

Covid-19 Update – EU National Workers Returning Home



Information correct as at 10:00am on 24.04.2020

- As restrictions ease, EU national employees may want to return home to family
- Employers should encourage employees to comply with restrictions and consider challenges
- Disruption to travel may mean employees are unable to return to the UK as planned

The initial panic and uncertainty of the UK going into lockdown resulted in a number of EU nationals working on farms, leaving at short notice to return home. Our previous updates have offered ways of protecting staff who remain on farm, ways to mitigate the short-term impact of reduced staff numbers and longer-term solutions for dealing with labour shortages. In recent weeks we have seen much more limited movement of people. However, with the lockdown extended for at least another 3 weeks and talk of intermittent and on-going lockdown, we anticipate that when rules are (possibly temporarily) relaxed we may again see increased movement. We would like to highlight some issues and risks that you and your workforce need to consider if considering leaving the UK.

Please discuss the following considerations and risks with your team to make sure they are fully aware of any possible implications of their decision to return home whilst the pandemic is ongoing.

Key Considerations and risks:

Regulations in both the destination country and other countries en route may be different to the UK and may:

- Prohibit movement and travel
- Require self-isolation on arrival

Those travelling may find themselves “stuck” or turned back from countries on their route, especially if travelling by car.

Regulations in the UK are changing regularly and without prior notice which could result in:

- Disrupted travel arrangements and delayed return to the UK
- Requirement for compulsory isolation on return, further extending the period the employee is unavailable to work

To protect the health of yourself and the farm team you may wish to insist returning employees self-isolate for up to 14 days as a precaution. You may agree for this period of self-isolation to be taken as additional annual leave or unpaid leave but are not obliged to do so.

Obtaining EU Settled or Pre-Settled Status requires them to be in the UK and have submitted their application before 31st December 2020.

- If restrictions prohibit return to the UK before 31st December and they have not applied before leaving their right to work may be affected

If you would like advice or support with labour or people issues, we have a specialist team in Kite who are able to work remotely to assist you, along with having relationships with translators, should language be a barrier to effective communication.