Horticulture, Fruit and Vegetable Industry Sector

Advice to support stakeholders develop safe working practices to reduce the spread of COVID-19

Please note, this document is provided as guidance only and does not amount to legal advice. Businesses may wish to seek their own advice to ensure compliance with all legal requirements. This guidance will be updated regularly and you should always refer to the ‘live’ version which is available at:


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1. ADVICE FROM SCOTTISH GOVERNMENT

1.1 Overview

This guidance is for the Horticulture, Fruit and Vegetable sector. It comes into effect immediately and extends until further notice. Guidance will be reviewed on a regular basis in line with the regular three weekly review of lockdown requirements.
The Scottish Government is keen to build confidence and create the right environment for supporting safer work as we continue to live with COVID-19.

We have worked with employers, STUC and Unite to ensure that this guidance is evidence-based, fair and ethical, clear and realistic. As each workplace is different it is for individual businesses to work with trade union or workforce representatives to determine how best to apply this guidance in their circumstances.

This guide is underpinned by a spirit of collaborative working between companies and their workforce. Throughout the term companies and trade union or workforce representatives is used in that context, recognising that companies have a legal responsibility to maintain workplace health and safety and must consult with the health and safety representative selected by a recognised trade union or, if there is not one, a representative chosen by workers. Companies cannot decide who the workforce representative will be.

This document is one of a set of documents about how to work safely in different types of workplace. This guidance is for use by Horticulture, fruit and vegetable sector in Scotland. It sets out our expectations on what businesses of all sizes and sub-sectors need to consider as part of their planning for restart. The guidance emphasises in particular the importance of undertaking a robust and ongoing risk based assessment with full input from trade union or workforce representatives, and to keep all risk mitigation measures under regular review so that workplaces continue to feel, and be, safe.

This Guidance is based on the principles set out in COVID-19: A Framework for Decision-Making and our long-established commitment to fair work, which was set in the context of the current crisis in a joint statement with the STUC (which we have taken into account when developing this guidance).

The remainder of this guidance sets out our minimum expectations across five key areas companies will need to consider as part of their planning for a restart and ongoing production while minimising the transmission of the virus:

- assessing risk - involving the workforce in a risk based approach to a safer workplace
- workforce planning - supporting those who should come to work, and those who should not
- operational guide and checklist - changing the workplace environment to protect your workforce
- deliveries, distribution and visitors - protecting your workforce and those who come on-site
- training and compliance

The regulator for health and safety at work is the Health and Safety Executive (HSE) who will utilise the powers under the Health and Safety at Work Act 1974 to ensure
people at work or possibly enforcement of this legislation is undertaken by Environmental Health and Trading Standards local authority staff in agreement with Police Scotland.

1.2 Where we are now

The First Minister announced that Scotland would be entering a lockdown on 23 March 2020. Under law, the Scottish Government must review that lockdown at least every three weeks (most recently on 7 May). The Coronavirus (COVID-19): framework for decision making – Scotland’s route map through and out of the crisis, was published on 21 May and sets out the phases by which we will aim to ease lockdown. They will be gradual and incremental and will be matched with careful monitoring of the virus. Fruit and vegetable production activities, critical to the national infrastructure, continued to operate with physical distancing measures and hygiene procedures in place. Garden Centres and outdoor landscaping activities resumed activities in phase one.

Physical distancing duties are set out in regulation 4(1) of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020. A person who is responsible for carrying on a business or providing a service must take all reasonable measures:

- to ensure that a distance of two metres is maintained between any persons on the premises (except between members of the same household or a carer and the person assisted by the carer)
- to ensure that they only admit people to its premises in sufficiently small numbers to make it possible to maintain that distance
- to ensure that a distance of two metres is maintained between any person waiting to enter the premises (except between members of the same household or a carer and the person assisted by the carer)

We want a strong horticulture, fruit and vegetable sector to help drive Scotland’s economic recovery and future prosperity. Companies should therefore use this guidance to continue maintaining workplace operations in a safe manner. Businesses undertaking activities that are not yet operating, should engage with trade union or workforce representatives to develop workplace specific plans for a managed transition away from current restrictions, allowing sufficient time for that joint work. And while those plans should be fully developed, with measures put in place and tested where possible, they should not be implemented as yet. Decisions on the phasing of a sector return will be made in line with the Route Map.

The Scottish Government has initiated a broad collaborative process to develop sectoral guidance which will underpin that managed transition and provide clarity and confidence to industry, employees and local communities, protect public health and concurrently optimise economic recovery. Aligned with that we are reviewing and enhancing testing and enforcement arrangements, and ensuring that the guidance is coherent and connected, recognising for example transport and other inter-dependencies.
We are working with the UK Government to align our approach and guidance, where possible and on the basis of scientific evidence on the levels of infection in Scotland. This guidance is intended to work alongside UK Government guidance and aims to assist employers, businesses and their workforce ensure a safe working environment and readers will recognise consistent themes within this guidance with the UK Government’s Working Safely during COVID-19 publications.

This guidance should be read in conjunction with the Scottish Government’s business and physical distancing guidance which still applies.

1.3 Business support

There has been an unprecedented package of support announced from both the Scottish and UK Governments to support businesses. This support should help many employers preserve their business, maintain jobs and pay their workers throughout this crisis. Information on this support is available through findbusinesssupport.gov.scot. We urge all businesses to make use of this. In the event of closures for the horticulture sector all available support measures must be utilised to protect the jobs and incomes of horticultural workers.

1.4 Assessing risk

1.4.1 Involving the workforce in a risk-based approach

As a minimum we expect:

- an equality, human rights and risk-based approach to be followed to protect health and safety of employees and ensure the longer-term economic viability of the business and
- employees to be fully engaged in that process, through trade union or workforce representatives.

The Health and Safety Executive’s short guide https://www.hse.gov.uk/news/assets/docs/working-safely-guide.pdf can help to support employers with what they need to do to comply with the law.

1.4.2 Joint working

This guidance has been developed in collaboration with industry and trade unions on the basis that both have essential roles to play in planning for restart. Companies that have successfully been able to maintain or increase production of essential goods during the COVID-19 crisis have highlighted the importance of joint working. Protecting the health of employees has been at the heart of this joint approach which is fundamental to establishing shared confidence around the safety of returning to places of work and supporting a recovery in productivity. The STUC has set up a contact point for requests for support from trade union Health and Safety representatives: safety@stuc.org.uk.
1.5 Implementation phases

Carrying out a robust risk assessment with full workforce involvement (of recognised trade union safety representatives or relevant employee safety representatives) will identify the practical measures that can be put in place to minimise the spread of the virus at a workplace level. The assessment should include a phased implementation timetable, structured broadly as follows:

1.5.1 Planning
Plans to re-open a workplace should be developed in consultation with the workforce and updated on an ongoing basis. That planning must be based around risk assessments and safe systems of work physical distancing, hand washing, and fair work principles and be designed to enable a restart that allows the business to trade while protecting employee health and well-being.

1.5.2 Preparation
Physical distancing and hygiene measures require work to be carried out before a restart – for example screens, one-way systems, 2-metre zones, canteen re-arrangement, PPE provision, hand sanitisers etc. Then briefings and inductions into the new ways of working. These all take time and require resourcing and commitment.

1.5.3 Pilots
Experience confirms the value of trialling the new way of working before a fuller restart is attempted, so a limited-scale pilot to test systems, find weaknesses and make improvements before a fuller restart is essential.

1.6 Dynamic assessment

A risk assessment or adoption of mitigation measures should not be a one off exercise, rather part of a regular and ongoing dialogue and feedback loop between employers and trade union or workforce representatives to identify what measures are working, where refinements are possible and any gaps remaining. Reviews of measures and risks should be frequent, with daily assessments of progress initially not unusual. The open and ongoing engagement between trade union or workforce representatives should enable adjustments to be made quickly and smoothly at the relevant stage, including potentially tightening workplace restrictions or reducing numbers onsite if the dynamic risk assessments indicate this is necessary.

1.7 Utilising expertise

Companies should ensure their health and safety professionals and representatives have the skills, training and knowledge to understand the risks associated with COVID-19. Where companies and their workforce do not have access to these skills in-house they should together explore external support options to put in place
appropriate mitigation measures, for example through their trade association, health and safety consultancies or trade union health and safety representatives. All can help companies understand the risks associated with different activities and situations within individual companies and offer the support managers and workers may require.

1.8 Building confidence, supporting wellbeing

Returning workers may have some level of apprehension about how safe they may be and they may require reassurance and demonstration that measures recommended in workplace risk assessments have been put in place to ensure safety. Employers should recognise the need to have clear and regular communications with employees, using multiple channels to reinforce key messages. Visual material has proven to be beneficial in demonstrating changes that have or are being made, especially where language barriers exist.

A clear message from employers and trade unions is that building and maintaining employee confidence is vitally important and a challenge that should not be underestimated.

1.9 Workforce planning

1.9.1 Supporting those who should come to work, and those who should not

As a minimum we expect:

- working from home to continue, where possible
- health factors to be considered in any phasing of who returns to work, with employees living in vulnerable or shielded households only expected to return when new safe working environment measures have been implemented and a return to onsite work is consistent with individual medical advice
- new horticulture, fruit and vegetable sector arrangements to be tested and modified through collaboration between employers and employees and
- companies to take travel to work and childcare considerations into account in decisions around a phased restart

1.9.2 Number of workers on site

Minimising the spread of the virus will remain important in ensuring the overall protection of public health. Therefore companies should plan for the minimum number of people needed on site to operate safely and effectively.

1.9.3 Pilot measures

As implementing new enhanced safety measures may take time to embed it is good practice to pilot measures, either within part of a facility and / or with a proportion of the workforce at lower risk from the virus, before rolling out across the workplace as a whole. Travel to work and childcare considerations for individual employees should be taken into account by companies, in discussion with trade unions or employee representatives, before deciding which individuals to involve in pilots.
1.9.4 Employee health and well-being

Employers should ensure the organisation culture is inclusive, with the aim that every employee should feel that they are returning to a supportive, caring and safe environment. The pandemic has had an unequal impact across the workforce, as different employee groups, and individuals, will have been affected in diverse ways according to factors such as their job role, and demographic/personal circumstances. Therefore, it is important organisations foster a fair and inclusive working environment that does not tolerate discrimination. There is also a risk of victimisation of those infected, suspected, or more vulnerable to COVID-19 which should be addressed.

The following guides from the Health and Safety Executive provide useful sources of information:

- working safely during the coronavirus outbreak - a short guide
- talking with your workers about working safely during the coronavirus outbreak

Individual health circumstances and protected characteristics should be considered and discussed with employees before prioritising who is asked to return to work and when. This should recognise the protective measures required to minimise health risks to vulnerable or shielded workers or those living in vulnerable or shielded households, exploring whenever possible how these staff can work from home. Consideration of health circumstances and protected characteristics should be given to this as part of the risk assessment process. Permission should be sought from individuals before collecting any information on health conditions of those within their household.

It is important to take into account the particular circumstances of those with different protected characteristics. This could include involving and communicating appropriately with workers whose protected characteristics might either expose them to a different degree of risk, or any steps taken may be inappropriate or challenging for them. Consideration should be given as to whether any particular measures or adjustments are required to fulfil duties under the equalities legislation. Reasonable adjustments should be made to avoid disabled workers being put at a disadvantage, and the health and safety risks for new or expectant mothers should be assessed. It is important to make sure the steps implemented do not have an unjustifiably negative impact on some groups compared to others, for example, those with caring responsibilities or those with religious commitments.

For example, given that there is some evidence which suggests that Covid-19 may impact disproportionately on some groups (Minority Ethnic communities), employers should ensure that Occupational Health Service provide practical support to Minority Ethnic staff, particularly where they are anxious about protecting themselves and their families. All Minority Ethnic staff with underlying health conditions and disabilities, who are over 70, or who are pregnant should be individually risk assessed, and appropriate reasonable or workplace adjustments should be made following risk assessment.
Test and Protect, Scotland’s approach to implementing the 'test, trace, isolate, support' strategy is a public health measure designed to break chains of transmission of Coronavirus (COVID-19) in the community. The NHS will test people who have symptoms, trace people who may have become infected by spending time in close contact with someone who tests positive, and then support those close contacts to self-isolate.

People who have tested positive for the virus will need to self-isolate for a minimum of 7 days. NHS contact tracers will interview them and get in touch with people they have been in close contact with and tell them they must self-isolate for 14 days. If your employees are informed by a contact tracer that they should isolate, you should help them to do so straight away.

A close contact is defined as:

- Those that are living in the same household as a case.
- Face to face contact with a case for any length of time within 1 metre of a case.
- Extended close contact within 2 metres for more than 15 minutes with a case.

Where Infection Prevention Control measures have been utilised such as protective screen or use of PPE the contact tracer will conduct a risk assessment to identify contacts at risk. The priority is to public health in order to break the chain of transmission of COVID-19.

Advice for employers on helping staff who need to self-isolate is also available.

Planning should recognise that ongoing physical distancing measures required to reduce the spread of the virus may mean that the number of employees able to be accommodated safely in the workplace is limited. The workforce may have questions or concerns about returning to work. Companies are encouraged to work with trade union or workforce representatives to enable individuals to work from home while self-isolating, if appropriate. If able to work from home, employees should continue to do so after a period of self-isolation has ended.

Apprentices can return to work at the same time as their co-workers. For specific concerns regarding the safe return to work for Apprentices there is information and support and Apprentices can speak to an advisor directly on 0800 917 8000.

Pay for workers who are sheltering, self-isolating, sick or balancing care responsibilities is likely to be a source of concern for employees. Companies should work with trade union or workforce representatives to provide early guidance to workforces on processes and support for individuals affected by these issues. Again opportunities to facilitate home working where feasible should be actively pursued and maintained.

Workers who are shielding or who live with someone who is shielding, should not be compelled to attend work and companies should make arrangements to ensure those staff are not disadvantaged due to obeying medical advice. Companies should
explore measures such as suspending the normal application of sickness or disciplinary procedures related to attendance in these cases.

Companies should also acknowledge the range of factors likely to cause stress or anxiety amongst employees, ranging from living with lockdown arrangements to concerns about travel, schools, caring responsibilities and relatives impacted by the virus, amongst others. This may have implications for mental health with managers encouraged to be conscious of how these factors may impact on the well-being of individual staff members. Companies and trade union or workforce representatives should be alert to this and direct anyone experiencing mental health issues towards available support.

1.10 Operational guide and checklist

1.10.1 Changing the workplace environment to protect your workforce

As a minimum we expect:

- enhanced health and safety measures to be in place before staff are asked to return to work, including physical distancing guidance and hygiene measures, generally and at bottleneck situations and
- safe travel to work arrangements to be considered as part of a risk assessment, with any relevant adjustments adopted

1.10.2 Safe workplace planning and communications

It is vital steps are taken to ensure a safe working environment and related workforce confidence. This is best done through early, regular and ongoing engagement between companies and trade union or workforce representatives. As it will take time to complete the necessary risk assessment, identify the relevant mitigation measures and put those measures in place, the engagement between employers, trade union or workforce representatives must started well before a planned restart date (or ramp-up where production of essential goods or delivery of essential services have continued at less than full capacity).

It is important everyone understands the measures taken to establish the safe working environment as this is likely to have a significant impact on workforce confidence. Being and feeling safe will play an integral role in supporting a recovery in productivity levels.

1.10.3 Enhanced hygiene

Enhanced hygiene measures should be a key plank of workplace-specific measures to create a safe working environment, including for example:

- sanitiser and hand-washing facilities at key points, including on entry and exit points
- additional sanitiser and handwash facilities around communal areas
• regular cleaning of work equipment and workstations including considering how often and where deep cleans may be required
• minimising the use of touchpoints throughout buildings, including exploring where possible how digital processes or systems may replace the need for face-to-face discussion

1.10.4 Physical distancing

Physical distancing is the other key plank of workplace-specific measures to create a safe working environment.

Factors companies will want to consider include:

• facility layout and signage with clear marking of two metre boundaries around the workplace and workstations and signage which reinforces expectations of employees at relevant points. (As English may not be the first language for everyone, companies should consider how best to use visual material to reinforce messages).

• limiting access to parts of the workplace required by an individual to do their job as this will limit the chances for interaction with others.

• staggering entry and exit times to prevent bottlenecks arising as people arrive or leave.

• staggering break times and adjusting canteen arrangements to reduce opportunities for larger numbers of staff to interact on a face to face basis.

• splitting the workforce into specific teams to avoid cross-team contamination and provide a level of operational resilience in case someone in one team develops COVID-19 symptoms.

• considering opportunities to introduce additional technology support and systems to assist in managing the safe working practices and in particular physical distancing.

1.10.5 Shift patterns

Companies may develop plans to change shift patterns to both protect the workforce and optimise productive capacity. This could include considering opportunities to reduce the need for travel at peak times and opportunities for flexible working patterns. This will require proper negotiation with trade union or workforce representatives if it involves a change in employee terms and conditions.

1.10.6 Dealing with emergencies

Protocols for dealing with emergencies, evacuations and accidents will be impacted by the need to maintain physical distancing while individuals who would normally lead or coordinate site responses in such situations may be amongst those working
from home. Emergency, evacuation and accident response processes therefore need to be considered to ensure effective arrangements are still in place. Everyone onsite should be familiar with new processes.

1.11 Travel to work and Personal Protective Equipment (PPE)

Health Protection Scotland (HPS) have provided COVID-19 information and guidance for general (non-healthcare) settings which reiterates that people should not travel if they exhibit any COVID-19 symptoms. The HPS advice and any subsequent safe travelling advice should be factored into company decisions on planned returns to work.


The HPS guidance also offers advice on the use of PPE, confirming workplaces should use PPE consistent with local policies and in line with measures justified by a risk assessment. Both the Scottish Government and the Health and Safety Executive (HSE) recommend a risk based approach focused on a hierarchy of control which seeks to eliminate risks, combat risks at source, adapt workplaces to individual needs, ensure adequate staff training around processes to manage the risk and then use PPE where required. Where PPE is deemed necessary, an adequate supply and quality must be maintained which is provided free of charge to workers and which must fit properly.

1.12 Security

The interpretation and use of any guidance should be considered in line with normal protective security operations and practices. Organisations should consult with and involve their security departments in the interpretation and implementation of the guidance. In particular, security should be considered in any revised risk assessment.

Under no circumstances do we advise the removal or alteration of, or reduction in, existing protective security measures without providing clear recommendations (e.g. from the National Technical Authority/police CT specialists) on how to maintain effective protective security.

Employers should ensure security staff feel safe, e.g. having access to appropriate PPE and hand-washing facilities, and that they are able and confident to raise any concerns.

1.13 COVID symptoms within the workplace

The virus is expected to remain in the population for some time, even after lockdown restrictions have been eased and people begin to return to work. This will cause anxiety for people who will also want to understand how any outbreaks in the workplace will be handled. As part of risk assessments companies should explore with trade union or workforce representatives how to respond should anyone develop symptoms while at work, including whether it is possible to identify any particular parts of the site the individual may have accessed or equipment used while symptomatic. As part of this consideration should be given how best to monitor health of all individuals in a workplace.

Employees have a responsibility to ensure they adhere to overall COVID-19 advice which says people with symptoms should remain at home and self-isolate. Companies and employees should remain in regular communication throughout any period of self-isolation with companies encouraged to work with trade union or workforce representatives to enable individuals to work from home while self-isolating if appropriate.

1.14 Safe home working

Home working will be new to many and may have been implemented at pace, without normal health and safety planning to ensure people have suitable working arrangements and equipment. Companies should consider that, and how to best support working from home (for example, provision of laptops, mobile phones, video conferencing services etc). Advice on home working can be found at https://www.hse.gov.uk/msd/dse/.

1.15 Checklist

A checklist to support companies implement this guidance will be developed in response to initial feedback and added here as part of the regular updating of the guidance.

1.16 Deliveries, distribution and visitors

1.16.1 Protecting your workforce and those who come on-site

As a minimum we expect companies:

- to provide early clarity to their supply chain about honouring of orders in the system, linked to new production capacity and consumer demand/contracts and
- to treat all site visitors including contractors, suppliers and those making deliveries, as if they were employees, ensuring they are offered the same protections and are expected to follow the same rules

1.16.2 Early supplier engagement
The global nature of COVID-19 means it may have impacted on both current demand for some goods manufactured in Scotland and on normal supply chain relationships. Early engagement with suppliers is recommended to understand how well placed suppliers will be to provide inputs at the level required to meet a company's expected demand. This should include considering any additional logistical issues associated with the current functioning of international supply networks.

During the COVID-19 pandemic minimising pressures on supply chains is paramount to ensure that suppliers at risk are better able to cope with the current crisis and ensure service continuity and delivery during and after the outbreak. Companies are encouraged to work with suppliers to understand the specific pressures they face and identify potential solutions on a case-by-case basis, including providing early clarity on the treatment of existing orders.

### 1.16.3 Site visitors

Many sites, especially larger sites, may normally have a number of contractors and visitors not employed by the company running the site. This presents increased risk of virus transmission if people do not adhere to the same interpretation of rules. To address this risk companies should consider limiting site access to those who need to be there for safe operation, ensuring safe working practices and production related activities and implementing a permit to work system for contractors and external visitors who still need to access the site. This would set out requirements for how everyone behaves on a site including entering and leaving the site, clarifying responsibilities for all around maintaining good hygiene and physical distancing.

### 1.17 Training and compliance

As a minimum we expect:

- training around processes and working environment expectations to be provided for all staff before restarting work
- companies to establish measures, in collaboration with trade union or workforce representatives to monitor compliance with relevant regulations and processes put in place to enable a safe return to production

#### 1.17.1 Workforce training

Every workplace should look and feel substantially different for employees. Physical distancing and enhanced hygiene will change how workplaces operate. Training will therefore be essential to build a common understanding of requirements within the new working norm, instilling confidence that changes put in place contribute to a safe workplace.

Training methods should ensure effective delivery of relevant overarching and company specific measures and expectations of staff while onsite, in a way which maintains physical distancing. Companies should consider, as part of their risk based planning, how training can be safely delivered, especially if elements are
normally outsourced to third parties. Visual aids may be required as part of the training and for ongoing guidance and communications. Some companies involved with the manufacture of essential goods have initiated a universal induction process covering their new, enhanced hygiene and physical distancing measures. This induction process can help demonstrate companies are taking the COVID-19 risks seriously, building confidence amongst the workforce that they are returning to a safe workplace while also reinforcing the importance of individual employee responsibilities.

1.17.2 Compliance

Employers should also put in place, with trade union or workforce representatives, robust local arrangements to monitor compliance with new operational arrangements. Remedial actions should flow from that monitoring, and be augmented by advice, guidance and support from external enforcement authorities.

It is vital during restart for workers to have confidence in the steps being taken by their employers. Employers should look to establish processes to allow employee feedback on social distancing and safety protocols, enabling employees to input on areas of concern and for employers to act upon these concerns.

A single point of contact has also been established for trade union or workforce to help the Scottish Government understand how all COVID-19 workplace guidance is being implemented, and to help shape and refine that guidance based on the real experience of workers in the workplace. The mailbox can be contacted by email: scottishtradeunioncovidenquiries@gov.scot.

This contact is not intended to be a reporting mechanism for potential breaches of legislation.

Under the Health and Safety at Work etc Act 1974 (HSWA), your Local Authority Environmental Health Service [HSE] is the relevant enforcing authority for how you control the risk of coronavirus in horticulture, fruit and vegetable sectors. HSE can be contacted by phone on 0300 003 1647 or online at HSE contact form.

Local Authorities also have powers under public health legislation, for example, covering whether businesses should be operating, the requirement to take all reasonable measures to maintain 2m distancing, or to ensure your workers in the shielded category can follow the NHS advice to self-isolate for the period specified.

HSE and LAs Environmental Health Services have agreed to maintain the way they allocate different businesses for enforcement according to existing health and safety law for the purposes of workers’ health and safety.

Where the enforcing authority identifies employers who are not taking action to comply with public health guidance to control COVID-19 health risks to workers, they will consider a range of actions to improve control of workplace risks including the provision of specific advice to employers through to issuing enforcement notices or even prosecution.
1.18 Next steps

1.18.1 Review and future development

This guidance extends until further notice. It sets out both our current advice and guidance for the horticulture, fruit and vegetable sectors in helping to handle COVID-19, as well as beginning to develop a route-map towards restarting activities within overarching public health considerations.

Our next step is to continue to develop plans to address the wider issues needed to get the industry restarted again. This will happen in a phased manner as set out in the Coronavirus (COVID-19): framework for decision making – Scotland’s route map through and out of the crisis. The route map provides an indication of the order in which we will carefully and gradually seek to lift current restrictions, but does not attempt to specify dates for all the different phases. All of this will be evidence led.

Easing restrictions will not mean returning to how things were before the virus. Physical distancing, hand hygiene, and other critical behaviours will be essential in each area to ensure public and workforce confidence.

This guidance will be updated and reviewed as required in consultation with the sector’s employers and unions. Please ensure you use the latest version.

It is for individual businesses in conjunction with trade union or workforce representatives to decide how best to successfully adopt and adapt guidance for their individual circumstances.

2. HORTICULTURE, FRUIT AND VEGETABLE SECTOR CONSIDERATIONS

The following advice is aimed at supporting horticulture, fruit and vegetable businesses to work safely, and in accordance with regulation 4(1) of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020, specifically around the issues of PPE, accommodation, transportation and field and packhouse operations.

Businesses should maintain physical distancing in the workplace or implement mitigation measures to reduce the transmission of COVID-19 in the workplace, such as using physical screens, shift working, re-designing tasks and work areas, and cohort working.

Businesses should provide seasonal workers with a letter confirming their exemption status according to The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020. A template is available for use on the NFUS website.

See also the Scottish Government’s Guidance for farmers, crofters and other agricultural workers on measures to prevent spread of COVID-19 and the UK
government guidance for construction and other outdoor work. Garden centres and plant nurseries should ensure that they adhere to the current Scottish Government retail guidance, whilst landscaping businesses should consider the current construction guidance where this is applicable to their activities. In addition, industry guidance from the Horticultural Trade Association (available through the HTA members portal) and the British Association of Landscape Industries is available to support members meet COVID requirements (see Additional information section).

2.1 General considerations

• Please note, individuals with suspected or confirmed COVID-19 should be self-isolating and not be at work (other than working from home).
• Physical distancing applies to all parts of a business, not just the place where people spend most of their time, but also entrances and exits, break rooms, canteens and similar settings.
• A risk assessment should be undertaken with particular regard to whether the people doing the work are especially vulnerable to COVID-19.
• Increase the frequency of hand washing and surface cleaning
• Use screens or barriers to separate people from each other
• Use back-to-back or side-to-side working (rather than face-to-face) whenever possible
• Reduce the number of people each person has contact with by using ‘fixed teams or partnering’ (so each person works with only a few others)

2.2 Personal Protective Equipment (PPE)

• Routine (business as usual) PPE should continue to be worn as required, in accordance with local policies and existing health and safety risk assessments and method statements.
• The most effective methods to reduce transmission of COVID-19 is a physical separation of at least 2-metres; thorough regular hand washing for at least 20 seconds; workers refraining from touching their faces; and regularly disinfecting surfaces.
• Health Protection Scotland (HPS) have provided COVID-19 information and guidance for general (non-healthcare) settings which offers advice on the use of PPE, confirming workplaces should use PPE consistent with local policies and in line with measures justified by a risk assessment.
• Both the Scottish Government and the Health and Safety Executive (HSE) recommend a risk based approach focused on a hierarchy of control which seeks to eliminate risks, combat risks at source, adapt workplaces to individual needs, ensure adequate staff training around processes to manage the risk and then use PPE where required. Where PPE is deemed necessary, an adequate supply and quality must be maintained which is provided free of charge to workers and which must fit properly.
• Any use of PPE should (i) follow completion of a risk assessment, (ii) be used in accordance with manufacturer’s guidelines, (iii) be replaced as necessary or disinfected thoroughly (as applicable), and (iv) accompanied with appropriate training to ensure its correct use, as **incorrect use can increase the risk to workers** (for example, unwashed gloves are worse than regularly washed hands).

• **Any use of PPE is not a substitute for physical distancing and hygiene measures.**

• Regular checks should be made on the health status of each worker to ensure symptomatic workers are not at work and following NHS advice. The use of PPE does not negate the need for self-isolation of symptomatic individuals.

• Suitable systems should be put in place to keep the PPE clean, disinfected and free of contamination.

### 2.3 Accommodation on farm

• Workplace housing units, such as caravans, are ‘households’ and all individuals within a household unit should self-isolate if one member becomes symptomatic, according to current health guidance, so it is not advisable to house large number of workers in one household unit, due to the potential impact if one falls ill.

• Physical distancing requirements may be supported by, where possible, organising household units to work and travel together.

• Employers should implement procedures to safely introduce new or seasonal workers into work-based accommodation, with a 14-day period of segregation upon their arrival (see ‘Seasonal Workers from out-with the UK’ section below). Thoroughly deep clean accommodation between a change in workers.

• Businesses should consider the areas they provide for their workers to take breaks or consume food to ensure these comply with social distancing requirements i.e. to allow workers to remain at a distance of 2-metres at all times and hygiene requirements i.e. surface cleaning, access to hand washing facilities etc.

• Businesses should identify and disinfect key touch points regularly, such as door handles, handrails, keypads, vending machines, etc. Using a disposable cloth, first clean hard surfaces with warm soapy water then disinfect these surfaces with the cleaning products you normally use.

• It is important to check with your suppliers that your cleaning and sanitising chemicals are certified as effective against enveloped viruses such as coronavirus. Products bearing the EN 14476:2013 standard should have been tested for efficacy against certain coronaviruses (although not specifically the virus responsible for COVID-19).

• Household bleach and other potent oxidisers are also known to kill similar viruses and can be effective for up to 24 hours.
• Provide bins for disposal of used paper towels / tissues and inform staff that these should be used.
• Alcohol hand sanitizer needs to contain at least 70% alcohol.

2.4 Transportation of workers

• Where possible, daily checks of employee’s health status should be undertaken before workers are transported to the site.
• Anyone found to be unwell in transit or on site should be immediately returned to their accommodation and supported to follow the stay at home guidance on NHS Inform. Businesses should have plans in place to quickly transport sick workers to their accommodation and disinfect work areas or vehicles.
• Workers with COVID-19 symptoms, or those required to self-isolate, should not travel to work. Health Protection Scotland (HPS) guidance for general (non-healthcare) settings reiterates that people should not travel if they exhibit any COVID-19 symptoms. The HPS advice and any subsequent safe travelling advice should be factored into company decisions on planned returns to work.
• Workers from different households should adhere to social distancing requirements where possible. Businesses can support this by providing additional or larger vehicles to transport workers at the required safe distance from each other.
• Vehicles should offer good ventilation and be regularly sanitised to reduce the chance of transmission, paying particular attention to surfaces that are touched regularly. This should be done after each trip.
• Where shared transport is unavoidable, the number of workers in each vehicle should be minimised by considering multiple trips with fewer persons and/or staggered starting and finishing times to reduce the need for close personal contact.
• Workers should space out as much as possible in the vehicle, not touch their faces and thoroughly wash their hands immediately before and after the journey.
• Where possible, employers should select workers from within one household to travel together, if a 2-metre distance cannot be maintained.
• Where a 2-metre separation cannot be met, alternative methods of transport should be considered, such as shuttle buses, cycling or walking etc.
• Small vehicles, such as cars should ideally be single occupancy to prevent the spread of COVID-19, unless occupied by individuals from one household.

2.5 Field and Packhouse operations where 2-metre spacing is not possible.

• For critical national infrastructure activities where a 2-metre distance cannot be adhered to, employers should consider reducing staffing levels
and shift rotations. Whilst this will have an impact on productivity, it may be necessary to protect staff and maintain output.

- Businesses should also consider physical shielding mechanisms, such as perspex-type barriers. If used, these should be cleaned regularly with disinfectant or soap and water.
- Nonetheless, workers should still be advised to keep 2-metres apart as much as possible and businesses should put practices in place to facilitate this.
- If installation of a physical barrier is not possible, employers should consider shift work or implementing equipment that could reduce the need for multiple workers operating in a confined area.
- Where workers need to work within 2-metres of one another, consider whether members of the same household can be utilised to do these tasks.
- To protect workers, employers should remind colleagues daily to only come into work if they are well and no one in their household is self-isolating.
- Employers should remind staff to wash their hands frequently for at least 20 seconds with soap and water and, in particular, before and after operating enclosed or shared machinery. If this is not possible, hand sanitiser should be used. Please note, hand sanitiser is only effective on visibly clean hands, so if no there is access to soap and water, hand wipes should be used first to clean the hands followed by an >70% alcohol-based hand rub. Hand washing should follow as soon as there is access to soap and water.
- Employers should consider installing pop-up handwashing facilities, with soap, water, paper towels and hand sanitiser.
- All equipment being handled should be frequently cleaned and disinfected using standard cleaning products. Workers should be discouraged from sharing phones.
- Non-essential visits from external parties should be prohibited wherever possible. In circumstances where essential visitors are required to spend time on site, take appropriate measures to separate them from employees wherever possible. Ensure the 2-metre physical (social) distancing requirements are adhered to during interactions with on-site staff and, where possible, designate separate waiting areas and toilet facilities, in order to minimise contact with employees.
- Wherever possible, re-design workflow to minimise contact with surfaces. For example, by keeping non-fire doors open to reduce the need for hand contact.
- Workers should be prevented from congregating in groups. Consider marking physical distancing spaces on the ground so they are clearly identifiable, moving certain tasks to different locations where practical, or staggering break times for staff to reduce congestion in communal areas.

2.6 Polytunnels
- Workers should maintain a 2-metre working distance at all times, where possible, and businesses should consider revised working practices to facilitate this.
• Where a 2-metre distance cannot be maintained for specific CNI activities, businesses should consider the use of physical screens or shift working to reduce the need for social contact, even if that impacts on productivity.
• Where possible, all vents should be opened to ensure good airflow when workers are required to operate in close proximity.
• If the air-flow is poor, consider ways to improve it.
• Employers should consider installing pop-up handwashing facilities, with soap, water, paper towels and hand sanitiser to allow workers to follow the required hygiene guidance.

3. SEASONAL WORKERS FROM OUTWITH THE UK

Seasonal workers are essential to support Scottish farms involved in fruit and vegetable production. **Workers with suspected or confirmed COVID-19 symptoms should not travel.**

In accordance with paragraph 37 of *The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020*, seasonal workers who have an offer of employment to carry out edible horticulture activities are able to work upon arrival in the UK provided that they travel without undue delay to the named farm. They must remain there until either 14 days have expired (counted from the day after which they arrived in the common travel area, which includes the UK, Ireland, Isle of Man and the Channel Islands) (“the 14 day period”) or they depart from Scotland.

3.1 Information for growers, labour providers and agencies

To support the needs of the sector, growers, labour providers or agencies employing seasonal agricultural workers from overseas are advised to:

• notify Scottish Government officials of the workers’ travel plans, so that seasonal workers can be supported upon arrival in the UK with advice translated into their own language including relevant contact details. Please contact seasonalworkers@sasa.gov.scot, providing the following information: (1) their country of origin, (2) arrival date, (3) number of workers travelling to each farm, and (4) the workers’ addresses while in Scotland.
• provide worker(s) with relevant documentary evidence, in advance of travel, to confirm that they are travelling to undertake an offer of seasonal agricultural work. A template letter is available on the NFUS website.
• ensure workers travel immediately to their final place of work and maintain social distancing during the journey. Workers need to be aware of Scottish health guidance ahead of travel.
• ensure workers are aware of the mandatory requirement to wear a face covering on public transport and public transport premises in Scotland.
• provide clear instructions about the working and living arrangements for workers including any relevant public health guidance within 2 hours of arrival on farm.
• take account of the practicalities of self-isolating groups of workers on farm when considering how many workers should join a cohort.
• ensure that your operations are consistent with existing guidance.
• ensure workers self-isolate and apply for a test if anyone in the cohort is symptomatic. If they test positive, test and protect guidance should be followed by anyone who has had contact with them.

Following discussions with industry representatives, the following travel guidance has been used for chartered flights bringing seasonal workers into Scotland during the pandemic. It is recommended best practice for all subsequent travel by seasonal workers and is provided for implementation by growers, labour providers and agencies who are involved in travel arrangements for seasonal workers.

3.2 Before workers travel

• Ahead of travel, ensure precautionary arrangements are put in place for both the journey and the workers arrival into the UK (as outlined below).
• Notify workers that those who are shielding due to being in a clinically vulnerable group, those displaying COVID symptoms, or those who have had contact (household or otherwise significant contact) with a suspected or confirmed COVID-19 case should not travel. This should also be clearly stated in any offer letter issued to seasonal workers prior to travel.
• Consult latest guidance on use of face coverings.

3.3 Flight check in precautions

• Where possible, arrange for multiple, well-spaced, check-in desks to be used to prepare travellers for departure.
• Where possible, ensure the floor will be marked at 2m intervals to ensure physical distancing is maintained.
• Consider having a doctor on hand to check for symptoms, take temperature readings before workers can progress beyond the departure desk.
• Consider issuing each worker with a face covering and hand sanitiser (>70% alcohol content) for use during the journey. Please note, face coverings are mandatory on public transport in Scotland.
• Consider appointing a supervisor for each group of travellers to assist the with any health, language or travel concerns during the journey.

3.4 On board

• In advance, calculate the flight’s occupancy to ensure sufficient room for workers to physically distance. Groups who will work together should also fly together.
• Consider having a supervisor travel with each group to assist the with any health, language or travel concerns.

3.5 At the border/destination airport

• The letter or email from the employing farm will assist upon arrival at the UK border. This should confirm employment as a seasonal agricultural worker.
• The letter should include confirmation of the worker’s name, date of birth and employer in the UK. It should also include the start date, address of the farm where you will be living and contact details of your employer and/or farm.
• Ideally the integrity of planned working groups should be maintained throughout transport, document control and baggage reclaim areas, whilst ensuring physical distancing.
• Aim to ensure a local supervisor guides the workers to the coaches.

3.6 Onward journey to farms

• Do not fill the coach; aim to spread out the passengers to maintain physical distancing requirements where possible. Use multiple vehicles to achieve this if necessary.
• On arrival at the destination farms groups should be accommodated in small household units and should be segregated from others for a period of 14 days.
• Ensure regular disinfection of surfaces as described in the transportation section above.

3.7 Induction on farm

• Farm owners are responsible for ensuring the safety of seasonal workers whilst in Scotland through awareness and training procedures. Ensure workers receive an introductory briefing on health and safety matters including COVID-19 requirements in Scotland within 2 hours of arrival on farm.
• Consideration should be given to the worker’s understanding of English; it may be necessary to translate information to aid their understanding.

3.8 Following the 14-day travel quarantine period:

• Farm owners need to ensure workers are aware of, and adhere to, physical distancing requirements, both on and off farm.

3.9 Other modes of travel to Scotland

• Physical distancing and hygiene measures should be adhered to where possible whilst travelling to Scotland.
• Face coverings are mandatory on public transport.
• On entry to Scotland, the travel quarantine and on farm practices highlighted above should be followed.
• Prior to travel, workers should be issued with a travel exemption letter from their employer to support their arrival as a key worker. See the NFUS website for a template.

Defra has provided information on Public Health England’s good practice on chartered flights, which can be found here.
4. COVID-19 SYMPTOMS AND CONTACT WITH SYMPTOMATIC INDIVIDUALS

Duty of the farm to ensure that all workers are aware of what to do and who to inform and to ensure that workers are facilitated to both report symptoms and follow the public health guidance.

4.1 If workers develop coronavirus symptoms

If an individual begins to show symptoms of coronavirus such as a new continuous cough, a fever/high temperature, or loss or change in sense of smell or taste, they should stay in their housing accommodation and self-isolate for 7 days from when symptoms started even if symptoms are mild.

They should not visit a GP, pharmacy or hospital, but instead arrange to have a test to determine if they have COVID-19 by contacting NHS Inform on line or calling 0800 028 2816 to arrange the test.

Read the NHS stay at home guidance for households with possible coronavirus infection:

- They may stop self-isolating after 7 days if symptoms disappear. However, they should continue to self-isolate if they are still medically unwell or have a fever after 7 days and only stop self-isolating when these symptoms have gone.
- They do not need to self-isolate if they only have a cough or loss of sense of smell/taste after 7 days, as these symptoms can last for several weeks after the infection has gone.
- If employees show symptoms, it is important to reduce the spread of infection to others in their household as much as possible.
- It is especially important to stay away from anyone who is clinically vulnerable or clinically extremely vulnerable with whom they continue to share a household.
- Employees can reduce the spread of infection in the household by washing hands regularly for 20 seconds using soap and water, or use hand sanitiser, and cover coughs and sneezes.
- They should stay in a well-ventilated room with a window to the outside that can be opened, separate from other people in the household, if this is possible. Keep the door closed.
- They should use a separate bathroom from the rest of the household, if available. If they need to share these facilities, regular cleaning will be required.
- They should use separate towels from other household members, both for drying after bathing or showering and for hand hygiene purposes.
- They should avoid using shared spaces such as kitchens whilst other members of the household are present.
- In addition to avoiding contact with other members of the household as much as possible, they should consider using a face covering when spending time in shared parts of the household,
Phone 111 if:
- your symptoms worsen during isolation
- breathlessness develops or worsens
- your symptoms haven’t improved in 7 days

If you have a medical emergency, phone 999 and tell them you have coronavirus symptoms.

4.2  Contact with others who have symptoms

If anyone in the household has symptoms, has tested positive or is waiting for a test result all other household members should self-isolate for 14 days. The 14-day period begins when the first person in the household started showing symptoms. This is because it can take 14 days for symptoms to appear.

If a household member then develops symptoms within the 14 days, they need to stay at home for 7 days from the day their symptoms began. They should do this even if it takes them over the 14-day isolation period.

Staying at home for the required time will greatly reduce the overall amount of infection that people in the household could potentially pass on to others in the workplace.

Employees may be able to end self-isolation earlier than 14 days if everyone in the home with symptoms gets a negative test result.

The whole household should follow the stay at home guidance for households with possible coronavirus infection.

4.3  Testing for COVID-19 in Scotland

Information on being tested for COVID-19 can be sourced here.

5.  ADDITIONAL INFORMATION

5.1  Scottish Government advice and support

Summary of COVID-19 developments in Scotland

Coronavirus (COVID-19): framework for decision making

Coronavirus (COVID-19): framework for decision making – Scotland’s route map through and out of the crisis

Coronavirus (COVID-19): business and physical distancing guidance

Further guidance on physical distancing can be found on NHS inform.

Advice on substantive support packages available for business and their employees
Guidance on childcare can be found at:


COVID-19 information and guidance for general (non-healthcare) settings

A list of Scottish Procurement Policy Notes (SPPNs) can be found on gov.scot:

- SPPN 5/2020 sets out guidance for public bodies on options for payment to their suppliers to ensure service continuity during the current COVID-19 outbreak.

Testing for COVID-19 in Scotland

Guidance for farmers, crofters and other agricultural workers on measures to prevent spread of COVID-19

Scottish Government Retail Sector Guidance

Scottish Government Construction Industry Guidance

5.2 Legislation

Coronavirus (Scotland) Act 2020

The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020
http://www.legislation.gov.uk/ssi/2020/169/made and

5.3 Other relevant guidance

The Health and Safety Executive (HSE) and COSLA guidance for non-healthcare settings.

Fair Work during the COVID-19 crisis
Please see our Joint Statement with the STUC

UK Government guidance on working safely during COVID-19 in different workplaces


To contact Police Scotland for Protective Security advice, please contact your local Counter Terrorism Security Adviser:

- North: SCDCTSAAberdeen@Scotland.pnn.police.uk
- East: SCDCTSAEdinburgh@Scotland.pnn.police.uk
- West: SCDCTSAGlasgow@Scotland.pnn.police.uk


Health Protection Scotland’s guidance: https://www.hps.scot.nhs.uk/web-resources-container/covid-19-guidance-for-non-healthcare-settings/


NHS Test and Trace: If you’ve been in contact with a person who has coronavirus https://www.nhs.uk/conditions/coronavirus-covid-19/testing-and-tracing/nhs-test-and-trace-if-youve-been-in-contact-with-a-person-who-has-coronavirus/


Shielding guidance
AHDB Best practices to avoid the spread of coronavirus for seasonal workers on fruit and vegetable farms
https://ahdb.org.uk/coronavirus/social-distancing-farm-businesses

British Association of Landscaping Industries guidance (BALI)

Horticultural Trade Association website – guidance available to HTA members only
https://hta.org.uk/

Public health good practice on Charter Flights - Defra

Exemption letter template:

UK government guidance – Seasonal work on farms: guidance for workers:
https://www.gov.uk/guidance/seasonal-work-on-farms-guidance-for-workers

UK government guidance – Construction and other outdoor work:

UK government guidance - Vehicles:

UK government guidance - Core guidance for working safely:

STUC mailbox for safety concerns:
safety@stuc.org.uk

Unite helpline:
https://unitetheunion.org/why-join/member-services/24-hour-legal-helpline/

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