

FACE COVERINGS AND EXEMPTIONS

MANAGER'S GUIDANCE

1. FACE COVERINGS

- 1.1 The Scottish Government have made face coverings mandatory in most indoor public places including workplaces.
- 1.2 Below is a list of **some** of the places where you must, by law, wear a face covering:
 - health and social care settings, including staff, patients and visitors
 - workplaces (other than early learning or school settings)
 - hospitality premises such as bars, pubs and cafes and restaurants, and canteens (including workplace canteens)
 - courts and tribunal buildings
 - community centres
 - libraries and public reading rooms
- 1.3 [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#) provide further information on the requirement to wear a face covering in the workplace, 'where there are no measures in place to keep persons separated by either a partition, or distance of at least two metres'.
- 1.4 While not substituting for physical distancing or respiratory and hand hygiene, face coverings can, when worn correctly, provide protection to those around the wearer from droplet and aerosol transmission and they can also provide some protection to the wearer. This is especially important if the wearer is asymptomatic (they have the virus and do not have any symptoms) or pre-symptomatic (they have the virus but have not yet developed symptoms).
- 1.5 Face coverings remain an important public health mitigation even as the vaccine is rolled out, as it is not yet understood how effective the vaccines are at preventing transmission of current and new variants.
- 1.6 A face covering can be a covering of any type, except a face shield, that covers the mouth and nose. It is recommended that it be made of cloth or other textiles and should be two, and preferably three, layers thick and fit snugly while allowing you to breathe easily. Religious face coverings that cover the mouth and the nose count as face coverings for these purposes. Transparent face coverings which assist communication for those who rely on lip-reading and facial expressions can also be worn.
- 1.7 Face shields may be used, but only if they are worn in addition to a face covering underneath, as the evidence shows that they do not provide adequate protection on their own as they do not adequately cover the mouth, nose and chin. There is no requirement for face coverings to meet specific levels of filtration efficiency and breathability.
- 1.8 A face covering is not the same as a face mask. A face mask is a surgical or medical grade mask, often worn with other personal protective equipment (PPE), that is used in health and social care situations. Health and Social Care staff have their own [guidance on PPE](#) and there is separate guidance for school staff at [guidance on workplace safety for school staff](#).

2. EXEMPTIONS

- 2.1 People who are exempt from wearing a face covering should not be denied access to any space. They should not be forced to wear a face covering and no one should be abused or treated in an unacceptable way.
- 2.2 The vast majority of people can wear a face covering, including most people with a lung condition such as asthma, and everyone who can wear a face covering in the mandated spaces is legally required to do so.
- 2.3 However, the Scottish Government recognises that there are situations where a person is unable to, or it would be inappropriate, for them to wear a face covering.
- 2.4 These exemptions include:
- when a person has a physical or mental illness or impairment or disability (within the meaning of section 6 of the Equality Act 2010) (which might include hidden disabilities, for example, autism, dementia or a learning disability) which prevents them wearing a face covering. This may include children with breathing difficulties and disabled children who would struggle to wear a face covering
 - when a person is unable to wear a face covering without suffering severe distress as a result
 - when taking medication which requires removing a face covering
 - when a worker or volunteer is in an indoor part of their workplace and they are separated from others, either by a partition or maintaining a distance of at least 2 metres
 - to eat or drink
 - when communicating with someone who relies on lip reading and facial expressions to communicate. Such people should ensure 2 metres distance is maintained and remove the face covering only temporarily whilst communicating and replace it immediately afterwards
 - undertaking tasks in the course of their employment, where the wearing of a face covering would cause a material risk of harm
 - additional exemptions are set out in the [Regulations](#)
- 2.5 Where an exemption applies, an individual should not be made to wear a face covering or denied access to places where face coverings are required. However, there may be other occasions when they can wear a face covering, so they should consider whether they are able to wear a face covering on each given day, and in the particular circumstances. Alternatively, they may be able to wear a face shield, rather than not wearing any covering at all.
- 2.5 These reasons do not count as reasons not to wear a face covering:
- not wanting to wear one - including if they steam up your glasses
 - mild discomfort when wearing one
 - having a health condition or disability which does not prevent you from wearing a face covering safely, such as well-managed asthma
 - if you are deaf and lip read
- 2.6 It is not mandatory for those who are exempt to prove their exemption, nor should they be expected to do so. Exempt individuals might have a Scottish Government face covering exemption card, or another type of card or product, such as the Sunflower

lanyard, which signals that they are exempt. However, some might not want to wear a lanyard or carry a face covering exemption card, as they might feel that they are disclosing personal information and this choice should be respected.

Employees

- 2.7 Managers, in particular, should be aware of the exemptions and treat individual's with kindness, especially when asking why someone is not wearing a face covering.
- 2.8 If an employee is not wearing a face covering when they enter the workplace, it's probably more often than not because they've forgotten to put it on. As a manager, you should approach the employee and remind the individual that, unless exempt, a face covering must be worn in the workplace.
- 2.9 If an employee is exempt from wearing a face covering, then reasonable adjustments should be made in line with the workplace risk assessment and an individual risk assessment. Reasonable adjustments might include:
 - moving the staff member to a task that can be undertaken behind a partition or where at least 2 metres distance can be maintained
 - ensuring good ventilation in their work area and providing the necessary cleaning supplies for constant surface cleaning
 - alternatively, they may be able to wear a face shield, rather than not wearing any covering at all. However, the use of face shields by those employees who cannot wear face coverings must be accompanied by other mitigating measures. This is because the evidence shows that they do not provide adequate protection on their own.
- 2.10 Where reasonable adjustments to a specific role or workplace are not possible for employee's exempt from wearing face masks, consideration should be given to redeploying the individual to a workplace where mitigating measures can be taken for employees exempt from wearing face masks. Redeployment in this case can be supported by Occupational Health advice and it would be appropriate to refer the employee for Occupational Health assessment. Alternatively, consideration may be given to whether it is possible to make arrangements to allow the employee to work from home.

Customers/Members of the Public

- 2.11 Manager's should also support employees to approach customers or members of the public that come into the workplace. If they feel comfortable and confident to approach customers or members of the public, the employee could say 'unless you're exempt, you need to wear a face covering in this space/building'. If the customer/member of the public doesn't have a face covering, they should be offered one.
- 2.12 If the person says that that they can't wear a face covering then a face shield can be offered, as some people may be exempt from wearing a face covering but may be able to wear a face shield. In this case a face shield is better than nothing. Although it does not provide adequate protection against aerosol transmission, it does provide a limited level of protection from large droplet transmission and is better than wearing nothing at all. Face coverings and face shields should not be shared or returned after use.

Disability Awareness

- 2.13 People might have a physical or mental illness or impairment or disability which you can't see (this is called a hidden disability, and examples include autism or anxiety) and which means that they are unable to wear a face covering or face shield.
- 2.14 Some people will struggle to hear or understand people wearing a face covering because they can't see their mouth or facial expression. You can help by being patient and by being aware that if someone is deaf they cannot hear you and may not know you are talking to them so:
- making sure you have their attention by waving, and using gestures and pointing
 - trying to reduce any background noise (where possible)
 - speak slowly, asking if the person can hear you, and using signs and body language to emphasise what you are saying
 - taking off your own face covering where necessary - if you are communicating with someone who needs to see your face or has difficulty understanding you. (Stay at least 2 metres apart when removing your face covering and replace it immediately once you have finished speaking)
 - being aware that some people may need more time, as they may need to write down their enquiries or use other communication aids

3. GENERAL ADVICE

- 3.1 If employees choose to wear a face covering in the workplace even where there is 2 metre distancing or a partition then they should be supported to do so.
- 3.2 The use of face coverings is advised outdoors where 2 metre distancing is difficult to maintain, such as at entrances and exits of buildings.
- 3.3 Council vehicles are included in the definition of a workplace and face coverings must be worn in accordance with workplace risk assessments when travelling with others.
- 3.4 Ensure that face coverings are worn in all indoor communal areas of the workplace, not just public facing roles, in accordance with the Regulations. This includes break areas.
- 3.5 Whilst a face covering does not have to be worn when eating in a canteen, evidence has shown that the virus can spread in canteens and staffrooms because people are more relaxed, and so tend to stop following the FACTS rules. Particular care should be taken that the measures are followed in these spaces.
- 3.6 Support employees to wear face coverings by providing them to those who have forgotten them, or when one becomes dirty or damaged during the working day. Some employees may not be able to purchase face coverings regularly, so consider how to address any affordability concerns.
- 3.7 A supply of spare face coverings will be made available at each council workplace and placed in accessible spaces, such as entrances and exits.

