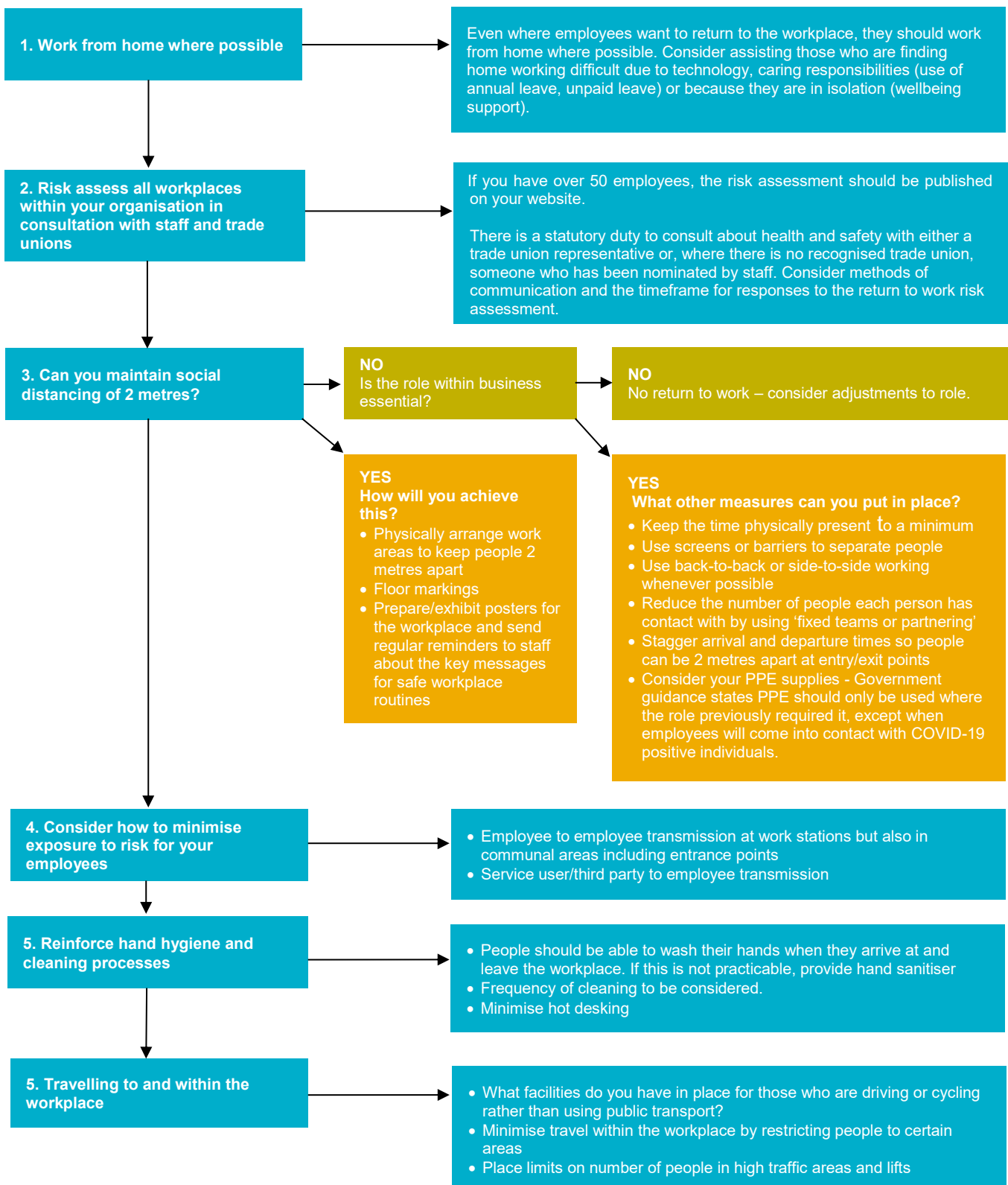
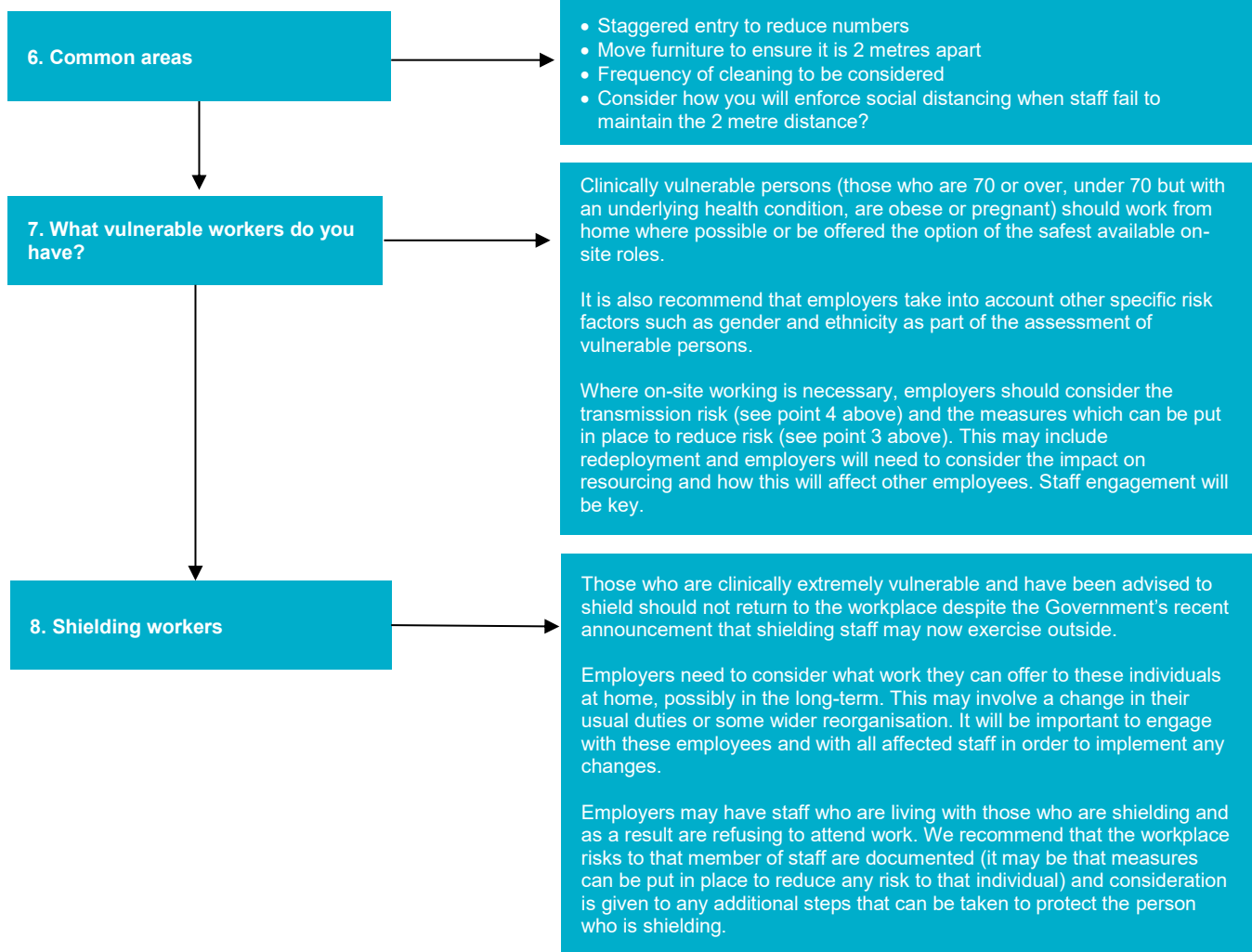


# Returning to work and risk assessments during COVID-19





Where employees refuse to return to work despite measures being taken following a risk assessment, you should consider the reasons for the refusal. For example, pregnant employees may need to be suspended on full pay and reasonable adjustments must be considered in respect of those with a disability. Generally, where the workplace risks are controlled, there is no entitlement to receive pay whilst refusing to return to work and employers may want to consider offering special leave, unpaid leave or, potentially, taking disciplinary action.

An employer has both statutory and common law duties in respect of the health and safety of its employees and it is important to bear in mind that the statutory duty is non-delegable. Employers must bear in mind that the systems of work which are put in place in response to the risks posed by COVID-19 should be kept under review and, therefore, risk assessments should be revisited and updated where necessary.

If you have any queries regarding your health and safety duties and risk assessments, please contact David Firth. For any employment queries regarding a return to work, please contact Nicola Green or Sarah Parkinson:



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