

Can my PA refuse to wear a mask when Government social distancing guidelines relax in England on 19th July?

During the pandemic the Government laid down both legal rules and some guidelines as to when individuals should wear masks, social distance and not attend work. The government has relaxed these rules in England from 19th July 2021 meaning employers are no longer under an obligation to ensure social distancing is applied.

In some cases, individual employers won't be quite so ready to relax the rules for PA's working in their homes. This might be particularly important where there is close contact work, someone hasn't been vaccinated or, there are PA's or householders who are Clinically Extremely Vulnerable (CEV). The Government have issued a new guide to protecting people in this category which you can find here: [19 July guidance on protecting people who are CEV](#). The guidance reminds employers of their legal duty to protect workers against risks in the workplace despite the policy change post 19th July. In some cases, it may still be appropriate to continue with health and safety measures such as continuing regular lateral flow tests or using PPE (Personal Protective Equipment) which may include masks.

PA's have always been key workers, which means that they have been able to attend work during periods of lockdown. This reflects the vital importance of their role. At all times through the pandemic employers have been advised to do their own risk assessments and implement measures to keep PA's and householders safe. This remains the case even after 19th July meaning it is still reasonable to ask your PA to wear a mask if you consider it a necessary measure to keep people safe.

This position is supported by the Government [guidance for people using Direct Payments during the coronavirus outbreak](#) which was recently updated and confirms that the Department of Health and Social Care have committed to providing free PPE for COVID-19 needs until 31st March 2022

The Government have also updated their guide to safe working in England, Scotland and Wales for Step 4 of the roadmap which you can find here: [Working safely during coronavirus](#).

If you have concerns about how this may impact you or someone you are supporting, Home Employment policy holders, or whoever is supporting them can contact ILG support 24hrs a day, 7 days a week for advice.



If you need any further employment support or legal advice

Call 01476 512192

Email advice@ilgsupport.com

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