

2020 No. 427

SOCIAL SECURITY

TERMS AND CONDITIONS OF EMPLOYMENT

**The Statutory Sick Pay (General) (Coronavirus Amendment)
(No. 3) Regulations 2020**

<i>Made</i> - - - -	<i>14th April 2020</i>
<i>Laid before Parliament</i>	<i>15th April 2020</i>
<i>Coming into force</i> - -	<i>16th April 2020</i>

The Secretary of State, in exercise of the powers conferred by sections 151(4) and (4A) and 175(1), (3), (4) and (5A) of the Social Security Contributions and Benefits Act 1992(a), makes the following Regulations.

In accordance with section 173(1)(a) of the Social Security Administration Act 1992(b), it appears to the Secretary of State that by reason of the urgency of this matter it is inexpedient to refer the proposals in respect of these Regulations to the Social Security Advisory Committee.

Citation and commencement

1. These Regulations may be cited as the Statutory Sick Pay (General) (Coronavirus Amendment) (No. 3) Regulations 2020 and come into force on the 16th April 2020.

Amendment of the Statutory Sick Pay (General) Regulations 1982

2.—(1) The Schedule (isolation due to coronavirus) to the Statutory Sick Pay (General) Regulations 1982(c) is amended as follows.

(2) In paragraph 1 for “5” substitute “5A”.

(3) After paragraph 5 insert—

“5A. The person—

(a) is defined in public health guidance as extremely vulnerable and at very high risk of severe illness from coronavirus because of an underlying health condition; and

(a) 1992 c. 4. Section 151(4) was amended by paragraph 34 of Schedule 1 to the Social Security (Incapacity for Work) Act 1994 (c. 18). Sections 151(4A) and 175(5A) have effect pursuant to section 41 of the Coronavirus Act 2020 (c. 7). Section 175(1) and (4) was amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).

(b) 1992 c. 5.

(c) S.I. 1982/894. Relevant amendments are S.I. 2020/287, 304 and 374 (which inserted the Schedule).

- (b) has been advised, by notification sent to, or in respect of, that person in accordance with that guidance, to follow rigorously shielding measures for the period specified in the notification.”

(4) In paragraph 6, after the definition of “Deputy Chief Medical Officer” omit “and” and insert—

““public health guidance” means guidance, as amended from time to time, issued by—

- (a) Public Health England^(a);
- (b) the Scottish Ministers; or
- (c) Public Health Wales National Health Service Trust^(b); and”.

Signed by authority of the Secretary of State for Work and Pensions

14th April 2020

Justin Tomlinson
Minister of State
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Schedule to the Statutory Sick Pay (General) Regulations 1982. The Schedule sets out categories of persons who are deemed to be incapable of work by reason of coronavirus.

Regulation 2 adds a new category of persons. These are persons defined in guidance issued by Public Health England, the Scottish Ministers or Public Health Wales as being extremely vulnerable and at very high risk of severe illness from coronavirus because of an underlying health condition, and who have been advised, in accordance with that guidance, to follow rigorously shielding measures. The guidance is available from the following websites:

<https://www.gov.uk/government/publications/> (Public Health England).

<https://www.gov.scot/publications/> (the Scottish Ministers).

<https://phw.nhs.wales/topics/> (Public Health Wales).

Hard copies of the guidance, as in effect at the date these Regulations are made, can be obtained by writing to the Legislation Team, the Department for Work and Pensions, Caxton House, Tothill Street, London SW1H 9NA.

No regulatory impact assessment has been produced for these Regulations in view of the urgency required to provide additional financial support to those unable to work as a result of coronavirus.

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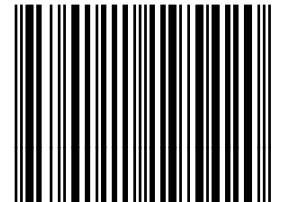
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- (a) Public Health England is an executive agency of the Department of Health and Social Care.
 - (b) Established by S.I. 2009/2058 (W. 177) and commonly known as Public Health Wales.

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