



Home Office



Department
for Transport

The Rt. Hon. Yvette Cooper MP
Home Affairs Committee
House of Commons
London
SW1A 0AA

3 February 2021

Dear Committee Chair,

Thank you for your letter of 15 January in which you requested additional information about the Government's announcements on pre-departure testing (PDT) and flight restrictions from South America.

The scale of devastation and suffering this virus has inflicted is truly heart-breaking, and our thoughts are with all those who have tragically lost loved ones. The Government's number one priority is protecting public health. Our focus is on protecting the UK's worldleading vaccination programme and reducing the risk of a new strain of the virus being transmitted from someone coming into the UK. As such, work continues at pace and is being monitored closely, therefore we will reflect the latest updates in this letter.

I would like to apologise for the delay in responding to your letter. The questions that you asked were extensive and involved working across a number of different Departments and agencies. Taking each of your questions in turn:

1. Publishing of guidance & International comparators.

- ***Why was the guidance on pre-travel testing not published until Wednesday evening, making it impossible to implement the requirements today?***
- ***Why did it take so long to draw up the guidance? How long did the Government expect it to take to draw up the guidance when it announced the policy on 8 January and advised that the policy would take effect the following week?***
- ***Given the Government's own Global Travel Task Force recommended on 24 November that a pre-departure testing system be devised, what work was done since then to research and prepare guidance and implement a system?***
- ***What advice had Ministers received prior to the 8 January announcement, and from whom, about the time required to prepare and implement guidance?***
- ***Given that other countries had already introduced pre-travel test requirements – in some cases months ago – why was the UK not simply able to adopt the guidance other countries already operate?***

Given the complexities of implementing a pre-departure testing regime, it was important that the accompanying guidance for the regulations was as comprehensive as possible. In the course of preparing and drafting the guidance in conjunction with a range of other Government Departments,

we had to ensure all potential outcomes were considered to avert public confusion. The public guidance was issued on the evening of 13 January and the operator guidance on 14 January.

While it was always the intention to lay regulations that came into force on Friday 15 January, my Department acknowledged that expecting all travellers to be in a position to comply with the new requirements in such a short space of time between publishing the guidance and that date would not have been reasonable and could have left a large number of British Nationals and other travellers stranded abroad having missed their scheduled flights. That is why the Pre-Departure Testing (PDT) regulations included a transitional provision so that the requirements did not apply in relation to passengers who arrived before 04:00 on Monday 18 January.

The Department for Transport has always looked closely at the policies and systems implemented by other countries in relation to travel and border measures throughout the pandemic. However, the specific details reflect the particularities of each countries' systems and, while helpful to consider, they do not necessarily reflect the operating context for the UK.

You reference that the Global Travel Taskforce recommended that a pre-departure testing system be devised for travel. The pre-departure testing system referred to in the report was envisaged to be a combination of self-isolation and testing ahead of travel, aligned with our existing Test to Release system, which would enable more flexibility for travellers. The aim of any system was to reduce the need for self-isolation requirements on arrival in the UK. Quarantine is the most effective safety mechanism against the virus. The UK introduced a 14-day quarantine for inbound travellers last Summer. Pre-Departure Testing is an additional mechanism designed to add a layer of extra protection given the new variants emerging in other parts of the world.

2. Return of UK citizens from Brazil, Portugal and other countries.

- ***Can you confirm that, as a result of delaying the implementation of pre-flight testing, this weekend it will be possible for UK residents to return home from Brazil, Portugal and 15 other countries on flights via other countries without being tested either before they travel or on arrival, and that they will then be able to use public transport in the UK to get home?***
- ***Given the concerns from the Government and scientists about the infectiousness of the Brazil variant, what action is the Government taking to address the risks this poses?***

I can confirm that British and Irish Nationals, or third country nationals with residence rights in the UK, were able to return to the UK and were then required to self-isolate on arrival along with their household. This will remain the case for any future changes to the list of countries including those announced on 28th January.

All travellers who are required to self-isolate are advised strongly to use private transport to travel to their accommodation in the UK, but they are not required to do this by law. For more details, please see below the link to the safer transport guidance.

<https://www.gov.uk/government/publications/coronavirus-covid-19-safer-transport-guidance-for-operators>

In light of the risks from the Brazil variant, the Government has taken decisive and urgent action to ban travel to the UK from Brazil and several South American destinations, Portugal (including Madeira and the Azores), Panama and Cape Verde, which have strong travel links to Brazil, to prevent the spread of the new strain of coronavirus into the UK. With effect from 4am Friday 15 January 2021, passengers who have been in or travelled through Argentina, Brazil, Bolivia, Chile, Cape Verde, Colombia, Ecuador, French Guiana, Guyana, Paraguay, Panama, Portugal (including Madeira and the Azores), Peru, Suriname, Uruguay and Venezuela in the last 10 days are no longer granted access to the UK. Direct flights to the UK from Argentina, Brazil, Chile, Cape Verde

and Portugal (including Maderia and the Azores) have been banned. Following this, on 22nd January 2021, Government added the Democratic Republic of Congo and Tanzania. Then, on 29th January, this has been extended to UAE, Burundi and Rwanda.

3. Testing on arrival

On Wednesday 13 January, Professor Annelies Wilder-Smith told this Committee that she would recommend Lateral Flow Tests on arrival in the UK in addition to pre-departure tests and quarantine. We note that pre-travel tests might have been completed up to 72 hours before arrival in the UK. We also note that Japan identified the Brazil variant in the first place as a result of genomic analysis on tests done on travellers in airport quarantine. Why has the UK Government not considered introducing testing on arrival before people go onto public transport, in addition to quarantine arrangements?

The introduction of the pre-departure testing requirement will help to prevent travellers who are infectious at the point of travel from importing COVID-19 new variant cases and will reduce transmission between passengers during travel. This approach is most effective in combination with post-arrival self-isolation requirements. International arrivals from all destinations are required to self-isolate for 10 days, or opt into Test to Release, unless exempted by the specific restrictions on returning travellers.

A test immediately upon arrival would not add to the protective effect of the 10-day self-isolation period and it does not provide the benefits of pre-departure testing.

The Test to Release scheme is not available to anyone who has been in or through any country that is subject to a travel ban in the 10 days before arrival in England. Additionally, arrivals from Southern Africa, South America and other affected countries are asked to be tested at day seven of self-isolation to find cases of COVID-19 and provide surveillance of international variants of COVID-19 through genomic sequencing.

4. Enforcement of post-arrival measures and associated data.

- ***Please could you describe how post-arrival quarantine measures are enforced, including by Border Force, Public Health bodies and the police?***
- ***Could you explain why the latest police data on Fixed Penalty Notices contained noticeably less information about the enforcement of international regulations than the previous such releases?***
- ***Could you explain why Border Force has not published data on enforcement measures since September 2020?***
- ***Please could you provide enforcement data for international travel regulations for each month from September 2020 onwards to include:***
 - o ***The number of spot checks carried out on Passenger Locator Forms at the UK border, and the proportion of overall UK arrivals subject to checks?;***
 - o ***The number of spot checks successfully carried out by Public Health authorities on those required to quarantine, and the proportion of overall UK arrivals subject to quarantine who are successfully contacted by Public Health authorities;***
 - o ***The number of spot checks attempted by Public Health authorities on those required to quarantine which were unsuccessful;***
 - o ***The number of referrals made to the Police;***
 - o ***The outcome of visits made to individuals by Police, askin to data released by the National Police Chief's Council in December 2020;***
 - o ***The number of enforcement actions ultimately taken.***
- ***Will you commit to publishing comprehensive monthly data which includes the data described above?***

Border Force is responsible for compliance checking at the UK Border. Since 8 June 2020, Border Force has checked over 3.6 million Passenger Locator Forms (PLF) and issued over 4,000 Notices of Intent to Issue a Fixed Penalty Notice (FPN).

On post arrival quarantine measures and their enforcement, this is in-country enforcement and a matter for the Police and the Isolation Assurance Service (IAS), which is operated by Public Health England, further detail of which is given in response to Answer 8. The data detailed in Question 8 is as of 16 January. Border Force are currently reviewing ongoing publication of data.

On 27 January, the Government announced new measures to further protect against spread of the virus. We will introduce new managed isolation in hotels for those who cannot be refused entry, including those arriving home from countries where we have already imposed international travel bans.

They will be required to isolate for ten days without exception. The Department for Health and Social Care will set out further detail on this approach next week.

5. Figures on Passenger Locator Form Checks

On Wednesday 13 January the Immigration Service Union told us that Border Force aims to check 10% of passengers to see if they have completed their Passenger Locator Forms. The Prime Minister said at the Liaison Committee that 30% of passenger forms were being checked. The Transport Secretary said that a quarter of passenger forms were checked. Please could you provide us with the correct figure, and confirm what data is used to inform it?

Since 8 June 2020, Border Force has checked over 3.6 million PLFs, or an average of 24% of arrivals across all modes in addition to delivering their wider security responsibilities. Between 11 – 15 January they checked 30% of passengers. Border Force has issued over 4,000 Notices of Intent to Issue a Fixed Penalty Notice. To reflect an enhanced border posture, Border Force will now aim to achieve 100% checks to tackle PLF (Passenger Locator Form) & PDT (Pre- Departure Testing) non-compliance at the border.

6. Nature of checks on Passenger Locator Forms.

- ***Please can you describe to us the nature of the of the checks that Border Force undertake on Passenger Locator Forms?***
- ***The Immigration Services Union that: [the check on a Passneger Locator Forms] is very basic. It is simply: has the form been completed, and is the information contained in it vaguely plausible? Unless it is mantifestly unreliable, we accept the data that is put there at face value. We have no way of knowing. What instructions are given to Border Force officials regarding the extent of the checks required on Passenger Locator Forms and the curent circumstances in which data provided by passengers should either be accepted or subject to further checks?***
- ***In some countries border officials undertake further checks such as calling mobile phone numbers listed. Why is this not the case in the UK?***
- ***What further checks are Border Force officers empowered or required to carry out where there are doubts about the reliability of information a passenger has provided? Please provide a copy of any instructions or guidance provided to officers relating to further such checks.***

On 8 June 2020, the UK implemented public health measures designed to minimise the risk of new cases of COVID-19 being brought in from overseas and to help prevent a second wave of the virus. Passengers entering the UK have been required to complete an online PLFs since this time.

These measures require all (with some exemptions outlined on gov.uk) inbound and transiting passengers to complete the online PLF to supply contact and travel details and require some passengers to self-isolate for 10 days upon arrival in the UK. When passengers complete the form online, they receive a confirmation email with a Quick Response code attached. The passenger must show this to the Border Force officer at the border control if they are selected for spot checking.

Border Force are responsible for checking that arriving passengers have completed the PLF. As stated above, Border Force have checked on average 24% of passengers since the PLF was introduced. However, as stated above Border Force will now aim to achieve 100% checks to tackle PLF (Passenger Locator Form) & PDT (Pre- Departure Testing) non-compliance at the border, with fines of £500 for failing to complete a PLF. Carriers are subject to a £2000 fine if passengers have not completed a PLF.

All Border Force officers are provided guidance on what details on Passenger Locator form are required to be completed by the passenger. In addition, they will use a mixture of behavioural indicators, cross checking of data on the Passenger Locator Form with other travel documentation and will engage with the passenger to test the credibility of the data entered onto the PLF. If as part of an initial assessment of the PLF and the passenger's account, the Border Force officer will carry out further checks as needed if they are not satisfied with either.

A Border Force officer is at liberty to carry out further checks to assure the validity of both the data entered onto a PLF and the credibility of the passenger's intention to abide by the self-isolation and travel restrictions that are in place. This includes calling phone numbers that have been provided and seeking additional information if required.

Border Force Officers are instructed to check the veracity of PLF detail and question passengers accordingly. As with all such work at the border, a Border Force officer is able to use any proportionate check to assure themselves of the accuracy of information that is being provided to them and the credibility of the passenger's account of their travel history and intentions. Border Force Officers are equipped to report suspected offenders for issue of a Fixed Penalty Notice (FPN) if they doubt the reliability of information provided. Once a FPN has been issued the recipient has redress and can appeal the issuing of the FPN in court.

7. Compliance of quarantine arrangements

Please can you describe to us the nature of the subsequent checks for compliance with quarantine arrangements? In particular could you describe the nature of the checks carried out by Public Health authorities upon quarantining individuals? Can you also explain:

- ***What training is provided to Public Health officers to assess whether a person is providing accurate and truthful information about their quarantine;***
- ***What priority is given to checking those arriving from particularly high-risk countries and what extra measures are taken to ensure their compliance with quarantine?;***
- ***Whether the Government has contracted any private companies to support the checking of quarantine individuals; and if so, what training is provided to their employees and what performance measures must those companies meet?***

The Isolation Assurance Service (IAS) is operated by Public Health England, contracted through Sitel.

Border Force are currently aiming to achieve 100% coverage of international arrivals at all airports with scheduled services for checking of PLF and Pre-Departure Testing documents. Importantly, we continue to review our policies to ensure we continue to adapt our health measures at the Border to the changing threat of this virus.

Public Health England (PHE) through the Isolation Assurance Service (IAS) have been contacting 1,500 people each day and very soon they will be increasing their calls to 5,000 per day.

Public Health England (PHE) through the Isolation Assurance Service (IAS) have been contacting 1,500 people each day. These calls take place the day following arrival and continue on consecutive days and until three calls have been completed, and a SMS message has been sent. With day two and three calls taken into account, IAS make a combined total of c.3000 calls per day for arrivals to England and Northern Ireland (specifically, to those listing an English or Northern Irish address on the PLF). Very soon the IAS will be increasing their calls to 5,000 per day.

In addition, the Police have significantly increased capacity and are currently ramping up to home visits to 1,000 cases of concern per day. They have issued over 300 FPNs for non-compliance with self-isolation measures. The vast majority of people are found to be compliant.

Scotland and Wales have their own self-isolation assurance arrangements. PHE has no powers of enforcement. Therefore, if the eligible international arrival says that they are not self-isolating, or the call handler has reason to doubt the person is self-isolating, or the person could not be contacted, their details are passed to Home Office via a triage point, along with written reason for escalation. Border Force triage decides on further verification, triage and local enforcement. The person may be reported to the police to follow up on enforcement.

Following arrival, people who are required to self-isolate based on PLF information are sent a text message reminding them of the need to self-isolate and the penalties associated with noncompliance. These messages are sent by the Test and Trace team in DHSC. IAS contact tracing calls are then carried out to ensure people are self-isolating.

If a traveller develops symptoms during their journey or post-arrival, they are advised to book an NHS Test and Trace test as soon as possible. Test results from NHS Test and Trace are provided to Public Health England who will conduct contact tracing steps through the Isolation Assurance Service.

Call handlers operating the IAS have an approved script and have been trained in obtaining information, safe-guarding training. The performance indicators are amended as requirements change. Individual call handlers are expected to obtain the information required on a call while being respectful to the member of the public they are calling and their needs, such as offering call backs and/or translation facilities.

8. Referrals to the Police

In what circumstances are cases passed to the police? On Wednesday, police representatives told us that if they are unable to locate an individual they 'will refer that back to the border agency for further work and consideration'. However the Immigration Services Union said that they were 'concerned to hear that the police believe that they refer matters back to Border Force' as the agency does not have an in-country role. What is the process in cases where police have not been able to engage with an individual?

Border Force is responsible for enforcing non-compliance against the requirement to complete a PLF and present a negative test certificate for inbound passengers only. Individuals who are found to be non-compliant will face a fine of £500 for each offence. This applies in England only.

Once passengers cross the Border, this is a matter for in-country enforcement. PHE have direct access to the PLF system. They pull passenger data directly from it and call travellers following assessment. As of 01 February 2021, IAS will make 5000 assurance calls to travellers per day. Up to 1000 referrals will be made back to Border Force per day for in-country visits. Border Force will conduct a further triage of these referrals before passing to the Police for action. Border Force will add additional direct referrals to the Police for those who have presented at the Border without a valid PDT certificate or indeed one that indicates they are Covid positive.

As part of the further steps, we will increase the police presence at ports and airports, and they will continue to have powers to fine those in breach of the stay at home regulations. Anyone who does not have a valid reason for travel will be directed to return home and may face a fine.

9. Other tools

Other countries have introduced a range of measures to prevent arrivals from high-risk countries potentially infecting others in the community. Examples include quarantine taxis to return people to their home address, quarantine hotels, quarantine apps that people have to use during the quarantine period, and firm criminal penalties for those who breach quarantine. What consideration has the UK given to these tools? If any has been considered, why was it rejected?

The Government continues to consider a range of measures to mitigate the risks from the dynamic threat of the COVID-19 variants, including learning from international partners. We will keep our response under review and implement the measures that we judge most effective and appropriate to mitigate the specific threats to the UK.

In addition to the implementation of a pre-departure testing regime to the self-isolation and PLF measures, my Department has increased the fines for failure to comply with the self-isolation and PLF requirements. These are now: £1000 or criminal prosecution for the first offence, with a scale up to £10,000 for further offences in respect of the mandatory self-isolation requirement; and £500 for PLF in England with escalating penalties for subsequent offences.

Finally, as the Prime Minister has said, we will introduce new managed isolation in hotels for those who cannot be refused entry, including those arriving home from countries where we have already imposed international travel bans. They will be required to isolate for ten days without exception and the Department for Health and Social Care will set out further detail on this approach next week.

I hope you have found the responses to your questions helpful.

Yours ever,

with our great wishes


**Rt Hon Priti Patel MP
HOME SECRETARY**



**Rt Hon Grant Shapps MP
SECRETARY OF STATE FOR TRANSPORT**