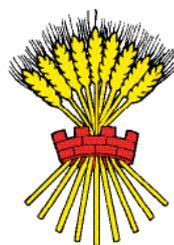


Operating your premises safely



A guide for hospitality businesses opening after COVID closure

RYEDALE
DISTRICT
COUNCIL



REOPENING YOUR LICENSED PREMISES IN RYEDALE

Introduction

From 4 July, the Government has allowed pubs, bars and restaurants to reopen, following a period of closure due to the COVID-19 pandemic.

The Government has issued very comprehensive guidance about how business should operate from 4 July which can be accessed from <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>.

Before you reopen, it is very important that you take all necessary steps to keep your employees, and members of the public, as safe as possible. This document has been issued by Ryedale District Council's environmental health team to help business owners to understand their responsibilities, and plan for safe reopening and operation at this very difficult time. The advice we give here is based upon the guidance and good practice in place at the time of publication.

It is not a replacement for the government guidance. So, you are strongly advised to pay close attention to the government website (www.gov.uk) as circumstances are subject to change, and government requirements and recommendations may be altered and updated at short notice.

First steps

Before opening to the public you must make yourself familiar with the government's guidance on working safely during COVID-19: <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>.

This provides a practical framework of things you need to think about, and what you need to do in our 'new norm'.

What the law says/risk assessment

COVID 19 is a risk to health that must be managed by the employer, in order to comply with the law. The Health and Safety at Work etc. Act 1974 applies to all workplaces. It requires employers to take reasonable steps to ensure the health and safety of employees whilst at work and also others who may be affected by what they do, this includes members of the public and visitors. Before reopening you should ensure the safety of your premises by:

1. Carrying out a COVID-19 risk assessment and sharing the results with the people who work at your premises. This is to protect both staff and customers from infection, or the potential spread of infection. You can find out more about this, and access a template on the Health and Safety Executive website here: <https://www.hse.gov.uk/simple-healthsafety/risk/index.htm>

GOV.UK also has a webpage that will help you to write your risk assessment: <https://www.gov.uk/coronavirus-business-reopening>.

Your risk assessment should be a fluid document you can amend, initially after each shift, so that you can reflect and adjust your working practices and update the risk assessment to suit. For example, you might find that your customers ignore markings on the floor, but will follow signage instead, or rearranging furniture may be more helpful. Make sure your staff know what the risk assessment says and where a copy of it is kept. You may be asked for it by a police officer or council enforcement officer.

Part of your risk assessment should detail how you will manage the entry of customers, and the number of customers at a venue, so that all indoor customers are seated with appropriate distancing, and those outdoors have appropriately spaced seating or standing room. This is to ensure that the venue, including areas of congestion does not become overcrowded. Managing entry numbers can be done through reservation systems, social distancing markings, having customers queue at a safe distance for toilets or bringing payment machines to customers.

2. Developing cleaning, handwashing and hygiene procedures for staff and customers, in line with guidance.

3. Taking all reasonable steps to maintain a safe distance between people in your premises – both staff and employees.

Guiding you through

In the remainder of this document you will find Ryedale District Council's list of key practical points to consider about operating your premises safely. Whilst no list can be exhaustive, it will give you a strong starting point. It is important to remember that health and safety is something that you should review continuously, making necessary changes along the way in line with the latest guidance and any changes in circumstances.

Capacities and Groups

At the time of writing this, there is no specific maximum capacity you are allowed. Instead your capacity should be based on the number of people you can host whilst maintaining the measures set out in the guidance and will vary based on the profiles of each group in your premises.

The law is a little confusing on how many people can gather in a group. However, you should **not** allow people to:

- Gather indoors in groups of more than two households (a support bubble counts as one household) - this includes when dining out or going to the pub.
- Gather outdoors in a group of more than six people from different households; gatherings larger than 6 should only take place if everyone is from just two households.
- Interact socially with anyone outside the group they are attending a place with, even if they see other people they know.
- Parties and celebrations where attendees are not from two households should be avoided.

It may be easiest to control this through your table booking system and by giving advice on arrival.

Customers inside should remain seated and be encouraged not to move about. You should offer table service and apps are available to take orders, to avoid as much contact with staff as possible. Don't let people move furniture around and don't let separate groups of people mingle, even if they know each other.

If you have put in place table bookings, please tell your customers, so they don't just turn up, on spec. Use your social media accounts and signage on the premises to inform customers as to how you are now operating. If you are limiting the time people can book a table for, make this clear to them. Customers won't be able to go anywhere else easily, so be prepared for them wanting to stay beyond their allotted time slot.

Social distancing is the key message in all instances with the exception of people from within the same household. Please note that there is a distinct difference between a household and family, who collectively will be from more than two households.

Test and Trace

Businesses are advised to retain information about their customers for 21 days should NHS Test and Trace need it. You only need to record the name and phone number of one of the party, who can be the 'lead' contact. Some premises are collating this information from their table booking system. Others have set up a phone number the main organiser can text with their name, which will then record when they visited the premises.

You can collect such information, but in line with general data protection regulation (GDPR), you must make sure you keep the data confidential and secure. You can't use the information for any purpose other than assisting NHS Test and Trace and must not share it with anyone other than those people authorised by the government to collect the information for the purposes of preventing the spread of coronavirus. The Information Commissioner's website has more information: <https://ico.org.uk/>.

Social Distancing – 2m or 1m?

In his announcement, the Prime Minister stated that in some cases social distancing had been relaxed to 1 metre with mitigation. To be clear, the 2 metre social distancing rules still apply. However, it is recognised that in some scenarios this is not viable, and so you can reduce social distancing to 1 metre providing other mitigating measures are used such as face masks for staff, hand sanitising, back-to-back or side-by-side rather than face-to-face working.

There still must be social distancing between people in different households and staff and customers - wherever possible this must be 2 metres.

Staff

It is really important to protect your staff from coronavirus. The best protection for your staff is regular hand washing and to maintain a 2m distance from other staff and customers where possible, and 1m with mitigation where it isn't. Staff should travel separately to and from work. They should not car share, avoid public transport (or wear a face mask if they're using public transport) and have a change of clothes for the workplace. It is recommended that regular shifts are organised, so people are working with the smallest number of different people as possible.

Make sure your staff are aware of the measures you've set out in your risk assessment, including the wearing of PPE. Have a staff debrief at the end of the night – reflecting on what went well, what went wrong and if there's anything you need to change.

You are required by law to report if a member of staff tests positive for COVID-19. This is vital so Environmental Health can start contact tracing. You may need to ask all your staff to self-isolate if one becomes infected so reiterate the advice to stay at home if they feel unwell, have a temperature or cough. You can report if a member of staff has tested positive for COVID-19 by submitting a form on the Health and Safety Executive's website: <https://notifications.hse.gov.uk/riddorforms/Disease>.

Queues

It is your responsibility to manage the queues that form outside your premises and to ensure that customers are maintaining social distancing. This is 2m, or 1m with mitigation where this is not viable.

Door staff

You should risk assess if you feel that door staff are needed to manage queues and to help manage the amount of people entering your premises. If you use door staff, risk assess how many for the inside of your premises and how many for managing outdoor areas. Determine the amount needed for any queues that may form and to prevent entry to people who have not booked, or when the premises have reached full capacity. It may be the number you assess to be sufficient is less than your licence condition, due to your capacity being greatly reduced. When completing the risk assessment for your staff, think about the safety of your door staff as well, as they are considered to be at higher risk.

Entertainment

At present venues should not permit live performances, including drama, comedy and music to take place in front of a live audience. This includes entertainment such as acoustic music and live bands etc.

All venues are required to take steps to avoid people needing to unduly raise their voices to each other which includes, but is not limited to, refraining from playing music or broadcasts that may encourage shouting, including if played at a volume that makes normal conversation difficult, loud background music, communal dancing, group singing or chanting.

You should very carefully risk assess the showing of football matches, or other live sport. It will be hard to control your customers and to stop them from shouting, cheering and celebrating.

It may not be possible for you to provide your usual facilities such as snooker, pool or darts due to the requirement that all customers should remain seated and the communal nature of the activity, the need to sanitise between uses etc. At the time of writing the Government strongly recommends that indoor sports not be provided.

Other ideas to consider:

- Have one entry and one exit point, which are separate if possible.
- Keep entrance and exit doors open, if possible.
- Consider use of additional staff or security personnel if needed to assist managing the queue.

- Assess the size any external area, available along the frontage of your premises, and calculate the maximum number of customers who can safely queue with a distance of 2 metres between, or 1m with mitigation where this is not viable.
- Provide pavement markings outside your premises to assist with distancing. Ryedale District Council may be able to assist with pavement markings upon request.
- Consider provision of barriers or rope for queue waiting areas to ensure that people stay within the defined queue area.
- Assess the size of the premises and its layout, so that you can calculate the maximum number of customers allowed inside and the different areas within it, at one time.
- Consider where you need to position staff to help control numbers.

Hygiene and cleaning

- Provide cleaning stations at front of your premises which should include hand sanitiser and disinfectant wipes.
- Increase the frequency of cleaning and disinfection. Attention should be given to shared equipment and hand contact surfaces including work surfaces, tables, chairs, switches, door handles, lift buttons, keypads, stair/escalator hand rails, push plates on doors, toilets, hand towel dispensers, taps etc.
- Check that you are using sanitisers that are effective against “enveloped viruses” such as Coronavirus and that staff are adhering to the correct contact time and dilution rates. Those that comply with “BSEN 14476” are considered effective and this number should be stated on the label or you should check with your cleaning product supplier.
- If your premises have been closed for a period, or less occupied, water may have stagnated in water systems, which can increase the risk of legionella bacteria. Flushing the system can reduce this risk. For information on the control of legionella in water systems visit: <https://www.hse.gov.uk/legionnaires/>
- Baby changing facilities should be available but consider frequency of cleaning.

Social distancing

- Increase the ventilation within the premises by opening doors and windows if possible and safe to do so.
- Use floor markings inside to facilitate compliance with the social distancing advice, particularly in the most crowded areas.
- Place clear signage throughout your premises reminding customers of the social distancing measures and asking them to follow these rules.
- Review the layout of your premises to ensure aisles/walkways are as clear as possible to accommodate social distancing, including the removal of promotional fixtures if necessary.
- Create a ‘one way’ system, using signage to direct customers to move in the same continuous direction.
- Make regular announcements if possible, to remind staff and customers to follow social distancing advice.
- Encourage contactless purchases.
- Close the premises if it becomes too busy
- Consider what steps will be taken by managers and staff where customers are not following social distancing measures.

Delivery areas

When taking in deliveries ensure that all social distancing guidelines are followed:

- Maintain a two metre distance at all times where possible. Markings on the floor may help staff and delivery drivers to do this.
- Ensure that the delivery driver has been briefed on your social distancing measures in place by a member of staff.
- All delivery drivers should wash their hands after entering the building.
- All existing health and safety procedures should remain in place and carried out at all times when unloading.
- Ensure that all staff are able to wash hands regularly.

Meetings, staff/rest rooms

- Meetings should be kept to an absolute minimum carried out in a safe manner following social distancing guidelines. Desks should be cleaned down after the meeting finishes.
- Small rooms that do not allow 2m distancing should be limited to one person with notices displayed on the door and desks cleaned down after each use.
- Smoking areas employees must be advised to remain 2m apart with notices displayed in this area.
- Staff should be reminded to wash their hands regularly using soap and water for at least 20 seconds before and after eating.
- Notices promoting hand hygiene and social distancing should be placed visibly in these areas.
- Provision of hand sanitiser at entry/exit points.
- Introduce a staggered or extended break rota to avoid crowding
- Space out chairs and tables by marking as “do not use.”
- Remove sofas from break areas.
- Frequently clean and disinfect surfaces that are touched regularly.

Pavement Licences and Off-Sales: important new licensing changes to come into effect

New legislation is currently passing through parliament which proposes to relax certain laws relating to the provision of outside tables and chairs and off sales of alcohol. The changes are expected to come into effect later this month, further information will be provided in due course.

If you already have on and off sales on your licence, you may need to check your conditions to ensure that you don't have restrictions on, which make it difficult to work to your new model of operation.

It is important that you continue to operate responsibly. Be mindful of the four licensing objectives, ensure you handle littering, antisocial behaviour and nuisance. When serving alcohol for consumption off the premises we ask that you use non-glass containers, and encourage the use of recyclable containers.

Finally

Please keep your standards high, even if it looks like COVID-19 is going away. Please ensure that cleaning regimes and social distancing measures are strictly enforced. Any local outbreak could result in further closure of businesses.

Be a good neighbour. Even though the Government is encouraging the café society, this does not mean that the public nuisance objective has gone away. If anything, people have become used to licensed premises being closed and their streets being quiet. Sensitivity may be heightened once customers start to return to licensed premises, and particularly if making more use of outdoor areas.

These are guidelines and not the law, however please remember that if you do not operate safely, you can be prosecuted under the Health and Safety at Work Act. You are also putting your premises licence at risk of review.

Further information and guidance

For further information and guidance on how to ensure your business premises is prepared you may want to consult the following:

- General advice on the easing of restrictions from 4th July from GOV.UK.
<https://www.gov.uk/guidance/opening-certain-businesses-and-venues-in-england-from-4-july-2020>
- The Government has issued very comprehensive guidance about how business should operate from 4 July.
<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>
- GOV.UK has a webpage that will help you to write your risk assessment.
<https://www.gov.uk/coronavirus-business-reopening>
- UK Hospitality have provided guidance for pubs and bars.
<https://www.ukhospitality.org.uk/page/UKHospitalityGuidanceforHospitality>
- The Health and Safety Executive has produced further information and guidance on Covid-19 risk assessments.
<https://www.hse.gov.uk/simple-health-safety/risk/index.htm>
- You can report if a member of staff has tested positive for COVID-19 by submitting a form on the Health and Safety Executive's website.
<https://notifications.hse.gov.uk/riddorforms/Disease>
- Coronavirus advice for food businesses; Advice for consumers; Bulk freezing of ambient and chilled foods; Food safety for food delivery; Food safety for community cooking and food banks.
<https://www.food.gov.uk/>

Guidance for pubs on using customer information for COVID-19 track and trace purposes

The Government has produced guidance for the hospitality industry with regard to collecting customer details for NHS Test and Trace purposes during the COVID-19 pandemic. This guidance is available at the following link:

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>

The below checklist provides additional information on how to safely manage customer's personal information:

- You should collect the minimum amount of personal data required when requesting customer's details. For the purposes of NHS Test and Trace this means only collecting the customer's full name and up to date contact address (either phone, email, or postal) and the date/time of their visit. Please note that you may wish to request to see identification to ensure that these details are correct.
- Customers should be informed of why you are collecting their data. This could be through a short privacy notice displayed on premise (i.e. at entrance points). You may also wish to place this on your website and/or promotional material. You can also give privacy information verbally. You should use clear, plain language that is easy to understand.
- You should think carefully about how to store customer's information. E.g. will it be collected electronically (via a computer) or do you intend to keep paper records? If keeping information electronically, you should ensure that your systems are secure and restricted only to individuals that require access as part of their job. If storing information in paper form, this must not be left on display and should be locked in a restricted secure location when not in use.
- You should not use personal information collected for NHS Test and Trace purposes for any other purpose. For example, data should not be added to any marketing databases as this would breach data protection legislation.
- In line with Government guidance, customer contact details should only be stored for 21 days from the date the information is collected. After this point, they should be securely destroyed. Any paper documents should be shredded or collected by a specialist confidential waste disposal company. You should not dispose of personal information in an ordinary bin. If held electronically the information should be deleted along with any back-up copies.
- You should not use personal information collected for NHS Test and Trace purposes for any other purpose. For example, data should not be added to any marketing databases as this would breach data protection legislation.
- Customer's personal information should not be shared for any other purpose other than that stipulated by the Government (i.e. sharing with NHS Test and Trace). Under data protection legislation customers do have rights over their personal information. Please note, however, that if requesting their personal data, customers are only allowed to see their own personal information and not that of other customers.

Ryedale District Council support

We update our website regularly on the support available for businesses during the COVID pandemic, and to provide the latest advice and guidance.

Visit Ryedale District Council's Covid pages here: <https://www.ryedale.gov.uk/covid-19-2020.html>

The Council has created a Back to Business pack for small retail businesses, containing social distancing posters and window stickers. You can order a FREE pack (subject to availability) here: <https://www.ryedale.gov.uk/covid-19-2020/order-business-pack.html>

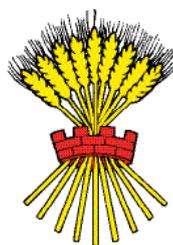
If queuing on the pavement outside your premises is an issue, we may be able to help with pavement stencils to encourage customers to maintain social distancing. Contact as below.

For environmental health and safety advice, or for any queries relating to this document please contact:
Environmental Health Team Email: environment@ryedale.gov.uk Tel: 01653 600 666 or write to: Ryedale District Council, Ryedale House, Malton, YO17 7HH

This document should be used as a guidance tool. Only the courts can give an authoritative opinion on statute law. Every effort has been made to ensure this document is both comprehensive and accurate, but in an attempt to simplify the law omissions have been made. Please refer to the Licensing Act 2003 and associated regulations for full details of the law. You should seek your own legal advice on the matters raised in this guidance note.



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