



HM Courts &
Tribunals Service

HMCTS Organisational COVID-19 Risk assesment

July 2021



HMCTS Organisational COVID-19

Risk Assessment

After detailed work across our organisation, which has been and will be updated regularly, we have identified the COVID-19 related risks in our workplaces and put in place measures to mitigate and control those risks. Our arrangements are kept under constant review to ensure that they continually reflect changing circumstances, as well as current public health advice. We work with our Departmental Trade Unions and other organisations who use our courts and tribunals, sharing with them our approach on Risk Assessment and Risk Management. The table below gives an overview of our current assessment of risks across the organisation and details the safety measures in place.

Our Organisational Risk Assessment has been updated and is published following the Prime Minister's announcement on 12 July 2021 to lift or ease restrictions in England on 19 July 2021 under Step 4 of the roadmap. Reaching Step 4 is important but does not mean we no longer face risk. Instead, it means Public Health and wider advice to us has shifted, and so the way we assess and manage risk has had to be reviewed. The position in Wales and Scotland remains unchanged at this time, and mitigations including social distancing remain in place in those areas.

On 5 and 12 July 2021, the Prime Minister signalled that transmission risks are reducing, specifically, both the likelihood of transmission, and crucially the severity of impact/outcome should there be a transmission event, because of the success of the national vaccine programme. But the Prime Minister was clear that risk remains. Given HMCTS's statutory duties, if risk remains, it must



be assessed and managed appropriately to protect staff and others (including judiciary, contractors and users) from foreseeable risk.

We constantly monitor the arrangements in all our buildings to ensure that they continue to meet the standards required. In doing this, we adopt a structured approach, using a local [Assessment Tool](#). Across HMCTS we have a range of workplaces with differing requirements and the Local Assessment Tool provides a flexible framework for managers in **England, Wales, or Scotland** to effectively assess the risks and manage the safety measures for

individual buildings, working with Trade Union colleagues and local teams. 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. It has been updated throughout the pandemic and has been reviewed alongside this Organisational Risk Assessment to reflect the latest government changes in England on 19 July 2021,

We also have a framework of detailed guidance behind the tool, 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 (to the extent useful and relevant) for our users on GOV.UK (<https://www.gov.uk/guidance/keeping-court-and-tribunal-buildings-safe-secure-and-clean>).

The guidance is overseen and kept under regular review by a governance committee established specifically for this purpose, chaired by an Executive 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 through 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 (EA) impacts of our mitigations on disabled people particularly those with hearing and visual impairments, limited mobility, wheelchair users, larger people who need bariatric (oversize seating) and people with mental health conditions, 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 HMCTSHandSHUB@justice.gov.uk or HMCTS.COVID-19ResponseTeam@justice.gov.uk.

HMCTS colleagues should speak to their line manager, the Senior Person on Site (SPOS), or their Regional Safety and Security Officer (RSSO) in the first instance.

What are the hazards?

Contraction of COVID-19 through contact with surfaces

Risk to staff and all court/tribunal users

What have we already done to control the risks?

- Utilising 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).
- Additional checks in place around soap and hand drying facilities, ensuring priority for fixing immediately, any reported issues.
- Ensured every building is cleaned at night, in addition to the regular touchpoint cleaning throughout the day, in public and admin areas.
- Use of high visibility 'cleaning support' jackets for our daytime cleaners, so they are easy to spot.
- 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.
- Promoted handwashing and personal hygiene with posters in prominent places in buildings, in addition to the provision of appropriate facilities.
- 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.
- 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.

- Encouraged any concerns with building cleanliness or soap supplies to be referred instantly.
- Exploring and piloting other products and equipment to keep our buildings clean and introduced Carbon Dioxide Monitors in smaller rooms to monitor air quality and give an indication when those frequenting the room should take a break and leave the doors/windows open to refresh the air.

What further action do we need to take to control the risks?

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

Who needs to carry out the action?

Local managers supported by central Facilities Management Team.

What are the hazards?

Contraction of COVID-19 through contact with other people

Risk to staff and all court/tribunal users

What have we already done to control the risks?

- 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).
- 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.
- We have reconsidered our assessment of **all non-public areas in England**, to mitigate the risk of transmission, with measures at different sites including, but not limited to, the following:
 - 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 H&S and personal hygiene), as well as flagging relevant and helpful guidance and tools that can help colleagues manage risks and keep safe;
 - Reviewing seating arrangements to enable employees to sit side-by-side or facing away from each other;
 - As far as is practicable, using one-way systems;
 - Changing working hours where possible, if it supports individuals to travel at earlier or later times to reduce contact with other people and staggering lunch and comfort breaks;
 - Introducing shift working where possible, sometimes creating temporary teams, to allow individuals to travel to/from the workplace at different times of the day and/or alternate weeks;
 - Continue to support the use of virtual meetings; encouraging use of Microsoft Teams, telephone conferencing or holding meetings with employees at their workstations.

- We encourage staff and court users to make use of local authority Lateral Flow Centres, where available.
- Encouraging frequent court users to take regular tests by ordering free rapid lateral flow tests to check for symptoms.
- In **Wales** and **Scotland** our controls remain unchanged and in addition to the above controls, we continue to promote social distancing in non-public areas and have reviewed seating arrangements to enable employees to socially distance from each other when they are at their workstation.

What further action do we need to take to control the risks?

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

Who needs to carry out the action?

Local managers supported by central Facilities Management Team.

What are the hazards?

Contraction of COVID-19

Risk to staff and all court/tribunal users

What have we already done to control the risks?

- **Social distancing** is no longer mandated in our buildings in **England**, however, we have considered other ways to reduce contact and proximity to mitigate transmission. This, in addition to retaining the controls mentioned above, such as current standards of ventilation, cleaning, sanitising, the following includes:
 - Only increasing capacity in our buildings when necessary;
 - The continued use of screens in all rooms where practicable with particular focus on smaller rooms, to ensure those rooms are available to use in a safe manner;
 - Requiring court and tribunal staff and users to wear face coverings in all staff and public areas of our buildings and reminding them of their requirement in announcements and communications;
 - Displaying face covering posters in prominent locations;
 - 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;
 - Using a one-in, one-out, system for lift entry and exit where practicable. This could include use of posters;
 - Removing excess furniture in staff and public areas, to increase available space.
- **In Wales and Scotland** our controls remain unchanged and in addition to the controls outlined herewith, 2m social distancing is the default minimum standard. Where required and where space permits we have installed clear screens to the appropriate specification, as set out in the [Guidance on Screens](#) (Regional Facilities Managers can arrange this if appropriate).
- We have reviewed all public areas, including every open or staffed court and tribunal, putting in place arrangements to help people maintain a 2m mitigation distance where appropriate. These will vary for different buildings in Wales and Scotland depending on layout, but may include:
 - Reminding court and tribunal users that face coverings are required in the public areas across our buildings in **Wales** (and strongly recommended in **Scotland**);
 - Reminding court and tribunal users to maintain social distancing where possible through regular announcements and posters in prominent locations etc;
 - Putting a system in place to manage the flow of people and to maintain a 2m or 1m+ mitigation distance e.g. using numerical labelling of seats, floor markings and tape;
 - Removing furniture or cordoning off to enable individuals to be at a physical distance of 2m or 1m+ mitigation from each other wherever possible;
 - In courtrooms/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 to enable social distancing 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

What are the hazards?

Contraction of COVID-19

Risk to staff and all court/tribunal users

- 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.
- We have reviewed arrangements for **custody suites**. 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, 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 England/Wales guidelines;
- All custody staff are now required to wear PPE (fluid resistant surgical masks (FRSMs)), whilst in the custody suite, at all times, with a few minor exceptions in **Wales** (e.g. if their rest room is sufficient in size to enable adequate social distancing);
- 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 **security search procedures** 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 England/Wales; <https://www.gov.uk/guidance/keeping-court-and-tribunal-buildings-safesecure-and-clean#use-of-hand-held-detectors>.
 - Our Court and Tribunal Security Officers 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 hand held 'search detectors';
 - Where wandling needs to be carried out in Wales and Scotland court and tribunal users will be asked to turn away from the CTSO so that they are not face-to-face at any point during the search. Turning away will not be required in England following the removal of social distancing under Step 4 of the Roadmap.

What are the hazards?

Contraction of COVID-19

Risk to staff and all court/tribunal users

- 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 and HMCTS employees, in all staff and public areas of court and tribunal buildings in **England**. This is in line with Public Health guidance and is to increase confidence amongst users as well as to help prevent transmission of coronavirus. In **Wales**, the wearing of face coverings continues to be mandatory 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 (in **Wales**);
 - 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;
 - 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.

What are the hazards?

Contraction of COVID-19

Risk to staff and all court/tribunal users

We have reviewed **Jury Deliberation Rooms** in England following guidance for Step 4. 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 these rooms. This remains the case in **England** and also in **Wales** where 2m social distancing cannot be observed. The wearing of visors is not permitted in these rooms.

Smaller deliberation rooms can now be used again in **England**, however 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 CO2 monitors to assure the freshness of air in these rooms.

We have introduced the NHS QR codes into court and tribunal buildings, to support NHS Test and Trace and NHS Wales Test, Trace, Protect Policy. Whilst this is a voluntary requirement, we encourage everyone using public and communal areas of court and tribunal buildings to scan the NHS QR codes if they are using the NHS COVID-19 app.

(When people have contact tracing switched on, the NHS app will use Bluetooth to know when it has come into close contact with other nearby app users. If any of those nearby app users later test positive for coronavirus (COVID-19), others who came into close contact may receive an alert with advice on what to do – this could include advising people to self-isolate and book a test if they develop symptoms.

The NHS guidance is clear that people should pause contact tracing in the app when they are working behind a fixed Perspex (or equivalent) screen or store their phone in a locker or communal area. This is important as Plexiglass Screens are now a mitigation used in many of our buildings, courtrooms and deliberation rooms.)

What are the hazards?

Wellbeing

Risk to staff

What have we already done to control the risks?

- Promoting **positive wellbeing** of staff during these challenging times is critical and interventions include, but are not limited to:
 - Providing support through resources such as the Employee Assistance Programme, the Mental Health Allies Network, various other tools and guidance including free access to a meditation app;
 - [HMCTS HR intranet pages](#) including specific updated guidance on topics such as returning to work conversations, keeping in touch and temporary working patterns;
 - Introduction of the COVID-19 Individual Risk Indicator (CIRI) tool to take into account individual personal factors that impact on returning to the workplace. Employees can use the tool in conversation with their line manager to discuss any additional requirements to be put in place to support the individual's return;
 - Continuation of a regular communications from senior leaders and an employee newsletter to help colleagues combat feelings of isolation and loneliness, and help people adapt to new ways of working;
 - Creation of additional online learning, such as managing a [virtual team](#);
 - Useful guidance has been published on our [Health and Wellbeing](#) pages on the intranet, as well as some hints and tips and simple ideas on a range of topics shared by colleagues to support individuals during these difficult times to look after themselves and others;
 - Promotion of the [5 Step Wellbeing Conversation Tool](#) which provides guidance for both line managers and colleagues to enable them to start a conversation about wellbeing. The five steps it includes are prompts on what to cover during the conversation to help structure the discussion;
- Our [People Promise Support Wheel](#) has been made available to help individuals identify and access the support needed most at this time. The range of support is continuously growing based on colleagues' feedback, and our changing needs at the COVID-19 outbreak develops and we move through the different stages. The tool will be continuously updated to reflect this;
- Access to Work scheme has been revised to extend help available to disabled employees who are working from home or needing to return to the office but requiring support to do so;
- Regular webinars held by senior management team to provide updated information and address any concerns. In February 2021 we also introduced a webinar targeted specifically at our most senior operational managers responsible for undertaking local Assessment Tool reviews, aiming to support those leaders still further with the latest advice and guidance available at a national level from e.g. Public Health agencies;
- Dedicated Central COVID Response Team established to support and advise local management on staff communications.

What further action do we need to take to control the risks?

Continual monitoring of guidance, updating as required, including using results from the annual People Survey in November 2020 to update on any activities.

Who needs to carry out the action?

HR, Property, H&S and Operations.

What are the hazards?

Wellbeing

Court/Tribunal users.

What have we already done to control the risks?

- 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:
 - Clear signage to reassure that safety measures are in place;
 - Provision of disposable face coverings on request;
 - Provision of exemption cards and sunflower lanyards where applicable;
 - Regular [tannoy announcements](#), issuing useful reminders;
 - Publication of our processes and arrangements, along with channels through which to raise any concerns;
 - Reassurance provided by HMCTS colleagues;
 - A risk assessment process to support clinically vulnerable persons to put into place reasonable adjustments to ensure the safety of such individuals.
 - A central team to support local courts and tribunals in managing incidents.

What further action do we need to take to control the risks?

Regular monitoring and communications

Who needs to carry out the action?

Local managers supported by central Facilities Management Team



HMCTS Health and Safety Hub

For more information on
the **H&S Hub** click [here](#)



HM Courts &
Tribunals Service

DRAFT