



Work and Pensions Committee

House of Commons, London SW1A 0AA

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From the Chair

Sarah Albon
Chief Executive
Health and Safety Executive

21 July 2021

Dear Sarah,

As you will know, the number of people told to self-isolate (or “pinged”) by the NHS Covid app has risen sharply in recent weeks. In the first week of July, over half a million alerts were sent to users of the app.

This has, understandably, created problems for businesses where a significant proportion of staff have been told to self-isolate. Up to 1 in 10 workers in the meat production industry have been told to self-isolate, which is having a severe impact on operations. One employer in that sector told Radio 4’s Today Programme that he did not know whether he could tell staff to ignore the app, as he was unsure of the legal position with HSE.¹

We raised this issue with the Secretary of State when she gave evidence on 7 July. She told us that the Government has provided guidance to employers about making their workplaces Covid-secure, but it now appears there is still a lack of clarity amongst employers about whether they are legally required to follow these provisions. We note that the Government’s guidance says that it is “illegal to knowingly require or encourage someone who is being required to self-isolate to come into work”.²

It would be helpful to have answers to the following questions:

- 1. If an employee is advised to self-isolate, what role—if any—does HSE play in enforcing this? For example, could HSE take enforcement action against an employer who asks or requires an employee to attend their workplace even if they have been told to self-isolate?**

¹ On 16 July 2021

² Gov.uk, [Working safely during coronavirus \(COVID-19\): Guidance from Step 4, Offices, factories and labs](#)

- a. **If not HSE, who is responsible for taking any action against employers who require or encourage self-isolating employees to come into work?**
 - b. **What repercussions could an employer face if they tell an employee to ignore advice from the Covid app?**
2. **The lack of clarity around whether these provisions are legally enforceable could lead to employers taking a “risk averse” approach to Covid safety in the workplace, to the detriment of their business, to avoid enforcement action. Does HSE have any plans to strengthen or provide new guidance to employers about what is legally enforceable and what isn’t?**

It would be helpful to have a response by Friday 30 July.

Yours sincerely,

A handwritten signature in black ink that reads "Stephen Timms". The signature is written in a cursive style with a horizontal line above the name.

Rt Hon Stephen Timms MP
Chair, Work and Pensions Committee