

## Revised quarantine guidance (January 2021)

### Introduction

The Department of Health and Social Care (DHSC) and its arms-length bodies have produced a suite of guidance for employers on workforce issues arising from the COVID-19 pandemic which has been published and [updated centrally](#).

Due to the exceptional circumstances, usual processes of co-production and consultation have not been possible, although the NHS Staff Council Executive trade unions had input in reviewing and updating the guidance.

This document is an update to the initial DHSC guidance on quarantining and has been produced by a joint working group of the NHS Staff Council Executive.

### Context

The government revised the rules and advice for residents and visitors entering England during the COVID-19 period on 18 January 2021.

From 18 January, individuals travelling to England are required to undertake a pre-departure Covid-19 test in the three (3) days prior to travel. The pre-departure test is required irrespective of the country from which the individual is travelling, this includes those returning from a country listed as a [travel corridor](#).

Where proof of a negative test result is not provided, individuals may not be permitted to board transport for travel to England. Where a positive test result is returned, travel will be denied, and the [local rules and guidance](#) for positive Coronavirus cases must be followed.

An immediate fine of £500 will apply to any non-exempted individual who fails to comply with pre-departure testing. Spot checks will be undertaken by the Border Force. A list of exemptions is available on the [Gov.uk website](#).

All passengers entering England are still required to complete a [passenger locator form](#) regardless of whether they are required to quarantine or not. Failure to do so can result in an increased fine of £500.

Completion of a 10-day quarantine period is still required unless individuals are travelling from an exempted country (travel corridors).

The purpose of a quarantine period is to assist with infection control, and NHS organisations should continue to follow their existing infection control procedures.

## Exemptions

### Entry under an exemption

Individuals travelling from countries or territories covered by the government's [travel corridor](#) exemptions or through an exemption under [additional government advice](#), will not be required to quarantine on return to England. Please note, regulated health and care professionals are no longer exempt.

This advice will remain under constant review and employers and staff should be mindful that any travel abroad may carry with it some risk, such as quarantine regulations changing in England, or in the visiting country, with little or no warning.

The Foreign and Commonwealth Office (FCO) continues to advise against all but essential travel to countries not covered by the travel corridor exemptions.

### Entry without an exemption

#### 1. Standard quarantine

Entry from, or travel via, a country not listed as a travel corridor will require the completion of a 10-day quarantine period.

#### 2. Shortened quarantine - Test to Release scheme

From the 15 December 2020, the government introduced the [Test to Release for International Travel](#) scheme. The scheme can only be accessed by individuals who are required to quarantine on their return to England.

Those who choose to access the scheme by paying for a [private COVID-19 test](#), can end their quarantine on evidence of a negative test result. The COVID-19 test cannot be taken any earlier than five full days after the individual left the location which is not on the travel corridor list. For most individuals, this will require five full days in quarantine.

Individuals who choose to access the scheme will need to:

- pay for a private COVID-19 test
- book their private test prior to arrival in England (**note:** if an individual opts into the scheme after their arrival a new passenger locator form should be completed)
- provide the details of the test on their [passenger locator form](#).

Where an individual decides not to access the scheme, they will be required to complete the full 10-day quarantine period.

Tests provided by the NHS Test and Trace will not allow individuals to shorten their quarantine period. Therefore, a negative test result from an NHS Test and Trace test will still require the full quarantine period to be observed.

## Options

### Annual leave requests

All requests for annual leave need to be submitted to the manager for approval, in line with local leave policies, who will take a number of considerations into account, such as:

- the impact of the request on maintaining service delivery
- the need for employees who may have worked hard throughout the crisis to have time for rest and recuperation.

As a result of the new quarantine requirements, it remains imperative that when an employee submits a request for leave that involves travelling abroad, they are reminded of the government's advice to avoid non-essential travel to a country not listed as a travel corridor.

If staff choose to travel to or via a country which is not exempted, they will be going abroad fully aware of the quarantine requirements on re-entering England and that they should be doing so only if essential. They should be advised of the requirement to quarantine for 10 days on their return and, travel should not be booked before an employee has agreed the duration of the leave required with their employer to ensure that they can comply the quarantine measures on their return.

Staff should also be reminded that government and FCO advice can change with little or no notice as stated on Gov.UK, removing previously exempted countries or territories from the travel corridor list and vice versa which may require a 10-day quarantine period on returning to England. Staff who find themselves in this position should contact their employer as soon as practicable to inform them they will need to quarantine for 10 days. Employers should consider the leave and pay options for quarantine periods as set out below.

Some countries may also require travellers to quarantine on arrival, which would impact on the expected length of stay and should be taken into account by the employee when booking leave.

When considering a request for leave, employers should ensure their policy is clear, applied fairly and is reasonable in relation to individual circumstances. Any blanket approach to leave requests will need to be considered in the context of an equality impact assessment, taking into consideration the impact of a local policy on BAME, as well as overseas staff. Employers are encouraged to work in partnership with local trade unions to ensure that local policies are applied fairly and consistently.

### Leave and pay options for quarantine periods

Where a quarantine period is required, it could be covered by using one or a combination of the following options:

- the use of appropriate paid or unpaid leave to cover the quarantine period for example:
  - local special leave (paid/unpaid)

- take additional paid annual leave (from their usual leave allowance)
- take unpaid annual leave
- working from home where possible
- where unable to work from home whether temporary reassignment of appropriate work would be possible so that they could work from home.
- making up some or all of the 10 days' leave over a period of time through working additional hours/shifts over their normal contracted hours
- taking previously accrued time off in lieu (TOIL).

There is no one-size-fits-all answer to this issue. Employers are encouraged to give sympathetic consideration to employees who are required to quarantine for unavoidable or extenuating circumstances, but who cannot work from home. This may include:

- an employee who has extenuating circumstances such as a family funeral abroad
- pre-booked holidays that cannot be cancelled without incurring financial cost (i.e insurers will not reimburse cost) that were arranged before quarantine could have been envisaged
- pre-booked holidays that the tour operator has not cancelled but has instead rescheduled on fixed dates which, if cancelled by the customer, would be at financial cost to them.
- sudden changes to government regulations on quarantine.

Employers should consider using a combination of some or all of the different types of leave options shown above.

Please note, anyone who has had to travel for the purpose of their job, and has to quarantine on their return, would be entitled to continue to receive normal full pay.

**NHS Staff Council Executive**

**January 2021**