



Department
for Work &
Pensions

Minister for Disabled People,
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To: All MPs

Dear Colleague,

COVID-19 Regulations: Extending Statutory Sick Pay for those advised to self-isolate before surgery

I'm writing to inform you about Regulations that the Department for Work and Pensions have laid today in relation to Statutory Sick Pay. These regulations are positive changes which support the Government's response to COVID-19.

On 27th July the National Institute for Health and Care Excellence published new guidance setting out advice for healthcare professionals on COVID-19 and arranging planned care in hospitals. As part of measures to deliver efficient planned care while minimising the risk of coronavirus in clinical settings, a clinician may recommend that a patient self-isolate for a period prior to their surgery. Patients may be advised to self-isolate for 3 days prior to being admitted into hospital, while those patients who are deemed at higher risk may be advised to self-isolate for 14 days prior. This advice will be based on a number of individual and clinical risk factors.

The regulations laid today will extend Statutory Sick Pay eligibility to patients who are advised to self-isolate ahead of surgery and who are unable to work as a result. Statutory Sick Pay is paid from day one for employees who are sick or self-isolating due to coronavirus for 4 days or more. Where someone is advised to self-isolate for 3 days prior to surgery, and they are unable to work on the day of the surgery, they would be eligible for Statutory Sick Pay. This will support these individuals to comply with clinical and public health advice and provide financial support while they are self-isolating and unable to work. The usual Statutory Sick Pay eligibility criteria will continue to apply.

These regulations are likely to benefit around 300,000 patients per month. Small and medium employers can reclaim up to 2 weeks of Statutory Sick Pay costs per employee in these circumstances via the Statutory Sick Pay Rebate Scheme for sickness absences relating to coronavirus. Please see <https://www.gov.uk/guidance/claim-back-statutory-sick-pay-paid-to-employees-due-to-coronavirus-covid-19> to find out more.

These regulations have been laid today (25 August) to come into force on 26 August.

Please do get in contact if you would like to discuss. I hope this helps.

Kind regards,



Justin Tomlinson MP
Minister for Disabled People, Health & Work