



Eich cyf/Your ref
Ein cyf/Our ref KS/1407/20

Circular letter to Retailers in Wales

British Retail Consortium
Association of Convenience Stores
Federation of Small Businesses
British Independent Retail Association
Healthy Working Wales
Local Authorities
Wales Health at Work Partnership
Welsh Local Government Association
Usdaw

July 2020

Revised rules for physical distancing

The continued protection of the public from coronavirus remains the top priority for the Welsh Government. To do this we have made gradual and step wise changes to requirements and to provide clarity to the public and businesses about how best to manage the risks as the pandemic continues. As part of this I would like to draw your attention to our revised rules on physical distancing and (more generally) minimising the risk of exposure in the workplace and in premises that are open to the public – the annexed information gives key elements, but please see The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 for full details:

<https://gov.wales/sites/default/files/publications/2020-07/the-health-protection-coronavirus-restrictions-no-2-wales-regulations-2020.pdf>

As we relax some of the restrictions for the public more generally, it is more important than ever that we implement practical steps to mitigate the risks. So the regulations include a new more detailed approach to requiring all reasonable measures to be taken to minimise risk of exposure to coronavirus. This remains based on maintaining 2m social distancing but imposes additional requirements in relation to hygiene, limiting face to face interaction and providing information to workers and to the public. We also recognise there are some

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

occasions when it is not possible to maintain 2m distancing and the additional measures businesses need to put in place are particularly important in that context.

We have also issued guidance on the practical implementation of the legal requirements, which you must take into account. This guidance can be found here:

<https://gov.wales/taking-all-reasonable-measures-minimise-risk-exposure-coronavirus-workplaces-and-premises-open>

We recognise that as they reopen retailers are putting in place a wide range of measures, including introducing one way systems, limiting numbers entering shops and putting up screens, to help ensure your shops are safe workplaces and for the public. We are grateful for this and recognise that these measures, along with good personal hygiene including hand washing help us to reduce the transmission of coronavirus in our communities. However, we are conscious that there will be some circumstances where physical distancing measures such as these are not possible or sufficient, and further steps including the use of personal protective equipment are necessary. Although, we do not intend to mandate the use of face coverings in retail settings, we advise that you may consider it appropriate or necessary to ask your customers to wear a face covering. This should be considered, alongside the other measures described in the annex, as part of the risk assessment you will need to make to ensure you have in place all reasonable measures to minimise risk of exposure to coronavirus on your premises.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken Skates', with a long horizontal flourish extending to the right.

Ken Skates AS/MS

Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales

ANNEX – Specific provisions relating to workplaces

PART 3 Minimising risk of exposure to coronavirus at open premises and while working

Reasonable measures to minimise risk of exposure to coronavirus

12.—(1) Paragraph (2) applies to a person responsible for— (a) open premises, or (b) work carried out at any other premises where a person is working.

(2) For the purposes of minimising the risk of exposure to coronavirus at the premises, the person must—

(a) take all reasonable measures to ensure— (i) that a distance of 2 metres is maintained between any persons on the premises (except between two members of the same household, or a carer and the person assisted by the carer); (ii) where persons are required to wait to enter the premises, that a distance of 2 metres is maintained between them (except between two members of the same household, or a carer and the person assisted by the carer),

(b) take any other reasonable measures for that purpose, for example measures which limit close face to face interaction and maintain hygiene such as— (i) changing the layout of premises including the location of furniture and workstations; (ii) controlling use of entrances, passageways, stairs and lifts; (iii) controlling use of shared facilities such as toilets and kitchens; (iv) otherwise controlling the use of, or access to, any other part of the premises; (v) installing barriers or screens; (vi) providing or requiring use of personal protective equipment, and

(c) provide information to those entering or working at the premises about how to minimise the risk of exposure to coronavirus.

(3) In these Regulations “open premises” means— (a) premises of a business or service listed in Schedule 4; (b) places of worship; (c) cemeteries; (d) premises of a business listed in Schedule 1 which are not required to be closed by virtue of regulation 6; (e) premises of a business listed in Schedule 2 which are permitted to be open by virtue of regulation 7(2); (f) premises of a business listed in Schedule 3 which are permitted to be open by virtue of regulation 8(2) or (3); (g) crematoriums permitted to open by virtue of regulation 10(2); (h) community centres permitted to open by virtue of regulation 10(4).

(4) For the purposes of this regulation “premises” also includes a vehicle used to provide a service for the carriage of passengers by road, rail, tramway, air or sea.