

Date 30-03-20  
Please ask for Kevin Mills  
Department ENVIRONMENTAL HEALTH SERVICES  
Tel. No 01268 207882  
E-Mail kevin.mills@basildon.gov.uk  
Ref KMM/

Dear Sir / Madam

## **Health and Safety at Work Etc Act 1974 and Regulations made thereunder The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020**

I write in respect of your legal obligations in undertaking your business during the current difficult situation of coronavirus (COVID-19). The situation is fast moving as is the advice given by the Government. The current situation, at the time of writing this letter, is as follows:

The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 stipulates certain shops and businesses that must close, and puts restrictions on others that can stay open. The list and guidance on these regulations can be found at [https://www.gov.uk/government/publications/further-businesses-and-premises-to-close?utm\\_source=d1900837-ccfc-48a6-b6db-fe138150c251&utm\\_medium=email&utm\\_campaign=govuk-notifications&utm\\_content=immediate](https://www.gov.uk/government/publications/further-businesses-and-premises-to-close?utm_source=d1900837-ccfc-48a6-b6db-fe138150c251&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate)

**Businesses that remain open in any capacity must put in place social distancing control measures as outlined by the PHE in order to meet your legal duty to keep staff and customers safe from the risk of harm, which may include;**

- use of additional signage to ask customers not to enter the shop if they have symptoms
- regulate entry so that the premises do not become overcrowded
- use floor markings inside the commercial spaces to facilitate compliance with the social distancing advice of 2 metres, particularly in the most crowded areas, such as serving counters and tills
- use vertical signage to direct customers into lanes if feasible to facilitate movement

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while maintaining 2 metre distance

- make regular announcements to remind customers to follow social distancing advice and clean their hands regularly
- place plexiglass barriers at tills and counters if feasible, as an additional element of protection for workers and customers
- encourage the use of contactless payments where possible, without disadvantaging older or vulnerable customers
- provide additional pop-up handwashing stations or facilities if possible, providing soap, water and hand sanitiser **that is anti-viral in its action**

The specific controls will depend upon risk assessment for that particular business.

Employers have a legal responsibility to keep their employees safe, so far as is reasonably practicable. Following Government advice would be appropriate. If you feel you are unable to keep your employees safe you might be able to keep the employees on the payroll whilst not working, through the Coronavirus Job Retention Scheme, paying 80% of their wages, up to a monthly cap of £2,500 per employee. This is known as being 'on furlough'. Further information can be found at <https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>

**It is important that you continue to assess the risk to staff on a regular basis, update your risk assessment accordingly and put in the necessary control measures.**

Should you require further information please see the below documents:

General guidance for employers and businesses on coronavirus (COVID-19)  
<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-coronavirus-covid-19>

Guidance for food businesses on managing coronavirus (COVID-19) including social distancing requirements  
<https://www.gov.uk/government/publications/covid-19-guidance-for-food-businesses>

A range of other guidance for the public, health professionals and other organisations  
[https://www.gov.uk/government/collections/coronavirus-covid-19-list-of-guidance?utm\\_source=57f9613b-f067-4bf4-90bc-3f0549a5d93a&utm\\_medium=email&utm\\_campaign=govuk-notifications&utm\\_content=immediate](https://www.gov.uk/government/collections/coronavirus-covid-19-list-of-guidance?utm_source=57f9613b-f067-4bf4-90bc-3f0549a5d93a&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate)

Support for businesses  
<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses>

Guidance for employees  
<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-guidance-for-employees>

## **ENVIRONMENTAL HEALTH SERVICES**

For business support and advice on the current financial / grant arrangements at local level please contact the Councils Coronavirus information e-mail address [coronavirusbusiness@basildon.gov.uk](mailto:coronavirusbusiness@basildon.gov.uk)

If I can be of further assistance on this matter please contact me using the details at the top of this letter.

Yours sincerely,

Kevin Mills BSc (Hons) MCIEH MRSPH  
Environmental Health Practitioner

## **FOOD HYGIENE RATING SCHEME - INFORMATION FOR BUSINESSES**

If your business is rated '5', your rating will be published on the Food Standard's Agency website at [www.food.gov.uk/ratings](http://www.food.gov.uk/ratings) within 28 days of the inspection. All other ratings will be notified in writing after inspection.

### **Right of appeal**

Once notified of your rating, you have **21 days** in which to appeal, if you feel that the rating is unjust. You are encouraged to contact the inspecting officer in the first instance, and then if the matter cannot be resolved, a formal appeal may be lodged with the Environmental Health Manager, by submitting the Appeals Form and returning to the address overleaf.

When an appeal has been lodged the outcome has to be decided within **21 days**. Until the appeal has been decided, the rating will not be published on the website.

### **Provision of stickers**

All businesses within the scheme are issued with window stickers and are encouraged to display these at the entrances to premises.

### **Right to reply**

If you have improved hygiene standards since your inspection, or if there were unusual circumstances at the time of the inspection that might have affected your food hygiene rating, you have a 'right to reply' so that you can explain this to potential customers that look up your rating online.

Comments need to be made in writing on the *Right to Reply Form* and sent to the inspecting officer to the address overleaf.

### **Request for a further revisit for the purposes of rescoring**

If you make the improvements to hygiene standards that are highlighted in your inspection report, you can request a re-visit with a view to giving you a new and higher food hygiene rating. From April 2018, a charge will be made for re-rating applications. A re-rating request can be made at any time, and the revisit will generally take place within 3 months following receipt of payment.

You must apply in writing on the *Request for a revisit for the purposes of rescoring form*. The Council can refuse to undertake the revisit, if you don't provide sufficient evidence of improvements made.

**Note: There is no guarantee that a revisit to rescore will result in an improved rating. It is possible that the rating could remain the same or even go down, if insufficient action has been taken or if additional issues are identified.**

Revisits for rescoring will be unannounced.

### **Forms are available as indicated below.**

All of the forms referred to in the above sections can be obtained as a hard copy by contacting the office overleaf. Copies are also available at [www.basildon.gov.uk](http://www.basildon.gov.uk).

If you require any further information about the Food Hygiene Rating Scheme, you can visit [www.food.gov.uk/ratings](http://www.food.gov.uk/ratings). or seek advice from the Council's Food Safety Team.