This is a summary of key Government and Industry guidelines relating to coranavirus relating to the Scottish construction industry. This includes both UK wide (**Red**) and Scotland specific measures (**Blue**). Highlighted items link to the detailed underlying statements or documents.



15.4.20

The CLC published <u>Version 3 of the</u> <u>Site Operating Procedures.</u>

Key changes in Version 3 include:

- Confirmation that the HSE is the enforcing authority for PHE guidelines
- —Sites need to monitor the implementation of the procedures
- —Further details on who should not travel to work
- —Guidance for those who have no option but to share transport to work
- —Information on the hierarchy of controls which should be implemented to reduce the risk of transmission where social distancing of 2 metres cannot be achieved

15.4.20

During **her daily briefing** the First Minister made the following announcements:

- —The Small Business Grant will be widened. In addition to being able to claim a grant of up to £10,000 (for some business up to £25,000), for one property, these businesses will now be able to apply for grants up to 75% for each subsequent property that they own
- A further £100m fund has been created for self employed people, in particular newly self-employed people.
 This is to come in no later than at the end of April

9.4.20

The Scottish Government published construction policy note CPN 1/2020 on Construction Contracts containing general guidance for the public works projects during COVID19. It covers the following topics:

- —Project continuity;
- —Procurement;
- Common relevant provisions in construction contracts; and
- —Potential COVID-19 mitigations.

8.4.20

Letter from Business, Energy & Industrial Secretary Alok Sharma to manufacturing sector stated "there is no restriction on manufacturing continuing".

The CLC issued a joint **statement** with the Department for Business, Energy & Industrial Strategy and the Infrastructure and Projects Authority. **The statement called for construction businesses to pay in accordance with agreed contractual terms.**

7.4.20

The UK Government issued

Guidance Notes for Construction

Contracts relating to Procurement

Policy Note 02/20 (see 20.03.20). It is addressed to the public sector contains model deeds of variation for both NEC3 and JCT standard form contracts.

Public Health England issued new guidance on social distancing in the workplace and stated the following in relation to construction: "Where it is not possible to follow the social distancing guidelines in full in relation to a particular activity, consider whether that activity needs to continue for site to operate.

Where face-to-face contact is essential, keep it to 15 minutes or less wherever possible".

This is a summary of key Government and Industry guidelines relating to coranavirus relating to the Scottish construction industry. This includes both UK wide (**Red**) and Scotland specific measures (**Blue**). Highlighted items link to the detailed underlying statements or documents.



6.4.20

The Coronavirus (Scotland) Act 2020 received royal assent. The provisions most relevant for the construction industry (Schedule 7, regulations 8 to 10) extend the duration of planning permissions which would otherwise expire during the emergency period.

The Scottish Government <u>published</u> more construction sector guidance. This guidance advises that non-essential sites should close. Essential projects include those which are for works:

- —Essential to health and welfare of the country during the crisis;
- —Supporting essential services;
- Carrying out essential maintenance and repair (but not improvement) of buildings including private homes and commercial properties; and
- are capable of working in a way which is fully consistent with established social distancing advice;

The guidance provides also states those sectors which are deemed non-essential to include schools, further education and early years provision, retail and warehousing, non-health related civic buildings, public realm (including but not limited to roads, footpaths, footways, cycle lanes and verges, pavements, parks and grassy areas) and justice and custodial.

6.4.20

The UK Government published guidance on the <u>Coronavirus Job</u>
<u>Retention Scheme</u>. In order to claim one must have:

- Created and started a PAYE payroll scheme on or before 28 February;
- —Enrolled for PAYE online; and
- —Have a UK bank account.

The UK Government extended the CBILS (see 23.3.20) so that all viable small businesses affected, not just those unable to secure regular commercial financing, will now be eligible should

they need finance to keep operating.

The UK Government introduced the Coronavirus Large Business Interruption Loan Scheme (CLBILS). The UK government will provide a guarantee of 80% to enable banks to make loans of up to £25 million to firms with an annual turnover between £45 million and £500 million. The loans will

be at a commercial rate of interest.

4.4.20

The <u>Scottish Government published</u> <u>guidance:</u> Business and Social Distancing Guidance. This includes a definition of "Essential Services" 3.4.20

update on planning procedures during COVID 19. It stated that they will continue their operation during the emergency period. The following changes will be introduced:

- Pre-application consultation requirement on major developments will be suspended (separate legislation will be introduced)
- Durations of planning applications will be extended under the Coronavirus (Scotland) Bill
- Documents for public inspection will be published online, where possible.
 Again, see the Coronavirus (Scotland) Bill

The Coronavirus Act 2020
(Commencement No. 1) (Scotland)
Regulations 2020 was passed. It brings into force sections 16 and 17 of the Act, "Duty of local authority to assess needs" and "section 16: further provisions".

2.4.20

Site Operating Procedures – Version 2 was published and withdrawn.
Version 1 to continue to apply.

This is a summary of key Government and Industry guidelines relating to coranavirus relating to the Scottish construction industry. This includes both UK wide (**Red**) and Scotland specific measures (**Blue**). Highlighted items link to the detailed underlying statements or documents.



1.4.20

Letter sent from Construction Leadership Council (CLC) to the Prime Minster to demand the following:

- —Suspending PAYE and CIS tax due to HMRC in April and May
- Deferring/cancelling Apprenticeship
 Levy payments due for duration of the crisis
- Encouraging all public sector clients, regulated utilities and firms in the private sector working on public infrastructure to expedite cashflow through the supply chain
- —Support for Directors of microbusinesses
- —Retention release
- Extend the £25k SME business continuity grants scheme to the construction sector

31.3.20

Letter issued from Business, Energy & Industrial Secretary Alok Sharma to construction industry stating:

- Construction workers can continue to work
- —Follow the CLC Site Operating Procedures when doing so. (see 23.3.20)

UK Government issued Guidance

- "Remediation and COVID-19: Building Safety update:
- —It reiterates that building sites for remediation works do not have to close, so work can continue if it is done safely.

During her daily update the First Minister restated that in her view non-essential construction sites should remain closed.

The <u>Coronavirus (Scotland) Bill 2020</u> introduced into Scottish parliament. It provides for:

- —A ban on evictions
- —Protection for debtors
- —The basic functioning for the criminal justice system by allowing trials via video links
- —Amends licensing laws
- —Changes application deadlines for public bodies

30.3.20

The Scottish Government amended building standards (the Building (Scotland) Act 2003 and the Building (Scotland) Regulations 2004):

- —It abolished the limitations around the temporary buildings to be erected to build extensions for hospitals
- —There is also **guidance** for local council to allow more leeway when issuing completion certificates. It allows for photos, videos and other remote means to review a building instead of physically having to be there.

CLC issued <u>advice</u> on how to safely temporarily shut down a construction sites. It reiterates that there is currently no law requiring a contractor to do so.

29.3.20

The Cabinet Office issued updated "Guidance: Staying at home and away from others (social distancing)"

Where people are working onsite employers should ensure that employees are able to follow Public Health England guidelines including, where possible, maintaining a 2 meters distance from others, and washing their hands with soap and water often for at least 20 seconds (or using hand sanitiser gel if soap and water is not available).

27.3.20

The Scottish Government issued Guidance: "Staying at home and away from others (social distancing)". It sets out the guidelines for working during the lock down and re-iterates that construction sites, "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."

Where people are onsite employers should ensure that employees are able to follow NHS Inform and Scottish Government guidance including, where possible, maintaining a 2 meters distance from others, and washing their hands with soap and water often for at least 20 seconds (or using hand sanitiser gel if soap and water is not available).

This is a summary of key Government and Industry guidelines relating to coranavirus relating to the Scottish construction industry. This includes both UK wide (**Red**) and Scotland specific measures (**Blue**). Highlighted items link to the detailed underlying statements or documents.



26.3.20

The <u>Health Protection (Coronavirus)</u> (<u>Restrictions) (Scotland) Regulations</u> **2020** came into force. These

introduced measures including:

- —People to remain in their homes and only leave for essential business (such as to obtain basic necessities, take exercise and travel for the purposes of work where it is not reasonably possible for that person to work from home.
- Restaurants and all types of leisure sites and businesses, pubs, bars, theatres, gyms, etc. to close
- Listed businesses (e.g. supermarkets, builders merchants) that remain open are required to implement 2m distancing
- Contravening these measures is a criminal offence leading to a fine.
 This applies to individuals and officers of a body corporate.

Note: None of these measures directly restrict work on construction sites.

26.3.20

UK Cabinet Office issued Model Interim Payment Terms to supplement earlier guidance on supplier relief

Note that a company claiming under the scheme cannot claim under "any other government/public sector COVID-10 related relief, grant, intervention or other measure which results in the supplier receiving more than one benefit/relief under the same underlying cash-flow issue."

The Scottish Government issued_ SSPN 5/2020 with Model Interim Payment Terms. They are at the same terms as the UK one

—Note that a company claiming under the scheme cannot claim under "any other government/public sector COVID-10 related relief, grant, intervention or other measure which results in the supplier receiving more than one benefit/relief under the same underlying cash-flow issue."

UK Chancellor <u>announced</u> that selfemployed people can apply for grant worth 80% of their average monthly profits over the last 3 years up to £2,500/month

25.3.20

Coronavirus Act 2020 came into force across the UK.

The <u>Scottish Government</u> published "business and social distancing guidance". All businesses and sites to close unless:

- Essential to the health and welfare of the country
- —Supporting essential services
- Capable of working in a way which is fully consistent with social distancing
- Wider public health or safety considerations apply

The Scottish Government made a **Declaration** of serious and imminent threat to public health under the Coronavirus Act 2020

24.3.20

The <u>First Minister</u> delivered a speech in which she stated:

- Scotland now effectively in lockdown
- People must remain indoors, exercise outdoors max 1 a day
- Only travel to work if absolutely necessary and cannot be done from home
- —She would expect construction site to be closed unless the building that is worked on is essential, such as a hospital

Michael Gove stated that builders should turn up to construction sites if

- —the sites are in the open; or
- —if the sites are on private property and essential works needs to be done

Matt Hancock stated that when it comes to construction, work could continue if workers stood 2 metres apart from each other.

23.3.20

The <u>Prime Minister announced a</u> <u>lockdown</u>. including on travelling to and from work:

- Unless absolutely necessary; and
- —Work cannot be done from home

The <u>First Minister</u> advised that building sites should close.

Coronavirus Business Interruption Loan Scheme (CBILS) went live (Loan up to £5m, interest free for 12 months)

UK social distancing **guide** published (including specific reference to site workers)

Communities Secretary Robert Jenrick stated:

- In England and Wales it is possible to continue working on construction sites
- Workers to follow the social distancing guidelines.

The Construction Leadership Council & Build UK released <u>"Site Operating Procedures"</u>.

This is a summary of key Government and Industry guidelines relating to coranavirus relating to the Scottish construction industry. This includes both UK wide (**Red**) and Scotland specific measures (**Blue**). Highlighted items link to the detailed underlying statements or documents.



22.3.20

The <u>First Minister</u> made a statement re-emphasising previous guidance on social distancing. Stated that the Government advice is not optional.

20.3.20

The <u>First Minister</u> announced that the Scottish Government will made £2.2bn available through business rates support and grants.

The Scottish Government <u>published</u> procurement regulations advice for public bodies (it expressly states it is not legal advice)

The UK Government issued
Procurement Policy Note 02/20:
Supplier relief due to COVID-19. It
was addressed to the public sector and
seeks to ensure that payments are made
to ensure business continuity for the
suppliers.

19.3.20

Scottish Government <u>announced</u> school closures

18.3.20

The **Prime Minister** announced:

- —People should be working from home where possible
- People should only leave the home in order to purchase food or medicine

17.3.20

The <u>First Minister</u> delivered her first **COVID-19 Briefing Statement**. She advised that:

- You should avoid pubs, clubs and theatres
- —The household of an infected person should self-isolate for 14 days
- —Vulnerable people should remain at home

Construction Leadership Council

(CLC) sent a <u>letter</u> to the Prime Minister asking for construction sites to be kept open.

This is a summary of key Government and Industry guidelines relating to coranavirus relating to the Scottish construction industry. This includes both UK wide (**Red**) and Scotland specific measures (**Blue**). Highlighted items link to the detailed underlying statements or documents.



16.3.20

The <u>Prime Minister</u> delivered his first COVID-19 Briefing Statement. He advised that:

- —There should be no mass gatherings
- —To avoid pubs, clubs and theatres
- —To avoid unnecessary travel

15.3.20

Scotland moved to the <u>delay phase</u> (incl. advice to self isolate for symptomatic people)

Scottish Government advised that <u>mass</u> <u>events</u>, both in and outdoor, of more than 500 should be cancelled

13.3.20

First **COVID-19** death in Scotland