

Coronavirus self-isolation sick pay provisions

Guidance issued jointly the NTF and NARS 15th January 2021. This replaces the previous guidance document.

Sick pay overview

The employee may be entitled to SSP or company sick pay – details below.

SSP is usually payable from the fourth day of absence. However for employees whose period of incapacity for work is related to Covid 19 the three waiting days do not apply and SSP is payable from the first day.

Statutory Sick Pay

A person is required to self-isolate and entitled to SSP if they

- have Coronavirus symptoms high temperature, persistent cough, loss of sense of smell or taste
- anyone waiting for test results because they are suspected of having Covid-19
- have received a positive test result for Covid-19
- live with someone or someone in their support bubble has tested positive for Covid-19 or is displaying symptoms.
- has received a notification to self-isolate through Test and Trace or Test and Protect
- have been told by a doctor or medical professional to self-isolate before going into hospital for a surgical procedure; or
- have been advised to take extra precautions as they are at a very high risk of severe illness from Covid-19, e.g. they are shielding

The employee is:

- Entitled to SSP from the first day of absence.
- The employer may decide to pay normal sick pay at their discretion or a shielding employee may be able to be placed on furlough at the employer's discretion, if eligible.

If the employee can work from home during self-isolation then they should receive normal pay.

When normal company sick pay may apply:

Employee off with symptoms and subsequently diagnosed with Coronavirus:

- Entitled to SSP from day one. If unwell, the employee moves onto company sick pay subject to meeting the qualifying conditions otherwise would remain on SSP. They can self-certify for the first week and then provide medical evidence to support further absence.

- If the employee becomes well enough to work but must move into self-isolation on medical advice (because they live with others and are within the isolation period/or a test and trace requirement) they would be entitled to SSP.

Employee off with symptoms but receives a negative Covid test

- Entitled to SSP whilst awaiting test result* (see note below)
- If after receiving negative Covid test, the employee is still unwell and unable to return to work then they will move onto company sick pay subject to meeting the qualifying conditions or otherwise remain on SSP. They can self-certify for the first week and then provide medical evidence to support any continued absence.
- If the employee feels well but is still required to self-isolate, then SSP will be payable. Reasons that the employee may be required to remain in self-isolation include if someone they live with or who is in their support bubble has tested positive or if they have been told to self-isolate NHS Test and Trace or Test and Protect.

*Note: Whilst the three waiting days do not apply to Covid related absences, the employee must still be absent for four days to qualify for SSP. As such an employee who has symptoms and receives a negative Covid test but is only off for three days or fewer is not entitled to SSP.

Other illness

The normal SSP and company sick pay provisions continue to apply to non-Covid absences.

Employer instructs employee to go home or not come in to work on health and safety grounds

This is normal pay as it is a health and safety suspension.

Quarantine

Where an employee is required to quarantine on return from abroad, if they have been abroad working for their employer then it is good employment relations to pay the employee as normal. That should be agreed with the employee before they go on the work assignment.

If the employee is returning from holiday or other personal visit abroad, then there is no right to pay unless the employee can work from home. There is no right to SSP unless the employee is unfit to work, in which case the employee should notify the employer and provide medical evidence after the first 7 days. The employee could take holiday whilst quarantining if they have sufficient holiday to do so.

Employee chooses to self-isolate

An employee with no symptoms who chooses to self-isolate without medical advice to do so or the employer's consent is unlikely to be on sickness absence and therefore not entitled to

sick pay. Employers would need to investigate the situation to ascertain if there were any special circumstances which may bring about an entitlement to pay.

Other financial help

There is financial assistance for those self-isolating under a test and trace requirement. Racing Welfare have introduced a £500 grant – for more details see <https://racingwelfare.co.uk/self-isolation-grants/> and there is Government assistance for those on low incomes. In England and Wales employees can find out more about this on their local Government website see - [find your council's website](#) on GOV.UK.. Payment will be backdated for anyone who started self-isolating under this requirement from 28th September. To apply applicants will need

- A notification from Test and Trace asking them to self-isolate (including a Unique ID number)
- A bank statement
- Proof of employment
- Confirmation from their employer that they are unable to work from home or if they are self-employed, evidence of self-assessment returns for example. your employer that you are unable to work from home

For those in Scotland there is information at <https://www.gov.scot/news/new-grant-for-those-self-isolating/>

Someone earning less than the Lower Earnings Level of SSP (under £120 per week)

There is a range of support in place for those who do not receive Statutory Sick Pay, including Universal Credit and contributory Employment and Support Allowance. This is not paid by the employer and the employee would have to apply direct for it.

For employers – reclaiming statutory sick pay

An employer can reclaim SSP for a maximum of two weeks per employee who is paid SSP for a Coronavirus related absence.

Medical evidence

NHS online is responsible for providing employees with the SSP evidence they need to establish that they are ill or need to self-isolate because of Coronavirus.

<https://111.nhs.uk/isolation-note/>

If the employee is shielding or has been told to self-isolate prior to medical treatment, they should be able to provide a copy of the letter from the relevant health professional. Employers are advised to use their discretion. However, if an employer suspects an employee has been untruthful about their situation, that can be investigated in the same way as you would any other type of misconduct.

National Trainers Federation
National Association of Racing Staff.