

# Coronavirus (COVID-19): construction sector guidance

Summary: Guidance on construction sites and associated works that can continue under specific conditions.

## Section 1 Overview

This guidance is for the construction sector. It comes into effect immediately - 6 April 2020 - and extends until further notice. We will look again at these measures in three weeks time.

## Business and social distancing

As per the [business and social distancing guidance](#), published on 4 April 2020, in this public health crisis it is vital that **ALL** businesses act responsibly and align fully with the social distancing measures introduced to protect the nation's health, well-being and economic future.

Advice from the Chief Medical Officer is that all non-essential business premises, sites and attractions should close unless and until we can all be clear how operations can be undertaken safely and in a way that is fully compliant with social distancing.

As such we would advise all business premises, sites and attractions to close now unless:

- essential to the health and welfare of the country during this crisis (as defined below); or
- supporting (or being repurposed to support) essential services; or
- wider public health, health and safety or other considerations apply and require a facility or service to continue to operate for a specific period of time for a safe shutdown process to be completed; and
- apart from in exceptional circumstances critical to lives and safety, capable of working in a way which is fully consistent with established social distancing advice

## Critical National Infrastructure

Critical National Infrastructure (CNI) sectors define those facilities, systems, sites and networks necessary for the functioning of the country and the delivery of the essential services upon which daily life in Scotland depends.

Essential services are the fundamental services that underpin daily life and ensure the country continues to function.

There are 13 designated CNI sectors:

- energy
- communications – Telecommunications, Public Broadcast, Postal Services, Internet;
- government
- transport

- finance
- civil nuclear
- defence
- chemicals
- space
- health
- food
- water and waste
- emergency services

Even where businesses are in the CNI category and judge themselves to be exempt from closure of business premises, it is imperative that they keep open only those premises or parts of premises that are truly critical or essential to the national COVID-19 effort. For example, related logistics or administrative staff should work from home wherever possible, and non-essential staff must work from home.

Employers and employees should discuss their working arrangements, including with trades unions where present, and employers should take every possible step to facilitate their employees working from home, including providing suitable IT and equipment to enable remote working.

Sometimes this will not be possible, as not everyone can work from home. Business should look critically at their role and operations.

The Chief Medical Officer for Scotland has advised that all non-essential business sectors – like construction (unless it is essential construction, such as a hospital) – should close unless and until we can all be clear how operations can be undertaken safely and in a way that is fully compliant with social distancing.

We will work with the construction sector - and others - to consider if it is possible to produce appropriate guidance on that specific point. Unless and until such guidance is issued, non-essential workplaces - including in particular, construction sites - should stay closed.

**Info note: The construction sector and its supply chain is considered a non-essential business sector, except where supporting an essential sector as listed above.**

The Scottish Government has high expectations of how fair work principles should be applied during the current crisis and have issued a [joint statement with the STUC](#) which should be taken into account when applying this guidance.

All business workplaces that are not being specifically required to close should consider these key questions – and at all times work on the precautionary basis:

- Is what you do essential or material to the effort against the virus or to the wellbeing of society?
- Are you able to demonstrate and give confidence to your workforce that you can consistently practice safe social distancing and comply with ALL other standard health and safety requirements?

If the answer to **either** of the above questions is no, the advice of the Chief Medical Officer on a precautionary basis is to close.

**This document contains further guidance on construction sites and associated works that can continue under specific conditions.**

There has been an unprecedented package of support announced from both the Scottish and UK Governments to support businesses.

This support should help many employers preserve their business, maintain jobs and pay their workers throughout this crisis. Information on this support is available through [findbusinesssupport.gov.scot](https://findbusinesssupport.gov.scot). We urge all businesses to make use of this.

In the event of temporary construction site closures all available support measures must be utilised to protect the jobs and incomes of construction workers.

## Section 2 Non-essential services

Work on construction in the following sectors should be halted at this stage, subject to limited exceptions, as laid out later in this guidance:

- domestic housing
- schools, further and higher education institutions and early years provision
- office buildings and other commercial properties
- leisure
- retail
- warehousing
- garages and showrooms
- ecclesiastical
- community centres
- non-health related civic buildings
- public realm - hard and soft including (but not limited to) roads, which includes footpaths, footways, cycle lanes and verges; pavements; parks; and grassy areas
- justice and custodial

Operations should be shut down safely and securely, ensuring that partially-built structures are safe, and if necessary wind- and water-tight, associated equipment is properly stored, and sites have suitable security for the duration. Exceptionally, if sites can be safely completed within 5 working days they can be completed.

Companies should put in place suitable arrangements for monitoring site security and safety, and personnel may be allowed on-site to carry out essential remedial work in line with existing contracts, or in the light of urgent work emerging.

## Section 3 Essential projects

The following guidelines should be applied when considering whether a project falls within the definition of 'essential'.

Essential projects include:

- projects to create or repurpose facilities which will be used directly in COVID-19 related activities including testing, containment, treatment, research, vaccine production, protective equipment manufacture, other key medical supplies, and other related activity, including supply chains to those projects.
- projects to create or repurpose facilities which will be used to accommodate key workers or free-up space in facilities to be used directly in COVID-19 related activities as above.
- projects to create or repurpose facilities and infrastructure critical to the national response to COVID-19 including food production, distribution and digital communication, where these facilities are likely to be completed and operational within 6 months.
- projects which are considered essential public services or which will provide wider resilience and capacity across the system

### Essential project examples

The following examples of 'essential' projects are provided to help developers' consideration of whether work should continue on their site:

#### Health sector

##### **Edinburgh Children's Hospital and Department of Clinical Neurosciences**

These are major developments which while not directly contributing to the COVID-19 situation at this point, could provide additional capacity if the situation changes.

##### **Children's Hospital in Glasgow: refurbishment of wards 2A and 2B**

Work is underway on essential water and drainage issues in the two paediatric cancer wards at the Royal Hospital for Children. The nature of the patient cohort using these wards gives these works the designation of essential.

#### **Essential and time-critical maintenance**

There are a range of small-scale projects around essential maintenance and repairs, that need to be delivered to secure sustainable and resilient services.

Bearing in mind the broad principles outlined here, we expect NHS Boards to make decisions on individual sites and projects in conjunction with the contractor/s.

#### Transport sector

##### **Operation and essential maintenance of the transport network**

The safe and effective operation of transport network is essential to the national response to COVID-19. There are a number of smaller scale projects that are required to be delivered which are essential and time-critical for the safe and effective operation of the road and rail network in Scotland. Works include essential

road and rail repairs, essential structure repairs and ongoing safety monitoring of the networks. In addition, essential winter maintenance activities will continue as required along with incident responses required to keep the critical transport network open.

### **Road works and works for roads purposes**

Works as defined in the New Roads and Street Works Act 1991 includes a subset of works which are vital for the wellbeing of society. The continued provision of essential utility services, energy, telecoms, water (including sewerage) within an effectively operating road network is vital during this period. Where works fall within the existing emergency and urgent works categories, and where the requirements on social distancing can be met, these are considered essential. Other planned works including proposed upgrades or non-critical rehabilitation schemes should not be undertaken during this period.

### **Essential and time-critical maintenance and repairs**

Projects that ensure such facilities continue to function safely, and maintain essential levels of utility for their users are also considered essential in this context. Where projects can be safely concluded at a later point they should be.

Essential projects include:

- operation and essential maintenance of elements of national public, private and business infrastructure which are essential for the containment and treatment of the virus and the distribution of food, essential supplies, utilities and communications to households
- the essential repair or maintenance or operation of critical infrastructure including: energy (electricity and gas) generation, transmission (including distribution) and supply; water treatment and networks; and telecom/broadband networks. These works will be required to ensure near-term network security
- the essential repair or maintenance of oil and gas CNI, including that equipment that is required for the repair and maintenance, for ongoing safe production operations to ensure fuel resilience and security of supply
- the essential maintenance of facilities being used to deliver essential services or manufacture and deliver essential goods
- the essential maintenance and repair (but not improvement) of buildings including private homes and commercial properties. Routine maintenance should be deferred.

However, any such project can only continue operating if it can comply with the guidance on the safety and welfare of people.

**Any site unable to meet these requirements must cease operations.**

## **Section 4 Compliance**

Everyone is instructed to comply with the rules issued by the Scottish and UK Governments in relation to coronavirus, in order to protect both themselves and others.

### **Length of closure**

This guidance comes into effect immediately - 6 April 2020 - and extends until further notice. The Scottish Government will look again at these measures in three weeks.

This guidance will be updated and reviewed as required in consultation with the sector's employers and unions. Please ensure you use the latest version.

## **Section 5 Related guidance**

### **Social distancing**

[Coronavirus \(COVID-19\): business and social distancing guidance](#)

Further guidance on social distancing can be found on [NHS inform](#).

### **Health guidance**

[The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Regulations 2020](#)

[Construction Scotland: working on site during the COVID-19 pandemic](#) (safe operating procedures)

### **Support for workers and business support**

Advice on substantive support packages available for business and their employees is at <https://findbusinesssupport.gov.scot/>

### **Construction policy notes (CPNs)**

Construction Policy Notes (CPNs) alert contracting authorities to new policy, guidance and other matters relating to public sector construction.

A list can be found at: [CPNs](#)

### **CECA briefing – advice on temporary suspension of construction sites**

CECA has produced [guidance on closing construction sites safely and securely](#).

### **Scottish Public Procurement Notices**

A list of [Scottish Procurement Policy Notes \(SPPNs\)](#) can be found on gov.scot. SPPN 4/2020 covers procurement related issues as a consequence of the COVID-19 outbreak.

SPPN 5/2020 sets out guidance for public bodies on options for payment to their suppliers to ensure service continuity during the current COVID-19 outbreak.

### **Guidance on the definition of emergency and urgent works for NRSWA sites**

[Code of Practice under the New Roads and Street Works Act 1991](#).



**Fair Work during the COVID-19 crisis**

Please see our [Joint Statement with the STUC](#)

**Health & Safety Executive COVID-19 latest information and advice**

<https://www.hse.gov.uk/news/coronavirus.htm>