

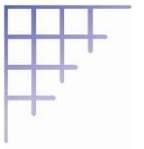
Coronavirus: Returning to the workplace: Why the lack of guidance from Employers Liability Insurers

COVID-19 has changed the way many companies work, with many more employees now working from home as a result of the UK's Government Lock-Down recommendation. The negative impact to businesses is significant. Employers are duty bound to protect their employees and need clear guidance on how to minimise their exposure to liability claims, that may emerge from employees.

Under the Health and Safety at Work etc. Act 1974, employers are responsible for the health, safety, and welfare at work of all employees, including home workers. The 1969 Liability Insurance Act states that employers operating in the UK must protect against liability for "body injury or disease" suffered by their workers during their work. Furthermore, since the term "disease" is not defined in the Act, Covid-19 will probably be included.

As the UK Government's plans to lift coronavirus restrictions in England, begin to take shape, workers who cannot work from home are in some sectors being advised to return to work. Employers therefore have a duty to take reasonable steps to ensure a safe workplace and to ensure secure work systems are in place to avoid the risk that employees will contract COVID-19 in the work place.

Insurers are noticeably silent on giving advice and guidance to their employer policyholders on how to take sufficient measures to avoid employees becoming infected. Many employees are beginning to return to work, yet businesses are not



presented with clear “best practice” guidelines approved by Employers Liability Insurers.

The interests of employers and employees are identical and it is surprising that Insurers, Unions and employer and trade associations are not publicly giving guidance.

To discuss any aspect of this article, please contact:

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