

Essential Work and Key Workers FAQs

This guidance sheet is intended to provide answers to some of the many questions that we are receiving in regard to Essential Work and Key Workers. We will update this guidance document regularly and keep updated answers on our website.

What is Essential Work?

Essential work are tasks that cannot be completed at home and must be completed on-site. The work must be critical to the continued operation of the country or in the COVID response, and without which there would be a significant impact. The government has given us defined Categories in which this work must fall, as discussed below.

What operational aspects of the business should be done remotely?

All business admin functions, sales, communication, market research, HR and even core management functions, such as performance reviews, disciplinary action etc should all be completed from home. The only aspects of the business that should be completed on-site are those where there is absolutely no alternative.

Who is classified as a Key Worker?

Scotland and England have classified Key Workers differently, but the categorisations work together to give us a clearer picture to work with.

In Scotland, we have been told that individuals who fall within Category 1, Category 2 or Category 3 are all considered Key Workers. It has been organised in this manner to allow for flexibility for local circumstances and to focus on specific tasks. The explanation of these Categories is as follows:

Category 1 – Health and Care workers directly supporting the COVID response, and associated staff; Health and Care workers supporting life threatening emergency work, as well as critical primary and community care provision; Energy suppliers (a small number of which have already been identified as top priority); and staff providing childcare/learning for other Category 1 workers.

Category 2 – All other Health and Care workers, and wider public sector workers providing emergency/critical welfare services (for example: fire, police, prisons, social workers etc), as well as those supporting our Critical National Infrastructure, without whom serious damage to the welfare of the people of Scotland could be caused.

Category 3 – All workers (private, public or third sector) without whom there could be a significant impact on Scotland (but where the response to COVID-19, or the ability to perform essential tasks to keep the country running, would not be severely compromised).

In England, the categories look slightly different but provide further clarity which we can use for further understanding.

Health and Social care – this includes but is not limited to doctors, nurses, midwives, paramedics, social workers, care workers, and other frontline health and social care staff including volunteers; the support and specialist staff required to maintain the UK's health and social care sector; those working as part of the health

and social care supply chain, including producers and distributors of medicines and medical and personal protective equipment.

Education and Childcare – this includes childcare, support and teaching staff, social workers and those specialist education professionals who must remain active during the COVID-19 response to deliver this approach.

Key Public Services – this includes those essential to the running of the justice system, religious staff, charities and workers delivering key frontline services, those responsible for the management of the deceased, and journalists and broadcasters who are providing public service broadcasting.

Local and National Government – this only includes those administrative occupations essential to the effective delivery of the COVID-19 response, or delivering essential public services, such as the payment of benefits, including in government agencies and arms length bodies.

Food and other Necessary goods – this includes those involved in food production, processing, distribution, sale and delivery, as well as those essential to the provision of other key goods (for example hygienic and veterinary medicines).

Public safety and National Security – this includes police and support staff, Ministry of Defence civilians, contractor and armed forces personnel (those critical to the delivery of key defence and national security outputs and essential to the response to the COVID-19 pandemic), fire and rescue service employees (including support staff), National Crime Agency staff, those maintaining border security, prison and probation staff and other national security roles, including those overseas.

Transport – this includes those who will keep the air, water, road and rail passenger and freight transport modes operating during the COVID-19 response, including those working on transport systems through which supply chains pass.

Utilities, Communication and Financial Services – this includes staff needed for essential financial services provision (including but not limited to workers in banks, building societies and financial market infrastructure), the oil, gas, electricity and water sectors (including sewerage), information technology and data infrastructure sector and primary industry supplies to continue during the COVID-19 response, as well as key staff working in the civil nuclear, chemicals, telecommunications (including but not limited to network operations, field engineering, call centre staff, IT and data infrastructure, 999 and 111 critical services), postal services and delivery, payments providers and waste disposal sectors.

The one thing we cannot do is designate a whole workforce as Essential if they are not, the status should be used sparingly and rotated if necessary.

How do Key Workers access the continued education/childcare?

In both Scotland and England priority to continued education and childcare provisions moves down the list, with frontline Health and Care workers being top priority and working down to lesser priority jobs. Those working outside of Healthcare and required public sector services should use this benefit sparingly.

What do I need to be able to travel to and from work?

If you are a Key Worker, your employer should send you a letter confirming your status so that you can travel to and from work. If you are stopped by the police when travelling, you should present this letter to them and clearly explain what you are travelling for.

What is required is when the employee is at work?

If your work is essential and requires employees to remain at work, as an employer you must ensure social distancing rules are adhered to. You must also provide plentiful supplies of soap, hand towels and sanitiser, and make it clear to all employees that frequent hand washing is expected.

You must also organise for employees to either keep their work clothes at work to prevent any contaminants transferring back to their homes and families, or clearly explain how employees should handle their clothes when they return home e.g. taking them off as soon as they return home, putting them in the washing themselves, washing their hands and then showering to remove any contaminants that could have transferred.

You cannot force this upon your employees but should clearly detail the best practice you expect them to follow.

What if an employee refuses to travel for work?

If an employee refuses to travel for work but is happy to work from home, you should respect their wishes to shield themselves. However, if the employees work is essential and requires them to be on-site and they are refusing to travel... You have two options: arrange for them to use holidays or arrange for them to take unpaid leave; only if the employee is sick (in some respect) are they to go onto Statutory Sick Pay or Company Sick Pay (if you offer this benefit, although there is some discretion required).

You can use the COVID-19 Employer Roadmap to support you in making these decisions.

What happens if my employee is fined while travelling to work?

The employee should be carrying their "Key Worker" letter, and with this they will avoid any fines if the police do stop them during travel. Unfortunately, if your employee does receive a fine as they haven't shown their letter or receives a fine due to personal travel, there is little we can do to support them in this.

Currently the fine could vary from £30 to £60.

If you are concerned as to where you sit...

If there are concerns that your business may not be essential, the likelihood is that some of your operational functions are not essential and you need to arrange your resource differently. Please contact us and we can advise you on the best way forward.

You can contact us using the following:

Email: gail@greenburn.co.uk

Telephone: 0131 557 5742

Website: www.greenburn.co.uk