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1 Background

Since issue of version 3 of the OGUK technical note regarding vulnerable persons, government advice has once again changed, in parts of the UK at least. In England, ‘clinically extremely vulnerable’ persons are advised to work from home if possible, and if not, to stay away from their workplace, i.e. they have effectively been advised to resume shielding (1). Advice in Scotland depends on the local ‘tier’ of restrictions on activities (2). Given the change in government advice, it is necessary to review the contents of previous technical notes.

It is now clear that the state of Covid infection will vary both in time and place, even within the UK. There are thus times when virus transmission is ‘increased’ and times when it is ‘decreased’. Some principles of safeguarding vulnerable persons remain constant in both situations, but specific details of actions required will vary depending on which state of virus transmission is being experienced.

2 General Principles

- Operators and employers remain responsible for setting their own policies regarding the deployment of vulnerable persons to offshore installations, bearing in mind the non-discrimination provisions of employment law and the similar duty to safeguard the health of employees at work. Operators/employers may wish to seek appropriate advice on compliance with legislation when setting policies on vulnerable persons.

- The concept of ‘vulnerability’ to the effects of Covid-19 infection is not an ‘all or nothing’ one, but a matter of variable degree.

- The ‘Covid-age’ assessment tool (3) remains a useful means* of advising individual workers and with their consent, their employer/operator, of their personal degree of vulnerability.

- Where examining doctors/occupational physicians are asked to comment on Covid-19 vulnerability, they may use the ‘Covid-age’ assessment tool as a means of assessing vulnerability.

- Employer and worker should be in agreement on the decision to deploy offshore in relation to degree of vulnerability: where this is not the case, employers should advise workers of the available alternative options.

- Employers/operators should not seek advice in the form of statements of ‘fitness’ or ‘unfitness’ regarding vulnerability, unless they provide definitions** of these meanings.

- Where a worker’s Covid age is greater than 70, or where their specific condition confers a ‘high’ (orange) or ‘very high’ (red) rating under the Covid-age tool, examining doctors asked to comment on vulnerability should ensure that the operator’s medical advisor (where there is one) is notified of this (this will typically be done via the vulnerable person’s employer – discussion with operator medical advisor is not expected or required).

* and is used in one UK nation’s recommended occupational risk assessment tool (4)

** for example, couched in absolute or relative risk terms, or in added years or in Covid-age itself.
3 Current situation

• Although the situation is indeed variable from place to place, the UK as a whole is presently in a period of ‘increased’ virus transmission.

• Shielding was ‘paused’ UK-wide in August, but has effectively been re-introduced in England from 5 November. Persons classed as ‘clinically extremely vulnerable’ will follow government advice for their location, and operators/employers will require to consider relevant government advice in setting policy (see bullet point 1 of ‘General Principles’).

• Although the general infection control measures applied across industry may be construed as implying a ‘Covid-secure’ workplace (5), at least partial effective resumption of ‘shielding’ requires re-application of this principle to the offshore workplace.

• There are increased reports of cases of suspected infection on offshore installations.

It is therefore now advised that:

• Employers should ensure that mechanisms exist to identify vulnerable persons, including those advised to stay away from workplaces (i.e. effectively resume shielding) in some UK locations, and those formerly shielding in others (in the event that they are advised in future to resume shielding).

• Workers classed as ‘clinically extremely vulnerable’ (including those formerly shielding) should not be deployed offshore, unless individual clinical assessment indicates that their Covid-age is in fact 70 or less.

• And, where a (not already shielding) worker’s Covid-age is greater than 70, or where their specific condition confers a ‘high’ (orange) or ‘very high’ (red) rating under the Covid-age tool, employers/operators should not deploy that worker offshore.
4 Flowchart

START HERE

- **Clinically extremely vulnerable** now advised to resume shielding?
  - Yes: Do NOT Deploy unless individual assessment confirms Covid-age < 70
  - No: Formerly shielding (i.e. clinically extremely vulnerable), or clinically vulnerable?
    - Yes: Individual assessment
      - **COVID-age > 70, or high or very high risk?**
        - Yes: Do NOT Deploy
        - No: Deploy
    - No: Age, gender, ethnicity = Covid-age > 70?
      - Yes: Do NOT Deploy
      - No: Deploy
5 References


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