

Midlands Region:

COVID-19: Exemption from contact isolation for fully vaccinated staff in exceptional circumstances

We are writing to you to clarify the recent government guidance issued on the 19 July 2021 regarding the [exemptions from the requirement for health and social care staff to self-isolate](#) following notification from NHS Test and Trace or the NHS Covid App, that they are a [contact of a positive Covid case](#).

The purpose of this change is to help the NHS to keep essential services running to prevent patient harm. While community infections remain high, there may be certain circumstances where staffing levels could fall so low that the safety of individuals needing services/care is compromised.

In these exceptional circumstances, fully vaccinated frontline NHS and social care staff (more than 14 days after the second dose), if identified as a close contact of a positive case, may be allowed to leave self-isolation in order to attend work (including travelling to and from their workplace).

Staff will remain under a legal duty to self-isolate as a close contact. However, in very limited circumstances, they will be considered as having a 'reasonable excuse' not to self-isolate for a period where it is necessary for them to undertake specific patient-facing tasks. They will continue to receive isolation reminders.

In order to help you decide whether or not your staff member is eligible to use the exemption, we require you to use the tool available at the following link:

[Link for Staff Member to Check Eligibility](#)

The following caveats are important around use of exemptions from self-isolation:

- It **should not** be used to maintain routine services that can safely be delayed.
- It **will apply mainly** to clinical roles essential to deliver urgent services.
- It **does not** permit resumption of normal out of work activities and social contacts during the isolation period.
- It **cannot** be used for any staff member who has tested positive and is in their isolation period
- It **cannot** be used for any staff member who is a household contact of a positive case and is in their isolation period

Careful consideration should be given to the **risk of onward transmission compared to the risk to delivery of critical services**. The decision to allow staff to

attend work should be made on a case by case basis, and not applied uniformly across the whole sector.

Exemption from self-isolation should be considered as a last resort only where there is the potential for **immediate and serious harm** to patients due to disruption to services. In this instance you should already have invoked your business continuity plan including any buddying arrangements.

In the Midlands, Directors of Public Health have agreed to delegate responsibility for decision making on self-isolation exemptions to NHS England and NHS Improvement. This will be managed by use of the following link:

[Contractor/Provider Self Isolation Exemption Application](#)

You will have to confirm that you have undertaken a number of actions prior to invoking this exemption.

If the tool suggests you can make use of the self isolation exemption application then you will also be expected to have made contact with your contracting team and flagged the issues via the following MS Forms link:

[Link to Notify Service Disruption or Outbreaks](#)

The team will then be able to support you, and if necessary, advise you in managing the situation, taking into account a variety of factors including the competing risks to your patients and your staff. You will be expected to have **activated your business continuity plans** and considered a range of other options to maintain service continuity for urgent care.

In these very limited circumstances, staff will remain under a legal duty to self-isolate as a close contact. However, they will be considered as having a 'reasonable excuse' to leave their place of self-isolation to undertake work activities, including travel directly to and from work. In order to manage the increased risk associated with this exemption, a number of mitigating actions must be implemented:

- They should undertake daily LFD tests for at least 7 days (and to a maximum of 10 days/ completion of the identified isolation period) **prior to starting work each day**. Test results should be reported to NHS Test and Trace via the web portal and to their practice manager. Any staff member who has a positive LFD test during this period should not attend work and should arrange a PCR test as soon as possible.
- If the staff member **develops any COVID symptoms during the 10 days from their last exposure to the case** (even if LFD negative), they should stay at home (or leave work if symptoms develop whilst they are at work) and immediately arrange a PCR test.

- Staff working during this 10-day period should comply with all relevant infection control precautions and PPE should be properly worn throughout the day. Any breaches should be reported immediately to their practice manager and to the duty CDPH.
- The staff member can only leave their place of self-isolation to undertake work activities, including travel to and from work. They can travel to work by their normal route but should wear a face covering for their journey if within an enclosed space with other individuals.
- Outside of work activities, the individual must follow current advice for self-isolation.
- Clinical staff should, as always, be mindful of their Professional responsibility and consider implications regarding their indemnity cover.

Employers should continue to manage the health and safety of their staff under the relevant legislation.

Ends