

## **Advice for businesses during the coronavirus outbreak - keeping safe, avoiding infection, preventing further spread**

The changing nature of the coronavirus outbreak has meant that advice, guidance and the duty on individuals and businesses to help reduce the spread of the disease has been changing quickly. Below is a short guide to provide you answers to FAQ's and links to relevant information.

### **Should my businesses be open?**

On the 23<sup>rd</sup> March the Government took additional measures to reduce the spread of the virus and requested all non-essential retail and leisure businesses to close and encouraged other business to work at home where possible.

In summary premises to close include:

- Food & drink venues for consumption on site
- Retail
- Accommodation
- Non-residential institutions
- Assembly and leisure
- Outdoor recreation

For full details on businesses that must close, and any exemptions please see the table via this link: <https://www.gov.uk/government/publications/further-businesses-and-premises-to-close/further-businesses-and-premises-to-close-guidance#businesses-and-venues-that-must-remain-closed>

Whilst the closures have been introduced to protect everyone's health, the government understands that closing a business can have financial implications and has introduced a package of loans and grants. To find out more about the support and funding, the Hertfordshire Growth Hub have a dedicated Covid-19 business resource page which has additional advice pages that may be of interest.

<https://r1.dotdigital-pages.com/p/4OQI-9KW/hgh-covid19>

### **What will happen if I remain open contrary to government advice?**

Businesses have been asked to close for everyone's safety and to reduce the spread of the virus. The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 came into force on 26th March 2020, it states that a business operating in contravention of the Regulations will be committing an offence. You could be subject to fixed penalty notices, or prosecution leading to unlimited fines. There could be other implications such as the loss of alcohol licenses.

### **My business isn't an "essential" business – can I still operate?**

Yes, unless you are restricted by the specific list of businesses that must remain shut. The Government has not required any other businesses to close that aren't specifically referenced in the legislation, and the government have said it is important for business to carry on where possible.

Public health advice should be followed and where possible, staff should remain at home. Certain jobs require people to travel to their place of work – for instance if they operate machinery, work in construction or manufacturing, or are delivering frontline services – see below for further guidance on this.

### **I am allowed to remain open, what social distancing measures do I need to keep my staff and customers safe?**

Under the Health & Safety at Work Act every employer has a responsibility to look after the health and wellbeing of their staff, members of the public and themselves. You must take every possible step to allow people to work from home, employers who have people in their offices or onsite should ensure that employees are able, where possible, to follow [Public Health England guidelines](#) on social distancing [including, where possible, maintaining a 2 metre distance from others], and hygiene [washing their hands with soap and water often for at least 20 seconds]. Follow [government guidance on how to keep your employees safe](#) and guidance on keeping your premises clean: <https://www.gov.uk/government/publications/covid-19-decontamination-in-non-healthcare-settings>

Where customers are coming into your premises you must ensure you have taken measures to ensure they are also maintaining a 2-metre distance from each other and staff. You should also look to take extra precautions at busy times to such as limiting access to enable the Public Health guidelines to be observed.

### **My business is allowed to remain open; are there any restrictions on what I can and can't sell?**

If your business is allowed to remain open there are no set restrictions on the products that you can sell. There are however restrictions on the public in terms of the reasons for them leaving their house and they should only be leaving their houses to purchase essential items. You may wish to consider whether to stock certain items in the circumstances and avoid having pricing promotions or anything that would draw consumers to these products unnecessarily.

### **I want to keep my food business open and provide a takeaway service only, what do I need to do?**

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

<https://www.hertfordshirelep.com/media/8064/advice-to-food-business-operators-looking-to-provide-delivery-service.pdf>

The government has also issued guidance for food businesses during the coronavirus outbreak which can be found here: <https://www.gov.uk/government/publications/covid-19-guidance-for-food-businesses>

### **I'm now looking to move my business online – what do I need to do?**

There are certain pieces of information that you must provide to consumers when trading at a distance such as the price, information about the consumer's right to cancel the contract, as well as your business address. For more information on this please read our guidance sheet below.

<https://www.hertfordshirelep.com/media/8042/distance-selling-advice.pdf>

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

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

### **I am a tradesperson; can I still visit people's homes to carry out work?**

No work should be carried out in any household which is isolating or where an individual is being shielded, unless it is to remedy a direct risk to the safety of the household, such as emergency plumbing or repairs, and where the tradesperson is willing to do so. In such cases, Public Health England can provide advice to tradespeople and households.

If the above does not apply and no individuals in the household are exhibiting any symptoms, then you can carry out work at people's homes as long as you are well and not exhibiting any symptoms yourself. Again, it will be important to ensure that Public Health England guidelines, including maintaining a 2-metre distance from any household occupants, are followed to ensure everyone's safety.

### **I am looking to diversify my business and produce PPE/hand sanitiser, what do I need to do?**

The law around producing hand sanitiser and PPE is quite complex and you will need to seek advice on this. For guidance on hand sanitiser please follow the guidance below in the first instance. PPE is a complex area of law and so if you require advice on this, please contact the Trading Standards Business Support team.

<https://www.hertfordshirelep.com/media/8062/hand-sanitisers-faqs.pdf>

### **I sell goods via Amazon, but they've now told me they cannot fulfil my orders – what do I do?**

We understand Amazon have prioritised certain products to ship in the current climate that may affect their fulfilment. Here is a link to more information on the situation.

<https://www.hertfordshirelep.com/media/8043/fulfilled-by-amazon.pdf>

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

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

**I am unable to fulfil my contractual obligations to my customers – what should I do in the circumstances?**

This may depend on what your contract states (this may refer to force majeure), and depending on the circumstances the contract may become “frustrated”. You may wish to seek specific advice on this from the Trading Standards business advice team.

**Where can I get more information?**

Hertfordshire Growth Hub have collated many useful resources and guides, including the latest government updates and advice: <https://r1.dotdigital-pages.com/p/4OQI-9KW/hgh-covid19>

Public Health England have produced a blog to answer your coronavirus questions: <https://publichealthmatters.blog.gov.uk/2020/01/23/wuhan-novel-coronavirus-what-you-need-to-know/>

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

We hope you find this information useful, and that you and your staff & customers stay safe at this difficult time. You may wish to keep this information for future reference, as the websites are updated regularly.