

Test, Trace, Protect and Workplace Testing FAQ

Wales

Questions	Advice
General	
What is NHS Wales Test, Trace, Protect?	<p>In 2020, the Welsh government introduced a new NHS Wales Test, Trace, Protect service to ensure that anyone who develops symptoms of COVID-19 can be quickly tested and to trace close recent contacts of anyone who tests positive. This is accompanied by guidance for employers.</p>
What should we do if someone has symptoms of COVID-19?	<p>It is recommended that an employer download and adopt the Emergency Action Plan on our Coronavirus Advice Hub. This needs to be agreed amongst the management team and communicated with all members of the workforce.</p> <p>In the first instance, anyone who develops symptoms and orders a test is encouraged to alert people they have been in close contact with 48 hours prior to the onset of symptoms. If this includes people they work with, that person may wish to, but is not obliged to, ask their employer to alert co-workers. At that stage, close contacts should not self-isolate, but they must avoid high-risk individuals and take extra care to practise social distancing and good hygiene.</p> <p>If the person with symptoms then tests positive for COVID-19, they will be asked to share information about recent close contacts. Those close contacts will then be contacted by the NHS Wales Test, Trace, Protect service and will receive a formal notification (either a phone call, letter, email or text) setting out how long they need to self-isolate for.</p> <p>Workers can then use this notification to inform their employer that they have been told to self-isolate and, in turn, you can ask for copies of the notification as evidence of sickness, especially if you are planning to claim a rebate for SSP (which can be done online here). Please note that any SSP paid since 13 March for the first 14 days of absence due to COVID-19 can now be claimed back using this online portal.</p>
Should we isolate all our employees?	<p>The government has specified that workers should self-isolate if they:</p> <ul style="list-style-type: none"> • Have COVID-19 symptoms and are awaiting a test result; • Have tested positive for COVID-19; • Are a member of the same household as someone who has symptoms or has tested positive for COVID-19;

	<ul style="list-style-type: none"> • Have been in contact with someone in their extended household (this includes what used to be support bubbles) that has symptoms and had close contact with them in the two days before their symptoms started; • Have been in contact with someone in their extended household that has tested positive and had close contact with them in the two days before they had the positive test result; or • Have been in close recent contact with someone who has tested positive and received a notification to self-isolate from NHS Wales Test, Trace, Protect.
<p>How long will they need to self-isolate for?</p>	<p>The self-isolation period is for a minimum of 10 days. However, this may be extended to 14 days for some variants. Test, Trace, Protect will inform them if this is the case.</p>
<p>Can I ask employees to 'self-declare' COVID-19 symptoms?</p>	<p>Yes. Whilst asking about personal information can sometimes be a challenge, in this instance it would be permissible to help protect the health, safety and welfare of others. Unfortunately, at the present time, there is no way to compel an employee to provide this information, except from perhaps making it a disciplinary offence not to. The difficulty here would be policing such a regime and there would be questions about whether it would be reasonable to take disciplinary action against someone in these circumstances.</p> <p>If you send an employee home because they have, or you suspect they have, COVID-19 symptoms, that absence would qualify as sick leave and statutory sick pay (SSP) would be payable from day one of absence.</p>
<p>Can I ask my employees to undergo temperature checks before starting work?</p>	<p>There is no easy answer to this. It should be noted that temperature checks are not a reliable way to detect the disease and are currently not recommended by the government, although they have been used in other countries. Consent is an issue here as the test could only be taken with the employees' agreement.</p> <p>Again, questions arise as to whether you can force a test to be taken. As stated above, your only real option here is to make a refusal a disciplinary offence but the same difficulties arise.</p> <p>If a test is carried out, the result of it will be special category personal data and that can only be processed on certain grounds under the GDPR. If you use an occupational health professional to conduct the test, that will be compliant with GDPR. However, if you don't, the position is less clear. It may be argued that such a test is necessary to help ensure the health and safety of workers, but this is</p>

	unchartered territory. Employers would also need a short policy document on GDPR compliance relating to the test results if they intend to carry out temperature checks.
Where can I get the NHS COVID-19 app from?	The app for England and Wales is available for phones running the latest Android and IOS software. It runs on software developed by Google and Apple with privacy in mind. Nobody is able to tell from the data who or where you are. It can be download here .
What can I use the app for?	It has a number of features, the main one being that it is able to tell if you have been in close proximity to another user of the app who has tested positive for COVID-19 in the last 48 hours. You can use the app to check into venues, check symptoms, enter a test result, read the latest advice and monitor the risk level in your area.
What happens if you get a notification that you need to self-isolate?	The app uses Bluetooth proximity to tell if you have come into close contact with someone who has recently tested positive for COVID-19. If users receive a notification, they must self-isolate for 10 days and inform their employer.
Should we force everyone to download the app when it is ready for use in the UK?	If employees have company phones, we recommended that this is downloaded and used throughout the business/organisation. However, employers cannot force employees to use the app outside of work on their work phone due to potential issues of privacy regarding the tracking of movements in their own personal time. If employees only have personal phones, we recommend that they download it; however, you will be unable to force your employees to do so.
We do not allow employees to have mobile phones on them during the working day. Should we now allow this?	If mobile phones are prohibited on safety grounds, do not allow mobile phone use. If mobile phones are prohibited based on them being a distraction, it may be worth reconsidering this rule and look to allow employees to retain the phone on their person but maintain that they are still not permitted to use it.
Should we update our current risk assessments?	Yes, this is a key control measure in preventing the spread of the virus and needs to be added to existing risk assessments.
Should we inform others if someone has symptoms and is self-isolating, but hasn't yet been tested?	Those who need to also isolate because they have come in contact with a person who has tested positive should be notified by the Test and Trace service, so there should be no need to notify any employees yourself.

<p>Should we tell people if someone who works in a different department to them, or somebody they will not have come into contact with, tests positive?</p>	<p>Disclosure of medical information about an employee could be a breach of the General Data Protection Regulations. However, you could notify employees that there has been a confirmed case so long as the identity of that employee is not disclosed or apparent because they are the only absent employee. If you have concerns, seek consent from the employee before notifying colleagues if you believe their identity may be obvious.</p>
<p>Are there any steps you can take if an employee has gone home with symptoms, but they refuse to get tested?</p>	<p>Employees cannot be forced to undertake medical tests and examinations. If they have symptoms, they will need to isolate in accordance with the advice from Gov.Wales.</p>
<p>What is a Polymerase Chain Reaction Test (PCR)?</p>	<p>For PCR tests, a swab is used to collect an RNA sample (the nucleic acid that converts DNA into proteins) from the patient's tonsils and inside their nose. RNA is collected as it carries the genetic information of this specific virus. This is then sent to a laboratory where the sample is heated and cooled so it multiplies into larger quantities of DNA.</p> <p>These types of tests have been used by the NHS in their testing centres around the country for the past few months and are the tests sent out by the NHS to people who have symptoms.</p>
<p>What is a Lateral Flow Test (LFT)?</p>	<p>These tests are designed to identify asymptomatic people.</p> <p>A swab is inserted into the nose or throat, then the sample is inserted into a tube of liquid for a short time which extracts the molecule that determines if COVID-19 is present. No laboratory equipment is needed as a few drops of liquid are then dropped onto a small strip.</p> <p>Within 15 minutes, two lines will show on the strip if it is positive, one line on the top if it is negative or one line on the bottom if the test is invalid.</p> <p>People who test positive on an LFT should self-isolate and book a PCR test with the NHS.</p>
<p>As an employer, do I have to provide LFT testing in the workplace?</p>	<p>You do not legally have to provide LFT tests to employees; however, this is being encouraged amongst all workplaces.</p>

<p>Can I force employees to take a COVID-19 LFT or PCR test if available through the government?</p>	<p>This is not something that an employee can be compelled to do but it may be reasonable in certain circumstances. For example, it may be justified in specific sectors (healthcare for example, especially when dealing with vulnerable people).</p>
<p>If an employee gives a positive test, what can you tell the rest of your workforce?</p>	<p>Certainly, employees should be notified of the risks of infection as soon as possible. However, revealing the identity of the employee who has tested positive may be a step too far in most cases.</p>
<p>Can employers make workplace COVID-19 testing mandatory?</p>	<p>Potentially, although the same considerations as above will be relevant. It is likely that only where it is necessary to do so because of the risk profile of the workplace and/or because of the nature of the employee's role could this be made mandatory.</p>
<p>How do we set up workplace testing?</p>	<p>Guidance from the Welsh Government can be found here.</p>
<p>Will we need to complete a separate risk assessment for testing?</p>	<p>Yes, or you can update your current coronavirus risk assessment to include the new control measures you have implemented. A separate risk assessment can be found on our Coronavirus Advice Hub.</p>