

Letter to ASOS, 24th March:

Dear Mr Beighton,

I am writing this letter in regard to the ASOS warehouse in Grimethorpe, in my constituency of Barnsley East. I have heard concerning reports from a number of my constituents about the working conditions in this warehouse, namely the decision made by ASOS to force its employees to come into work despite Government guidance to the contrary.

As you know, the Government has advised businesses and employers to encourage their employees to stay at home. This will help reduce the spread of coronavirus to others, and, ultimately, help save lives.

For up to date guidance please click this link:

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

In addition to requiring your employees to come into work, the conditions at the Grimethorpe Warehouse are putting your workers at risk. This includes:

- No social distancing measures being put in place;
- A clocking in and out system that has become more complicated, meaning large numbers of people are congregated in a small area;
- And, no scattered lunch, which would help ease the number of people in one place.

My office has spoken to workers, their partners and family members who they care for, who have all expressed a common fear- if one worker gets this deadly virus, they all will. This will be because ASOS/XPO has ignored Government guidelines with regards to personal protective equipment and social distancing.

I am sure you will agree with me that the health of your employees must come before profits.

I, alongside your contracted workforce of 2,000 workers and 2000 flexible agency workers, anticipate your prompt response to this email.

Yours sincerely,

Stephanie Peacock

Member of Parliament for Barnsley East

Reply from ASOS, 25th March – this included this document as an attachment:

<https://cutt.ly/XPOASOSLocalMeasures240320Final>

Dear Stephanie,

Thanks for getting in contact. I know there will be huge pressure on you and your fellow MPs at present, so I appreciate you taking the time to raise these concerns with me personally.

This is certainly an extremely fluid and unprecedented situation, which both ASOS and XPO are keeping under constant review, informed by the latest guidance issued by the Government.

Following the Prime Minister's address to the nation on Monday night, the Ministry of Housing, Communities and Local Government's position was that "online retail is still open and encouraged and postal and delivery service will run as normal". And, just yesterday, the Secretary of State for Health and Social Care said in the House of Commons, "I want to be clear that where people absolutely cannot work from home, they can still go to work. Indeed, it is important that they do so in order to keep the country running."

Given the nature of the work our team at Barnsley does, it's not something that can be done at home, so like many employers across the UK we are ensuring we are striking the right balance between keeping our respective businesses operational and maintaining the safety of staff. A summary of the measures XPO has put in place, including strict social distancing protocols, was issued in the last 24 hours and can be found attached.

Further, as you might recall from your visit to our Barnsley facility, we have a recognised trade union on the site in Community, which XPO is in regular contact with, to ensure that any concerns regarding COVID-19 are heard and addressed.

Alongside doing all we can to protect the health and employment of thousands of staff at our Barnsley warehouse, we are looking to offer our services to the NHS to assist with the logistical challenges of delivering essential product for doctors and nurses when they need it most. The team at Barnsley is world-class and this, I hope, is one part that we can play during this extremely challenging period for our country.

Please let me assure you and your constituents who might work at our Barnsley facility that both ASOS and XPO are taking this situation seriously, reacting immediately to the latest guidance, and ensuring along with our recognised trade union Community that the health and safety of staff remains as ever our number one priority.

If you would like to discuss this further, do please let me know.

Best wishes,

Nick

Letter to ASOS, 26th March:

Dear Mr Beighton,

Thank you for replying to my email.

Since my email on the 24th March, my office has been inundated with phone calls and emails from worried workers and their loved ones.

I simply do not believe that you are, as you said in your email, 'striking the right balance' between keeping your business operational and maintaining the safety of staff.

Please see below a list of concerning allegations of bad practice currently taking place at the ASOS Great Houghton Warehouse:

- Staff being told that that they can either work 'as normal but if they refuse to work they will not get paid' or 'go home and claim statutory sick pay' without reassurances they would not be in trouble with their employer and a requirement that they would ring the absence line every day to get a sick note.
- Lack of Personal Protective Equipment for all workers to prevent the spread of coronavirus
 - Workers have been forced to wash their 'disposable' gloves themselves
- Social distancing protocols being ignored or not enforced by management
 - Equipment, including blue totes used by all staff, knives, tapeguns and guns (with velcro arm and finger mounts) being passed between staff without any cleaning process in place
 - Pickers, returns and putaway staff working in narrow alleys where it is impossible to create a safe distance
 - Despite a 30 minute change in shift timetables a reduced bus schedule that leaves workers waiting and taking the same bus all together
 - Making the canteen a take-away service but staff still using the tables, just now with plastic utensils instead of cutlery.
 - The smoking area and car parks are still sites where employees have to come into close contact with one another
- Every daily brief starting with 'gather around' and 'come closer'
- The hand sanitizer in the majority of the dispensers is not sanitizer but non-alcoholic soapy foam. Including a damning accusation that team leaders are the only ones who have access to alcohol hand sanitizer.

I would be grateful if you could respond to the above concerns. There are reports of cases of Coronavirus at the distribution centre, which is deeply concerning & makes the situation even more urgent.

I believe warehouse workers deserve the same protections as those who work in high street shops and offices and that you should close the distribution centre with immediate effect. It would be in the best interests of your employees to do this and to use Government schemes, including the wage subsidy scheme, to fully support your workers.

Yours Sincerely,

Stephanie Peacock
Member of Parliament for Barnsley East

Reply from ASOS, 30th March – this included this letter from Barnsley Council as an attachment: <https://cutt.ly/LetterFromBarnsleyCouncil>

Dear Stephanie,

Thank you for your further email of 26 March and, again, for raising your concerns directly with me.

We are treating the COVID-19 situation with all the seriousness it deserves and are absolutely committed to putting the health and safety of all those working in our Barnsley fulfilment centre above all else. That is my personal assurance both to you and to the 3,500 employees at the site.

On Friday, I personally visited our Barnsley site as a matter of urgency in order to observe for myself our social distancing protocols first-hand, speak with employees about the guidelines we have put in place and their responsibility in adhering to them, and also to hear their concerns. I also took the opportunity to speak in more detail with our partners responsible for the running of the facility, XPO Logistics, and with the fully recognised trade union we have on site, Community.

I also asked that the series of allegations that you raised with me in your email of 26 March were thoroughly investigated. Having reviewed in detail the results of the investigation I am confident that those allegations, while no doubt concerning as presented, do not have any basis in fact. For completeness, I wanted to address each of the allegations that have been shared with you in turn:

“Staff being told that that they can either work ‘as normal but if they refuse to work they will not get paid’ or ‘go home and claim statutory sick pay’ without reassurances they would not be in trouble with their employer and a requirement that they would ring the absence line every day to get a sick note”

While Government guidance is clear that we can and indeed should continue to operate and we are taking every measure to protect the health and safety of our employees, we understand that some of our employees may not feel comfortable coming into work. Those who choose to stay at home are able to do so and have my personal guarantee that they will not be subject to any form of action by their employer, XPO Logistics. If they choose to stay at home, they will be entitled to Statutory Sick Pay, in line with Government guidance. Those self-isolating will also be entitled to this if they get an isolation note and call our absence line, which is the appropriate due process.

You also mention staff being told that if they refuse to work they will not be paid. This would only apply to any employee that comes into the fulfilment centre, decides not to work, but refuses to head home. This would be counter-productive for our social-distancing policies which is why we have taken this approach, not least to protect their colleagues.

“Lack of Personal Protective Equipment for all workers to prevent the spread of coronavirus”

We have not received any guidance from the Government advising that those in our fulfilment centre should be wearing a facemask and believe that this would not be necessary due to our strict self-distancing policies. However, we have face masks available for colleagues should they feel the need to wear one. We ask simply that they are worn and used in accordance with UK Government guidelines.

“Workers have been forced to wash their ‘disposable’ gloves themselves”

As detailed previously, we do not issue disposable gloves, and all employees are issued with latex-bonded knitted gloves, which are washable if desired. We have ample supplies should colleagues wish to change them.

“Social distancing protocols being ignored or not enforced by management”

Our strict social distancing policies are absolutely being enforced by supervisors, union reps and team leaders. However, our colleagues also have to take personal responsibility for adhering to the rules.

“Equipment, including blue totes used by all staff, knives, tapeguns and guns (with velcro arm and finger mounts) being passed between staff without any cleaning process in place”

Equipment is multi-use however it is thoroughly cleaned throughout shifts and at the end of each shift by our hygiene team. Personal protective equipment is provided for all colleagues on site.

“Pickers, returns and putaway staff working in narrow alleys where it is impossible to create a safe distance”

Employees are required to keep a safe two metre distance while working and to be respectful of their colleagues, and we have taped guidelines around the 680,000 square feet facility to ensure this rule is adhered to. Employees do also have to take personal responsibility for following these rules, however.

“Despite a 30-minute change in shift timetables a reduced bus schedule that leaves workers waiting and taking the same bus all together”

We identified this as a possible issue at an early stage and have worked with Stagecoach to put on extra buses, which facilitate better social distancing. Clearly if a bus is busy, then we would encourage colleagues not to take it and wait for another one.

“Making the canteen a take-away service but staff still using the tables, just now with plastic utensils instead of cutlery”

Everybody is required to sit at least two metres apart during lunch breaks on bench seating, and individual table and chairs have been spaced at the appropriate two metre distance. The canteen is monitored by a dedicated team leader, who is responsible for enforcing social distancing and, as you identified, we have also switched to single use plastic utensils for easy and safe disposal.

“The smoking area and car parks are still sites where employees have to come into close contact with one another”

We have added strict social distancing visual markers to the smoking area, which is also patrolled by a dedicated member of staff to enforce social distancing at break times and the start and end of shifts. While we enforce social distancing within the centre, we do ask our colleagues to take responsibility for maintaining social distancing guidelines outside of work and as they leave and enter the car park. We have made changes to make this easier for everyone, including staggering shift patterns and making sure there is sufficient space between people leaving, but cannot account for personal behaviour outside of work.

“Every daily brief starting with ‘gather around’ and ‘come closer’”

This terminology may be used colloquially but does not suggest ignoring social distancing protocols. In fact, those leading the daily brief will require colleagues to maintain the required two metre social distance.

“The hand sanitizer in the majority of the dispensers is not sanitizer but non-alcoholic soapy foam. Including a damning accusation that team leaders are the only ones who have access to alcohol hand sanitizer”

The UK Government guidance is to wash your hands with soap and hot water for 20 seconds and there are more than ample facilities and supplies to meet this need. We also have 99.9% kills-all-bacteria hand sanitiser that is readily available across the site.

“There are reports of cases of Coronavirus at the distribution centre, which is deeply concerning & makes the situation even more urgent”

We have had not had a single confirmed case as of 09.00 on 30 March. If a colleague were to display symptoms, they would self-isolate as per Government guidance.

Since we last communicated, senior officials from Barnsley Metropolitan Borough Council have conducted an independent site visit and inspection of our social distancing protocols. I have attached the letter they have since shared with us, which states that they were “reassured to see the measures you have put in place to maintain social distancing for the protection and welfare of your employees”. As the letter mentions, the Government has directed that any business that can remain open does so. The Council also recognises the vital role we play in providing jobs for the local community during this uncertainty time for the economy.

We will continue to work together with XPO Logistics to uphold employee health and safety during this time. We will listen to any concerns raised by our employees or our recognised union for the site, Community, which benefits from full access to our facility, is in constant dialogue with our workforce, and which plays a vital role in holding us and XPO Logistics to account.

If you have any further concerns, please do not hesitate to get back in touch.

Yours sincerely,

Nick Beighton

CEO, ASOS

Letter to ASOS, 14th May:

Dear Mr Beighton,

I am writing to you regarding concerning reports that a number of workers at the ASOS Warehouse in Great Houghton have tested positive for Coronavirus. I would be grateful if you could clarify the situation and outline what measures you have in place to protect the ongoing safety of ASOS Warehouse Workers.

As you will know from our previous correspondence, I firmly believe that the health of warehouse workers should come before profits. Coronavirus is extremely contagious and has been scientifically proven to transmit from one person to another even when they are asymptomatic. If reports of positive cases of COVID-19 are true I urge you to make the right decision for your workers' wellbeing.

Kind regards,

Stephanie Peacock
Member of Parliament for Barnsley East

Reply from ASOS, 17th May:

Dear Stephanie,

Thank you for your letter on Thursday afternoon regarding Great Houghton. I am replying with the very latest situation, current as of 1pm today.

In common with workplaces across the UK – including both Parliament and 10 Downing Street – we have had a small number of cases of COVID-19 confirmed among our staff. At present, we have had ten confirmed cases among our 3,964 work-force at Great Houghton. Each of these cases is deeply upsetting to ASOS and to the colleagues, friends and families of the individuals affected. All have self-isolated at home, in line with guidance, and we remain in contact with them and wish them well with their recoveries.

It is important to stress that there is no evidence to suggest that these ten cases were contracted at our Great Houghton site, and indeed, of those ten, close to half had not been on site for more than two weeks before testing positive. Moreover, the percentage of those affected at our Great Houghton site is lower than the average for the country and the local Barnsley Metropolitan Borough Council area.

You rightly ask what measures we have in place to protect staff at Great Houghton. Our approach is based around the following three pillars:

1. Full compliance with Government workplace guidance as updated this week, itself informed by expert advice from Public Health England. Given the size and scale of the Great Houghton site, its level of automation and the industry-leading health and safety measures we have put in place since the start of the pandemic, it remains a safe place to work. Critically, we are maintaining our social distancing protocols, which in many areas exceed the latest Government guidance and have set the standards for other retailers and businesses. By way of example, guidance from the British Retail Consortium on fulfilment centre safety was directly informed by the experience of ASOS and Barnsley Metropolitan Borough Council has been in touch to see if other businesses locally can learn from our approach.
2. Constant dialogue with the recognised trade union on site, Community. A Covid-19 steering group made up of senior site management and Community Union site reps meet daily to ensure that any concerns expressed by staff at Great Houghton can be addressed immediately and to ensure staff are aware of their responsibilities towards their colleagues, by respecting social distancing protocols.
3. Independent assessment and verification of our procedures, by the relevant expert judicator, the Environmental Health Officer at Barnsley Metropolitan Borough Council, who has made several visits, announced and unannounced to Great Houghton. Since these ten cases came to light, we have proactively contacted the Environmental Health Officer to provide a detailed briefing on the situation. As the appointed expert bodies, we will continue to follow their advice and that of the Government to ensure that we are protecting our workers and following all appropriate cleaning and hygiene processes.

You were kind enough to find time to last visit Great Houghton on 6 October 2017. As the largest private sector employer in your constituency and the wider Barnsley area, we would all very much welcome you visiting again soon, not least to inspect the further protocols we have put in place to protect our staff.

Best wishes,

Nick

Chief Executive Officer, ASOS plc

Letter to ASOS, 11th June

Dear Mr Beighton,

I am writing to you regarding the ASOS warehouse in my constituency.

There are increasing concerns regarding the number of staff who have tested positive for COVID-19 – please could you confirm the number of staff who have tested positive, along with the number who are currently self-isolating while waiting for a test result?

I have been informed that some measures have been implemented to try to stop the virus from spreading, including temperature testing. However, employees at the warehouse are worried about colleagues who are still going into work even if they have symptoms of coronavirus, either while waiting to be tested or while waiting for their results. I understand that your HR team are sending people home if they find out they have symptoms, but on the floor of the warehouse, this simply isn't happening.

Further to this, Statutory Sick Pay is insufficient for your staff to live on if they were to self-isolate for 14 days, and your company is refusing to provide additional financial support to make it viable for employees to self-isolate.

Please could you provide further information on what support is being provided to employees in accessing testing when they have symptoms, and what support is being provided in order to enable them to follow the vitally important public health advice around self-isolation?

The existence of confirmed cases among your workforce is incredibly concerning, not just for those workers who have been infected but also for their families and our area. It is important that businesses act responsibly in order to safeguard and support their employees and our wider community at this difficult time.

Please could you therefore provide a response to the concerns I have raised as a matter of urgency?

Yours sincerely,

Stephanie Peacock
Member of Parliament for Barnsley East