

Dear Reader,

2020 has presented many challenges and has made a lasting imprint on the landscape of Irish firms and businesses. After an undoubtedly challenging year, Christmas 2020, although radically different from past years, will allow a sense of normality to return to our lives and will ease the isolation experienced by many throughout the Covid-19 lockdown. The potential for the widespread release of a vaccine in the new year also gives us renewed hope that businesses in Ireland will be able to re-establish themselves and perhaps return even stronger than they had been before.

The Team at Connellan solicitors would like to wish you and yours a very peaceful Christmas and a healthy and happy 2021.

Please find below this month’s newsletter and year in review;

Covid-19 and Easing Restrictions

On Tuesday 1st December, plans were announced by the Government to ease the nationwide Level 5 lockdown restrictions to Level 3 over a number of phases in the run-up to Christmas. Travel restrictions loosened as well as indoor dining restrictions to allow Irish citizens to have a meaningful Christmas. A number of supports have also been offered to businesses to support them throughout the pandemic including the Employment Wage Subsidy Scheme (EWSS), COVID Restrictions Support Scheme (CRSS) and rates waivers and tax measures. However, with the looming shadow of Brexit on 31st of December 2020 and the weight of the Covid-19 pandemic, businesses have struggled to maintain hope that the new year will bring opportunities for recovery.

With vaccinations on course to be distributed in the new year, the return to the office or reopening of businesses permanently may be possible. A more flexible working landscape is likely to continue into the new year, with remote working becoming an increasingly popular choice for businesses. The re-opening of society has operated and will continue under three phases:

Activity	From December 1 st	From December 4 th	From December 18 th
Visitors to your home	Support bubble only	Support bubble only	2 other households
Places of worship	50 max.	50 max.	50 max.
Museums, galleries and cinemas	Open	Open	Open
Restaurants	Closed	Open	Open
Pubs operating as restaurants	Closed	Open	Open
Wet pubs	Delivery and takeaway	Delivery and takeaway	Delivery and takeaway
Retail	Open	Open	Open
Travel outside the county	No	No	Yes

Throughout the Covid-19 Pandemic, Connellan Solicitors closed its doors to the public in an effort to reduce the spread of infection. The office then eased restrictions following the country's move from level 5 to level 3. However, our offices will be closing for the Christmas period on Tuesday the 22nd December 2020 and will be reopening on Monday the 4th January 2021. Our doors will be back open to the public when we reopen after Christmas in line with other firms in the Longford area.

Legal Industry - Year in Review

The Covid-19 Pandemic has presented many challenges within the legal sector. Capacities such as networking and security which were previously taken for granted are now far more challenging for firms and businesses. Below we have outlined four key learnings we have taken, as an industry, from the Covid pandemic

Networking during Covid-19: Connellan Solicitors LLP maintain that networking is central to running a successful business during the Covid-19 Pandemic. Technology has played a central role in keeping people connected through Zoom, Skype, Teams and other platforms. Certain adaptations had to be made within our firm to allow for networking to continue despite events, meetings and other gatherings being restricted. We learned that by connecting locally and through the introduction of our social media pages and newsletter we could not only maintain our current network but expand it.

- **Health and Safety:** Throughout the Covid-19 pandemic, businesses have had to take legal obligations into account when developing strategies and plans to protect both the health and safety of their employees and business stability. Connellan Solicitors LLP have installed glass screens at reception and in the board rooms to ensure safety and social distancing throughout Covid. We have installed a number of hand sanitising stations in the building together with information on COVID and how to help prevent the spread of it. We have also limited the number of clients permitted in the building at any one time and have implemented a stringent Covid tracking regime.
- **Cybersecurity:** As the shift from office to remote working took over at the start of the pandemic, legal firms became a high-profile target for cyber criminals and important measures had to be taken to ensure safety and security. The development of our Customer Related Management (CRM) system was critical in ensuring the health and safety of both our employees and our customers. The system allows for our services to be conducted securely and safely reducing the risk of security breaches. The system also enabled us to provide legal assistance to our clients regardless of what level of lockdown we are in.

Key Legal Considerations for Remote Working

Ireland has reported one of the highest working from home rates in the EU during the Covid-19 Pandemic. Despite working from home, however, employers still have a legal obligation regarding the safety, health, and welfare of their employees. Employers who permit employees to work remotely in response to the COVID pandemic should consider implementing a remote working policy which clearly sets out the expectations, terms and conditions of what will be expected from employees who are working remotely. It is vitally important that employers are aware that their legal obligations to their employees do not only apply in the business premises. All of the employment law rights and statutes apply equally to employees who work from home and employers need to be cognisant of the fact that

they will continue to have the same obligations and responsibilities to employees who work from home as they do to employees who work fulltime in the office. These include obligations such as working hours, annual leave entitlements, data protection and health and safety. In anticipation that remote working will not only continue into 2021, but also well into the future, we have compiled some key duties which employers should keep in mind when employees are working remotely:

- **The Right to Switch Off and Working Hours:** In November of this year, debates kicked off between different parties and groups surrounding current legislation and the right of employees to ‘switch off.’ However, even before the Covid-19 pandemic struck, the right to disconnect was an important issue. In its [Remote Work in Ireland- Future Jobs 2019](#) report, the Department of Business, Enterprise and Innovation identified the right to disconnect as an ever-growing important issue which needed to be addressed. Although there is no current explicit legislation which outlines employee right to switch off, the Working Time Act 1997 allows employees some protection. The legislation states that employers cannot permit employees in Ireland to work more than 48 hours per week. The Working from Home (Covid-19) Bill also requires employers to inform their employees of their policy regarding out of hours communications and protects employees from punishment for failing to respond to communications.
- **Annual Leave Entitlements:** Employees continue to build on their annual leave when they are working from home and working their usual hours. Due to the Covid-19 pandemic, employers may not want employees to take all of their annual leave at the end of the year and, under the Organisation of Working Time Act 1997, employers can determine the timing of an employee’s annual leave. Employees should also be left with a proportionate amount of annual leave to allow them to avail of opportunities when businesses re-open and restrictions ease.
- **Data Protection:** As aforementioned, data protection is a key element to take into consideration for employers when it comes to remote working. Since the introduction of GDPR regulation in May 2018, we have seen an increase in the reporting of data breaches and Covid-19 has heightened the phenomena of phishing and cybercrime. Employers should assess any data risks and implement appropriate control measures and provide information and resources to ensure data protection measures are in place. Ongoing staff training and a robust data protection policy are also necessary. The National Cyber Security Centre also has published [Working From Home Security Advice \(pdf\)](#).
- **Health and Safety:** Even when working remotely, employers have an obligation to ensure the health and safety of their employees under the Safety, Health and Welfare at Work Act 2005. Employers should also be cognisant of government guidelines in the [Plan for Living with Covid-19](#). The HSA also published [guidance on working from home](#) and includes further advice on key responsibilities. Employers also have a duty to provide safe work which is planned, organised and maintained, must assess risks and implement appropriate control measures, provide safe equipment. Equipment can include computers, desks, monitors, chairs and other equipment. Employers must also provide information, instruction, training and supervision about safety and health to employees.

Community Activity & Staying Connected

Staying connected was one of the most notable challenges for communities and businesses throughout the Covid-19 pandemic. Connellan Solicitors LLP have a long history of supporting local

sport and clubs in our area. The Covid-19 pandemic has had a monumental impact on sport and physical activity and allowed us the opportunity to offer further support to local clubs such as County Longford Golf Club, Ballynacargy GAA and Longford Rugby Club.

In addition to our sponsorship support, we also established our social media channels on Facebook and LinkedIn to increase connectivity with the broader national community and to showcase some of the partnerships we cultivated throughout the Covid-19 lockdown. Following the establishment of our social media platforms, we partnered with Fermoyle National School in November to provide a Numicon Package which supports the teaching of Maths. The partnership was an extremely valuable experience to us at Connellans as it allowed us to deepen our relationship with local children, parents, and schools and to add a silver lining to an otherwise very difficult year.

As part of the partnership, we also supported a school-wide competition among Fermoyle N.S. pupils and invited them to nominate their 'Covid Hero.' Pupils were asked to write a short paragraph or to draw a picture about their 'Covid Hero' and were entered into a draw to win vouchers that can be used at Newsround in Longford. The remaining children received other small prizes to thank them for their contribution. We wish to extend a special thank you to all who took part.



Looking Ahead - 2021

As we look optimistically ahead to 2021, Connellan Solicitors will continue to provide high quality legal advice to our clients in a safe, efficient, and cost-effective manner. Our plan for next year is to continue to navigate the challenges that are presented by the Covid-19 pandemic and Brexit. As mentioned above, we hope to open our doors to the public after Christmas and in line with Covid restrictions.

To end on a positive note, we have compiled some noteworthy legal challenges which businesses may wish to keep in mind this coming new year:

- **Cyber-attacks** are on the rise so businesses that do any activity online will need to invest heavily on their IT infrastructure and security. They should also strongly consider taking out a cyber insurance policy.
- **Employee issues as a follow on to Covid:** Many employers will have permitted their employees to work remotely or on reduced hours during the Covid pandemic. When things return to normality there may well be some employees who wish to continue to work remotely or on the

reduced hours. Employers need to ensure that they have clear and upfront communication with their employees in this regard.

- **Brexit:** It looks extremely likely that there will be a no deal Brexit. Accordingly, business will need to ensure that they are prepared for the issues that this will create. This is particularly the case for businesses that deal in imports or exports.
- **Financial issues:** Most businesses will have been impacted by the downturn caused by the COVID pandemic. They will have to navigate and deal with creditors, financial institutions, and suppliers as they move to reopen or expand their businesses as we emerge from the pandemic.