

Coronavirus: Key information on farm business concerns



The NFU's policy and commodity advisers are working to provide up to date advice on the issues impacting members as a result of the coronavirus outbreak.

Here you'll find information related to the day-to-day running of your business such as accessing labour, BPS and environmental schemes, driving and vehicle regulations, farm events, training and audits, farm inspections and much more.

This information will be updated regularly. More detailed briefings on some of the topics are below or will be published in due course.

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Looking for more advice? These pages contain more information related to COVID-19:

[issues](#)

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Advice for employers

To support members with practical employment and health and safety related concerns around COVID 19, [the NFU's team of in-house legal professionals have produced this Q&A article](#) which they are keeping up to date. This go-to resource is a useful outline of an employer's responsibilities and obligations, with useful links to official guidance.

Access to labour

The NFU is also looking at access to labour concerns which are mounting, particularly in the horticulture sector with fears that travel restrictions will prevent migrant workers from coming to the UK – [click here for an NFU update and insight on this](#). We are actively engaging with government to seek solutions to these emerging areas of concern. Some suggestions already made centre around getting seasonal horticultural workers recognised as essential workers, looking at all options to enable migrant workers to still come from abroad and re-routing workers from other sectors where work is no longer available due to the impact of COVID-19.

Extension of visas for those who cannot travel home

Following NFU lobbying, the Government has confirmed that if you're in the UK and your leave expires between 24 January 2020 and 31 May 2020 then your visa will be extended to 31 May 2020 if you cannot leave the UK because of travel restrictions or self-isolation related to coronavirus (COVID-19). They have also provided guidance on getting your visa if you are outside of the UK. For more information visit the [Coronavirus \(COVID-19\): advice for UK visa applicants and temporary UK residents page on Gov.uk](#).

How do I complete right to work checks for any new workers?

Normally when you take on new workers, you have to carry out in person document checks to ensure that they have the right to work in the UK as part of the recruitment process. Now due to the measures in place to deal with the virus this means this is not always possible.

Following NFU and business lobbying, the [government has announced that right to work checks are to be relaxed during the COVID-19 outbreak](#) to allow them to be carried out remotely. This move is welcome as it is a pragmatic solution to recruitment issues, whether this is for seasonal work or to fill more permanent positions.

It is important to note that this is a temporary process.

The process that will now need to be followed as from 30 March 2020 is to:

- Ask the worker to submit a scanned copy or a photo of their original documents via email or using a mobile app.
- Arrange a video call with the worker – ask them to hold up the original documents to the camera and check them against the digital copy of the documents.
- Record the date you made the check and mark it as “adjusted check undertaken on [insert date] due to COVID-19”.
- If the worker has a current Biometric Residence Permit or Biometric Residence Card or status under the EU Settlement Scheme you can use the [online right to work checking service](#) while doing a video call - [the applicant must give you permission to view their details](#).
- If the worker is unable to provide any documents you should use the Employer Checking Service.

These steps are only a temporary measure and will not provide any statutory defence to illegally employing a worker. It is still an offence to knowingly employ somebody who does not have the right to work in the UK.

When the coronavirus temporary measures end as notified by the Home Office, employers will need to carry out retrospective right to work checks for workers employed during the temporary measures or for those who needed a follow up right to work check during this time. There will be an eight week grace period and employers should keep copies of the initial and retrospective checks.

The retrospective check should include the following statement: ‘the individual’s contract commenced on [insert date]. The prescribed right to work check was undertaken on [insert date] due to COVID-19.’

If, during a retrospective check, an employer finds out that the worker does not have the right to work, they must end their employment immediately.

[Click here for more information from the government at the Gov.uk website.](#)

[Click here for a guidance factsheet on right to work checks from the Home Office.](#)

Key workers

‘Key workers’ has become a widely used term during the Coronavirus crisis, with different interpretations, but currently the only Government list of such workers relates to ‘critical workers’ and the [provision of school care and childcare for children whose parents are critical to the COVID-19 response](#). The positive news is that ‘Food and other necessary goods’ is listed as one of the critical sectors of workers. This includes those involved in food production, processing, distribution, sale and delivery, as well as those essential to the provision of other key goods (for example hygienic and veterinary medicines). If you work in this sector and you cannot keep your child safe at home then your children will be prioritised for education provision. So farmers are recognised as critical workers in this and also [DfE advice for parents](#).

This is intended to address the problems that could have been caused if workers are unable to work due to closures of schools and nurseries rather than being unwell. It is important to highlight however, that if it is at all possible for children to be at home, without relying on those in at risk groups (such as grandparents, friends/family members with underlying conditions etc) then they should still be kept home even for workers in these sectors.

Parents should also do everything they can to ensure children are not mixing socially in a way that can continue to spread the virus. This means children should observe the same social distancing principles as adults.

For clarity, it is worth underlining the list above is about 'critical workers' whose children should be provided with education provision. It is a positive indication on how the food supply chain is perceived by government but at this stage, it does not go beyond this in scope. For example, the list makes no link between critical or key workers and any justification to work or to travel for work purposes.

The current [government position on travel for work purposes](#) is that this is allowed, but only where you cannot work from home. The exception to this would be if you work in one of those [businesses and venues government has required to close](#). However businesses involved in food production, processing, distribution, sale and delivery are not on this list - government recognises that it is important for business to carry on, that some people cannot work from home and that certain jobs require people to travel to, from and for their work. We are in contact with government on these issues and will keep members updated.

[Advice for NFU members can be found here.](#)

Impact on BPS and environmental schemes

RPA and COVID-19

The RPA has launched a new [web page at Gov.uk with COVID-19 information for farmers, landowners and rural businesses](#) which it intends to keep updated on a regular basis.

It is important to note the following:

- This page covers general information, not necessarily scheme specific.
- As this is a fast moving situation, this page should be tracked on a regular basis. Sign up to RPA updates and follow the RPA via social media.
- [Click here for more information from the NFU on how COVID-19 is affecting agri-environment schemes.](#)

Countryside Productivity Small Grants Scheme

The claim deadline for all CPSG claims was originally set as midnight on 31 May 2020. The RPA have announced that while they would still like people to try to claim as soon as possible they accept that the current situation is having an impact on the ability of some

suppliers to meet that deadline. Therefore, the RPA are now extending the deadline date to midnight on the 31 July 2020 for claims to be received.

RDPE Growth Programme

Defra and the RPA have created an online Q&A for those farmers who are currently in the process of gaining approval or putting together their full project submission under the third round of the Growth Programme. The link to the Q&A document is [here](#).

The NFU has over recent weeks raised a number of issues with Defra / RPA on the operation of schemes like the Growth Programme due to the COVID-19 situation.

Liaison with the Rural Payments Agency

The NFU is in regular contact with the RPA and has raised a number of issues including the following and also has produced a number of documents for members, more information can be found [here](#).

RPA processes: Could the RPA simplify its claim processes (beyond the processes for BPS 2020 or CS 2020 that already taking place). The NFU sees the need for a full end to end review of what can be done to deliver more time now to help those applying in challenging circumstances and delivering payments from 1 December 2020.

Deadlines: The deadline dates remain as originally planned. The NFU did not support extensions to 2020 claim deadlines on the basis this could lead to processing issues further down the line. However, we do support more flexibility in the RPA's approach to alterations and evidence submissions after the deadlines have passed.

Penalties: The NFU is aware that there are changes to come on the BPS eligibility sanctions, but can the RPA look at all the penalties to see where more flexibility can be included in the application of such sanctions across the board where situations are genuinely outside of farmers control? There is potential that no staff will be available to help with inspections of stock or vets are not able to provide necessary paperwork to show compliance.

Vulnerable groups: Many farmers fall into this and are now being told to adhere to a 12-week isolation, how can we help those needing to supply a claim by a future deadline.

Approach to support those applying for Countryside Stewardship 1/1/21 start date: Will there be any support given? Also, will there be any issues with getting Higher Tier agreements that require NE approval (on farm) up and running given that contact is to be avoided.

22 April update from Natural England on Countryside Stewardship applications

Following NFU meetings with the chief executives of Natural England and the RPA, NE has announced that it is adapting the way it gives advice to support farmers, land managers and rural businesses during these unprecedented times. NE advisers are able to give advice without always needing to visit, in particular where they have worked with the farmer before.

NE have also told the NFU they are working with the RPA on making payments and helping customers submit their claims and applications.

Higher Tier Countryside Stewardship

To enable land managers to develop Higher Tier applications in time for the 1 May application deadline, NE staff are able to provide advice remotely (by phone or video call) on applications, so that schemes can be progressed in the absence of a site visit. NE are also developing a range of processes looking at how to best use technology including remote sensing, digital solutions and virtual meetings to support Countryside Stewardship 2020 applications.

Mid-Tier Countryside Stewardship

NE will be supporting applicants through an off-farm advice programme. Applicants can contact an adviser and book a clinic session. Applicants will receive advice on the options most appropriate to their holding and top tips on ensuring applications are correct.

Catchment Sensitive Farming

NE will also continue to offer technical advice and support on Catchment Sensitive Farming (CSF) by remote/digital means, including where farmers need to make Countryside Stewardship Mid-Tier applications. Contact the CSF team as usual on 020 8026 2018.

[Click here for more information at the Gov.uk website.](#)

Animal health concerns

TB testing – APHA update

The Animal and Plant Health Agency (APHA) have added some further clarification with regards to TB testing. These changes are explained in the briefing note 08/20. [Read the APHA briefing note.](#)

In summary, TB testing should only be carried out where it is safe to do so, maintaining a 2-metre distance between vet and farm staff, and between farm staff who do not live together. If it cannot be carried out safely, due to handling systems and/or the stock to be tested, it should be postponed.

If a whole test cannot be carried out due to an inability to test safely, there is an option to delay the window ONCE to allow either social restrictions to be lifted, or alternative handling to be implemented.

In short, there will be no financial penalties in Basic Payment Schemes or herd restrictions placed on OTF herds for delaying a test, if it is within the revised testing window. The testing window extensions depends on the type of test concerned. Those tests with a 3 month window will be delayed for an additional 2 months, and those with an initial testing window of 2 months, will be extended by a month. For breakdown testing, herds will be permitted to extend testing up to 120 days after reactor removal.

BCVA have stated that they are working to clarify a position with AHPA surrounding the ability to split whole TB tests into part tests, to accommodate for certain cohorts of cattle that cannot be safely tested at this time.

Farmers should speak to their vet before a test is due to discuss their individual situation and ability to test safely.

The NFU's animal health and welfare team has set out the key issues affecting animal health and welfare as a result of the outbreak of COVID-19. [Get the details here.](#)

Driving and vehicles

Driving tests

Driving tests have been suspended during the COVID-19 outbreak to help prevent spread of the virus.

What will happen to appointments?

- Car tests will be rebooked for a new date.
- Motorbike, lorry, bus and tractors test will not be rebooked; a refund will be given; the candidate will need to rebook when the suspension is ended.

Can I apply for an emergency test as a critical worker?

It is possible to apply for an emergency test if your work is critical to the COVID-19 response. Critical work includes:

- Health and asocial care
- Education and child care
- Key public services
- Local and national government
- Food and other necessary goods
- Transport
- Utilities and communication

Further information on what is classed as critical work is available [here](#).

Details on how to apply for an emergency test and the information that is required is available [here](#).

Limited emergency test availability

It is very likely that emergency tests will only be available for health and social care workers.

The DVSA have informed us that there are a limited number of test appointments available. The DVSA state that they will need to make sure these tests are available to health and social care workers where driving is a critical part of their job over other groups of critical workers. The DVSA will keep the provision of tests under review and will start offering tests to other types of critical workers when then they become available.

MOT testing

The Department for Transport has issued updated guidance regarding MOT testing of vehicles.

HGVs:

MOT testing of HGVs is suspended for three months starting on 21 March. If an MOT certificate expires during this period vehicle operators can request a Certificate of Temporary Exemption (CTE). [Further information on CTE is available here.](#)

Operators of HGVs must continue to ensure that all vehicles are maintained, safe to drive on road and operated within the terms of operator license conditions.

Trailers:

Trailers will be exempt from needing an MOT for 3 months from 21 March 2020. In most cases, your trailer will have been automatically issued a 3-month exemption, and you do not need to do anything. However, you might need to apply for this, if your vehicle fits into one of these categories:

- [any vehicle that needs a first MOT \(annual test\) before 31 March 2020](#)
- [a vehicle or trailer returning to service where the test certificate expired before March 2020](#)
- [a vehicle needing a dangerous goods \(ADR\) test before 31 March 2020](#)

You will not receive a paper exemption certificate. Instead, your MOT will be extended by 3 months from its current due date.

You can [check your MOT history](#) to see when you have been issued an exemption. It will not be updated straight away so you should check back if the date your MOT is now due has not been updated yet.

Cars, vans and motorcycles:

Cars, vans and motorcycles due an MOT from 30/03/20 will have their MOT extended for 6 months – this will continue indefinitely. However, vehicles must continue to be kept in roadworthy condition, as drivers can still be prosecuted if driving an unsafe vehicle. Follow the following links for information on:

- [Vehicle MOTs due before 30 March](#)
- [Vehicle MOTs due from 30 March](#)

What do I do if my professional Driver Certificate of Professional Competence has expired?

Most professional lorry and bus drivers must complete 35 hours periodic training every five years to maintain a driver qualification card (DQC).

As a result of the current coronavirus outbreak training for drivers may not be available. In light of a lack of training provision drivers whose DQCs expire in the period 1 March 2020 to 30 September 2020 will be allowed to continue driving.

In addition military drivers who have different training compared to civilian drivers will be allowed to drive in civilian situations during the same period.

Enforcing authorities have been informed of the relaxation of the rules. However drivers should continue to carry their DQC even if it has expired. Drivers who will benefit from this relaxation will be required to comply with Driver CPC rules from 1 October 2020.

[Click here for further information on this at the Gov.uk website.](#)

HGV licence renewal during the COVID-19 outbreak

The DVLA has temporarily removed the requirement for a D4 medical for those aged 45+ in order to renew a HGV licence. As long as you are fit to drive, you will be able to apply for a 1-year licence without the need to provide further medical evidence.

[Click here for more information on how to renew an HGV licence under these new conditions.](#)

These relaxations only apply to those whose licence has expired since 1 January 2020, or is due to expire in 2020. You will still be required to declare any health issues that do not affect driving, and those with health issues that prevent driving safely will not have their licence renewed.

The licence will only be valid for 1 year, after which a completed D4 will need to be submitted in order to renew.

If you have further concerns, [click here for information on how to contact the DVLA.](#)

Related information from the NFU

Visit our [Coronavirus: What is the impact on the supply chain?](#) page for more information on:

- [Relaxation on drivers' hours for the delivery of food](#)
- [Welfare facilities for delivery drivers](#)

Access to PPE

The NFU has been receiving reports of difficulty obtaining some PPE in some sectors, in particular FFP2 and FFP3 face masks. This is a reflection of the global shortage of certain PPE, and the importance of ensuring that front line workers have access to appropriate PPE during the COVID-19 outbreak.

The NFU understands that current disruption in the PPE supply chain has caused industry-wide uncertainty over current supply lead times, and the long-term impacts to the PPE supply chain.

A number of larger PPE suppliers are not accepting orders from new customers, or orders that are over and above a normal 'business as usual' order.

HSE have made it clear that PPE requirements for the workplace have not been relaxed, and all HSE guidelines must continue to be adhered to.

You should not use improvised or home-made items in place of usual PPE for agricultural activities, as they will likely not be fit-for-purpose, and will not offer appropriate protection.

Be aware of online scams, or purchasing products with falsified certification. To avoid this, ensure you source all PPE from a Registered Safety Supplier, as this will guarantee that products are genuine and fit-for-purpose. [Click here for a list of Registered Safety Suppliers](#).

- [Click here for more HSE guidelines on health and safety practises at work](#)
- [Click here for a guide on PPE required to control exposure to poultry dust](#)
- [Click here for more information on using Respiratory Protective Equipment \(RPE\) properly](#)

Will farm events, training and audits continue?

- Farm audits are likely to be suspended for the foreseeable future and reviewed as appropriate.
- A number of organisations that run farmer events, including Championing the Farmed Environment, AHDB, Catchment Sensitive Farming and Natural England, are postponing farm events, farm visits and site visits. Many are exploring ways of delivering advice and training virtually through webinars and other technology.
- Relevant providers are reviewing how they deal with the difficulties with restricted travel and obtaining Continuing Professional Development (CPD) points. BASIS have relaxed rules on CPD point collection – [more information can be found here](#).
- LEAF Open Farm Sunday has been postponed - [find out more here](#).

Most farming shows and events have been cancelled.

- Shows cancelled include: The British Pig and Poultry Fair, the Grassland & Muck Event, the Royal Three Counties Show, the Great Yorkshire Show, Devon County Show (postponed to August 28 – 30), Royal Welsh Show, Northumberland County Show, Suffolk Show, Staffordshire County Show, The Royal Bath and West Show, Royal Cornwall Show, Lincolnshire Show, Royal Norfolk Show and Royal Lancashire Show
 - The Cereals event will be postponed until June 2021. The NFU has heard from the Cereals Team: “However, we are still determined to do our utmost to support the industry, so will be taking the event online on 10-11 June 2020 instead. We will endeavour to deliver working demonstration videos, seminar sessions and expert advice so that visitors and exhibitors can get as much as possible from the event and gain CPD points as normal. We will also do our best to help facilitate information exchange between exhibitors and visitors in a digital environment. We hope that you will support us in this new initiative.”
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Should I allow a utility operator on my farm or into my house?

Openreach have published [advice online](#). The NFU supports this approach as it balances the need to repair and maintain the network and avoid spread of COVID-19. The internet should be seen as an essential service.

Openreach say their number one priority is to keep people connected, and they've been working closely with customers to minimise the impact that the Government's new restrictions have on the services they can provide.

Openreach are focussing on the repair and maintenance of connections that support critical national infrastructure, essential public services, vulnerable customers and those without service.

They've also advised their engineers to avoid entering customer premises. A large amount of their work can be completed outside, and they can often fix problems without entering a customer's property. Openreach are advising engineers not to complete any work inside a property unless it would leave a vulnerable customer with no form of connection, and it's not possible to provide one by any other means.

Will HSE farm inspections continue to take place during the coronavirus outbreak?

The HSE have informed us that they are reviewing the approach to inspection work in light of the COVID-19 situation. In circumstances that Inspectors feel it necessary to visit farms, such as to investigate serious incidents or where there is intelligence that risks are not being properly managed, inspectors will follow PHE guidance on social separation while visiting the workplace.

Members are reminded that there are no changes to the legal requirement to follow health and safety law and for employers and the self-employed to manage risks on the farm to ensure the health and safety of themselves, workers, family, visitors and contractors, and members of the public. During this period, Health and Safety Law has not been suspended or relaxed.

Guidance for food businesses

It is very unlikely that you can catch coronavirus from food.

COVID-19 is a respiratory illness. It is not known to be transmitted by exposure to food or food packaging.

Any food handler who is unwell should not be at work. [If they have symptoms, they should follow government advice and stay at home.](#)

Although it is very unlikely that coronavirus is transmitted through food, as a matter of good hygiene practice anyone handling food should wash their hands often with soap and water for at least 20 seconds. This should be done as a matter of routine, before and after handling food, and especially after being in a public place, blowing their nose, coughing, or sneezing.

Food business operators should continue to follow [Public Health England guidance](#)

We support measures to allow safe privileged access to supermarkets and food businesses for the elderly and essential workers such as NHS staff.

[Government & Public Health England advice can be found here.](#)

Guidance for beekeepers

It is important to be responsible and ensure good beekeeping practices are maintained, effective stock management and health checks. Governments advice on social distancing should be observed at all times; avoid gatherings of more than two people, including at your apiary.

[The NFU has produced further advice, which can be found here.](#)

[Click here to use the NFU's COVID-19 business impact service.](#)

By using this form, farmers and growers can provide information on any business-critical issues they have encountered, or expect to encounter, arising from the COVID-19 outbreak. The NFU will log this information and use it in an anonymised format to flag the key issues agriculture and horticulture are facing to government on a daily basis. However, no personal data will be shared with the government. The service is for all farmers and growers across the UK.