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STATUTORY INSTRUMENTS

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**2020 No. 539**

**SOCIAL SECURITY**

TERMS AND CONDITIONS OF EMPLOYMENT

The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 4) Regulations 2020

<i>Made</i>	- - - -	<i>26th May 2020</i>
<i>Laid before Parliament</i>		<i>27th May 2020</i>
<i>Coming into force</i>	- -	<i>28th May 2020</i>

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

In accordance with section 173(1)(a) of the Social Security Administration Act 1992<sup>(2)</sup>, 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. 4) Regulations 2020 and come into force on 28th May 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<sup>(3)</sup> is amended as follows.

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

(3) After paragraph 5A insert—

“5B. The person—

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(1) 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). Section 175(5A) has 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).

(2) 1992 c. 5.

(3) S.I. 1982/894. Relevant amendments are made by S.I. 2020/287, 304, 374 (which inserted the Schedule) and 427.

- (a) has been advised by a relevant notification that he has had contact with a person who at the time of the contact was infected with coronavirus, and
  - (b) is staying at home until the end of the period of 14 days beginning with the latest date on which that contact occurred, or (if sooner) until the date specified in the latest relevant notification.”
- (4) In paragraph 6, after the definition of “public health guidance” omit “and” and insert—
- ““relevant notification” means a notification in writing sent to, or in respect of, a person by—
- (a) the Department of Health and Social Care;
  - (b) Public Health England<sup>(4)</sup>;
  - (c) Public Health Wales National Health Service Trust<sup>(5)</sup>;
  - (d) the Common Services Agency for the Scottish Health Service<sup>(6)</sup>;
  - (e) a person employed or engaged for the purposes of the health service (within the meaning of section 275 of the National Health Service Act 2006<sup>(7)</sup> or section 108 of the National Health Service (Scotland) Act 1978<sup>(8)</sup>);
  - (f) any other person employed or engaged by a Government Department or other public authority in communicable disease surveillance; and”.

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

26th May 2020

*Justin Tomlinson*  
Minister of State  
Department for Work and Pensions

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(4) Public Health England is an executive agency of the Department of Health and Social Care.  
(5) Established by [S.I. 2009/2058 \(W. 177\)](#) and commonly known as Public Health Wales.  
(6) Established under section 10 of the National Health Service Scotland Act 1978 ([c. 29](#)) and commonly known as NHS National Services Scotland.  
(7) [2006 c. 41](#).  
(8) [1978 c. 29](#).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Schedule to the Statutory Sick Pay (General) Regulations 1982 (“the 1982 Regulations”). Regulation 2 of the 1982 Regulations provides that a person who is self-isolating in accordance with the Schedule is deemed to be incapable of work.

Regulation 2 of these Regulations adds a new category of person to the Schedule. This is a person who has been notified that they have had contact with a person with coronavirus, and who is self-isolating for 14 days from the latest date on which that contact occurred, or a date specified in the latest notification.

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.