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Circular: 2021HOC409RLT

Date: 28 July 2021

To: **ALL MEMBERS**

Dear Brother/Sister,

Exemptions Re Self-Isolation For Workers In Critical Industries

This all members circular is a holding message for members and should be considered as interim advice. It is interim because the recent announcements made by the Westminster government are entirely unclear and extremely ambiguous. **We will issue further information as and when, and if, Government guidance becomes any clearer.**

Governments have issued different advice that applies from 27 July 2021 in advance of further changes that will apply in August, for example in England from 16 August 2021 and from 9 August 2021 in Scotland. There is even some information in (Westminster) parliamentary documentation that strongly suggests that employees who do not self-isolate in accordance with the statutory **regulations** may still be acting unlawfully despite the Government **guidance** (which is not statutory). Acting contrary to the statutory regulations can result in very large fines. This matter will be included in the union's work reported below.

Acknowledging that governments' guidance was contradictory, confusing and full of ambiguities, at its meeting on 27 July 2021 the Executive Council resolved that head office should try to seek clarity on the matter and draw up guidance for (a) members and (b) officials in respect of the measures for fire and rescue service personnel regarding the recent governments' guidance regarding critical workers/ sectors.

In doing so, the Executive Council noted that some form of advice, essentially interim advice, may be need to be issued to members in the meantime.

The measures that members should adopt to keep themselves, their colleagues, and members' families/ households safe is the same in whichever part of the UK the member lives irrespective of what guidance is issued by the respective government. **Accordingly, the advice in this circular applies to all members.**

FBU advice to members:

If a member comes into close contact with a positive Covid case whilst not wearing the appropriate clinical grade PPE (in work, home or in the community) and/or if you are notified by a health service app and/or a 'test and trace' service- members should self-isolate for 10 days.

Members are advised to take this approach for their own safety and for the safety of their own households. Members will also want to consider the potential impact on the safety of their colleagues and the safety of the members of their colleagues' households.

The FBU is encouraged to note that from information received a number of fire and rescue services are adopting an approach consistent with this advice. A number of fire and rescue services have not yet adopted a position.

The practical application of the FBU advice is as follows:

1. If you are:

- 'Pinged' by a health service app and/or contacted by a 'test and trace service'.
- Or If you become aware that you have had close contact with someone who has tested positive, you should:
 - a. Seek advice in accordance with the official notification that you have received via the app and/or the test and trace service.
 - b. Firefighters do not have special immune systems. The operatives in test and trace centres may not be specialists or medically qualified. **If** you are advised not to self-isolate because you are a firefighter you should ask if that advice can be supplied in writing.
 - c. Report the matter to your employer at the earliest opportunity whether on duty or not and via the usual mechanisms to inform the FRS that you have been notified and the advice that you have received.
 - d. Inform the FRS that your intention is to self-isolate.
 - e. **If** the FRS should say that you should report for duty, whether that is line with the advice received from the app and/or a test and trace service or not, you should specifically ask if that is an **instruction**.
 - f. **If** you are informed that it **is an instruction** not to self-isolate, ask for confirmation that the instruction will be set out in writing by the FRS, whether by letter or email.
 - g. Similarly, **if** you are informed that it **is an instruction** requiring you not to self-isolate, you should inform your branch and brigade officials immediately.
 - h. If the matter does not result in you being told that you can self-isolate, you should immediately submit a standard memorandum (or a letter/email if you are off-duty and do not have access to a standard memo) (i) setting out the facts (ii) expressing your dissatisfaction with the instruction and (iii) stating that "the remedy I seek is to be allowed to refrain from work whilst I self-isolate."

2. **At this stage**, though not satisfactory, if the FRS does not allow you to self-isolate, members forced to attend work under these circumstances should take whatever steps are practically possible to isolate themselves from colleagues for as much of the duration of the shift as possible as well as practicing social distancing where ever possible. We would expect local managers, having assessed the potential risk to co-workers to accommodate such steps. Having informed your local officials as per step *g.* above, they will then provide assistance on the next steps and appropriate response.

FBU members have faced numerous challenges throughout the pandemic from a number of fire service employers taking steps to apparently avoid the appropriate isolation of their staff. Any decision made, on the isolation or otherwise, of members should be taken on the basis of safety alone, not on shortages or under resourcing.

The Union are monitoring developments closely and further information and advice will be supplied to members as soon as possible.

Yours in unity,



Riccardo la Torre
National Officer