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**CABINET
MINISTERIAL COMMITTEE ON COVID OPERATIONS**

**ISOLATION SUPPORT PAYMENTS AND MANDATION:
A CARROT-AND-STICK APPROACH TO SELF-ISOLATION**

PAPER FROM THE COVID-19 TASKFORCE

Background

1. Ensuring infected individuals and their close contacts isolate is one of our most powerful tools for controlling transmission. However, evidence suggests low compliance with self-isolation, with only 20% following the guidance of not leaving home for the entire period except in emergencies.¹ **If infected people and their close contacts do not self-isolate the virus will continue to spread.** The recent increase in infections nationwide, not concentrated in specific locations, demands a national response that can be implemented quickly. We recommend a combined carrot-and-stick approach that pairs **increased financial support** for those self-isolating with **a new legal obligation to self-isolate.**

Decisions

2. Ministers are asked to agree:
 - a. that a **legal duty** should be placed on individuals instructed to self-isolate, with fines for non-compliance and an enforcement approach described below;
 - b. that **employers must not knowingly enable or encourage their employees to break the law on self-isolation**, and that urgent work should be conducted to ascertain whether new regulations are required to enforce this; and

¹ Smith LE, Amlôt R, Lambert H, Oliver I, Robin C, Yardley L, Rubin GJ. Factors associated with adherence to self-isolation and lockdown measures in the UK; a cross-sectional survey. medRxiv. 2020 <https://www.medrxiv.org/content/10.1101/2020.06.01.20119040v1>

- c. the launch of an England-wide Isolation Support Payment scheme, whereby individuals who are required to self isolate under existing guidelines and who meet the benefits-linked eligibility criteria will be entitled to an **Isolation Support Payment of £500 payable as a lump sum.**

Mandating isolation

3. Compliance with self-isolation is low. 82% of individuals in self-isolation report leaving their house during the isolation period. The UK is an international outlier in keeping self-isolation in guidance rather than law. Australia, Italy, France, Germany, as well as all East Asian comparators with highly effective Test & Trace systems, legally oblige individuals to self-isolate, with varying penalties and enforcement regimes.
4. **We recommend creating a legal duty on individuals to comply with self-isolation** instructions when they've tested positive, or are informed by an NHS Test and Trace call handler that one of their close contacts has tested positive. We also recommend a legal obligation to provide accurate data to contact tracers, with penalties for intentionally providing false contacts. This would aim to drive up compliance among those instructed to self-isolate, and bring our approach in line with quarantine for international travellers.
5. Evidence that mandating self-isolation in law would move the dial is limited. A Behavioural Insights Team (BIT) survey found only a 2 percentage point increase in intention to comply with self-isolation instructions if mandation were in force, though evidence on intended behaviour is weakly linked to actual behaviour: 8 in 10 people state that they intend to fully comply with self-isolation requests, but actual compliance is closer to 2 in 10. It is possible that mandating compliance with self-isolation could reduce the number of symptomatic individuals who choose to get tested, particularly in the hardest-to-reach communities (such as non-English speakers) and reduce the willingness of those testing positive to share their contacts.
6. On balance, given the low rates of compliance currently seen, we recommend introducing mandation alongside isolation support payments, and evaluating the impact on compliance rates. This would demonstrate the importance of self-isolation on our ability to suppress the virus. It would also remove an apparent inconsistency in the current approach – overseas travellers currently face fines if they breach quarantine, yet those who test positive face no penalties if they breach self-isolation, despite the fact that the latter are many times more likely to be infectious.

7. We recommend that the proposed penalty should be in line with the fine for breaching border quarantine, currently £1,000. However it is possible that a higher amount for both would have a greater deterrent effect.
8. We are also aware of numerous incidents of businesses telling their self-isolating employees to come into work, even when those employees have recently tested positive. **We recommend ensuring that it is clear that employers (or any other relevant person) must not knowingly enable or encourage their employees to break the law on self-isolation,** either in relation to this new requirement or border quarantine. We should ascertain whether existing statute already covers this and, if not, create an additional offence in these new regulations.
9. To improve compliance, Test and Trace call handlers should make regular contact with those self-isolating. We recommend that they are not tasked with investigating whether individuals are isolating; to do so would be to undermine public trust in the scheme, and risks degrading willingness to engage with the programme. Should individuals volunteer to call handlers that they are choosing to not self-isolate, this would be escalated to the police, who may issue a Fixed Penalty Notice.
10. There are challenges to enforcing self-isolation. Spot checks are not an effective means of determining whether someone is isolating – legal advice is that failing to answer would be insufficient grounds for issuing a penalty, particularly given the possibility that the resident is unwell. The Home Office advise that random checks would not constitute a good use of police resources, while local authority spot checks would risk undermining their role in providing support to those impacted by the virus.
11. We will therefore focus enforcement efforts on: using police resources to check compliance in highest incidence areas and in high-risk groups, based on local intelligence; investigating and prosecuting high-profile and egregious cases of non-compliance, such as celebrities identified through the press or social media posts; and acting on instances where third parties have identified others who have tested positive, but are not self-isolating (e.g., a colleague). Urgent follow-up work is needed to ensure that there is sufficient capacity to handle such reports.
12. It may be possible to use digital approaches to encouraging and verifying self-isolation, such as using mobile phone data and GPS tagging. This approach has been used in South Korea, Taiwan and Singapore but not yet in Europe. In the UK, it risks being vulnerable to legal challenge (given the high bar for necessary and proportionate use of data like this, and

significant safeguards on its access by public authorities) and would be technically difficult to implement. We propose launching a working group to investigate these options further.

13. Introducing a legal requirement to self-isolate will have disproportionate equality impacts on certain groups, in particular: disabled people who have particular needs such as exercising; people at risk of domestic abuse in their households (disproportionately women and LGBT groups) if their freedoms are restricted. Overall these impacts are time-limited. To mitigate these impacts we recommend that the law should ensure that people who need to escape from illness or harm during their isolation, and those that require care, are afforded specific exemptions from the legal obligations, as is currently the case in guidance.

Isolation Support Payments

14. **Financial circumstances are a driver of non-compliance, particularly among those with lower income.** A DHSC/Vivaldi analysis of care home workers in England found that providing sick pay reduced the number of staff who worked whilst they should have been self-isolating, leading to infection rates among residents that were 13% lower than when sick pay was not provided. Self-reported ability to isolate is three times lower for those with incomes of less than £20,000 or savings of less than £100.² A study in Israel found that intentions to comply with self-isolation rose from 57% to 94% when lost wages were to be compensated³.
15. **In the UK,** individuals in employment who are self-isolating and cannot work from home are entitled to Statutory Sick Pay (SSP) at a rate of £13.69 per day, and some can access Universal Credit. New Style Employment and Support Allowance provides support to some of those who are not eligible for SSP, at a rate of up to £10.62 per day. However, **current support typically results in a substantial reduction in income with an administrative delay before money reaches the claimant. The evidence suggests that it is insufficient to incentivise many people to forego work and self-isolate as directed.** Further, financial support pilots in Blackburn, Pendle and Oldham, at the equivalent level of SSP or £13 a day, have been unsuccessful. The local authorities involved consider this amount too low to improve self-isolation rates – take up has been poor, with only 12 people signing up. Various other governments offer more generous support, including the Australian government that

² Atchison CJ, Bowman L, Vrinten C, Redd R, Pristera P, Eaton JW, Ward H. Perceptions and behavioural responses of the general public during the COVID-19 pandemic: A cross-sectional survey of UK Adults. medRxiv. 2020 Jan 1. <https://www.medrxiv.org/content/10.1101/2020.04.01.20050039v1>

³ <https://www.healthaffairs.org/doi/full/10.1377/hlthaff.2020.00382>

offers a lump-sum Covid Worker Support Payment of A\$1,500 (c.£850) to employed people in the state of Victoria who are losing out on income while self-isolating.

16. In order to improve compliance with self-isolation, we recommend an **England-wide financial incentive scheme**, provisionally called an “Isolation Support Payment” – **set at £500** paid as a lump sum on top of any benefits or SSP received. This would be targeted at the poorest members of society, who would otherwise face a difficult choice between self-isolating as directed and keeping their heads above water. It should be simple to understand, quickly deliverable and easily accessible to those who need it.
17. To be eligible for the proposed new Isolation Support Payment, an individual must:
 - a. have been asked to self-isolate by NHS Test and Trace, either because they’ve tested positive or are the close contact of a positive case;
 - b. be employed or self-employed;
 - c. be unable to work from home and will lose income as a result; and
 - d. be currently receiving Universal Credit, Working Tax Credit, income-based Employment and Support Allowance, income-based Jobseeker’s Allowance, Income Support, Housing Benefit and/or Pension Credit.
18. The benefits-linked eligibility criterion mirrors that applied in the pilot. It constrains costs and makes the scheme easier to deliver. However it may exclude some groups at risk of not self-isolating due to financial limitations, but who do not claim any benefits. In order to address this, we are developing an option to put in place additional funding to support LAs in making discretionary hardship payments. These would only be provided in limited circumstances, with guidance from central government on eligibility.
19. Equalities impacts will need to be further explored alongside mitigations in the coming days including any discrepancy in financial payments to those having to self-isolate and those advised to shield. The scheme will be time-limited and focussed on the immediate winter period, with a review point before the end-date of 31 January 2021. Measures to monitor and evaluate the success of the programme will be designed and put in place.
20. Work is underway to scale a version of the existing pilot that is deliverable across the UK by local authorities. Local Authorities in England will need to set up their own arrangements for running the scheme, which will require coordination from DHSC, MHCLG, DWP and the centre of government. **Our aim is to publish allocations for Local Authorities for the scheme to start from 28 September, in line with the legal obligation to self-isolate.**

Departments and local authorities have cautioned that this timeline is challenging and many local authorities are unlikely to be ready to deliver this scheme by then. This is mitigated by the fact that those eligible who start to self-isolate from 28 September can receive backdated payments once the scheme is set up in their Local Authority. We would set an expectation that Local Authorities have a scheme in place within two weeks of its commencement, i.e., by 12 October.

21. The cost of the payments (excluding administration costs) has been modelled by DHSC as **£12-60m per month** depending on the incidence of Covid-19, with the upper bound reflecting an incidence rate five times higher than today's. We estimate that approximately 3.9m people would potentially meet the receipt of benefits and employment criteria. It is anticipated that payments would reach between 6,000 and 28,000 people per week depending on the incidence rate. MHCLG are undertaking an initial estimate of likely LA administration costs and will keep them under review. **We will commit on announcement to HMG meeting these administration costs.**
22. Payments will be subject to income tax. We will legislate to exclude Class 1, 2 & 4 National Insurance Contributions. This does not affect the delivery timeline. The payment will not be taken into account when determining other benefit entitlements.
23. Local authorities will work with DWP and HMRC to ensure only those eligible sign up to the scheme. They may also carry out checks with employers to ensure Isolation Support Payment recipients are meeting the scheme's criteria; and escalate the matter to police if fraud is suspected. There are, however, data considerations to work through. Test and trace data is deliberately limited and currently would not be sufficient to support visits or effective data matching for compliance activity, and departments should undertake urgent work to resolve issues data sharing issues.
24. There is a risk that people who have tested positive could falsely identify their friends and family as contacts. This could allow those individuals to claim the payment when they have not been in recent contact with the index case. However, we expect the risk of fraud to be low as any named contacts would need to meet the eligibility criteria, which restrict entitlement to a small pool. While we assume some proportion of fraud may go undetected, this must be balanced against the overall benefit of the scheme in driving up compliance with self-isolation and reducing the broader costs of local interventions.

25. We propose that this approach is initially rolled out England-wide. A UK-wide scheme administered by DWP would require primary legislation and new digital infrastructure, delaying the launch by months. The Devolved Administrations have expressed interest at official level in mirroring the England approach at a later date, but we note there is no guarantee of success. The recommended approach will avoid delays to the announcement and England-wide launch.

Next Steps

26. Should Ministers agree to the recommendations, we propose that both elements of this package should be announced on Sunday and followed up with a written ministerial statement by the Secretary of State for the Department of Health and Social Care on Monday, to come into force on 28 September. This is to allow for the necessary regulations to be passed, and for both elements to be introduced as a single 'carrot and stick' package. Local authorities will be required to have payment systems in place by 12 October, backdating payments where necessary.