**Duty of Care & Guidance FAQs**



**Issued On: 24th August 2020**

**Ensure you are reading the latest version**

**These FAQs should be read in conjunction with specific guidance for you sector and sport.**

# FAQs

These are common questions that get asked in relation to returning to activities. We will keep the answers up to date and in line with current guidance, so it is worth checking for any changes. Changes are detailed in the next section. Always check you have the latest version.

# Changes to this document

The following changes have been made to these FAQs. These changes are from v1, dated 10th August

* Clarification on whether NHS staff must make a self-declaration before group sporting activities. Details on page 4.

### How does an NGB ensure the guidance is implemented?

This NGB will need to be satisfied that guidance has been headed by the club or organisation. This may be because the NGB has a high degree of faith and trust in the club or possibly the NGB may talk through the arrangements with the club Coronavirus Officer.

The NGB must be seen to take reasonable steps to ensure that the guidance has been followed. It is worth the NGB documenting how they have done this. There is no exact answer to the question other than the NGB must be comfortable that the guidance has been implemented.

### If a club is based at a Leisure Centre, do they still need to appoint a Coronavirus Officer?

Leisure centres will need to appoint a coronavirus officer. This does not allow a club that only uses leisure centre facilities to omit this appointment. The club still need to appoint a coronavirus officer and fulfil the duties of the role.

### Do we need a Responsible Person present at all activities if the facility is unmanned and has no employees?

If you allow members to book a facility to turn up and play (within guidelines) then it is not really ‘organising an activity’. In this case, as long as a record is kept of who has used the facility and when, along with having contact details, this should suffice. You still need to satisfy the requirements of Health and Safety and your public liability insurance. You do need to carefully control access to the facility. If you are unable to control access, then the facility should remain closed.

### Do attendance registers need to be on paper or would electronic registers be acceptable?

Both are acceptable, but not on a person’s private device (mobile phone etc.)

The most important point is should the Test, Trace and Protect Service get in touch, you need to be able to quickly provide the relevant information to them whilst still keeping the information secure. Whatever works best for you to achieve this objective is OK. Each club needs to work in a way that is best for them and the Test, Trace and Protect Service. NGBs should not dictate this. NGBs should also not receive any of the contact data.

### Does a club Coronavirus Officer need to be present at all activities?

The Covid Officer does not need to attend. A responsible Person needs to be present and this may of course be the Coronavirus Officer. It is better if the Responsible Person is someone who would be attending the activity anyway. Avoid unnecessary contact and journeys.

### Are one-to-one coaching sessions classed as organised activities?

All coaching sessions are considered to be an organised activity and the guidance must be followed.

### Are telephone numbers acceptable for contact details?

The official guidance on TTPS mentions that it ***prefers*** a contact telephone number rather than an email. Both is better but emails have proven to be unreliable.

### If you are coaching as part of a Leisure Centre programme, would all the Responsible Person responsibilities fall on the Centre?

If the leisure centre has organised the coaching, then it is their responsibility to meet the requirements of the guidance and not the club’s.

### If someone turn up just to spectate and has no compelling reason to be there, can you refuse entry?

As the Welsh Government guidance currently stands you are obliged to refuse entry in the absence of a compelling reason, as spectating is not allowed.

### Why should we ask our insurers how long we keep members data?

Your insurance company will handle any claims under your public liability with regard to Covid or any other claim arising from an activity. To help with claim handling they will find evidence of attendance useful. It will also help the insurer to assess whether the risk originated from the club’s activity or elsewhere. Your insurers are best placed to advise on this.

### Would it be sensible to ask a visiting team to provide contact details in advance?

It would be very sensible. You should also communicate the requirements of the Covid self-declaration and make sure that the visiting team are aware that spectating is not allowed. Remember that they may be operating under the rules of a different home nation and may not be aware of our local restrictions and guidance.

### If a leisure centre has taken contact details, will the club need to keep its own register?

It may be a dual responsibility, but the club should ensure that it is operating any activity in line with guidance. It is never wise to rely upon another organisation to fulfil your own legal duties.

### Do we still have public liability insurance for Covid risks?

In general terms you need to check with your insurance company. There are many risks that will not be covered such as loss of revenue due to the pandemic but in general, your public liability cover should still be in place. It is very important that you **CHECK** this as there may be exceptions.

### Are example risk assessments available?

NGBs should assist with the provision of help and guidance with regard to risk assessments. Welsh Government guidance expects NGBs to provide leadership and set a standard for clubs and organisations to follow. Check with your NGB. If you don’t have an NGB, ask the WSA for help.

### Can the parent/guardian of a friend the child has travelled with confirm the Covid self-declaration?

No. The adult that the child has arrived with cannot vouchsafe for the child in question’s whereabouts or activities for the two weeks prior to the activity. The child themselves may not be old enough to be reliable to confirm the statement. On the basis that car sharing should be avoided where possible, it is better for the parent to attend.

However, as a work-around, it would be OK for the parent to confirm the statement over the phone at the time the child arrives. Contact details should have been gathered at booking time.

### Can my club/venue open and choose to not follow the guidelines?

No. You will be breaking laws and negligent in your duty of care. Any club or organisation that operates without following the guidance may be subject to the disciplinary measures that govern their membership of their NGB or of Sport Wales / WSA.

### What happens if someone breaks the rules at our club/venue?

You should take appropriate action to ensure the safety of other participants and your staff and volunteers. Any action you take should be reasonable and proportionate. Always be aware that there may be a valid reason for why something has happened, for example, social distancing may have been breached for a reason connected with a disability that you are not aware of. Always allow someone to explain their actions and try to educate and help where possible.

### Are there different rules for indoor activities?

Yes. You cannot have multiple groups in any single indoor space. The maximum number in an indoor group is 30 people but ONLY if all thirty people can be socially distanced in the space. This may mean the maximum number **MAY BE LOWER**.

There are **no exceptions** (not even children who are currently exempt) to breaking social distancing during any indoor activity. Members of the same household may break social distancing, but you need to decide if this will lead to breaking of the rules by others in attendance. We suggest that the social distancing rule be evenly enforced on all participants as this is easier to manage.

### Can NHS staff who may have contact with Covid-19 patients as part of their work engage in group sporting activities?

The advice we have received on this is that if they were wearing recommended PPE (as they should have been) they will not be classed as contacts for the purpose of self-declaration.

### Do we have to provide activities?

There is absolutely no obligation for any club or organisation to provide activities. It may be that you are nor comfortable doing so due to your unique circumstances. Maybe you cannot control the behaviour of the public when you operate in a public space such as a beach or park. There is nothing wrong with deciding that the time or circumstances are not right at present. We would recommend that this is reviewed regularly.

If you need help to become comfortable with laying on activities, then talk to your NGB or the WSA.

# More help and information

### Here are some useful inks to other help and information.

### WSA Covid-19 Resource Page

<https://wsa.wales/our-services/sports-advocacy-and-policy/covid-19-support/good-practice-examples-for-a-phased-return-to-sport/>

## Welsh Government Advice & Information

### Social and physical distancing

[https://gov.wales/coronavirus-social-distancing-guidance](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Fcoronavirus-social-distancing-guidance&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005805265&sdata=E0VasF12b00NRXPehpG7VrTKOa1QIuCSX5lP1c5M6XM%3D&reserved=0)

### Self-isolation

[https://gov.wales/self-isolation-stay-home-guidance-households-possible-coronavirus](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Fself-isolation-stay-home-guidance-households-possible-coronavirus&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005815227&sdata=YQTsghoNFTM369inhceuSsNcMMWbCmX9NZLeu8VcV1I%3D&reserved=0)

### Symptoms

[https://gov.wales/self-isolation-stay-home-guidance-households-possible-coronavirus#section-38123](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Fself-isolation-stay-home-guidance-households-possible-coronavirus%23section-38123&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005815227&sdata=3uqdjFW6fBT6rrZMRbNXGEn3qWggrpVaoWLz2hQtX1Y%3D&reserved=0)

### Test, Trace, Protect

[https://gov.wales/test-trace-protect-coronavirus](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Ftest-trace-protect-coronavirus&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005825182&sdata=BpgRTwZps%2BOKucsaq5kJO1NtGARWNJLpYW%2BgDBFrMOQ%3D&reserved=0)

### Apply for a test

[https://gov.wales/apply-coronavirus-test](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Fapply-coronavirus-test&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005825182&sdata=z1qOrysU6rKiTKjmZoZ%2F4MZL%2FqLEbINEa7dgDBdpeVM%3D&reserved=0)

### Shielding

[https://gov.wales/guidance-shielding-and-protecting-people-defined-medical-grounds-extremely-vulnerable-coronavirus-0](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Fguidance-shielding-and-protecting-people-defined-medical-grounds-extremely-vulnerable-coronavirus-0&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005825182&sdata=PzDooajC0Ea9XZ%2Fdt4sFfm1RRuF7Kf7nBamOaU2BBiE%3D&reserved=0)

### At risk people

<https://gov.wales/people-increased-risk-coronavirus>

### Extended households

[https://gov.wales/guidance-extended-households-coronavirus](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Fguidance-extended-households-coronavirus&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005835132&sdata=8FQu3SqJWSPafxmDJNE2rV6LyAKHNE03KeRnlyWpG9Y%3D&reserved=0)

### Cleaning

[https://www.gov.uk/government/publications/covid-19-decontamination-in-non-healthcare-settings](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fcovid-19-decontamination-in-non-healthcare-settings&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005845088&sdata=0mV4ntmLw6xtN7kPR%2BdKNDlFE4%2BaALLDSpQDGsxDJKQ%3D&reserved=0)

### HSE guidance (including cleaning, risk assessment etc.)

[https://www.hse.gov.uk/coronavirus/working-safely/index.htm](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.hse.gov.uk%2Fcoronavirus%2Fworking-safely%2Findex.htm&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005845088&sdata=XiYjII0dUmaWHtewXE%2B1i9RzDpPt%2FGy40CBvy7jT4s8%3D&reserved=0)

### Reasonable measures

[https://gov.wales/taking-all-reasonable-measures-minimise-risk-exposure-coronavirus-workplaces-and-premises-open](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Ftaking-all-reasonable-measures-minimise-risk-exposure-coronavirus-workplaces-and-premises-open&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005855046&sdata=nm8iAgIpox%2BDOCS%2Fopp6An8osqjX8eIoAJkFQlKs%2F1E%3D&reserved=0)

### Masks

[https://gov.wales/face-coverings-frequently-asked-questions](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgov.wales%2Fface-coverings-frequently-asked-questions&data=02%7C01%7CSteffan.Roberts%40gov.wales%7C07397b0fe1464122440808d82edbd60e%7Ca2cc36c592804ae78887d06dab89216b%7C0%7C0%7C637310869005855046&sdata=IUV0DaBnr%2FjyTVTqPnh2HOt0kSZ8xjryY7%2FGrXXcypA%3D&reserved=0)