# Appendix 1: Legal Issues Relating to Re-opening

## Legal Duties

The main piece of health and safety legislation is the Health and Safety at Work Act 1974 (“the Act”). It sets out the general duties which employers have towards employees (including appointed ministers for the purposes of the act), volunteers and members of the public. This legislation applies when a church is an ‘employer’ because it has at least one paid employee. In many churches the only ‘employee’ will be the Minister. Where a church has no employees, it is still good practice for them to provide volunteers and members of the public with the same level of health and safety protection as they would in an employer/employee relationship. The Act says that you must do what is ‘reasonably practicable’ to ensure the health and safety of all who come, or are likely to come, onto church land or premises, even if they are trespassing; it is clearly appropriate to try to do all that we reasonably can to protect the health, safety and wellbeing of other people and would be reckless to do otherwise.

As well as employers, the Act can also apply to any church which has control of premises used as a workplace; this can include, for example, a landlord who retains control of the common parts of a building.

Churches have a legal duty to assess the risks which exist on their premises and to reduce them as far as reasonably practicable. This is the responsibility of the charity trustees. Any risk which cannot be entirely removed should be mitigated until it can be described as a small risk.

During the pandemic there are additional regulations which govern the purposes for which places of worship are able to open. Whilst these have been revoked for England the [Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020](https://gov.wales/sites/default/files/publications/2022-01/the-health-protection-coronavirus-restrictions-no.-5--wales-regulations-2020-as-amended-1-1-22.pdf) remain in force. Our guidance is designed to assist your church in preparing to open for activities that are permitted under the regulations.

More general guidance on health and safety can be found in guideline leaflet [L10 Health and Safety and Fire Precautions](https://www.baptist.org.uk/Articles/368692/Guideline_Leaflet_L10.aspx) and our [L18 Coronavirus Legal Issues](http://www.baptist.org.uk/resources/L18) leaflet contains more information about churches acting as landlords.

## Your Liability as a church

Health and safety law is mostly enforced by the Health and Safety Executive (HSE) or the Local Authority and carries criminal sanctions. If you meet your responsibilities under health and safety law, you will also considerably reduce the risk of being found negligent under civil law. Under civil law, if someone has been harmed, injured or made ill through your negligence, they may be able to bring a claim for damages or compensation against you.

More detailed information about issues of liability can be found in guideline leaflet [L16 Legal Liability of Church Members in a Baptist Church](https://www.baptist.org.uk/Articles/459184/Guideline_Leaflet_L16.aspx)

## Insurance for legal liability

It is impossible to eliminate all risk in a church context and health and safety incidents can be reduced by undertaking comprehensive risk assessments and putting appropriate safeguards in place. However, in most cases, insurance will be available to a church to provide cover in the eventuality of a claim arising against the church.

Churches which are employers must have employers’ liability insurance. This will enable you to meet the cost of compensation for your employees’ injuries or illness. It is a criminal offence if you do not have it. Some specialist insurers will treat volunteers as employees for the purpose of insurance.

It is also very important that churches have adequate public liability insurance, which covers your church if it is held legally liable for injury to a member of the public who is harmed or injured whilst on church premises. Public liability claims may take a number of years to emerge, so it is wise to consider an appropriate level of cover with your insurer and to keep all records of your insurance cover indefinitely. Trustee indemnity insurance is often included as an extension to public liability cover and protects the charity trustees for wrongful acts whilst acting in their capacity as trustees which results in a legal liability to pay damages and costs. This will not cover acts of a reckless, dishonest or criminal nature.

We have had confirmation from Baptist Insurance that they do not anticipate adding special terms to their policies relating to Coronavirus. If you have another insurer, then you should confirm their position with them directly.

(Please note that the types of insurance cover described above are distinct from buildings insurance).

# Appendix 2: Reoccupation Checklist

Use this template to record important checks of your premises before returning after a period of closure.

|  | **Yes**  | **No**  | **N/A** | **Action Required** |
| --- | --- | --- | --- | --- |
| Statutory Checks |  |  |  |  |
| Is the five-yearly fixed wiring (electrical installation condition report) within date and rated as satisfactory? |  |  |  |  |
| Is the gas safety certificate(s) in date for annual review? |  |  |  |  |
| Plant rooms: Has all plant and equipment been suitably serviced? |  |  |  |  |
| Has PAT testing been completed where relevant? |  |  |  |  |
| Have all pressure vessels been examined as per the scheme of examination? |  |  |  |  |
| Fire Safety |  |
| Have you reviewed your Fire Risk Assessment (FRA)? |  |  |  |  |
| Are boiler rooms and electrical cupboards free from combustible storage? |  |  |  |  |
| Are skips and bins a safe distance away from your building(s)? |  |  |  |  |
| Have you informed your Alarm Receiving Centre (ARC) of your re-occupation (where necessary)? |  |  |  |  |
| Has the fire alarm system been serviced within the timescale outlined by the contractor? |  |  |  |  |
| Has the fire alarm been tested weekly during the lockdown period? |  |  |  |  |
| Is the fire alarm functioning correctly? |  |  |  |  |
| Have all fire doors, maglocks, acoustic closing mechanisms and other associated equipment been checked for functionality? |  |  |  |  |
| Are all fire extinguishers in place and free from defects? |  |  |  |  |
| Have all fire suppression / sprinkler systems been suitably maintained and checked for sufficient pressure (where appropriate)? |  |  |  |  |
| Have fire dampers been maintained (within the last 12 months)? |  |  |  |  |
| Have the automatic smoke vents been maintained (within the last 12 months)? |  |  |  |  |
| Has the lightning protection been tested and maintained (within the last twelve months)? |  |  |  |  |
| Emergency Lighting |  |
| Has the emergency lighting system been serviced (within the last 12 months)? |  |  |  |  |
| Has the emergency lighting been tested monthly during the lockdown period? |  |  |  |  |
| Is the emergency lighting system fully functional? |  |  |  |  |
| Building Security |  |
| Is there any damage to the structure, roof, windows or fixtures? |  |  |  |  |
| Is the CCTV system functioning correctly? |  |  |  |  |
| Is the intruder alarm functioning correctly? |  |  |  |  |
| Contractors |  |  |  |  |
| Have contractors been re-engaged (where possible)? |  |  |  |  |
| Can contractors be controlled on site? |  |  |  |  |
| Have measures been put in place to ensure contractors (and other visitors) with identified symptoms are not permitted entry to your premises? |  |  |  |  |
| Water Safety |  |
| Has your Legionella Risk Assessment been reviewed? |  |  |  |  |
| Is there a re-commissioning plan (where necessary)? |  |  |  |  |
| Has weekly flushing of all unused/little-used outlets (including external taps) been completed during lockdown? |  |  |  |  |
| Have temperatures been checked against acceptable ranges? |  |  |  |  |
|  | Recorded temperature |  |  |
| Cold water storage tank (maximum 20oC) |  |  |  |
| Hot water storage tank (minimum 60oC) |  |  |  |
| Sentinel tap (furthest tap from the boiler – minimum 50oC) |  |  |  |
| Have all spray fittings been removed, descaled and replaced? |  |  |  |  |
| Is Thermostatic Mixing Valve (TMV) maintenance up to date? |  |  |  |  |
| Has the system been disinfected/chlorinated (including water tanks) where necessary? |  |  |  |  |
| Utilities  |  |
| If any utilities have been temporarily shut off, have these been turned back on? |  |  |  |  |
| Equipment |  |
| Are all first aid kits in place, in date and fully stocked?  |  |  |  |  |
| Has the defibrillator(s) been checked for safe operation? |  |  |  |  |
| Has all equipment been switched on and checked for correct function? |  |  |  |  |
| Are all necessary guards in place / undamaged? |  |  |  |  |
| Has equipment been serviced or maintained as necessary by a competent person? |  |  |  |  |
| Have the annual services been completed on all oil / electric boilers? |  |  |  |  |
| Have all six-monthly LOLER checks been completed by a competent person? |  |  |  |  |
| Have all window restrictors been checked to ensure they are in place and safe? |  |  |  |  |
| Staffing |  |
| Have risk assessments and plans been reviewed and agreed with vulnerable persons? |  |  |  |  |
| Has your Lone Working Risk Assessment been reviewed? |  |  |  |  |
| Are there sufficient staff on site to undertake safety-critical roles e.g*.,* first aiders, maintenance, fire wardens? |  |  |  |  |
| Is there sufficient supervision and support of staff? |  |  |  |  |
| Does re-occupation need to be staged to maintain social distancing? |  |  |  |  |
| General |  |
| Has the building been checked for signs of pest infestation? Where appropriate, has a pest control contractor visited the premises recently and are suitable controls in place? |  |  |  |  |
| Is any asbestos likely to have been disturbed during lockdown? |  |  |  |  |
| Has the insurance company been informed of the recommencing of activities within the premises? |  |  |  |  |
| Has re-occupation been considered within the Business Continuity Plan? |  |  |  |  |
| Can social distancing measures be observed, where reasonable, at all times? |  |  |  |  |
| Has a COVID-19 Re-occupation Risk Assessment been completed to ensure controls are implemented to protect staff? |  |  |  |  |
| Has the risk assessment been communicated to all staff to ensure their awareness of requirements? |  |  |  |  |
| Have all areas to be occupied been deep cleaned? |  |  |  |  |
| Do you have sufficient cleaning staff, stock and processes in place to ensure that your premises remain safe? |  |  |  |  |
| Are there sufficient hand-cleaning facilities made available, such as soap and hot water or hand sanitiser? |  |  |  |  |
| Do trees and boundary walls within your grounds appear visually safe? |  |  |  |  |
| Have you reviewed your last General Risk Assessment (GRA)? |  |  |  |  |

Summary of actions identified

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Action required** | **By** | **Priority** | **Time scale** | **Completed** |
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# Appendix 3: Pre-event checklist

**This checklist is to be used in conjunction with the most up-to-date government guidance during the coronavirus (COVID-19) pandemic. It should be completed prior to the event day starting and should be fully communicated to all team members.** It is the responsibility of the Church Trustees to ensure that the site is safe to open and that controls are put in place.

Leader name: …………………………………………………    Date: ………/………/………

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Y or N** | **Comments** | **Reported to** |
| Has the latest government guidance been checked and followed? |  |  |  |
| Have any members of team reported any symptoms of COVID-19? |  |  |  |
| Has the usual church cleaning checklist been completed and cleaning materials put in place? |  |  |  |
| Is there adequate hand soap, paper towels and running water in place? |  |  |  |
| Has hand washing facility or sanitiser been provided in all locations needed |  |  |  |
| Are bins available for disposal of any rubbish? |  |  |  |
| Is the plan for managing traffic flow for social distancing in place and floor/wall signage in place |  |  |  |
| Are stewards briefed on agreed procedures for arrivals, departures and emergencies? |  |  |  |
| Have chairs/pews been laid out and marked in line with social distancing requirements? |  |  |  |
| Procedures in place to record names and contact details of attendees |  |  |  |
| Building ventilation set in line with recommendations to maximise air flow |  |  |  |
| Is there any other information to consider?  |  |  |  |
|  |  |  |  |
| After carrying out the above checks, please sign below.I have carried out the above checks and found the site to be following the current government guidelines in line with COVID-19.  |
| Leader signature: | Date: |

# Appendix 4: Cleaning checklist for suspected Coronavirus contamination

|  |  |  |
| --- | --- | --- |
| Premises: | Date: | Completed by: |

This checklist is intended to assist in carrying out cleaning when Coronavirus contamination is suspected. Where there is no specific suspicion of Coronavirus contamination, the government guidance recommends that normal cleaning practices are followed. The infection risk from coronavirus (COVID-19) following contamination of the environment decreases over time. It is not yet clear at what point there is no risk. However, studies of other viruses in the same family suggest that, in most circumstances, the risk is likely to be reduced significantly after 48 hours.

|  |  |  |  |
| --- | --- | --- | --- |
| Action | Guidance  | Completed (tick) | Comments |
| Confirm PPE worn before cleaning commences | Where possible, wear disposable or washing up gloves and aprons.  |  |  |
| Hard surfaces have been cleaned prior to disinfecting? | Clean hard surfaces with warm soapy water using a disposable cloth. |  |  |
| Disinfect all surfaces with usual disinfectant | Pay attention to any frequently touched areas and surfaces, e.g., doors, toilets, stair rails and phones. |  |  |
| Clean any areas of heavy contamination (bodily fluids, or sleeping areas) as above using additional PPE where possible  | Additional PPE would include protection for the eyes, mouth and nose, as well as gloves and apron. |  |  |
| Any PPE used is double bagged and to be stored securely for 72 hours before being thrown away in general waste | Use plastic bin bags where possible.  |  |  |
| Hands washed with soap and water for 20 seconds, after removing PPE | Hand wash using warm water after cleaning and regularly throughout the day. |  |  |

Additional guidance, information and instruction when cleaning:

* Use disposable cloths or paper roll and disposable mop heads to clean all hard surfaces, floors, chairs, door handles and sanitary fittings, with one of the following options below:
* A combined detergent disinfectant solution at a dilution of 1,000 parts per million available chlorine (ppm av.cl.); or
* A household detergent followed by disinfection (1,000 ppm av.cl.). Follow the manufacturer’s instructions for dilution, application and contact times for all detergents and disinfectants.
* NB: If an alternative disinfectant is used within the organisation, this should be checked and ensure that it is effective against enveloped viruses.
* Avoid creating splashes and spray when cleaning.
* Any cloths and mop heads used must be disposed of and should be put into waste bags as outlined below.
* When items cannot be cleaned using detergents or laundered (for example, upholstered furniture and mattresses), steam cleaning should be used.
* Any items that are heavily contaminated with body fluids and cannot be cleaned by washing should be disposed of.
* If possible, keep an area closed off and secure for 48 hours. After this time, the amount of virus contamination will have decreased substantially, and you can clean as normal with your usual products.

Laundry

* Wash items in accordance with the manufacturer’s instructions. Use the warmest water setting and dry items completely. Dirty laundry that has been in contact with an unwell person can be washed with other people’s items.
* Do not shake dirty laundry – this minimises the possibility of dispersing virus through the air.
* Clean and disinfect anything used for transporting laundry with your usual products, in line with the cleaning guidance above.

Waste

* Waste from cleaning areas should be put in a plastic rubbish bag and tied when full.
* The plastic bag should then be placed in a second bin bag and tied.
* It should be put in a suitable and secure place away from children. You should not put your waste in communal waste areas until the waste has been stored for at least 72 hours.

# Appendix 5: Example privacy statement

## …………………Baptist Church Privacy Notice for collecting contact information from church attendees.

This privacy notice is an addendum to ……………………………….………Baptist Church’s main privacy statement and notices. The Charity Trustees of ……………………..……..…………Baptist Church (as Data Controller)\* can be contacted by ringing ……………………………….or emailing …………………………………..

We are collecting your name and contact details in order to fulfil our responsibility to provide a safe environment in which those attending ………………………..Baptist Church can pray and worship during this COVID-19 recovery phase. We will only use this information to contact you in the event that we believe you may have come into contact with a suspected case of COVID-19 at ………………………..Baptist Church and it may be necessary to share your details with NHS Test and Trace if they are requested for contact tracing and the investigation of local outbreaks. Your name and contact details will temporarily be securely stored [please provide detail of how details will be stored and kept secure]. They will be retained for a period of 21 days in line with government guidance and then disposed of within the following 7 days.

Please inform ………………………..Baptist Church as soon as possible if you test positive for coronavirus or develop any of the following COVID-19 symptoms:

* A high temperature
* A new, continuous cough
* A loss or change to your sense of smell or taste

Data that is collected in a place of worship and might subsequently be shared is considered to be special category data, and therefore we need your consent to record, store and to share your contact details with NHS Test and Trace if necessary. By providing your data you are consenting to it being used in line with this privacy statement. You are free to refuse or withdraw your consent at any time. In the event you do not wish to provide your contact details you will still be able access …………………Baptist Church.

\*please note – if your church is a CIO or CLG, the data controller will be the church, acting through its Trustees.

This is one of a series of Guidelinesthat are offered as a resource for Baptist ministers and churches. They have been prepared by the Baptist Union of Great Britain and are, of necessity, intended only to give very general advice in relation to the topics covered. These guidelines should not be relied upon as a substitute for obtaining specific and more detailed advice in relation to a particular matter.

The staff at the Baptist Union of Great Britain at Baptist House will be very pleased to answer your queries and help in any way possible.

Contact Address and Registered Office:

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