

# **HMCTS Organisational COVID-19**

Risk Assessment



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The COVID-19 public health emergency began many months ago, and the guidance to organisations on relevant safety standards has developed through various phases. Across Great Britain, we saw restrictions eased in July 2021, allowing many of us to once again, enjoy the things we had missed out on for so long. However, the risk remained and following the identification of the Omicron 'variant of concern' we are again being reminded of the importance of keeping safe to protect ourselves and each other.

Throughout the pandemic, we have continued to review and update our organisational risk identification and management framework in line with developing expert guidance, the latest HM Government announcements and the feedback of our staff and users.

The Prime Minister announced in July 2021, under Step 4 of the Roadmap, the easing of a number of restrictions, due in part, to the success of the national vaccine rollout in reducing infection rates. The risk of transmission remained though and after careful consideration with public health organisations, Departmental Trade Unions and other stakeholder groups we made the decision that many of the controls we had implemented through the pandemic should remain. This included the requirement for face coverings in our buildings, cleaning of frequently touched surfaces and the use of screens, signage and other methods to enable safe distancing/reduced contact within our buildings.

This latest update is published following the Prime Minister's announcement on the 27<sup>th</sup> November, of a series of measures to delay the nationwide breakout of the Omicron variant; as well as announcements throughout December from the UK Government and the First Ministers for Wales and Scotland. We have listened to these announcements and engaged with UKHSA to ensure ourselves that our approach to mitigating the risk, is robust and continues to meet the safety standards necessary for those using our vital public



buildings. We have also reviewed our guidance to ensure compliance with the updated guidance published by the Scottish Government on 16<sup>th</sup> December.

We constantly monitor the arrangements in all our buildings to ensure that they continue to meet the standards required. We adopt a structured, proportionate and balanced approach, using a site-based assessment tool to ensure local circumstances are understood and managed/controlled effectively Local Assessment Tool. Across HMCTS we have a range of workplaces in England, Wales and Scotland with differing requirements and the Local Assessment Tool provides a flexible framework for managers in those areas. There are variations in approach to managing restrictions and so we have developed tailored versions of the Assessment Tool for England, Wales and Scotland to provide absolute clarity and enable our staff to effectively assess the risks and manage the safety measures for individual buildings, working with Trade Union colleagues and local teams and users. This assessment helps to ensure that potential risks are constantly monitored, that swift action can be taken where necessary, and that anything significant that cannot be resolved quickly at local level is escalated promptly. Our Assessment Tool for **Wales** has been updated to reflect those restrictions, due to take effect on the 27th December 2021.

We also have a framework of detailed guidance behind these tools, which has similarly been reviewed. This guidance allows HMCTS staff to manage risks in a suitable and sufficient manner, as proportionately and effectively as possible. That guidance is available to all members of staff and members of the judiciary on our secure intranet, and a summary of it is available for our users on GOV.UK (<u>Guidance on Keeping Court and Tribunal Buildings Safe Secure and Clean</u>).

The guidance is overseen and kept under regular review by a governance committee established specifically for this purpose, chaired by a Director and constituted by Health & Safety (H&S) professionals, Operational Leaders, Human Resources (HR) colleagues, property specialists and other key officials from across the organisation. All actions contained in this document are reviewed on an ongoing basis.

We aim to assure compliance with the standards set out in a number of ways, including through management-level checks that local assessment tools have been completed and are being regularly reviewed; arranging audits though our national Governance & Assurance Division (deploying in-house and independent external consultancy resource) to monitor adherence and report back to senior governance forums; and engaging H&S professionals from other government departments as an external/independent check on compliance. Further, we engage with Public Health agencies to ensure our processes, policies and supporting guidance meet required standards.

We continually review our arrangements to ensure that we have put the right mitigations in place to control COVID-19 transmission e.g. in addition to providing all our sites with touchpoint cleaner/s, we have also introduced specialist cleans of all or part of the building, in the event of a confirmed or suspected case of COVID-19, in line with the government guidelines. We also evaluate and innovate the way we engage with our key leaders and managers across the organisation, improving the way we can communicate essential messages and receive feedback from operational contacts. This provides further important intelligence that informs our ongoing review and development of policies, processes and communications.

The changes we have made to our sites are far reaching and the potential Equality Act 2010 (EA) impacts of our mitigations on those with protected characteristics (particularly disabled people), are clear. Where EA issues are identified, we have mechanisms and processes in place to consider the impact of changes as part of the approval process.

If you are worried about anything, or feel that something is not in place that should be, please ask to speak to the Court or Tribunal Manager or contact <a href="https://example.com/html/html/>
<a href="https://example.com/html/>
HMCTSHandSHUB@justice.gov.uk">https://example.com/html/>
https://example.com/html/
HMCTSHandSHUB@justice.gov.uk</a> or <a href="https://example.com/html/>
Response and recovery@justice.gov.uk">https://example.com/html/>
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htm

What are the hazards?	What have we already done to control the risks?	What further action do we need to take to control the risks?	Who needs to carry out the action?
Contraction of COVID-19 through contact with surfaces Risk to staff and all court and tribunal users.	<ul> <li>Utilised more than 650 additional cleaners across the court and tribunal buildings that are open to the public, to carry out additional touchpoint cleans throughout each day. Extra attention is paid to areas likely to be touched frequently by multiple people (e.g. door handles, switches, lift buttons, handrails, push plates hearing loop equipment, Perspex screens etc.). This reflects the advice and guidance received from Public Health officials, and the standards set out in official guidance. Cleaners have been instructed to pay extra attention to hand-washing basins, shower rooms and other wet room facilities (e.g. prayer rooms, first aid rooms).</li> <li>Additional checks in place around soap and hand drying facilities, ensuring priority for fixing immediately, any reported issues.</li> <li>Ensured every building is cleaned at night, in addition to the regular touchpoint cleaning throughout the day, in public and admin areas.</li> <li>Use of high visibility 'cleaning support' jackets for our daytime cleaners, so they are easy to spot.</li> <li>Provided hand sanitiser and anti-bacterial wipes to all sites, with stock available to meet future demand and new physical sanitising stations which will be regularly refilled by local facilities teams. Employees may also bring their own into court and tribunal buildings.</li> <li>Promoted handwashing and personal hygiene with posters in prominent places in buildings, in addition to the provision of appropriate facilities.</li> <li>Established efficient and effective arrangements to allow any complaints about poor hygiene, or problems that would prevent users washing their hands, to be dealt with properly.</li> <li>Encouraged any concerns with building cleanliness or soap supplies to be referred instantly.</li> <li>Removed water carafes and glasses from courtrooms/hearing rooms. Shared items such as leaflets, magazines, children's toys, books, TV remotes etc. have also been removed from waiting and general areas as well as communal areas.</li> <li>Exploring and</li></ul>	Regular local monitoring and communication. Our staff will carry out checks through the day and will close off areas within a building, or whole buildings, where standards are not as they should be, whilst they put in place measures to improve the situation.	Local managers supported by central Facilities Management Team.

What are the hazards?	What have we already done to control the risks?	What further action do we need to take to control the risks?	Who needs to carry out the action?
Contraction of COVID-19 through contact with other people Risk to staff and all court and tribunal users.	<ul> <li>If anyone tells us / shows symptoms of or has tested positive for COVID-19 in the last 10 days or is in a period of self-isolation they will be refused entry to the building by Court and Tribunal Security Officers (CTSOs).</li> <li>If an individual already in a court or tribunal building shows symptoms or tells us they are symptomatic, they will immediately be given a fluid resistant mask and escorted from the building.</li> <li>We require any staff and users who tell us they have been identified as a close contacts to follow the government guidance where they live in relation to any self-isolation requirements; England, Scotland, Wales.</li> <li>We require all staff and users who have recently returned from travel abroad to follow the government guidance in in relation to any self-isolation requirements.</li> <li>We have reconsidered our assessment of all areas in England, Wales and Scotland, to mitigate the risk of transmission, with measures at different sites including, but not limited to, the following:</li> <li>Encouraging and facilitating staff working from home, where possible, limiting the personnel on site to those necessary to sustain the delivery of our public services;</li> <li>Regular, targeted communications, through a variety of channels and opportunities, looking constantly to reinforce the importance of observing public health advice and the hierarchy of controls recommended (including but not limited to Social distancing in Wales and personal hygiene), as well as flagging relevant and helpful guidance and tools that can help colleagues manage risks and keep safe;</li> <li>Reviewing seating arrangements to enable employees to sit side-by-side or facing away from each other in England and Scotland. Additionally, in Wales, arrangements must also comply with social distancing.</li> <li>As far as is practicable, using one-way systems, particularly in Wales to enable social distancing;</li> <li>Changing working hours where possible, if it supports individuals to travel at earlier or later</li></ul>	Regular local monitoring and communication.  Our staff will carry out checks through the day and will close off areas within a building, or whole buildings, where standards are not as they should be, whilst they put in place measures to improve the situation	Local managers supported by central Facilities Management Team

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Contraction of COVID-19  Risk to staff and all court and tribunal users.	<ul> <li>Social distancing is no longer mandated in our buildings in England and Scotland; however, we have considered other ways to reduce contact and proximity to mitigate transmission. For Scotland, we have also had regard to guidance issued by the Scottish Government on (among other things) maximising physical distancing. This, in addition to retaining the controls mentioned above, such as current standards of ventilation, cleaning, sanitising, the following includes:</li> <li>Only increasing capacity in our buildings when necessary;</li> <li>The continued use of screens in all rooms in England and Scotland where practicable with particular focus on smaller rooms, to ensure those rooms are available to use in a safe manner;</li> <li>Requiring court and tribunal staff and users aged 11 or over to wear face coverings unless exempt, in all staff and public areas of our buildings, in accordance with Public Health guidance to help prevent transmission of coronavirus and all staff and users of their requirement through announcements and communications. The wearing of face coverings remains a legal requirement in England, Wales and Scotland, and is also assessed as necessary under the statutory H&amp;S framework;</li> <li>Displaying face covering posters in prominent locations;</li> <li>Advising those entering or leaving courtrooms/hearing rooms, to avoid cross-traffic in the doors and restricting the number of people in the public galleries at any point in time;</li> <li>Using a one-in, one-out, system for lift entry and exit where practicable. This could include use of posters to make it clear;</li> <li>Removing excess furniture in staff and public areas, to increase available space.</li> <li>In Wales where Social Distancing has been reinstated, we have reviewed all areas of our buildings and put measures in place to enable 2 metre social distancing. These will vary depending upon location, but include:</li> <li>Reminding court and tribunal users of the need to maintain social distancing;</li> <li>Putting a system i</li></ul>		

- In court and tribunal hearing rooms, marking seats as 'not for use', taping them off and leaving some rows empty;
- For areas where queuing will occur, using floor marking tape and stickers to enable social distance to be observed.
- Using a one-in, one-out, system for lift entry and exit. This could include use of posters and if required, marshalling during busy times;
- Maintaining social distancing whilst using toilet facilities, using posters to communicate required behaviours e.g. maximum occupancy, one in one out system, queue markers;
- Marshalling in the courtroom/hearing room to ensure people are directed to take the correct seat and maintain their social distance;
- Taping off selected seats in seating areas or clearly marking some as not for use, to ensure a 2m (default) or 1m+ mitigation (if strictly necessary) distance between those sitting in these areas;
- Promoting personal responsibilities for social distancing through posters, tannoy announcements and other means.
- Regularly reviewing maximum occupancy levels in public areas e.g. court rooms, consultation rooms, waiting areas etc. to ensure that social distancing is not being compromised. Displaying prominent posters clearly stating the maximum number of occupants allowed in such areas at any given time.

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Covidence Covide	We have reviewed arrangements for <b>custody suites</b> . Prisoner Escorts and Custody Services (PECS) have primary responsibility for conducting custody suite assessments. HMCTS employees are asked to work collaboratively with PECS to agree and adhere to the safe and consistent use of the custody suite, and dock areas, including:  • Ensuring facilities are in place to allow legal defence professionals to communicate remotely (by phone) with prisoners, from within the custody suite, where adequate social distancing cannot be facilitated;  • Supporting PECS to manage custody suite visitors and dock capacity in line with the maximum numbers and safety parameters determined in their risk assessment;  • Additional touch point cleaning in line with the wider court building;  • Introduced individual risk assessment approach to use of restraints to reduce close contact;  • Specific entry and exit procedures for visitors (1 visitor through entry point at a time);  • Face coverings mandated for all custody visitors and provided for detainees who are encouraged to wear.  • All prisoners with suspected coronavirus are managed by HMPPS in compliance with Public Health guidelines;  • All custody staff are now required to wear PPE (fluid resistant surgical masks (FRSMs)), whilst in the custody suite, at all times.  • Custody staff are mandated to wear PPE (FRSMs) whilst in the dock within the courtroom, unless specifically directed otherwise by the Judge.  We have reviewed the <b>security search procedures</b> and introduced a 'hands off' bag check and requested that court and tribunal users do not bring prohibited items into HMCTS buildings (https://www.gov.uk/entering-court-or-tribunalbuilding) to limit the need for a close contact security search of court and tribunal users at the public entrances:  • Using walk-through detectors wherever possible to detect such items, and therefore reducing as far as possible, the use of hand-held 'search detectors' at the public entrance of buildings;		

- Using protective gloves if an item needs to be touched by the CTSO and using hand sanitiser to maintain hygiene. This is delivered in line with published guidance and endorsed by Public Health authorities.
  - https://www.gov.uk/guidance/keeping-court-and-tribunal-buildings-safesecure-and-clean#use-of-hand-held-detectors.
- Our C/TS Os will wipe clean search trays after each use;
- Asking court and tribunal users to remove their belts before passing through the security arch therefore reducing, as far as possible, the use of handheld 'search detectors';
- Where wanding needs to be carried out, court and tribunal users will be asked to turn their head away from the C/TSO so that they are not face-to-face at any point during the search.

We have reviewed the **Face covering requirements** within the court and tribunal buildings:

- HMCTS has taken the decision to require face coverings to be worn by all court and tribunal users over the age of 11 and HMCTS employees, in all staff and public areas of court and tribunal buildings in England unless exempt. This is in line with HM Government and Public Health guidance and to increase confidence amongst users as well as to help prevent transmission of coronavirus. In Wales and Scotland, the wearing of face coverings continues to be a legal requirement in all areas following guidance released on 21 January 2021. This was extended to cover all staff including agency staff in non-public areas who, unless exempt, must wear a face covering unless seated at a workstation;
- HMCTS will provide face coverings to frontline colleagues in public facing roles where required;
- Face coverings are now required unless an individual is exempt from wearing one. Exemption cards
  are available online at gov.uk and Sunflower Exemption Lanyards will also be provided at our
  entrances where required;
- Care must be taken when communicating with a person who is exempt to ensure their safety and dignity and to comply with the Public Sector Equality Duty. 2m social distancing should be applied at all times in these cases and, if necessary, the individual must be taken to an area where the 2m social distancing is achievable in order to communicate safely. This also applies if employees have to remove their own face covering to communicate with someone who needs to lip read;
- HMCTS employees and court and tribunal users may wear their own face coverings if they wish, provided these are consistent with Public Health guidance;
- Court and tribunal users and professionals will be provided with a single use face covering on request at the entrance, but the likelihood is that they will provide their own;
- Staff can remove face coverings when seated at a workstation. When removing face coverings, the following guidance needs to be observed:

- Wash hands thoroughly with soap and water for 20 seconds or use hand sanitiser before putting a face covering on, and after removing it.
- When wearing a face covering, avoid touching your face or the face covering, as you could contaminate it with germs from your hands.
- After wearing a reusable face covering, it should be placed inside a plastic bag prior to it being washed to prevent onwards contamination from the used face covering. It should not be placed on a desk or other work surface which it could contaminate or be contaminated by.
- Single-use face coverings and FRSMs should be disposed of carefully in a disposable no touch bin. Users should immediately wash their hands with soap and water or use a hand sanitiser.

We have reviewed **Jury Deliberation Rooms** in line with the latest government guidance. In January 2021, under the guidance of public health organisations we bolstered our mitigations in these rooms, requiring jurors to wear a fluid resistant surgical mask (unless exempt) whilst in the smaller of these rooms. This remains the case and the wearing of visors is not permitted in our smaller jury deliberation rooms. In **Wales**, any Jury Deliberation Room (or other room) where 2m social distancing cannot be adhered to, should not be used.

Whilst smaller deliberation rooms can now be used again in **England** and **Scotland**, we have refreshed our guidance in these areas to ensure that rooms are laid out in a way which reduces contact and proximity with others as far as possible, including the use of screens and signage/floor markings and installation of C02 monitors to assure the freshness of air in these rooms. Fluid resistant surgical masks continue to be required in these rooms.

What are the hazards?	What have we already done to control the risks?	What further action do we need to take to control the risks?	Who needs to carry out the action?
Wellbeing Risk to staff.			HR, Property, H&S and Operations.

	Dedicated Central COVID Response Team established to support and advise local management on staff communications.		
Risk to other court and tribunal users.	<ul> <li>Positive promotion of the safety measures in place to reassure and reduce anxiety. Measures to reduce the anxiety of other court and tribunal users include:</li> <li>Clear signage to reassure that safety measures are in place;</li> <li>Provision of disposable face coverings on request;</li> <li>Provision of exemption cards and sunflower lanyards where applicable;</li> <li>Regular tannoy announcements, issuing useful reminders;</li> <li>Publication of our processes and arrangements, along with channels through which to raise any concerns;</li> <li>Reassurance provided by HMCTS colleagues;</li> <li>A risk assessment process to support clinically vulnerable persons to put into place reasonable adjustments to ensure the safety of such individuals.</li> <li>A central team to support local courts and tribunals in managing incidents.</li> </ul>	monitoring and communications	Local managers supported by central Facilities Management Team

# **Version Control**

Version	Publication Date	Author	Summary of Changes
V1			First Release
V2	10 November 2020	For more information on the H&S Hub click here	<ul> <li>2m to 1m+</li> <li>Screens guidance updated</li> <li>Face coverings information (including exemption cards)</li> <li>Tannoy announcements</li> <li>QR Codes information</li> <li>PECS information</li> <li>Face covering / PPE requirement for custody suite staff</li> <li>Removal of belts during security searches</li> <li>People promise support wheel</li> <li>Access to work scheme</li> <li>Introduction of the Covid-19 Individual Risk Indicator (CIRI) tool</li> <li>Establishment of Central COVID Response Team.</li> </ul>
V2.1	30 November 2020	HMCTS Health and Safety Hub	<ul><li>Definition of public/communal areas added.</li><li>Information on putting on and taking off face covering added.</li></ul>
V3.1	18 February 2021	HMCTS Health and Safety Hub	<ul> <li>Updated overview to reflect that this document has been updated on the back of the increased understanding of the new variants, and the changes to guidance as a result.</li> <li>Updated references to the wearing face covering and fluid resistant surgical masks in court rooms.</li> </ul>
V4.1	25 June 2021	HMCTS Health and Safety Hub	- Document updated to reflect the latest position (at the date of publication) and includes amended references to the Delta variant and the controls in place to mitigate the risk of transmission, which includes CO2 monitors and sanitising stations.
V5.1	14 July 2021	HMCTS Health and Safety Hub	<ul> <li>Document updated in light of the Prime Ministers announcements on 5/12 July and the move to Step 4 of the roadmap. All controls reviewed to represent the latest position in England, Wales and Scotland.</li> </ul>

V6.1	11 August 2021	HMCTS Health and Safety Hub	- Document updated to reflect the change in government guidance in Wales and Scotland.
V6.2	26 October 2021	HMCTS Health and Safety Hub	<ul> <li>Amendment on face coverings to state that face coverings are required by all court users, over the age of 11, unless exempt.</li> </ul>
V7	21 December 2021	HMCTS Health and Safety Hub	<ul> <li>Full update to reflect the Omicron variant of concern and the updates to guidance in England, Wales and Scotland including a return to 2m Social Distancing in Wales from the 27<sup>th</sup> December 21.</li> </ul>