

Introduction

As an essential service, RTÉ has been pro-active in prioritising the health and safety of our employees and contractors from the outset of the COVID-19 pandemic, while also delivering vital news, information and entertainment to the public.

With the development of internal policies and procedures, as well as the reconfiguration of our site and the implementation of remote working, RTÉ has been vigilant, engaging with our managers and regularly and consistently communicating with our employees through our internal intranet, and through all-staff communication channels.

All of the preventative measures introduced as part of our collective response to COVID-19 have been made in a live working environment. This brought challenges in the early days, but RTÉ navigated the uncertainties with speed and commitment. These preventative measures include a range of physical and administrative controls, allowing oversight of COVID-19 governance and the maintenance of a safe workplace.

This review has been undertaken to establish if breaches of COVID-19 public health advice took place on 12th November 2020. For the avoidance of doubt, as the Gardaí are conducting an inquiry into whether or not there were any breaches of COVID-19 Regulations, some issues, such as the circumstances under which the gathering took place, fall outside the scope of this review.

Findings

There were three breaches of COVID-19 public health advice, one breach of the Plan for Living with COVID-19 Level 5 restrictions, and a breach in our internal COVID-19 Protocols.

- Some people did not maintain social distancing during the gathering.
- Where the two meters social distance was breached, some people were not wearing face coverings.
- There was a breach of the requirement to avoid crowded places.
- There was a breach of the Plan for Living with COVID-19; there should not have been an indoor gathering which did not form part of RTÉ's delivery of an essential service.
- There was a breach of internal RTÉ COVID-19 Protocols for visitors to site.

1.0 Purpose and scope

The purpose of this review is to evaluate if breaches of public health advice took place in relation to COVID-19 Protocols and how best to put additional controls in place to prevent reoccurrence.

The scope is to evaluate and analyse the situation that arose in the reception area of the TV Building in Donnybrook on the 12th November 2020.

As stated above, other aspects of this incident are not in scope of the health and safety review and are being addressed separately.

1.1 Objectives

The primary objectives of this review are:

1. To ensure RTÉ remains compliant with all requirements of COVID-19 public health advice;
2. To eliminate the potential for reoccurrence by enhancing controls;
3. To remind staff and management of their responsibilities in preventing the spread of COVID-19 and maintaining a safe working environment for all in the workplace.

2.0 Review methodology

It is important to understand the COVID-19 Protocols that RTÉ has implemented within the workplace are in the context of the public health advice applicable to the situation under review. To assess the circumstances that unfolded, the reviewer analysed the sequence of events that took place by reviewing the CCTV footage from the Donnybrook TV Building reception area during the timeframe identified. This established an exact timeline of actions and identified the breaches that occurred during this period. The reviewer also established key facts in relation to RTÉ's COVID-19 visitor controls.

2.1 Current public health advice

The virus that causes COVID-19 can spread directly from person to person through respiratory droplets. The droplets can land in the mouth or eyes of a person standing nearby. The risk of virus spread as a result of droplets landing directly in the eyes, nose or mouth is much lower if people keep a safe distance between each other. If there is more than 2 metres distance between people the chance of spread by droplets landing directly in the eyes, nose or mouth is very low. According to the HSE, social distancing is important to help slow the spread of COVID-19.

Everyone should:

- keep a space of 2 metres between you and other people;
- avoid any crowded places;
- not shake hands or make close contact with other people.

It is acknowledged that indirect transmission is a secondary method of transmission.

2.2 Level 5 restrictions and RTÉ as an essential service

The Government has requested that everyone should stay at home, except for purposes of work, only where the work is an essential service and cannot be done from home. RTÉ's business has been classified as an essential Information and Communications service:

- television programme production;
- sound recording;
- radio and television broadcasting;
- wired and satellite and telecommunications.

As an essential service, RTÉ is permitted to continue delivering a service during the pandemic. However this cannot be delivered in the way it has been before. Our work practices are aligned with the requirements of the Government's Return to Work Safely Protocols ensuring the safety, health and welfare of staff, contractors and all who engage in our activities. This has been achieved by implementing risk management practices with risk assessment being our primary tool for identifying COVID-19 related risks and controls.

According to the Plan for Living with COVID-19 at level 5 there must be no organised indoor gatherings. A distinction must be drawn between an indoor social gathering and essential service work activity.

Productions taking place during level 5 restrictions are required to produce a production plan and risk assessment. This requirement can be evidenced and plans are reviewed and challenged internally by RTÉ Health & Safety, Studio Operations Teams, and Property & Services. This is to establish the absolute minimum number of people required to complete a production in the safest way in line with public health advice and RTÉ COVID-19 Protocols. It is worth noting that, at level 5, studio audiences are not permitted on any show within RTÉ.

2.3 RTÉ COVID-19 Protocols

RTÉ has Returning to Work Safely On-Site COVID-19 Workplace Principles and Protocols in place. In these RTÉ commits to implementing physical distancing and in ensuring that the layout of the workplace allows at least 2m distance amongst other controls. In paragraph 2.3.8 of the document, the protocol is very clear that *'no face-to-face group gatherings are permitted which are in breach of the social distancing rules'*.

2.4 RTÉ collective preventive control measures for reception area

At present the following COVID-19 Control Measures are in place in the TV Building Reception area:

Physical controls implemented	
Signs - 2m floor identifiers	Marking stuck to the floor to serve as a reminder to those within the area what 2m distance actually is.
Tape barrier along the front of reception desk	This barrier was installed to prevent people entering the building and getting close to the reception staff.
Perspex barriers	Perspex barriers.
Contactless Hand Sanitiser Dispensers	Positioned to allow people entering the building to sanitise their hands.

Administrative controls	
COVID-19 Protocols	Documented COVID-19 Rule book available to all staff designed in line with the requirements of the Governments Return to Work Safely Protocols.
COVID-19 Induction Training	This is a 20 minute video which is available on the RTÉ eLearning platform. It has been designed in line with the Government Return to Work Safely Protocol and RTÉ's COVID-19 Protocols. The video starts with a video of RTÉ's Director General communicating RTÉ's commitment to managing COVID-19 responsibly to ensure staff, contractors and contributors can work safely on our premises.
COVID-19 Return to Work Form	In line with the Government requirements set out in the Return to Work Safely Protocols, staff must complete a Return to Work Form. This was implemented via Microsoft Forms.
Visitor COVID-19 Induction	There is a PowerPoint/PDF of the RTÉ Protocols which serves as a visitor/contractor/contributor site induction.
Visitor COVID-19 Questionnaire	All people visiting RTÉ premises are asked to complete a COVID-19 Visitor Form.
Risk Assessment Process	All planned activities must go through the risk assessment process to ensure the correct protective preventive controls are identified and implemented.
Corporate Communications	Communicating with our employees through our internal Hub (intranet) and through all-staff communications channels.
Management Communications	Senior managers have been consulted during the development and roll out of all protocols and procedures, staff inductions and all-staff communications at key stages over the past eight months, to include changes to Government policy on restrictions and the evolving nature of public health advice.

3.0 Review findings

It was clear from the CCTV footage that a gathering took place which lasted approximately 20 minutes at its peak (2pm-2.20pm). The timing of the gathering naturally increased the number of people in the area by virtue of the fact that the TV Studios had a busy schedule of visitors and it was lunchtime, resulting in a number of people entering and leaving the premises. From a review of the CCTV footage, the number of people present in TV reception (which is a public area and the main entrance to the television building) during the period in question varied, ranging from approximately 15 people to approximately 40 people, including those who were there for other purposes and for varying time periods. There were a number of examples where public health advice was breached in terms of not social distancing, not wearing face coverings, and being in a crowded area.

There was a small number of non-staff present, which is not permissible unless such persons are involved in the provision of essential services. In addition, there is no evidence of the COVID-19 visitor questionnaire being completed. It is a requirement of the RTÉ COVID-19 Protocols for all visitors to complete this questionnaire.

During the photo taking, there was an evident departure from a COVID-19 controlled environment, resulting in people momentarily ignoring public health advice to pose for pictures in an unprotected way.

This review has found that this gathering resulted in a number of breaches:

- Some people did not maintain social distancing during the gathering.
- Where the two meters social distance was breached, some people were not wearing face coverings.
- A breach of the requirement to avoid crowded places.
- A breach of the Plan for Living with COVID-19 as there should not have been any indoor gathering which does not form part of RTÉ's delivery of an essential service.
- A breach of internal RTÉ COVID-19 Protocols for visitors to site.

4.0 Recommendations

This incident is not representative of the RTÉ COVID-19 Protocols that are in place, nor is it indicative of the way RTÉ staff conduct their work activity in general. In normally planned and risk-assessed activities, staff are diligent in relation to COVID-19 Protocols. However, there are five main recommendations from this review:

1. All present at the gathering to retake RTÉ's COVID-19 induction training
2. Implementation of communication plan to re-inforce the protocols;
3. Discussion of findings and lessons learned with the COVID-19 representatives
4. Review of Visitor access and protocols;
5. Ongoing review of protocols.

4.1 Retake RTÉ's COVID-19 induction training

It is recommended that all staff who were present are asked to retake the RTÉ COVID-19 Induction Training on the RTÉ eLearn platform. The RTÉ COVID-19 Induction video is the formal training tool to ensure that all staff are aware of the RTÉ control measures in place to prevent the spread of COVID-19. All staff are required to participate in this training, however, implementing a retraining programme will ensure that those involved in the breach of COVID-19 Protocols are reoriented in RTÉ's COVID-19 controls. This training must be completed as soon as reasonably practicable. The RTÉ Learning Management System holds completed records.

4.2 Implementation of communication plan to re-inforce protocols

Non-essential gatherings of any type are not permitted. There can be no ambiguity. Only essential service activities are permitted to take place and only in a carefully planned and risk assessed manner. This and all protocols need to be re-communicated to all working on site to include the potential outcomes when any individual / group of individuals let their guard down, even momentarily. Communications must also re-emphasise the fact that only visitors engaging in essential services activity are permitted to be on site and such visitors are required to complete the COVID-19 Visitor Questionnaire without exception.

4.3 Discussion of findings and lessons learned with the COVID-19 representatives

The findings and lessons learned from this incident will be discussed at each of the COVID-19 Representative committee meetings. There are two committees in existence, one for RTÉ's regional locations and the other for the Donnybrook Campus. While all obligations under Data Protection will be observed, the scenario and key findings will be discussed to ensure the COVID-19

Representatives are aware of the breaches as occurred. This will empower them to fulfil their role in monitoring adherence to the infection prevention control measures within RTÉ's COVID-19 Protocols to prevent the spread of COVID-19 in their work areas. In addition, the process for staff in reporting any concerns to the COVID-19 representatives / Health and Safety Manager / individual manager must be re-communicated to heighten awareness of the process and empower all to act on any concerns – big or small.

4.5 Visitor access

Only essential service visitors are permitted onsite. All essential service visitors must complete RTÉ's COVID-19 Visitor Questionnaire and view the visitor COVID-19 Protocols before entering the premises. This is to ensure that all visitors are aware of RTÉ's infection prevention control measures. All staff must be reminded of the importance of this procedure in protecting all people in the workplace. Current procedures need to be revised and tightened to ensure that the appropriate paperwork is completed and submitted and that all visitors are met on arrival.

4.6 Ongoing Review of Protocols

All protocols will be reviewed and updated on an ongoing basis in line with public health advice.

5.0 Concluding Comments

The breaches, as occurred, should not have occurred.

It is very disappointing and regrettable that this happened, particularly given the hard work undertaken and our success in keeping our sites safe for staff and visitors. This was a lapse which occurred for a moment in time. Immediate steps will be taken to ensure that there is a redoubling of effort in all that we do in our COVID-19 response and in our implementation of protocols.

Managers play a leading and critical role in all matters relating to site safety and in the implementation of RTÉ's COVID-19 protocols. All managers will be asked to attend a refresh training session to ensure that our COVID-19 Protocols are adhered to in full.