

Consolidated Gym and Fitness Industry Operator Guidance for the COVID-19 (Coronavirus) Situation As at March 12, 2020

This document is authored by ukactive, with coordination and input from the experts within the ukactive Standards and Legislation Committee, and the ukactive CEO Forum. ukactive continues to work with PHE, which has been kept informed of this guidance.

1. Context

The UK is in the early stages of what is now a global pandemic outbreak of infection from the COVID-19 virus (also referred to as 'Coronavirus'). The Government has provided general guidance to people and businesses:

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-covid-19>.

These are taken as “given, read and acted upon”. The purpose of this guidance note – which is subject to frequent review – is to provide more specific guidance relating to gym and fitness industry operators in general.

This document is not intended to be exhaustive in covering every possible scenario but to give a good, clear direction of travel for the industry. Nor is it intended to cover all aspects of every operator – there may be special undertakings for those with wet facilities, outdoor facilities, restaurants or food and beverage facilities, and other such examples. However, it is hoped that it provides a summary of the key areas.

2. General Situation

Operators have indicated their intention to conform to government and Public Health England¹ (PHE) guidelines. These guidelines cover: guidance for staff or customers who have travelled abroad recently; encouragement to wash hands and use hand sanitiser frequently; and guidance such as the 'Catch it, bin it, kill it' message.

Furthermore, the majority of operators either have, or are in the process of, increasing significantly their cleaning regimes – both in terms of frequency and depth. These steps should ensure that facilities are as virus-free as possible, while still remaining open as a service to the health and wellbeing of the public.

All operators are encouraged to be proactively developing plans to deal with an expected increase in infection rates among both customers and staff. This process is ongoing but most are well advanced with plans and preparation. In the absence of a number of specific situations (see below), the decisions on whether, when and how to communicate generally,

¹ PHE is used here 'generically'/as shorthand to cover Public Health England/Wales/Scotland & Northern Ireland.

how to respond to queries, and how to deal with general concerns is a matter for the decision of individual operators.

3. Specific Situations

The guidance to the industry is as follows:

In the event that a staff member who has been working in a facility (or facilities) or a customer who has been using the facility has tested positive for COVID-19, then PHE will contact the operator to determine the risk to customers and staff, as well as to seek guidance on the actions to be taken.

If PHE determines that there is a moderate to high risk of COVID-19 infection transfer to staff and customers as a result of the confirmed positive case, the following actions should be taken by the operator, with any changes to the actions recommended by PHE in light of the circumstances at the time:

3.1 Staff or Customer confirmed COVID-19 positive:

- Either the whole of the facility or part of the facility should be closed **if required by PHE** to do so, or the operator deems it appropriate, and be subject to a deep clean as soon as practically possible before reopening (see “Facility Deep Cleans” below).
- Customers and staff of the facility should be informed of the situation if required by PHE to do so, or the operator deems it appropriate, and that the whole or part of the facility is temporarily closed. Operators may choose to make other facilities available for use to customers if this is possible.
- Customers who are known to have attended the facility since the staff member was diagnosed/deemed likely to be contagious will be informed of the positive test if PHE deems this appropriate.
- Other staff/employees and contractors who have been in the facility will be informed of the situation, as well as organisations who share the building (where applicable).
- Communications to individuals will take place within 24 hours (at the longest) of a positive test being notified to an operator, and typically much sooner.

3.2 Customer or staff indicates self-isolation or potential infection:

- No actions required until positive COVID-19 result is confirmed.

4. Facility Deep Cleans and Decontamination

Following the specific guidance from PHE with respect to [deep cleans](#) the undertaking and proposals for the industry are as follows:

- A required deep clean: PHE will, if they deem it necessary, mandate that an individual facility should be closed and deep cleaned to this [standard](#). In that case the operator will undertake to ensure that this is done swiftly to the prescribed standard. Currently, *“there is no process for PHE to sign sites off after decontamination”²*.
- A voluntary/precautionary deep clean: in certain circumstances the operator may decide unilaterally to deep clean a facility. In this case, the operators, working with third parties as appropriate, will be responsible for ensuring the deep clean is completed to the required standard and certifying it before reopening. If at any time after commencing a voluntary facility deep clean the authorities deem a ‘formal’ deep clean to be required then this will become subject to the same standards as a required deep clean above.
- Closure timing/requirements: given the huge variety of sizes and complexity of facilities that may require deep cleaning, there is not one standard for deep cleans in terms of timing and period of closure. The key question will always be the quality and integrity of the deep clean being done to the required standard, conducted in line with established protocols. However, the industry anticipates the authorities will work with operators to minimise the closure period for deep cleans and keep disruption to the minimum. Of course, this is in the interests of the operator’s business, but it is also in the broader interests of the public at large who use facilities as a significant part of their regime for a healthy life.

5. Facility Closure

The industry recognises and accepts that it may be asked or instructed by PHE, or other regulatory bodies to close facilities in some circumstances. This is most likely to be to limit gatherings of people and slow/prevent contagion and infection rates among customers and staff – regardless of whether there is a specific risk caused by a customer or member of staff. Clearly, the industry and operators within it will comply with such requests immediately.

6. Commercial and Other Considerations

The sector has a range of radically different commercial models including pay-per-visit, contracted monthly memberships, rolling (non-contract) monthly memberships, paid-in advance memberships and many more besides.

Different operators have in place different contractual obligations in terms of what happens to customers/staff if their facility is closed for a shorter or longer period of time. As an overarching principle, operators are committed to only trading in situations when they are fully compliant with relevant health and safety requirements and obligations.

² Email confirmation from PHE – 10th March 2020

Therefore, it is proposed – and in reality, it is inevitable – that the commercial decisions on how to deal with closures and more generally “interruption of normal service” should be left to the decision of individual operators. Likewise, to the extent that operatives (whether employed, self-employed, contractors or other) are impacted by the disruption, operators will deal with this in line with the legal requirements and in light of their individual situations and circumstances. Clearly, operators are best placed to make decisions such as offering customers the opportunity to attend alternative facilities, refunding customers for closure periods, offering the option of freezing memberships, or other solutions. And operators have every incentive to treat customers and staff well through this period of disruption. Furthermore, operators should consider whether they could still open all aspects of the facility if staff cannot attend work.