

✉ by email ✉

PSAlexChisholm@cabinetoffice.gov.uk

160 Falcon Road
London SW11 2LN
www.pcs.org.uk
t: +44 (0)20 7801 2614
e: mark@pcs.org.uk

Mark Serwotka
General Secretary

Mr Alex Chisholm
Chief Operating Officer for the Civil Service and Permanent Secretary (Cabinet Office)
Cabinet Office
70 Whitehall
London
SW1A 2AS

8 September 2020

Dear Alex,

I am writing to express serious and urgent concerns arising from your letter of 3 September to Permanent Secretaries which was also sent in Mark Sedwill's name.

In your letter of 3 September, which has been widely leaked to the media, Permanent Secretaries were told: "Departments which are still below their departmental constraints should now move quickly to seek to bring more staff back into the office in a COVID-secure way, and take advantage of the return to schools this month". Your letter states that staff rota systems should be used so that by the end of September 80% of staff will attend their workplace each week.

The statement in your letter that staff safety remains your paramount concern is unlikely to ring true to many civil service workers given the significantly increasing number of confirmed Covid cases across the UK, which the Deputy Chief Medical Officer for England has described as causing "great concern", and more frequent incidents of Covid in civil service offices. Government Ministers have stated that the UK is entering a period of "particular concern". No responsible employer would try and force large numbers of staff back to the workplace in these circumstances.

Many experts now believe that the trajectory of Covid cases in this country is following that of those on continental Europe albeit with a few weeks time lag. There is a real prospect that by the end of September we will see a similar prevalence of the virus as is currently being experienced in France, Spain, and other European countries, particularly given the large number of students travelling back to universities and colleges in the next few weeks.

On the 17 July, the Prime Minister set out the change of position from the default of working from home. In that speech he made great play of the fact that Covid seemed to be receding both in terms of cases detected but also the R rate was relatively low. In particular he said:

Now I must stress, the timetable I am about to set out is conditional. It is contingent on every one of us staying alert and acting responsibly. It relies on our continued success in controlling the virus. And we will not proceed if doing so risks a second peak that would overwhelm the NHS.

Yet the instructions and target set in your letter of 3 September are not conditional in any way; there is no acknowledgment of the worsening Covid situation. A key theme of Mr Johnson's speech, that of conditionality, has been ignored. Moreover, there is no objective justification for the 80% target, which therefore appears to be arbitrary. You have not sought to justify or explain how the instructions are compatible with Health and Safety law, in particular Schedule 1 of the Management of Health and Safety at Work Regulations 1999.

A number of serious issues are raised by the failure of your letter to address the objective conditions facing civil servants. These include the impact of local lockdowns and restrictions, including schools under lockdown and the impact that has on civil servants who are parents. In general, the arbitrary target of 80%, set without consideration of the rate of Covid cases or the law on health and safety, raises fundamental concerns about increasing the risk to staff by undermining safe working practices including social distancing.

On behalf of PCS members I strongly urge you to reconsider the requirements placed on Departments by your letter of 3 September, and I request an urgent meeting to discuss the serious issues it has raised.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Serwotka', with a long horizontal stroke extending to the right.

Mark Serwotka
General Secretary