

What Are Your Pressing COVID-19 Issues?

- Employee wellbeing and related issues
 - Sick leave and sick pay
 - Introducing enforced leave and/or cancelling holidays
 - Data protection issues with ascertaining travel plans (before or after holidays)
 - Reporting policies
 - Employee restrictions and alternative, or additional, duties
 - Advice on preventing risk/spread of infection
 - Working from home – administrative roles
 - Future use of furloughed workers
 - Operational issues (including health and safety)
 - Availability of additional workers to meet increased production requirements/demand
 - Facilities for staff refreshments and breaks
 - Health and safety duties/obligations
 - Segregated shifts, provision of PPE, such as masks, screening (and associated data protection issues)
 - Risk assessments for home working
 - Following Public Health England guidelines in the workplace, including in relation to distancing and hand washing
 - Hygiene measures – general and in event of employee illness
 - Precautions in respect of closed premises
 - Policy and financial health
 - Products that will be considered as “food” in connection with exceptions from enforced closures/suspension of business activity
 - Whether workers qualify as “critical” for purposes of continued provision of children’s education
 - Critical and essential supplier status, including packaging, labelling and logistics
 - Lobbying to protect your interests
 - Insurance coverage
 - Contractual protections
 - Use of spare capacity for other products/purposes (potential competition law restrictions)
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- Support through rapidly changing and ongoing financial health needs (including accessing government/financial support packages, banks and other funding, business distress options, cash flow, forecasts, aborted deals, tax relief, landlord and tenant issues, pensions, protecting investments, etc.)
 - Issues with paying or receiving rents pursuant to your leasehold interests in premises
- Supply chains, including manufacturing, logistics, business critical infrastructure/services
 - Anticipating and meeting increased demand overall and for particular products
 - Cross-border supplies where there is surplus stock in one country and shortage in another

- Possible import delays, including in connection with restrictions at ports and the impact of illness on the speed of issuing required certification, e.g. for products of animal origin
- Dealing with supplier closures, ingredient and product shortages, cross-border cost increases and disruption
- Protracted business interruption, border closures, in-country lock-downs, etc. (e.g. France, Germany, Italy and Spain)
- Supply chain mapping, risk management and mitigation steps
- Contractual exposures – change in law, force majeure, frustration, material adverse change, termination, waiver, cancellation by customers, etc.
- Customer and public relations
 - Communication of:
 - Steps taken for wellbeing of customers
 - Steps taken for wellbeing of consumers
 - Steps taken to meet increased demand/supply shortages
 - Key information on business/approach that all communications should include
 - Briefings for customer-facing staff for responses to customer enquiries
 - Data protection issues and protocols for the disclosure of sensitive personal data (e.g. customer requests for declarations of health of delivery drivers)

We can help you address these and other commercial, legal and COVID-19 policy challenges you may have, including local law advice across multiple jurisdictions, utilising our global full-service team of lawyers and policy advisors. Our team would welcome the opportunity of discussing your pressing COVID-19 needs with you.

Other COVID-19 Support and Resources

[COVID-19 Resource Hub](#) – 24/7 monitoring and regular updates on current COVID-19 legal and business continuity issues across our global platform, including how business is responding to potential new and existing ramifications.

[COVID-19 Contingency Planning Self-assessment Tool](#)

– A complimentary mapping tool, including an optional contingency planning template. Within 24 hours, you receive a summary mapping factors your business has not yet considered, together with benchmarking information collated from assessments completed by other businesses.

Contingency Planning

In the meantime, our “top tips” for contingency planning for food and drink businesses are:

1. Assess what critical activities are required for the delivery of your business objectives and key services and products to customers (including the consideration of factors such as suppliers, logistics and retailing activities).
2. Plan your contingency arrangements around the resources required to deliver those critical activities, including the minimum number of workers and the skills/qualification levels required (e.g. food hygiene qualifications); the operation of particular business premises (including factory, warehouse and any retail premises); and the IT facilities/equipment required (e.g. customer ordering and communication facilities).
3. Map potential supply chain issues to meet anticipated demand and in consideration of whether you and your suppliers will be considered as an “essential service” (those involved in food production, processing, distribution, sale and delivery, as well as those essential to the provision of other key goods, will be considered as “key workers”).
4. If you will be adversely affected by government measures leading to reduced demand and/or closure of premises, consider what financial support may be available from funders or the government and whether you have coverage under insurance policies, including for notifiable diseases and for business interruption.
5. Remember that in the event of operating with a skeleton staff and/or closure of some business premises, you will need to assess potential risks to health and safety in connection with changes to the business and ways of working and consider licence conditions and obligations.

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