

Long Covid – Guidance for Line Managers

Common Symptoms of Long Covid (NHS.uk)

What is Long Covid?

Long Covid or Post Covid Syndrome is used to describe the ongoing symptoms that those who have contracted COVID-19 continue to suffer after 12 weeks from initial infection. (NHS England 2021).

There are thought to be over 200 symptoms attributed to Long Covid (Long Covid.org, 2022) that can be both physical and psychological, the most common symptoms being “*fatigue, post-exertional malaise...and brain fog*” (Woods and Cope 2021).

According to ONS (Feb 2022) 947,000 people in the UK reported that they were experiencing ongoing symptoms beyond 12 weeks after infection with 196,000 stating that their ability to do day to day activities was “limited a lot”.

ONS also state that Long Covid are reported the most by those aged between 35 and 69, female, those who had existing health conditions and those with disabilities prior to contracting COVID-19.

CIPD (2022) report that sufferers from Long Covid may have only had mild symptoms during the initial infection but develop new or more severe symptoms later on with 85% of those surveyed experiencing relapses throughout their recovery.

Psychological

Anxiety
Depression

Ear, Nose and Throat

Loss of taste and smell
Sore throat
Tinnitus

Musculoskeletal

Joint Pain Muscle Pain

Neurological

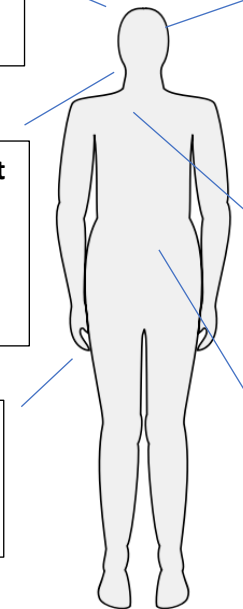
Brain Fog – (impacting concentration and memory)
Dizziness
Lack of sleep
Headaches
Fatigue

Respiratory and Cardiovascular

Breathlessness
Cough
Palpitations and Chest Pain

Digestive

Nausea
Diarrhoea
Abdominal pain



What are the risks of Long Covid to Watkins and its employees?

Health and Safety

Health and Safety of employees is of paramount importance at all times and with the present risk of covid, line managers need to ensure that procedures as set out in The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020, as amended are followed at all times to reduce the risk of covid outbreaks within the workplace, the consequences of an outbreak as a result of not following workplace regulations will mean an increase in sickness absence with employees getting ill with Covid, which in some cases can lead to Long Covid, a breach of these rules can also lead to fixed penalty notices of £1,000 for those deemed responsible and potential closure of premises by enforcement officers (Wales.Gov).

Additional risk assessments should be carried out to protect those most vulnerable to Covid-19 including:

- Employees who are pregnant
- Employees with any underlying health conditions
- Employees aged 70 or over

A workplace risk assessment for employees can be found here <https://gov.wales/covid-19-workforce-risk-assessment-tool>

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Health and Safety cont....

As Long Covid is a relatively new condition, it is yet to be tested within the legal system, however if an employee is able to prove that they contracted Covid directly as a result of the employer breaching duty of care within the workplace and are now suffering Long Covid as a direct result of this, then there is a possibility that Watkins could be taken to court due to a Personal Injury claim which can result in large legal costs and fines if successful. Solicitors are currently looking at taking on cases of this nature, therefore it is a possibility that there will be legal challenges for employers in relation to Long Covid in the near future (Open Access Government 2021).

Due to the nature of the work that Watkins conducts, including the operating of heavy machinery, all employees need to be fit enough to conduct their duties in line with health and safety guidelines. If an employee declares they are suffering from symptoms of Long Covid and no actions are taken to assess the risk of them conducting their regular duties, then this may increase the risk of work place injury or accident which is a breach of the Health and Safety at Work Act (HSAWA) 1974, the result of which could lead to a criminal prosecution (Lewis and Sergeant 2020). The HSAWA not only covers physical harm but also harm to mental health which should also be a consideration for line managers due to symptoms of anxiety and depression being common with Long Covid sufferers.

Equality Act 2010

As more information emerges regarding Long Covid, it is becoming apparent that for some sufferers, the journey to recovery can be for an extended period of time. Whilst Long Covid has not been officially declared a disability, some may meet the legal definition of suffering from a disability which is a condition that has a “substantial” impact on the person’s ability to do day to day activities and a “long term” condition which is described as 12 months or longer (Gov.uk). Line managers have a responsibility to implement reasonable adjustments for employees suffering from a disability, if these are not in place to support employees to be able to conduct their role, then an employee could potentially make a claim of disability discrimination under the Equality Act 2010. If a claim is successful, this could lead to an unlimited compensation award for the employee.

With data suggesting that Long Covid appears to disproportionately affect women and those with existing disabilities, it is important that reasonable adjustments are applied and that there are no further disadvantages due to other protected characteristics. For example, a mother suffering from Long Covid with additional child care responsibilities not being granted any flexibility with their hours to assist with their fatigue because they may already be working part time.

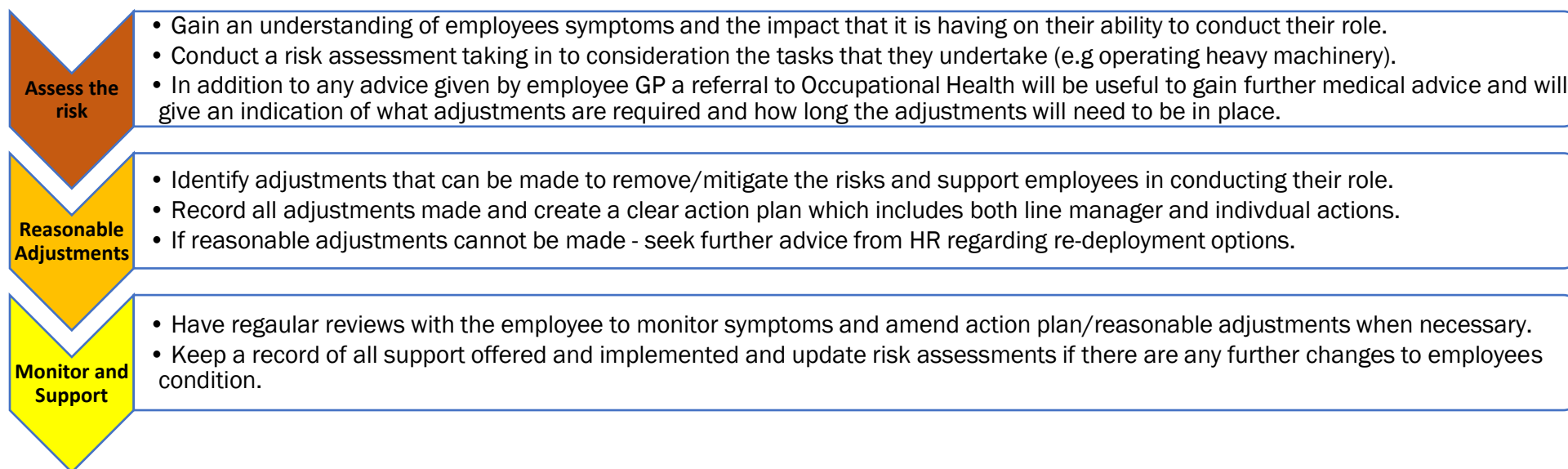
Sickness Absence

Ensuring Long Covid sufferers have adequate support is important to facilitate those who may currently be off sick back in to the workplace but also prevent further periods of sickness. (CIPD 2021) state that “*16,400 workers leave the workplace each year as a result of injury or illness, many of whom may have stayed in work with better support*”. Having a high absence rate within the workplace is not only costly to the organisation through hours lost, it also puts pressure on those who remain in the workplace, therefore managing Long Covid cases effectively helps an individual’s health and wellbeing but also benefits the organisation and reduces the risk of losing employees with experience and knowledge.

Anyone returning to work after a period of time off as a result of covid must have a return to work interview with the line manager to establish if there are any continuing symptoms and provide the employee an opportunity to express any concerns they may have regarding a return to work. If an employee with Long Covid triggers the sickness capability policy due to the amount of sickness absence, all reasonable adjustments must have been explored prior to commencing a capability process in order to reduce the risk of an unfair dismissal claim should the employee be dismissed as a result of capability (ACAS 2022)

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What should line managers do when an employee identifies they have Long Covid?



Reasonable Adjustments for consideration

- Implement a phased return (reduced hours) for a temporary period.
- Consider any flexible working requests for long term changes to working pattern that will support employees.
- Change of working times/work pattern – can an employee start later/earlier or change the days they work to alleviate symptoms?
- Planned regular breaks throughout the day.
- Ensure annual leave is booked in evenly throughout the year so that employees do not have extended times in work without leave.
- Can the employee work from home to provide flexibility with working times and reduce need to travel?
- Can the employee work from a different site if it is closer to their home to reduce travel times?
- Line manager to monitor working hours to ensure employees are not working beyond normal hours.
- Line manager to assist with prioritisation and manage volume of work with employee.
- Reasonable time off for employees to attend medical appointments/long covid clinics.
- Potential to amend triggers for Capability process – e.g., increase to 4 periods of absence per year rather than 3 which takes in to consideration employees long term condition.

Additional Support

- Conduct a wellness action plan with regular reviews to ensure employees wellbeing has been considered. [Wellness Action Plan download - Mind](#)
- Make referral to Access to Work to determine if any support can be offered (e.g., specialised desk equipment) [Access to Work: get support if you have a disability or health condition - GOV.UK \(www.gov.uk\)](#)
- Signpost employees to external support [Getting support for recovery from COVID-19 \(long COVID\) | GOV.WALES](#)

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