

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 25) Regulations 2021

ISLAND COMMUNITIES IMPACT ASSESSMENT

PURPOSE AND INTENDED EFFECT

Background

1. This Island Communities Impact Assessment (ICIA) is focused on the policy for amendments to the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the principal regulations”) by the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 25) Regulations 2021.

Regulations

2. The Regulations amend the principal Regulations to make adjustments to measures which apply at different Levels.

Objective

3. The COVID-19 pandemic has led to fundamental changes to everyday life for people in Scotland. While it has been necessary to take these extraordinary measures to respond to the pandemic in order to protect the right to life for Scotland’s population and to protect the health of Scotland’s population, the unequal impact of the pandemic, and the need to consider human rights and take an integrated and balanced approach to ensuring the proportionality of the measures taken, have also been at the forefront of consideration of these actions during this emergency situation.

4. The Coronavirus (COVID-19): Framework for Decision-Making and Scotland’s route map through and out of the crisis (“the Route Map”) published in 2020 made clear that COVID-19 is first and foremost a public health crisis, and the measures to combat it have been necessary to save lives. The Framework for Decision-Making identified four main categories of harm: direct health impacts, non-COVID-19 health harms, societal impacts and economic impacts. These harms are deeply inter-related: health harms impact on society and the economy, just as the societal and economic effects impact on physical and mental health and wellbeing.

5. In October 2020, we published COVID-19: Scotland’s Strategic Framework. This framework set out how we intended to respond to the crisis over the coming period, and introduced the levels framework. Since the publication of our original Strategic Framework the emergence of the Variant of Concern (VOC) B.1.1.7 has increased the transmissibility of the virus and is now the dominant strain in Scotland. This means that it is now more challenging to effectively suppress the spread of the virus. We have also begun the rapid roll-out of our vaccination programme.

6. We published an update to Scotland’s Strategic Framework on 23 February 2021. In it we confirmed our strategic aim to “suppress the virus to the lowest possible level and keep it there, while we strive to return to a more normal life for as many people as possible” and set out how we will realise that intent.

<https://www.gov.scot/publications/coronavirus-covid-19-strategic-framework-update-february-2021/>

7. Some harms will be felt over different time horizons: short, medium and long-term. Some may not be fully understood for many months or even years, such as the long term impacts on mental health and school attainment. However, even in these initial stages, it is clear that impacts have not been felt equally across the population. Consideration of the continued, but differential, impacts at the different levels is therefore critical to the decision making process.

GATHERING DATA AND IDENTIFYING STAKEHOLDERS

8. Due to the need to put measures in place quickly, no specific formal consultation with island communities on this package of measures has been undertaken. Informal engagement on specific policy areas is described in the Assessment section of this document.

ASSESSMENT

Indoor organised activity for adults in Level 2

Policy Background

9. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 currently restrict indoor public gatherings for organised activities for adults at Levels 2-4. However, the law does allow similar indoor events for sporting activities at Levels 0-2, as well as for those under the age of 18 and their respective adult supporters/leaders (at Levels 0-3). We are also aware of instances where the current provisions for training, work, voluntary, wellbeing or charitable services are being used to undertake organised adult activities.

10. Activities affected include certain hobby clubs as well as bodies such as the Woman’s Institute, Roundtable and Orange Lodge and would need to be run by, for instance, a charity or other not for profit organisation, or a club or political organisation.

11. It is therefore proposed to bring these into line with other allowable activities at Level 2. It would not include informal social activities which would be subject to the applicable rules on indoor gatherings.

12. This change is intended to enable adults to engage in non-virtual face to face activities in indoor settings within Level 2. This is allowed at Level 1 onwards. This will boost wellbeing and benefit island communities not already within Level 1. The

three island authorities (Orkney, Shetland, Na h-Eileanan Siar) and all islands in Highland (excluding Skye) and the more remote islands in Argyll and Bute Coll, Colonsay, Erraid, Gometra, Iona, Islay, Jura, Mull, Oronsay, Tiree and Ulva are already at Level 1. This measure would bring the remaining islands (including those in North Ayrshire) into line.

Impact on island communities

13. The impact would be positive as it would provide all islands the same relaxation of restrictions. Not making the change would continue to leave different islands – some in the same Local Authority – with different restrictions on what was allowable.

Data and engagement with stakeholders

14. Due to the expedited timescale for making this change and the significant number and wide range of activities that are affected – from sewing bees to political meetings – we do not have data available, nor has consultation with island communities/stakeholders been undertaken for this relaxation.

CONCLUSION

The following conclusions have been reached in the production of this ICIA:

15. The regulations will continue to take a proportionate approach in relation to Scotland's island communities, supporting, where this is necessary based on the risks of infection in different areas, a geographically variable approach to restrictions.
16. Island residents can also continue to benefit from measures to suppress the virus and minimise the impacts for health, society and economy.
17. For the reasons set out in this ICIA, the provisions in these Regulations are not deemed likely to have effects on island communities that are significantly different from their effects on other communities (including other island communities) in Scotland as the change brings the indoor organised activity restrictions for Level 2 into line with those in Level 1. We will continue to monitor whether there is any need to adjust restrictions to protect communities, including island communities.