

Critical Worker Exemption Application

The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2020

In light of the global COVID-19 pandemic, the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2020 ("the Regulations") require all persons arriving in the Bailiwick from anywhere in the world, (except category 1 countries and regions) to self-isolate for 14 days.

The States of Guernsey recognises that there need to be a limited number of exemptions to the mandatory imposition of self-isolation after arriving in the Bailiwick. One of these exemptions enables people undertaking critical work to travel to and from the Bailiwick without needing to self-isolate for 14 days on arrival. This exemption also applies to people undertaking critical work in Alderney, Sark, Jethou and Herm.

In order for a person to be issued with a Critical Worker Exemption (an "Exemption"), this application form must be completed and sent to the Critical Travel team. A determining officer will then decide if that person falls within the definition of Critical Worker and, if so, whether any further conditions and restrictions should apply to that Critical Worker, in addition to the standard conditions.

Where a Critical Worker fails to comply with one or more of the conditions set out in the Exemption, that Exemption will lapse and that Critical Worker must self-isolate for the remainder of the 14 day period following their arrival in the Bailiwick. The Critical Worker may also be prosecuted for that non-compliance and, if convicted, may be sentenced to pay a fine of up to £10,000, to a term of imprisonment not exceeding 14 days or to both.

The employer of a Critical Worker who is granted an Exemption is also responsible for ensuring that any Critical Worker employed by them complies with the conditions and restrictions set out in the Exemption. Where a Critical Worker does not comply with one or more of the conditions and restrictions set out in the Exemption, the employer of that Critical Worker may also be prosecuted and, if convicted, may be sentenced to pay a fine of up to £10,000, to a term of imprisonment not exceeding 14 days or to both.

The Critical Worker Exemption application process does not apply to anyone travelling on compassionate or medical grounds (see <https://covid19.gov.gg/guidance/travel/medical> for further details).

For the avoidance of doubt, a Critical Worker must **not** travel to the Bailiwick and must **immediately** cease work after their arrival and arrange a COVID-19 test if they have any new onset or recent onset of any respiratory or flu-like symptoms, such as:

- New and severe fatigue,
- New muscle ache for no obvious reason,
- Headache (sinus pain, pain around eyes),
- Loss of smell/taste,
- Sore throat,
- Fever (high temperature, rigors, chill),
- Shortness of breath, chest tightness,
- Continuous new cough.

Grounds for grant of a Critical Worker Exemption

Existential risk to a Bailiwick Business

An Exemption may be granted where:

- (a) there is a significant risk that, if an Exemption is not granted, a business based in the Bailiwick will cease trading; or
- (a) the application relates to a business based in the Bailiwick that operates commercial transport links into and out of the Bailiwick

Categories of Critical Worker

An Exemption may also be granted where the applicant:

- (a) is a person whose presence in the Bailiwick is required to keep a critical service running; and
- (b) falls into one of the following categories of Critical Worker:

Air and Sea Links	Those individuals directly involved in maintaining the Islands' air and sea links.
Critical National Infrastructure	Those individuals directly involved in maintaining and protecting the Islands' critical national infrastructure.
Frontline Health and Care and Veterinary Services	Those individuals providing, or directly facilitating, critical front line health and care, and veterinary, services.
Emergency Services and Justice Administration	Those individuals delivering emergency services or the administration of justice.
Education	Education professionals delivering critical activity within the Islands' schools.
Business Stability and Recovery	Those individuals involved in business continuity and/or business recovery.
Technical Specialist Contractors	Those skilled individuals required for construction projects to continue or begin.
Financial Stability	Those individuals involved in ensuring financial stability and resilience.

Further requirements apply to particular categories of Critical Worker before an Exemption may be granted.

Applying for a Critical Worker Exemption

All applications for critical worker travel approval may be made directly through the Critical Travel team at critical.travel@gov.gg. If you have any questions, please call on 01481 747578.

The applicant must fill out Part A of this application form **and**:

- Part B - where the application refers to an existential risk to a Bailiwick Business, *i.e. there is a significant risk that, if an Exemption is not granted, a business based in the Bailiwick will cease trading; or the application relates to a business based in the Bailiwick that operates commercial transport links into and out of the Bailiwick*

or

- the relevant form in Part C depending on the category of Critical Worker, *i.e. Business Continuity or Technical Specialist Contractor*.



Each application will be considered by the relevant Determining Officer and a decision is aimed to be provided to the applicant by e-mail within 7 working days of the date of the application.

Appeals

An applicant for a Critical Worker Exemption who is aggrieved by a decision to refuse the application, or to grant the application subject to the imposition of further specific conditions, may make written representations to the nominated reviewing officer concerning the outcome of his or her application within 14 days of being notified of that decision, by emailing those representations to critical.travel@gov.gg.



Critical Worker Exemption Application Form

Part A

Surname(s):	
First Name(s):	
Date of Birth:	
Personal mobile number:	
Personal E-Mail address:	
Position/Job Title:	
Employer:	
Name of contact at company, the contact's telephone number, E-Mail address and company address: <i>(Required for invoicing of COVID-19 testing)</i>	
Name, E-Mail and phone number of a designated contact person present within the Bailiwick based on site:	
Outline the proposed work and where relevant, provide addresses of the locations to be visited:	
Explain why the proposed work should be considered critical at this time: <i>(If refused, what would be the damage (if any) to the business applying to travel, the business based within the Bailiwick, the Bailiwick economy or any part or sector of the Bailiwick?)</i>	
Do you have a company COVID-19 Method Statement? <i>(Yes/no -if yes, please attach with this application)</i>	
Outline which measures can be put in place to mitigate the risk of potential COVID-19 spread: <i>(Social distancing, hygiene standards etc.)</i>	
Please detail any hospital worked in during the 14 days prior to arrival: <i>(If applicable)</i>	



<p>Have you had any known contact with positive or suspected COVID-19 case in last 14 days <i>(Yes/No- if yes, please provide details)</i></p>	
<p>Do you now have, or have you had in the last 14 days, any symptoms associated with COVID-19? <i>(If yes, please provide details)</i></p>	
<p>Please list all countries / regions that you have spent time in during the last 14 days prior to arrival: <i>(Please visit https://covid19.gov.gg/quidance/travel/countries for guidance)</i></p>	

<p>If your dates of travel are still to be confirmed OR your dates of travel change after you have submitted this form, you must inform the Critical Travel team via email (critical.travel@gov.gg) as soon as possible and in any event before you travel.</p> <p>If this section is not completed or you have not informed the team of your dates, your Critical Worker Exemption will not be accepted at the border.</p>	<p>Journey 1 (inbound)</p>	
	<p>Date:</p>	
	<p>Departure location & time:</p>	
	<p>Arrival location & time:</p>	
	<p>Mode of transport: <i>(Flight number or vessel name)</i></p>	
	<p>Journey 2: (outbound)</p>	
	<p>Date:</p>	
	<p>Departure location & time:</p>	
<p>Arrival location & time:</p>		
<p>Mode of transport <i>(Flight number or vessel name)</i></p>		
<p>Aircraft Make & Model / Reg for pilots or Vehicle Reg for delivery drivers: <i>(If applicable)</i></p>		
<p>Self-isolation address whilst in the Bailiwick of Guernsey: <i>(Even if travelling for one day, this is required for contingency plans)</i></p>		
<p>Proposed on-island transport arrangements: <i>(e.g. hire car, taxi etc.)</i></p>		

Fill in the relevant section below depending on the basis of your application:

Part B: Existential risk

<p>Has this application been made by or on behalf of a business based in the Bailiwick that operates transport links into and out of the Bailiwick? <i>(Yes/No)</i></p>	
<p>Is this journey to be undertaken for a commercial, or primarily commercial, purpose? <i>(Yes/No)</i></p>	
<p>Is the undertaking of this type of journey necessary for the continued operation of the business? <i>(Yes/No)</i></p>	

Part C:

Business Stability & Recovery:

<p>Is the technical/specialist undertaking a designated set of tasks that is time-critical and completed within a fixed term?</p>	
<p>Is the technical/specialist expertise provided by the applicant currently available/accessible on island?</p>	
<p>If refused, would the Bailiwick based business not be able to continue in operation?</p>	
<p>If refused, would the Bailiwick based business' continuity plan be undermined to be unable to comply with health and safety or other essential statutory standards that would mean it could not continue to operate some critical functions fully?</p>	
<p>If refused, would this affect a commercial contract or project that would prevent the return of employment of on-island works or lead to the curtailing of employment for on-island workers?</p>	

Technical Specialist Contractors:

Can the service/set of skills that the applicant provides not feasibly be secured on-island?	
Is the role provided by the applicant critical to the progression of a project?	
Does the applicant have the relevant formal professional qualification for the role?	
Does the applicant have health insurance that covers COVID-19 related matters?	

Declaration

By sending this application form to the Critical Travel team:

I, **[insert full name]** declare that the information provided in this application is, to the best of my knowledge and belief, true and accurate;

I confirm that I am authorised by **[insert name of person, his/her position within the company and the company's full name]** to make this application; I understand that I must not travel into the Bailiwick of Guernsey if I have any symptoms associated with COVID-19 - new and severe fatigue, new muscle ache for no obvious reason, headache (sinus pain, pain around eyes), loss of smell/taste, sore throat, fever (high temperature, rigors, chill), shortness of breath, chest tightness, continuous new cough, at the time of travel, even if a Critical Worker Exemption has been previously approved, and **I understand that if I am granted a Critical Worker Exemption, but I do not comply with the conditions which apply to me, the Critical Worker Exemption will lapse, and I may be liable to prosecution.**

- Should your response to any of the questions change between submitting the form and arriving on island, you must inform the Critical Travel team immediately at critical.travel@gov.gg or 01481 747578.
- Please note that this application does not fulfil your requirements under the Population Management Law, and anyone living or working in Guernsey requires a valid permit to do so.
- Please e-mail this application to critical.travel@gov.gg. You will be contacted by email with a decision.

Fair Processing Information

Any personal data provided in completing this Critical Worker Exemption application, will be processed in accordance with the Data Protection (Bailiwick of Guernsey) Law, 2017, which provides for your rights as a data subject.

For more information on how your data will be processed, please see the [COVID-19 fair processing notice](#).