

**AMENDED**

**One Year Report on the status  
on the non-devolved  
provisions of the Coronavirus  
Act 2020: March 2021**

Presented to Parliament pursuant to section 97(8) of  
the Coronavirus Act 2020



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## Amendments made to the One-Year Status Report on the Coronavirus Act

The one-year report, laid in Parliament on 22 March 2021, contained a factual error regarding the status of regulations made under section 24 of the Coronavirus Act.

Section 24 provides for a regulation-making power to temporarily extend the ordinary statutory time limits for the retention of fingerprints and DNA profiles being held in the interest of national security. The report laid in Parliament last month stated that the second set of regulations made under the section 24 power are expired, but, in fact, they are extant and will continue to have effect until 24 September with respect of biometrics which would otherwise have fallen to be destroyed between 1 October 2020 and 24 March 2021. The error does not affect the substance of the report and regulations will still be laid in due course expiring those provisions outlined in the report, including section 24.

This table sets out these changes, with the bold text representing the changes from the previous version.

Page	Revised Text	Original Text
p.14	<p><b><u>Section 24 (applies to UK):</u> Extension of time limits for retention of fingerprints and DNA profiles.</b></p> <p>This provision established a regulation-making power so that biometrics (fingerprints and DNA profiles) held for national security purposes could be retained for up to an additional six months beyond normal statutory retention deadlines <b>(with the possibility of a further six month extension; enabling retention for up to a maximum of 12 months)</b>. This provision has successfully mitigated the risk of a critical national security capability being compromised because of the pandemic, including the risk of losing the biometrics of up to 150 individuals per month (many of whom could be subjects of national security interest). <b>However, this power was exercisable only in relation to biometrics that would (ignoring the effect of regulations made under it) need to be destroyed within 12 months of the Act being passed. Regulations have been made to cover this 12-month period. A further extension beyond the second set of regulations made under this power was not necessary and therefore section 24 will be expired as part of the one-year review as it has served its original purpose. The second set of regulations made under this power – the Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 – will be saved as they provide the current basis for retention of certain</b></p>	<p><b><u>Section 24 (applies to UK):</u> Extension of time limits for retention of fingerprints and DNA profiles.</b></p> <p>This provision established a regulation-making power so that biometrics (fingerprints and DNA profiles) held for national security purposes can be retained for up to an additional six months beyond normal statutory retention deadlines. This provision has successfully mitigated the risk of a critical national security capability being compromised because of the pandemic, including the risk of losing the biometrics of up to 150 individuals per month (many of whom could be subjects of national security interest). However, this power cannot be extended beyond the point the Regulations expire in March without primary legislation and therefore it will be expired as part of the one-year review as it has served its original purpose.</p>

	<b>biometrics held in the interest of national security that would otherwise would have fallen to be destroyed between 1 October 2020 and 24 March 2021.</b>	
p.30	<b>Counter-Terrorism Policing has confirmed that a further extension beyond that provided by the Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 is not necessary and therefore a decision has been made to expire this provision.</b>	As the regulations under these provisions have expired, and cannot be extended under the Act, the decision has been made to expire these provisions as part of the one-year review.
p.30-31	This provision established a regulation-making power so that biometrics (fingerprints and DNA profiles) held for national security purposes could be retained for up to an additional six months beyond normal statutory retention deadlines <b>(with the possibility of a further extension of up to six months – for a total extension of up to 12 months). This power could only be exercised in relation to biometrics that would (ignoring the effect of regulations made under it) need to be destroyed within 12 months of the Act being passed.</b>	This provision established a regulation-making power so that biometrics (fingerprints and DNA profiles) held for national security purposes could be retained for up to an additional six months beyond normal statutory retention deadlines.
p.31	<b>A further extension beyond the Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 was not necessary and therefore this section will be expired under the UK-wide SI which will be laid after Easter recess.</b>	The Regulations laid under this power have now expired, and there is no legislative means to extend these under the Act. Therefore, if the powers were needed in the future primary legislation would be required. As such, the powers will be expired under the UK wide SI which will be laid after Easter recess.

## Introduction

The Coronavirus pandemic has had a profound impact on the lives of everyone in the UK, affecting all parts of society, public services and the economy. One year on from the announcement of the first lockdown, on 23 March 2020, we have learnt a lot about the virus and how to tackle it and have achieved a lot under very challenging circumstances, but we are not out of the woods yet.

The virus has evolved and mutated, sometimes into a variant of concern, and the Government's actions and public behaviour has had to adapt in response. People have been asked to restrict their social contact with loved ones, there has been a profound impact on people's livelihoods and regrettably over 100,000 people have lost their lives. Whilst one of the things we have learnt this past year is the need to remain vigilant, the 'COVID-19 Response – Spring 2021' Roadmap was published on 22 February, setting out how we can safely, but cautiously exit lockdown with a four-step approach to easing restrictions across England. The Roadmap builds on the Coronavirus (COVID-19) Action Plan, published on 3 March 2020. It provides greater clarity to businesses and the public, while enabling the Government to remain agile, adapting to the changing threat and nature of the virus and responding proportionately as necessary.

Since the start of the pandemic, we have dramatically improved our understanding of the virus: the physiological impact it causes, how it transmits, and most importantly, the measures we can take to reduce infection. The Government has asked people to make significant sacrifices to contain and suppress transmission, but those sacrifices have not been in vain. We know that the first lockdown reduced the R number from around 2.7-3.0 in March to 0.7-0.9 at the end of May. On 6 January this year, R was estimated to be between 1.1 and 1.4 in England, with a much more transmissible variant already present in most of the country. As of 18 February, R in England was estimated to be again at 0.7-0.9, allowing the Prime Minister to announce the re-opening of schools from 8 March.

The public have risen to the challenge presented by COVID-19: obeying the law; staying at home; getting tested when needed; isolating when required, and following the 'hands, face, space' and 'letting fresh air in' guidance. The level of vigilance that people have demonstrated remains critical to continuing to protect the NHS and save lives. Now, with vaccines being rolled out at a pace which has exceeded all expectations, there is a clear sign of hope on the horizon.

The UK Government was the first in the world to authorise a vaccine against Covid-19 and the programme has been quickly accelerated. As of 18 March, over 25 million people have received one of the two doses of the vaccine and everyone eligible in the highest four priority cohorts have been offered their first dose. Daily updates on vaccine doses are available at [Vaccinations | Coronavirus in the UK \(data.gov.uk\)](https://www.data.gov.uk/vaccinations-coronavirus). The path to normality is still far from certain and vaccines are not a silver bullet; however, the data so far suggests that both the Pfizer/BioNTech and Oxford/AstraZeneca vaccines are safe and effective against the COVID-19 variants currently dominant in the UK. In terms of other variants, even if a vaccine demonstrates reduced effectiveness against other variants in preventing infection, there may still be protection against severe disease that can lead to hospitalisation

and death. The continued rollout of the vaccine is therefore essential to save lives and to protect our NHS.

The COVID-19 Response – Spring 2021 set out four tests where, if we continue to meet them and the data permits a safe move down the Steps of the Roadmap, we could see the lifting of restrictions by Summer 2021. These tests are:

- the vaccine deployment programme continues successfully
- evidence shows vaccines are sufficiently effective in reducing hospitalisations and deaths in those vaccinated
- infection rates do not risk a surge in hospitalisations which would put unsustainable pressure on the NHS
- our assessment of the risks is not fundamentally changed by new Variants of Concern

As part of the early response to the pandemic, the UK Government introduced the Coronavirus Act 2020 (“the Act) and corresponding regulations under the Public Health (Control of Disease) Act 1984 to protect as many people as possible. In combination, these two Acts have proven essential to mitigate the risk of transmission in our communities, protect the NHS and enable it to function effectively, and save lives. The Coronavirus Act gained Royal Assent almost one year ago, on the 25 March 2020, and has been an essential enabler of the Government’s approach to combating the pandemic.

The Act was designed to protect public health in various ways, with the ultimate aim of facilitating sufficient preparation for a worst-case scenario. The Act ensured that the NHS had the capacity to deal with the peak of the virus by allowing the temporary registration of nurses and other healthcare professionals. It also protected critical societal functions and ensured that they were still able to continue, such as providing courts with the ability to use video technology. The Act meant that we were able to ensure effective support packages such as the Coronavirus Job Retention Scheme and Self-Employed Income Support Scheme were in place for people and businesses alike.

To achieve this aim, 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 workforce 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 encouraging people to self-isolate by making Statutory Sick Pay (SSP) payable from day 1; and

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

One year on from the Royal Assent of the Act, through a continuous procedure of regular and careful reviews and parliamentary scrutiny, we are confident that the Act has been fundamental to facilitating a fast and effective response to the pandemic.

The Act has successfully removed the necessary barriers to allow suitably experienced people (such as recently retired NHS staff and social workers) to re-join the workforce during the pandemic, provided financial support to individuals and businesses, and enabled essential public services to function. These measures have enabled the Government and public bodies to take important action to mitigate the health, social and economic impacts of Covid-19. Moreover, the Act continues to be a necessary and essential tool in our response to the pandemic as we gradually and cautiously move through the steps of the roadmap.

Although life will feel much more normal once we reach the fourth and final step of the Roadmap, we must carry on with 'hands, face, space', comply with the COVID-Secure measures that remain in place, meet outdoors when we can and keep letting fresh air in, get tested when needed and get vaccinated when offered. If we all continue to play our part, we will be that bit closer to a future that is more familiar.

In addition, the Government has committed to ensuring local outbreaks are managed quickly and effectively and that we combat new dangerous variants, both within the UK and at the border. For example, section 52 of the Act which allows for the banning of mass gatherings and events, will be an important power to maintain when the current lockdown regulations expire, as it will continue to provide the mechanism for a targeted approach to local outbreaks, should the situation arise. Therefore, the Act continues to be crucial in our approach to controlling the virus, now and in the future.

The ever-changing picture of the pandemic is the reason why the government has always been committed to continuously reviewing the powers introduced and has held good on the promise to only retain powers where they continue to be necessary and proportionate. This was highlighted in December 2020 when the Mental Health provisions under section 10 of the Act were expired early, as they were no longer deemed necessary to deal with the pandemic. This same view is at the heart of the one-year review of the Act.

## One Year Review

The Government has always been mindful of the need to continue to monitor the impact of the measures on people and society, remaining flexible so that we can adapt to new evidence and changes in risk. Where measures have been taken, the Government has sought to put them in place for as short a period as necessary and often with the additional checks and balances of sunset clauses and fixed review points.

The Act is reviewed regularly to ensure its provisions are being applied appropriately and that they are still needed. A two-year life span for this Act was 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.

Under section 97 of the Act, the Secretary of State for Health and Social Care is also 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.

Under section 99 of the Act, the Secretary of State is also required to bring motions in the House of Commons and House of Lords on a ‘one-year status report’. Parliament will have an opportunity to debate the provisions in detail and consider their continued application based on the latest evidence. As per section 99(3) this one-year status report is the same as the report produced under section 97 for the sixth reporting period.

As part of the one-year review of the Act, and in line with the announcement of the Roadmap, the Government has conducted a thorough review of the non-devolved provisions to check they are necessary and proportionate and has considered whether there is a robust justification for keeping those powers we propose to retain. Although not legally required where the Government is taking decisions to expire provisions in relation to England, the Government has also been engaging closely with the Devolved Administrations in order to achieve a four-nations approach where possible. Where appropriate we have also sought their consent to expire provisions on behalf of their respective nations.

In all phases of the pandemic, the Act has enabled action in the five key areas outlined above and the provisions have helped achieve a balance between the Government’s social and economic priorities, while preserving the health and safety of the country and supporting public service delivery.

### *Increasing the available health and social care workforce*

Protecting the NHS has been at the forefront of the Government’s response over the course of the pandemic in order to ensure that the best possible level of care is provided to those most in need. Despite the unprecedented challenges and pressures on the NHS throughout the pandemic, the needs of people have continued to be met, in part thanks to the workforce that the Act has helped support.

The powers under section 2 of the Act have enabled the Nursing and Midwifery Council (NMC) to temporarily register nurses, midwives and, in England, nursing associates. They also enable the Health and Care Professions Council (HCPC) to temporarily register paramedics, operating department practitioners, radiographers and other professionals. In total, over 15,000 professionals have joined the NMC register since

the provision came into force on 25 March and there are currently over 21,000 registrants on the HCPC register. This has supported the NHS and wider healthcare system to ensure sufficient workforce capacity to deal with the direct and indirect pressures created by Coronavirus.

Similarly, section 6 of the Act has allowed the creation of a temporary register of social workers who have recently left the profession so that they may provide support to social care providers facing coronavirus pressures, either because of high demands on their service or because of high workforce absence. Around 300 temporary registrants are currently making themselves available to support frontline services in England.

Section 45 of the Act suspended rules in the NHS Pension Scheme, for England and Wales, to allow retired and partially retired NHS staff to return to work or increase their working commitments. These measures have given thousands of retired and partially retired NHS staff the opportunity to provide the NHS with increased capacity, which has been valuable during peak periods of the pandemic. More recently, these powers have been vital in providing the extra support needed to facilitate the effective vaccine rollout across the country.

### *Easing and reacting to the burden on frontline staff*

At the start of the pandemic, the impact the virus would have on essential public services was unknown. It was imperative, therefore, to ensure these services were able to cope with pressures on the NHS and other public services as a result of Coronavirus.

The pandemic has presented our health service with many challenges, but it has retained, at its heart, the need to provide people with the care they need when they need it. The Act has enabled this to happen and a range of special and novel healthcare arrangements have been put in place which relied on indemnities provided under section 11. A new indemnity for clinical negligence claims arising from local authority community testing was issued in December, while ongoing arrangements such as Covid-19 testing contracts and regular lateral flow testing of asymptomatic NHS primary care staff have continued without indemnity being a barrier under section 11.

The provisions under sections 53-56 of the Act were introduced to allow the courts and tribunals system to continue to function throughout the pandemic and ensure that more people were able to access justice. Despite the considerable challenges and restrictions that have been in place across the year, the legislative provisions have allowed thousands of hearings to take place since the passing of the Act, with over 750,000 taking place using remote technology in some form in the period between 24 May 2020 and 24 January 2021.

Section 22 of the Act allows the Secretary of State, on a request from the Investigatory Powers Commissioner (IPC), to make regulations to provide for temporary judicial commissioners (JCs) to be appointed by the IPC. This is necessary if there are insufficient JCs available to effectively fulfil their functions under the Investigatory Powers Act 2016. This was one of the most critical pieces of domestic legislation for national security as all JCs were considered at risk of severe disease at the start of

the pandemic (due to their age). The provision allowed the investigatory powers regime to be able to function fully during the pandemic. The Regulations which enact these powers are lapsing on 26 March 2021, and so the necessity of the provision will be kept under review as the situation changes over the coming months. As there are no current plans to utilise the power, the Government intends to suspend this provision.

## *Supporting people*

The Government has remained committed to protecting people's jobs and livelihoods throughout the pandemic, while also supporting businesses and public services. As such, the provisions available under the Act have facilitated this support.

Under section 77 of the Act, the rate of Working Tax Credit was increased by an extra £1,045 per household per year, equal to up to £20 extra per week in 2020/21. This has supported some 1.7 million low income households receiving Working Tax Credit who have benefited from the additional financial support in 2020/21. In addition to this, the powers under section 39 of the Act have allowed small and medium employers, with fewer than 250 employees, to claim back the costs of the two weeks' Statutory Sick Pay (SSP) for absences related to coronavirus. The OBR estimate that a total of £50m will have been claimed by employers via the rebate scheme by 31 March 2021.

The powers in section 76 of the Act have allowed the Government to provide an extraordinary level of support to both people and businesses through the Coronavirus Job Retention Scheme (CJRS) and Self-Employed Income Support Scheme (SEISS). Both of these have made a tangible difference, providing a source of income for families and a lifeline for many businesses, so they can continue to operate. As of 15 February, the CRJS has supported 11.2 million jobs at the cost of roughly £53.8 billion. It has continued to support jobs through the most recent national lockdown, with close to 4.7 million employments furloughed at the end of January 2021. The extension of this scheme and the vital support it provided to millions of businesses to [September 2021] was confirmed by the Chancellor in the Budget. The fifth two-monthly report recorded that the SEISS had seen around 2.7 million individuals make claims totalling £18.5 billion between the three grants that have been offered across the year. By 31 January the value of claims for the third SEISS grant totalled £6.2 billion, and almost £20 billion in grants had been paid out across all three grants.

Section 75 of the Act ensures that necessary support to UK business can continue to be provided under the Industrial Development Act 1982 in relation to Coronavirus by ensuring that financial assistance provided to business under Section 8 of that Act which is designated as coronavirus-related does not count towards the overall limit on assistance that can be provided to business under Section 8. This change has enabled businesses to access loan schemes such as the Bounce Back Loan Scheme, Coronavirus Business Interruption Loan Scheme, Coronavirus Large Business Interruption Loan Scheme and the Future Fund. As of the 21 February, these loan schemes have provided over £72 billion of support to businesses with over 1.5 million loans approved.

## *Containing and Slowing the Virus*

The Government's objective has always been to contain and slow the virus in order to minimise suffering, save lives and protect the NHS. We know that the most effective way of doing this is to minimise the number of people we meet from different households as much as possible. It has therefore been necessary to introduce proportional measures to reduce social contact and the likelihood of transmission at different points in the pandemic. This has been critical to mitigating the risk to public health.

To enable parents of non-priority children to keep their children at home as the government requested until at least February half term, a disapplication notice was used, under section 38 of the Act, to disapply offences relating to a parent's failure to ensure their child regularly attends school (where the child is a registered pupil). This was issued on 6 January 2021. In addition, two notices have continued to be issued on a monthly basis. Also under section 38, a modification notice has been 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, helping schools to work together to provide education to vulnerable children and other priority groups in an area. These notices have allowed schools to mitigate the risk by having only vulnerable and key workers children attend.

To support these measures, regulations were brought in under section 78 of the Act to help local authorities (LAs) deal with the challenges of holding physical meetings during the pandemic. This has helped LAs to redeploy resources to deal with the pandemic and ensure that essential business continues while protecting the health and safety of their members, officers and the public.

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 day 1. This encourages and enables people to adhere to public health advice and self-isolate, therefore reducing the risk of more infections.

## *Managing the Deceased with Respect and Dignity*

The steps the Government has taken throughout the pandemic have been to save lives. Regrettably and despite the Government's best efforts, people have suffered the loss of loved ones as a result of the Covid-19. The Government wanted to ensure the deceased were treated with the upmost respect and dignity and existing procedures were modified to enable this.

Section 18 of the Act modified procedures in relation to death and still-birth registration and management. This expanded the list of people who can register a death to include funeral directors acting on behalf of the family, and it enabled those who are required to give information about a death or still-birth to do so by telephone or other means instead of in person. The changes to the certification and registration of deaths have been vital not only in meeting the pressures placed on the NHS, the local registration service and the coronial service by the coronavirus but also to protect loved ones and easing their burden in already difficult times. Since the provisions came into force,

around 95% of death registrations in England and Wales have been completed by telephone (around 429,000 registrations in total for the period April-Dec 2020). This, along with the ability to transfer documents electronically, has helped ensure the timely registration of deaths and avoided onward delays in the death management process.

The powers under section 58 enable local authorities and the Government to develop a fuller understanding of where pressures are occurring in the death management system and allows for targeted interventions to support existing procedures. Local authorities have welcomed these powers as they have allowed them to understand the capacity of the death management system in their area and prepare accordingly. Although there is no requirement to inform the Government on the use of these powers, several areas have made extensive use of the powers to obtain the information where required. Section 2 also includes powers of direction which would allow national or local government to take control of a component or components of the death management process in extreme circumstances. To date, these powers have not been used and as such the UK Government is suspending these powers, in order to maintain the option to revive them should they be needed in the future.

## Expiring Provisions

As part of the one-year review, as detailed above, the government has conducted an in-depth assessment on all of provisions of the Act. Consequently, the decision has been made to expire a total of twelve sections as they are no longer seen as necessary to respond to the pandemic. Following the debates held in both Houses on the one-year review, it is the Government's intention to bring forward regulations after Easter recess to expire the following provisions:

- **Sections 8 and 9 (apply to UK): Emergency Volunteering Leave and Compensation for Emergency Volunteers**

These provisions were introduced and intended to come into force should the delivery of health services be at a risk as a result of the pandemic. However, to date, despite the significant workforce pressure in health and social care, other measure such as NHS Professionals, other agency and bank staff and the Bring Back Staff (BBS) scheme have been more appropriate to address the need for trained clinical staff. As such, these powers have not yet come into force and it is assessed these provisions can be expired.

- **Section 15 (applies to England and Wales): Local authority care and support.**

The Care Act easements enable local authorities to continue to meet the most urgent and acute needs in the face of Covid-19 by relaxing some duties in local authorities, allowing them to streamline assessment and charge for care retrospectively. In England, only eight local authorities (LAs) have used these powers, but not since 29 June 2020. There is strong support from groups representing people who need care and support for expiring the provision as the social care workforce, particularly social workers, have

remained reasonably resilient under significant pressure, and continued to deliver these duties without the need to operate under easements.

- **Section 24 (applies to UK): Extension of time limits for retention of fingerprints and DNA profiles.**

This provision established a regulation-making power so that biometrics (fingerprints and DNA profiles) held for national security purposes could be retained for up to an additional six months beyond normal statutory retention deadlines (with the possibility of a further six month extension; enabling retention for up to a maximum of 12 months). This provision has successfully mitigated the risk of a critical national security capability being compromised because of the pandemic, including the risk of losing the biometrics of up to 150 individuals per month (many of whom could be subjects of national security interest). However, this power was exercisable only in relation to biometrics that would (ignoring the effect of regulations made under it) need to be destroyed within 12 months of the Act being passed. Regulations have been made to cover this 12-month period. A further extension beyond the second set of regulations made under this power was not necessary and therefore section 24 will be expired as part of the one-year review as it has served its original purpose. The second set of regulations made under this power – the Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 – will be saved as they provide the current basis for retention of certain biometrics held in the interest of national security that [would otherwise would have fallen to be destroyed between 1 October 2020 and 24 March 2021.

- **Sections 25-29 (applies to UK): Food Supply provisions**

These provisions give the appropriate authority the power to require information from persons within, or closely connected to, a food supply chain. The power can only be used in order to ascertain whether there is a food supply disruption (or threat of disruption), or the nature of such a disruption, and if the person has already refused to provide the information voluntarily. To date, the information has been provided on a voluntary by those involved in the food supply chain, which has been resilient. It is assessed that this voluntary sharing of information will continue. These powers are no longer deemed necessary and will be expired.

- **Section 71 (applies to UK): Signatures of Treasury Commissioners.**

This measure was introduced to ensure that Her Majesty's Treasury can transact its business at all times, this clause means that during a Covid-19 emergency period where any instrument or act is required to be signed by the Commissioners of HM Treasury it will be possible for a single Commissioner or a single Treasury Minister to sign instruments and act on behalf of the Commissioners. However, it is assessed that this power is no longer required at this stage in managing the pandemic.

- **Section 79 (applies to England): Business Improvement Districts (BIDs).**

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 pandemic. All BIDs that were extended under this provision have rebaloted and so the power is no longer required beyond when the regulations expire on 31 March 2021

- **Section 84 (applies to England): Postponement of General Synod elections.**

This provision allows HM the Queen, by Order in Council and at the request of the Archbishops of Canterbury and York, to postpone the dissolution of the General Synod of the Church of England and so to postpone elections to the General Synod, due to take place in summer 2020. The Church of England and MHCLG agree the provision has served its purpose and may be expired.

As part of the one-year review, the decision has also been made to suspend three provisions. The Government has responsibly maintained the option to revive these powers, should they be needed in response to the pandemic in future. This includes sections 22 and 23 in relation to the UK, and part 2 of section 58 (schedule 28) in relation to England.

The remaining of the provisions in the Act recommended for retention serve three core purposes: shoring up capacity in the health and care system (such as allowing the temporary registration of nurses and other health care professionals); ensuring delivery of essential public services (such as enabling virtual court proceedings); and providing financial and other support to businesses and individuals, such as the Coronavirus Job Retention Scheme and Self-Employed Income Support Scheme.

## Equality and Human Rights

The Government appreciates the impact many of the provisions of the Act have on people's lives. Since the start of the pandemic, it has been necessary to act quickly and decisively where needed to protect the population from public health risks. However, great care is given in ensuring any action is proportionate, in place for as short a time as possible and has appropriate checks and balances. Many of the provisions have provided critical support to individuals and businesses and assisted with maintaining the effective running of the NHS and other essential public services over the past year.

On 28 July 2020, an Impact Assessment of the provisions of the Act was published, recording the equality analysis undertaken to enable Ministers to fulfil the requirements placed on them by the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010. It was found that, in some cases, the provisions could give rise to more significant impacts on certain protected groups. However, these impacts were considered to be justified and a proportionate means of achieving the legitimate

aim of protecting the general public from Coronavirus by increasing the capacity of public service systems and mitigating the spread of infection.

Furthermore, the Government felt that the provisions would have a positive impact on those with the protected characteristics of age or disability, compared to not introducing the provisions, due to the fatality rate of the virus being higher in the elderly and in those with pre-existing medical conditions, which could include some forms of disability. For example, the introduction of section 22 has allowed vital services to continue where existing Judicial Commissioners (JCs) were classed as vulnerable due to their age by allowing the temporary registration of JCs. Additionally, the provisions introduced to help to reduce transmission have sought to address inequalities arising as a result of the pandemic. The use of video technology in courts (sections 53-56) has ensure everyone has had access to justice while restrictions have been in place.

Nonetheless, many of the provisions, where possible, contain safeguards and mitigation measures to lessen the extent of any actual or perceived negative impacts. The full Impact Assessment can be found at [Coronavirus Act 2020: the public sector equalities duty impact assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/531212/Coronavirus_Act_2020_the_public_sector_equalities_duty_impact_assessment_-_GOV.UK.pdf).

Some of the provisions to be expired will have significant impacts on people with protected characteristics, but for the majority of those provisions, that impact will be positive. People with protected characteristics who have care and support needs are likely to be most affected by the Care Act easements as the provisions would cause some appointments to be delayed or rescheduled. Although research on the use and impacts of Care Act easements did not identify any adverse impacts on disabled people or other groups, it is anticipated that the expiry of this provision will have positive impacts on people with protected characteristics such as age or disability, who might be more likely to have care and support needs.

Other provisions may have had a significant impact on groups with protected characteristics but due to the emergence of alternative mechanisms to achieve the same result as the power, or a change of circumstance, the expiry of these provisions is not expected to have a significant impact on these groups. The food industry has been very collaborative in sharing data and information throughout the Covid-19 response, and this has enabled Government to efficiently support efforts in maintaining food supply. Hence, the removal of the power to request information related to the supply of food should not have a particular impact on protected characteristics. The decision to postpone the General Synod, as well as other elections was taken following advice from the government's medical experts. The provisions were only intended to be used once and now that time has passed, there are no anticipated impacts of expiring this provision.

## 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. As detailed above, the Act is subject to a

two-monthly status report of the non-devolved provisions, as well as a one-year status report.

Under section 98 of the Act, 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 in which the House of Commons decided that the Act should continue. The second six-monthly debate and renewal vote will take place on 25 March 2021

Debates in the House of Commons and House of Lords on the one-year status report, are required under section 99 of the Act. Both Houses of Parliament will have an opportunity to debate the provisions in detail and consider their continued application based on the latest evidence on 25 March 2021.

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. In relation to England, section 10 (1) and parts 1 and 2 of schedule 8 have been expired using this power. As part of the one-year review this power will also be used to expire sections 15, 24, 25-29, 79 and 84.

Many of the provisions contained within the Act can be suspended, under section 88, if the scientific advice is that they are not needed and revived again if it is indicated that they are. In relation to England, several provisions of schedule 29 have been suspended using this power and following the one-year review powers under sections 22 and 23, and part 2 of section 58 will also be suspended.

A Status table has been published and provides up to date information on the status of all provisions, including devolved provisions, in the 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 the Act in accordance with section 97(1)(b):

**“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 of the 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 and signed into law. 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 and Impact of Provision</b>
1	Meaning of 'coronavirus' and related terminology	Came into force on Royal Assent		
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. They also enable the Health and Care Professions Council (HCPC) to temporarily register paramedics, operating department practitioners, radiographers and other professionals. This supports the NHS and wider healthcare system to ensure sufficient workforce capacity to deal with pressures created by coronavirus, building on the existing emergency registration powers of the General Medical Council to register doctors and the General Pharmaceutical Council to register pharmacists and</p>	<p>The NMC and HCPC both established temporary emergency registers for former registrants and students at the end of March 2020. 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.</p> <p>The temporary registers established by the NMC and HCPC have allowed the deployment of former registrants and students in supporting the NHS to ensure it has the staff it needs to respond to the Covid-19 pandemic and winter pressures.</p> <p>Initially, demand for returning staff was lower than might have been expected due to a lower than predicted initial Covid-19 surge and the redeployment of existing NHS workforce capacity freed up due to the suspension of non-urgent activity. In total, over 15,000 professionals have joined the NMC register and there are currently over 21,000</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			pharmacy technicians.	<p>registrants on the HCPC register.</p> <p>The former healthcare professionals who came forward to help the NHS in the first wave of the Covid-19 outbreak had wide ranging skills and experience and have been employed across health and social care, for example within NHS 111, secondary care, Mental Health, and community services. Thousands of these former healthcare professionals remain in touch with NHS England and Improvement's regional Bring Back Staff teams and are available for deployment to a range of clinical settings and programmes.</p> <p>Eligibility for the temporary registers was extended to cover those professionals whose registration lapsed between 1 March 2020 and 30 November 2020. In addition, the NMC has extended the temporary register to international nurses who are already in the UK and waiting to sit the overseas structured clinical examination (OSCE). Over 2,000 such professionals have now passed the OSCE and joined the NMC's permanent register.</p> <p>The temporary registers have supported the NHS to ensure it has the staff it needs to meet rising demand, whilst simultaneously supporting the effective rollout of the coronavirus vaccine programme.</p>

	<b>Provision</b>	<b>Status</b>	<b>Aim of Provision</b>	<b>Use of and Impact of Provision</b>
6 <i>Sch 5</i>	Emergency registration of social workers: England and Wales	Came into force on Royal Assent	To allow the creation of a temporary register of social workers who have recently left the profession so that they may provide support to social care providers facing coronavirus pressures, either because of high demands on their service or because of high workforce absence.	In England, Social Work England (SWE), has temporarily reinstated the professional registration of several thousand former social workers. 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. Through this, around 300 temporary registrants are currently making themselves available to support frontline services. We know of 18 who have been employed by local authorities (an increase of 2 since the two monthly report laid in January), but there are likely to be others not known to us as they don't have to be employed through this system. 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, the temporary register remains important to local authority workforce planning as they continue to respond to Covid-19 related pressures.
8 <i>Sch 7</i>	Emergency volunteering leave	The decision has been made as part of the one-year review to expire this provision after Easter recess.	The provisions relating to Emergency Volunteering Leave and Emergency Volunteer Compensation are intended to come into force should the delivery of health services be at risk as a result of the pandemic.	The provisions relating to Emergency Volunteering Leave and Emergency Volunteer Compensation are intended to come into force should the delivery of health services be at risk as a result of the pandemic. To date, despite significant workforce pressures in health and social care, other measures such as NHS Professionals, other agency and bank staff and the Bring Back Staff (BBS) scheme run by NHS England and Improvement have been more appropriate to address the need for trained clinical staff than EVL. Volunteer recruitment for the COVID-19 vaccination
9	Compensation for emergency volunteers	The decision has been made as part of the one-year review to expire this provision after Easter recess.		

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				programme is currently on-track and EVL is therefore not required to boost volunteer supply for this. As such, there are no plans to trigger the provisions at this point in time.
10 and Sch 8	Temporary modification of mental health and mental capacity legislation	Expired for England as of 10 December 2020  Reserved provisions for Wales	The provisions were designed as a back stop to support services if the mental health sector experienced unprecedented resource constraints that put the patient's safety at risk. The provisions would have enabled an approved Mental Health Professional to apply to detain and individual under the Mental Health Act following the advice of one registered medical practitioner, where securing two recommendations was considered impractical or would lead to undesirable delay. These provisions would also have allowed for an extension of the time that hospital inpatients could be temporarily detained, pending an application for	<p>The Secretary of State for Health and Social Care announced that these provisions would be removed from the Act in their entirety in relation to England.</p> <p>Secondary legislation came into force on 9 December which expired these regulations. <a href="#">The Coronavirus Act 2020 (Expiry of Mental Health Provisions) (England and Wales) Regulations 2020(SI 2020/1467)</a>.</p> <p>The provisions relating to the Mental Health Act were designed to only be switched on if the mental health sector was experiencing unprecedented resource constraints, which would result in patients' safety being put at significant risk.</p> <p>These provisions were not needed as other means of increasing capacity and resilience have now been introduced and proven sufficiently effective. The Government as a result expired the emergency provisions in England.</p> <p>These powers were not commenced in England and therefore no authorities used them.</p> <p>The Welsh Government has chosen not to expire the provisions relating to health services in Wales. The Welsh Government is also keeping in place provisions relating to the Welsh Mental Health Review Tribunal.</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			longer-term detention under the Mental Health Act.	
11	Indemnity for health service activity: England and Wales	Came into force on Royal Assent	To enable DHSC to provide clinical negligence indemnities for special/novel healthcare arrangements put in place during the pandemic, where there are no existing indemnity or insurance arrangements in place. This safety net ensures indemnity is not a barrier to providing care during the pandemic.	<p>Throughout the pandemic, a range of special and novel healthcare arrangements have relied on indemnities provided under section 11. Section 11 is only required where there are gaps in existing indemnity cover. Some examples include:</p> <ul style="list-style-type: none"> <li>• NHSE/I's national contracts with independent sector hospital providers for extra capacity, which are crucial for increasing NHS capacity.</li> <li>• Covid-19 testing contracts, which underpin Pillar 2 of the testing programme, are also enabled by the measures.</li> <li>• Regular lateral flow testing of asymptomatic NHS primary care staff is being conducted to stop the spread of infection and maintain NHS capacity. Where these tests are administered by other staff, Section 11 indemnity applies.</li> <li>• Where pharmacy and dental staff have been asked to work outside their usual practice to maintain service coverage during lockdown.</li> </ul> <p>Without this indemnity cover, these arrangements could not go ahead. Section 11 has allowed government to fill these gaps and move quickly to respond to the pandemic.</p> <p>More broadly, clinicians are reassured that they do not need to</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				<p>worry about indemnity when asked to support the pandemic response. In March 2020, DHSC, NHS England &amp; Improvement and NHS Resolution jointly wrote to all NHS staff to provide reassurance that Section 11 would cover any gaps in their indemnity cover for NHS services they were asked to provide during the pandemic. A similar letter was also sent in relation to the vaccination programme.</p> <p>Section 11 has allowed new ways of working to be established quickly during the pandemic. Without Section 11, complex work to establish bespoke indemnity arrangements for each situation could have been required. Should this not have been possible, the services could not have proceeded.</p> <p>Section 11 also provides reassurance to patients that they will have a route of redress should they suffer harm.</p>
14	NHS Continuing Healthcare assessments: England	Came into force on Royal Assent	The provisions allow the NHS the option not to comply with the requirement to carry out Continuing Healthcare (CHC) assessments.	<p>In the last two months, section 14 has not been used. However, it remains in force, as a last resort should NHS capacity be at risk of becoming overwhelmed and all other options have been exhausted, to support timely discharge from hospital and the effective prioritisation of NHS staff and resources.</p> <p>CHC assessments have been paused once nationally, during the first wave, from March – August 2020. However, NHS CHC assessments were reintroduced from 1 September 2020 following the publication of Restart Guidance on 21 August 2020 and action is being taken to clear the backlog of deferred CHC assessments.</p> <p>As part of the £3 billion new funding announced for winter</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				2020/21 in July 2020, an extra £588 million was confirmed to continue enhanced discharge arrangements over winter.
15 <i>Sch 12</i>	Local authority care and support	<p>Section 15 (in relation to England) and Part 1 of schedule 12 came into force on 31 March 2020.</p> <p>The decision has been made as part of the one-year review to expire this provision after Easter recess.</p>	<p>The Care Act easements enabled local authorities to continue to meet the most urgent and acute needs in the face of COVID-19 by relaxing some duties on local authorities, allowing them to streamline assessments and charge for care retrospectively.</p>	<p>Only eight local authorities in England have operated under care act easements, however none have since 29 June 2020. Despite initial concerns over the impact of the pandemic LAs have coped with significant pressures over winter using the existing Care Act flexibilities and are now in a better position in terms of planning, support and use of mutual aid.</p> <p>DHSC's latest review sought views of stakeholder groups, including people who use care and support services and DHSC regional support leads. While some councils felt they had been helpful and were keen to retain the powers should they be needed in future, the majority of stakeholders felt they were unlikely to be used again. In addition to this, the perception among those who need care and support that care could be withdrawn had caused some anxiety.</p> <p>Therefore, as part of the one-year review, the decision has been made to expire these provisions. Regulations will be laid at some point after the Easter recess expiring these provisions of the Act no longer deemed necessary</p>
18 <i>Sch 13</i>	Registration of deaths and still-births etc	Came into force on 26 March 2020	<p>This allows information for the registration of a death or still-birth to be given by telephone and where requested by the family a funeral director to act as informant on their behalf.</p> <p>It also enables any relevant</p>	<p>These measures have reduced transmission risks by enabling deaths to be registered when access to offices has not been possible, and more generally reduced the footfall at register offices; by allowing deaths to be registered by telephone rather than face to face and for associated documents to be electronically sent rather than by hand, enabling deaths to be registered without delay and for the timely arrangement of funerals.</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			<p>documents to be given or delivered by electronic means.</p> <p>It additionally allows, in England and Wales and in Northern Ireland, 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. (Existing arrangements meant this easement provision was not necessary for Scotland).</p>	<p>They have widened the scope of who can certify a cause of death in England and Wales and in Northern Ireland; they have enabled medical practitioners to complete and sign a Medical Certificate of Cause of Death (MCCD) when the attending doctor has not been available (due to illness, self-isolation or any other reason), thus preventing delays to the death management process and associated pressures building on the health service.</p> <p>The provisions have also benefited the ongoing recovery of other registration services such as the registering of births.</p> <p>The modifications to the certification and registration of deaths have been vital in meeting the ever-increasing pressure placed on the NHS, the local registration service and the coronial service by the coronavirus. While the easements are continuing, the underpinning advice continues to be used only when and where needed.</p> <p>The introduction of death certification easements in the Act 2020 has proved extremely beneficial, particularly assisting hospitals to prioritise staff resources flexibly, to maximise staff availability to provide front line care during the pandemic emergency. Many trusts in England and Wales utilised medical examiners (who are medical practitioners) as full-time certifiers, releasing other medical practitioners from the administrative task of completing Medical Certificates of Cause of Death (MCCDs) so they could spend more time providing front-line care. The</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				<p>specialised training that medical examiners have received in causes of death meant they were able to complete MCCDs efficiently. The electronic transmission of documents has also proved extremely workable, and an efficient means of completing the death certification process. Anecdotal evidence suggests that it proved effective in reducing unnecessary personal contact, thus reducing the risk of COVID-19 transmission through collection in person.</p> <p>This provision has eased the process for bereaved families and trusts have reported positive working arrangements with register offices. The National Medical Examiner for England and Wales is not aware of any significant examples of negative events which have arisen. The modifications to death certification are only used when an attending doctor is not available and in general the MCCD will still be completed by the deceased's own doctor.</p> <p>The ability to register a death by telephone has been widely welcomed especially by the bereaved as it enables them to make the necessary arrangements without needing to travel. Since the provisions came into force, around 95% of death registrations in England and Wales have been completed by telephone (around 429k registrations in total for the period April-Dec 2020). This, along with the ability to transfer documents electronically,</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				has helped ensure the timely registration of deaths and avoided onward delays in the death management process.
19	Confirmatory medical certificate not required for cremations: England and Wales	Came into force on 26 March 2020	The measure removes the requirement for provision of a confirmatory medical certificate from a second medical practitioner, independent of the first, to accompany an application for cremation. The purpose is to: reduce demand on the medical profession at a time when they are managing a number of significant additional pressures arising from the pandemic; and support timely cremations during the excess deaths period, thereby reducing pressure on mortuary capacity.	<p>The provision applies to all cremation applications in which the death has not been referred to the coroner. It operates alongside other easements in the Act which are intended to support timely throughput, and to reduce pressure on providers, within the death management process.</p> <p>Confirmatory medical certificates are provided by medical practitioners in addition to their role as healthcare providers. The provision therefore continues to reduce demand on medical practitioners at a time when they are under significant additional pressures relating to Covid management, including the rollout of the vaccination programme. 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 provision contributes to maintaining the timely throughput of cremations, as it removes from that process the time taken to allow for input from a second health professional. This is particularly important while excess deaths continue to occur and while, in the shorter term, seasonal factors, such as reduced daylight hours and poor weather, continue to place additional pressure on the</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				<p>death management process. ONS weekly death stats are available at <a href="https://www.ons.gov.uk/deaths/registered-weekly-in-england-and-wales-provisional">Deaths registered weekly in England and Wales, provisional - Office for National Statistics (ons.gov.uk)</a></p> <p>The administration of the cremation process is one of a number of factors which impact on the timeliness of throughput between death and cremation, on which data is not centrally held.</p> <p>Data is not yet available on the number of cremations, or the number of referrals to the coroner during the pandemic period.</p>
22	Appointment of temporary Judicial Commissioners	The decision has been made as part of the one-year review to suspend this provision after Easter recess.	<p>This provision allows the Secretary of State, on a request from the Investigatory Powers Commissioner, to make Regulations to provide for temporary judicial commissioners (JCs) to be appointed by the Investigatory Powers Commissioner, in the event that there are insufficient JCs available to effectively fulfil their functions under the Investigatory Powers Act 2016.</p> <p>The Investigatory Powers Act 2016 is one of the critical pieces of</p>	<p>The initial six-month appointments for the temporary Judicial Commissioners have now come to an end (01/10/2020 for the first cadre and 06/10/2020 for the second) and there are no temporary JCs in post. However, it is vital that the relevant regulations remain in place should any temporary Judicial Commissioners need to be appointed in the coming months to consider investigatory powers warrants again if the pandemic affects the availability of the Judicial Commissioners to effectively carry out their functions.</p> <p>The measure has ensured the investigatory powers regime has been able to function fully during the pandemic. While this provision is not currently in use, the flexibility to use it again in the future is critical to protecting our national security and preventing and investigating serious crime.</p> <p>Regulations laid under this power are due to expire on 26 March 2021, and there are no plans to renew these</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			<p>domestic legislation for national security. It provides the statutory basis for the use of most investigatory powers by the intelligence and law enforcement agencies, using warrants issued under the act and approved by JCs. These warrants provide the agencies with the capability they need to protect national security and investigate and prevent serious crime. This provision therefore ensures the agencies are able to continue to operate fully during the pandemic.</p>	
23	Time limits in relation to urgent warrants etc under Investigatory Powers Act	The decision has been made as part of the one-year review to suspend this provision after Easter recess.	<p>It allows the Home Secretary, at the request of the Investigatory Powers Commissioner, to vary the time allowed for urgent warrants to be reviewed by a Judicial Commissioner and how long they can last before they need to be renewed. The maximum time allowed for a review and how long an urgent warrant is valid for after being approved by a JC may be increased</p>	<p>Urgent warrants are used when the agency considers that there is an imminent threat to life or serious harm, or that there is an intelligence or investigative opportunity with limited time to act. Therefore, maintaining flexibility in the urgent warrant procedure during these uncertain times is critical for the protection of national security and the prevention of serious crime. This measure has ensured the investigatory powers system has been able to function fully during the pandemic. We expect the Investigatory Powers Commissioner to report on the use of this provision in his 2020 annual report, usually published in the second half of the year.</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			to a maximum of 12 days (up from the current three and five days, respectively). The Investigatory Powers Commissioner may only request the Home Secretary to make these Regulations if he considers it necessary in response to the effects that coronavirus is having, or is likely to have, on the capacity of Judicial Commissioners to carry out their functions.	Regulations laid under this power are due to expire on 26 March 2021, and there are no plans to renew these
24	Extension of time limits for retention of fingerprints and DNA profiles	Came into force on Royal Assent  Counter-Terrorism Policing has confirmed that a further extension beyond that provided by the Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 is not necessary and therefore a decision has been made to expire this provision.	This provision established a regulation-making power so that biometrics (fingerprints and DNA profiles) held for national security purposes could be retained for up to an additional six months beyond normal statutory retention deadlines (with the possibility of a further extension of up to six months – for a total extension of up to 12 months). This power could only be exercised in relation to biometrics that would (ignoring the effect of regulations made	This provision has successfully mitigated the risk of a critical national security capability being compromised because of the pandemic, including the 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.  Two SIs have been made under this section to allow biometrics to be retained for six months beyond normal statutory retention deadlines, both of which were approved by the independent Biometrics Commissioner: <ul style="list-style-type: none"> <li>• 1st April 2020 <a href="#">The Coronavirus (Retention of</a></li> </ul>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			under it) need to be destroyed within 12 months of the Act being passed.	<p><a href="#">Fingerprints and DNA Profiles in the Interests of National Security) Regulations 2020 (SI 2020/391)</a></p> <ul style="list-style-type: none"> <li>10th September 2020 <a href="#">The Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 (SI 2020/973)</a>. (SI 2020/973)</li> </ul> <p>Counter-Terrorism Policing have confirmed that over 1,200 biometric samples have been in scope of the regulations. Many of these could be of national security importance and would have been lost without the legislation. This would have had a significant and long-lasting detrimental impact upon UK national security.</p> <p>A further extension beyond the Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No 2) Regulations 2020 was not necessary and therefore this section will be expired under the UK-wide SI which will be laid after Easter recess.</p>
25	Power to require information relating to food supply chains	Not yet in force.  As these powers have not been used, and are no longer deemed necessary, the decision has been made as part of the one-year review to expire these provisions.	The provision gives the appropriate authority the power to require information from persons within, or closely connected to, a food supply chain. The power can only be used in order to ascertain whether there is a food supply disruption (or threat of disruption), or the nature of such a disruption, and if the person has	<p>Sections 25 to 29 have not been in force since the Act 2020 was enacted into law.</p> <p>However, the measures have been effective by virtue of their existence.</p> <p>In order to respond effectively to potential food supply disruption, the government relies on information from industry. This allows government to develop a proportionate and effective response in collaboration with industry, with up-to-date and detailed knowledge of the situation within the sector.</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			already refused to provide the information voluntarily.	Defra works closely with members of the food supply chain to gather information during a food supply disruption on a voluntary basis.
26	Authorities which may require information		The provision sets out which authorities may make a request under section 25; namely, the Secretary of State and equivalents in each of the Devolved Administrations.	Whilst we expected that industry would continue to provide information to us on a voluntary basis, these provisions were intended to back up this arrangement and are not designed to be activated unless there is a food supply disruption and industry stop complying with information requests.
27	Restrictions on use and disclosure of information		The provision places restrictions on the use and disclosure of information gathered under the powers provided in section 25. The purpose of this clause is to ensure that information collected is appropriately protected.	Instead they have acted as a contingency measure, providing an incentive to encourage industry collaboration throughout the response.  Intelligence from industry, for example, on the nature of disruptions and their impact, allows Government to develop an overall assessment of the implications “on the ground”, which in turn informs the industry response as well as a proportionate and effective cross-Government response. Defra has a daily data sharing agreement in place with major retailers.
28	Enforcement of requirement to provide information		The provision sets out the circumstances in which this power can be enforced. The enforcement regime sets out the financial penalties for failing to comply with a request for information or for providing information which is false or misleading to a material extent. This regime allows Government to	To date, the information has been provided voluntarily by the sector, and as such these powers have not been needed in response to the pandemic. Therefore, the UK Government has agreed to expire these provisions, which will be included in the UK wide SI laid after Easter recess.  Based on industry collaboration to date, the risk that the food industry will cease to cooperate with Government in response to Covid-19 related disruption is deemed to be very low and any future supply issues as a result of Covid-19 related disruption are very unlikely

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			impose a financial penalty of up to a maximum of 1% of qualifying turnover, following the precedent set by the Groceries Code Adjudicator (Permitted Maximum Financial Penalty) Order 2015. We have the flexibility to impose a lesser penalty if appropriate.	to warrant the requirement of the provisions. It is in industry's interest to work with Government to mitigate food supply disruption. Should there be reluctance to share information, experience shows that engagement with sector bodies at senior official or ministerial level can be effective in influencing industry.
29	Meaning of 'food supply chain' and related expressions		The provision sets out what is meant by the "food supply chain" and who may be required to provide information under these powers. The definition is intended to catch suppliers at every point along the food supply chain before food reaches consumers but ensures that individual farmers or sole traders are not covered by the provisions.	
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 held in public, and a number of which must by law be held with a jury (such as non-natural deaths in custody). Many coroners across England and Wales have reported considerable difficulties in hearing jury inquests and non-jury complex inquests due to social

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				<p>distancing requirements and there are considerable backlogs in scheduling these inquests.</p> <p>In his Guidance No. 39 to coroners on Recovery from the Covid-19 Pandemic issued on 29 June 2020 The Chief Coroner stated that “returning to ‘business as normal’ would take some considerable time”, noting that going forward “Inquests with juries will pose particular challenges...”.</p> <p>Section 30 continues to be required at this review point as the requirement for additional jury inquests where Covid-19 is suspected would disproportionately add to the demand on local authority funded coroner services, adversely impacting their ability to operate during the current lockdown, and exacerbating the existing backlog of jury inquests. These provisions will support efforts to keep coroner services functioning in light of continuing pressures.</p> <p>Were section 30 to be suspended or sunsetted, a spike in COVID-19 deaths, and any commensurate increase in the numbers of such deaths reported to the coroner, would have an immediate effect on the ability of coroner services to hold those inquests. It would also significantly undermine existing recovery plans by increasing the overall proportion of inquests requiring a jury.</p> <p>In a steady state there are around 30,000 inquests of which between around 450 and 550 are held with a jury. We don’t have any further data on how section 30 has impacted the numbers currently as coroner statistics are collected annually and reported on in May.</p>
37 Sch 16	Temporary closure of educational	Came into force on Royal Assent	This provision gives powers to direct the	The Secretary of State for Education has not used these powers to date. He has instead

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	institutions and childcare premises		temporary closure of a school, further or higher education institution, or registered childcare provider, or restrict access to them, where tests in the Act 2020 are met	<p>relied on guidance to limit attendance at education settings. On 6 January 2021, restrictions in a new national lockdown were implemented. Through guidance issued on 5 January 2021, the Secretary of State for Education requested education settings limit attendance to only allow vulnerable children, children of key workers and other priority groups to attend at this time. This is also the method by which attendance was limited during the first national lockdown in March 2020.</p> <p>The Secretary of State for Education does not have any effective alternative or quick acting legal powers whereby he can direct the temporary closure of educational and/or training institutions, and/or registered childcare premises. As we move along the roadmap, it is expected that these powers will help to control local outbreaks, should the need arise for individual schools to close.</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	<p><b>Modification and disapplication notices</b></p> <p>To enable parents of non-priority children to keep their children at home as the government requested until at least February half term, a disapplication notice has been used to disapply offences relating to a parent's failure to ensure their child regularly attends school (where the child is a registered pupil). This was issued on 6 January 2021. In addition, two notices have continued to be issued on a monthly basis. A modification notice 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, helping schools to work together to provide education to vulnerable children and other priority groups in an area. A disapplication notice</p>

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				<p>to alleviate pressure on state-funded schools by suspending routine Ofsted inspections and inspections of denominational education and collective worship. The 9<sup>th</sup> iterations of these notices were issued on 12 December 2020 ahead of January 2021 and new notices are likely to be issued in February.</p> <p><b>Temporary continuity directions</b>  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 Act 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 issued a temporary continuity direction on Monday 14 December to Greenwich council requiring the council to rescind its request to schools in Greenwich to close premises to pupils (with the exception of vulnerable children and children of key workers), and to move to remote education for the remainder of the term. The council was also required to send the 'Schools Opening Requirement' letter provided by the Secretary of State for Education to all headteachers in the borough. To date the Secretary of State for Education has issued two temporary continuity directions.</p> <p>To date, the power to amend by regulations what notices can be</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				given has not been used by the Secretary of State for Education.
39	Statutory sick pay: funding of employers' liabilities	Came into force on Royal Assent	This power allows for payments to be made to eligible employers to refund the costs of SSP paid for absences related to COVID-19, up to a certain amount. The provision supports employers with the cost of absences.	<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> <p>We estimate that a total of £50m will have been claimed by employers via the rebate scheme by the 31<sup>st</sup> March 2021.</p>
40	Statutory sick pay: power to disapply waiting period limitation	Came into force on Royal Assent	This power allows for the suspension of the waiting days' rule for absences related to COVID-19. It means that SSP is payable from day one for employees who are unable to work as a result of COVID-19 and therefore provides additional support for impacted employees.	<p>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. This continues to encourage employees to self-isolate from day one of their COVID-related absence.</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 power allows for regulations which provide for employees to be treated as incapable of work	This power was used in <a href="#">the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020 (SI 2020/374)</a> to reference guidance issued by the Chief

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			(and therefore eligible for SSP) to do so by reference to the latest guidance issued by the UK health authorities. This ensures that regulations can keep in step with the latest guidance, for example with new categories of employees who are required to self-isolate and as a result of being considered incapable of work.	<p>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> <p>This measure continues to help ensure eligibility of SSP is extended in line with guidance issued by health authorities in the UK.</p>
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 pensionable pay by 10%.	<p>In the last two months, and in all months across the pandemic response, the pension rule suspensions have removed barriers to workforce capacity and allowed thousands of staff to either return to work after retirement or increase their working commitments.</p> <p>Suspending the 16-hour rule allows all staff who retire and immediately return to work to continue their working commitments without the need to reduce their hours in the first month following retirement.</p> <p>Suspending abatement for special class status allows staff with special class status, such as qualifying nurses, to return to work between the ages of 55 and 60 without having their pensions reduced. This means they can continue their pre-retirement working commitments and increase their hours if possible.</p> <p>The suspension of abatement for draw-down members means that members who claim a portion of</p>

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				<p>their pension benefits and continue working no longer need to reduce their pensionable pay by 10%.</p> <p>These measures have allowed thousands of previously retired staff to return to work. They have also allowed retired staff who had already returned to work to increase their commitments without fear of having their pension benefits reduced.</p> <p>The provisions remain proportionate to their initial aim as they remove barriers that would otherwise prevent staff from performing additional work. The suspensions create no additional costs for employers and provide staff with the opportunity to return to work or increase their working commitments.</p> <p>Since the call out in March 2020, thousands of staff have returned to NHS service. Amongst these numbers, some returning retired staff have benefitted from the lifting of rules in the NHS Pension Scheme. All staff who return to work immediately after retirement from the 1995 section will benefit from the suspension of the 16-hour rule. Nursing staff who have retired from the 1995 section with special class status will benefit from the suspension of special class abatement if they return to work between the age of 55 and 60.</p> <p>Staff who returned to work in 2020 re-joined with a higher average FTE (0.55) than in each of the previous five years (average 0.47 FTE). This results in returning staff working around an extra half a day per week.</p>
50 <i>Sch 20</i>	Power to suspend port operations	Came into force on Royal Assent	The purpose of these powers is to ensure that we can continue to	Since introduction, there have been no circumstances where Border Force resource levels have been depleted due to Covid-19

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			<p>protect the border in the event that, due to coronavirus, there are insufficient officers to maintain adequate border security. The powers enable the Secretary of State to direct a port operator in the UK to suspend relevant operations and to issue consequential directions to other parties if the Secretary of State considers it appropriate in connection with the primary direction.</p>	<p>such that it has been necessary to close or suspend port operations to protect the security of the border. Consequently, there have been no situations where the Secretary of State has needed to issue a direction under this schedule. However, it is a power that will be retained given the importance of managing border operations, as part of the strategy managing the pandemic.</p>
51 <i>Sch 21</i>	<p>Powers relating to potentially infectious persons</p>	<p>Came into force on Royal Assent</p>	<p>Provides Public Health Officers (PHO), who are public health professionals designated for these purposes by the Secretary of State or relevant DA ministers in the devolved administrations, with powers to control the spread of Coronavirus in the UK. It includes powers to require a person to undergo screening and assessment for covid-19 and for a public health officer to impose</p>	<p>Under the Act, the powers under the schedule for Potentially Infectious Persons are essential to controlling and containing the virus in the long term.</p> <p>As of 28 February, PHO powers have been used ten times. The powers have not been used by police or immigration officers.</p> <p>The Schedule 21 powers are important for controlling and containing the virus, and are applicable to all potentially infectious persons, not only international travellers. They are part of a suite of powers to support a range of strategic responses throughout the lifecycle of the pandemic and, ensures the risk of onward transmission is immediately minimised, until longer term pandemic control is achieved sustainably both in the UK and internationally.</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			restrictions and requirements, such as travel restrictions or isolation where necessary and proportionate. These provisions also give powers to constables to support and enforce these public health measures. These provisions also enable constables and immigration officers to support PHOs in exercising their functions where necessary and proportionate.	
52 Sch 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 government has not exercised the powers conferred through this provision in England. However, as we move through the roadmap, this provision may be used in order to control local outbreaks, rather than a national approach as done previously.</p> <p>The “social distancing” regulations <a href="#">The Health Protection (Coronavirus, Restrictions) (No. 3) and (All Tiers) (England) (Amendment) Regulations 2021 (legislation.gov.uk)</a> and all previous “social distancing” regulations, have been made under the Public Health (Control of</p>

	<b>Provision</b>	<b>Status</b>	<b>Aim of Provision</b>	<b>Use of and Impact of Provision</b>
				Disease) Act 1984 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 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, such as enabling the public to observe fully video or audio hearings in all court and tribunal proceedings	<p>Despite the considerable challenges and restrictions in place during this time, the legislative provisions have allowed thousands of hearings to take place since the passing of the Act and the take-up of remote technology has increased significantly, with up to 20,000 hearings per week taking place using remote technology in some form.</p> <p>The provisions therefore need to remain in place as Covid-19 remains a threat to the public and as the courts and tribunals recover to pre-Covid hearing capacity.</p> <p>With continued social distancing required, it is not possible to operate courts at sufficient capacity in physical sites alone to be able to manage the number of outstanding cases. We therefore need these provisions to be maintained to enable continued use of video and audio hearings.</p> <p>The provisions allow the courts to deal promptly and safely with proceedings, avoiding unnecessary social contact and travel, whilst allowing key services within the justice system to continue to be delivered while upholding the principle of open justice.</p>
54 <i>Sch 24</i>	Expansion of availability of live links in other criminal hearings			
55 <i>Sch 25</i>	Public participation in proceedings conducted by video or audio			
56 <i>Sch 26</i>	Live links in magistrates' court appeals against requirements or restrictions imposed on a potentially infectious person			
58 <i>Sch 28</i>	Powers in relation to transportation, storage and disposal of	<p>Came into force on Royal Assent</p> <p>As part of the one-year review the part</p>	Under the provisions, a local authority may require a person (e.g. Funeral	Only part 1 (information-requiring powers) provisions have been used to assist in data collection covering such issues as body storage capacity, staff absences,

	Provision	Status	Aim of Provision	Use of and Impact of Provision
	dead bodies etc	2 powers will be suspended in relation to England	<p>Director, Crematoria, etc) to provide information for the purposes of ascertaining the capacity within its area to deal with the transportation, storage, or disposal of dead bodies or other human remains.</p> <p>The part 2 powers of direction provisions in Schedule 28 give additional powers to local and national authorities to augment death management processes.</p>	<p>and the number of burials and cremations undertaken. Information is reviewed on a regular basis and allows both local authorities and the government to develop a fuller understanding of where pressures are occurring in the system and allows for targeted intervention to support existing processes or boost capacity. Local Resilience Forums (LRFs) report weekly to the government on local capacity and usage in their death management system to inform the Government's policy and operational decisions around death management.</p> <p>Local authorities are not required to inform the government if they have used the Part 1 powers to obtain this information; however we are aware of areas such as London and Lincolnshire that have fallen back on the explicit use of these powers where voluntary engagement with the sector has proved inadequate.</p> <p>The part 2 (powers of direction) have not been used. 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. Although they have not been used, the uncertainty of the pandemic means it would be unwise to expire these provisions early. To strike a balance, the government has made the decision to suspend these powers, so that the option to revive remains should it be needed.</p> <p>Local authorities have reported that the information-requiring provisions help them to understand the capacity of the death management system in their</p>

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				area so that they can prepare accordingly.
59	Elections and referendums due to be held in England in period after 15 March 2020	Came into force on Royal Assent	These provisions allowed 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 (for example council parish, mayoral) and local referendums (for example 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			
61	Power to postpone certain other elections and referendums			
62	Power to postpone a recall petition under the Recall of MPs Act 2015	Came into force on Royal Assent	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	Since the 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-

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			<p>Commons) shall not apply.</p> <p>This means when notice of a recall petition is given between the date the Act received Royal Assent and 21 April 2021, the Petition Officer can postpone the organisation of this petition.</p> <p>Under the Act, any postponed recall petition must be made available for signing no later than 6 May 2021</p>	<p>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 candidates was to be addressed and any postal votes already received were to be dealt with.</p>	<p>One SI was made on 3 April 2020: <a href="#">The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, SI 2020/395.</a></p> <p>One SI was made on 15 April 2020: <a href="#">The Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020 (SI 2020/426)</a> 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 September 2020: <a href="#">Postponed Elections and Referendums (Coronavirus) and Policy Development Grants (Amendment) Regulations 2020 (SI 2020/926)</a> which deals with various matters relating to polls</p>

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				<p>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> <p>No SIs have been made over the latest reporting period on this matter.</p>
71	Signatures of Treasury Commissioners	The decision has been made as part of the one-year review to expire this provision after Easter recess.	To ensure that the Treasury can transact its business at all times, this clause means that during a Covid-19 emergency period where any instrument or act is required to be signed by the Commissioners of Her Majesty's Treasury it will be possible for a single Commissioner or a single Treasury Minister to sign instruments and act on behalf of the Commissioners.	We have been fortunate that across our six Commissioners there have always been at least two available to sign HMT legislation, so it has been possible for HMT to stick to the usual processes throughout the duration of the pandemic so far.
72	Power under section 143 of the Social Security Administration Act 1992	Came into force on Royal Assent	The temporary powers contained in section 72 and 73 enable the government to make time-limited reductions to the rates at which National Insurance Contributions	The government is providing a wide range of support to businesses and employers and therefore there has not been a requirement to use this power yet. However, the flexibility to provide additional support quickly to employers remains important.

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			(NICs) are deducted (lowering them would reduce the amount of NICs paid) for employers, employees or self-employed workers.	
73	Power under the section 145 of the Social Security Administration Act 1992	Came into force on Royal Assent	The temporary powers contained in section 72 and 73 enable the Government to make time-limited reductions to the rates at which National Insurance Contributions (NICs) are deducted (lowering them would reduce the amount of NICs paid) for employers, employees or self-employed workers.	The government is providing a wide range of support to businesses and employers and therefore there has been no need to use this power. However, the flexibility to adapt to the latest economic position and assist employers remains important.
74	Power under section 5 of the National Insurance Contributions Act 2015	Came into force on Royal Assent	This power temporarily amends section 5 of the 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. However, the flexibility to adapt to the latest economic position and assist employers remains important.
75	Disapplication of limit under section 8 of the	Came into force on Royal Assent	The Industrial Development Act 1982 is the	This section facilitates the continued provision of much-needed financial support to

	Provision	Status	Aim of Provision	Use of and Impact of Provision
	Industrial Development Act 1982		<p>principle general power for the Secretary of State to give financial assistance to industry. The provision of financial assistance to business under the Act is subject to certain conditions, including an overall limit on the total amount of financial assistance that can be provided to business under section 8. Section 75 ensures that financial assistance provided to business under section 8 does not count towards that overall limit, where that assistance is related to coronavirus. This means necessary support to UK business can continue to be provided under the Act in relation to Coronavirus.</p>	<p>businesses impacted by Covid. The provision remains in use, for example in relation to the Coronavirus Business Interruption Loan Scheme and remains necessary. The provision remains active and is necessary as businesses continue to be affected by the pandemic and require some financial support.</p> <p>A separate requirement to report to Parliament in relation to the use of section 75 is set out in that section. The latest report was published on 9 March 2021 and can be found at: <a href="#">Written statements - Written questions, answers and statements - UK Parliament</a></p>
76	HMRC functions	Came into force on Royal Assent	Provides that HMRC are to have such functions as HMT direct in relation to coronavirus and coronavirus disease.	<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>The powers set out in S76 need to be retained to support the</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				<p>government's continued ability to manage the economic response to the ongoing pandemic;</p> <p><b><u>Coronavirus Job Retention Scheme:</u></b> To support businesses and employees through the next stage of the pandemic, the government is extending the CJRS for a further five months from May until the end of September 2021. Employees will continue to receive 80% of their current salary for hours not worked. There will be no employer contributions beyond NICs, and pensions required in May and June. From July, the government will introduce an employer contribution towards the cost of unworked hours of 10% in July, 20% in August and 20% in September as the economy reopens and demand returns.</p> <p>As at 15 February, there have been 11.2 million unique jobs supported by the CJRS since its inception. A total of 1.3 million employers have made a claim through the CJRS since it started in March 2020, totalling £53.8 billion in claims.</p> <p><b><u>Self Employed Income Support Scheme:</u></b> The Government has announced that the Self-Employment Income Support Scheme (SEISS) will continue until September, with a fourth and fifth grant. This provides certainty to business as the economy reopens and means the SEISS continues to be one of the most generous self-employment income COVID support schemes in the world.</p> <p>Individuals will be able to qualify for the new grants based on their 2019-20 tax returns. This means that over 600,000 self-employed individuals may be newly eligible for the SEISS, including many new to self-employment in 2019-20.</p>

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				<p>The fourth SEISS grant will be worth 80% of average trading profits. The fifth and final SEISS grant providing support in the summer will include a turnover test (similar to those in operation in other countries' schemes) to ensure that the most generous support is targeted at those who need it the most.</p> <p>Through this crisis, the government will spend over £33billion supporting those in self-employment through the SEISS.</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 basic element of Working Tax Credit was increased by an additional £1,045 a year above the rate of £1,995 previously announced in a Written Ministerial Statement on 4 November 2019 (<a href="#">HCWS75</a>), to £3,040 a year for 2020/2021.</p> <p>A corresponding increase was introduced under separate legislation, of £20 extra a week for the 2020/21 tax year, to the rate of the Universal Credit standard allowance.</p> <p>The provision also stipulated that HMT Ministers and the Secretary of State for Work and Pensions disregard these increases when they conducted their annual reviews of benefit rates in advance of the 2021/22 tax year.</p> <p>The measure has supported some 1.7 million low income households receiving Working Tax Credit who have benefited from the additional financial support in 2020/21.</p> <p>This power was only available for the 20/21 tax year, and so as part of the one-year review</p>

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				will be expired after Easter Recess.
78	Local authority meetings	Came into force on Royal Assent	Enables all local authority meetings to be held remotely, including allowing remote access by members of the public, and removal of the requirement for local authorities to hold a 2020 annual meeting.	<p>The original <b><i>Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020</i></b>, (the Meetings Regulations) came into force on 4 April 2020 and were made under section 78 of the Act 2020. They relaxed some of the requirements in relation to local authority meetings held before 7 May 2021. This includes removing requirements for local authorities to hold annual meetings and allowing them to hold all necessary meetings virtually, enabling council members, officers and members of the public to access meetings and associated documents remotely. They also removed the requirement for local authorities to hold annual meetings this year.</p> <p>A number of bodies including Mayoral Development Corporations, Transport for London, Urban Development Corporations and parish meetings, which were not included in the definition of 'local authority' under section 78 of the Act and subsequent secondary legislation, made representations to the Government that similar relaxations should be applied to their duties in relation to meetings.</p> <p>Section 22 of the Business and Planning Act 2020, which got</p>

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				<p>Royal Assent in July 2020, amended section 78 of the Act 2020 to ensure that the bodies listed above were included within the definition of local authority for the purposes of regulations made under that provision. <b><i>The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Amendment Regulations 2020</i></b> amend the Meetings Regulations to enable Mayoral Development Corporations, Transport for London, Urban Development Corporations and parish meetings to hold meetings remotely enabling council members, officers and members of the public to access meetings and associated documents remotely.</p> <p>All local authority meetings in England are in the scope of the regulations. It is down to the local authority to decide what is appropriate in their specific circumstances.</p> <p>It has been vital that local authorities can continue to function effectively as the country responds to Covid-19. Local authority meetings have been conducted remotely or in hybrid form to enable this.</p> <p>Local authorities have consistently highlighted that remote meetings have been beneficial in terms of enabling councillors</p>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
				to balance work and caring responsibilities, had a positive environmental impact, increased public participation and member attendance, and that councils welcome the flexibility to hold in person or hybrid meetings under the regulations as they determine appropriate.
79	Extension of Business Improvement Districts (BID) arrangements: England	<p>Came into force on Royal Assent.</p> <p>The decision has been made to expire this provision as part of the one-year review</p>	<p>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</p>	<p>Section 79 enables BIDs to extend the maximum duration of their BID arrangements until 31 March 2021, by delaying BID ballots. The powers delayed BIDs' ballots between coming into force in March 2020 and 31 December 2020 by extending the BID arrangements until 31 March 2021, allowing businesses to focus on recovery from economic shock before deciding whether to participate in BID arrangements for the following five-year period. This allowed BIDs to coordinate their places' recovery following the first lockdown of 2020.</p> <p>In March 2020, we 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 in 2020.</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.</p> <p>This also increased 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>

	Provision	Status	Aim of Provision	Use of and Impact of Provision
			for local government elections.	<p>We are currently aware of 13 BIDs that have successfully balloted since March 2020 following the introduction of the provisions, and a further 43 BIDs due to ballot before the provisions expire on 31 March 2021.</p> <p>It is a proportionate response which balanced the need to address the immediate crisis while also ensuring businesses were not denied the right to vote in these ballots for an extended period.</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> <p>Many BID bodies are also eligible for the Additional Restrictions Grant funding, as funding can be provided to Business Improvement Districts (BIDs) bodies to support them with the shortfall in their levy income, provided that the BID body is not the Local Authority, or a company under the control of the Local Authority.</p>
81 <i>Sch 29</i>	Residential tenancies in England and Wales: protection from eviction	<p>Came into force on Royal Assent</p> <p>The following paragraphs of schedule 29 have been suspended:</p> <ul style="list-style-type: none"> <li>• 3</li> <li>• 4</li> <li>• 6(a) and(b)</li> <li>• 10(1)(a)(i) and (b)</li> <li>• 12(1)(c) and (d)</li> <li>• 12(2)</li> </ul>	<p>These measures protect renters in the private and social rented sectors from eviction by requiring landlords to provide a longer period of notice when seeking possession of the property, in almost all circumstances. From 26 March to 28 August 2020, landlords were</p>	<p>These measures require landlords to provide tenants with a longer period of notice when serving a notice of their intention to seek possession in most cases. This gives tenants more time before the landlord is able to bring possession proceedings and thus delays the point at which the tenant may be required to leave their home. This provides more time for tenants to seek to resolve the issue or find alternative accommodation. This has supported tenants in allowing</p>

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			<p>required to provide three months' notice. Since 29 August, this requirement has been six months apart from the most egregious cases.</p>	<p>them to remain in their homes for longer or to have more time to make alternative arrangements safely – thereby reducing the risk of transmission that arises from movement and homelessness.</p> <p>These measures apply to most renters in the private and social sectors, covering 8.4 million households, and has applied to most types of notice of intention to seek possession of the property. They provide renters with a proportionate level of support, especially during the national lockdown restrictions implemented on 5 January 2021. This has ensured that tenants served notice in February and March won't have to leave their homes or go to court until August at the earliest, unless there are serious circumstances. The Government doesn't collect data on the number of notices served, as landlords are not required to report this information. However, data from HM Courts &amp; Tribunal Service showed that between October to December 2020, possession cases in county courts were down 67% on the previous year and repossession activity by bailiffs was down 99%. Whilst this is in large part a reflection that bailiff possession activity was restricted for some of this period, it also demonstrates that landlords were not able to progress cases to court as quickly as they have been previously, helping ensure that</p>

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				<p>tenants are able to remain in their homes.</p> <p>Section 81 and Schedule 29 have been in force since the Act's introduction in March 2020, as these provisions remain an important part of the Government's broader package of measures to support landlords and tenants during the pandemic with some limited exceptions. In recognition of the changing circumstances, the Government laid a Statutory Instrument in August 2020 that lengthened notice periods from the three months originally required by the Act to six months in all but the most egregious cases.</p> <p>These measures were in force until at 31 March 2021. Following on from the publication of the roadmap on 22 February, the Government laid a statutory instrument on 10 March 2021 that keeps these measures in force until 31 May. <a href="#">The Coronavirus Act 2020 (Residential Tenancies: Protection from Eviction) (Amendment) (England) Regulations 2021 (legislation.gov.uk)</a></p> <p>This will keep these important protections in place whilst national restrictions continue throughout Spring. The Government will consider the best approach for after 1 June, taking into account public health requirements and balancing the interests of both tenants and landlords. .</p>
82	Business tenancies in England and	Came into force on Royal Assent	The objective of the policy is to protect	Protecting commercial tenants from forfeiture is in line with the Government's objective to

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	Wales: protection from forfeiture etc		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>minimise the potential impact of the coronavirus crisis on society and the UK economy.</p> <p>This extension will help provide businesses and employees, particularly in vital high street businesses such as those in the hospitality sector, with certainty that they cannot be evicted if they are struggling to pay rent following the most recent lockdown.</p> <p>We recognise the impact that extensions have on landlords and lenders, therefore government is being clear that this is the final extension to this temporary measure. This extension gives landlords and tenants time and space to agree reasonable adjustments to rent and lease terms, including terms for the payment of accumulated rent arrears.</p> <p>The provision is proportionate. It delays putting the right of forfeiture into effect for the relevant period; it does not waive landlords' rights of forfeiture, which can be put into effect at the end of that period if needed, and landlords are not required to forgo rent. It complements the voluntary Code of Practice published on 19 June, providing guidance for tenants and landlords on how to negotiate on issues facing the sector at present. The Government plans to publish additional guidance to support commercial landlords and tenants reach agreements of outstanding rent arrears.</p> <p>The measure encourages commercial landlords and tenants to negotiate rent payments, whilst raising the expectation that landlords (and their lenders) should show forbearance. It therefore complements the medium- to long-term economic recovery by preventing a sharp fall in the commercial property</p>

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				<p>markets by delaying the crystallisation of loss.</p> <p>Whilst the Government does not have centrally collected data on the precise numbers of tenants and businesses that have used the provision, recent data published (13 January 2021) by Remit Consulting for the commercial property sector indicates that there is a £4.2 billion shortfall in rent collection since March 2020.</p> <p>Commercial rents are paid quarterly in advance, with the 2020 second quarter's rent due on 25 March, shortly before the Act received Royal Assent. Subsequent quarter dates fell in June, September and December. Rates of rent collection across the property market were down compared to last year, with the lowest collection rates in sectors that have been unable to operate, or have limited operations, due to closures, including retail, hospitality and leisure.</p> <p>Data for the December 2020 Quarter date the indicates that 59.5% of rent was collected within seven days of the due date. This compares to 56.9% collected within seven days of the March 2020 quarter day, and 79% on March quarter day 2019. Rent collected within 90 days of the September 2020 Quarter, is currently 20% down on 2019 figures, at 79.1%. Hospitality and leisure have been particularly affected by the closure measures with pubs, bars and restaurants rent collection at 36.2% within 90 days of the September 2020 Quarter date.</p> <p>It complements other government measures to support businesses, which would otherwise be viable, to weather the crisis.</p>

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				<p>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. These comments are made in relation to the legal and policy position in England. To note, the Welsh Ministers have made their own regulations in this area, most recently <a href="#">The Business Tenancies (Extension of Protection from Forfeiture etc.) (Wales) (Coronavirus) (No. 3) Regulations 2020</a>.</p> <p>These measures were in force until at 31 March 2021. Following on from the publication of the roadmap on 22 February, the Government laid a statutory instrument on 10 March 2021 that keeps these measures in force until 31 May. <a href="#">The Business Tenancies (Protection from Forfeiture: Relevant Period) (Coronavirus) (England) Regulations 2021</a> (<a href="http://legislation.gov.uk">legislation.gov.uk</a>)</p>

## Changes to Status during Reporting Period

There have been no changes to the status of any provisions during the sixth reporting period.

## Changes to status since Enactment of the Act

Status changes since Enactment of the Act				
Section number (and relevant schedule number where applicable)	Measure	Type of change	Details of change	Secondary legislation making the change
Mental Health and Mental Capacity				

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 and has been expired 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 now expired 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>
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 made on 8 December 2020 and came into force 9 December 2020.	<a href="#">The Coronavirus Act 2020 (Expiry of Mental Health Provisions) (England and Wales) Regulations 2020 (SI 2020/1467)</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 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)</a>

				<a href="#">(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>







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