

On Friday 17 July, the UK government published an additional [chapter](#) to its COVID-19 recovery strategy, designed to set out the next stage in its plan to “*return to life as close to normal as possible, for as many people across the UK as possible, as fast and fairly as possible*”.

Highlights for employers include:

- **A new emphasis going forward on local rather than national intervention.** The government intends to continue to try and identify outbreaks at an early stage at local and regional levels and respond accordingly. On 18 July, local authorities were given new powers to close specific premises and public outdoor spaces; the idea being that they will then be able to respond more quickly to local outbreaks. Central government will, however, still be able to intervene to control outbreaks if local action is insufficient. On that note, draft regulations will be published this week that will allow government ministers to:
 - Close businesses and venues in whole sectors (e.g. food production or non-essential retail) or within a defined geographical area
 - Impose general restrictions on the movement of people
 - Impose restrictions on gatherings by limiting how many people can meet and whether they can travel in and out of an area to do so
 - Restrict local or national transport systems by closing them entirely, or introducing capacity limits or geographical restrictions
 - Require use of face coverings in a wider range of public places.

The intention is that these powers will be used to enable targeted local action (and shift blame for local difficulties away from central government, or is that too unworthy a thought?), but they can also be relied upon to reinstate restrictions nationally if that becomes necessary. With further local lockdowns being a real possibility going forward, employers should ensure they plan for how they will respond if this happens in their area, sector, etc.

- **End of July:** The shielding programme will be paused at the end of this month, which means that those individuals who are currently classified as ‘clinically extremely vulnerable’ will be able to return to work, provided that the workplace complies with the COVID-19 secure guidelines. The government is calling on employers to ease the transition for their clinically extremely vulnerable employees, ensuring that robust measures are put in place for them to return to COVID-19-secure workplaces.

We anticipate that after this date such employees will no longer be eligible for SSP, unless they are issued with a further shielding notice or are actually ill, but we are waiting for further government guidance on this. Similarly, we are waiting to see if the guidance on furloughing staff changes in light of this development.

- **From 1 August:** If the number of coronavirus cases remains around or below current levels, employers will be given more discretion on how they can ensure employees can work safely. At the moment, the official guidance in England still says that: “*People who can work from home should continue to do so. Employers should decide, in consultation with their employees, whether it is viable for them to continue working from home. Where it is decided that workers should come into their place of work then this will need to be reflected in the risk assessment and actions taken to manage the risks of transmission in line with this guidance*”. The revised strategy document says that working from home is one option, **but** workplaces can also be made “officially” safe by following the COVID-19 secure guidelines. In the statement that accompanied this new chapter of the recovery strategy, the Prime Minister said that “*Whatever employers decide, they should consult closely with their employees, and only ask people to return to the place of work if it is safe*”. So he has not gone quite as far as to say that everyone **must** go back to work no matter what but, as anticipated, there has been a shift in emphasis and it appears that there will soon be further guidance for employers on what they can do from 1 August. It obviously remains to be seen how many employers will insist on a wholesale return to the office. Recent press reports would seem to suggest that many employers are in no hurry to do this, whether because of concerns about health and safety, the practical logistics of facilitating this, pushback from staff about returning, the ability to make cost savings from using less office space, etc.

On a related note, the government is also now advising that people in England may use public transport again, while encouraging them to consider alternative means of transport where possible. That official “blessing” will remove a key ground of employee objection to returning to the physical workplace.

- **From September:** Schools, nurseries and colleges will open for all children and young people on a full-time basis. The government acknowledges, however, that local outbreaks may require classes, year groups or even whole schools to be sent home again temporarily. The prospect of further disruption to schooling will be an obvious concern for employers and parents alike, and will once again raise questions about the rights and obligations of employers if their staff are unable to come into work due to childcare commitments. Furthermore, from the end of October there will be no furlough scheme available to assist.
- **From 1 October:** If the number of coronavirus cases remains around or below current levels, conferences and other business events will be allowed to recommence provided that they do so in a COVID-19 secure way.
- **From November:** Other restrictions such as social distancing may be lifted, while precautionary measures such as face coverings and plastic screens in shops will be retained. The ability to do this will, however, depend on what the health data is looking like as the country moves into winter with the additional challenges this will pose in terms of the spread of the virus, etc.

This alert sets out the measures that will apply in England. These may differ in Scotland, Wales and Northern Ireland. If you have any questions about this alert, please speak to one of the following or your usual contact in the Labour & Employment team.

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