

## No new Covid restrictions for England before new year

**The Health Secretary, Sajid Javid confirmed on Monday there will be no new Covid restrictions for England before the new year, despite soaring Omicron cases.**

- Mr Javid urged people to remain cautious as we approach new year celebrations, take lateral flow tests, celebrate outside if you can and have ventilation if you can.
- The main stance by the government in England is to "Get Boosted Now", if you are eligible. Employers may want to encourage their employees to get the booster jab by offering paid time off to attend the appointment during working hours (although there is no legal requirement to provide this subject to any contractual entitlement relating to time off to attend medical appointments).
- Scotland has confirmed that its nightclubs must close for 3 weeks from 27 December 2021; this is a legal requirement. They will have the option to stay open if they "become a bar" but they will have to ensure physical distancing and would have to do table service. Closure of nightclubs is also one of the restrictions being introduced in Wales from 27 December 2021.
- Funding will be provided to support businesses in Scotland and Wales during this time but, as yet, there is no talk of a renewed furlough scheme. Scotland and Wales will not create individual furlough schemes that apply in those countries only. Mark Drakeford said that Wales did not have the financial or practical means to do so.

### Self-isolation period reduced in England

From Wednesday 22 December 2021, some people in England can end self-isolation after 7 days rather than 10 days, provided they can produce two negative lateral flow tests on days 6 and 7. Those testing positive for Covid should isolate and then do a lateral flow test on days 6 and 7. Two negative results means the person can leave isolation on day 7. This applies regardless of vaccination status.

#### Did you know?

This change should help to relieve staff shortages for some businesses as some employees will be able to come back to work sooner than before and, where SSP was being paid, employers will pay less SSP.

### Supporting staff through Blue Monday

Blue Monday takes place on Monday 17 January 2022. This is supposedly the "most depressing day of the year." Many worry in advance, thinking it will be a gloomy day. As such, it's important for employers to ensure they are supporting their employees in the best possible way by considering what measures could be put in place during the period around Blue Monday.

#### Did you know?

To improve wellbeing during this time, employers could, for example, offer an employee assistance programme, have a 'dress down' day, encourage staff to get outdoors at lunchtime or provide some healthy snacks.

### Fear of Covid not a philosophical belief

An employment tribunal ('ET') has considered if the fear of contracting Covid amounted to a 'belief' for the purposes of the Equality Act, and whether refusing to pay an employee for refusing to attend the workplace for this reason amounted to an unlawful act of discrimination. However, the tribunal concluded this was not a belief worthy of legal protection so the claim failed.

#### Did you know?

This case was only ET, and therefore is not binding authority on other tribunals, meaning the outcome for a similar case could be different. Nevertheless, it is indicative of the way that similar claims are likely to be treated.

Despite no new Covid restrictions being announced for England before new year, further restrictions in the new year have not been ruled out so employers should keep a close eye on developments. Contact our 24-hour Advisory Service for up-to-date guidance on this and more.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.