

***Neath Port Talbot County Borough Council  
Cyngor Bwrdeistref Sirol Castell-nedd***

***Democratic Services  
Gwasanaethau Democrataidd***

## **Decision Notice**

**PERSONNEL - URGENCY ACTION , TUESDAY, 14TH APRIL, 2020**

Please see below approval of decision as follows:

1. **Implementation of National Joint Council for Local Government services Circulars - 16TD - Urgency Action (Pages 5 - 24)**

## **Implementation of National Joint Council for local government services Circulars**

Circulars have been issued to Chief Executives in England, Wales and Northern Ireland, dated:

6<sup>th</sup> March 2020 Novel Coronavirus: Covid-19

17<sup>th</sup> March 2020 Covid-19: working at home

23<sup>rd</sup> March 2020 Covid-19: critical workers

27<sup>th</sup> March 2020 Covid-19: general update

3<sup>rd</sup> April 2020 Covid-19: social distancing and PPE

The above circulars provide guidance agreed at a national level between local government employers and the trade unions that represent LGS “Green Book” employees, covering a range of terms and conditions matters in relation to the majority of the Council’s employees.

1. That approval be granted to implement the provisions of the circulars dated 6<sup>th</sup> March, 17<sup>th</sup> March, 23<sup>rd</sup> March, 27<sup>th</sup> March and 3<sup>rd</sup> April 2020.
2. That delegated authority be given to the Head of Human Resources, in consultation with the Leader and relevant Cabinet Member, to implement the provisions of any further circulars issued by the NJC for LGS employees that relate to Coronavirus Covid-19.

### **For Immediate Implementation**

Yours sincerely

Tammie Davies

p.p Chief Executive



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Personnel Committee**

**10<sup>th</sup> April 2020**

### **Report of the Head of Human Resources – Sheenagh Rees**

#### **Matter for Decision**

#### **Wards Affected: All Wards**

#### **Implementation of National Joint Council for local government services Circulars**

#### **Purpose of the Report:**

To seek authority to implement Circulars issued by the National Joint Council for local government services in response to the Coronavirus: Covid-19 emergency.

#### **Background:**

Circulars have been issued to Chief Executives in England, Wales and Northern Ireland, dated:

- 6<sup>th</sup> March 2020 Novel Coronavirus: Covid-19
- 17<sup>th</sup> March 2020 Covid-19: working at home
- 23<sup>rd</sup> March 2020 Covid-19: critical workers

- 27<sup>th</sup> March 2020 Covid-19: general update
- 3<sup>rd</sup> April 2020 Covid-19: social distancing and PPE

A copy of each Circular is attached to this report. The above circulars provide guidance agreed at a national level between local government employers and the trade unions that represent LGS “Green Book” employees, covering a range of terms and conditions matters in relation to the majority of the Council’s employees.

The circulars provide clear guidance on key terms and conditions matters, of relevance to the situation caused by the Coronavirus Covid-19 emergency. These include pay matters linked to self-isolation, shielding and sickness cause by the Coronavirus, health and safety matters, redeployment and annual leave provisions. By implementing the provisions of these circulars, the Council will be acting consistently with other local government employers and this will support good employee relations which is particularly important at this time.

**Financial Impacts:**

There will be indirect costs linked to provisions in relation to social distancing, where an employee who is not in a business critical post, who is not required to be in the workplace, but cannot work from home, however work is underway to redeploy any employee in this position who is fit and healthy.

There will be direct costs associated with provisions in relation to redeployment, that where an employee is redeployed to a job of a higher grade, the employee will receive an appropriate pay increase. The additional costs of this are not known yet, but monitoring is in place to capture this information.

**Integrated Impact Assessment:**

An integrated impact assessment is not required for this report.

**Valleys Communities Impacts:**

No impacts

**Workforce Impacts:**

The provisions of the circulars impact on the majority of the Council's workforce.

**Legal Impacts:**

No impacts

**Risk Management Impacts:**

This approach reduces the risk of employee relations breakdown.

**Consultation:**

Trade unions have been consulted and support this approach.

**Recommendations:**

It is recommended that the Council implements the provisions of the circulars dated 6<sup>th</sup> March, 17<sup>th</sup> March, 23<sup>rd</sup> March, 27<sup>th</sup> March and 3<sup>rd</sup> April 2020.

It is recommended that delegated authority be given to the Head of Human Resources to implement the provisions of any further circulars issued by the NJC for LGS employees that relate to Coronavirus Covid-19.

**Reasons for Proposed Decision:**

To ensure that the Council has clearly addressed key employment issues in response to the Coronavirus Covid-19 emergency.

**Implementation of Decision:**

The decision will be implemented immediately

**Appendices:**

Appendix 1 - 6<sup>th</sup> March 2020 Novel Coronavirus: Covid-19

Appendix 2 - 17<sup>th</sup> March 2020 Covid-19: working at home

Appendix 3 - 23<sup>rd</sup> March 2020 Covid-19: critical workers

Appendix 4 - 27<sup>th</sup> March 2020 Covid-19: general update

Appendix 5 - 3<sup>rd</sup> April 2020 Covid-19: social distancing and PPE

**List of Background Papers:**

None

**Officer Contact:**

Sheenagh Rees, Head of Human Resources, email: [s.rees5@npt.gov.uk](mailto:s.rees5@npt.gov.uk)

# National Joint Council for local government services

**Employers' Secretary**  
Naomi Cooke

**Trade Union Secretaries**  
Rehana Azam, GMB  
Jim Kennedy, Unite  
Jon Richards, UNISON

**Address for correspondence**  
Local Government Association  
18 Smith Square  
London SW1P 3HZ  
Tel: 020 7664 3000  
[info@local.gov.uk](mailto:info@local.gov.uk)

**Address for correspondence**  
UNISON Centre  
130 Euston Road  
London NW1 2AY  
Tel: 0845 3550845  
[localgovernment@unison.co.uk](mailto:localgovernment@unison.co.uk)

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

6 March 2020

Dear Chief Executive,

## **Novel Coronavirus: COVID-19**

Further to our [previous circular](#) on this subject dated 12 February, we are now able to provide more guidance. However, the NJC cannot furnish you with definitive answers to specific individual circumstances. We hope and expect that local employers and trade union representatives will work together collaboratively in the best interests of employees and maintenance of service delivery.

**Current government guidance is to prevent the spread of coronavirus, individuals with flu-like symptoms should call NHS 111 for medical advice and not see their GP.**

Employees who are sick or unfit for work should remain at home, rather than come into the workplace or work from home. They need to focus on their recovery. It would be a wise precaution to send home, at the earliest opportunity, any employees who are displaying flu-like signs / symptoms, as retaining sick employees in the confines of a workplace will increase the likelihood of further spread of the virus.

Employers have a duty of care to their employees and should exercise flexibility, considering home working arrangements if it is in the mutual interest of the organisation and employees to do so. This will be especially helpful for at risk groups such as pregnant employees or those with immune or respiratory conditions.

Pregnant employees should be asked for an application for Maternity Leave with the expected date of confinement being accepted if she cannot obtain a certificate of expected confinement due to surgeries / clinics being inundated with callers.

With regard to our previous circular that cited Part 2 Para 10.9 of the 'Green Book', if an employee is fit for work but decides, or is instructed, to self-isolate, their absence should not

be recorded as sickness absence. We would expect all options for home or remote working to be explored with the employee. As they are 'well' at this stage they should stay on normal full pay for the duration of the self-isolation period until such time as they are confirmed to have contracted the virus, at which point they transfer to sickness absence leave and the usual provisions of the sickness scheme will apply.

In circumstances where an employee decides to self-isolate without instruction from the authorities it is not unreasonable for the employer to ask for some evidence such as an email from a holiday operator that shows the dates of the holiday, the resort location and flight details. However, it will probably not be possible in all cases for an employee to produce any evidence, so employers will need to use their discretion when trying to establish the facts behind the employee's decision to self-isolate.

If an employee is caring for someone who has or may have coronavirus, this period of absence should also be regarded as self-isolation. Given the employee may then have been in direct contact with the virus we would expect home working arrangements to be then considered for the duration of the incubation period. Employers should keep in touch to support employees.

Following any school closures, employers should be fully supportive of employees with childcare responsibilities and consider flexible working arrangements, including working from home, adapting working patterns to care for children or dependants or taking time off, whether this is special leave, annual leave or flexible working.

If you grant annual leave, inform the employee that it is conditional on the business being able to support the absence at the time. If annual leave is refused the appropriate amount of notice must be given, for example, if an individual has requested one week's leave they must be given at least one week's notice that the leave has not been approved – assuming the employee has provided the appropriate notice. Failure to give the requisite notice in these circumstances may constitute a breach of the Working Time Regulations 1998.

You can ask employees to cancel or postpone annual leave if it is necessary to maintain service delivery. However, you must give the appropriate notice, for example, one week's notice for one week's leave (annual leave only). You may also agree to employees carrying over or being paid for leave they were unable to take by the end of their leave year; due regard should be given to individual circumstances and potential financial hardship that may result from booked leave being cancelled.

The Government has announced that Statutory Sick Pay will be paid from the first day of sickness absence rather than from the fourth. The change will be included in emergency legislation to deal with coronavirus and will impact directly on organisations that have diverged from the Green Book sickness scheme by not paying for the first three days of absence. Where employers have a sick pay policy more generous than SSP, this will take precedence.

Given the exceptional circumstances, employers may wish to suspend targets or triggers in occupational sickness policies for any absences connected with coronavirus.

All toilet and washing facilities should contain soap, water and an alcohol-based hand rub to allow users to wash their hands, which can help eliminate or reduce the risk of the virus

spreading. Providing wet wipes and tissues in the office can encourage employees to keep their workspaces clean and follow the “*catch it, bin it, kill it*” advice for coughing and sneezing to help stem coronavirus infections and the spread of germs.

Workplace cleaning should meet high hygienic standards. Any dissatisfaction with office cleanliness should be addressed through facilities management. Employees need to dispose of their rubbish, put away personal items and not leave dirty cutlery around the workplace. Cleaning teams are not generally allowed to touch personal items so they will clean round them, but they won’t move them. It is believed that coronavirus can survive on surfaces for hours and possibly days. All employees should regularly wash their hands to help reduce the risk of infection and spread of the virus. Try to clean desks, keyboards and phones with disinfectant wipes, if available. This is especially important if hot desking is in operation.

We shall continue to provide further advice as necessary, but please keep up to date with developments by visiting the [LGA’s dedicated webpage on COVID-19](#).

Yours sincerely,

*Naomi  
Cooke*

**Naomi Cooke**



**Rehana Azam**



**Jim Kennedy**



**Jon Richards**

Joint Secretaries

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# National Joint Council for local government services

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Naomi Cooke

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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**

23 March 2020

Dear Chief Executive,

## COVID-19: critical workers

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 government websites should be checked regularly as official advice is likely to be updated as the situation continues to develop.**

The government has published guidance on the definition of 'critical workers' for the purpose of school attendance during the current COVID-19 crisis. **Local government staff are likely to be critical to the delivery of the COVID-19 response irrespective of their formal role; in schools this includes teaching assistants and other support staff.** As the Prime Minister has noted, the duration and effects of the pandemic are unknown at this stage and therefore the types of work deemed to be critical may expand and change over time, so no list can be regarded as complete.

**Employers should be mindful of the pressure categorising workers as critical workers will have on those working in schools, while using their discretion to determine which categories of employee are reasonably needed to deliver the COVID-19 response.**

From today [all schools will be closed](#) except those providing education provision for critical workers or for vulnerable children. Vulnerable children include children who are supported by social care, those with safeguarding and welfare needs, including child in need plans, on child protection plans, 'looked after' children, young carers, disabled children and those with [education, health and care \(EHC\) plans](#).

The government's information on who might constitute a critical worker can be found [here](#).

Our [circular of 17 March](#) set out the expected announcement, made yesterday, that people with [clinical conditions which put them at even higher risk of severe illness](#) from COVID-19 will this week be contacted directly by the NHS and told to remain in their homes and await individual contact about how their conditions will be managed in order to keep themselves and others safe. The circular also

listed health conditions that categorise employees who are at increased risk of severe illness from COVID-19 who are being asked to be particularly stringent in following social distancing measures. **Employees in both groups should not be expected to attend the workplace.** All options for working at home should be considered, as well as for those employees who live with and / or have caring responsibilities for people in the two groups. However, as previously advised, employers will 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.

It is not a precise list of role definitions, rather an outline of what types of work could lead to someone being deemed a critical worker. Employers will be considering where staff with particular skills and qualifications can be best used, for example any staff with valid DBS clearance may be sensibly refocused during this period irrespective of their formal role.

We would remind employers of the more general guidance from the NJC regarding redeployment and the need to ensure volunteers are sought first (volunteers should not be sought from employees who live with and / or have caring responsibilities for people in the vulnerable groups referenced above) and relevant training and risk assessments are undertaken (see [NJC circular dated 17 March](#)).

Unless there are urgent, mitigating reasons, employers should not require staff who do not have experience of supervising large groups of children as part of their usual role, to be doing so now without adequate support being provided. Employees who agree to undertake a different role and / or working pattern should suffer no financial detriment and continue to be paid at their usual contracted rate. Where employees are temporarily undertaking roles that are paid at a higher rate than their usual contracted rate, they should receive the higher rate of pay for the duration of the assignment / redeployment

For workforces relating to local government, the most relevant descriptions are listed below. Please note this is not an exhaustive list and the [DfE guidance](#) should be referred to directly.

- Social Workers
- Care workers
- Frontline health and social care staff and those required to maintain the sector
- Childcare, support and teaching staff in schools and relevant specialist education professionals required to support this provision
- Staff essential to the operation of the justice system
- Workers delivering key frontline services
- Staff involved in the management of the deceased
- Administrative staff in local government essential to the delivery of the COVID-19 response
- Staff delivering essential public services such as payment of benefits
- Staff involved in the distribution of food or other key goods
- Police and police support staff
- Fire and rescue staff and support staff
- Transport workers
- Utilities workers
- Probation staff
- IT staff necessary to support COVID-19 response
- Call centre staff
- Payment providers
- Waste disposal services (which we interpret as including domestic and commercial refuse / bin collection)

In addition, other workers described include:

- Armed forces personnel
- MoD civilian staff and contractors
- National Crime Agency
- Border security
- Prison staff
- National security staff
- Religions and charity staff
- Journalists and broadcasters

This does not mean children of all workers in these categories can or will continue to send their children to school. Many parents working in these sectors may be able to ensure their child is kept at home. **Every child who can be safely cared for at home should be.** Employees should be advised that education leaders have made an urgent request that as many children as possible should be cared for at home if arrangements can be made, in order to avoid overloading remaining school capacity.

However, if a parent's / guardian's work is critical to the COVID-19 response or is in a key sector such as health and social care and the child / children cannot be kept safely at home, then priority will be given for continued education provision.

The key principles DfE outline are as follows:

1. If it is at all possible for children to be at home, then they should be
2. If a child needs specialist support, is vulnerable or has a parent who is a critical worker, then educational provision will be available for them
3. Parents should not rely for childcare upon those who are advised to be in the stringent social distancing category such as grandparents, friends or family members with underlying conditions
4. Parents should also do everything they can to ensure children are not mixing socially in a way which can continue to spread the virus. They should observe the same social distancing principles as adults
5. Residential special schools, boarding schools and special settings continue to care for children wherever possible

### **Process for those needing continued education provision**

If employees think they fall within the critical categories above they should confirm with their employer that, based on their business continuity arrangements, their specific role is necessary for the continuation of this essential public service. Schools and local authorities will be coordinating so, if one school is closed, the authority will redirect to one that is open.

Please keep checking the government guidance linked to above as it may change as the situation develops.

Yours sincerely,

*Naomi  
Cooke*

**Naomi Cooke**

*R. Azam*

**Rehana Azam**

*Jim Kennedy*

**Jim Kennedy**

*Jon Richards*

**Jon Richards**

Joint Secretaries

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# National Joint Council for local government services

**Employers' Secretary**  
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[localgovernment@unison.co.uk](mailto:localgovernment@unison.co.uk)

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

3 April 2020

Dear Chief Executive,

## **COVID-19: social distancing and PPE**

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

Public Health England is continuing to publish [guidance](#) for non-clinical settings.

The government has issued [updated guidance on PPE](#).

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.

Our [circular dated 27 March](#) referred to the increasing challenge of ensuring the safety of refuse (and other) crews whose roles usually require them to share a confined space in the cabs of refuse wagons. Whilst there are many examples of good practice by employers who have put in place measures to ensure [social distancing](#) is maintained, we are aware of other critical situations where urgent action is needed and where risk assessments must be undertaken so that social distancing rules are followed and maintained in all council vehicles whilst always ensuring that the relevant health & safety requirements are adhered to.

We understand the practical challenges that this issue is throwing up but as an urgent priority, if not already happening, employers should be undertaking risk assessments and taking appropriate action.

We are clear that social distancing in enclosed work environments is a key element of the national effort to reduce the spread of COVID-19 and, as many local government workers cannot work from home, employers have a responsibility to ensure that social distancing

rules are adhered to. Where this is not possible it is likely that risk assessments may demonstrate that some employees, particularly those who are [vulnerable](#), will need to remain at home or, where agreeable, be redeployed elsewhere. Managers will also need to make every effort to understand how the family circumstances of employees may involve other vulnerable people and be flexible in their approach.

The Association for Public Service Excellence (APSE) has produced updated [guidance](#) with practical suggestions of how the issue of social distancing can be addressed.

The Waste Industry Safety & Health Forum (WISH) has issued [updated guidance](#).

Finally, we remind you again of the Department for Education's [guidance for schools and other educational settings](#).

Similar challenges are arising in other workplace settings that include, but are not limited to, catering, cleaning, highways maintenance, pupil transport, first aid and administration of medication in schools and Craftworker roles such as gas engineers, plumbers and electricians who may need to carry out work in private or commercial premises.

Employers must make every effort to ensure social distancing measures are observed and that where a need is identified through risk assessments, [appropriate PPE](#), including masks, gloves, eyewear and sanitiser and cleaning materials that can be stored, cleaned and disposed of safely, are provided. Where appropriate, washing and changing facilities should be provided.

We do of course understand the ongoing difficulties with supply and demand and the LGA and the unions are continuing to lobby government for urgent provision of PPE. However, in the absence of such, we expect employers to ensure that employees are not being placed at risk of harm and we expect local parties to work together to resolve issues that arise.

Yours sincerely,

*Naomi  
Cooke*

**Naomi Cooke**



**Rehana Azam**



**Jim Kennedy**



**Jon Richards**

# National Joint Council for local government services

**Employers' Secretary**  
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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**

17 March 2020

Dear Chief Executive,

## COVID-19: working at home

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

The Government yesterday urged everyone to now work at home where possible. This presents practical challenges for councils. All councils will already have flexible working policies that set out protocols for employees whose roles readily lend themselves to working at home and we would expect those arrangements to now be kicking in.

Employees should ensure that they are taking steps to look after their wellbeing during their period of working from home. This includes:

- maintaining regular contact with their manager and colleagues
- taking regular breaks
- avoiding being 'always on' by ensuring that they identify non-working time
- contacting the employee assistance programme if they need support, for example, in relation to heightened feelings of anxiety
- being aware of the things that can cause them poor wellbeing and the activities and resources that can help to address this

Employers have the responsibility to ensure business continuity and service delivery. We again urge local parties to work together from the outset when now considering practical implications for those roles that are mainly, but not solely, public facing jobs or similar roles which cannot be carried out at home. We expect all parties to be flexible and reasonable. The country faces an exceptional crisis of the like not experienced by the vast majority of the population. Custom and practice may need to be disregarded and usual ways of working and existing policies and protocols may need to be suspended. Wherever possible, unless there

are urgent, mitigating reasons, such suspensions should be agreed beforehand with local trade unions. Employees should not suffer any detriment in pay and conditions for the period of any temporary changes that are introduced.

Where staff are asked to work flexibly to cover other jobs, initially volunteers should be sought. New roles must be clearly explained to them and they should receive appropriate training. If they are asked to work in roles which have increased risks, such as cleaning, a risk assessment must be carried out before they start.

Employers should seek the necessary legal advice where appropriate.

## **Vulnerable groups**

Councils will have employees who are in the vulnerable groups where they could be looking at months of working at home. This group includes those who are:

- pregnant women
- aged 70 or older (regardless of medical conditions)
- under 70 with an underlying health condition listed below (broadly anyone instructed to get a flu jab each year on medical grounds):
  - chronic (long-term) respiratory diseases, such as [asthma](#), [chronic obstructive pulmonary disease \(COPD\)](#), emphysema or [bronchitis](#)
  - chronic heart disease, such as [heart failure](#)
  - [chronic kidney disease](#)
  - chronic liver disease, such as [hepatitis](#)
  - chronic neurological conditions, such as [Parkinson's disease](#), [motor neurone disease](#), [multiple sclerosis \(MS\)](#), a learning disability or cerebral palsy
  - [diabetes](#)
  - problems with your spleen – for example, [sickle cell](#) disease or if you have had your spleen removed
  - a weakened immune system as the result of conditions such as [HIV and AIDS](#), or medicines such as [steroid tablets](#) or [chemotherapy](#)
  - being seriously overweight (a BMI of 40 or above)

There are some clinical conditions which put people at even higher risk of severe illness from COVID-19. Next week the NHS in England will directly contact people in this category with advice about the more stringent measures that should be taken in order to keep themselves and others safe.

People falling into this group are those who may be at particular risk due to complex health problems such as:

- People who have received an organ transplant and remain on ongoing immunosuppression medication
- People with cancer who are undergoing active chemotherapy or radiotherapy
- People with cancers of the blood or bone marrow such as leukaemia who are at any stage of treatment

- People with severe chest conditions such as cystic fibrosis or severe asthma (requiring hospital admissions or courses of steroid tablets)
- People with severe diseases of body systems, such as severe kidney disease (dialysis)

### **Roles that do not readily lend themselves to working at home**

Our [previous advice](#) dealt with employees who are self-isolating or sick. This circular sets out considerations for employees who are otherwise well but cannot attend their normal place of work due to the Government's instruction for people to work at home and avoid all non-essential travel.

As previously advised, all options for using annual leave, special leave etc should be explored but given the length of time that this national emergency is set to last it is not reasonable, for example, to expect employees to use their entire annual leave entitlement to cover all or part of the lockdown period as consideration should be given to planned booked holidays later in the year, along with employees who may require leave throughout the year to support dependents.

The position relating to all support staff in schools presents particular challenges. [Current guidance](#) is that schools are to remain open unless specific circumstances dictate otherwise. At such time as the expected closure of schools is announced, council employers will need to work quickly with Head Teachers and School Business Managers to ensure consistency of approaches to home working as applied to corporate council employees and school-based employees.

Ultimately, in many cases employers will have no option other than to accept that some employees can neither work at home nor be redeployed / seconded etc and will therefore be staying at home on full pay for the duration of this emergency. The LGA is and will continue to be in discussion with government regarding the support required for the sector.

We know that councils are thinking urgently about ways to best use people's skills and energy to help communities deal with the crisis and we thank all those in the local government workforce for their care and commitment.

Yours sincerely,

*Naomi  
Cooke*

**Naomi Cooke**



**Rehana Azam**



**Jim Kennedy**



**Jon Richards**

Joint Secretaries

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# 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**

27 March 2020

Dear Chief Executive,

## COVID-19: general update

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.

We are very pleased to hear of countless examples of local employers and trade union representatives continuing to work together in the best interests of employees and maintenance of service delivery and are sure that this will remain the case for the duration of the national emergency.

### Social distancing

The nature of some roles in local government is presenting a challenge for employers and employees in being able to observe the instruction to maintain social distancing. Examples of such roles include, but are not limited to, refuse collection crews and highway maintenance crews who share confined spaces in lorry cabs and cemetery & crematoria employees. The Association for Public Service Excellence (APSE) has produced [guidance](#) with practical suggestions of how the issue of social distancing can be addressed.

### **Travel during 'Stay at home, save lives' instruction**

Critical worker definitions relate to who can seek childcare assistance in order to enable them to work. We are also aware of confusion between 'critical workers' and those who may travel to work. In terms of what is sometimes described as 'essential work', [the guidance is clear that travelling to and from work](#) is permissible only where the work an individual does

absolutely cannot be done from home. There may well be an overlap between the two categories but they are distinct.

We are aware of concerns around differences in interpretation of concepts like 'critical worker' and 'essential work' and difficulties that are arising in some areas when employees have been challenged and asked to produce documentation to justify their travel. If asked by police the purpose for their journey those working in, for example, social care, should simply state they are travelling to carry out work that cannot be done at home, and explain their critical worker status. If employers feel that their staff would feel reassured by it, we suggest they provide a hard or electronic copy of a letter from their employer explaining their critical worker status and why travel to and from a place of work is essential.

A related issue has also arisen in a very few, but nonetheless troubling, incidences of employees receiving verbal abuse from members of the public whilst going about their work outdoors. Such behaviour is completely unacceptable and the LGA is continuing to have discussions with government about clearer messaging so that the public can understand why some employees are continuing to travel and work outdoors.

The NJC, through the auspices of the LGA's and TUC's discussions with Government, is also pushing for clarity on other issues including: implications arising from schools being open over the Easter period when they would otherwise be closed; the availability of PPE for frontline staff; compliance by contractors and external providers with official and NJC advice; and practical considerations relating to pausing organisational restructures and disciplinary processes.

We again thank you and your employees for your continued hard work during these difficult times and we will continue to provide advice and guidance as it becomes necessary.

Yours sincerely,

*Naomi  
Cooke*

**Naomi Cooke**



**Rehana Azam**



**Jim Kennedy**



**Jon Richards**

Joint Secretaries