**TEST AND RELEASE CONCESSIONS FOR CRITICAL SECTORS (DIGITAL INFRASTRUCTURE)**

**FURTHER CLARIFICATIONS FROM DCMS 26/07/2021**

**Please check for updates via** [**https://www.gov.uk/guidance/nhs-test-and-trace-workplace-guidance**](https://www.gov.uk/guidance/nhs-test-and-trace-workplace-guidance)

**Or email**[**dcms.coronavirus@dcms.gov.uk**](mailto:dcms.coronavirus@dcms.gov.uk)

**Reasonable Excuse Scheme for Critical Workers:**

First and foremost, self-isolation is an essential tool for suppressing the transmission of the virus.  Any alternative to self-isolation should only be considered *in extremis* and only applies to the small number of situations where self-isolation would result in serious disruption to critical services.

All employers should expect a degree of absence amongst the workforce, and we encourage this scenario is considered as part of broader contingency and business continuity planning.  As a reminder, any scheme is only intended to be in place until 16th August 2021; after this date, close contacts who are fully vaccinated will not be required to self-isolate and will instead be be advised to take a PCR test.

This scheme enables critical workers to leave self-isolation in order to work and only applies to fully vaccinated contacts and uses the "reasonable excuse" provision in the self-isolation regulations. This is solely to enable these contacts to attend work and does not cover other activities.

**Criteria for Reasonable Excuse Scheme:**

The Critical Worker Reasonable Excuse arrangement should apply only where the following criteria are met:

A*named fully vaccinated\* close contact of a positive case can only leave self-isolation to perform work in those critical elements of infrastructure (namely assets, facilities, systems, networks or processes and the essential workers that operate and facilitate them), the loss or compromise of which could result in:*

* + *­Major detrimental impact on the availability, integrity or delivery of essential services – including those services whose integrity, if compromised, could result in significant loss of life or casualties – taking into account significant economic or social impacts; and/or,*
  + *­Significant impact on national security, national defence, or the functioning of the state.*

*\*Fully vaccinated means they have received a full course of an MHRA approved vaccine and that two weeks have elapsed since their final dose.*

**Eligibility of Critical Workers in Digital Infrastructure:**

With the above in mind, we have worked with DHSC and CO to agree on the following Digital Infrastructure role descriptions that would make individuals eligible for the Critical Worker Reasonable Excuse:

* specialist roles, without whom there would be an immediate disruption to essential services and that all other mitigations had been exhausted, for **out-of-building maintenance and repair of digital infrastructure** (Fixed and Mobile connectivity, including Sub-Sea cabling).
* specialist roles, without whom there would be an immediate disruption to essential services and that all other mitigations had been exhausted, for **in-building maintenance and repair of digital infrastructure.**
* specialist roles, without whom there would be an immediate disruption to essential services and that all other mitigations had been exhausted,**working in critical office functions and network operations/call centres**(including 999 call centres and switch sites).
* specialist roles, without whom there would be an immediate disruption to essential services and that all other mitigations had been exhausted, for **the maintenance and repair of data infrastructure**(including Data Centres).

**Conditions of the Reasonable Excuse Scheme:**

The following conditions must also be met for any individual to be considered eligible for the scheme:

* The individual would have to self-isolate until a negative PCR test result. It may be reasonable if strictly necessary to go to work before receiving the results of the PCR test, but only if they have taken an LFD test just before doing so and received a negative result.
* The individual would take daily LFD tests, report the results daily to the line manager and self-isolate immediately if they test positive.
* The individual would have to self-isolate if they show any Covid-19 symptoms, no matter how mild and get a new PCR test. They would then need to self-isolate and could only go to work if the new PCR test was negative.
* The individual would only leave self-isolation to attend - and travel to and from – work for specific, named purposes.
* The individual could, if strictly necessary, travel on public transport or with others to and from work but would have to wear a face covering at all times.
* Social distancing should be optimised and, wherever possible, maintained at all times in the workplace. Face coverings should be worn at all times.
* Individuals would be advised to avoid breaks/meals with other staff and other social contact in enclosed spaces with other staff.

**It will be the responsibility of employers to ensure, where applicable, that these controls have been met**.  At all times the employer remains responsible for assessing all health and safety implications of permitting the individual to attend work.

**Applying for the Reasonable Excuse Scheme:**

**The Critical Worker Reasonable Excuse *cannot* be applied pre-emptively,**each individual will need to be examined on a case-by-case basis as and when that individual has been told to self-isolate.

* If an individual who meets the criteria and eligibility outlined above is told to self-isolate, and it is deemed by your organisation that the individual needs to leave self-isolation for the purposes of undertaking critical work, you will need to fill in the attached form and send to [telecoms.covid19@dcms.gov.uk](mailto:telecoms.covid19@dcms.gov.uk) alongside confirmation that:
  + appropriate mitigation systems are in place and that these have been exhausted before issuing any exemptions; and,
  + the conditions of the Reasonable Excuse scheme will be adhered to.
* DCMS will then review the request in-line with the criteria and eligibility outlined above.
* If approved, DCMS will then issue a letter confirming the names of the individual(s) who are eligible for the Reasonable Excuse scheme.