



TWO MONTHLY REPORT ON THE STATUS ON THE NON-DEVOLVED PROVISIONS OF THE CORONAVIRUS ACT 2020

Presented to Parliament
by the Secretary of State for Health and Social
Care
by Command of Her Majesty

September 2020



TWO MONTHLY REPORT ON THE STATUS ON THE NON-DEVOLVED PROVISIONS OF THE CORONAVIRUS ACT 2020

Presented to Parliament
by the Secretary of State for Health and Social
Care
by Command of Her Majesty

September 2020



© Crown copyright **2020**

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents.

Any enquiries regarding this publication should be sent to us at Department of Health and Social Care, 39 Victoria Street, Westminster, London, SW1H 0EU.

ISBN 978-1-5286-2162-5
CCS0920274208 09/20

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office

Introduction

The current novel coronavirus (COVID-19) outbreak, which began in December 19, presents a significant challenge for the entire world. All of the UK has been touched by the pandemic and the use of the provisions of the Coronavirus Act should be seen in the context of the extensive and ongoing mobilisation of the whole of society.

The development of an effective response to the pandemic required several actions. Some of these involved the use of new tools and powers that required new legislation. The UK government's coronavirus action plan, published on 3 March, set out measures to respond to the Coronavirus pandemic that are reasonable, proportionate and based on the latest scientific evidence. The plan envisaged that changes to legislation might be necessary in order to give public bodies across the UK the tools and powers they need to carry out an effective response to this emergency. On 25 March, the Coronavirus Act 2020 received Royal Assent. The Coronavirus Act gives us the powers we need to take the right action at the right time to respond effectively to the impact of the pandemic and should be seen as part of a wide range of public health measures designed to tackle the pandemic during its life cycle.

What the Act was designed to achieve

The Act enabled action in 5 key areas:

1. increasing the available health and social care workforce – for example, by removing barriers to allow suitably experienced people, such as recently retired NHS staff and social workers to return to work (and in Scotland, in addition to retired people, allowing those who are on a career break or who are social worker students to become temporary social workers)
2. easing and reacting to the burden on frontline staff – by reducing the number of administrative tasks they have to perform, enabling local authorities to prioritise care for people with the most pressing needs, allowing key workers to perform more tasks remotely and with less paperwork, and introducing a power to suspend individual port operations if necessary for the security of the border
3. containing and slowing the virus – provisions have been introduced to allow the courts and tribunals system to continue to function throughout the pandemic and ensure that more people are able to access justice.

4. managing the deceased with respect and dignity – by enabling the death management system to deal with increased demand for its services
5. supporting people – for example, by allowing individuals to receive Statutory Sick Pay from day one, and supporting businesses, for example by providing powers that will ensure the governments of the UK are able to support the food industry to maintain supplies

The governments of the UK therefore resolved to review and where necessary amend existing legislation, to ensure that the UK's response is consistent and effective.

The worst-case scenario has not so far come to pass, but considerable risks remains, and significant challenges still lie ahead of us. The COVID-19 outbreak has resulted in one of the largest ever shocks to the UK economy and public finances. The impact of the virus and the measures that have had to be put in place have been far reaching, affecting people's jobs, livelihoods and wellbeing. Despite the success in reducing the burden of the virus significantly from its peak in the spring, the coming winter will present further challenges. Coinfections between seasonal coronaviruses and other respiratory viruses are common. While interactions between COVID-19 and other viruses are not fully understood, they have the potential to be negative and are likely to be more common in winter. There are also secondary risks. The pressure on the NHS and other health infrastructure is already higher in winter due to other seasonal illnesses, such as flu.

As the world's scientific understanding is still developing, it is too early to say that we know for certain precisely how the pandemic will respond to our efforts to control it in the medium to long term.

The UK's success in containing the virus so far has been hard fought and it is for that reason that we must therefore remain vigilant and cautious, but also flexible in the way we respond, and in the way we use the provisions of the Coronavirus Act to support the response and most importantly, avoid undoing what we have achieved. In May 2020, the government published, '*Our Plan to Rebuild*' which sets out the government's strategy for how and when the UK will adjust its response to the Covid-19 crisis and provides a roadmap to lift restrictions step by step. This can be accessed here:

<https://www.gov.uk/government/publications/our-plan-to-rebuild-the-uk-governments-covid-19-recovery-strategy/our-plan-to-rebuild-the-uk-governments-covid-19-recovery-strategy#the-current-situation>

Mechanism to Change the Status of Provisions

Part 2 of the Act sets out various mechanisms for managing (and reporting on – see next section) the use of the Act. Many of the provisions were designed to be used temporarily, and only when necessary. For this reason, there is a facility to enable Ministers to commence provisions when they are needed; but then also to suspend them when it makes sense to do so; and then, if

circumstances warrant it, to revive those provisions again. There is also the option to “sunset” (i.e. permanently repeal) provisions early, separately from the automatic sunset of the Act that is due to occur 2 years after the Act came into force.

Reporting and accountability arrangements

The Act included (in Part 2) a number of arrangements to facilitate accountability and transparency over the use of the substantive Part 1 powers.

The Secretary of State for Health and Social Care is required to prepare and publish a report on the status of the main non-devolved provisions in the Act relating to every two-month period during the operation of the Act

The report must set out for each of the provisions: (a) whether it is in force at the end of each two-month period, and (b) whether Ministers have, during that period, exercised powers under the Act to change the status of any provisions. Each report must contain a statement that the Secretary of State is satisfied that the status of the non-devolved provisions is appropriate.

Each Devolved Administration has its own arrangements for reporting on these, and on other powers within their legislative competence, in tackling the pandemic.

No regulations so far have been made to change the expiry date under section 90 of the Act.

A Status table has been published which provides up to date information on the status of all provisions, including devolved provisions, in the Coronavirus Act:

<https://www.gov.uk/government/publications/coronavirus-act-2020-status>

Appropriateness Statement

The Secretary of State for Health and Social Care, Matt Hancock, has made the following statement regarding the status of provisions in Coronavirus Act 2020 in accordance with section 97(1)(b) of that Act:

“I am satisfied that the status of those provisions of Part 1 of the Coronavirus Act 2020 which are my responsibility (within the meaning of section 97(6) of that Act) is appropriate.”

Progress to date

The provisions of Part 2 the Coronavirus Act require the Secretary of State to provide an update to Parliament on the status of non-devolved provisions in Part 1. The table below shows how each section has been used since Royal Assent:

- the first column refers to the Section of the Act
- the second column is a brief description of its scope
- the third column sets out the status of the provision. There are three elements to this: whether commenced; whether suspended/revived; whether the sunset date has changed. Currently no provisions have been suspended, revived and there have been no changes to sunset dates, so the column only includes the details of the *commencement status*.
- the fourth column describes how the provision, once commenced, has been used
-

A more detailed account of the policy under each provision can be found in the Explanatory Notes and other supporting material published alongside the Act.

The Devolved Administrations are responsible for their own reporting arrangements.

Status Table

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
1	Meaning of 'coronavirus' and related terminology	Came into force on Royal Assent	No change in terminology
2 <i>Sch 1</i>	Emergency registration of nurses and other health and care professionals	Came into force on Royal Assent	<p>These provisions enable the Nursing and Midwifery Council (NMC) to temporarily register nurses, midwives and (in England) nursing associates, and for the Health and Care Professions Council (HCPC) to temporarily register paramedics, operating department practitioners, radiographers and other professions in order to ensure sufficient workforce capacity to deal with pressures created by coronavirus. This builds on existing emergency registration powers in place for the General Medical Council to register doctors and the General Pharmaceutical Council to register pharmacists and pharmacy technicians.</p> <p>The NMC and HCPC both established temporary emergency registers for former registrants and students at the end of March 2020.</p> <p>Deployment of returning staff was managed separately across each of the four countries. In England, The NHS Bring Back Staff scheme run by NHS England received expressions of interest from over 65,000 former registrants across all professions. Deployment of staff was managed by NHS trusts and other employing organisations.</p> <p>As at 30 July 2020, 2,140 returning staff in England were re-deployed in front-line positions or used in remote roles such as NHS 111 and Track and Trace.</p> <p>Demand for returning staff was lower than might have been expected under our</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			<p>reasonable worst-case scenario planning assumptions due to a lower than predicted initial Covid surge and the redeployment of existing NHS workforce capacity freed up due to the suspension of non-urgent activity.</p> <p>We are proposing that the emergency powers and the emergency registers remain in place to enable additional workforce capacity that may be required to:</p> <ol style="list-style-type: none"> 1. Support NHS Trusts to clear the backlog created by the suspension of non-urgent services; 2. Help to deal with any future surges in Covid-19 infections / hospitalisations; 3. Provide ongoing support for 111 and Track and Trace; and 4. Support the delivery of future vaccination programmes. <p>We are continuing to work closely with NHS England, employing organisations, the professional regulators, the devolved administrations and other key stakeholders to monitor the use of the temporary registration powers. While there are no plans to revoke these powers at this stage, this will be kept under frequent review.</p>
6 <i>Sch 5</i>	Emergency registration of social workers: England and Wales	Came into force on Royal Assent	<p>In England, Social Work England (SWE), has temporarily reinstated the professional registration of several thousand former social workers.</p> <p>With the Department for Education and the Department of Health and Social Care, SWE has supported the Local Government Association (LGA) to launch a website matching temporary registrants</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			<p>with employers.</p> <p>The Department for Education regularly discusses children's social care workforce pressures with local authorities, and adult social care pressures with the Department of Health and Social Care. Though the number of temporary registrants returning to the profession to date remains relatively low, engagement with local authorities indicates that increases in referrals may lead to additional pressures on children's services as need that was unmet or undetected during coronavirus restrictions becomes apparent through the autumn. The temporary register remains important to local authority workforce planning in responding to anticipated Covid-19 related pressures in the coming months.</p>
8 <i>Sch 7</i>	Emergency volunteering leave	Not yet in force	<p>The provisions relating to Emergency Volunteering Leave and Emergency Volunteer Compensation were intended to come into force should the delivery of health services be at risk as a result of the pandemic. To date, there has not been a significant risk to health services and a surge in trained volunteers has not been required. As such, the provisions have not been triggered but remain as an option to use should this be necessary as part of the ongoing response to COVID-19. There are no plans to commence powers at the current time due to sufficient current supply of staff and volunteers in the health and care system. We are monitoring the situation to assess if powers need to be triggered in the</p>
9	Compensation for emergency volunteers	Not yet in force	

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			future.
10 and Sch 8	Temporary modification of mental health and mental capacity legislation	Not yet in force	<p>Current workforce data suggests we do not have critical gaps, and therefore the powers are not needed in the foreseeable future and plans are being drawn up to revoke this power, in so far as it applies to England, shortly.</p> <p>Paras 11 to 13 of schedule 8, which change the procedural rules of the Mental Health Review Tribunal for Wales, were commenced on 27 March 2020. These provisions only apply in Wales.</p>
11	Indemnity for health service activity: England and Wales	Came into force on Royal Assent	<p>While the vast majority of health services in England continue to be covered by existing indemnity arrangements, Section 11 has been utilised to provide clinical negligence indemnity for a range of special/novel healthcare arrangements which have been put in place in response to the pandemic, where there are no existing indemnity or insurance arrangements in place. This has enabled new and additional services to be put in place rapidly to support the overall response.</p> <p>The section 11 powers have not been exercised by Welsh Ministers yet.</p>
14	NHS Continuing Healthcare assessments: England	Came into force on Royal Assent	<p>The provisions contained in section 14 of the Coronavirus Act allow the NHS the option not to comply with the requirement to carry out Continuing Healthcare (CHC) assessments.</p> <p>CHC restart guidance was published on 21st August to explain how to reintroduce CHC assessments from 1st September</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			<p>2020 in a way that does not delay timely discharge from an acute setting.</p> <p>Ministers have decided to retain Section 14 to continue to allow the NHS the option of delaying CHC assessments to support timely discharge and effective prioritisation, as required.</p>
15 <i>Sch 12</i>	Local authority care and support	Section 15 (in relation to England) and Part 1 of Schedule 12 (powers and duties of local authorities in England came into force on 31 March 2020	<p>The Care Act easements are a tool to help local authorities continue to meet the most urgent and acute needs in the face of COVID-19 related increased demand on social care services and reduced workforce due to illness and isolation.</p> <p>Currently no local authorities are operating under easements. Our Chief Social Workers have had conversations with local authorities who have operated under easements. They are satisfied that authorities complied with the Ethical Framework for Adult Social Care.</p>
18 <i>Sch 13</i>	Registration of deaths and still-births etc	Came into force on 26 March 2020	<p>The easements to death registration have been successfully introduced; by increasing availability of health staff; to allow another doctor to sign an MCCD when the attending doctor may not be available due to illness, or self-isolation or for whatever reason being unavailable to sign the certificate thus reducing the pressures placed on the health service.</p> <p>Furthermore by reducing burdens placed on frontline services and by managing the deceased with respect and dignity as without these provisions deaths would have to be registered in person by informants and natural deaths would need to be referred to the coroner,</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			placing unnecessary burden on that service as well as causing extra distress and delay for families due to such a referral and reducing the risk of delays to associated bereavement processes such as funerals.
19	Confirmatory medical certificate not required for cremations: England and Wales	Came into force on 26 March 2020	<p>The easements to death registration have been successfully introduced; by increasing availability of health staff; to allow another doctor to sign an MCCD when the attending doctor may not be available due to illness, or self-isolation or for whatever reason being unavailable to sign the certificate thus reducing the pressures placed on the health service.</p> <p>Furthermore by reducing burdens placed on frontline services and by managing the deceased with respect and dignity as without these provisions deaths would have to be registered in person by informants and natural deaths would need to be referred to the coroner, placing unnecessary burden on that service as well as causing extra distress and delay for families due to such a referral and reducing the risk of delays to associated bereavement processes such as funerals.</p>
22	Appointment of temporary Judicial Commissioners	Came into force on Royal Assent	The Investigatory Powers Commissioner immediately requested the regulations be made to bring the measure into force. He has subsequently appointed 10 temporary Judicial Commissioners (details can be found on the IPCO website). Without these temporary

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			Judicial Commissioners, there would have been a detrimental impact on the ability of our intelligence services and law enforcement agencies to protect national security and prevent serious crime.
23	Time limits in relation to urgent warrants etc under Investigatory Powers Act	Came into force on Royal Assent	The Investigatory Powers Commissioner immediately requested the regulations be made to bring the measure into force. The measure has been used when urgent warrants have been required. Urgent warrants can only be used when there is an imminent threat to life or serious harm, or an intelligence or investigative opportunity which is time limited. This measure has ensured that the intelligence services and law enforcement agencies have been able to protect national security and prevent serious crime during the pandemic.
24	Extension of time limits for retention of fingerprints and DNA profiles	Came into force on Royal Assent	This provision has successfully mitigated the risk of a critical national security capability from being compromised as a result of the effects of the pandemic, including risk of losing the biometrics of up to 150 individuals per month (many of whom could be subjects of national security interest). The power has only been applied where coronavirus restricts national security capabilities. It has supported the overall Covid-19 response by enabling the police to maintain business-as-usual in relation to the reviews of intelligence required to retain biometric data.
25	Power to require information relating	Not yet in force	Department for Environment, Food and Rural works closely with food retailers to

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
	to food supply chains		gather information, on a voluntary basis, during a food supply disruption. These provisions are intended to back up this arrangement and will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
26	Authorities which may require information	Not yet in force	Related to the power at clause 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
27	Restrictions on use and disclosure of information	Not yet in force	Related to the power at clause 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
28 <i>Sch 15</i>	Enforcement of requirement to provide information	Not yet in force	Related to the power at clause 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
29	Meaning of 'food supply chain' and related expressions	Not yet in force	Related to the power at clause 25. These provisions will not be activated unless there is a food supply disruption and industry stop complying with information requests voluntarily.
30	Suspension of requirement to hold inquests with jury: England and Wales	Came into force on Royal Assent	These provisions allow the majority of inquests involving Covid-19 to take place without a jury. During the period of the pandemic coroners have been significantly impacted by the lockdown restrictions in the conduct of all inquests which must be

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			<p>held in public, with many pending inquests as well as more recent inquests being put on hold.</p> <p>The Chief Coroner issued Guidance No. 39 - Recovery from the Covid-19 Pandemic on 29 June to all coroners regarding managing these inquests as restrictions were being lifted, noting that “returning to ‘business as normal’ will take some considerable time”.</p> <p>He has particularly noted that going forward “Inquests with juries will pose particular challenges...” and these provisions will support efforts to recover the impact on coroner services.</p> <p>We do not hold statistics on the volume of deaths reported to the coroner where the deceased had been diagnosed with Covid-19.</p>
37 <i>Sch 16</i>	Temporary closure of educational institutions and childcare premises	Came into force on Royal Assent	The Secretary of State for Education has the power to direct educational institutions and registered childcare providers to restrict access to premises, where tests in the Coronavirus Act 2020 are met. Local authorities can be authorised to issue directions in relation to registered childcare providers, schools and 16-19 Academies in their areas. The Office for Students can be authorised to issue directions in relation to registered higher education providers. The Secretary of State for Education has not exercised these powers.
38 <i>Sch 17</i>	Temporary continuity: education, training	Came into force on Royal Assent	The Secretary of State for Education has (up to now) issued the following notices (applying in May, June, July and August)

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
	and childcare		<p>to disapply or modify statutory requirements in education, training and childcare and certain provisions in academy arrangements:</p> <ul style="list-style-type: none"> • Four notices applying in May, June and July, which temporarily removed statutory requirements relating to: school attendance, pupil registration, and school inspection, facilitating the education and childcare sectors response to the coronavirus outbreak; and, modified the duty to secure or arrange provision specified in Education, Health and Care plans allowing LAs, health commissioning bodies, education settings and other partners more flexibility in responding to the demands placed on them by the outbreak. • Three notices (only) applying in August, which temporarily removed requirements relating to school attendance, pupil registration, and school inspection. • In addition, two notices (only) are proposed for September, which will temporarily modify/remove requirements in relation to pupil registration and school inspection. <p>The Secretary of State for Education also has the power to direct educational and training institutions, LAs and registered childcare providers in England, to take reasonable steps (which can be specified in the direction) in connection with the provision of education, training, childcare and other related matters where the tests in the Coronavirus Act 2020 are met.</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			Local authorities can be authorised to issue directions in relation to registered childcare providers, schools and 16-19 Academies in their areas. The Office for Students can be authorised to issue directions in relation to registered higher education providers. The Secretary of State for Education has not (to date) used his temporary continuity direction powers – however, he announced in guidance for full opening: schools (https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/guidance-for-full-opening-schools#res published on 2 July), that the government is considering making a temporary continuity direction in the autumn term, to give additional clarity to schools, pupils and parents as to what remote education should be provided for pupil who cannot attend school premises for reasons connected with coronavirus. DfE is engaging with the sector before a final decision is made on this.
39	Statutory sick pay: funding of employers' liabilities	Came into force on Royal Assent	This power allows for payments to be made to employers to refund the costs of SSP paid to eligible employees for sickness absences relating to coronavirus. The Coronavirus Statutory Sick Pay Rebate Scheme is now live.
40	Statutory sick pay: power to disapply waiting period limitation	Came into force on Royal Assent	Regulations have been made to suspend the waiting days' rule in coronavirus cases. This means that SSP is now payable from day one, rather than day four, and thus provides additional support to employees who are unable to work because they are unwell or self-isolating as a result of coronavirus
41	Statutory sick pay:	Came into force on	This allows for regulations which provide

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
	modification of regulation making powers	Royal Assent	<p>that employees are to be treated as incapable of work as a result of coronavirus, and are therefore eligible for SSP, to refer to the latest guidance issued by the UK health authorities, as that guidance is amended from time to time. It also allows such regulations to confer discretion on a person.</p> <p>This power was used in the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020 to reference guidance issued by the Chief Medical Officers, as amended from time to time, so that the regulations continue to apply as and when the guidance on symptoms is updated.</p>
45	NHS pension schemes: suspension of restrictions on return to work: England and Wales	Came into force on Royal Assent	<p>This provision suspended the 16-hour rule following retirement in the NHS Pension Scheme, as well as abatement for special class status holders and the requirement for draw down retirees to reduce their pensionable pay by 10%. These measures have removed barriers which previously prevented retired staff from returning to work or increasing their working commitments. Suspending these rules has allowed thousands of retired or formerly retired staff to increase their commitment to the NHS, providing vital frontline capacity. This has helped support the overall coronavirus response by supporting the goal of ensuring the NHS has the frontline staff it needs.</p>
50 <i>Sch 20</i>	Power to suspend port operations	Came into force on Royal Assent	<p>There have been no situations where the Secretary of State has needed to issue a direction under this Schedule.</p> <p>This provision will remain in force at the</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			end of the two-month period in order to continue to provide for the scenario where, due to coronavirus, there are insufficient officers to maintain adequate border security. The power to suspend port operations will only be used where the Secretary of State believes that it is necessary, proportionate, and there is a real and significant risk to border security.
51 <i>Sch 21</i>	Powers relating to potentially infectious persons	Came into force on Royal Assent	Under the Coronavirus Act, the powers under the schedule for Potentially Infectious Persons are essential to controlling and containing the virus in the long term. As of 25 September, PHO powers have been used fewer than ten times. They continue to be part of a suite of powers to support a range of strategic responses throughout the lifecycle of the pandemic.
52 <i>Sch 22</i>	Powers to issue directions relating to events, gatherings and premises	Came into force on Royal Assent	The UK government has not exercised the powers conferred through this provision. The lockdown regulations (The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020) – made under the Public Health (Control of Disease) Act 1984 – have been used to restrict gatherings.
53 <i>Sch 23</i>	Expansion of availability of live links in criminal proceedings	Came into force on Royal Assent	Sections 53-56 been introduced to allow the courts and tribunals system to continue to function throughout the pandemic and ensure that more people are able to access justice.
54	Expansion of availability of live	Came into force on	Despite the considerable challenges and restrictions in place during this time, these provisions have allowed thousands of hearings to take place since the

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
Sch 24	links in other criminal hearings	Royal Assent	<p>passing of the Act and the take-up of remote technology has increased significantly with 60-65% of hearings each day involving one or more parties joining remotely.</p> <p>These sections have supported the overall Covid-19 response by helping to contain the virus, reduce the risk of it spreading and therefore easing the burden on frontline staff.</p>
55 Sch 25	Public participation in proceedings conducted by video or audio	Came into force on Royal Assent	
56 Sch 26	Live links in magistrates' court appeals against requirements or restrictions imposed on a potentially infectious person	Came into force on Royal Assent	
58 Sch 28	Powers in relation to transportation, storage and disposal of dead bodies etc	Came into force on Royal Assent	<p>Government is working closely with the sector and with local partners to assist in contingency preparations and support local authorities to appropriately and safely manage the deceased during COVID-19.</p> <p>This includes ongoing sharing of information about capacity to manage the deceased through local resilience forums (LRFs), which help to identify any capacity issues. This information helps government to determine whether further action may be required to address these capacity issues (at a local, regional or national level) and whether the threshold for 'designating' a local authority has been met. Local authorities are also sharing information at a local and LRF-level. Information requiring provisions are available to local authorities under Part 1 of the Schedule, and government has issued a template for making information</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			<p>requests.</p> <p>No local authority has been designated yet and therefore no local or national authority is able to make directions under Part 2 of the Schedule. The threshold for designation (in Paragraph 4(1)) has not yet been met. This is true for all UK nations.</p> <p>These provisions remain an integral contingency plan as we are dealing with an unpredictable virus. They ensure that the government's response to Covid-19 continues to prioritise the dignity and respect of the deceased and the bereaved families.</p>
59	Elections and referendums due to be held in England in period after 15 March 2020	Came into force on Royal Assent	<p>The impact of this provision was to allow Returning Officers and others responsible for the running of polls to postpone any local authority by-elections (e.g. council parish, mayoral) and local referendums (e.g. neighbourhood planning) which were ongoing within a period of 30 days from 15 March 2020 by removing the statutory duty to do so from them.</p> <p>The provision came into force on Royal Assent and the majority of such polls were postponed to 6 May 2021 as a consequence.</p> <p>This provision enabled Returning Officers to avoid running polls at a time when the pandemic was developing in the UK and the use of polling stations and related activity could have had an effect in promoting spread of the virus. This also allowed staff to be readily re-deployed to other duties to support the response to</p>
60	Postponement of elections due to be held on 7 May 2020	Came into force on Royal Assent	
61	Power to postpone certain other elections and referendums	Came into force on Royal Assent	

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			<p>the pandemic.</p> <p>This provision has supported the aim of protecting public health by containing and slowing the spread of the virus.</p>
62	Power to postpone a recall petition under the Recall of MPs Act 2015	Came into force on Royal Assent	<p>The impact of this provision is that, in the event that one of the conditions in the Recall of MPs Act 2015 is engaged and a recall petition must be opened, the duty on the Petition Officer (to make a petition available 10 working days after receiving notice of this duty from the Speaker of the House of Commons) shall not apply.</p> <p>Practically, this means that when notice of a recall petition is given between the date the Coronavirus Act received Royal Assent and 21 April 2021, the Petition Officer can postpone the organisation of this petition. Under the Coronavirus Act, any postponed recall petition must be made available for signing no later than 6 May 2021.</p> <p>Since the Coronavirus Act came into force, there have been no recall petitions triggered since the Act received Royal Assent. Had there been a duty on a Petition Officer to organise a recall petition, the possibility to defer the petition would have allowed for the electorate in that constituency to make their views known (i.e. by attending a petition signing station) at a later date without having to act in a way contrary to the public health guidance. It has contributed to allowing staff to be freed up from being on standby for any electoral event during the period until 6 May 2021</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			and to be readily re-deployed to other duties to support the response to the pandemic.
63	Power to make supplementary etc provision	Came into force on Royal Assent	<p>The impact of this provision was to allow for further provisions to be made in secondary legislation to support the postponement of polls and deal with ancillary and related matters such as how the position of candidates was to be addressed and any postal votes already received were to be dealt with.</p> <p>One SI was made on 15 April 2020: The Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020 which ensure that local government reorganisation in Buckinghamshire and Northamptonshire, which had been dependant on local elections taking place throughout those areas in May 2020, is still implemented, ensuring continued effective delivery of local public services in those areas. Another SI is in the process of being finalised which will deal with various matters relating to polls where the electoral timetable had started so that the candidate position, their expenditure and how paperwork from the poll, including postal votes, are addressed.</p> <p>This has supported the benefits brought about by the postponement of the polls which have supported the aim of protecting public health by containing and slowing the spread of the virus.</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
71	Signatures of Treasury Commissioners	Came into force on Royal Assent	<p>The directions that have been made conferring functions on HMRC have been made pursuant to sections 71 and 76 of the Coronavirus Act 2020. This includes the directions made by the Chancellor in relation to Coronavirus Job Retention Scheme, Self-Employed Income Support Scheme and the Eat Out to Help Out Scheme.</p> <p>Take-up of SEISS and CJRS can be found publicly available here: https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics</p>
72	Power under section 143 of the Social Security Administration Act 1992	Came into force on Royal Assent	This power was taken to enable the government to respond flexibly to the situation through the National Insurance system. The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power
73	Power under the section 145 of the Social Security Administration Act 1992	Came into force on Royal Assent	This power was taken to enable the government to respond flexibly to the situation through the National Insurance system. The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power
74	Power under section 5 of the National Insurance Contributions Act 2015	Came into force on Royal Assent	This power was taken to enable the government to respond flexibly to the situation through the National Insurance system. The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power
75	Disapplication of limit under section	Came into force on Royal Assent	The provision is in use to facilitate the provision of support to business. A separate requirement to report to

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
	8 of the Industrial Development Act 1982		Parliament in relation to the use of Section 75 is set out in that section and the next report to Parliament under this section will be submitted shortly.
76	HMRC functions	Came into force on Royal Assent	<p>The Treasury has used this power to direct HMRC to have new functions in respect of the payment and management of amounts in respect of the Coronavirus Job Retention Scheme, the Self-Employed Income Support Scheme and the Eat Out to Help Out Scheme.</p> <p>Take-up of SEISS, CJRS and the EOHO scheme is publicly available here: https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics</p>
77	Up-rating of working tax credit etc	Came into force on Royal Assent	<p>The increased rate (£3,040) of the basic element of Working Tax Credit has been in payment since 6 April 2020.</p> <p>This has supported some 1.6 million low income working households eligible for Working Tax Credit who have benefited by up to £20 extra per week, equal to up to £1,045 extra per household per year in 2020/21.</p> <p>This has provided additional financial support to working households during the pandemic.</p>
78	Local authority meetings	Came into force on Royal Assent	Local authorities have been holding virtual meetings, accessible to members and public by video conferencing. This has enabled decision making at local level to continue to take place transparently, enabling responsive and accountable service delivery during the restrictions on gatherings.

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
79	Extension of Business Improvement Districts (BID) arrangements: England	Came into force on Royal Assent	<p>We have identified at least 12 BID areas in England that have been directly affected by the ability to postpone ballots. This represents around 5% of BIDs in England, with strong regional spread across England. We were aware up to 70 BIDs due to ballot this year.</p> <p>This has led to BIDs in England due to ballot imminently delaying their ballots until later in the year, providing greater certainty for businesses and local authorities. This is also increasing capacity within local authorities to reprioritise their work to address the coronavirus crisis. Local authorities and BID bodies have revised their ballot and billing arrangements to take account of the legislative changes.</p> <p>During June 2020 the Government distributed more than £5.5m to support the BID bodies for all 260 BIDs in England with their core operational costs. This funding was delivered through 140 local authorities and was based on a fair percentage of a BID's levy income from each BID's operating year ending in 2019/20.</p>
81 <i>Sch 29</i>	Residential tenancies in England and Wales: protection from eviction	Came into force on Royal Assent	<p>These measures delay when residential landlords can progress evictions. The measures originally required landlords to provide tenants with three months' notice of their intention to seek possession of the property. On 29 August 2020, the Government extended these measures so that landlords must provide six months' notice in all but the most serious circumstances, such as anti-social behaviour. Further information on the changes can be found at:</p> <p>https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			These measures apply to most tenants and landlords in the private and social rented sectors. This has enabled tenants to comply with public health requirements to stay in their homes during the period of lockdown and will continue to support them in responding to coronavirus. It has also provided additional protections during a difficult time and eased the burden on frontline staff, for example by reducing the incidence of homelessness.
82	Business tenancies in England and Wales: protection from forfeiture etc	Came into force on Royal Assent	<p>The clause made provision for a three-month moratorium on the ability of landlords of commercial properties to exercise any right of forfeiture that they may have due to the non-payment of rent by tenants. This was originally in place until 30 June. On Friday 19 June an SI was laid that extended the measure until 30 September. On Wednesday 16 September, an SI was laid to extend the measure until 31 December 2020.</p> <p>The objective of the provision is to protect commercial tenants who are experiencing limited or negligible cashflow due to the current situation, who would otherwise be subject to forfeiture of their lease, allowing landlords to take action to end the tenancy.</p> <p>Protecting commercial tenants from forfeiture is in line with the Government's objective to minimise the potential impact of the coronavirus crisis on society and the UK economy.</p> <p>It complements other government measures to support businesses, which would otherwise be viable, to weather the crisis. These include fiscal support: the Coronavirus Job Retention Scheme, business loan and grant schemes and the business rates holiday for retail, hospitality and leisure businesses. It also</p>

	Provision	Status	Use of provision since Royal Assent – 25 th September 2020
			<p>complements the new Corporate Insolvency and Governance Act, which introduces new corporate restructuring tools to give companies the breathing space and tools required to maximise their chance of survival, as well as secondary legislation introduced by the Ministry of Justice to further temporarily protect commercial tenants from different forms of debt recovery.</p> <p>Data from Remit consulting on the Q3 rent payment date (24 June 2020) indicates that 35.8% of rent was collected on the due date. This compares to 49% collected on the March 2020 quarter day, and 79% on March quarter day 2019. Recent data from the 6 August indicated that the rent collection now stands at 63%, although for retail and leisure which have been particularly affected by the closure measures now stands at 51% and 41% respectively.</p> <p>This collection rate indicates that business tenants were not in a position to pay rent in full and on time by the Q4 collection date, leaving them vulnerable to eviction if government had not intervened to protect them</p>

