a href="#">the workplace</a>
<p>Updated 7 April 2020</p>	<p><b>Guidance for employers and businesses on coronavirus (COVID-19) (England)</b></p> <p>The purpose of this guidance is to assist employers, businesses and their staff in staying open safely during coronavirus. The guidance sets out, amongst other things, 'What you need to know' and 'Social distancing in the workplace'. Below are some of the keys points arising out of the guidance that are impacting, and have been causing confusion and difficulties in, the construction industry:</p> <ul style="list-style-type: none"> <li>• All employees should be encouraged to work from home unless that is not possible. It acknowledges that not everyone can do so and, following some confusion in the construction industry, was updated to specifically refer to people who work in construction.</li> <li>• Where it is not possible to follow social distancing guidelines in full, businesses should consider whether the activity needs to continue for the business to operate, and, if so, to take all the mitigating actions possible to reduce the risk of transmission between their staff. <b>This is expanded upon in version 3 of the Construction Leadership Council's (CLC's) Site Operating Procedures (SOP) – see below.</b></li> </ul> <p><i>Social distancing in the workplace</i></p> <ul style="list-style-type: none"> <li>• If you cannot work from home then you can still travel to work – this is consistent with the Chief Medical Officer's advice.</li> <li>• There should be at least 2m distance between individuals. This was updated to read <a href="#">wherever possible</a></li> </ul>		<a href="#">Guidance for employers and businesses</a>

Date	Details	Status	Link
	<p>following feedback from the construction industry.</p> <ul style="list-style-type: none"> <li>• Where it is possible to remain 2m apart, use floor markings.</li> <li>• Where it is not possible to remain 2m apart, staff should work side by side, or facing away from each other, rather than face to face if possible.</li> <li>• Where face to face contact is necessary, only do so for 15 minutes or less wherever possible.</li> <li>• Workers should work in the same teams (cohorting) as much as possible and those teams should be as small as possible.</li> </ul> <p>Again, this is expanded upon in version 3 of the SOP.</p> <p><i>Shift-working and staggering processes</i></p> <p>Businesses should consider shift working or staggering processes to enable staff to operate effectively and where possible, at a distance of more than 2m.</p>		
31 March 2020	<p><b>Letter from Secretary of State for Business, Energy &amp; Industrial Strategy to construction sector (England)</b></p> <p>The letter confirms that people working in construction may continue to travel to work (this being consistent with the Chief Medical Officer's advice) and endorses the SOP.</p>		<a href="#">Secretary of State for Business Letter to construction sector</a>
<b>Construction Leadership Council (CLC)</b>			
7 May 2020	<p><b>CLC COVID-19 contractual best practice guidance</b></p> <p>This guidance is supported by the government and in turn supports the 'Guidance on responsible contractual behaviour in the performance and enforcement of contracts impacted by the COVID-19 emergency', also dated 7 May 2020, in which parties are encouraged to act fairly and reasonably when administering contracts and agreeing variations (see above).</p> <p>The detailed guidance includes:</p> <ul style="list-style-type: none"> <li>• Collaborative approach - "Employers and suppliers should seek to take a collaborative approach towards successful project delivery and discuss whether an extension of time can be granted and any additional costs shared in any event".</li> </ul>		<a href="#">CLC COVID-19 contractual best practice guidance</a>


Date	Details	Status	Link
	<ul style="list-style-type: none"> <li>○ To assist in this, pro-forma letters from the supplier and employer are annexed to the document with accompanying guidance (see Annexes 1 and 2).</li> <li>○ It is acknowledged that contractual mechanisms need to (continue to be) followed and to assist with this, the guidance contains pro-forma letters from the Contractor and Employer / Project Manager in respect of extensions of time under JCT and compensation events under NEC (see Annexes 3 and 4).</li> <li>● "Without Prejudice" and "subject to contract" negotiations – these are proposed as 'safe places' for parties to have open discussions.</li> <li>● Collaborative meetings - CLC suggest meetings should be held between those with authority to settle to discuss time, termination triggers, additional costs, agreement to suspend works, payments and valuations, variations and payments to sub-contractors and suppliers.</li> <li>● Third party obligations – discussions may also need to be had with third parties, including insurers, subcontractors and suppliers, before entering coming to an agreement with the employer.</li> <li>● Other options and best practice - failing the above, the guidance also sets out dispute resolution methods and some best practice if the parties can't reach agreement.</li> </ul>		
Updated 5 May 2020	<p><b>Guidance Note: Coronavirus Employment Schemes</b></p> <p>This note provides guidance on the Coronavirus Job Retention Scheme and the Coronavirus Self-employment Income Support Scheme.</p>		<a href="#">Guidance Note: Coronavirus Employment Schemes</a>
30 April 2020	<p><b>Expansion of Covid-19 Testing</b></p> <p>Testing is now available to workers (and those they live with) in the sector and its supply chain who have to go into work because they can't work from home and who are showing symptoms.</p>		<a href="#">CLC Statement on Expansion of Testing</a>
30 April 2020	<p><b>CLC endorses Conflict Avoidance Pledge</b></p> <p>The CLC endorses RICS Conflict Avoidance Pledge under which clients and contractors commit to putting in place conflict avoidance measures in the contracts and on site for the purpose of reducing the financial cost of disputes and to help deliver projects on time and in budget.</p>		<a href="#">CLC Endorses RICS Conflict Avoidance Pledge</a>



Date	Details	Status	Link
20 April 2020	<p><b>Builders Merchants Operating Guidelines during covid-19</b></p> <p>These guidelines, produced by the British Merchants Federation and the CLC, set out guidelines and additional precautions for Builder's Merchant staff in England and Northern Ireland to follow when operating during the COVID-19 outbreak.</p>		<a href="#">Builders Merchant Branch Operating Guidelines during COVID 19</a>
14 April 2020	<p><b>Site Operating Procedures - version 3</b></p> <p>Notably, version 3 of the SOP endorses the statement made by the HSE concerning enforcement of PHE Guidance (see below):</p> <p>"The HSE is the relevant enforcing authority for PHE guidelines. If a site is not consistently implementing the measures set out by PHE, it may be subject to enforcement action ...</p> <p>The health and safety requirements of any construction activity must not be compromised at this time. If an activity cannot be undertaken safely, it should not take place."</p> <p>As mentioned above, <b>version 3 of the SOP also expands on the mitigation actions to be implemented - where the 2m rule cannot be adhered to - through the introduction of the hierarchy of controls.</b></p> <ul style="list-style-type: none"> <li>• Where it is not possible to follow the social distancing guidelines in full in relation to a particular activity, you should consider whether that activity needs to continue for the site to continue to operate, and, if so, take all mitigating actions possible to reduce the risk of transmission.</li> <li>• Where it is decided that the activity should continue, workers should undertake a risk assessment using the hierarchy of controls and any sector-specific guidance. The categories of control are: <ul style="list-style-type: none"> <li>○ eliminate – social distancing measures, such as avoiding lifts, avoiding face to face contact and rearranging tasks;</li> <li>○ reduce – measures to reduce the risk if the 2m rule cannot be adhered to;</li> <li>○ isolate – cohorting and small teams;</li> <li>○ control – for example, if face to face working is essential, keep it to 15 minutes or less where possible;</li> <li>○ PPE – for example, PPE is not to be used where 2m rule can be adhered to, re-usable PPE should be thoroughly cleaned and disposable PPE should be thrown away after use; and</li> <li>○ behaviours – open and collaborative approach between workers is to be encouraged.</li> </ul> </li> </ul>		<a href="#">Site Operating Procedures v3</a>




Date	Details	Status	Link
	<p>Other changes include:</p> <ul style="list-style-type: none"> <li>Organisations must have in place effective arrangements for monitoring and reviewing their compliance with government and industry guidance.</li> <li>Guidance for those who have no option but to share transport to work.</li> <li>Further details on who should not travel to work.</li> </ul>		
14 April 2020	<p><b>Safe working during coronavirus (COVID-19) video</b></p> <p>This video highlights some of the SOP guidelines, including Travel to and from site, Welfare, Working on site, Logistics, and Meetings and briefings.</p>		The link to the video is no longer available.
3 April 2020	<p><b>Construction Industry Coronavirus Task Force</b></p> <p>A task force has been convened by the CLC to "provide a focal point for co-ordinating the industry response to Covid-19, and to facilitate communication between the industry and the government. Its objective is to sustain the industry through the current period when restrictions are in place, and to ensure that the industry is able to drive economic growth and prosperity in the UK once the virus has been beaten". The list of members can be found in the link in the far left column.</p>		<a href="#">Construction Industry Coronavirus Task Force</a>
2 April 2020	<p><b>Site Operating Procedures - version 2</b></p> <p>The SOP was updated to say that where it is not possible or safe for workers to distance themselves from each other by 2m the work should not be carried out.</p> <p>This version was withdrawn almost immediately following feedback from the industry.</p>		The link to SOP version 2 is no longer available but we do have a copy available on request.
30 March 2020	<p><b>Advice on Temporary Suspension of Sites</b></p> <p><b>The purpose of this advice is to ensure that any closures can be achieved as safely as possible,</b> avoiding potential issues while the site is not active. It acknowledges that, although site closures are not mandatory, many large contractors have decided to do so of their own accord.</p>		<a href="#">Advice on Temporary Suspension of Sites</a>




Date	Details	Status	Link
	The advice covers suspension planning, site safety and site security and provides a practical checklist of matters to attend to.		
23 March 2020	<p><b>Site Operating Procedures - version 1</b></p> <p>The guidance in the SOP "is intended to introduce consistent measures on sites of all sizes in line with the Government's advice on Coronavirus at all times". The SOP was published with the intention of bringing some clarity at a time when there was much uncertainty in the industry as to how and whether construction sites were allowed to continue to operate. It did so to the extent possible within the constraints of the guidance available.</p> <p>This guidance essentially follows PHE guidance but sought to provide clarification around situations where it is not possible or safe for workers to distance themselves from each other by 2 metres. The guidance said:</p> <ul style="list-style-type: none"> <li>• Non-essential physical work that requires close contact between workers should not be carried out.</li> <li>• Work requiring skin to skin contact should not be carried out.</li> <li>• Plan all other work to minimise contact between workers.</li> </ul>		The link to SOP version 1 is no longer available but we do have a copy available on request.
17 March 2020	<p><b>Letter to Prime Minister</b></p> <p>The CLC has always maintained that the construction sector should be able to continue to operate. This letter requested that the government:</p> <ul style="list-style-type: none"> <li>• ensures all construction sites across the UK are able to remain open, as long as they are able to do so responsibly;</li> <li>• instructs all public sector clients to continue paying contractors and supply chain; and</li> <li>• considers implementing financial measure, such as deferral of VAT &amp; PAYE payments.</li> </ul>		<a href="#">CLC Letter to Prime Minister</a>
<b>Health and Safety Executive (HSE)</b>			
3 April 2020	<p><b>Joint Statement between the HSE, the Trades Union Congress and the Confederation of British Industry</b></p> <p>The statement announced that, if it comes to the HSE's attention that employers are not complying with the relevant Public Health England guidance (including enabling social distancing where it is practical to do so), the HSE will consider a range of actions from providing specific advice to employers through to issuing</p>		<a href="#">Joint statement</a>








Date	Details	Status	Link
	<p>enforcement notices, including prohibition notices. This is further endorsed in version 3 of the SOP – see above.</p> <p>The HSE has the power to do so under the Health and Safety at Work Act 1974. If an inspector is of the opinion that a person is contravening one or more of the relevant statutory provisions, such as an employer:</p> <ul style="list-style-type: none"> <li>(i) failing to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees (section 2(1)); or</li> <li>(ii) failing to ensure that, so far as reasonably practicable, persons not in his employment are not exposed to risks to their health or safety (section 3(1)),</li> </ul> <p>then he can serve an "improvement notice" requiring that person to remedy the contravention / matters within a certain period. If the activities involved include a risk of serious personal injury, the inspector may serve a "prohibition" notice directing that those activities shall not be carried on unless they have been remedied.</p>		
2 April 2020	<p><b>Reporting of Injuries, Diseases and Dangerous Occurrences Regulation 2013 (RIDDOR) – reporting of COVID-19</b></p> <p>According to HSE guidance on these Regulations – which were made in exercise of powers conferred by the Health and Safety at Work Act 1974 – the responsible person (usually the employer or a self-employed person) must make a report when:</p> <ul style="list-style-type: none"> <li>• an unintended incident at work has led to someone’s possible or actual exposure to coronavirus. This must be reported as a dangerous occurrence;</li> <li>• a worker has been diagnosed as having COVID-19 and there is reasonable evidence that it was caused by exposure at work. This must be reported as an exposure to a biological agent using the case of disease report; and</li> <li>• a worker dies as a result of occupational exposure to coronavirus.</li> </ul>		<a href="#">RIDDOR</a>
<b>Coronavirus Legislation (Scotland)</b>			
11 May 2020	<p><b>Coronavirus (Scotland) (No. 2) Bill</b></p> <p>The Scottish Government has published a draft bill that introduces certain further measures to help Scotland respond to the pandemic. The bill as currently drafted <b>does not introduce any measures that will have an impact on the construction industry.</b></p>	N/A	N/A


Date	Details	Status	Link
<p>It is important to note that this bill is not yet in force as it has not been passed by the Scottish Parliament as yet. Once in force, it will also only apply to Scotland and not the wider UK.</p>			
<p><b>Coronavirus Regulations (Scotland)</b></p>			
<p>21 April 2020</p>	<p><b>Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No.2) Regulations 2020</b></p> <p>The amendments brought in with these Amendment Regulations mean that <b>the social distancing laws set out below in the section on the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 now apply to all businesses.</b></p>		<p><a href="#">Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No.2) Regulations 2020</a></p>
<p>27 March 2020 as amended 1 April 2020</p>	<p><b>Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020</b></p> <p>These Regulations were made in the exercise of powers conferred by the Coronavirus Act 2020 (and all other powers enabling them to do so). <b>The Regulations place restrictions on movement and gatherings as well as business closure powers, and provide police with enforcement powers.</b></p> <p>Businesses listed in Part 1 of schedule 1, e.g. restaurants (other than staff canteens in certain circumstances), cafes, bars and pubs and Part 2 of schedule 1, e.g. cinemas, theatres, spas and car showrooms must close. <b>The business closure powers do not cover construction sites.</b></p> <p>Businesses listed in Part 3 of schedule 1, e.g. supermarkets, chemists and banks are allowed to remain open but are required to comply with the following social distancing laws. These businesses must take all reasonable measures to ensure that:</p> <ul style="list-style-type: none"> <li>• people on the premises maintain a distance of 2 metres between them (except between two members of the same household, or a carer and the person assisted by the carer);</li> <li>• people are only allowed on the premises in sufficiently small numbers to make it possible to maintain that distance; and</li> <li>• people waiting to enter maintain a distance of 2 metres between them (except between two members of the same household, or a carer and the person assisted by the carer).</li> </ul>		<p><a href="#">Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020</a></p>



Date	Details	Status	Link
<b>Coronavirus Guidance (Scotland)</b>			
11 May 2020	Nicola Sturgeon's speech confirmed that nothing had changed in Scotland, save for a minor relaxing of the rules on exercise (you can now exercise outside more than once per day). The speech directly referenced the fact that businesses should not be reopening and that any guidance produced in England did not apply in Scotland.		<a href="#">Nicola Sturgeon's speech</a>
1 May 2020	<p><b>Coronavirus (COVID-19): construction sector guidance (Scotland)</b></p> <p>This guidance is an updated version of the previous guidance to the construction sector issued in Scotland on the 6 April 2020. The message in the guidance is that the Scottish Government expects all non-essential construction sites to close.</p> <p>The changes that have been made in this version of the guidance focus on providing further clearer examples as to what is essential and what is not essential. The guidance gives specific examples of types of work to projects which, whilst the projects might be considered essential, the works themselves are not and as such should not go ahead.</p>		<a href="#">Scottish Government Guidance to the Construction Sector</a>
21 April 2020	<p><b>Coronavirus (COVID-19): business and social distancing guidance (Scotland)</b></p> <p>This guidance states that all non-essential business premises and sites, including those not required by law, should close unless operations can be fully compliant with the public health guidance on social distancing. Critical National Infrastructure (CNI) (including waste, transport and energy) is listed as an exception as an essential service, with a caveat that even where businesses are in the CNI category, social distancing requirements still apply and only premises that can comply with these requirements or are truly critical should remain open.</p> <p>Whilst construction sites are not specifically mentioned in the table of businesses required to close contained within this guidance, the Scottish Government guidance to the construction sector that was published on the 6 April 2020 (and detailed below) states that it does not consider construction to be a sector that can operate in line with the social distancing requirements and as such the Scottish Government expects construction sites to be closed until further notice. The guidance to the construction sector published on the 6 April 2020 is now specifically referenced in this guidance to business and it is clear that this guidance does not supersede or replace the previously issued guidance to the construction sector, which continues to apply alongside this guidance.</p>		<a href="#">Scottish Government Guidance for Business and Social Distancing</a>

Date	Details	Status	Link
6 April 2020	<p><b>Coronavirus (COVID-19): construction sector guidance (Scotland)</b></p> <p>The Scottish Government provided specific guidance to the construction industry reiterating that only essential works should continue and that <b>the Scottish Government expected all other sites to close</b>. The guidance also provides a specific list of works that are non-essential and therefore should not continue, along with those works that are to be considered essential which included works in relation to public health and cladding rectification, for example.</p>		<p>No longer available on the Scottish Government website due to the Guidance having been updated.</p>
4 April 2020	<p><b>Scottish Government Guidance for Business and Social Distancing</b></p> <p>The Scottish Government updated its guidance for businesses and in respect of social distancing and provided more detail as to the definition of what services were essential, providing examples beyond the definition of those services that are fundamental to daily life and ensure that the country continues to function. <b>In relation to the construction industry, the guidance did not change and it remained that sites were advised to be closed.</b></p>		<p>No longer available on the Scottish Government website due to the Guidance having been updated.</p>
25 March 2020	<p><b>Coronavirus (COVID-19): business and social distancing guidance (Scotland)</b></p> <p>The Scottish Government first published guidance in which it advised non-essential businesses or businesses that could not operate with the requisite social distancing to close. <b>The guidance made specific reference to the construction sector, which suggested that the construction industry was unable to operate in compliance with the social distancing guidance and as such was an industry that should close.</b></p>		<p>No longer available on the Scottish Government website due to the Guidance since having been updated.</p>



Date	Details	Status	Link
<b>Coronavirus Regulations (Wales)</b>			
21 April 2020 as amended 11 May 2020	<p><b>The Health Protection (Coronavirus Restrictions) (Wales) (Amendment) (No. 2) Regulations 2020</b></p> <p>These amendments clarify that businesses offering goods for sale or hire in a shop that are allowed to continue to accept orders by phone, online or by post and make deliveries must also comply with <b>the social distancing laws set out below in the section on the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 now apply to all businesses.</b> This can be found at Regulation 6A (see also below for guidance).</p>		<a href="#">Health and Protection (Coronavirus Restrictions) (Wales) (Amendment) (No.2) Regulations 2020</a>
7 April 2020	<p><b>The Health Protection (Coronavirus Restrictions) (Wales) (Amendment) Regulations 2020</b></p> <p>The amendments provide that <b>in relation to the premises of other businesses that are allowed to stay open</b> (i.e. not those discussed in the section below listed in schedule 1), <b>including construction sites, a person responsible for work being carried out at a premises must take all reasonable measures to ensure that a distance of 2 metres is maintained between people that are working.</b></p> <p>The amendments also provide, amongst other things, additional requirements that where 2 metre working is required by the Regulations, <b>persons must have regard to guidance issued by the Welsh Ministers about reasonable measures to be taken to ensure that a distance of 2 metres is maintained between persons.</b> This can be found at Regulation 7A (see also below for guidance):</p>		<a href="#">Health and Protection (Coronavirus Restrictions) (Wales) (Amendment) Regulations 2020</a>
26 March 2020	<p><b>The Health Protection (Coronavirus Restrictions) (Wales) Regulation 2020</b></p> <p>These Regulations were originally published on 26 March 2020, formalising the Prime Minister's announcement on 23 March restricting movement of individuals and activities of certain businesses.</p> <p>These Regulations were made in the exercise of powers conferred by the Coronavirus Act 2020 (and all other powers enabling them to do so). <b>The Regulations place restrictions on movement and gatherings as well as business closure powers, and provide police with enforcement powers.</b></p> <p>Businesses listed in Part 1 of schedule 1, e.g. restaurants (other than staff canteens in certain circumstances), cafes, bars and pubs, Part 2 of schedule 1, e.g. cinemas, theatres, spas and car showrooms and Part 3 of</p>		<a href="#">Health and Protection Regulations (Coronavirus Restrictions) (Wales) Regulations 2020</a>



Date	Details	Status	Link
	<p>schedule 1 e.g. hotels and holiday accommodation must close (subject to certain exceptions in relation to accommodation). <b>The business closure powers do not cover construction sites.</b></p> <p>Businesses listed in Part 4 of schedule 1, e.g. supermarkets, chemists and banks are allowed to remain open but are required to comply with the following social distancing laws. These businesses must take all reasonable measures to ensure that:</p> <ul style="list-style-type: none"> <li>• people on the premises maintain a distance of 2 metres between them (except between two members of the same household, or a carer and the person assisted by the carer);</li> <li>• people are only allowed on the premises in sufficiently small numbers to make it possible to maintain that distance; and</li> <li>• people waiting to enter maintain a distance of 2 metres between them (except between two members of the same household, or a carer and the person assisted by the carer).</li> </ul> <p>Businesses not listed in Part 4 of schedule 1 offering goods for sale or hire in a shop can continue to accept orders by phone, online or by post and make deliveries.</p> <p>Further guidance on business closures can be found in the guidance on <a href="#">Coronavirus (COVID 19): closure of businesses and premises</a>.</p>		
21 March 2020	<p><b>Health Protection (Coronavirus, Business Closure) (Wales) Regulations 2020</b></p> <p>These Regulations related to business closure but did not list construction sites amongst the categories of businesses required to close.</p> <p>These Regulations were revoked and replaced by the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020/353.</p>		<a href="#">Health Protection (Coronavirus, Business Closure) (Wales) Regulations 2020</a>
<b>Coronavirus Guidance (Wales)</b>			
Updated 12 May 2020	<p><b>Taking all reasonable measures to maintain physical distancing in the workplace</b></p> <p>Guidance under Regulation 7A of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020</p> <p>Regulation 7A sets out "Guidance on maintaining distance of 2 metres between persons". It is important to</p>		<a href="#">Taking all reasonable measures to maintain</a>


Date	Details	Status	Link
	<p>note that the requirement to take all reasonable measures to maintain distance is not an absolute rule and is an objective test wherein businesses are expected to <b>take proportionate action where it is practicable</b> to do so. However, examples are given:</p> <ul style="list-style-type: none"> <li>• Reducing the number of people on the premises at any one time.</li> <li>• Increasing space between staff by indicating 2m spacing with markings.</li> <li>• Stagger breaks to prevent congregation of workers in rest space.</li> <li>• Stagger shifts to reduce congestions at the point of entry.</li> <li>• Alter or adjust tasks undertaken to reduce contact.</li> </ul> <p>"PLEASE REMEMBER – The general message from the Welsh Government remains the same:</p> <ul style="list-style-type: none"> <li>• where possible stay at home to save lives</li> <li>• minimise the risk of transmission in the workplace" <p>The regulations provide for the Welsh government to issue further guidance on taking reasonable measures. This guidance states the Welsh Government is in the process of collating resources to produce an updated document which incorporates codes of practice, trade association guidance and other helpful documents to support maintaining social distance. Further reference is made to the 'Staying at home and away from others guidance' (see above).</p> </li></ul>		<a href="#">physical distance in the workplace</a>
<p>Updated 11 May 2020</p>	<p><b>Staying at home and away from others guidance</b></p> <p>Most relevant to construction is the section on 'Going to work' where the guidance lists travelling to and from work as a reasonable excuse to leave home, but only where it is not reasonably practical to work from home. The guidance confirms that only those organisations covered in the guidance on <a href="#">Coronavirus (COVID 19): closure of businesses and premises</a> have been required to close and not any other businesses, as it is "important for business to carry on". It also reiterates the guidance on 'Taking all reasonable measures to maintain physical distancing in the workplace' (see below) and that all businesses and persons responsible for work being carried out must take all reasonable measures to ensure that people maintain a 2m distance.</p> <p>Employers are also advised to follow 'Guidance to employers and businesses on COVID-19' (see below), which suggests reminding employees to frequently wash hands, to disinfect objects and surfaces regularly touched and of course, maintain social distance.</p>		<a href="#">Staying at home and away from others guidance</a>



Date	Details	Status	Link
Updated 11 May 2020	<p><b>Coronavirus regulations: guidance</b></p> <p>This guidance was first published on 27 March 2020. It takes an FAQ approach with the most relevant sections to the construction industry being:</p> <ul style="list-style-type: none"> <li>Does the relaxation of the rules mean businesses should open? Wales has said that, where working from home is not possible (and businesses are not contained in the closed list found in Schedule 1 of The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020), they have <b>enshrined the physical distancing duty in law</b> meaning all reasonable steps should be taken to ensure a 2 metre distance is able to be maintained at work.</li> <li>Can I carry out building or repair work in someone's house? This can continue if neither the tradesperson or household members have symptoms but not if anyone in the household is isolating or is extremely vulnerable. Like other businesses, tradespeople must ensure a 2 metre distance is maintained, taking all reasonable measures.</li> <li>My employer wants me to go to work. Do I have to? People should only travel to work if it not "reasonably practicable for them to work from home". Employers should discuss working arrangements with employees and employers should take every possible step to help their employees to work from home, including providing suitable IT equipment. Employers also have a separate legal duty to make sure employees aren't exposed to risks to their health.</li> </ul>		<a href="#">Coronavirus regulations: guidance</a>
14 April 2020	<p><b>Taking all reasonable measures to maintain physical distancing in the workplace: supplementary guidance (Wales)</b></p> <p>This guidance supplements and is to be read in conjunction with the Guidance on Regulation 7A of the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 (above). It applies to the duty found in <b>Regulations 6 and 6A</b> requiring an <b>employer</b> or "<i>a person responsible for work</i>" to take "<i>all reasonable measures</i>" to ensure a 2 metre distance is maintained between persons on work premises.</p> <p>The guidance stipulates that taking all reasonable measures is in effect a two part test:</p> <ul style="list-style-type: none"> <li>What reasonable measures can be taken (as opposed to all possible measures); and</li> <li>Have all those measures actually been taken.</li> </ul> <p>Much like regulation 7A, what constitutes reasonable measures will depend on the particular circumstances</p>		<a href="#">Taking all reasonable measures to maintain physical distancing in the workplace: supplementary guidance</a>





Date	Details	Status	Link
	<p>taking account of cost, nature and location of the work and health and safety risks. It is therefore an objective test.</p> <p>Importantly, the guidance highlights that the obligation to maintain physical distance while working is a <b>legal</b> obligation.</p>		
9 April 2020	<p><b>Coronavirus (COVID-19): employers and businesses guidance</b></p> <p>This guidance sets out information about COVID-19 for employers and businesses and what they need to do, including:</p> <ul style="list-style-type: none"> <li>• Employees should be encouraged to work from home wherever reasonably practicable.</li> <li>• Employers (of open businesses) must take all reasonable measures to ensure people maintain 2m distance.</li> </ul> <p>The most relevant section is "limiting spread of coronavirus (COVID-19) in business and workplaces". It reiterates that businesses must take all reasonable measures to ensure 2 metres is maintained between workers on premises, as well as reminding employees to wash their hands frequently and to regularly disinfect surfaces and commonly used objects.</p> <p>Businesses / employers are also referred to the guidance on 'Taking all reasonable measures to maintain physical distancing in the workplace' (see below).</p>		<a href="#">Employers and businesses guidance</a>
<b>Coronavirus Regulations (N.Ireland)</b>			
28 March 2020 as amended 24 April 2020	<p><b>The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020</b></p> <p>These Regulations were made in the exercise of powers conferred by the Public Health Act (Northern Ireland) 1967(b). The Regulations place restrictions on movement and gatherings as well as business closure powers, and provide police with enforcement powers.</p> <p>Businesses listed in Part 1 of Schedule 2 e.g. restaurants (other than staff canteens in certain circumstances), cafes, bars and pubs, Part 2 of Schedule 2, e.g. cinemas, theatres, spas and car showrooms must close, Hotels and holiday accommodation (subject to certain exceptions in relation to accommodation) must also close. The business closure powers do not cover construction sites.</p> <p>Businesses listed in Part 3 of schedule 2, e.g. supermarkets, chemists and banks are allowed to remain open.</p>		<a href="#">The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020</a>

Date	Details	Status	Link
Businesses not listed in Part 3 of schedule 2 offering goods for sale or hire in a shop can continue to accept orders by phone, online or by post and make deliveries.			
<b>Coronavirus Guidance (N.Ireland)</b>			
5 May 2020	<p><b>Public health measures in place until 18 May to prevent the spread of COVID-19</b></p> <p>These measures were initially in place until 12 April but have been extended until 18 May. In contrast to the message in England, Northern Ireland is urging people to stay at home wherever possible. <b>An exception to this is to travel to and from work considered an essential service, which includes construction.</b></p> <p>Essential construction includes:</p> <ul style="list-style-type: none"> <li>• essential health and related projects relevant to the COVID-19 crisis, and supplies necessary for such projects,</li> <li>• repair/construction of critical road and utility infrastructure,</li> <li>• delivery of emergency services to businesses and homes on an emergency call-out basis in areas such as electrical, plumbing, glazing and roofing,</li> <li>• and the related manufacture of products for the supply chain of essential services.</li> </ul> <p>Contractors under contract with the Government will be advised whether work is essential (<b>Essential Construction Work</b>).</p>		<a href="#">Public health measures in place until 18 May to prevent the spread of COVID-19</a>
27 April 2020	<p><b>Roadmap for reopening society and business</b></p> <p>This sets out Northern Ireland's plan to reopen business and society in 5 phases ending in August. This roadmap does not begin until 18 May, the advice until then remains to stay at home. See below for the relevant part of the phasing for construction:</p> <p>Phase 1</p> <ul style="list-style-type: none"> <li>• Changes to current guidelines include allowing small groups of up to 4 people who don't live together to meet outdoors whilst keeping socially distant.</li> <li>• Children of essential healthcare workers will be cared for in their own home by childcare workers.</li> <li>• Most importantly to the industry – a phased return of outdoor workers (e.g. construction) will be allowed but social distance requirements will continue to apply.</li> </ul>		<a href="#">Roadmap for reopening society and business</a>




Date	Details	Status	Link
	<p>Phase 2</p> <ul style="list-style-type: none"> <li>Workers who are able to keep a 2 metre distance from others can return to work.</li> <li>Employers and the government are to develop plans to enable onsite workers to return including social distancing, extending opening hours to enable social distancing and hygiene considerations.</li> </ul> <p>Phase 3</p> <ul style="list-style-type: none"> <li>Organisations with low levels of daily interaction between employees can open, otherwise remote working is to continue.</li> <li>Public transport is to be actively restricted to monitor passenger numbers to enable compliance with social distancing, including restricting numbers of private cars and introducing measures at ports and airports.</li> </ul> <p>Phase 4</p> <ul style="list-style-type: none"> <li>Small social gatherings will be allowed but are to be limited to a maximum number of attendees whilst maintaining social distancing.</li> <li>Preschools will open for children of all workers on a gradually increasing phased basis.</li> <li>Employees who cannot work remotely are to be considered first for a return to onsite working. Measures such as shift work and staggered hours should be implemented.</li> </ul> <p>Phase 5</p> <ul style="list-style-type: none"> <li>Larger social gatherings can take place but they will be restricted.</li> <li>Schools and universities to open at the start of the 2020/21 academic year.</li> <li>A phased return to work across all sectors.</li> </ul>		
27 April 2020	<p><b>Covid-19: Safety Guidance from the Construction Employers Federation NI (CEFNI) Taskforce</b></p> <p>This guidance compiles resources written to assist construction companies to operate safe workplaces. The guidance includes links to the following,:</p> <ul style="list-style-type: none"> <li>update on Safe Working;</li> <li>Public Health Agency website;</li> <li>Department for the Economy's practical guide to making workplaces safer;</li> </ul>		<p><a href="#">Covid-19: Safety Guidance from the Construction Employers Federation NI (CEFNI)</a></p>

Date	Details	Status	Link
	<ul style="list-style-type: none"> <li>• CLC SOP;</li> <li>• Risk Assessment templates;</li> <li>• pre work questionnaire and screening assessment;</li> <li>• example permits to work at less than 2m;</li> <li>• Poster; and</li> <li>• other guidance,</li> </ul> <p>some of which are discussed below.</p>		<a href="#">Taskforce</a>
27 April 2020	<p><b>Coronavirus: Business closures and restrictions</b></p> <p>This guidance discusses business closures and restrictions contained in the Coronavirus Act 2020.</p>		<a href="#">Coronavirus: Business closures and restrictions</a>
20 April 2020	<p><b>Construction Employers Federation (CEF) Update on Safe Working</b></p> <p>This update provides a chronology of guidance regarding safe working.</p> <p>The update reiterates the guidance released on 24 March 2020 (see below), that only essential work should continue. It also reiterates that if you cannot work safely, do not work.</p> <p>The guidance contains a section on 'Working in Republic of Ireland', which, in summary, provides as follows:</p> <ul style="list-style-type: none"> <li>• HSE guidance must be followed (see below) – the key criteria for any construction activity.</li> <li>• Work should only be carried out if it is Essential Construction Work.</li> <li>• Construction Industry Federation (CIF) Standard Operating Procedures must be followed. Only where these guidelines can be fully and consistently applied to construction operations should companies consider returning to work; if these revised processes cannot be fully embedded, companies must not return to site.</li> </ul> <p>The update also discusses the position in other parts of the UK. Companies are encouraged to return to work only once they can demonstrate every aspect of the applicable guidance has been fully and demonstrably embedded in their working practices. There is a list of applicable guidance, which includes:</p> <ul style="list-style-type: none"> <li>• Social distancing in the workplace during coronavirus (COVID-19): sector guidance: Construction</li> <li>• Build UK, CLC Site Operating Procedures v3</li> </ul>		<p><a href="#">CEF Covid Safety Guidance</a></p> <p>The link to a Word document can be found towards to bottom of this page.</p>





Date	Details	Status	Link
	<ul style="list-style-type: none"> <li>• NI priority Sectors List (advisory)</li> <li>• NI Workplace safety guide</li> <li>• CIF Standard Operating Procedures</li> </ul>		
17 April 2020	<p><b>Coronavirus: Workplace safety guidance and priority sector list</b></p> <p>This guidance was produced by the Department for the Economy, and contains two separate documents outlining practical steps for employers and employees to keep the workplace safe, and an advisory list of priority sectors.</p> <p><i>Practical Guide to making workplaces safer:</i></p> <ul style="list-style-type: none"> <li>• Employers are required to take all reasonably practicable measures to implement a safe working environment. If appropriate actions have been taken and advice sought from HSE NI, and the environment is still deemed unsafe, the employer must close. Employees have a legal responsibility to follow instructions regarding safe working practices.</li> <li>• Large workplaces are recommended to hold regular meetings either virtually or whilst adhering to social distancing with a standing group of management and employee representatives.</li> <li>• Employers must ensure there are adequate washing facilities and provide PPE.</li> <li>• Workers must stay 2m apart where possible. For working practices that necessitate closer working than two metres, appropriate safety measures should be taken such as using PPE.</li> <li>• Movement - non-essential travel should be avoided, employees should travel alone or with the same person (one in the front, one in the back and with good ventilation), observe social distancing.</li> <li>• Work processes - employers should stagger shift patterns for team rosters, reconfigure production lines and processes, and common areas to create space for social distancing, and keep the same team rosters.</li> </ul> <p><i>Priority sector list</i></p> <ul style="list-style-type: none"> <li>• The priority sectors list accompanies the above guidance and seeks to clarify what constitutes a priority sector and includes new build / conversion / maintenance construction supporting key sectors (as defined in the CEF announcement on 24 March 2020);</li> <li>• emergency services to businesses and homes; and</li> <li>• supply of construction materials and builders' merchants for the above.</li> </ul> <p>According to the guidance, companies under this umbrella are allowed to "<i>make their own decisions</i>"</p>		<a href="#">Work safety guidance and priority sector list</a>


Date	Details	Status	Link
	suggesting it is for each priority construction business to determine whether it can continue to operate.		
14 April 2020	<p><b>Construction Industry Federation Construction Sector C-19 Pandemic Standard Operating Procedures</b></p> <p>This guidance is intended to introduce standardisation on sites of all sizes in line with Government and HSE guidance. All projects should implement a plan taking this guidance into account.</p> <p>The guidance reiterates that if an activity cannot be carried out safely, it should not be carried out.</p> <p>The document sets out detailed guidance on:</p> <ul style="list-style-type: none"> <li>• Key control measures.</li> <li>• The role of the client.</li> <li>• Health and safety documentation.</li> <li>• Site management.</li> <li>• Hygiene.</li> <li>• Return to work requirements – sites.</li> <li>• Travel to and from work.</li> <li>• Prevention of cross contamination.</li> <li>• Social distancing.</li> <li>• C-19 compliance officer.</li> <li>• Communal and welfare areas.</li> <li>• Site walkways and general access.</li> <li>• First aid responder guidance.</li> <li>• Management of meetings.</li> <li>• Management of deliveries.</li> <li>• Close working.</li> <li>• Covid-19 suspect / confirmed cases.</li> <li>• Return to work process – worker.</li> <li>• Cleaning spaces with suspected / confirmed cases.</li> <li>• Statutory training updates.</li> <li>• Additional reading.</li> <li>• Site awareness poster and Covid-19 questionnaire / self-declaration.</li> </ul>		<a href="#">CIF Standard Operating Procedures</a>

Date	Details	Status	Link
1 April 2020	<p><b>Coronavirus: Construction site management guidance</b></p> <p>This guidance states that health and safety is paramount and if an activity cannot be undertaken safely (meaning a lack of qualified personnel or social distancing), it should not take place. It also contains a link to version 3 of the CLC SOP.</p>		<a href="#">Coronavirus: Construction site management guidance</a>
	<p><b>Coronavirus: Workplace safety guidelines and social distancing</b></p> <p>Employers are required to do "<i>what is reasonably practicable</i>" to protect their staff and members of the public. Advice includes:</p> <ul style="list-style-type: none"> <li>• following best practice workplace measures;</li> <li>• reviewing risk assessments; and</li> <li>• observing social distancing - where social distancing cannot be observed, consider reducing numbers of workers on site, redesigning processes to allow social distancing and putting in place temporary barriers between staff.</li> </ul>		<a href="#">Coronavirus: Workplace safety guidelines and social distancing</a>
28 March 2020	<p><b>List of essential service providers under new public health guidelines</b></p> <p>This document was published by the Department of the Taoiseach following the government's decision that everyone should stay home until 12 April 2020 and is referred to in the guidance 'Public health measures in place until 18 May to prevent the spread of COVID-19' (see above).</p> <p>There is a list of exceptions to staying at home, including travel to and from work where the work is an essential service. This guidance sets out what constitutes an essential service where workers have the choice to travel to work. Employers should identify employees who are essential to the provision of that service.</p> <p>Details of essential services in the construction sector are set out above – see section on Public health measures in place until 18 May to prevent the spread of COVID-19.</p>		<a href="#">List of essential service providers</a>
25 March 2020	<p><b>CEF Statement on Continuity of Essential Works</b></p> <p>The statement emphasises that they are working closely with the government to ensure the continuity of essential services, including:</p> <ul style="list-style-type: none"> <li>• Supporting health, emergency and security services.</li> </ul>		<a href="#">CEF Statement on Continuity of Essential Works</a>

Date	Details	Status	Link
	<ul style="list-style-type: none"> <li>• Supporting education/childcare services.</li> <li>• Maintaining water and sewerage.</li> <li>• Maintaining utilities and telecoms.</li> <li>• Maintaining transport links.</li> <li>• Maintaining housing and care environments.</li> <li>• Supporting essential distribution and logistics networks, e.g. shops, online retail, post.</li> <li>• Any other works that support essential services.</li> </ul>		
24 March 2020	<p><b>CEF Statement on essential works under Covid-19</b></p> <p>CEF expressed the view, following the Prime Minister's announcement restricting movement and business operations, that all non-essential construction work should cease. Essential works that continue must follow safety guidance "<i>stringently</i>".</p> <p>Essential construction work is described as those supporting "<i>health, emergency services and those works essential to the safety of the public</i>".</p>		<a href="#">CEF Statement on essential works under Covid-19</a>
Undated	<p><b>Health Service Executive guidance</b></p> <p>This guidance provides basic information relating to Covid-19, including symptoms, protecting yourself, vulnerable people, managing coronavirus at home, testing, staying well and information for parents and carers.</p> <p>This guidance provides advice on basic principles of coronavirus, outlining the practical measures you can take, for example, regularly washing your hands or cocooning if you're high risk, alongside general health advice.</p>		<a href="#">Health Service Executive guidance</a>
<b>Litigation, Arbitration and Adjudication</b>			
8 April 2020	<p><b>MillChris Developments Ltd v Waters – failure to injunct an Adjudication due to COVID-19</b></p> <p>Mrs Justice Jefford confirmed in this case heard in the Technology and Construction Court (the <b>TCC</b>) that <b>adjudication should and can continue during the COVID-19 emergency</b>. This decision shows that the TCC will continue to enforce adjudication decisions with its usual no nonsense approach regardless of the impact of COVID-19 and emphasises that the Courts remain open for business. The proceedings were conducted remotely in accordance with the new Court directions. In summary it was the Court's view that</p>		



Date	Details	Status	Link
short timescales are part of the adjudication process and that COVID-19 had not exacerbated the situation.			
26 March 2020	<p><b>TCC templates for adjudication enforcement and existing cases</b></p> <p>Mrs Justice O'Farrell (the Judge in charge of the Technology and Construction Court) has adapted the standard directions for adjudication enforcement, and for trials, to accommodate remote hearings. These draft orders for directions comply with the new Practice Direction 51Y of the Civil Procedure Rules, which have been brought in to specifically deal with the impact of the coronavirus.</p>		<a href="#">TCC Templates</a>
26 March 2020	<p><b>Civil Court Protocol regarding remote hearings</b></p> <p>This Protocol applies to hearings of all kinds, including trials, applications and those in which litigants in person are involved, in the County Court, High Court and Court of Appeal (Civil Division), including the Business and Property Courts. It seeks to provide basic guidance as to the conduct of remote hearings so that they constitute a hearing for the purposes of the Civil Procedure Rules.</p> <p>The Protocol emphasises that the ultimate decision maker for the running of a remote hearing will be the Judge in question and that the Protocol is merely intended to assist. Interestingly, the Protocol stresses that open justice should still be the paramount concern so that justice can still be seen to be operating by the public. The focus is then on the use of appropriate technologies to allow hearings to progress in the normal way.</p>		<a href="#">Civil Court Protocol</a>
<b>Standard Form Contracts</b>			
9 April 2020	<p><b>JCT: Coronavirus and JCT Contracts</b></p> <p>This article, produced by JCT past-chair, Peter Hibberd, is aimed at contractors, clients and contract administrators and seeks to provide information on how the effects of COVID-19 impact JCT contracts. Distinguishing between impacts caused by the virus and impacts caused by Government action, it considers how the JCT mechanisms to extend time, suspend the works or terminate the contractor's employment may operate.</p>		<a href="#">JCT: Coronavirus and JCT Contracts</a>
March 2020 / ongoing	<p><b>FIDIC: COVID-19 Updates</b></p> <p>FIDIC has launched a page on its website to update the industry on what it is doing to respond to COVID-19 and signpost useful sources of information and assistance, including guidance for global consulting engineering businesses, a COVID-19 webinar series, results of the EFCA's COVID-19 industry survey and other related news articles.</p> <p>Specifically, FIDIC has released a Guidance Memorandum to users of its standard forms of works contracts.</p>		<a href="#">FIDIC: COVID-19 Updates</a>

Date	Details	Status	Link
	<p>The Guidance Memorandum has been prepared to assist users to understand how the contractual mechanisms that may be relevant in the case of Covid-19 operate, with FIDIC noting that its core purpose is to help parties to a FIDIC contract to consider mutually satisfactory solutions and avoid disputes arising between them. The Guidance Memorandum outlines numerous contractual provisions that may be relevant, in respect of both the 1999 and 2017 forms, and considers these in the context of likely scenarios that are arising as a consequence of Covid-19.</p>		
<p>18 March 2020 / ongoing</p>	<p><b>NEC: COVID-19 Guidance Document</b></p> <p>This short guidance document, produced by NEC4 Contract Board Chair, Peter Higgins, is aimed at explaining the ways in which the NEC4 contracts deal with the impact of COVID-19. The focus is on the Engineering and Construction Contract and the standard wording contained therein, particularly in respect of Clause 19 (prevention) and how this may apply. This guidance continues to be supplemented by various videos and Q&amp;A sessions to address questions that have been raised by users and to offer further advice and thoughts on the challenges facing the sector.</p>		<p><a href="#">NEC: COVID-19 Guidance Document and Q&amp;As</a></p>

---

# 440

Partners

---

# 1,800

Lawyers

---

# 4,000

Total staff

---

# 2,500

Legal professionals

---

# 50+

Offices worldwide\*

\*includes associated offices

Clyde & Co LLP accepts no responsibility for loss occasioned to any person acting or refraining from acting as a result of material contained in this summary. No part of this summary may be used, reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, reading or otherwise without the prior permission of Clyde & Co LLP.

© Clyde & Co LLP 2020