

National Joint Council for local government services

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**To: Chief Executives in England, Wales and N Ireland
(copies for HR and Finance Directors)
Members of the National Joint Council**

5 June 2020

Dear Chief Executive,

COVID-19: Quarantine on entering or returning to the UK

Please continue to visit the LGA's [Coronavirus: information for councils](#) webpage for all up to date advice.

All information contained in this circular is correct at time of publication but all links to external websites should be checked regularly as official advice is likely to be updated as the situation continues to develop.

The government's advice remains that people [should not travel abroad unless it is essential](#).

The government has announced that from Monday 8 June there will be [new rules in place for entering the UK](#) because of COVID-19. The rules are for residents and visitors. When these rules are in place, everyone will:

- need to provide their journey and contact details when they travel / return to the UK
- not be allowed to leave the place they are staying for the first 14 days they are in / return to the UK

Once the rules come into place travellers may be fined £100 if they refuse to provide their contact details, £1,000 if they refuse to self-isolate in England and Wales or could face further action. Information on enforcement measures in Northern Ireland will be made available in due course.

Travellers arriving from within the Common Travel Area (Ireland, Isle of Man and Channel Islands) that have been in the CTA for the last 14 days before entering the UK, will not need

to provide their journey or contact details, or self-isolate for 14 days. There is also a lengthy list of travellers who will be [exempt from English border rules](#).

All requests for annual leave are approved at the discretion of the employer who will take a number of considerations into account, such as maintenance of service delivery and the need for employees who may have worked hard throughout the crisis to have time for rest and recuperation. However, it has not been appropriate, until now, for the employer to ask where the employee's leave will be taken. Therefore, because of the new rules it is now imperative that when an employee submits a request for leave that involves travelling abroad, they are reminded of the government's advice to avoid all non-essential travel and the requirement to self-isolate for 14 days on their return.

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.

NJC circular dated 12 February drew attention to the provision set out in the 'Green Book' sickness scheme at Part 2 Para 10.9, as follows:

“An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme”

We advised that if an employee was required to self-isolate or was placed in quarantine, the provision above should be applied. However, the advice in that circular, in respect of travel abroad, was intended to cover circumstances in which an employee unwittingly found themselves needing to self-isolate due to regulations in the UK changing whilst they were out of the country.

The situation now is that employees booking holidays from this point forward will be going abroad fully cognisant of the quarantine requirements on re-entering the UK. Accordingly, some employers may assume that an employee who travels abroad in full knowledge of the requirement to self-isolate on their return should be required to take additional leave (paid or unpaid) to cover the 14-day period, unless it is agreed they are able to carry out their work from home.

However, there will be a number of considerations that need to be taken into account to ensure the employer's policy is clear, applied fairly and is reasonable in relation to individual circumstances.

Employers should in the first instance consider all opportunities to facilitate the employee to work from home. Failing that, they should take great care to ensure that any requirement to take additional leave is exercised reasonably, with a view to minimising the impact on particular groups of employees through blanket rules. For example, where an employee cannot do their normal work at home, the employer should consider whether it would be reasonable to redeploy them to alternative duties that they could carry out at home. Further, the employer could explore the option of the employee making up the 14 days' leave over a period of time, so they do not incur a drop in pay. Realistically, however, those who can work from home while in quarantine are going to be much less of an issue for employers in this regard.

In practice, an employer could require employees who are quarantining and unable to work at home to:

- take additional paid annual leave (from their usual leave allowance)
- take unpaid annual leave
- take special leave (paid / unpaid)
- make up the 14 days' leave over a period of time, so they do not incur a drop in pay

These arrangements should be clear, understood and agreed by both parties before the employee embarks on leave that will require quarantine.

There is no one-size-fits-all answer to this issue so for those employees who cannot work from home during quarantine, employers should consider using a combination of some or all of the different types of leave options shown above and give sympathetic consideration to certain circumstances which could include:

- an employee who has extenuating circumstances such as a family funeral abroad
- pre-booked holidays that cannot be cancelled without incurring financial cost (ie. 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

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

Yours sincerely,

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