

Health and Safety during Covid-19: Position Statement

Developed by the Social Workers Union and BASW UK.

Updated July 2021

Background

The Social Workers Union (SWU) is a specialist union for social workers with 14000 members. SWU is affiliated to the General Federation of Trade Unions (GFTU).

BASW is the professional association for social work and social workers across the UK.

SWU and BASW members have expressed concerns about safety at work throughout the Covid-19 pandemic. BASW, which has a memorandum of understanding with SWU, is updating ethical and practice guidance that accompanies this statement.

This position statement sets out SWU's and BASW's position as a Trade Union on health and safety at work updated for the current phase of the pandemic. The position statement is based on GFTU's position and reflects TUC advice.

The position statement is for members of SWU and BASW and is useful for all social workers.

The position statement can be used to:

- Guide and inform your practice
- Request appropriate support from your employer, trade union and professional body
- Foster peer support in teams and multiagency collaboration

Understanding of health and safety through this pandemic continues to develop. This advice has been updated (July 2021) and will continue to be updated as more information becomes available and as governmental advice and policies change.

Practitioners should continue to check and must follow public health guidance at <https://www.gov.uk/coronavirus>. This includes the latest information about self-isolating, shielding and what to do if you have symptoms.

Practitioners should also be aware of the latest information from the regulator and their employer.

Position Statement

1. Introduction

Social workers are an essential part of the public sector workforce. They have been recognised as key workers by UK governments throughout the pandemic and provide a vital public service.

We are now in a phase of the pandemic in which social workers and many others are adapting to the lifting of Covid-19 government restrictions in our work and personal lives.

Employers must ensure health and safety standards are upheld for social workers during this period of transition in ways of working and consider the needs of social workers and the contexts in which they work.

The coronavirus remains an infectious virus circulating in the population, still causing high rates of Covid-19 infection and disease. Widespread vaccination of adults has reduced the severity of illness, reduced hospitalisation and deaths. But transmission is possible between vaccinated and non-vaccinated people. No vaccine is 100% effective in preventing infection and illness, and mutations in strains of the virus may arise and evade the protection of current vaccines at least to some degree.

Coronavirus is a prevalent, highly transmissible, airborne virus passing from an infected person to another (e.g. coughs, sneezes and exhalation), entering via nose, mouth or eyes. Social distancing governmental advice has changed but staying apart from others continues to reduce the risk of airborne transmission by both symptomatic and asymptomatic people.

Coronavirus can also be picked up from surfaces (where it can stay live for between a few hours and three days) and be transferred to the face.

The NHS England's core infection prevention advice remains important to follow in the workplace and elsewhere:

Do

- wash your hands with soap and water often – do this for at least 20 seconds
- use hand sanitiser gel if soap and water are not available
- wash your hands as soon as you get back home
- cover your mouth and nose with a tissue or your sleeve (not your hands) when you cough or sneeze
- put used tissues in the bin immediately and wash your hands afterwards

Don't

- do not touch your eyes, nose or mouth if your hands are not clean

Duties on employers

The Health and Safety at Work Act 1974 states it is the duty of every employer to ensure, so far as is possible, the health, safety and welfare of all its employees. General advice on health and safety and other issues during coronavirus is available on the ACAS website at <https://www.acas.org.uk/coronavirus>

The following sections set out key areas where action should be taken to minimise the ongoing risk of coronavirus.

Social workers need local health and safety protocols and management support to:

- protect themselves
- protect and reassure people they work with.

2. Principles of risk assessments and Covid safe practice at work as restrictions are eased.

Many social workers who have been working from home for most of the pandemic are now being asked to return to office and other pre-pandemic types of work environments.

Covid-19 risk assessments should be in place for all sites where our members/social workers work currently or may be required to work - and should have appropriate trade union involvement.

Employers have an absolute duty to conduct a “suitable and sufficient” risk assessment under the Management of Health and Safety at Work regulations.

- What is meant by “suitable and sufficient” is not defined in the legislation but to meet this standard any risk assessment should identify hazards, determine the likelihood of injury or harm, identify any specific legal duty relating to the hazards, remain valid for a period of time and enable decisions to be made about appropriate control measures.

The templates employers use for risk assessments differ, but the same principles apply. Working from the generic risk assessment the risk assessor will ensure this is adapted to suit each individual workplace, identifying different control measures as necessary.

A “competent person” must carry out the risk assessment in the workplace. The definition of what constitutes a competent person is that they must have had sufficient relevant training, experience or knowledge.

Who is responsible for risk assessments?

It is employers’ absolute duty to write the risk assessment. It is not the role of a trade union representative (rep) to do this but safety reps from a relevant trade union where available must be involved in the risk assessment process – including working with the risk assessor. Safety reps often know best how the workplace operates and employers should draw on their knowledge. This does not mean that there is any legal onus on the safety rep - there can be no comeback on the rep for any deficiencies in the assessment.

Risk assessments will be needed for whole sites/general use and for individuals. If you are concerned about the site risk assessment (e.g. of your office) carried out by your employer and how it will affect risk to you specifically, express your concerns and ask for an individual risk assessment.

The impact of vaccination (see also section 4)

Vaccination rates amongst UK older adults are now very high and younger people are now also being vaccinated. However, it is evident from national public health and NHS

information that the virus continues to circulate and cause illness, and measures to reduce the risk of transmission of the coronavirus in the workplace are essential.

Some colleagues and people being worked with will not have had the vaccine. You cannot be sure about the vaccination status of everyone you encounter. Employers and social workers should continue to follow best practice in reducing the chance of transmission and infection.

The Chartered Institute of Personnel and Development (CIPD) advises:

Employers should remember that the vaccine is just one measure of protection and the extent to which the virus will further mutate is still unknown. Employers still need to question whether bringing employees into the workplace is essential and consider measures such as ventilation, handwashing, social distancing and the use of PPE and so on as part of their health and safety measures once legal restrictions comes to an end. Employers should stay up to date with the latest plans and advice on the [government website](https://www.gov.uk/government) and adjust their plans accordingly.

<https://www.cipd.co.uk/knowledge/fundamentals/emp-law/health-safety/preparing-for-covid-19-vaccination#gref>

3. Planning a return to the workplace and assessing risk

Governmental advice that everyone should work from home and stay at home wherever possible has been lifted across the UK.

Where an office (or other fixed) workplace is currently closed and staff are working from home (or on furlough), social workers should expect their employer to talk to staff as early as possible about what returning to that workplace will mean in practice and how it will affect them. Social workers should expect their employer to focus on reducing and managing risks to staff and:

- Communicate plans for when and how the workplace/s might re-open and when staff might be expected to return
- Undertake workplace and individual staff risk assessments before you are asked to return to work
- Ensure all working environments are covered e.g. working in people's own homes, community settings, hospitals as well as office bases
- Get views from staff about what you want and expect
- Share the outcomes of risk assessments with you
- Describe the Covid safe environmental provisions being made based on those risk assessments. These may include (but are not limited to):
 - maintaining distance between staff,
 - good ventilation,
 - screens between staff and staff/visitors (e.g. at reception),
 - deep cleaning,
 - enhanced provision of washing and sanitising facilities,
 - increasing space for any essential face to face meetings,
 - sanitising shared work spaces,
 - mask wearing
 - provision of appropriate PPE
 - continuing to enable home/remote working
 - continuing to optimise digital communications

- Ensure you are not exposed to elevated risk if you are in a specific vulnerable category (e.g. because of a particular health condition) and make reasonable adjustments for you
- Provide information updates on any Coronavirus risks as they become known
- Follow public health advice and good practice guidance

Employers should also discuss, consult and plan with staff :

- how staff will travel to and from the workplace safely and how issues with this will be dealt with appropriately (e.g. staggered start and finish times to reduce use of rush hour public transport)
- if there might be a phased or staggered return of the workforce (e.g. some staff returning before others, or reducing the numbers of staff returning on each day to reduce numbers in the workplace)
- whether anyone will stay working from home (or on furlough) for all or part of the working week, the criteria and options for this and how staff can ask for flexible working.
- Face to face meetings should follow guidelines for Covid safety and digital communications should be integrated into day to day working practice to reduce person to person contact

Employers should also address the mental health and wellbeing risks of the pandemic in their risk assessments. This may include:

- The impact of loss and trauma on staff resulting from the pandemic
- The impact of working in more isolated ways at home over a long period
- The psychological and emotional impact of transition to office and more face to face working with colleagues and people using services
- Fears about changing ways of working
- Working with staff to ensure support is effective

Staff should be ready to return to workplaces at short notice if there is a service need, but employers should be flexible where possible, reasonable in their expectations and very clear in their communications.

Further guidance from the Arbitration and Conciliation Advisory Service (ACAS) can be found here:

<https://www.acas.org.uk/working-safely-coronavirus/returning-to-the-workplace>

4. Getting the coronavirus (COVID-19) vaccine for work

SWU and BASW support the uptake of the vaccine by social workers as an ethical response to the ongoing public health crisis.

Employers should support staff in getting the COVID-19 vaccine through good communications, information and practical help such as time off.

There is currently no legal requirement for social workers or others in health and social care roles to have the vaccine in order to carry out their roles **except** for new requirements for care workers in residential care homes in England providing nursing or personal care (unless

exempted as defined in the regulations)¹ **and** visiting professionals to such homes, such as social workers, to be fully vaccinated. The requirement for staff in these circumstances comes into force on 11th November 2021

Further extension of a legal requirement for vaccination in health and care roles is still under consideration and consultation. But for now, vaccination is not a legal requirement for other roles.

See general NHS vaccine advice here:

<https://www.nhs.uk/conditions/coronavirus-covid-19/coronavirus-vaccination/coronavirus-vaccine/>

Employers' policies on vaccination

Employers of social workers will most often expect high vaccination rates amongst staff. It is best to support staff to get the vaccine through encouragement and information. If an employer feels it is important for staff to be vaccinated, they should talk together with staff or the organisation's recognised trade union to discuss what steps to take.

An employer may be justified in having a Coronavirus vaccine policy to promote uptake. The CIPD recommends:

Organisations should follow a voluntary approach when setting out its aims and objectives in a policy. As well as the legal and financial risks of adopting a mandatory approach, engaging employees with a voluntary approach will build trust and encourage employees to appreciate the benefits for themselves and others. The policy can help explain the benefits of vaccination and how employees can contribute to wider public health by protecting themselves and other employees and wider community by being vaccinated.²

It is a good idea for the employer to get legal advice before bringing in a vaccine policy and to ensure its has been developed with staff and trade union representatives. Any policy must align with grievance and disciplinary policies and avoid discrimination and bullying.

If someone does not want the vaccine

If someone does not want to be vaccinated, the employer should listen to their concerns. Some people may have health reasons, for example they could get an allergic reaction to the vaccine. Others may have belief or religious reasons. Employers should be sensitive towards personal situations, must keep any concerns confidential and can ensure evidence based information and advice is available to all staff in accessible forms. They must be careful to avoid discrimination.

If someone is concerned about their health and the vaccine, they should be advised to talk to their doctor/another relevant health professional.

¹ This has been achieved by amending the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 ("the 2014 Regulations"), to provide that the registered person for nursing and personal care in care homes must secure that – subject to certain exceptions— a person does not enter the care home premises unless they provide evidence that they have been vaccinated with a complete course of an authorised vaccine against COVID-19.

² <https://www.cipd.co.uk/knowledge/fundamentals/emp-law/health-safety/preparing-for-covid-19-vaccination>

5. Advice and guidance for social workers in community work with individuals and families

Social workers advice and guidance on the risks of Covid-19 (and all relevant matters) from their employers should be based on Public Health guidance and should take account of the regulatory standards social workers need to follow, other governmental advice, guidance from their professional association, BASW and other relevant sector leaders (e.g. offices of Chief Social Workers and similar roles across the UK).

Members of SWU and BASW should follow the BASW Covid-19 Home Visit guidance (updated July 2021) for social laying out steps to be taken to optimise Covid safety. This emphasises:

- The need for effective, well informed local management and supervisory protocols and support
- Optimal ongoing use of digital and telephone contacts in place of face to face where suitable
- Risk assessment of every visit/encounter in respect of Covid-19 infection risk
- Maintaining social distancing during the visit/encounter
- Joint work with other professions (e.g. police, health staff) to manage distancing and safety
- Continued access to PPE (see sections 4 and 5) – including hand sanitiser, gloves, masks, eye protection, aprons – as an option to manage risk, with advice on how to use these effectively along with physical distancing and choosing safer environments (e.g. outdoors or well ventilated spaces).

There is still little governmental Public Health advice specific for social workers. Public Health advice for primary care, home care, supported living and residential care settings continues to be useful, depending on the social work task. Useful guidance can be found via navigation from this link <https://www.gov.uk/government/publications/supported-living-services-during-coronavirus-covid-19>

6. Continuing to work from home

While governments' advice on working from home has changed and it is no longer a requirement, it is expected that many people in social work and other jobs will continue to work from home some or most of the time.

It is important that proper risk management processes are followed in the home and the employer still has a responsibility for Health and Safety.

Maintaining remote team connections while staff are working from home is essential. Maintaining a virtual team through teleconference facilities provides support and peer supervision and helps prevent isolation and anxiety.

If virtual team meetings etc. are not in place, social workers should ask their managers for facilities and time in the working week to achieve this.

Some social work can be done successfully from home, particularly using digital technologies and telephones. Social workers need access to the right technologies and internet connectivity to enable work from offices, from home and when mobile as necessary.

Employers need to continue developing and investing in the right technologies and staff training to optimise effective digital working for the long term.

Employers also need to support and advise staff on healthy, safe digital working. Some online work with colleagues and people using services may bring difficult and distressing issues into people's homes. The need for supervision and easy access to debrief is an important part of protecting social worker health and wellbeing.

All members are advised to follow safe and confidential practice in their homes and follow their employer's guidance on home working.

For those members who have reasonable adjustments in the workplace these should also be provided in the homes.

7. Raising concerns

Health and Safety regulations give specific protections to staff particularly if in imminent danger. These extend to social workers having the right to remove themselves from situations/ home visits that they reasonably believe pose a serious and imminent danger to themselves or members of the public.

If you believe that this is the case then you should notify your line manager immediately, inform them of the risks, and let them know the actions you believe need to be taken to protect yourself, colleagues and the public.

If you have concerns with health and safety, this needs to be reported to your line manager immediately.

If you are a member of SWU or BASW, you can notify the Advice and Representation Service on 0121 622 8413.

8. Access to personal protective equipment (PPE)

SWU and BASW expect employers to continue providing relevant PPE for use within workplaces and in home/other location visits to people using services. The vaccination programme has not ended the circulation of the virus even though it is reducing serious illness. Reducing transmission is still a key aim in working practices.

Key points to remember:

- Any equipment you're given must be appropriate to the situation and suitable for your size and needs. If it is not available, then the relevant task should not be undertaken until it becomes available
- Other ways of managing a reducing risk – such as distancing, better ventilation, open air meetings and digital communications – should be considered alongside or instead of PPE, according to the risk assessment.
- If your employer tells you to wear relevant safety equipment, you must do so. If you don't, you may face disciplinary action. You must not be charged for this equipment.
- If you think you need safety equipment that hasn't been provided, or that your equipment is defective, in poor condition, poorly fitting or unsuitable, or if you've been asked to pay for your protective equipment, you should approach a safety rep or your union rep immediately to raise the issue. SWU will support members who have a dispute with their employers in respect of PPE and whether or not work practices are safe.

9. Conclusion

SWU with BASW will continue to lobby and campaign nationally to make sure measures are in place to protect the health and wellbeing of members and wider social work.

To find out more about our work to support social workers, please visit:

<https://www.basw.co.uk/coronavirus-covid-19-basw-updates>

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