

Living with COVID-19: The End of Restrictions in England

24 February 2022

The Prime Minister made a statement earlier this week in the House of Commons on the government's strategy for living with COVID-19 in England. The devolved administrations will take forward their own plans.

A brief summary of the main changes

From 21 February

- Guidance for staff and students in most education and childcare settings to undertake twice weekly asymptomatic testing was removed.

From 24 February

- Individuals will not be legally required to self-isolate if they test positive.
- Individuals will have no legal obligation to tell their employer when they are required to self-isolate.
- Individuals who are unvaccinated no longer have to self-isolate after close contact.
- Fully vaccinated close contacts will not have to test daily for seven days.
- Self-isolation support payments will be stopped.
- Routine contact tracing will end.

From 24 March

- Pre-pandemic Statutory Sick Pay rules apply. Statutory Sick Pay will no longer be payable from day one if individuals are unable to work because they are sick or self-isolating due to COVID-19.
- Individuals will no longer be eligible for Employment and Support Allowance because they are self-isolating due to COVID-19.

From 1 April

- Free universal symptomatic and asymptomatic testing will no longer be available.
- The requirement for employers to consider COVID-19 in risk assessments will be removed.
- Removal of guidance on domestic voluntary COVID-19 status certification.
- There will no longer be a recommendation that venues use the NHS Covid pass.

Will we receive further guidance?

The above are key points for consideration that we have picked out of the current guidance, available [here](#). We are currently waiting for further guidance to be provided on key issues such as for those working with the vulnerable, steps that people with COVID-19 should take to minimise contact with others and replacing the "Working Safely" guidance with new Public Health guidance. We expect further information to be released on 1 April.

How will the “Living with COVID” strategy impact employers?

There are several implications for employers as a result of the latest announcement, particularly due to the changes on self-isolation and testing. The lack of guidance following the staging dates means that it will be imperative for employers to consider their current position and keep this under review.

What can employers do now?

Employers should consider how they will manage the issues that arise from the removal of restrictions. For example:

- Do existing policies need to be updated to reflect the latest guidance?
- Will you permit employees back to work who test positive?
- Will you require employees to come back to work if they test positive?
- Have you assessed the risks with regard to clinically vulnerable members of the team or those who live with individuals who are clinically vulnerable?
- Are you going to continue to process health and vaccination status?
- Can you still process health and vaccination status lawfully?

The assessment of each business will be unique and, as usual, businesses do not have the luxury of time. Discussions will be needed to understand the risks and the decisions made to combat them. Specific advice should be commissioned for specific situations. This document does not constitute legal advice for individual circumstances. If you would like to discuss any of the measures outlined above, please contact the London Employment Law team, **Jonathan Maude** at +44 (0)20 3667 2860, **Daniel Stander** at +44 (0)20 3667 2861 or **Rachel Easton** at +44 (0)20 3667 2923.

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