

# National Joint Council for local government services

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**To: Chief Executives in England, Wales and N Ireland  
(copies for HR and Finance Directors)  
Members of the National Joint Council**

15 May 2020

Dear Chief Executive,

## COVID-19: general update #2

Please continue to visit the LGA's [Coronavirus: information for councils](#) webpage for all up to date advice.

All information contained in this circular is correct at time of publication but all links to external websites should be checked regularly as official advice is likely to be updated as the situation continues to develop.

### Government recovery guidance

On 11 May the government produced its [COVID-19 Recovery Strategy](#) which sets out how and when the UK will adjust its response to the COVID-19 crisis. Councils have of course continued to operate throughout the entire emergency so most of the government's guidance will have been largely anticipated in most work areas, although it will be important to read the guidance in detail (and carry out any further necessary risk assessments).

The possible phased reopening (or expanded opening) of schools, however, will require much more work by employers, unions, school staff and parents so further NJC advice will be considered in due course as those discussions develop.

As you will be aware, many relevant issues relating to social distancing, PPE and sickness leave have been covered in earlier [NJC guidance circulars](#), the contents of which remain applicable until they are superseded by further NJC guidance.

The government's advice relating to employees who live with people in the shielded group has developed since the NJC circulars of 17 and 23 March were issued.

For employees who live with but don't 'care' for relatives in the vulnerable groups the NJC guidance is clear that all options for working at home should be considered (including redeployment if practicable). The employer has a duty of care to the employee, so if the employee cannot work at

home and the employer insists that they should attend the workplace, the onus is on the employer to do everything possible to mitigate risk of the employee 'taking the virus home' to their vulnerable relative.

Q9 of the LGA Workforce Team's [FAQs](#) also covers this issue. The employer needs to ascertain and address the employee's concerns, particularly if they are in a role that can't be performed at home.

Ultimately, the employer will need to decide whether to accept the employee's concerns and, as previously advised, may have no option other than to accept that some employees will be staying at home on full pay for the duration of this emergency as they are not able to work from home.

### **Abuse of employees**

We continue to be extremely concerned about incidences of local government employees being abused whilst going about their legitimate work. Such abuse, from a very small minority of the general public, is completely unacceptable and we urge local employers to work with the police and others to vigorously pursue the perpetrators.

### **Working at home tax relief**

The government's instruction that all employees who can work from home should do so, has shone a light on a previously little-known allowance that can pay up to £6 a week (£26 a month) to cover additional costs for employees who have to work from home. Note that tax relief cannot be claimed if an employee chooses to work from home. Details of the scheme and how to apply can be found [here](#).

### **Annual leave**

Requests for absence for bereavement and compassionate reasons must be prioritised and should take precedence over non-critical flexitime or annual leave requests. However, it is necessary to balance the need for work and rest during a prolonged period.

We have been made aware of local discussions on annual leave, with some employees finding it difficult to have leave requests granted, and others being mandated to take leave even if they don't want to. There is a need for balance, so that while critical service delivery must always be maintained, employees must be able to take time off to ensure their well-being and that of their families.

Any new policies relating to leave including, for example, the introduction of buying / selling leave, should be subject to local negotiation and agreement.

Yours sincerely,

*Naomi  
Cooke*

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Joint Secretaries