



# **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

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## Introduction

The Coronavirus pandemic has had an unprecedented global impact that has severely affected public health, the economy and society. This has been a difficult year for everyone in the UK. The spread of the virus has caused hardship for many people over a sustained period. This has been particularly difficult for those areas subject to additional restrictions since the summer due to a continued high prevalence of the disease. Early and decisive action taken by the Government set in motion the response to the virus with the publication of its Coronavirus (COVID-19) action plan on 3 March 2020. This was recently supplemented by the COVID-19 Winter Plan, looking ahead to the lifting on national restrictions on 2 December 2020.

Part of this early action was the Coronavirus Act 2020, which received Royal Assent in March 2020. This provided a set of measures giving public bodies and the Government the tools and powers they needed to carry out an effective response to this public health emergency. The Act continues to provide the flexibility required to take decisive, measured and proportionate action to mitigate the impact on society and the economy, as well as protect public health. It is one of a range of measures the Government has introduced to combat the virus and is complemented by the efforts to ramp up testing, support detection and monitor transmission, reduce transmission, and engage in research to improve our understanding of the virus and how its impacts can be mitigated.

This Fourth Review of the Coronavirus Act outlines how the legislation has helped support the UK's efforts to combat the virus and assesses whether the provisions remain necessary, proportionate and effective.

## What the Act was Designed to Achieve

The key objectives of the Act were to ensure the NHS had the capacity to deal with the peak of the virus; that critical societal functions were enabled to continue; to ensure effective support packages were put in place for people and businesses; and to facilitate sufficient preparation for a worst-case scenario. The Act enables action in 5 key areas:

1. **increasing the available health and social care workforce:** The Act removes barriers to allow suitably experienced people to be part of the work force during this period (such as recently retired NHS staff and social workers returning to work, including in Scotland);
2. **easing and reacting to the burden on frontline staff:** The Act strives to reduce the number of administrative tasks frontline staff have to perform, so that actions can be focussed where most needed and public services maintained;
3. **supporting people:** provisions of the Act make it easier for people and businesses impacted by coronavirus to access financial support when they need it.
4. **containing and slowing the virus:** provisions of the Act facilitate actions to promote social distancing and mitigate spread, including preventing gatherings of people, postponing electoral events and closing schools, and making it easier for people to self-isolate by making Statutory Sick Pay (SSP) payable from day 1 of a claim.

5. **managing the deceased with respect and dignity:** The Act enables the death management system to deal with increased demand for its services

These areas are kept under review. The UK Government will not hesitate to act to suppress the virus and protect the NHS and the vulnerable. In doing so, the Government's programme seeks to prioritise keeping education and the economy going and provide a route back to normality.

## The Impact of the Act

By enabling action in these key areas, the Coronavirus Act has facilitated fast and effective response when it is needed. 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 necessary measures to control it have been far reaching, affecting people's jobs, livelihoods and wellbeing. We are confident after eight months of reviewing the Act that its provisions have been effective in the five key areas of action.

**Increasing the available health and social care workforce:** the provisions of the Act facilitated the deployment of essential healthcare professionals. In the last two months, more than 60 additional former healthcare workers have been deployed. This means, since the passing of the Act, more than 2,200 former healthcare professionals have been employed to support through the pandemic, under Section 2, and over 1000 former social workers registered interest, under Section 6, with 316 being temporary registrants. Although demand has been lower than expected in these sectors, these powers allow for support to be readily available should demand require it if transmission rates rise again. The positivity rate had been rising in the last few months: however, in recent weeks, the rate in England has shown signs of levelling. The rate for 15 to 21 November 2020 estimates 633,000 people within the community population in England had the coronavirus (COVID-19), equating to around 1 in 85 people. We expect these provisions could be valuable in supporting the roll out of national programmes such as covid vaccinations. It is also worth noting that winter is the most difficult time of the year for the NHS, so it is important to have additional resource available if it is needed.

**Easing and reacting to the burden on frontline staff:** Provisions of the Act have also supported easing the burden on frontline staff by allowing the NHS to reduce the bureaucracy in some areas. For example, the provisions that relate to NHS Continuing Assessments, under Section 14 of the Act, enabled us to reduce the need to conduct Continuing Healthcare (CHC) assessments. This has enabled patients to be discharged into more appropriate settings and free up beds for patients with acute needs. A reduction in bureaucracy and devolving decision making has led to innovative practices in many emergency and clinical teams.

The provisions in Section 53-56 of the Act have enabled better use of video links in the court service. As of September, 60-65% of hearings each day include one or more parties joining remotely. We are investing an additional £142 million to upgrade some of our courts and tribunals and technology and all courts will be digitally enabled soon.

**Supporting people:** provisions available under Sections 71 and 76 of the Act have enabled the provision of unprecedented support to people and businesses during these challenging

times. As of 18 October, the Act has enabled over £50bn to be paid out to support businesses, individuals and public services in dealing with the impact of the pandemic. The provisions have also supported some 1.7 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.

As of 18 October, 9.6 million people in employment were furloughed with claims totalling a value of £41.4 billion and the Government has provided £13.3 billion of support to self-employed people through the Self-Employment Income Support Scheme as of 30 September. The Government is also taking action to support people that have lost their jobs; as outlined by the Chancellor in a Plan for Jobs on 8 July 2020, the government is implementing a plan to support the UK's economic recovery. The Plan for Jobs can be accessed here: <https://www.gov.uk/government/topical-events/a-plan-for-jobs-2020>.

Businesses have also been able to access loan schemes, with over 1.4m loans approved, providing over £60bn of much needed support

- The Bounce Back Loan Scheme has provided over £40bn of loans with more than 1.3 million loans approved.
- Coronavirus Business Interruption Loan Scheme (CBILS) has provided over £17bn of loans with more than 73,000 loans approved.
- Coronavirus Large Business Interruption Loan Scheme (CLBILS) has provided over £4.5bn of loans with more than 600 loans approved.
- Future Fund has provided over £770m of convertible loans with more than 700 loans approved.

Direct financial support has helped ensure people self-isolate if they are unable to work from home and will lose income from not being able to work. The £500 Test and Trace Support Payment has paid out £12 million to over 24,000 successful applicants. We are however aware that some people in need are currently not eligible for support. To address this, we will shortly be extending the eligibility for the Test and Trace Support Payment so that those notified to isolate by the NHS Covid app are treated the same as other contacts.

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. 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 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.

**Containing and slowing the virus:** The Act has successfully supported necessary efforts to reduce social contact and slow the growth of the virus in a number of areas. Using the powers contained in Section 59-63 in of the Act, in May 2020, 161 elections that were due to take place were postponed until May 2021. While, under normal circumstances, postponing elections is far from desirable, this did help to mitigate the risk of transmitting the virus

through large gatherings and increased social contact, and also allowed local government to concentrate resources on its response to the pandemic.

Other provisions in the Act have also helped to slow transmission. Under Section 40 of the Act, Statutory Sick Pay (SSP) has been made payable from the first day of a claim. This has helped people to adhere to public health advice and self-isolate and so slowed the rate of transmission.

**Managing the deceased with respect and dignity:** We are committed to ensuring that families who have lost loved ones as a result of COVID-19 are confident that the deceased are treated with the utmost respect and dignity. Under Section 18, existing procedures in relation to death and still-birth registration and management were modified. This expanded the list of people who can register a death to include funeral directors acting on behalf of the family and it also enabled those who are required to give information about a death or still-birth by telephone or other means instead of in person. The impact of these provisions has been wider than facilitating grieving family members, because they also allow more flexibility to health services and reduce extra burden, and they support plans to reform civil registration processes.

## **Benefits of Maintaining the Coronavirus Act**

While actions taken in March and April had a positive impact on reducing transmission rates, it is important that we maintain access to the breadth of actions that have supported reducing transmission throughout the winter, including the Coronavirus Act. Winter is always the most challenging time of year for the NHS, dealing with seasonal flu and co-infections and we need to have measures in place to support the health service and save lives as it continues to deal with Covid cases.

Scientific understanding of the COVID-19 virus, pertaining to both the virus itself and how it spreads, has greatly increased since the start of the pandemic. World-class scientific rigour and robust clinical trials, for example, helped establish the effectiveness of dexamethasone in reducing the mortality rates of COVID-19. The Government's process for understanding and analysing the data involves experts across the country feeding through scientific advisory groups and sub-groups to make sure decisions are informed and supported by a strong evidence base. Heroic efforts by scientists, analysts and countless medical professionals have also led to new treatments and more recoveries. Improvements in vaccines, treatments and mass testing all suggest there are reasons to be hopeful.

We must remain vigilant and cautious. While progress has been made, the risks are still significant, which is why our assessment is the provisions of the Act remain a critical part of the toolkit for containing the virus. The flexibility of the Act is helpful as it allows us to tailor our response as our understanding of the virus grows, and it enables us to use the provisions to support the wider response and avoid undoing progress already made. The structure of the Act means we are able only to maintain in use those provisions which are essential as the pandemic is tackled.

On 23 November, the Prime Minister set out our **COVID-19 Winter Plan** in Parliament. Our COVID-19 Winter Plan puts forward the UK Government's programme for suppressing the

virus, protecting the NHS and the vulnerable, keeping education and the economy going, and providing a route back to normality. This reflects how we are adjusting our approach to the virus given the current situation, which includes the promise of further scientific advances and vaccinations on the horizon, while still dealing with worrying rates of transmission during the winter months, when the provisions of the Coronavirus Act remain a key part of our toolkit to tackle the virus.

The published Winter Plan can be accessed here:

<https://www.gov.uk/government/publications/covid-19-winter-plan>

## **Mechanism to Change the Status of Provisions**

It was recognised that the powers contained in the Act are extensive, and so Part 2 of the Act sets out various mechanisms for managing (and reporting on – see next section) the use of the Act. A balance had to be struck between protecting the public’s health, safeguarding individuals’ rights, and responding dynamically to fast moving events, whilst ensuring accountability and transparency. A two-year life span for this Act has been chosen to ensure that its powers remain available for a reasonable length of time, with the option for the provisions in the Act to be extended by the relevant national authority. Many provisions were designed to be used temporarily, and for the shortest time possible. For this reason, there are facilities to enable Ministers to commence provisions when they are needed, suspend provisions when it makes sense to do so and, if circumstances warrant it, revive those provisions again. The Act also includes the option to “sunset” (i.e. permanently repeal) provisions early, before reaching the automatic sunset of the Act that is due to occur 2 years after the Act came into force. These provisions ensure that the Government’s approach is reasonable, and proportionate while giving the ability to act quickly when necessary.

During the six-month debate in the House of Commons on 30 September, the Secretary of State for Health and Social Care announced the removal of the Mental Health Provisions under Section 10 (Schedule 8) in their entirety in relation to England. The provisions relating to patients involved in the criminal justice system will also be removed in Wales. The regulations have been laid before both Houses (Common on 18 November and Lords on 25 November) and upon approval motions being laid, these regulations will be approved. These provisions have not been required due to the commitment and resilience of NHS staff and a number of adaptations that have been made. Adaptions include legal guidance which sets out how the Act’s Code of Practice can be interpreted during this period (such as the delivery of statutory forms electronically and use of video technology for medical assessments). As a result, the Government believes it is appropriate to remove them so that it is clear to patients, carers, staff and stakeholders that they will not be used, and has laid regulations in Parliament, on 21 October, to give effect to that.

## **Reporting and Accountability Arrangements**

The Government recognises the vital importance of Parliamentary scrutiny and wanted to build in checks and balances on the use of the Act. Therefore, the Act includes (in Part 2) a number of arrangements to facilitate accountability and transparency over the use of the

substantive Part 1 powers. These provisions are subject to a six-monthly review and renewal vote in the House of Commons. The first of these was held on 30 September 2020, following a debate in the House of Lords on 28 September, in which Parliament decided that the Act should continue. Other accountability measures include a two-monthly report to Parliament and an annual debate. Many of the provisions contained within the Act can be suspended if the scientific advice is that they are not needed and revived again if it says that they are.

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.

While there is the legal obligation to report on the non-devolved provisions of the Act, under Part 2, there is not the same obligation for devolved matters. Each Devolved Administration has its own arrangements for reporting on these, and on other powers within their legislative competence, in tackling the pandemic. For example, the Scottish Government publish a report on the use of the emergency powers contained within the Coronavirus Act 2020 and Coronavirus (Scotland) Act 2020 every two months.

Section 90, under Part 2, of the Act gives the power to alter the current expiry date. Regulations made under this section would either mean that the Act would expire earlier, or later, than the current date. However, no regulations so far have been made to change the expiry date under this section.

A Status table has been published and provides up to date information on the status of all provisions, including devolved provisions, in the Coronavirus Act. This will be updated regularly, should any of the provisions be repealed before reaching the automatic sunset of the Act and is available on Gov.uk:

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

## Appropriateness Statement

Each two-monthly report must contain a statement that the Secretary of State is satisfied that the status of the non-devolved provisions is appropriate. 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 every two months. 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. The motion to expire the Mental Health provisions under Section 10 (Schedule 8) has been approved in both Houses. The table reflects the current position on this.
- 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.

As detailed above, the Devolved Administrations are responsible, although not obligated, for their own reporting arrangements for any devolved provisions of the Act.

## Status Table

	<b>Provision</b>	<b>Status</b>	<b>Aim of provision</b>	<b>Use of provision since Royal Assent – 25<sup>th</sup> November 2020</b>
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.</p> <p>This flexibility for additional workforce capacity will be useful especially over the increased demand during the winter period e.g by helping to deal with any future surges in Covid-19 infections.</p> <p>This builds on existing emergency registration powers</p>	<p>This flexibility for additional workforce capacity will be useful especially over the increased demand during the winter period e.g. by helping to deal with any future surges in Covid-19 infections.</p> <p>In March 2020, four professional regulators, including the Nursing and Midwifery Council and the Health and Care Professions Council contacted former professionals to invite them to join their temporary registers to support the NHS during the pandemic. 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 47,000 former registrants across all professions. Deployment of staff was managed by NHS trusts and other employing organisations. More than 2,200 former healthcare professionals in England are currently employed.</p> <p>Demand for returning staff was lower than might have been expected 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 over the winter and through the second Covid wave. NHS England is currently contacting professionals on the temporary register to identify the roles they can undertake, with a particular focus on supporting national programmes, such as the delivery of a Covid vaccine.</p> <p>We will continue to monitor the use of the temporary registration powers. While there are no plans to revoke</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			in place for the General Medical Council to register doctors and the General Pharmaceutical Council to register pharmacists and pharmacy technicians.	these powers at this stage, this will be kept under frequent review.
6 <i>Sch</i> 5	Emergency registration of social workers: England and Wales	Came into force on Royal Assent	This provision enabled the regulator dealing with social workers in England to temporarily register social workers to ensure sufficient workforce capacity to deal with pressures created by coronavirus.	<p>In England, Social Work England (SWE), has temporarily reinstated the professional registration of more than 9,000 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 with employers.</p> <p>As at November, 1,000 social workers have registered with Social Work Together (a campaign launched to allow social workers to express interest in employment opportunities), of which 316 are temporary registrants, and 31 social workers have been matched with local authorities, of which 16 are temporary registrants. There are further appointments pending and we believe more temporary registrants are being appointed by local authorities and others outside of the data captured through Social Work Together.</p> <p>More than 100 local authorities have joined Social Work Together, and more local authorities continue to join as they deal with pressures brought on by the latest rise in coronavirus cases and current restrictions. Demand for returning staff has been lower than what might have been expected under reasonable worst-case planning assumptions. Re-prioritisation by local authorities, including moving staff to assessment teams and adjusting working patterns to account for less travel, has resulted in less demand. However, local authorities are clear that the temporary register, and Social Work Together, are important contingency measures to help them address the pandemic over the winter.</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020			
8 <i>Sch</i> 7	Emergency volunteering leave	Not yet in force	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. The Act enables the provisions to be triggered multiple times.	<p>To date, there has not been a significant risk to health services and therefore a surge in trained volunteers has not been required. As such, the provisions have not been triggered but remain as an option. There are no plans to implement these powers at the current time. This is due to a sufficient supply of staff and volunteers in the health and care system.</p> <p>We are monitoring the situation to assess if powers need to be triggered in the future. And looking particularly at pressures on the supply of volunteers needed to support a unique, one off, mass participation exercises, such as vaccination and testing. We are confident the voluntary sector will step in to meet such demands. The situation is continually under review (by reviewing place-based need and looking at supply across all three programmes) and will have a better understanding of scale once workforce modelling is provided for all three areas.</p>			
9	Compensation for emergency volunteers	Not yet in force			10 and <i>Sch</i> 8	Temporary modification of mental health and mental capacity legislation	Expired
10 and <i>Sch</i> 8	Temporary modification of mental health and mental capacity legislation	Expired	These provisions, if commenced, would have allowed for certain measures to be taken so that mental health services that are regulated by the Mental Health Act can continue to provide vital care and treatment to patients, in the event of the Covid-19 pandemic making staffing levels unsafe.	<p>The Secretary of State for Health and Social Care announced on 30 September that these provisions will be removed from the Act in relation to England (Section 10 (1) and Parts 1 and 2 of Schedule 8) The provisions relating to patients involved in the criminal justice system will also be removed in Wales (5, 6, 7 and 8 of Schedule 8). Secondary legislation has been introduced to remove these provisions. These regulations were debated in Commons (18 November) and Lords (25 November) and are due to be approved.</p> <p>The provisions relating to the Mental Health Act were designed to only be switched on if the mental health sector experienced unprecedented resource constraints, which would result in patients' safety being put at significant risk.</p> <p>Fortunately, these provisions have not been needed as other means of increasing capacity and resilience have now been introduced and proven sufficiently effective. As a result, the Government have decided to expire the emergency provisions in England and the provisions relating to the criminal justice system in Wales.</p>			

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				<p>These powers have not been commenced in England and therefore no authorities have used them.</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	This provision of the CVA ensures that clinical negligence indemnity does not become a barrier to the NHS coronavirus response.	While the majority of health services in England are 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.
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>The provisions have enabled patients to be discharged to more appropriate settings and have made beds readily available for people with acute needs.</p>	<p>CHC restart guidance was published on 21st August to explain how to reintroduce CHC assessments from 1st September 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)	The Care Act easements are a tool to help local authorities continue	Currently no local authorities are operating under easements. Over the entire life of the Act, a total of 8 local authorities out of 151 with social service responsibility have used easements to ensure they are

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
		and Part 1 of Schedule 12 (powers and duties of local authorities in England came into force on 31 March 2020	to meet the most urgent and acute needs for COVID-19 related increased demand on social care services and reduced workforce due to illness and isolation.	<p>able to meet the most urgent and acute care and support needs</p> <p>The Department continues to work with Think Local, Act Personal (TLAP) and the Association of Directors of Adult Social Services (ADASS) to understand the impact on individuals of the changes to Care Act 2014 duties. TLAP published a report in September (<a href="https://www.thinklocalactpersonal.org.uk/_assets/TLAP-TIG-report-on-Covid-19.pdf">https://www.thinklocalactpersonal.org.uk/_assets/TLAP-TIG-report-on-Covid-19.pdf</a>) which noted that there is insufficient evidence to attribute any change in care and support to Care Act easements. ADASS conducted work on lessons learned with the DASSs of local authorities who have operated under easements as well as local authorities who did not use easements. The report notes that only a small number of easements were utilised to ease the pressures of increased demand by local authorities which faced an immediate crisis.</p> <p>DHSC Chief Social Workers have used the findings of these reports together with engagement with local authorities, care providers and user-led groups to get a better understanding about the use and impacts of easements. From this engagement they have concluded that while there are concerns from user groups and some anxiety in Local Authorities about public reaction to enacting easements, overall, they are supportive of the retention of the easements provision through the winter period. Furthermore, many of the concerns of individuals impacted by their requirement and usage of LA provided care were unfounded or did not relate to the Care Act easements themselves.</p> <p>Chief Social Workers also acknowledge findings from partners that there needs to be clearer communication and more coproduction of communications and guidance both nationally and locally. The perception that easements were the cause of reduced care services demonstrates the need to improve communications with users and their representatives.</p> <p>These discussions and reports show that easements have been used in line with guidance and have been useful in enabling prioritisation of increased workload for</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				local authorities and care providers during times of crisis.
18 <i>Sch</i> 13	Registration of deaths and still-births etc	Came into force on 26 March 2020	This allows any registered doctor, who has a license to practice, to sign a Medical Certificate of Cause of Death (MCCD) irrespective of whether they were in medical attendance on the deceased during their last illness.	<p>There has been a successful introduction of easements to death registration. This has been done by increasing availability of health staff, allowing another doctor to sign an MCCD when the attending doctor may not be available due to illness or any other reason. 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; 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>
19	Confirmatory medical certificate not required for cremations: England and Wales	Came into force on 26 March 2020	This provision allows cremations to take place without the need for additional medical practitioner oversight, thereby reducing the burden on healthcare professionals and freeing them to support the response to the pandemic with their frontline duties.	<p>This provision has supported timely cremations during the excess deaths period supporting the management of mortuary capacity.</p> <p>This easement has reduced demand on medical practitioners at a time when they have been under additional burdens. Medical practitioners not involved in the care of the deceased would otherwise be required to attend the deceased and consult medical records.</p> <p>This has supported the Covid-19 response in enabling support throughout in the death management process.</p> <p>The change has been welcomed across the sector and cremations have continued and increased demand has been managed. HMT</p> <p>Moreover, the provision has enabled all cremations following deaths from natural causes to be conducted in a timely manner at a time when the medical and funeral sectors are under increased pressure and has thereby prevented blockages in the death management system.</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
22	Appointment of temporary Judicial Commissioners	Came into force on Royal Assent	These provisions are designed to ensure that the use of investigatory powers, which are critical to our public authorities' abilities to protect national security and prevent serious crime, is able to continue during the Coronavirus pandemic	<p>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). As all Judicial Commissioners were over 70, the appointment of temporary Commissioners was required when guidance was issued for over 70s to shield, in order to fill the gaps. Without these temporary 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. The initial six-month appointments for the temporary Judicial Commissioners have now been completed and the original Judicial Commissioners have returned. The ability to reappoint the temporary Judicial Commissioners remains available to the Investigatory Powers Commissioner under the relevant regulations should the advice on over 70s change during the winter.</p> <p>Being able to appoint temporary Judicial Commissioners has alleviated the effects of any shortage of JCs and allowed the double lock to continue to function throughout the lockdown.</p>
23	Time limits in relation to urgent warrants etc under Investigatory Powers Act	Came into force on Royal Assent	These provisions are designed to ensure that the use of investigatory powers, which are critical to our public authorities' abilities to protect national security and prevent serious crime, is able to continue during the Coronavirus pandemic.	<p>It is vitally important that where the effects of coronavirus restrict the capacity of chief police officers to consider the case for making or remaking a National Security Determination (NSDs) that biometrics are not automatically deleted.</p> <p>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 the intelligence services and law enforcement agencies have been able to protect national security and prevent serious crime during the pandemic.</p> <p>The regulations were made on 26 March 2020: <a href="#">Investigatory Powers (Temporary Judicial</a></p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				<a href="#">Commissioners and Modification of Time Limits) Regulations 2020 (SI 2020/360)</a>
24	Extension of time limits for retention of fingerprints and DNA profiles	Came into force on Royal Assent	This provision established a regulation-making power so that biometrics (fingerprints and DNA profile) held for national security purposes can be retained for up to an additional six months beyond normal statutory retention deadlines	<p>This provision has successfully mitigated the risk of a critical national security capability from being compromised because 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). This 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.</p> <p>Counter-Terrorism Policing estimate that in the absence of these Regulations up to 870 biometrics samples would have been lost. This would have had a significant and long-lasting detrimental impact upon UK national security.</p> <p>Two SIs have been made under this section. 1<sup>st</sup> April 2020</p> <p><a href="#">Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) Regulations 2020 (SI 2020/391)</a></p> <p>10<sup>th</sup> September 2020 <a href="#">Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 (SI 2020/973)</a>. (SI 2020/973)</p>
25	Power to require information relating to food supply chains	Not yet in force	This provision contributes to the DHSC strategic Objective of ‘supporting people’, ensuring that the government has the necessary information and data to build a clear understanding of any potential food supply disruption,	<p>The Department for Environment, Food and Rural Affairs works closely with food retailers to gather information, on a voluntary basis, during any food supply disruption.</p> <p>These provisions back up this arrangement and will not be activated unless there is a food supply disruption and industry voluntarily stop complying with information requests.</p> <p>Levels of disruption from increased demand have now reduced but the risks remain. The threat of food supply chain disruption will continue in the winter scenarios.</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			allowing us to make informed judgements and respond effectively.	The reasoning for including the provisions in the Act, therefore still stands. It is imperative that we maintain these provisions in order to allow us to act if necessary.
26	Authorities which may require information	Not yet in force	These powers give the appropriate authority the power to require information from persons within, or closely connected to, a food supply chain.	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			
28	Enforcement of requirement to provide information			
29	Meaning of 'food supply chain' and related expressions			
30	Suspension of requirement to hold inquests with jury: England and Wales	Came into force on Royal Assent	These provisions have allowed the majority of inquests relating to Covid-19 to take place without a jury.	<p>During the period of the pandemic, coroners have been significantly impacted by lockdown restrictions in the conduct of all inquests which must be 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>

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				<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> <p>Section 30 continues to be required at this review point as additional jury inquests would otherwise disproportionately add to the demand on local authority funded coroner services to recover from backlog built up after local restrictions. In addition, the provision helps mitigate risks that local coroners won't be able to hold inquests in areas where death rates might become particularly high.</p>
37 <i>Sch 16</i>	Temporary closure of educational institutions and childcare premises	Came into force on Royal Assent	This provision gives powers to direct the temporary closure of a school, further or higher education institution, or registered childcare provider, or restrict access to them, where tests in the Coronavirus Act 2020 are met	<p>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.</p> <p>The Secretary of State for Education has not exercised these powers.</p> <p>In March, schools and childcare premises were not asked to close but rather restrict attendance to allow only vulnerable children, children of key workers and other priority groups to attend.</p>
38 <i>Sch 17</i>	Temporary continuity: education, training and childcare	Came into force on Royal Assent	Schedule 17 confers two main powers: a power to make a temporary continuity direction, and a power to issue a notice disapplying or modifying one or more of a set of enactments listed in the Schedule.	To enable parents of non-priority children to keep their children at home as the Government requested until the autumn, disapplication notices were used to disapply the statutory duty for parents to ensure their child attended school. In addition, modification notices were used to allow pupils to attend a different school to the one they are registered at without needing to be registered as pupils at their new temporary schools, enabling schools to work together to provide education to vulnerable children and other priority groups in an area. Additional notices were issued to alleviate pressure on educational and childcare settings including

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				<p>suspension of Ofsted inspections and modification of the duty to secure Educational Health Care Plans.</p> <p>The Secretary of State for Education has (up to now) issued the following notices (applying in May through to November) to disapply or modify statutory requirements in education, training and childcare and certain provisions in academy arrangements:</p> <ul style="list-style-type: none"> <li>• Four notices applying in each of May, June and July, three of which temporarily disapplied or modified statutory requirements relating to: school attendance, pupil registration, and school inspection, facilitating the education and childcare sectors response to the coronavirus outbreak; and one of which 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.</li> <li>• Three notices (only) applying in August, which temporarily disapplied or modified requirements relating to school attendance, pupil registration, and school inspection.</li> <li>• Notices applying in September, October and November, temporarily disapplied or modified requirements in relation to pupil registration and school inspection. It is intended that similar notices will also be issued for December.</li> </ul> <p>The power to amend by regulations what notices can be given has not been used by the Secretary of State for Education (to date).</p> <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. Local authorities can be authorised to issue directions in relation to registered childcare providers, schools and</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				<p>16-19 Academies in their areas. The Office for Students can be authorised to issue directions in relation to registered higher education providers. To date, the Secretary of State for Education has not given either of these authorisations.</p> <p>The Secretary of State for Education has (to date) used his temporary continuity direction powers once, on 1 October when he gave a temporary continuity direction, which requires schools to provide remote education for state-funded, compulsory school-age children who are unable to attend school due to coronavirus (COVID-19) in line with guidance and the law. The Direction also requires schools to have regard to remote education guidance such as that published on 2<sup>nd</sup> July. The Direction came into effect on Thursday 22<sup>nd</sup> October 2020. The purpose of the Direction and guidance is to provide clarity about the roles and responsibilities within the system for providing remote education.</p>
39	Statutory sick pay: funding of employers' liabilities	Came into force on Royal Assent	This power allowed for emergency measures to be brought forward to allow the payment of Statutory Sick Pay from the first day you are sick rather than day four if your absence is related to coronavirus	<p>Temporarily suspending the waiting days rule in this way encourages people to follow public health advice and self-isolate immediately. Therefore, everyone is being supported to do what is right.</p> <p>As part of the package of support measures for businesses affected by the pandemic, we announced the Coronavirus SSP Rebate Scheme. The scheme enabled small and medium-sized employers to recover the costs of paying coronavirus-related SSP. The rebate puts money back in the pockets of employers throughout the UK at time when they need it most and supports them to manage the costs of absences. The repayment covers up to 2 weeks of SSP per employee and is payable if an employee has coronavirus or is self-isolating in line with public health advice.</p>
40	Statutory sick pay: power to disapply waiting period limitation	Came into force on Royal Assent	This provision allows for SSP to be paid from day 1 of the claim	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

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				<p>unable to work because they are unwell or self-isolating as a result of coronavirus</p> <p>The Regulations are: <a href="#">Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020 (SI 2020/374)</a> and <a href="#">Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) (No 2) Regulations 2020 (SI 2020/681)</a></p>
41	Statutory sick pay: modification of regulation making powers	Came into force on Royal Assent	This allows for regulations which provide for an employee 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.	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.
45	NHS pension schemes: suspension of restrictions on return to work: England and Wales	Came into force on Royal Assent	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	These measures have removed barriers which previously prevented retired staff from returning to work or increasing their working commitments. Suspending these rules allowed thousands of retired or formerly retired staff to increase their commitment to the NHS, providing vital frontline capacity. This has helped in supporting the overall coronavirus response by reinforcing the goal of ensuring the NHS have the frontline staff and capability they need.

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			pensionable pay by 10%.	
50 <i>Sch</i> 20	Power to suspend port operations	Came into force on Royal Assent	The purpose of this provision is to ensure that we can continue to protect the border in the event that, due to coronavirus, there are insufficient officers to maintain adequate border security. It provides powers for the Secretary of State to direct a port operator in the UK to suspend relevant operations. It also provides the Secretary of State a power to issue consequential directions to other parties if the Secretary of State considers it appropriate in connection with the primary direction.	<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 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 it is necessary, proportionate and where there is a real and significant risk to border security.</p>
51 <i>Sch</i> 21	Powers relating to potentially infectious persons	Came into force on Royal Assent	This clause and Schedule provide Public Health Officers, who are public health professionals designated for these purposes by the Secretary of State or relevant DA	<p>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 November, PHO powers have been used fewer than ten times. They continue to be part of a suite of powers supporting a range of strategic responses throughout the lifecycle of the pandemic.</p>

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			ministers in the devolved administrations, with powers to control the spread of Coronavirus in the UK.	
52 <i>Sch</i> 22	Powers to issue directions relating to events, gatherings and premises	Came into force on Royal Assent	These provisions give the Secretary of State the power to prohibit or restrict events and gatherings, and to close premises, if the public health situation deems it necessary.	<p>This streamlines existing legislation in England and Wales, to ensure that powers to prevent events or gatherings can be deployed as quickly as possible in the event this is justified by the evidence. It also extends the power to Scotland and Northern Ireland too, where there is no equivalent legislation.</p> <p>The UK government has not exercised the powers conferred through this provision.</p> <p>The recent lockdown regulations (<a href="#">The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020</a>) – and all previous so-called “social distancing” regulations, have been made under the Public Health (Control of Disease) Act 1984 to restrict gatherings.</p>
53 <i>Sch</i> 23	Expansion of availability of live links in criminal proceedings	Came into force on Royal Assent	These provisions aim to give criminal courts more flexibility by extending the circumstances in which they can direct that video and audio links may be used in criminal proceedings, subject to various safeguards; enable the public to observe fully video or audio hearings in all court and tribunal	<p>Sections 53-56 were introduced to allow the courts and tribunals system to continue to function throughout the pandemic and ensure more people could access justice.</p> <p>Despite the considerable challenges and restrictions in place during this time, these provisions allowed thousands of hearings to take place since the passing of the Act.</p> <p>These sections 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. There has been a significant positive impact from individuals involved in maintaining the daily proper functioning of the justice system who have kept it running smoothly without delays and obstructions.</p>
54 <i>Sch</i> 24	Expansion of availability of live links in other criminal hearings			
55 <i>Sch</i> 25	Public participation in proceedings			

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
	conducted by video or audio		proceedings; create new offences for making unauthorised recordings of such proceedings or for making unauthorised recordings of individuals giving evidence by audio or video link in any proceedings; and allow for appeals to Magistrates Courts against restrictions or requirements to be heard by video link, unless the court directs otherwise. The court may, for example, direct that one or more parties should not participate by video link, or that they may participate by telephone if that is in the interests of justice.	
56 <i>Sch</i> 26	Live links in magistrates' court appeals against requirements or restrictions imposed on a potentially infectious person			
58 <i>Sch</i> 28	Powers in relation to transportation, storage and disposal of dead bodies etc	Came into force on Royal Assent	This provision aims to help improve capacity in the death management system and minimise any risks to public health, whilst ensuring dignity of the deceased.	Government is working closely with this sector and local partners to assist in contingency preparations and support local authorities to manage the deceased appropriately and safely during COVID-19.  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 helped government to determine whether further action was required to address these capacity issues (at a local, regional, or national level). The threshold for 'designating' a local

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				<p>authority has been met. Local authorities are sharing information at a local and LRF-level. Information requiring provisions are available to local authorities under Part 1 of the Schedule.</p> <p>No local authority has been designated yet. Therefore, no local or national authority are 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. This ensures 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	These provisions allow for the postponement of Police and Crime Commissioner and local elections which were scheduled to take place on 7 May 2020 and local by-elections, local referendums and other polls and recall petitions due to take place after 15 March 2020. They also give powers to make associated orders (such as what happened to any postal votes completed and returned prior to postponement for by-elections already in train).	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 should they choose, by removing the statutory duty to do so from them.
60	Postponement of elections due to be held on 7 May 2020			The provision came into force on Royal Assent and most of such polls were postponed to 6 May 2021 consequently. Scotland has been having some council by-elections and running them successfully
61	Power to postpone certain other elections and referendums			This provision enabled Returning Officers to avoid running polls at a time when the pandemic was developing in the UK. The use of polling stations and related activity would have increased the spread of the virus. This allowed staff to be readily re-deployed to other duties to support the response to the pandemic.
				This provision has supported the aim of protecting public health by containing and slowing the spread of the virus.

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
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, if 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>This means 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. 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 and to be readily re-deployed to other duties to support the response to the pandemic.</p>
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</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
				<p>candidates was to be addressed and any postal votes already received were to be dealt with.</p> <p>One SI was made on 3<sup>rd</sup> April 2020: The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, SI 2020/395.</p> <p>One SI was made on 15 April 2020: The Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020 (SI 2020/426) 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.</p> <p>Another SI was made on 1<sup>st</sup> September 2020: Postponed Elections and Referendums (Coronavirus) and Policy Development Grants (Amendment) Regulations 2020 (SI 2020/926) which deals 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>
71	Signatures of Treasury Commissioners	Came into force on Royal Assent	This provision aims to continue to provide for the scenario where, due to coronavirus, HMT Lords Commissioners are unable to fulfil their duty and greater flexibility of signatories is required to ensure	<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 <a href="#">Eat Out to Help Out Scheme</a>.</p> <p>In total, the Government has provided more than £200bn of economic support since March, supporting businesses, individuals and public services. This includes support that was made pursuant of S71 of the Act including;</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			HMT can transact its business at all times	<ul style="list-style-type: none"> <li>• <b>The Coronavirus Job Retention Scheme:</b> As of 18 October, 9.6 million employments furloughed with claims totalling a value of £41.4 billion.</li> <li>• <b>The Self-Employment Income Support Scheme.</b> We have now provided £13.3 billion of support to self-employed people through the <b>Self-Employment Income Support Scheme</b> as of 30 September.</li> </ul> <p>Businesses have also been able to access loan schemes, with over 1.4m loans approved, providing over £60bn of much needed support</p> <ul style="list-style-type: none"> <li>○ The Bounce Back Loan Scheme has provided over £40bn of loans with more than 1.3 million loans approved.</li> <li>○ Coronavirus Business Interruption Loan Scheme (CBILS) has provided over £17bn of loans with more than 73,000 loans approved.</li> <li>○ Coronavirus Large Business Interruption Loan Scheme (CLBILS) has provided over £4.5bn of loans with more than 600 loans approved.</li> <li>○ Future Fund has provided over £770m of convertible loans with more than 700 loans approved.</li> </ul> <p>Take-up of SEISS and CJRS can be found publicly available here:  <a href="https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics">https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics</a></p>
72	Power under section 143 of the Social Security Administration Act 1992	Came into force on Royal Assent	This power provides for the increased rate to be disregarded by HM Treasury Ministers when they conduct their annual review into whether benefit rates have maintained their value in relation to the general level of prices.	The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power

	<b>Provision</b>	<b>Status</b>	<b>Aim of provision</b>	<b>Use of provision since Royal Assent – 25<sup>th</sup> November 2020</b>
73	Power under the section 145 of the Social Security Administration Act 1992	Came into force on Royal Assent	This power allows the Secretary of State for Work and Pensions to ignore a corresponding up-lift in the Universal Credit standard allowance when she undertakes her annual review of benefits and pensions this autumn	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 temporarily amends Section 5 National Insurance Contributions Act 2014. This allows the government to increase the Employment Allowance and/or vary any of the eligibility criteria in order to provide flexibility to respond the economic situation and assist employers.	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 8 of the Industrial Development Act 1982	Came into force on Royal Assent	These powers facilitate the provision of financial support to business impacted by Coronavirus. It lifts the cap on financial support which can be provided under section 8 of the Industrial	A separate requirement to report to Parliament in relation to the use of Section 75 is set out in that section and the next report will be laid before Parliament in due course.

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			Development Act 1982.	
76	HMRC functions	Came into force on Royal Assent	These provisions allowed the treasury to direct HMRC to have new functions to support businesses and people throughout the pandemic.	<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:  <a href="https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics">https://www.gov.uk/government/collections/hmrc-coronavirus-covid-19-statistics</a></p> <p>Section 76 has allowed HMG and HMT to act swiftly and decisively to support the economy and individuals who have been disadvantaged by Covid-19.</p>
77	Up-rating of working tax credit etc	Came into force on Royal Assent	This power allows for the rate of working tax credits to be increased.	<p>The increased rate (£3,040) of the basic element of Working Tax Credit has been in payment since 6 April 2020 and is due to end on 5 April 2021.</p> <p>This has supported some 1.7 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	<p>One SI was made under this section on 1<sup>st</sup> April 2020: Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (SI 2020/808)</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			service delivery during the restrictions on gatherings.	
79	Extension of Business Improvement Districts (BID) arrangements: England	Came into force on Royal Assent	This provision was introduced as there was an increased risk for Business Improvement Districts (BIDs), which are local business partnerships that are established through voting of local businesses, that were going to (re-)ballot during the current crisis. The risk was that they would not be successful, as businesses were concerned about the economic impact, and would be unwilling to engage and pay their respective BID levy at a time that they are at increased risk of administration or insolvency. The objective of this measure was to provide clarity for BIDs and business communities at a disruptive time, and give comparable provision to the delay introduced for	<p>Business Improvement Districts (BIDs) are local business partnerships that deliver projects and services that are additional to the local authority and so stimulate the local economy.</p> <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 provision enabled BIDs in England due to ballot imminently to delay 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>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			local government elections.	
81 <i>Sch</i> 29	Residential tenancies in England and Wales: protection from eviction	Came into force on Royal Assent	The measures in Schedule 29 of the Coronavirus Act 2020 introduced a requirement for residential landlords of both private and social property to provide an extended notice period of three months when serving notice of intention to seek possession.	<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.</p> <p>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: <a href="https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities">https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities</a></p> <p>One SI was made under powers conferred by Schedule 29 on 27<sup>th</sup> August which amended parts of Schedule 29 of the Coronavirus Act: <a href="#">Coronavirus Act 2020 (Residential Tenancies: Protection from Eviction) (Amendment) (England) Regulations 2020</a> (SI 2020/914)</p> <p>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 initial period of lockdown and will continue to support them in responding to coronavirus during Winter 2020/21.</p>
82	Business tenancies in England and Wales: protection from forfeiture etc	Came into force on Royal Assent	The objective of the policy 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	<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: Business Tenancies (Protection from Forfeiture: Relevant Period) (Coronavirus) (England) Regulations 2020 (SI 2020/602).</p> <p>On 15 September, an SI was made to extend the measure until 31 December 2020: Business Tenancies (Protection from Forfeiture: Relevant Period) (Coronavirus) (England) (No 2) Regulations 2020 (SI 2020/994).</p>

	Provision	Status	Aim of provision	Use of provision since Royal Assent – 25 <sup>th</sup> November 2020
			action to end the tenancy.	<p>Data from Remit consulting on the Q3 rent payment date (29 September 2020) indicates that 50.5% of rent was collected on the due date. This compares to 49% collected on the March 2020 quarter day, 37.5% on the June 2020 quarter day and 79% on March quarter day 2019. Recent data from 35 days after the due date indicates that the rent collection now stands at 72.7%, although for retail and leisure which have been particularly affected by the closure measures now stands at 67.8% and 47.6% respectively.</p> <p>This collection rate indicates that commercial tenants remain unable to pay rent in full and on time by the due date, leaving them vulnerable to eviction if the Government had not intervened to protect them.</p>

These are shown in the table below:

Status Change during the current reporting period				
Section number (and relevant schedule number where applicable)	Measure	Type of change	Details of change	Secondary legislation making the change
Section 10 (1) and Parts 1 and 2 of Schedule 8  Parts 5, 6, 7 and 8 of Schedule 8	Temporary modification of mental health and mental capacity legislation	Expired	The early sunseting of these provisions was debated in Commons (18 November) during the reporting period and Lords (25 November) after the reporting period, and are due to be approved.	Draft of the legislation is available here: <a href="https://www.legislation.gov.uk/ukdsi/2020/9780348214017/data.pdf">https://www.legislation.gov.uk/ukdsi/2020/9780348214017/data.pdf</a>

## Changes to status since Enactment of the Act

These are shown in the table below:

<b>Status changes since Enactment of the Act</b>				
<b>Section number (and relevant schedule number where applicable)</b>	<b>Measure</b>	<b>Type of change</b>	<b>Details of change</b>	<b>Secondary legislation making the change</b>
<b>Mental Health and Mental Capacity</b>				
Section 10,	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Section 10(1) came into force on 27 March 2020 in relation to Wales it is not yet in force in relation to England.	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020 (SI 2020/336)</a>
Section 10,	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Section 10(3) and (4) came into force on 2 April 2020 in Northern Ireland.	<a href="#">The Coronavirus Act 2020 (Commencement No.1) Order (Northern Ireland) 2020 (SI 2020/58)</a>
Schedule 8	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Schedule 8 (paragraphs 1 to 2 and paragraphs 11 to 13) came into force on 27 March 2020 in relation to Wales. Schedule 8 is not yet in force in relation to England.	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020 (SI 2020/366)</a>

Schedule 10	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Schedule 10 came into force on 2 April 2020 in Northern Ireland.	<a href="#">The Coronavirus Act 2020 (Commencement No.1) Order (Northern Ireland) 2020 (SI 2020/58)</a>
Schedule 11	Temporary modification of mental health and mental capacity legislation	Commencement under section 87(2)	Schedule 11 (paragraphs 1 to 10, 19, 20 (so far as it relates to paragraphs 5 and 9 only) and 22) came into force on 2 April 2020 in Northern Ireland.	<a href="#">The Coronavirus Act 2020 (Commencement No.1) Order (Northern Ireland) 2020 (SI 2020/58)</a>
<b>NHS and local authority care and support</b>				
Section 15, Schedule 12	Local Authority care and support	Commencement under section 87(2)	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	<a href="#">The Coronavirus Act 2020 (Commencement No. 2) Regulations 2020 (SI 2020/388)</a>
Section 15, Schedule 12	Local Authority care and support	Commencement under section 87(2)	Section 15 (in relation to Wales) and Part 2 of Schedule 12 (powers and duties of local authorities in Wales) came into force on 1 April 2020	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) (Wales) Regulations 2020 (SI 2020/366)</a>
Section 16	Duty of local authority to assess needs: Scotland	Commencement under section 87(2)	Came into force on 5 April 2020	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) (Scotland) Regulations</a>

				<a href="#">2020 (SI 2020/121)</a>
Section 17	Section 16: further provision	Commencement under section 87(2)	Came into force on 5 April 2020	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) (Scotland) Regulations 2020 (SI 2020/121)</a>
<b>Registration of deaths and stillbirths</b>				
Section 18, Schedule 13	Registration of deaths and still-births etc	Commencement under section 87(2)	Came into force on 26 March 2020	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) Regulations 2020 (SI 2020/361)</a>
Section 19	Confirmatory medical certificate not required for cremations: England and Wales	Commencement under section 87(2)	Came into force on 26 March 2020	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) Regulations 2020 (SI 2020/361)</a>
Section 21	Modifications of requirements regarding medical certificates for cremations: Northern Ireland	Commencement under section 87(2)	Came into force on 26 March 2020	<a href="#">The Coronavirus Act 2020 (Commencement No. 1) Regulations 2020 (SI 2020/361)</a>



