

New Rules for Employers of Workers Required to Self-Isolate

Employers are urged to take note of important new regulations now in force in England regarding confirmed cases of testing positive for COVID-19 and the requirement to self-isolate.

The [Health Protection \(Coronavirus, Restrictions\) \(Self-Isolation\) \(England\) Regulations 2020](#) set out mandatory periods for self-isolation, and a duty to notify the Secretary of State of the names of people in the same household as anyone who has tested positive for COVID-19.

Under Regulation 7, it is now an offence for an employer to **knowingly** permit a worker (including an agency worker) to attend any place other than where the individual is self-isolating. This includes individuals who are required to self-isolate because they live with someone who has tested positive.

This means that if an employer knows a worker has tested positive (or lives with someone who has tested positive), it is now responsible for stopping the worker from working (unless they can work from home). Any employer who fails to do so will face a fine, starting at £1,000.

There is also an obligation on the worker to *tell* their employer that they are self-isolating (Regulation 8). Any individual who breaches self-isolation will, normally, commit a separate criminal offence (Regulation 11).

Requirement on employers of workers required to self-isolate

7.—(1) Subject to paragraph (2), where the employer of a self-isolating worker or a self-isolating agency worker is aware of the requirement to self-isolate, the employer must not knowingly allow the worker or self-isolating agency worker to attend any place other than the designated place, during an isolation period, for any purpose related to the worker's or self-isolating agency worker's employment.

(2) An employer is not in breach of the requirement in paragraph (1) where the self-isolating worker or self-isolating agency worker attends any place in accordance with the isolation requirements.

Notification by workers of requirement to self-isolate

8.—(1) Where a self-isolating worker is—

(a) aware of the requirement to self-isolate, and

(b) due to work or undertake any other activities related to the worker's employment during the isolation period, other than at the designated place,

the worker must notify the worker's employer of the requirement to self-isolate and the start and end dates of the isolation period.

(2) The worker must provide the notification required by paragraph (1)— (a) as soon as reasonably practicable, and

(b) in any event, before the worker is next due to start work within the isolation period.