

WUC Coronavirus Guidance and FAQs: September 2021

Please find below guidance and FAQs related only to staffing matters. This advice is based on the official government guidance and information available. Whilst this information is limited in some areas, we believe that this document should provide guidance for the vast majority of circumstances.

Overview

First and foremost, employees must refer to and follow advice on [nhs/when to self isolate and what to do](https://www.nhs.uk/when-to-self-isolate-and-what-to-do) and engage with the NHS Track and Trace process [nhs/test and trace how it works](https://www.nhs.uk/test-and-trace-how-it-works)

Any covid contact related circumstances must be reported to trackandtrace@writtle.ac.uk immediately so that we can provide appropriate advice and guidance as necessary and endeavour to safeguard our WUC community.

This includes: A positive PCR, a positive LFT, having been identified as a close contact by NHS track and trace or having been 'pinged' by the NHS app, experiencing symptoms or a household member experiencing symptoms, and any other covid contact related circumstances not listed.

In any circumstance where there has been an increased risk of contact with COVID, we recommend accessing a PCR test where possible, and daily lateral flow testing for 10 days after the possible contact.

General Employee Guidance Around Coronavirus

Please ensure that any incidences referred to in the following table are reported to trackandtrace@writtle.ac.uk

Situation	Should the Employee Attend Work?	Self-Isolation and Testing Guidance	General Guidance	Additional Absence Guidance
Employees with confirmed Covid-19 Virus - A positive PCR test	MUST NOT attend work	They must self-isolate for a minimum of 10 days and then until they are well enough to return	<p>Employees should obtain an isolation note and should be asked to submit a copy to HR. This should be kept on the personal file.</p> <p>Line managers should clarify with the employee if they are ill and notify HR – i.e. would not be fit to attend work even if they were not required to self-isolate.</p> <p>If they are well enough to work, they should work from home where possible.</p> <p>Staff should notify their line manager and HR when they are fit to work.</p>	<p>If they are unwell and unfit to work, they are off sick and should receive sick pay in line with their contract. Normal sickness certification requirements will apply (e.g. self-certification, GP certificate if the absence is 7 days or more).</p> <p>If they are working from home, they will be paid as normal.</p> <p>If not, they are absent.</p>
Employees with suspected Covid-19 Virus - a positive lateral flow test	MUST NOT attend work unless a negative PCR test is confirmed.	<p>They must self-isolate until the result of the PCR test is received</p> <ul style="list-style-type: none"> • If the test is positive they must self-isolate for 10 days • If the test is negative they can return to work as soon as they feel well enough, even if within 10 days. 	<p>Line managers should clarify with the employee if they are ill and notify HR – i.e. would not be fit to attend work even if they were not required to self-isolate.</p> <p>If they are well enough to work, they should work from home where possible.</p> <p>Staff should notify their line manager and HR when they are fit to work.</p>	<p>If they are unwell and unfit to work, they are off sick and should receive sick pay in line with their contract. Normal sickness certification requirements will apply (e.g. self-certification, GP certificate if the absence is 7 days or more).</p> <p>If they are working from home, they will be paid as normal.</p> <p>If not, they are absent.</p>
Employees showing clear symptoms of Covid-19 aligned to the following guidance https://www.nhs.uk/conditions/coronavirus-covid-19/self-isolation-advice/	<p>MUST NOT attend work unless a negative PCR test is confirmed.</p> <p>If an initial LFT test is negative but symptoms clearly align to the nhs guidance, it is best to err on the side of caution and get a PCR test before attending work – these are readily available at https://www.gov.uk/get-coronavirus-test</p>	<p>They must self-isolate for at least 10 days and should get a PCR test.</p> <ul style="list-style-type: none"> • If the test is positive they must self-isolate for 10 days • If the test is negative they can return to work as soon as they feel well enough, even if within 10 days. • If they do not get tested they must isolate for 10 days 	<p>Line managers should clarify with the employee if they are ill and notify HR – i.e. would not be fit to attend work even if they were not required to self-isolate.</p> <p>If they are well enough to work, they should work from home where possible.</p> <p>Where they cannot work from home, they should obtain an isolation note and submit a copy to HR. This should be kept on the personal file.</p> <p>If the employee does not get tested, they must complete the recommended period of self-isolation and then return to work unless it is confirmed that</p>	<p>*NB sick pay in these circumstances is not counted for any future sickness entitlement and for most will be full pay.</p>

			they have contracted the virus. If they subsequently test positive, they should follow the self-isolation guidance they receive.	<p>Unvaccinated staff. NB where staff are unvaccinated they will need to isolate and must be paid in accordance with conditions as set out above. Vaccination is not mandatory and there will be various reasons staff are not vaccinated, including in health-related reasons. They cannot suffer a detriment as a result of either; their choice not to take a voluntary vaccine, or for not having had both doses.</p>
<p>NHS Test and Trace Employee has been advised to self-isolate by NHS Test and Trace</p>	MUST NOT attend work	They must self-isolate for at least 10 days	<p>Should work from home wherever possible</p> <p>Members of the household of the person identified by track and trace do not need to self-isolate unless they develop symptoms themselves.</p>	
<p>Close Contacts - Employees living with someone who has a positive test / or living with someone who has been advised to self-isolate by NHS Test and Trace</p>	<p>MUST NOT attend work unless they are:</p> <ul style="list-style-type: none"> • fully vaccinated (at least 14 days since final dose) • under 18y 6m old • taking part in a vaccine trial not able to get vaccinated for medical reasons 	Unless the exceptions apply, they must self-isolate for at least 10 days	<p>Where required to isolate, they must isolate for the full 10 days even if they test negative as it may take time for symptoms to appear after contact with someone who has the virus.</p> <p>Should work from home wherever possible during isolation.</p>	
<p>Employees living with someone who is showing symptoms of coronavirus</p>	<p>MUST NOT attend work unless they are:</p> <ul style="list-style-type: none"> • fully vaccinated (at least 14 days since final dose) • under 18y 6m old • taking part in a vaccine trial not able to get vaccinated for medical reasons 	Unless the exceptions apply, they must self-isolate for at least 10 days	<p>The member of the household with symptoms should access a PCR test. If the PCR test is negative, members of their household who are isolating, including the employee, can stop isolating and return to work, unless they themselves develop symptoms, in which case they should access a test and follow the guidance as above.</p> <p>Should work from home wherever possible during isolation.</p>	
<p>Someone in a member of staff's household has been told to self-isolate by NHS Test and Trace (but does not themselves have symptoms)</p>	SHOULD ATTEND work	No isolation unless the household member develops symptoms		

Clinically Extremely Vulnerable (CEV) Employees

<p>Staff who are in the clinically extremely vulnerable (CEV) group and/or who have received a shielding letter Link: Shielding advice for the clinically extremely vulnerable to stop from April - GOV.UK (www.gov.uk)</p> <p>19 July guidance on protecting people who are clinically extremely vulnerable from COVID-19 - GOV.UK (www.gov.uk)</p>	<p>SHOULD attend work where they cannot work from home.</p>	<p>Departments should review and update Individual Risk Assessments. It may be appropriate that some measures remain in place to protect such staff e.g. wearing of masks in communal areas, maintaining social distancing where possible, limiting their movement around campus/interaction with different groups, avoiding them attending group meetings/busy staff rooms, adjusting duties to limit close contact, staggering arrival/departure times to avoid crowds etc. Consideration should be given to additional measures which may be applicable as part of outbreak management plans.</p> <p>A small number of CEV staff will be particularly vulnerable and may be advised by their medical practitioner not to attend the workplace at all.</p>	<p>Normal pay for attendance</p> <p>Sick pay where medical evidence of advice not to attend has been provided to HR (unless working from home – then pay in line with conditions as above).</p> <p>Unpaid leave only where the line manager has completed a risk assessment with the employee and H&S/HR is satisfied that appropriate measures are in place and the employee unreasonably refuses to attend.</p>
<p>Staff in the clinically vulnerable group (but not clinically extremely vulnerable as above) e.g. over 70, heart disease, diabetes, non-severe lung conditions, obesity.</p> <p>See full list: https://www.nhs.uk/conditions/coronavirus-covid-19/people-at-higher-risk/whos-at-higher-risk-from-coronavirus/</p>	<p>SHOULD ATTEND work</p>	<p>Departments should review and update Individual Risk Assessments. Consideration should be given to additional measures which may be applicable as part of outbreak management plans</p>	
<p>Pregnant women</p> <p>The latest guidance is that as a general principle pregnant women are in the clinically vulnerable group</p>	<p>Some pregnant women with some chronic health conditions will be in the CEV group and should stay at home (see CEV section above).</p>	<p>Departments should review and update Individual Risk Assessments. Consideration should be given to additional measures which may be applicable as part of outbreak management plans</p>	<p>Normal pay for attendance</p> <p>Sick pay where medical evidence or advice not to attend has been provided to</p>

<ul style="list-style-type: none"> • Pregnancy and coronavirus (COVID-19) - NHS (www.nhs.uk) • Coronavirus advice for pregnant employees • Coronavirus infection and pregnancy (rcog.org.uk) <p><u>No updated guidance is available at the time of writing on the impact of easing of restrictions or vaccination on the approach for pregnant women.</u></p>	<p>Up to 28 weeks SHOULD ATTEND work subject to any individual medical advice to the contrary.</p>	<p>Strict social distancing is highlighted as particularly important for this group.</p> <p>Where the medical advice is that they should not attend the workplace, they should provide evidence as soon as reasonably practicable.</p>	<p>HR (unless working from home – then pay in line with conditions as above).</p> <p>Unpaid leave only where the line manager has completed risk assessment with the employee and H&S/HR is satisfied that appropriate measures are in place and the employee unreasonably refuses to attend.</p>
	<p>Pregnant women over 28 weeks or with underlying health issues, while at no greater risk of contracting the virus, are at greater risk of being seriously ill if they contract the virus.</p> <p>So pregnant women at over 28 weeks' or with underlying health conditions should be facilitated to work from home wherever possible and should only be considered for attendance where they cannot work from home AND where the general and individual risk assessment supports attendance (including advice from their medical practitioner).</p>	<p>Strict social distancing is highlighted as particularly important for this group.</p> <p>Where the medical advice is that they should not attend the workplace, they should provide evidence as soon as reasonably practicable.</p>	
<p>Can pregnant women over 28 weeks of pregnancy attend work if they wish to do so?</p>	<p>Yes – as long as they, the line manager and H&S are satisfied that the individual risk assessment makes it safe for them to do so</p>		
<p>Employees who may otherwise be at increased risk from coronavirus e.g. BAME staff</p>	<p>SHOULD ATTEND work</p>	<p>The general risk assessment should mitigate relevant risks. However, line managers should complete an individual risk assessment form and have discussions</p>	

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892085/disparities_review.pdf		<p>with these individuals, using the risk assessment as a framework, putting in place reasonable additional precautions where applicable and possible.</p> <p>Line managers should review and update Individual Risk Assessments with any change in government guidance that impacts on an individual's risk assessment.</p>	
<p>Staff living with someone who is clinically vulnerable, <u>extremely</u> clinically vulnerable or otherwise at increased risk</p>	<p>SHOULD ATTEND work</p>	<p>The general risk assessment should mitigate relevant risks. However, line managers should complete an individual risk assessment form with individuals who consider they have particular circumstances, using the risk assessment as a framework.</p> <p>Line managers should review and update Individual Risk Assessments with any change in government guidance that impacts on an individual's risk assessment.</p>	

Other Employee Circumstances Which May be Impacted by Coronavirus

<p>Childcare</p>	<p>SHOULD ATTEND work</p>	<p>As a general rule, all schools and other childcare providers should be fully operational, and individuals can still manage childcare within childcare and support bubbles. Staff are expected to use available childcare/school provisions.</p> <p>Where a child has to self-isolate due to having symptoms themselves, their family members will normally have to self-isolate as well subject to any relevant exclusions as noted above, however parents may need to look after their children during any self-isolation period depending on their individual circumstances. Wherever possible such staff should work from home in these circumstances.</p> <p>Where a child does not have symptoms themselves but is required to isolate due to contact/being in a bubble with someone who has symptoms, the isolation requirement does not normally include members of their family, but there may be childcare issues. Again, wherever possible, such staff should work from home in these circumstances.</p> <p>Where a child is advised not to attend school due to being clinically extremely vulnerable, the rest of the family does not normally have to isolate alongside the child but there may be childcare issues.</p>	<p>Normal Pay for work and working from home (where applicable).</p> <p>Line managers and HR to exercise discretion on pay for a limited period for arranging alternative childcare, otherwise, unpaid leave or holiday to be utilised.</p>
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		<p>Line managers should explore the specific circumstances of each case and be as flexible as possible, but ultimately where staff elect not to use available childcare/school provision and therefore say they will not attend work or cannot work from home, there is no entitlement for them to be paid.</p>	Unauthorised, unpaid leave
<p>Other circumstances e.g. anxiety</p>	<p>Should ATTEND WORK</p>	<p>The general risk assessment should mitigate concerns. However, line managers should ask staff to complete a risk assessment form and have discussions with these individuals, using the risk assessment as a framework. Additional mental health and wellbeing support should be offered where available.</p> <p>Line managers should review and update Individual Risk Assessments with any change in government guidance that impacts on an individual's risk assessment.</p> <p>In some cases, where mental wellbeing is a significant cause for concern, the individual may be signed unfit to work. Otherwise, such individuals should attend work and refusal to do so will mean they are on unauthorised, unpaid leave and could be subject to disciplinary action. HR advice should be sought before taking any such action.</p>	<p>Normal pay for working and working from home.</p> <p>Sick pay for any periods of reduced working (phased return) where covered by a fit note or where an employee is unfit to work due to significant mental health issues (where a fit note must be provided to cover the period of absence).</p>

FAQs

1.	What is the position on face coverings/masks?	<p>Individuals are encouraged to wear a face-covering on public transport, WUC minibuses and around the campus in corridors and communal areas. These can be removed in classrooms but are still encouraged if the classroom is busy or not well ventilated.</p> <p>The government has removed the requirement to wear face-coverings in law but expects and recommends that they are worn in enclosed and crowded spaces where you may come into contact with people you don't normally meet. In addition, department/individual risk assessments may retain the wearing of masks in certain circumstances. Exceptions may also apply in cases of a local outbreak.</p> <p>There maybe be other specific exceptional circumstances, to mitigate a specific risk to a specific individual, where face-coverings may be agreed upon when teaching/directly supporting pupils learning.</p>
2.	What is the position on PPE?	<p>PPE should be worn in specifically prescribed circumstances, as defined by departmental and individual risk assessments.</p>
3.	Can we insist that staff take a test if they display symptoms and/or to rule out a positive case and therefore the need for isolation?	<p>Under their contract of employment, employees have an obligation to take all reasonable steps to enable them to attend work. In the current circumstances, this would include getting a test if they have Covid symptoms to confirm whether or not they have the virus and therefore should refrain from attending the workplace, or can attend work.</p> <p>However, WUC cannot insist that an individual takes a test, only strongly encourage them to do so.</p> <p>Where staff are isolating due to family members displaying symptoms, line managers can encourage staff to urge their family members to access a test but again cannot insist.</p>
4.	Can we insist that all employees participate in testing?	<p>No. Although all employees should be strongly encouraged to participate, it is entirely voluntary. If they choose not to participate you will still need to pay them if they fall ill and/or have to isolate.</p>
5.	Can we ask for evidence of test results?	<p>Employees should share their results with the WUC Track and Trace, but it is not necessary for WUC to retain documentary evidence. This would be classed as sensitive personal data which requires a "necessary" reason for retention. Employees must report their result to NHS Test and Trace as soon as the test is completed.</p>
6.	Can we ask for evidence of vaccinations? See also Qs 7 and 8	<p>A person's COVID status is health data, which has the protected status of '<u>special category data</u>' under data protection law. The Information Commissioner's Office (ICO) has published guidance on addressing the data protection issues where employers intend to ask for and record the vaccine status of workers. A key part of that advice is that in order for such recording to be lawful the employer's reason for doing so must be clear and necessary. NHS Track and Trace will determine an individual's vaccination stats to determine if they need to isolate so employers do not need to "double-check" this.</p>

		<p>However, in the context of an educational environment, a legitimate reason for asking for vaccination status might include</p> <ul style="list-style-type: none"> • To effectively assess and address risks within an individual risk assessment • To manage contingency plans – i.e. for planning available staffing in the case of an outbreak (unvaccinated staff will need to isolate if identified as a contact by NHS test and trace) <p>Information should only be requested if there is a clear legitimate reason to do so, and only on a voluntary basis, explaining to staff why the department wishes to know. If an employee does not wish to share their vaccine status, it is their prerogative to withhold this information.</p> <p>It is not necessary to retain evidence of vaccination status – a record of the fact is sufficient. This record is however still classed as sensitive personal data and must be held securely and kept confidential.</p> <p>The use of this information must not result in any unfair or unjustified treatment of employees. You should only use it for purposes they would reasonably expect.</p>
7.	<p>Can we insist that staff who are offered the vaccine take it?</p>	<p>No. Vaccination is voluntary and people will have various reasons for not taking it - this is their choice. If they choose not to participate you will still need to pay them if they fall ill and/or have to isolate.</p>
8.	<p>Do we need to put in particular measures for unvaccinated staff?</p>	<p>All the normal measures, systems of control and risk assessments must be applied equally, whether or not a person has received the vaccine.</p> <p>Some unvaccinated staff will already have an individual risk assessment in place (e.g. due to being CEV, pregnant etc). For others, it would be advisable to undertake one, or at least to have a discussion with individuals about issues they should be mindful of such as:</p> <ul style="list-style-type: none"> • The fact they must isolate if contacted by Test and Trace and the expectations if this occurs (i.e. that they will notify their line manager immediately, not attend work, get tested (though see Qs3&4), work from home where possible). • Additional precautions they should consider in and out of work to protect themselves and minimise the chances of having to isolate (e.g. minimising the time in close proximity to others/maintaining distance where possible). <p>Remember however a person must not be unfairly or unjustly treated on the basis of their vaccination status, and unless there is a clear legitimate reason to do so, WUC may not collect vaccination status data.</p>
9.	<p>We are recruiting new staff – can we invite them in for an interview on-site</p>	<p>Yes, on-site interviews are possible again, , however we would ask that line managers consider whether it is necessary to do so. Unless there is a practical element to the interview process, could your interviews be held remotely? Holding interviews remotely would continue to limit any potential risk involved in an on-site interview process, however it is understood that for some roles, this would not be practical.</p>

10.	Can we have staff meetings?	Unless specifically advised otherwise through general communications, this is a matter for departments to determine in line with their risk assessment. Be aware that there may be individual members of staff who are particularly vulnerable and who have individual risk assessments indicating attending groups meetings is not appropriate. Line managers will need to ensure that alternate arrangements are made to ensure these staff can engage in meetings and access the information, training etc.
11.	Can we have one to one, face to face meetings with our team members?	Yes. Normal operations can resume subject to any particular measures in place and local risk assessment.
12.	Can we proceed with face to face formal hearings (e.g. disciplinary)?	<p>It is recognised that such matters will need to be dealt with and HR/line managers and Leadership should take a pragmatic view.</p> <p>Where parties agree, hearings can be progressed via video conferencing. They can equally now be held in person subject to any particular measures in place.</p> <p>Be aware that there may be individual members of staff who are particularly vulnerable and who have individual risk assessments indicating attending groups meetings is not be appropriate. WUC will need to ensure that alternate arrangements are made to ensure these staff can engage in meetings and access the information etc. It may also be that some other parties (e.g. Union Representatives, witnesses etc.) may need to attend virtually and this should be accommodated where necessary.</p>
13.	How should we be approaching Performance Management?	There has been no change in the probationary and PDR process. For all staff, line managers should agree on a pragmatic, consistent and reasonable approach, ensuring that no employee is penalised during the probationary review / PDR process as a result of partial site closures and/or staff inability to attend the workplace or fulfil their normal duties, where this has impacted on the ability of the staff to meet fully their objectives.
14.	Can 52-week academic staff take leave during term time to use up their leave?	This is a matter for the line managers but we do not anticipate this being necessary or convenient for departments. Where staff have not taken their usual amount of leave, line managers should be proactive in discussing expectations that leave be used before the end of the leave year (31/07/2022) to ensure entitlement can be taken during non-term-time, including any carried forward annual leave.
15.	What is the position with staff who have to self-isolate prior to or after admission to hospital?	<p>Unless already on sick pay, all WUC employees should remain on normal full pay for the duration of the self-isolation period and those who can work from home, should do so. If hospital admissions are deferred, a further period of self-isolation will be required.</p> <p>The same provisions will apply where staff are advised to self-isolate following their own or a member of their family's medical procedure.</p>

16.	What is the current position in the Furlough Scheme?	WUC is no longer utilising the Furlough Scheme as the organisation is open with no restrictions to on-site activity.
17.	What can we ask staff to do at home?	Where staff are not attending the workplace, they should work from home wherever possible. For academic staff, this will include providing remote learning and welfare support for students. It is expected that everyone engages fully in what is necessary to support students who are not attending on-site, as well as those on campus.
18.	Should we be including absences related to Covid symptoms/illness against the absence triggers in our sickness absence procedure?	<p>Given the unusual situation, WUC will disregard short term sickness absences related to Covid symptoms/illness when considering the triggers contained in the sickness absence procedure.</p> <p>In the case of long-term absences, these should be considered on a case by case basis in the usual way having regard to the long-term prognoses and likely timescales for return to work.</p>
19.	We have an employee who is still unwell upon the expiry of their isolation note – how should we record their absence?	<p>If an employee is unable to return to work due to sickness following the isolation period, they should submit a FIT Note and should be encouraged to seek one. Some individuals are struggling to obtain FIT Notes for Covid related absences from their GPs. In some cases, alternative medical evidence may be available (e.g. employee in hospital and can provide evidence of this). Where they cannot obtain medical evidence, they should self-certify for the duration of their absence, and consideration for individual circumstances given.</p> <p>Cases of “long Covid” Long Covid takes a variety of forms but from an employment perspective, the underlying feature is likely to be that the employee will be unable to work or perform all of their duties for periods of time. It will be appropriate to manage such cases under the sickness policy, albeit that employers should approach such cases sensitively, taking into account the medical evidence, advice from occupational health where needed, and the employee’s views. In terms of medical evidence and occupational health advice, it may be that as Long COVID is a relatively new condition about which little is known that the evidence and advice will not be as clear as you might normally expect. In such cases, the employer will simply have to act on what evidence and advice there is. As with all long-term or possibly persistent intermittent sickness cases, employers must consider what adjustments can be made to the employee’s role to enable them to return/remains in work. This is particularly important because as Long COVID is a long-term illness, it may well be that the employee has a disability within the meaning of the Equality Act 2010. Therefore, employers may need to show that they have fulfilled their duties under the Act, including the duty to make reasonable adjustments. While ultimately, as with all long-term sickness cases, it may be necessary for the employer to consider terminating the employee’s employment, before doing so the employer will want to ensure it has taken all the steps it reasonably can to facilitate the employee remaining at work.</p> <p>Long Covid - Advice for Employers and Employees (ACAS)</p>

20.	We have staff on maternity leave who want to use their Keeping in Touch (KIT) days – is this OK?	Yes. Those on maternity leave can use their 10 KIT days, by agreement with their line manager subject to any particular measures in place and local risk assessment. HR should be made aware to ensure any relevant KIT day payments are processed correctly. Any work on any day counts as a KIT day so the 10 days cannot be split into more part days.
21.	What is the position with staff going on holidays?	<p>The legal restrictions on foreign travel were eased from May 17th, and a traffic light system is in operation meaning that individuals will be required to quarantine if returning from an ‘amber’ or ‘red’ country.</p> <p>Adults who have had 2 doses of the vaccine evidenced via the NHS will not need to isolate on return from Amber countries from 19 July. They will still need to take a PCR test 2 days after returning.</p> <p>NB, It is also quite clear that countries may move between categories at short notice, meaning countries currently on the green list, which do not require quarantine on return, or Amber allowing no quarantine if vaccinated, may be moved to amber/red at any time.</p> <p>Staff are free to make their own decisions about whether they travel abroad, where they go and when they go during their annual leave. However, they are contractually obliged to be able to attend the workplace during their contracted hours and must therefore factor any quarantine requirements into their plans. If staff are not able to fulfil their contract due to quarantine, WUC is not obliged to pay them for the quarantine period. WUC is also not obliged to allow staff to work from home during the quarantine period as the requirement is to be in the workplace.</p> <p>There will of course always be exceptional circumstances where some flexibility may be appropriate. Line managers should discuss with HR, as it may be necessary to exercise discretion, however, any such discretion should be applied consistently.</p>