

Coronavirus: practical steps

This is a brief checklist of practical issues arising from the concerns of businesses during the coronavirus outbreak.

First and foremost: your people

Your business should consider its people above all else. The legal obligations are significant, but more importantly there is a moral duty to look after people.

If your employees need to **self-isolate** on public health guidance, they are eligible for Statutory Sick Pay from the first day of sickness absence.

If staff can **work from home**, that should be permitted where consistent with the efficient conduct of the business.

Check that **cybersecurity** and **data protection** policies accommodate these ways of working and emphasise to staff that they should be careful with commercial information. Keep an eye on what they are doing from home; don't let them be out of sight and out of mind.

With your normal working procedures disrupted, there is a risk that **compliance with internal policies** for confidentiality of data, client call recording and/or general quality standards may be impacted. Take steps to make sure that your staff working remotely or providing temporary cover understand how these policies apply. Consider also the appropriate level of exceptions to the policies, as well as the criteria and the procedures for granting those.

But many people can only do their job from their physical place of work. Leeway should be afforded to the vulnerable or the pregnant, but in general staff should simply **carry on and attend their workplace daily**. Business travel, especially internationally, should be reviewed. **Video conferencing** can replace many routine interactions but many will wish to meet in person for important business appointments.

Our team are still available for client meetings at our offices or at your premises - entirely as normal.

Most businesses should carry on most of their activities as normal.

That simple principle should underpin the common sense measures to facilitate this outcome;

- **Share duties** between key people, so that if one person is absent the duties can be smoothly picked up by others
- Have a **senior leadership team** in place to keep on top of the prevailing medical and official advice
- Implement **sensible steps** in the workplace – e.g. consider increasing handwashing facilities; limiting unnecessary meetings; taking care in the provision of foodstuffs, especially self-serve foods such as sandwiches and crisps
- Keep in **regular touch with your key customers** and review any contractual deadlines that might be missed
- Check your contracts with your **supply chain** to know your rights and obligations
- **Renegotiate contracts** if appropriate – most people would rather have jam tomorrow than no jam
- Be upfront if your business will not be able to perform under a contract and try to reach an **amicable resolution**
- If your business is threatened with a **claim for breach of contract**, seek legal advice – there may be a way around it, depending on the terms of your contract
- Where the outbreak may impact on your business's compliance with relevant regulatory obligations, **notify the relevant regulator** in the manner and time frame set by that regulator
- Keep your **bankers** informed of the performance of your business – extend payment deadlines if necessary and don't let problems fester
- Keep an eye on **cyber security**: provide staff working remotely with clear guidance on secure access, and take extra steps to verify financial transactions
- Keep up a dialogue with your **shareholders**
- Do as you would be done by: **transparency, common sense and fair play** will go a long way.

Planning for the future

The first priority is to keep the business running.

In this vein:

- Take **advantage of opportunities** – clouds have a silver lining. If your business can perform a service or do something better than your competitors, market yourself and win new contracts
- **Don't let people take advantage of your business**. If people in your supply chain have let you down badly, take legal advice about suing them. Do not take a nitpicking attitude and give them a sensible margin of error – but do not let them take liberties
- **Update your standard terms and conditions** of business to build in flexibility for these sorts of "black swan" events in the future
- Replace the people in your **supply chain** or renegotiate contracts with them to give your business better protection in the future
- Review **business continuity** policies
- Check how **cybersecurity and data protection** policies have stood up in the heat of battle

- Review **insurance policies** and make any appropriate claims
- **Be honest** – all businesses are doing their best in difficult circumstances and the coronavirus presents a novel challenge. It is inevitable that mistakes will be made and lessons can be learned for the future.

Need further advice?

You may need support on:

- Your duties as an employer
- Dealing with any troublesome staff
- Your obligations and your rights under commercial contracts
- Your duties if you own or lease a building, factory, office etc.
- Your business continuity policies
- Handling litigation arising from the crisis, whether taken by or against your business
- Revising your contractual terms for the future
- Advising on your position under facility agreements
- Any other legal problems as the situation evolves.

Contact us

We have set up a dedicated email address for any queries you may have:

coronavirus@roydswithyking.com

Alternatively, get in touch with your regular Royds Withy King contact. We are fully operational and here to help you.



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