

L@b Brief – August 2020



HELLO AGAIN

After weeks of negotiations with intransigent overseas exhibition organisers, thoughts have turned to the main UK event, Lab Innovations and our own Lab Suppliers' Conference in January. The consensus seems to be that no exhibition in 2020 will have sufficient visitors to justify the cost of exhibiting and that going ahead with events this year would be irresponsible. Members have asked that exhibition organisers show their commitment to the industry that supports them by allowing exhibitors to cancel without penalty.

So that, of course set me to thinking about our own event. After taking soundings from the Lab Management Committee it's clear that some organisations will not be allowing their staff to take part in large gatherings in the first quarter of next year. Concerns about a possible second wave are also prevalent. I don't have to make a decision this minute – so I would really value your input as to what you think we should do.

Meanwhile, as other forms of winning work become even more vital, some members have drawn my attention to clauses being routinely included in tenders from university purchasing consortia which make it comparatively difficult for SMEs to win work or which place unnecessary requirements on them. I am currently arranging a meeting of purchasing consortia members in order to put your views to them, and hopefully encourage them to change. If you have experienced clauses that have negatively affected you, please let me know so I can include them in our briefing. With the risk of drawing unflattering comparisons with the late, great, Dame Vera Lynn, I do really hope we meet again soon!

Jacqueline

Highlights in this issue...

	<p>COVID-19: returning office staff to the workplace What other industries are doing about opening up offices, plus fake news, vaccine trials, Coronavirus meets RIDDOR – and a link to Steve's updates</p>
	<p>Nine super-villains highlighted on a watch-list for cyber attacks Members of 'operation cloud hopper' and the main centre for special technologies focus of OFSI warnings</p>
	<p>Mixed signals in economic indicators A slew of economic data has been released this month and not all of it tallies</p>
	<p>GAMBICA members' views included in a letter to Michael Gove As trade negotiations heat up findings by the House of Lords have been informed by GAMBICA members' input</p>
	<p>Lab Suppliers' Conference 2020 hangs in the balance Your views sought on how we should get together in 2021</p>
	<p>Meeting planned with university procurement teams SMEs are being adversely affected by the way universities are procuring. Are you affected? We need your views!</p>

UK News

Coronavirus – what others are doing about returning office staff, fake news and some general updates

Overtime and the Coronavirus Job Retention Scheme

GUIDANCE ON calculating how much you can claim using the Coronavirus Job Retention Scheme has [been updated](#) with a new section on how to calculate your claim for fixed pay employees who have worked enough overtime (in the tax year 2019 to 2020) to have a significant impact on the amount you need to claim.

Public encouraged to register for COVID-19 vaccines trials

Over 100,000 people have volunteered to take part in COVID-19 vaccine trials, helping to speed up efforts to discover a safe and effective vaccine. UK researchers urge more volunteers across all groups to sign-up, especially the over 65s and those from Black, Asian and minority ethnic backgrounds. Find out more about registering [here](#).

Returning office staff to the workplace

According to a survey by *People Management Magazine*, most employers are planning to send staff back to the office either from the beginning of September (21 per cent) or in the autumn (21 per cent). However, 15 per cent said they still didn't know when they would bring office staff back to work, while another 15 per cent said they were planning to bring staff back some time in 2021. One in 10 (10.4 per cent) said they had planned to have staff back at the beginning of August. Just 5 per cent of *People Management* readers said their staff could work from home permanently if they wanted.

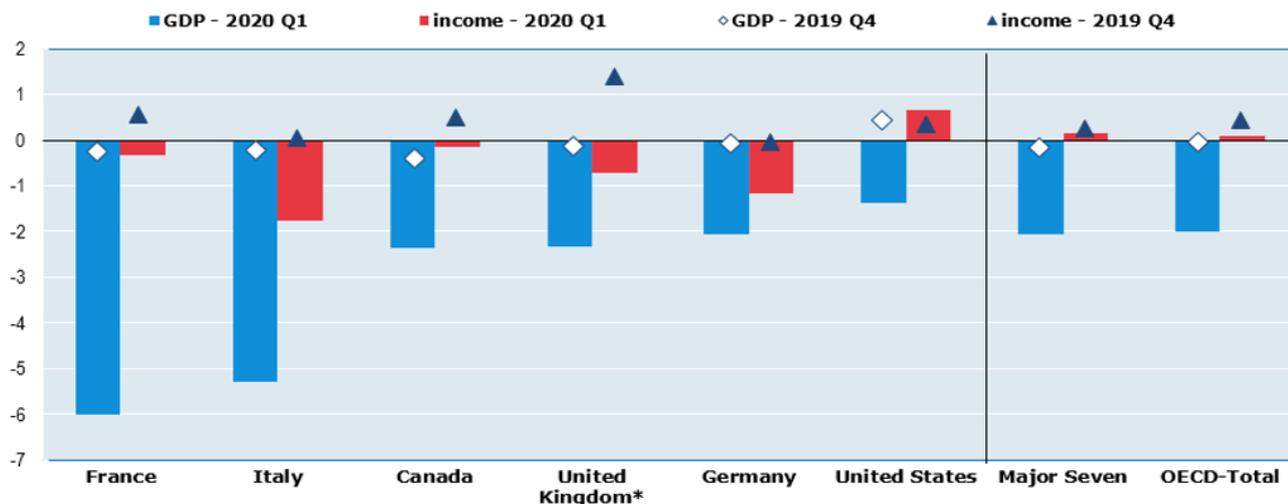
However, in a survey by the BBC, fifty of the biggest UK employers said they have no plans to return all staff to the office full-time in the near future. However, 20 have opened their offices for staff unable to work from home.

When asked how they would approach asking employees to come back to the office, the responses were nearly evenly split between obliging staff to return for a specified number of days a week unless shielding (31 per cent); encouraging staff to return but ultimately leaving the decision to them (30 per cent). Just 8 per cent of respondents said they would oblige staff to come back to work for a specified number of days even if they were shielding.

Government support measures for households buffer the economic impacts of COVID-19

Despite a 2.0% fall in real GDP per capita, in the OECD area in the first quarter of 2020, real household income per capita, which provides a better picture of changes in households' economic well-being, grew by 0.1%.

Real household income per capita and real GDP per capita
 Percentage change on the previous quarter, seasonally adjusted data



In response to COVID-19, many governments introduced policies aimed at supporting household income. As a result, across all Major Seven economies, real household income per capita held up much better than real GDP per capita, which contracted sharply in all economies. For the OECD area as a whole, real household income growth outpaced GDP growth by 2.1 percentage points, the largest positive gap between the two measures since the financial crisis (2008 Q4).

Fake news on COVID-19 worries policy makers

With doctors and nurses coming under fire in the UK after circulation of highly misleading reports on social media, the OECD has raised concern over how fake news can be combatted effectively especially in relation to the pandemic.

Over the past few months, conspiracy theories on the origins of the virus, fake remedies and misleading healthcare information have reached levels that are startling to those who mainly rely on broadcast media. Concern is now growing that a vaccine against COVID-19, once found, may run up against the ultimate obstacle: the resistance of a significant part of the population to trust and believe in it.

The WHO has declared an ‘infodemic’ saying that transparent, timely and reliable information has become an essential resource to empower citizens in the midst of the pandemic. The OECD says disinformation practices sow unsubstantiated mistrust and hinder policy makers’ ability to reach timely and informed decisions.



An OECD interactive workshop was held to explore how to live in a ‘post truth’ society

The true reach of disinformation is difficult to estimate, as some research suggests people are likelier to share misinformation than they are to believe it. Being clear about uncertainty is important to convey scientific advice that is subject to change with emerging evidence, but the situation is made worse, according to the OECD by disinformation spread by foreign state-sponsored campaigns to undermine trust in public institutions.

A survey of ten OECD countries found that only 48% trusted their governments as sources of information about the virus. False claims about the actions, statistics or policies of public authorities, including government and international organisations, are the single largest category (39%) of disinformation identified by a Reuters Institute study, which suggests that “governments have not always succeeded in providing clear, useful, and trusted information to address pressing public questions”.

The wave of disinformation contributes to an information overload that can crowd out important information with people confronted with large volumes of increasingly conflicting information, which demands greater effort to navigate and compete for their finite attention span.

Largely taken from OECD working paper Governance Responses To Disinformation: How open government principles can inform policy options.

- DON'T FORGET Steve's brilliant Coronavirus bulletins and EU Exit information. Both are [collated in our Members' Area here](#). (Please contact sarah.wicks@gambica.org.uk if you are unable to access the Members' Area). The main sources for [Government advice for business are stored here](#) and on the [Business Support website](#).

Don't miss the next Lab Group salary survey

HAVE YOU submitted your input for the latest laboratory group salary survey yet?

Do you want to compare where you stand compared to your peers on sales and service staff remuneration?

Results will be issued soon - so if you want to be included, contact helena.robinson@gambica.org.uk for more information.

Answers to some of your UKCA mark questions

AS STEVE noted in his latest FAQs which were updated on 26th August, we are expecting BEIS to publish the new guidance on CE/UKCA marking before the end of August, but it's not beyond the bounds of possibility that further delays will occur.

If you have further questions or comments on this issue you can get in touch with Steve (steve.brambley@gambica.org.uk or our Technical Director Andrew Evans (andrew.evans@gambica.org.uk).

A Lab Group member has asked the following questions, and Andy Evans' has answered.

Q. Do you have any indication when the Government will decide whether to move the introduction of mandatory UKCA marking?

A. If a Mutual Recognition Agreement isn't agreed [which looks increasingly likely], then the UKCA mark will be valid from 1st Jan. The question is whether the government will continue to allow CE marking. At the moment the gov.uk guidance which allowed CE marking for a “time-limited period” has been withdrawn. However, the legal instruments are still in place for CE marking to satisfy UKCA requirements. We expect the guidance to be updated this week, re-introducing the transition period.

Q. To update the Technical Files and draw up the DoCs we will need to know what the UK regulations are, even if they are identical to the EU regulations (e.g. Regulation Title and Reference Number). Do you expect this to be included in any guidance published by the UK

government, hopefully next week? Is the expectation that the UKCA DoC can still refer to EN Harmonised Standards?

- A. The reason that UKCA marking has been introduced is that in the event of a no-deal, CE marking would have no legal basis. The draft statutory instruments change the legal references, so 'European Commission' becomes 'secretary of state', 'Notified Bodies' become 'Approved Bodies', 'Harmonised standards' become 'Designated standards', etc. [Here](#) are the draft SIs.
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Mixed indications from economic data

OECD Leading indicators strengthen

THE OECD'S Composite Leading Indicators (CLIs) for July continue to strengthen from the Covid-19 crisis lows across all major economies, but they remain below long-term trends and at levels lower than those recorded prior to the initial Covid-19 outbreak.

Following their strong increase in June, the pace of improvement in CLIs inevitably slowed in most major economies. In China, early signs that appeared in June of the CLI returning to levels seen just prior to the crisis have been reversed.

Lloyds Bank trade data shows UK manufacturing exports hit all-time low in June

BETWEEN APRIL and June, the Lloyds Bank Trade Index hit a new low of 34.6 for new manufacturing exports, highlighting a decline from 46.8 in the first quarter of 2020. The decline in exports sees the index at its lowest since the financial crisis in 2009, when exports sat at 38.8.

The Trade Index reports readings under 50 as signalling a reduction in export orders, while readings above 50 indicates growth. The vast majority (93%) of manufacturers reporting a downturn in overseas orders attribute it to the impact of Covid-19, stating it has resulted in shrinking demand, widespread business closures, and delays to export projects.

Industries across life sciences, such as exports of chemicals and plastics (41.1), as well as pharmaceuticals and healthcare products fell at a slower rate compared to other manufacturing goods.

By June however, according to the Trade Index, early signs of international demand have started to return, showing an increase in appetite for British consumer goods. UK clothing and textiles, as well as other manufacturing goods such as sports and leisure equipment grew.

This data appeared in European Pharmaceutical Manufacturer

OECD GDP fell by an unprecedented 9.8% in Q2 2020

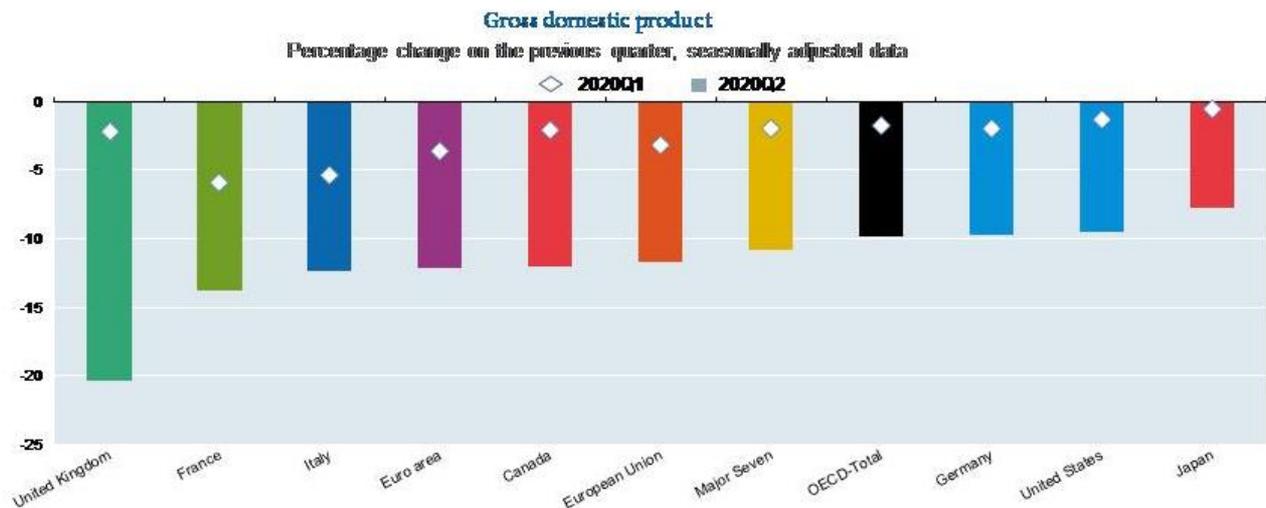
REAL GROSS domestic product (GDP) in the OECD area showed an unprecedented fall of -9.8%, in the second quarter of 2020, according to provisional estimates. This is the largest drop ever recorded for the OECD area, significantly larger than the -2.3% recorded in the first quarter of 2009, at the height of the financial crisis.

Among the major seven economies, GDP fell most dramatically in the UK where it was down by -20.4%. In France, where lockdown measures were among the most stringent, GDP declined by -13.8%, after a drop of -5.9% in the previous quarter.

GDP also fell sharply in Italy, Canada and Germany in the second quarter (by -12.4%, -12.0% and -9.7% respectively (compared with -5.4%, -2.1% and -2.0% in the previous quarter). In the United States, where many states introduced 'stay-at-home' measures in late March, GDP contracted slightly less (-9.5%, compared with -1.3% in the previous quarter). In Japan, where containment measures were less

stringent, GDP contracted by -7.8% in the second quarter of 2020, compared with -0.6% in the previous quarter. In the Euro area and the European Union, GDP dropped by -12.1% and -11.7% respectively, compared with declines of -3.6% and -3.2% in the previous quarter.

You can visit the interactive [OECD Data Portal](#) to explore this data further.



But life sciences coming from a strong position

HOWEVER, IN all the gloom, don't forget that in November 2019, the UK life sciences industry was reporting 'unprecedented' growth

According to Life science incubator BioCity's biennial publication the UK Life Science Start-Up Report, 2019 saw an unprecedented period of growth for life sciences across the UK. Based on 15 years' worth of data, the 2019 report expressed in a four-fold increase to £2.8 billion of investment in early-stage ventures, compared to the previous five-year period, thanks in part to a change in the funding landscape.

The report looked at the prevalence of life science start-ups in the UK over the previous five years and the broader landscape in which they operate to assess the quality of UK life science start-ups. It analysed the number of start-ups by region, area of scientific focus, funding, investment and university association, the report creates a broad picture of the current health and future of the industry.

The greatest single factor in driving the expansion was the emergence of a number of significant venture funds able and willing to make very large investments in early stage businesses.

Another contributing factor was the increasing use of smaller companies and academia as sources of innovation by large pharmaceuticals aiming to counteract falling R&D productivity. The report documented a rise in the number of global players establishing or sponsoring accelerators and incubators and making investments through their corporate venturing arms.

Report author, Dr Glenn Crocker said: "Both the number of companies starting up and the amount invested in them has taken off. We have seen a 50% increase in the number of companies and a four-fold increase in investment going into them; this will likely result in a substantial increase in the demand for space. We estimate that this cohort of businesses alone could require 1.4 million sq ft of specialist facilities over the next five years. One consequence of this demand growth is that real estate investors are being increasingly attracted to the sector."

From a report in European Pharmaceutical News. [BioCity life sciences start-ups](#)

Nine super villains highlighted on watch-list for cyber-attacks

FINANCIAL SANCTIONS have been imposed on nine individuals or criminal organisations by the Office of Financial Sanctions Implementation (OFSI) and companies have been asked to refrain from dealing with them and report any information they have on them. Those named are:

GAO, Qiang

Place of birth: Shandong Province, China Address: Room 1102, Guanfu Mansion, 46 Xinkai Road, Hedong District, Tianjin, China. Gao Qiang is involved in “Operation Cloud Hopper”, a series of cyber-attacks which targeted information systems of multinational companies in six continents, including companies located in the European Union, and gained unauthorised access to commercially sensitive data, resulting in significant economic loss. The actor publicly known as ‘APT10’ (‘Advanced Persistent Threat 10’) (a.k.a. ‘Red Apollo’, ‘CVNX’, ‘Stone Panda’, ‘MenuPass’ and ‘Potassium’) carried out ‘Operation Cloud Hopper’. Gao Qiang can be linked to APT10, including through his association with APT10 command and control infrastructure. Moreover, Huaying Haitai, an entity designated for providing support to and facilitating ‘Operation Cloud Hopper’, employed Gao Qiang.

MININ, Alexey Valeryevich

Date of birth: 27th May 1972. Place of birth: Perm Oblast, Russian. Russian passport number: 120017582. Valid until 17 April 2022 Address: Moscow, Russian Federation. Alexey Minin took part in an attempted cyber-attack with a potentially significant effect against the Organisation for the Prohibition of Chemical Weapons (OPCW) in the Netherlands. As a human intelligence support officer of the Main Directorate of the General Staff of the Armed Forces of the Russian Federation (GU/GRU), Alexey Minin was part of a team of four Russian military intelligence officers who attempted to gain unauthorised access to the Wi-Fi network of the OPCW in The Hague, the Netherlands, in April 2018. The attempted cyber-attack was aimed at hacking into the Wi-Fi network of the OPCW, which, if successful, would have compromised the security of the network and the OPCW's ongoing investigatory work.

MORENETS, Aleksei Sergeevich

Date of birth 31st July 1977. Place of birth: Murmanskaya Oblast, Russia. Passport number: 100135556 valid until 17 April 2022. Aleksei Morenets took part in an attempted cyber-attack with a potentially significant effect against the Organisation for the Prohibition of Chemical Weapons (OPCW) in the Netherlands. As a cyber-operator for the Main Directorate of the General Staff of the Armed Forces of the Russian Federation (GU/GRU), Aleksei Morenets was part of the attack on the OPCW in The Hague in April 2018.

SEREBRIAKOV, Evgenii Mikhaylovich

Date of birth 26th July 1981. Place of birth: Kursk, Russia. Passport number: 100135555 valid until 17 April 2022. Evgenii Serebriakov took part in what seems to be the same cyber-attack against the OPCW.

SOTNIKOV, Oleg Mikhaylovich

Date of birth: 24th August 1972. Place of birth Ulyanovsk, Russia. Passport number: 120018866 Valid until 17 April 2022. Oleg Sotnikov seems to have taken part in the same cyber-attack against the OPCW.

ZHANG, Shilong

Nationality: Chinese Address: Hedong, Yuyang Road No 121, Tianjin, China. Like Gao Qiang, Zhang Shilong is involved in the ‘Operation Cloud Hopper’, a series of cyber-attacks. Zhang Shilong can be linked to APT10, including through the malware he developed and tested in connection with the cyber-attacks carried out by APT10. Moreover, Huaying Haitai, an entity designated for providing support to and facilitating ‘Operation Cloud Hopper’, employed Zhang Shilong. He has links with Gao Qiang, who is also designated in connection with ‘Operation Cloud Hopper’. Zhang Shilong is therefore associated with both Huaying Haitai and Gao Qiang.

CHOSUN EXPO

Also known as: Chosen Expo and Korea Export Joint Venture. Address: DPRK. Chosun Expo provided financial, technical or material support for and facilitated a series of cyberattacks, including the cyber-

attacks publicly known as ‘WannaCry’ and cyber-attacks against the Polish Financial Supervision Authority and Sony Pictures Entertainment, as well as cyber-theft from the Bangladesh Bank and attempted cyber-theft from the Vietnam Tien Phong Bank. ‘WannaCry’ disrupted information systems around the world by targeting information systems with ransomware and blocking access to data. It affected information systems of companies in the European Union, including information systems relating to services necessary for the maintenance of essential services and economic activities within Member States. The actor publicly known as ‘APT38’ (‘Advanced Persistent Threat 38’) or the ‘Lazarus Group’ carried out ‘WannaCry’. Chosun Expo can be linked to APT38 / the Lazarus Group, including through the accounts used for the cyber-attacks.

MAIN CENTRE FOR SPECIAL TECHNOLOGIES (GTsST) OF THE MAIN DIRECTORATE OF THE GENERAL STAFF OF THE ARMED FORCES OF THE RUSSIAN FEDERATION (GU/GRU)

Address: 22 Kirova Street, Moscow, Russian Federation. Other Information: The Main Centre for Special Technologies (GTsST) of the Main Directorate of the General Staff of the Armed Forces of the Russian Federation (GU/GRU), also known by its field post number 74455, is responsible for cyber-attacks, including the cyber-attacks publicly known as ‘NotPetya’ or ‘EternalPetya’ in June 2017 and the cyber-attacks directed at an Ukrainian power grid in the winter of 2015 and 2016. ‘NotPetya’ or ‘EternalPetya’ rendered data inaccessible in a number of companies in the European Union, wider Europe and worldwide, by targeting computers with ransomware and blocking access to data, resulting amongst others in significant economic loss. The cyber-attack on a Ukrainian power grid resulted in parts of it being switched off during winter.

The actor publicly known as ‘Sandworm’ (a.k.a. ‘Sandworm Team’, ‘BlackEnergy Group’, ‘Voodoo Bear’, ‘Quedagh’, ‘Olympic Destroyer’ and ‘Telebots’), which is also behind the attack on the Ukrainian power grid, carried out ‘NotPetya’ or ‘EternalPetya’. The Main Centre for Special Technologies of the Main Directorate of the General Staff of the Armed Forces of the Russian Federation has an active role in the cyber-activities undertaken by Sandworm and can be linked to Sandworm.

TIANJIN HUAYING HAITAI SCIENCE AND TECHNOLOGY DEVELOPMENT CO. LTD (HUAYING HAITAI) a.k.a: Haitai Technology Development Co. Ltd Address: Tianjin, China.

Huaying Haitai provided financial, technical or material support for and facilitated ‘Operation Cloud Hopper’ and has targeted information systems of multinational companies in six continents, including companies located in the European Union, and gained unauthorised access to commercially sensitive data, resulting in significant economic loss. Huaying Haitai can be linked to APT10 and employed Gao Qiang and Zhang Shilong.



GAMBICA Lab Suppliers’ Conference 2021 – your views sought

AFTER TAKING advice from members about the prospects for Lab Innovations, I am now seeking your views about our own Laboratory Suppliers’ conference in January 2021. I have heard that a number of companies are not allowing staff to attend large gatherings in the first quarter of next year and I understand that many of you are concerned about going out of your way to meet up in person.

I have concerns too about how we could deliver anything akin to previous events under social distancing. I will shortly have to sign contracts for the venue etc and so I am asking for your views now about whether you would like the event to go ahead or would prefer that we postpone it.

Whatever happens we will aim instead to deliver a programme of webinars over the autumn and winter, hopefully answering your questions, and exploring areas where you see an opportunity to enhance your performance or that of your team.

If you have any subjects, issues or themes you would particularly like covered, please let me know and please let me have your feedback on the conference itself at Jacqueline.balian@gambica.org.uk. For those of you who have already booked, if the event is cancelled you will be sent a full refund automatically.

Second virtual coffee morning offers new opportunities for members

MANY THANKS to all those took part in the first meeting of the **GAMBICA Business Growth Community** on 29th July. GAMBICA Business Growth Community's virtual coffee mornings are networking opportunities where members can pose questions on business expansion, staff issues, new processes or legislation and a variety of other topics brought to the table. The group is chaired by Hozan Edwards of BWB Technologies.

Two main questions arose from the first meeting and will be explored further at the second meeting:

1. Can any members recommend, inexpensive but effective firms who can make short educational videos to explain aspects of their equipment?
2. Do any members have experience of buying Professional Indemnity Insurance which now seems to be required by framework tenders from universities?

The next coffee morning will be on **4th September** but we will be limiting the number of people attending to ten. If you would like to take part, please reserve your spot now by clicking [here](#).

Invitation to tender

THE EUROPEAN Spallation Source (ESS), intended to be the world's most powerful neutron source, is currently under construction in Lund, Sweden. See the ESS website [here](#).

The ESS has recently released a direct tender in the value bracket up to 200k EUR for delivery and installation of six REMS (Radiological and Environmental Monitoring System) Aerosol Samplers at the ESS site, Lund. These systems will be used for the continuous sampling of the ambient air, removing airborne particulates from the environment by depositing them on a filter. The filters will be analysed off-line in a counting laboratory for total alpha and beta activity using a gas proportional counter and for gamma-emitting radionuclides using gamma-ray spectrometry.

The Samplers are to be delivered as part of the following project phases.

- Sampler 1 – 3rd quarter 2020, to be delivered as a reference Sampler
- Sampler 2, 3, 4 & 6 – Late 2021 for Target operations
- Sampler 5 – 2022 for waste building operations

The tenderer must provide quotes for installation and training. ESS reserves the right not to choose to take up these services.

Optional products and services (tenderer can choose whether or not to quote):

1. Maintenance routine for the samplers, including maintenance procedures and intervals.
2. Price list for spares and consumables required by the samplers.

3. Price list for all tools required to effectively carry out routine maintenance, including individual components such as pressure gauges or differential pressure switches.

The Samplers must comply with applicable European Directives (and be CE marked accordingly) and various standards, including electromagnetic compatibility, radiation protection and security. The Supplier will recommend the type of filter to be used with the Sampler but it must not be limited to a unique supplier or to the Supplier themselves.

Deadline: 4th September 2020. Click [here](#) for more information.

New head for MHRA



STEPHEN LIGHTFOOT has been appointed as the new Chair of the Medicines and Healthcare Regulatory Agency from 1 September 2020. He succeeds Prof Sir Michael Rawlins who has been the Chair of the Agency Board since December 2014.

Stephen has been a Non-Executive Director of the Agency since September 2015 and is also Deputy Chair of Sussex Community NHS Foundation Trust and Non-Executive Chair of Sussex Primary Care Limited.

Before joining the Board, Stephen had a 30-year career in the life sciences industry working on the development and commercialisation of a wide range of medicines and medical devices in UK and global healthcare companies. His most recent executive roles were General Manager of the global pharmaceutical diagnostics business of GE Healthcare, Managing Director of the UK pharmaceutical business of Daiichi Sankyo and Commercial Director of the UK pharmaceutical and medical device business of Schering Healthcare.

New low carbon grant schemes for SMEs

DETAILS HAVE been released of a new low carbon grant scheme for SMEs in the Midlands, which provides up to £6000 per applicant for advice and equipment to make your premises more energy efficient. The scheme involves Aston University and Business School and uses funding from the EU's Regional Development Fund.

To qualify for some of the £600,000 grant funding available, you must have a turnover of less than 50m Euros and fewer than 250 employees. Applications to the Greater Birmingham and Solihull LEP are open until February 2023.

What you get:

- 2-5 days diagnostic support to identify baseline measures which would improve your energy consumption and carbon footprint
- benchmarking your energy, carbon and resource efficiency performance
- recommendations and an improvement plan
- follow up support to help you implement.

Then 50% funding up to a maximum of £6000 is available for implementing measures and capital equipment. Longer term projects can also be covered with free support from industry experts on longer term process and business efficiency projects. Free sector specific half-day workshops are also available on energy management, resource efficiency and related topics.

To apply:

- Applicants must complete the diagnostic, undertaken by a Low Carbon SMEs advisor, prior to submitting their grant application.
- Upon completion of the diagnostic, you will be given the opportunity to submit an expression of Interest (EOI), providing a brief summary of your project proposal including carbon savings.
- Once approved, applicants will be invited to complete the full grant application and provide three quotes (for projects over £25,000 you will need to undertake a tender process)
- Once submitted, the Grants Panel typically provide their decision within five working days. If your application is approved, a Grant Offer Letter will be issued.
- Once you have implemented and paid for your project, you are then able to claim your grant. Please note: Low Carbon SMEs cannot provide retrospective funding for any activity that has already been carried out.

Details of how to apply can be found [here](#). A similar, low-carbon grant scheme is also now available in Berkshire, Buckinghamshire and Hertfordshire. This scheme, also using ERDF funding, was announced in February and can be accessed [here](#).

Call for evidence for fundamental review of business rates

THE GOVERNMENT is committed to conduct a fundamental review of business rates and is seeking views on how the system currently works, issues to be addressed, ideas for change and alternative taxes.

The government is aware that many businesses and stakeholders may need extra time to engage fully with all of the issues in the call for evidence and so is seeking responses in two phases. Views on the multiplier and reliefs sections are sought by 18 September, to inform an interim report in the Autumn. Responses on all other sections are invited by 31 October, ahead of the review's conclusion in Spring 2021.

One of the issues to be considered is the impact that investment in a site has on its rateable value. Views are sought on alternative systems, including a Capital Values Tax, which is normally paid by the owner rather than the occupier; and an online sales tax, which is clearly related to concern over the decline of retailing. To view the document and respond, click this [link](#) – or alternatively send your views to me and I will collate a response from GAMBICA members.

Event News

Knowledge Transfer Network SME Accelerator Launch: Accelerating innovative chemistry & Industrial Biotech-led solutions for a Net Zero World | 3rd September, 10:00 - 11:00 BST

THIS WEBINAR will explain the KTN's new programme about accelerating innovative Chemistry & Industrial Biotechnology solutions and enabling the UK to build more resilient and local chemical supply chains. Over a 6-month period (Oct 2020 - Mar 2021), KTN will take a cohort of 10-15 early- and late-stage innovators through a programme that is designed to help them take the next step in their development journey towards commercialisation and make them more attractive to public and private investors. The webinar will enable attendees to find out more about the programme and judge whether it is right for you.

Confirmed Partner organisations so far include: Unilever, Croda, Lubrizol, IBiolC, Centre for Process Innovation (CPI), Early Market LLP, Carbon Limiting Technologies, Ikigai Capital, Clean Growth Fund, UK Innovation and Science Seed Fund and Sustainable Ventures. To register click [here](#)

Exporting opportunities in Latin America | Tuesday, September 8, 2020 4:00 pm

THE DEPARTMENT for International Trade and UK Export Finance are holding a webinar on export opportunities to Latin America and the Caribbean (LATEC). The event: Learn how UK Export Finance can support UK exporters and LATAC buyers of UK goods and services, will:

- discuss the risk protection UKEF provides to UK exporters in the form of insurance against non-payments
- explain how UKEF works in partnership with banks and brokers to provide working capital loans, credit insurance and bank guarantees to UK companies
- detail the direct support available to LATAC buyers – which can help secure exports, and
- include a Q&A session, with the opportunity to receive specific guidance for your business.

To sign up click [here](#)

Virtual event - Future Labs Live | 28-29 September 2020

AN EVENT for R&D, quality and manufacturing laboratories, Future Labs Live claims it will deliver a tailored, cross-sector, content-led agenda covering key trends that are disrupting the laboratory landscape: automation, artificial intelligence, digitisation and data analytics. Designed to attract lab managers, and run over 2 days, the event will broadcast live presentations, in-depth panel discussions, and interviews from practitioners, technicians, scientists, innovators, start-ups, and vendors across the world. There will be interaction with speakers, networking, Q&A and live virtual roundtable sessions which you can join in from wherever you are online either live or watch the sessions on-demand. For more information email Charlie Abrines at Future Labs Live Congress : charlie.abrines@terrapinn.com

Video symposium: Rethinking priorities in international manufacturing supply chains: Configuring for resilience and sustainability | 17-18th September, Zoom

THE 2020 Cambridge International Manufacturing Symposium is the chance to hear from world-leading business figures and thinkers on the challenges facing modern manufacturing. The event will take place online and will include interactive virtual discussions and thought-provoking presentations across two days.

Key themes include:

- Global Manufacturing and China
- Circular Supply Chains
- Supply Chain Resilience

All sessions will be by invitation only. To help the organisers manage capacity, please [register your interest](#) for both Day 1 plenary and Day 2 thematic sessions

Virtual Workshop: Proteinmetrics | September 23rd 2pm-5pm

AS COVID-19 has prevented most participants from travelling to Geneva in September, the main Proteinmetrics event has been postponed until spring 2021 and a virtual workshop will be held on 23Sept, 2020 from 2pm - 5pm CET. Please register [here](#).

[BioForward 2020](#) | 5 October 2020

A PRACTICAL one-day event that aims to share the essential knowledge, skills and connectivity required by emerging R&D companies to support their sustained commercial success. R&D companies are entitled to one complimentary ticket to attend BioForward, with a second ticket available at a reduced rate. Click [here](#) to book.

The programme includes:

- Information & technical discussions, BioLearn® Training Masterclasses and Industry Drop-in clinics all focused on sharing knowledge, skills and expertise
- A targeted industry exhibition, running all-day, featuring a range of OBN approved essential services, covering preclinical and clinical development, IP, regulatory compliance, facilities, manufacturing, communications, talent, and new technology
- The opportunity to arrange 1:1 private partnering meetings

To view the full programme [click here](#). Contact Kate Hitchman, Events Manager - kate.hitchman@obn.org.uk, for further details.

Africa health replaced with virtual expo | 12-16 October

AFTER THE initial postponement from May to October 2020, it has now been decided to cancel Africa Health altogether. Dates for 2021 will be announced soon. In the interim, the organisers are concentrating on [Omnia Health Live Africa](#). The teams behind Africa Health (South Africa), Medic East Africa (Kenya), Medic West Africa (Nigeria) and North Africa Health (Egypt) have joined forces to produce a virtual expo designed to help you stay connected with audiences in South, East, West and North Africa.

[Future Surgery Virtual 2020](#) | 21st & 22nd October 2020

A DIGITAL event, offering an elite selection of surgery providers the opportunity to connect and engage with surgeons and their perioperative and purchasing teams.

It is the biggest online event for surgeons, anaesthetists, perioperative care and purchasing teams, delivered in partnership with the Royal College of Surgeons of England and supported by the AfPP, RCN, CODP, CPOC, CHFG, CIEHF, and many more.

Only 12 suppliers are able to benefit from delegate access which includes the ability to personally network and schedule 1-2-1 meetings – educational and sponsor content will be available and promoted for 3 months ensuring the very best platform to generate interest in your products and services for the remainder of 2020. Contact event director a.buchanan@closerstillmedia.com or +44 (0)20 7013 4659.

The Pharmacy Show | November 2020

THE ORGANISERS claim to have a comprehensive and up-to-date database of over 57,000 pharmacy professionals and will also be running a pre-show bulletin. For information email: Abraham Tsegaye on a.tsegaye@closerstillmedia.com

DIT run - China International Medical Equipment Fair (CMEF) | 20 October 8-10am GMT

AN OPPORTUNITY for UK medical-technology companies and healthcare service providers to pitch to the Chinese life sciences industry.

China International Medical Equipment Fair (CMEF) is the largest medical device exhibition/seminar in China and attracts 100,000+ visitors and exhibitors each year. This year's event will be partnered with CAMDI (The China Association for Medical Devices Industry) which has over 4000 members.

To register, please contact: Daniel Tse (UK) daniel.tse@trade.gov.uk or Dakota Du (China) dakota.du@fcowebmail.fco.gov.uk by 31 August 2020.

Global Health Riyadh to be semi-virtual | December 2020

ORGANISERS INFORMA point to their [Informa AllSecu](#)re standards of safety and hygiene, as offering assurance to those who wish to visit the Middle East health exhibition in person. The event also offers

the opportunity to participate virtually in parallel through a host of matchmaking opportunities, webinars and content that will be made accessible worldwide.

Global Health 2020 will be set within the month of December with the exact dates and event schedule to be announced as soon as Informa concludes its discussions with stakeholders and local authorities.

Email: ghmarketing@globalhealthsaudi.com For the website click [here](#).

Genesis digital conference | 10th December 2020

DEALS, TREATMENTS and patients in the 20s: The event will assemble senior executives and decision-makers from across the Life Science, Technology and Investment field to present, discuss and demonstrate their collective insight and thought leadership for the sector, themselves and their stakeholders.

Keynote Sessions

- Winners and Losers 2020
- Industry Keynote Speakers – Accelerating R&D
- Communicating the Value of Life Sciences to All Stakeholders
- How are Pharma Deals Evolving?
- Converging Science and Technology
- Towards 2040 – What Will Shape Our Industry?

Networking and 1 to 1 meetings are also offered with delegates from across the international Life Science and Healthcare industry. For information visit the website [here](#).

Export News

FOLLOWING THE Foreign Secretary's [oral statement of 20 July 2020](#), the Export Control Joint Unit (ECJU) has removed Hong Kong as a permitted destination from:

- 20 open general export licences (OGELs)
- one open general transshipment licence (OGTL)
- one open general trade control licence (OGTCL)

In addition, one OGEL and one OGTL have been revoked. Further information can be found [here](#).

GAMBICA members influence letter to Michael Gove



THANK YOU to all the GAMBICA members who provided written evidence to the House of Lords' EU Goods Sub-Committee inquiry into the non-tariff barriers that may affect manufactured goods in the future UK-EU economic relationship. The Committee has written to GAMBICA to express its gratitude to those who took the time to submit evidence.

The Committee used members' responses in a letter to Michael Gove MP which read:

Dear Michael...

As you may be aware, since June we have been taking oral and written evidence on the impact that non-tariff barriers may have on future UK-EU trade in manufactured goods and how any adverse effects could be minimised, particularly through the UK-EU trade agreement.

We concluded that facilitating UK-EU trade at the end of the transition period will require much more than simply removing headline tariffs. Non-tariff barriers have increased over time, often outstripping the cost of tariffs. New rules of origin, regulatory barriers and customs requirements will be a challenge for many businesses, particularly for the 150,000+ businesses that have hitherto only traded with the EU, and smaller businesses.

With only five months left before the end of the transition period, our recommendations require urgent action.

We found that:

- Businesses are already stretched as a result of the COVID-19 pandemic. There is a serious risk that some businesses, particularly SMEs, will not be able to absorb the double shock from COVID-19 and the post-transition requirements.
- Smaller businesses we spoke to do not feel ready for the new UK-EU trading relationship, or even necessarily know what they should be preparing for. The Government must step up its engagement work to ensure businesses are ready. It should expand its existing guidance offering and maintain a dedicated guidance hub for SMEs that includes options for more personalised support where necessary.
- The Government should continue to argue in favour of more liberal rules of origin, so that businesses across different sectors can benefit from tariff-free access. Without this, the headline reduction of tariffs would mean little to certain businesses. The agreed rules should also be as clear and simple as possible, so that the administrative burden of proving origin does not outweigh any tariff costs. Many businesses will be entirely unfamiliar with rules of origin and the Government must disseminate clear and specific guidance as soon as an agreement is reached with the EU.
- The Government should continue to make the case and press the EU for an agreement on mutual recognition of conformity assessments, which would reduce unnecessary duplicative costs for businesses. Failure to achieve this could have severe consequences for parts of UK industry and potentially limit the availability of certain products in the UK.
- While we recognise that the Government wishes to retain the right to diverge on regulatory matters, any decisions on divergence should only be made after careful assessment and consultation with the sectors involved. The Government should set up a mechanism for working closely with UK manufacturers to ensure their views are reflected in future decisions about regulatory divergence from the EU. The Government should also consider what it could do on a unilateral basis to minimise these costs.
- Further work is urgently needed to support the flow of goods across the GB-EU border. A significant proportion of goods will not benefit from the phased-in approach to imports, while the new border operating model does not cover the EU side of the border in much detail. We are particularly concerned that the UK has yet to develop the required capacity in the customs intermediary sector. The Government must step up its efforts to ensure that the UK has a sufficient number of trained customs agents for 1 January 2021.
- The existing Authorised Economic Operator scheme is no panacea and those businesses that trade exclusively with the EU (and will be most affected by new customs requirements) are unlikely to qualify. A complementary trusted trader scheme should be devised urgently, so that it has the potential to play a significant role in facilitating future UK-EU trade. The new scheme must be accessible to a significant number of businesses, offering different status tiers, including one that is easy to obtain for SMEs. Mutual recognition of trusted trader schemes will be essential for maximising their impact.
- The Government should have a contingency plan to work with ECMT members and the EU to ensure continued road access by hauliers under any outcome.

More details on the above, including a summary of the evidence we received, can be found in Annex A to this letter. Serious concerns have been raised with us, which we encourage the Government to consider urgently. BEIS and HMRC have also been copied into the letter as interested parties and we would be grateful if you could pass on the letter to David Frost and his team.

We are extremely grateful to everyone who contributed to our inquiry so far and provided their expert insight. Due to the volume of evidence received, we have been unable to quote or reference all our witnesses, but the full list of those we heard from can be found in Annex B to this letter.

We look forward to your response by the end of August.

Yours sincerely

Baroness Sandip Verma | Chair of the EU Goods Sub-Committee

Next phase of the customs grant scheme now open for applications



CUSTOMS INTERMEDIARIES – including customs brokers, freight forwarders and express parcel operators – as well as traders who complete their own declarations, are among those who can now apply for part of £50 million grant funding to support with recruitment, training and IT to handle customs declarations. So far £34 million has been claimed to support more than 20,000 training courses, nearly 15,000 units of IT and the recruitment of almost 600

new customs agents.

The grant can cover salary costs for new or redeployed staff, up to a limit of £12,000 per person and £3,000 for recruitment costs for new employees. This could help you to recruit new staff and train them up ahead of July 2021, when all traders moving goods will have to make declarations.

The grant scheme will continue to offer financial support for training costs to upskill staff and for IT that will allow greater efficiency. The grant for IT will cover expenses for increasing capacity or productivity for customs declarations, customs software, set-up costs, and related hardware.

Grants will be issued on a first come, first served basis. Applications will close on 30 June 2021, or earlier if all funding is allocated. The grant scheme is administered by PricewaterhouseCoopers (PwC) on behalf of HMRC.

- For more information on the scheme and how to apply, please click [here](#).

Legal News

UCL Technology Fund Announces First Close of £100m Fund 2

UCL TECHNOLOGY Fund (UCLTF), managed by AlbionVC in collaboration with UCL Business (UCLB) (the university's commercialisation company and part of UCL Innovation & Enterprise), has announced first close of a £100m target Fund 2.

The new fund will continue to support UCL in achieving the full potential of innovations that have prospects for outstanding societal impact and commercial return.

Fund 2 has commitments from a combination of existing and new Limited Partners, including cornerstone commitments from British Patient Capital, the largest UK-based LP investor in venture capital, and UCL itself. The fund's purpose is to bring UCL's academic research in life, computer and physical sciences to commercial reality.

UCL is consistently ranked among the top 10 universities in the world and one of only a handful of institutions rated as having the strongest academic reputation and the broadest research impact. The second fund has an immediate pipeline of opportunities with world-renowned UCL academic researchers. In the life sciences these include innovative preclinical and clinical projects and spinouts. Based on pioneering gene therapy, cell therapy and drug discovery approaches, they are targeting a variety of indications with a global unmet need, including rare diseases, cancer and ophthalmology. In physical and computer sciences the fund also has exciting opportunities from the UCL AI Centre and in advanced materials.

Fund 2 follows the successes of the first fund, which made 45 investments including 27 that became spinout companies and programmes intended for licensing that have subsequently raised external funding exceeding £1bn and creating over 570 jobs. Other success stories from the first fund include: Two successful Nasdaq IPOs: Orchard Therapeutics (rare disease gene therapies) and MeiraGTx (eye, salivary gland and CNS disease gene therapies). A potential upcoming IPO: Freeline Therapeutics (liver directed gene therapies) and Bloomsbury AI (NLP technology), which joined Facebook's London research team in 2018.

Do you have to report COVID-19 cases under RIDDOR?

UK EMPLOYERS' duty to report injuries, diseases and dangerous occurrences in the workplace applies in relation to the Coronavirus, but recent HSE guidance states that not all cases concerning Covid-19 need to be reported. While the guidance will offer some comfort to employers and specifically to duty holders under the [Reporting of Injuries, Diseases and Dangerous Occurrences Regulations \(RIDDOR\)](#), careful examination of the facts in each case is necessary to understand whether a relevant reporting obligation under RIDDOR is triggered according to a recent article by [Kevin Bridges](#), [Zoe Betts](#), [Fiona Cameron](#) and [Simon Tingle](#) of law firm [Pinsent Masons](#).

The team says that a measured and evidence-based approach is essential in assisting the duty holder to decide whether something should be reported or not.

As is often the case with RIDDOR, the judgement as to whether a case of Covid-19 is reportable will be a finely balanced one, not least because the consequences of making a mistake could be serious. Failure to report a case which meets the legal threshold may constitute a criminal offence which carries the potential for an unlimited fine. Conversely, over-reporting – i.e. reporting in circumstances where the legal obligation had not arisen could give rise to unnecessary regulatory scrutiny or investigation and distorted reporting statistics.

It is anticipated that the majority of Covid-19-related RIDDOR reports will arise in the care sector, or within a healthcare or a scientific research context, where it can more readily be established that a dangerous occurrence or disease was work-related. However, there may be duty holders in for example, the construction, facilities management, retail, waste or transport sector etc who would be required to make a RIDDOR report in particular circumstances.

The government has added Covid-19 to the list of notifiable causative agents under the Health Protection (Notification) Regulations 2010. In addition, under the Control of Substances Hazardous to Health Regulations 2002, coronavirus [has been identified as a biological agent as part of the HSE's supplementary list of defined agents](#). Consequently, in relation to Covid-19, there are three potentially relevant obligations:

- The requirement to report any dangerous occurrences, which includes any accident or incident which results or could have resulted in the release or escape of a biological agent likely to cause severe human infection or illness. This arises under Regulation 7 (schedule 2, paragraph 10 of RIDDOR);
- The requirement to report a diagnosis of any disease attributed to an occupational exposure to a biological agent. This arises under Regulation 9(b) of RIDDOR; and
- The requirement to report work-related fatalities which result from exposure to Covid-19, principally by way of the incidents mentioned above. This arises under Regulation 6(2) of RIDDOR,

The HSE has indicated that, where one of those three types of cases applies, a RIDDOR report must only be made when:

- An unintended incident at work has led to someone's possible or actual exposure to Coronavirus. This must be reported as a dangerous occurrence. An example would be a lab worker accidentally smashing a glass vial containing coronavirus, which results in, or could result in, the release or escape of Coronavirus;
- A worker has been diagnosed as having Covid-19 and there is reasonable evidence that it was caused by exposure at work. This must be reported as a case of disease. An example would be a health care professional who is diagnosed with Covid-19 after treating patients with Covid-19 where they were likely exposed, or;
- A worker dies as a result of occupational exposure to Coronavirus.

Two elements of the reporting requirement merit particular attention from responsible persons.

Firstly, there must be a written medical diagnosis of COVID-19 before the reporting obligation under Regulation 9(b) arises. In the absence of mass testing, diagnosis of the kind which is required by RIDDOR is unlikely to exist in the majority of cases. Currently, without such a diagnosis, the reporting threshold will not be met, regardless of whether a suspected case of COVID-19 appears to be work-related.

The HSE has recently updated its guidance on this, however, to reflect the fact that many cases of COVID-19 are currently being confirmed without a registered medical practitioner's written diagnosis, for example, on the basis of laboratory test results. The HSE has decided to adopt a pragmatic approach in the current highly unusual circumstances and not require those results to be confirmed by a registered medical practitioner before a report is made under RIDDOR. Accordingly, its guidance now states that responsible persons should consider any official confirmation of COVID-19 infection such as from a public testing body as being equivalent to a registered medical practitioner's diagnosis.

Secondly, the requirement to report does not arise simply by virtue of an instance taking place on work premises or because someone had been 'at work' in the period prior to any potential exposure to or diagnosis of Covid-19. There must be a nexus or likely link between the dangerous occurrence, disease or death and the work activity or environment that was in existence at the time.

It is possible to misconstrue the HSE's recent guidance on this as directing that a report of a dangerous occurrence must be made whenever the unintended event happens 'at work', or similarly when the person diagnosed with Covid-19 had been 'at work' in the days or weeks preceding their diagnosis. That would be an over-simplification. This is because 'work-related' requires more than simply being 'at work'. Quite what this means in practice will, however, depend on the facts in each case.

A forensic analysis of the available evidence regarding the nature and method of the work that was being carried out at the time by the people in question is the best way to make these difficult judgement calls. Relevant factors are likely to include:

- the extent of the affected person's contact with others;
- whether social distancing of two metres or more was possible and implemented consistently;

- the extent to which the employer followed Public Health England or industry guidance;
- the availability of hand washing facilities, appropriate signage and adequate PPE;
- whether any training was needed and provided, and;
- whether people displaying symptoms of Covid-19 had been in the workplace.

Answers to these issues should help the responsible person to determine whether a case is 'work-related' and therefore reportable, or not.

Outside the more obvious healthcare scenarios in particular, difficult decisions will need to be made on whether a specific incident is reportable. The following examples illustrate the types of situation that may need careful scrutiny and consideration whether, on the particular facts, the relevant thresholds for reporting have been met:

- A vehicle transporting samples from suspected Covid-19 patients overturns whilst reversing in a busy car park and releases smashed vessels in the surrounding area. The pertinent question here is whether this is reportable as a dangerous occurrence under Regulation 7 of RIDDOR?
- A waste management facility was responsible for the disposal of hazardous waste from a nearby hospital which included used equipment, syringes and PPE such as soiled gowns and visors following the treatment of Covid-19 patients. Procedures were not followed at the waste management facility. This meant that the bags were left in an unsealed state for several days during which time multiple workers handled the waste. The question here is whether this case is reportable as a dangerous occurrence under Regulation 7? Responsible persons should also consider what the position would be if an employee subsequently called in one morning to say they were self-isolating as they had a persistent cough.
- A first aider on a construction site was tasked with providing first aid to the workforce as and when required and in circumstances where close physical contact was necessary. The first aider was subsequently diagnosed with Covid-19. The question in this case is whether the case would be reportable as an occupational disease under Regulation 9(b) of RIDDOR.
- A facilities manager is required to carry out a variety of inspections within a portfolio of care homes to ensure regulatory compliance. The manager subsequently dies and a medical practitioner confirms that the death was caused by Covid-19. The employee had been coming into close contact with residents who were themselves sufferers of Covid-19 or suspected sufferers. The question in this case is whether the death would be reportable as a work-related fatality under Regulation 6(2) of RIDDOR.

The HSE is understandably keen to avoid anxious over-reporting in an environment where the actual source of infection may be very difficult to pinpoint. The Office of Rail and Road has gone so far as to say that it "is working on the assumption that, with widespread societal spread, very few cases will need to be reported under RIDDOR". With health and safety obligations unchanged by the onset of a pandemic, however, duty holders must be mindful of the strict letter of the law.

Where the need to submit a RIDDOR report is being scrutinised, careful consideration and documentation of the facts, and the ultimate reporting decision, is advisable. Recording the reasons why a report was not submitted may prove a worthwhile exercise if any questions are asked by regulators later on.

Corporate Insolvency and Governance Act 2020 will affect agents and distributors

STEPHEN SIDKIN of Fox Williams has highlighted the impact of the Corporate Insolvency and Governance Act which came into force in June in restricting the circumstances in which agents and distributors can

terminate an agreement with a principal or supplier once the principal or supplier has entered into insolvency proceedings.

The new legislation means that in most circumstances, agents and distributors will be required to continue to provide their services to an insolvent principal or supplier despite what the agency or distributorship agreement says, with only limited exit routes for the agent or distributor once the insolvency process has begun. Whilst this legislative provision does not currently apply to small suppliers, it will do so from 30 September 2020.

Agents and distributors should prepare now by reviewing their agency and distributorship agreements and putting processes in place to ensure that if the principal or supplier shows signs of being in financial difficulty, they can take action as quickly as possible – including for distributors whether their distributorship agreements enable them to exercise a right of set-off says Stephen.

Suspended worker ‘unfairly dismissed’

A judge has criticised an employer’s ‘overly hasty reaction’, after a former university worker was ruled to be unfairly dismissed after she was suspended for alleged grade tampering. The Newcastle-upon-Tyne Employment Tribunal found Durham University wrongly suspended the worker following a media investigation into alleged grade tampering on entrance exams for grammar schools.

The tribunal found that the plaintiff, who had worked for the university’s Centre for Evaluation and Monitoring (CEM) for seven years, had been constructively dismissed because she was suspended and subjected to disciplinary action, despite not being properly told the details of the alleged offences.

The tribunal also found the plaintiff, who had colitis – a condition that causes inflammation of the inner lining of the colon – was subject to disability discrimination because Durham University failed to provide a reasonable adjustment by not giving her these details or a timeline for when the investigation or suspension would conclude.

The Buckinghamshire Grammar Schools (TBGS), a company overseeing 13 grammar schools in Buckinghamshire, emailed the university in September referring to an enquiry it had received from education sector magazine *Tes*. The enquiry concerned a story alleging that TBGS had been illegally marking admission tests differently to favour candidates who lived in the county – a claim that TBGS denied.

After a preliminary investigation a concern was raised that employees had potentially been knowingly involved in manipulating entrance test results and it was decided that an investigation would be launched. The decision was taken to suspend a member of staff during the investigation to protect the integrity of any potential evidence and to protect staff from any subsequent allegations that they had tampered with any evidence.

The employee who was suspended raised a grievance noting that the university was not named in the *Tes* article, and alleging that the suspension was a “knee-jerk reaction without any evidence of wrongdoing”, and a “serious breach of trust and confidence on the part of the university”.

The employer contented that the suspension was a ‘neutral act’ that was within disciplinary regulation, and therefore a grievance could not be raised.

Two further grievances were then raised and after a period of illness the staff member resigned.

The ET ruled she had been constructively unfairly dismissed and subjected to disability discrimination given that Durham University had failed to make reasonable adjustments.

In his ruling, judge Sean Morris said the suspension was an “overly hasty reaction in all circumstances”, and the staff member was put at a “substantial disadvantage” because of her disability.

GAMBICA

Lab Tech

The tribunal found the allegations of grade tampering were very serious and to be “accused by one’s employer is clearly calculated to seriously damage the relationship between employer and employee and, secondly, such damage was not avoided on the basis that the suspension of the claimant was a neutral act”.

The tribunal said a “very practical alternative” to suspension would have been to ask the staff member for an explanation of whether there might be any basis for the allegations made by *Tes*.