

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 19) Regulations 2021

Introduction

1. The COVID-19 pandemic has led to unprecedented calls on the health system as well as policy and financial decisions that have made fundamental changes to everyday life for people in Scotland. It has been necessary to take these extraordinary measures to respond to the pandemic, in order to protect the right to life and the right to health for Scotland's population. However, the unequal impact of the pandemic and the need to advance equality, eliminate discrimination and foster good relations (as per our Public Sector Equality Duty), 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.
2. 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.
3. On Friday 23 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, across the four key harms of the virus. It detailed how we would work to suppress the virus and sets out our proposal to move to a strategic approach to outbreak management based on five levels of protection, across many aspects of our lives.
4. On Tuesday, 23 February 2021, we published an updated *COVID-19: Scotland's Strategic Framework*. This set out the approach we intended to take in order to relax the tightened Level 4 restrictions which placed most of Scotland under a Stay At Home requirement and also made clear that we intend to return to a refreshed approach to outbreak management based on the five levels of protection. This publication outlined the expected timing for places of worship to reopen in Level 4 areas.
5. A further update, providing a timetable for easing restrictions, was published on Tuesday, 16 March 2021. This publication set out a longer term plan for relaxing restrictions and moving Scotland to lower levels, with the ultimate aim of getting to Level 0 by the summer. Some indicative dates were noted for late April and mid-May, with later points being left open so the latest data and evidence can be considered nearer the time.

Legislative background

6. The UK Coronavirus Act 2020 received Royal Assent on 25 March 2020. The Scottish Government immediately used powers conferred by that Act to bring forward the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 ("the first regulations"), to implement physical distancing and impose restrictions on gatherings, events and operation of business activity. They came into force on Thursday 26 March 2020.
7. The Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020 came into force on 14 September 2020 and revoked and replaced the

Equality Impact Assessment

first regulations. They made provision which was substantially similar to the first regulations, as amended at the date on which they were revoked.

8. On 9 October 2020, the Health Protection (Coronavirus) (Restrictions and Requirements) (Additional Temporary Measures) Regulations 2020 (“the additional temporary restrictions”) set out additional restrictions, both nationally and specific to the central belt. These regulations suspended the effect of the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020 while the additional temporary restriction regulations were in force. The additional temporary restriction regulations were due to expire on 26 October but were extended by amendment until 6.00 am on 2 November to allow for consultation on the levels-based approach.
9. The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the 2020 Regulations”) implement the strategic framework and came into effect at 0600 hours on 2 November 2020. These Regulations revoked the additional temporary restrictions regulations and the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020.
10. In January 2021, it became urgently necessary to go beyond the requirements and restrictions set out in the 2020 Regulations. This is because of a changed assessment of the risks of transmission of the virus in light of the emergence of a new strain (VUI 202012/01) of COVID-19 in November 2020. Additional strengthening of Level 4 restrictions was immediately implemented in order to try to curb exponential growth, this included a requirement to stay at home for those in Level 4 – all of mainland Scotland and some islands. We have now reached a point where the relaxation of some of these measures is becoming possible.
11. Decision making under the Strategic Framework system is straightforward and transparent. It will build on existing structures and processes and will include engagement with local leadership as decisions are taken. However, decisions will be made by Ministers, with input from relevant advisers, because implementing levels decisions is the exercise of a statutory power for the protection of public health, for which Ministers are responsible and accountable.
12. As soon as the Scottish Ministers consider that any restriction or requirement is no longer necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in Scotland with coronavirus, they must revoke that restriction or requirement. Under the new levels approach, Scottish Government will work closely with local authority leaders when making these decisions.
13. The *Framework for Decision Making* makes clear that the reviews will be informed by assessments of options for relaxation or restriction under their impact on the four harms, their viability, and broader considerations including equality impacts, the impact on individual rights and consideration of measures, for example, for specific geographies and sectors.
14. The Scottish Government considered from the outset whether the lockdown provisions were consistent with the Equality Act 2010 and also considered whether the provisions could constitute direct or indirect discrimination. In many cases, the provisions have applied to all persons irrespective of protected characteristic, although we acknowledge that the same provision may not have equal impacts. Equality Impact Assessments (EQIAs) have been carried out to consider the likely or anticipated impact of the measures contained in the Coronavirus (Scotland) Act 2020 and for any legislation thereafter. Where some possible negative impacts have been identified, the Scottish Government has considered these to be justified as both a necessary and proportionate means of achieving the legitimate aim of protecting the general public from the threats posed by the outbreak

Equality Impact Assessment

of the Coronavirus pandemic and, therefore, the threat to human life in Scotland; and has sought to mitigate disadvantage wherever possible, e.g. developing exemption cards for people whose health or disability makes the wearing of face coverings unsuitable. However, from the beginning, measures were put in place to support people with protected characteristics as they complied with lockdown guidance, such as the £350 million of community funding announced on the 18 March 2020. Similarly, the £100m Winter Plan for Social Protection, announced on 30th November 2020, was developed to mitigate social harms posed by the concurrent risks of COVID-19, winter cost of living increases and EU exit, as well as to promote equality and human rights.

15. This impact assessment has identified some potential positive impacts on one or more of the protected characteristics, as restrictions are eased. Measures to reduce the spread of coronavirus positively affect the whole population, but will particularly affect the health of those people who are more severely affected by the disease.
16. This includes older people (age), those with underlying health conditions (some disabled people are more likely to experience severe ill-health from contracting COVID-19 than the general population), race and sex. [Early data](#) showed that the COVID-19 virus was more deadly for people with underlying health conditions. Prevalence of some of these health conditions is known to be higher in certain ethnic groups¹, for example Type 2 diabetes is 6 times more likely in people of South Asian descent and over 2 times more likely in African and Afro-Caribbean people².
17. All measures are given thorough consideration on the basis of their impact, including on equality and human rights³.

Policy Objectives

18. The Regulations make a number of policy changes, as set out below.

Stay at Home

These Regulations remove the requirement to stay at home for those living in a Level 4 area. This amendment is supported by the latest coronavirus data. As a result of prevalence lowering, it is no longer necessary to require people to stay at home unless they have a reasonable excuse. Removing this requirement will provide individuals with more freedom to leave home and undertake permitted activities in their local area, providing much needed social benefits for people. As a result of this change, the previous restrictions on leaving a Level 4 area are being reintroduced to stop transmission from high to low prevalence areas.

Contact sport for 12-17 year olds

These Regulations adjust the restrictions on gatherings outdoors in a Level 4 area. Prior to these amendments, the principal regulations provide that it is an exception to the restriction on such gatherings where the gathering is for the purpose of organised exercise which is for persons under 12 years of age. These Regulations extend that exception so that gatherings

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SAGE: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895841/S0483_Ethnicity_and_Covid-19.pdf

² <https://www.diabetes.co.uk/south-asian/>
<https://www.diabetes.co.uk/news/2013/jan/those-of-african-caribbean-descent-more-likely-to-have-diabetes-92672091.html>

³ A summary of equality and Fairer Scotland evidence was published for Phase 1 and 2 of the Route Map. An update for Phase 3 is forthcoming. <https://www.gov.scot/publications/equality-fairer-scotland-impact-assessment-evidence-gathered-scotlands-route-map-through-out-crisis/>

Equality Impact Assessment

can take place for the purpose of organised exercise for persons under 18 years of age. This provides young people with a greater opportunity for exercise and socialising with their peers.

Professional sport

At present, only those who fall within the definition of professional sportsperson are able to train in certain indoor sporting facilities. The definition of professional sportsperson links to the definitions of “relevant sporting body” and “senior representative”. Both of these refer to athletes who will be competing, or is a candidate to compete, at the Olympic, Paralympic or Commonwealth Games. This means that unless the athlete is paid for playing their sport (derives a living) or is on an elite development pathway, they need to have an opportunity to be competing at one of the above events to be able to be considered a professional sportsperson.

We have been made aware of a number of events where athletes would be competing at what sportscotland consider to be an elite level at the top of their sport in an international competition, but where these sports are not featured at the Olympic, Paralympic or Commonwealth Games. We understand there may be additional flexibility around training in some other parts of the UK and should Scottish athletes not be permitted to train they would be disadvantaged. These Regulations make a number of amendments to ensure that the scope of who can be considered to train or compete is wider than the three events mentioned above.

Changes to retail

The Regulations amend the current Level 4 restrictions to allow all retailers to operate click and collect services. The Regulations also expand the list of retailers exempt from closure in a Level 4 area. The retailers permitted to open now includes -

- motor vehicle traders and vehicle showrooms (by appointment only where indoors)
- baby equipment shops,
- electrical goods shops for the purpose of repairs,
- garden centres and plant nurseries,
- homeware shops,
- premises or an area within a premises laid out as a showroom to demonstrate products for installation in a residential property, such as kitchen, bathroom, furniture or glazing showrooms,
- key cutting shops and,
- shops selling mobility and independent living aids.

Close contact services

The Regulations permit premises based hairdressers and barbers to reopen in Level 4 areas. Mobile hairdressers and barbers are still restricted due to the increased transmission if going from home to home. Premises-based hairdresser and barber services must be provided exclusively by appointment and for a specified time. Other close contact services are not permitted to restart at this time.

Premises used as polling stations

The Regulations amend the face covering requirements to make clear that face coverings are a legal requirement in polling stations and any premises used for the purpose of opening postal votes or counting votes in an election, unless a person has a reasonable excuse. The Regulations also adjust the requirement on certain businesses to collect visitor information to

Equality Impact Assessment

create an exemption for visitors who are only attending the premises to cast their vote in a polling station.

The change on face coverings brings consistency to the Regulations as the existing rules would require face coverings in some premises used as polling stations, such as community centres, but not in others, such as schools. Guidance already makes clear that face coverings are to be worn in polling stations but this change provides a consistent legal position. The adjustment relating to the collection of visitor information brings the legislation into line with the policy intention, capturing customers to the business and not visitors solely entering the premises to cast a vote and then leave.

Equality Impact Assessment

Title of Proposal: Organised outdoor exercise to be allowed for 12 to 17-year-olds in line with sport specific guidance		
Differential impacts	Age: Children and Younger People	An inactive lifestyle in childhood and adolescence can lead to a lack of the fundamental movement skills, physical competence, motivation and confidence that are vital to establishing and sustaining physical activity behaviours into adulthood. Evidence ⁴ indicates that rates of physical activity amongst children may have declined during the period in which restrictions have been in place with potential long term consequences for physical and mental health. Relaxing restrictions to allow organised, outdoor contact sport for 12-17 year olds will help to address this issue.
	Age: Older People	The measure applies specifically to children and young people between the ages of 12 and 17. There is no differential impact for older people.
	Sex: Women	We recognise that restrictions on participation in outdoor contact sport may have had a particular impact on girls aged between 12 and 17. There is a concern that girls in this age group who have been affected by restrictions on participation may never return to playing sport, further widening the inequalities that already exist. ⁵ Permitting organised outdoor exercise for this age group will help to begin to address this issue.
	Sex: Men	Organised outdoor exercise and contact sport is most popular amongst young men although participation by women is rising. Data from the 2019 Scottish Health Survey indicated that a decline in the rates of physical activity amongst children and young people (2-15) was largely driven by a drop in activity for boys. This data was collected prior to restrictions and, as noted above, it seems likely that restrictions on participation will have had a further impact. The Scottish FA have reported that many of those who participate, particularly young men, rely on football for support mechanisms and structure in their lives and as a diversionary activity from alcohol or drug consumption. Permitting organised outdoor exercise and contact sport for the 12-17 age group will have positive benefits for the physical and mental health of young men.
	Race	The measure applies to all children and young people between the ages of 12 and 17. There is no differential impact on the basis of race.
	Religion & Faith	The measure applies to all children and young people between the ages of 12 and 17. There is no differential impact on the basis of religion and faith
	Disability	The measure applies to all children and young people between the ages of 12 and 17. There is no differential impact on the basis of disability.
	Sexual Orientation	The measure applies to all children and young people between the ages of 12 and 17. There is no differential impact on the basis of sexual orientation.

⁴ [Coronavirus \(COVID-19\): impact on children, young people and families - evidence summary September 2020 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/coronavirus-impact-on-children-young-people-and-families-evidence-summary-2020-09/pages/10.aspx)

⁵ [The Impact of the Covid-19 Pandemic on Teenage Girls' Lives and Physical Activity - Women In Sport](https://www.gov.scot/publications/the-impact-of-the-covid-19-pandemic-on-teenage-girls-lives-and-physical-activity-women-in-sport/pages/1.aspx)

Equality Impact Assessment

Marriage and Civil Partnership	The measure applies to all children and young people between the ages of 12 and 17. There is no differential impact on the basis of marriage and civil partnership
Pregnancy and Maternity	Contact sport is not advised for pregnant women.
Gender Reassignment	The measure applies to all children and young people between the ages of 12 and 17. There is no differential impact on the basis of gender reassignment.
Socio-economic disadvantage	<p>The 2019 Scottish Household Survey reported that participation physical activity and sport (excluding walking) was lowest among those in the 20% most deprived areas of Scotland (42%), compared with those in the 20% least deprived areas (67%).⁶</p> <p>Football is the only contact sport to have a degree of reach into the most deprived areas with participation rates similar between areas of both high and low deprivation (6% in most deprived compared to 7% in least deprived (SHS 2019).</p> <p>Relaxing restrictions on opportunities to participate in organised outdoor exercise and contact sports for 12-17 year olds has the potential to benefit those living in more deprived areas, particularly young men. However, children and young people in more deprived areas are also less likely to have access to clubs and other organisations which can provide opportunities for organised participation as required by this measure. There may also be financial barriers in accessing organised activities for those on lower incomes.</p>
<p>Mitigating actions: We recognise the potential disadvantage for children and young people in more deprived areas. National guidance has been developed to provide support to the sport and leisure sector to help them plan and prepare for the resumption of activity, supported by additional more specific guidance for particular parts of the sector.</p> <p>Sportscotland are working closely with the sector to help them develop inclusive guidance for people who need extra support to be active</p>	

Assessing the impacts and identifying opportunities to promote equality

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation. Though 12-17 year olds will be permitted to participate in organised contact outdoor sport while older age groups will not, restrictions have a positive impact overall for older age groups through the reduction in prevalence of COVID-19 infections.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.

⁶ [Scottish household survey 2019: annual report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scottish-household-survey-2019-annual-report/pages/100.aspx)

Equality Impact Assessment

Promoting good relations among and between different age groups			X	No evidence of a differential impact identified at this time.
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Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations among and between disabled and non-disabled people			X	No evidence of a differential impact identified at this time.

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations between men and women			X	No evidence of a differential impact identified at this time.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.

Equality Impact Assessment

Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think your policy impacts on people proposing to undergo, undergoing, or who have undergone a process for the purpose of reassigning their sex? (NB: the Equality Act 2010 uses the term ‘transsexual people’ but ‘trans people’ is more commonly used, although it may include a wide range of people not covered by the Act).

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.

Equality Impact Assessment

Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good race relations			X	No evidence of a differential impact identified at this time.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think the policy impacts on people because of their marriage or civil partnership?⁷

Marriage and Civil Partnership	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.

⁷ The PSED does not apply to the protected characteristic of marriage and civil partnership
<https://www.gov.uk/guidance/equality-act-2010-guidance>

Title of Proposal - Retail Level 4 easing of restrictions

Policy Objectives

The introduction of a timetable for easing restrictions alongside the refreshed Strategic Framework and Levels table will provide retailers and customers with information necessary to help them understand and comply with the mitigating measures in place within each level. Guidance has been updated to provide retailers with the latest information on how to open in as safe a fashion as possible.

Impact of COVID-19 on retail sector

All but a number of exempt retail was instructed to close on 26 March 2020. The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020, which came into force on that day, imposed a two metre rule on all businesses and service providers that remained open to ensure they took reasonable steps to ensure employees and customers were able to maintain that distance from each other.

Businesses and service providers were also instructed to take all reasonable measures to ensure that customers were admitted to their premises in sufficiently small numbers to maintain a two metre distance.

Of those retailers that remained open, the two metre physical distance restrictions resulted in changes to operational procedures which included restricted shopping hours, introduction of one-way systems of travel through stores, hygiene and cleaning stations for customers and limiting the number of customers able to enter at any one time in order to preserve the two metre limit.

Over a third (39%) of businesses in the Wholesale, Retail and Repair of vehicles sector reported a decline in footfall due to the COVID-19 pandemic, whilst 7% reported an increase, while over half (54%) reported decreased turnover compared to what would normally be expected.⁸ A Scottish Retail Consortium analysis indicated that Scotland had lost £1.9bn of retail sales in the first 4 months of the pandemic March – June.⁹

Retailers, who has previously been required to close, were allowed to reopen on 15 July 2020. Nearly all (99%) businesses in the Wholesale, Retail and Repair of vehicles sector were trading, an increase from 92% during the period 1st June – 28th June.¹⁰

Reopening of retail and shopping centres benefited retailers and shopping centres directly, and those employed within it. It also had positive impacts for citizens seeking a return to normal life, but as these spaces became busier, it may have raised anxiety for people who were less sure about leaving their homes.

The risk of COVID-19 infection and transmission in the community increased as additional retailers reopened. This potential for increased exposure may have had a negative impact on people more susceptible to severe illness from COVID-19. Workers responsible for hygiene and sanitation, and customer-facing staff, may have anxieties about their exposure to the virus through work and the risk of transmission within their households.

Re-opening the sector has also been important to the recovery of Scotland's economy. This new approach is intended to provide more certainty for businesses and maintain customer confidence in the overall shopping experience.

The retail sector has some particular features summarised below:

⁸ <https://www.gov.scot/publications/bics-weighted-scotland-estimates-data-to-wave-25/> (Footfall to Wave 15, Turnover to Wave 25)

⁹ <https://www.scottishfinancialnews.com/article/scottish-retail-lost-1-9bn-sales-during-lockdown>

¹⁰ <https://www.gov.scot/publications/bics-weighted-scotland-estimates-data-to-wave-25/>

Equality Impact Assessment

- Women are more likely than men to work in the retail sector. Women made up 60.5% of the workforce in 2019.
(Source: Annual Population Survey 2019)
- A comparatively high proportion of the workforce are young people: 26.0% of the retail sector workforce is aged 16-24 compared to 12.3% of the workforce as a whole.
(Source: Annual Population Survey 2019)
- 6.4% of the retail workforce in Scotland are minority ethnic.
(Source: Annual Population Survey 2019)
- 40.8% people working within wholesale, retail, repair of vehicles work part time compared to 26.4% of the population.
(Source: Annual Population Survey 2019)
- The industry sector with the highest proportion of non-UK nationals in the workforce is distribution, hotels and restaurants – 12.7 per cent of its workforce are non-UK nationals.
(Source: Annual Population Survey 2019)
- In addition to the direct jobs in retail, the sector also supports 22,000 jobs across its diverse supply chains.
(Source: OCEA)

Impact

The Scottish Government is mindful of the requirement to have due regard to the three needs of the Public Sector Equality Duty (PSED) - eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not. It recognises while the measures may positively impact on one or more of the protected characteristics, the introduction of the measures may also have a disproportionate negative impact on one or more of the protected characteristics. Where any negative impacts have been identified, we have sought to mitigate/eliminate these. We are also mindful that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality. We have sought to do this through provisions contained in the measures or by support and guidance available.

Guidance for the retail sector includes advice to employers on assessing risks to their employees due to the virus, noting that a full risk assessment should be undertaken in consultation with employees. Employers should ensure that the actions taken as the result of the assessment do not disproportionately impact those with vulnerabilities such as people with disabilities, single parents, younger or older people and consider how to support those with additional needs to comply with physical distancing.

While it is the view of the Scottish Government that any remaining impacts discussed in this EQIA are currently justified and a proportionate means of helping to achieve the legitimate aim of reducing the public health risks posed by coronavirus, the Scottish Government also recognises that these measures are only required to respond to the current set of circumstances, and are only necessary as long as the potential public health benefits can justify any negative impacts caused.

Strategic Framework and the retail sector

The Strategic Framework includes measures across a wide number of settings and provides a comprehensive approach to reducing infection rates and suppressing the spread of the virus. Each of the levels is designed to reflect the relative severity of the area it is being applied to, with progressively heightened restrictions implemented as necessary.

The key measures relating to the retail sector are set out in the table below:

Equality Impact Assessment

	Level 0 (Baseline)	Level 1	Level 2	Level 3	Level 4
Retail sector	Open	Open	Open	Open	Retail closed unless exempt by the Regulations (click & collect and outdoor retail permitted)

The safety of people – customers, employees and business owners – is the number one priority and we are working with retailers to ensure that people can still shop safely. Guided by the need to ensure shopping is safe, we want people to use their local high streets, towns and city centres, to ensure that crowding is avoided, that good hygiene measures are in place and that physical distancing is maintained at all times.

At Level 4 of the Strategic Framework closure of all retail unless exempt by the Regulations is to close. This is intended to mitigate the opportunity for transmission of COVID-19 between customers and customers and retail staff. Extending the list of exempt retail services from closure in Level 4 should ensure that there is sufficient opportunity for citizens to be able to purchase more goods within stores and to be able to continue to shop on-line, or by phone with stores able to operate delivery and click and collect services.

Level 4 will only be applied to areas where there is evidence of significant community transmission of the virus and potential pressure on local NHS services. The purpose of restrictions on retail is to help reduce footfall in our towns and cities and to limit opportunities for the virus to be transmitted.

Differential impacts	Age: Children and Younger People	Levels 0 - 3	There is no evidence of a differential impact identified at this time.
		Level 4	<p>A comparatively high proportion of the workforce are young people: 26.0% of the retail sector workforce is aged 16-24 compared to 12.3% of the workforce as a whole.</p> <p><i>(Source: Annual Population Survey 2019)</i></p> <p>By extending the list of premises allowed to resume in Level 4 may result in an increase of income, alleviating financial stress and providing a source of socialisation through work that had been denied through wider restrictions.</p>
	Age: Older People	Levels 0-3	There is no evidence of a differential impact identified at this time.
		Level 4	<p>Older people are more likely to be digitally excluded¹¹ and therefore may not be able to easily access online shopping or click and collect services. By extending the list of premises permitted to open, including mobility and independent living aid retailers, we are providing greater choice for those that may be digitally excluded.</p> <p>Through widening click and collect services to all retailers, we are providing the opportunity for smaller, local retailers to operate providing greater local choice. By retaining regulations on staggered appointments and limited access to premises, we</p>

¹¹ [Scottish household survey 2019: annual report - gov.scot \(www.gov.scot\)](http://www.gov.scot/publications/scottish-household-survey-2019-annual-report/pages/100/index.aspx)

Equality Impact Assessment

			are ensuring appropriate mitigations are in place to keep the process safe for all.
Sex: Women	Levels 0 - 3		There is no evidence of a differential impact identified at this time.
	Level 4		<p>Women are more likely than men to work in the retail industry. In Scotland in Jan-Dec 2019, there were 147,500 women employed in SIC 47 Retail Trade except vehicles, representing 60.5% of the sector and 11.3% of all women in employment in Scotland.¹²</p> <p>By extending the list of premises allowed to resume in Level 4 may result in an increase of income, alleviating financial stress and providing a source of socialisation through work that had been denied through wider restrictions.</p>
Race	Levels 0-3		There is no evidence of a differential impact identified at this time.
	Level 4		There is no evidence of a differential impact identified at this time.
Religion or belief	Level 0 and Level 1		There is no evidence of a differential impact identified at this time.
	Level 2 - 3		There is no evidence of a differential impact identified at this time.
	Level 4		There is no evidence of a differential impact identified at this time.
Disability	Levels 0-3		There is no evidence of a differential impact identified at this time.
	Level 4		<p>Some disabled people may have issues in navigating shifting restrictions on retail. .</p> <p>Disabled people may have a greater reliance on home deliveries or assistance from family/friends/carers.</p> <p>By extending the list of retailers allowed to open within Level 4 areas to include mobility and independent living aid retailers, we are allowing greater access to equipment and aids. This includes the ability to view what can be expensive purchase, prior to completing the transaction and being offered in person demonstration to facilitate safe operations of equipment.</p>

¹² [Annual Population Survey Jan-Dec 2019](#)

Equality Impact Assessment

	Sexual Orientation	Levels 0-3	There is no evidence of a differential impact identified at this time.
		Level 4	There is no evidence of a differential impact identified at this time.
	Pregnancy and Maternity	Levels 0-3	There is no evidence of a differential impact identified at this time.
		Level 4	The reopening of baby equipment stores will have a positive impact on pregnancy and maternity. Whilst previously open for permitted collection services, a full opening will allow customers to review in person and experience demonstrations ahead of purchasing.
	Gender Reassignment	Levels 0-3	There is no evidence of a differential impact identified at this time.
		Level 4	There is no evidence of a differential impact identified at this time.
	Socio-economic disadvantage	Levels 01	There is no evidence of a differential impact identified at this time.
		Level 4	Households that have no access to internet or on-line retail may be disadvantaged if looking to purchase items by a permitted collection service.

Equality Impact Assessment

<p>Mitigating actions:</p> <hr/>	<p>Levels 0-3</p>	<p>Retail Sector Guidance has been published and is reviewed regularly.¹³ Guidance advises retailers to undertake a risk assessment to determine necessary actions and adjustments.</p> <p>The retail guidance states employers should take into account individual health circumstances and protected characteristics, which aims to promote good relations and understanding. It also includes guidance for retailers and customers on catering for disabled people, to raise awareness of difficulties experienced by disabled people and promote understanding.</p> <p>A retail checklist for shops, branches and shopping centres has been included in the Retail Guidance that instructs retailers of the need to address the requirements of accessibility including with regard to signage, store capacity and customer and staff support.</p> <p>There are exemptions to the mandatory requirement to wear face coverings, including where a person cannot put on, wear, or remove a face covering because of a physical or mental illness or impairment, or without severe distress. A person is also not required to wear a face covering where they cannot put on, wear, or remove a face covering in order to communicate with a person who relies on being able to see the lips and/or facial expressions in order to communicate.</p>
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Equality Impact Assessment

	Level 4	<p>Retail guidance was reviewed ahead of 5 April to ensure the latest advice was available to retailers reopening. Shops that are able to remain open under level 4 restrictions may also be able to supply a wide range of goods and services.</p> <p>All stores are also able to operate delivery and click and collect services for orders placed online, by phone or by post maintaining access to goods and services.</p>
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Assessing the impacts and identifying opportunities to promote equality

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			<p>Closure of non-exempt retail at Level 4 does not constitute unlawful discrimination, harassment and victimisation.</p> <p>Older people are more likely to be digitally excluded and therefore may not be able to easily access online shopping or click and collect services, however retailers will be able to offer delivery or collection for orders placed by phone or post. By extending the list of retail exempt from closure in Level 4, there will be greater choice for shopping in person including an increase in types of goods available.</p>
Advancing equality of opportunity	X			<p>Young people are more likely to work in the retail sector and are therefore more likely to benefit from an expansion of retailers permitted to open in Level 4 and an extension of permitted collection service to all retailers.</p>
Promoting good relations among and between different age groups			X	<p>No evidence of a differential impact identified at this time.</p>

Equality Impact Assessment

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	Closure of retail unless exempt by the Regulations at Level 4 does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time
Promoting good relations among and between disabled and non-disabled people			X	No evidence of a differential impact identified at this time.

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measure does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity	X			Women are more likely than men to work in the retail industry. In Scotland in Jan-Dec 2019, there were 147,500 women employed in SIC 47 Retail Trade except vehicles, representing 60.5% of the sector and 11.3% of all women in employment in Scotland. ¹⁴ Expansion of retail exempt from closure in Level 4 could have a greater positive impact on women than on men both financially and from a mental health perspective.
Promoting good relations between men and women			X	No evidence of a differential impact identified at this time.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful			X	Closure of retail unless exempt by the Regulations in Level 4 does not constitute

¹⁴ [Annual Population Survey Jan-Dec 2019](#)

Equality Impact Assessment

discrimination, harassment and victimisation				unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity	X			Reopening baby equipment stores will have a positive benefit on the basis of pregnancy and maternity. This will allow in store reviews and demonstrations ahead of purchase.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think your policy impacts on people proposing to undergo, undergoing, or who have undergone a process for the purpose of reassigning their sex? (NB: the Equality Act 2010 uses the term 'transsexual people' but 'trans people' is more commonly used, although it may include a wide range of people not covered by the Act).

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	Closure of retail unless exempt by the Regulations in Level 4 does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	Closure of retail unless exempt by the Regulations in Level 4 does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination,			X	Closure of retail unless exempt by the Regulations in Level 4 does not constitute unlawful discrimination, harassment and victimisation.

Equality Impact Assessment

harassment and victimisation				
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good race relations			X	No evidence of a differential impact identified at this time.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	Closure of retail unless exempt by the Regulations in Level 4 does not constitute unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity			X	No evidence of a differential impact identified at this time.
Promoting good relations			X	No evidence of a differential impact identified at this time.

Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	Closure of retail unless exempt by the Regulations in Level 4 does not constitute unlawful discrimination, harassment and victimisation.

Equality Impact Assessment

Title of Proposal: CLOSE CONTACT SERVICES – EASING OF RESTRICTIONS ON 5 APRIL: From 5 April, premises-based hairdressers and barbers are permitted to open by appointment at a specified time only.			
Impact: See below			
	Impact of Strategic Framework levels	Levels 0 - 3	All close contact services including those delivered by a mobile therapist or practitioner are permitted subject to additional protective measures that are intended to minimise the risk of exposure to COVID-19 including mandatory wearing of face coverings by practitioners and clients. This may limit the treatments that can be offered if they require working in the high risk area of the face and head. See close contact services guidance .
		Level 4	Hairdressers and barbers may open in fixed premises but are subject to additional protective measures which are set out in the close contact services guidance . This include operating appointment-only systems and for specified times.
Differential impacts	Age: Children and Younger People	Level 0-3	19.1% of those working in close contact services is aged 16-24 compared to 12.3% of the workforce as a whole. ¹⁵ Whilst close contact services are able to be delivered in Levels 0 through 3, as the proportion of young people who work in close contact services is higher than the total workforce average, young people working in this sector may be more likely to be economically disadvantaged if businesses are required to close or through limitations on numbers of clients and treatments on offer.
		Level 4	There is no evidence of a differential impact identified at this time, other than those stated above.
	Age: Older People	Levels 0-3	There is no evidence of a differential impact identified at this time.
		Level 4	Close Contact services and mobile services closed, with the exception of premise-based hairdressing and barbers. Although no verifiable data is available, it is expected that mobile close contact services are used by people of all age ranges and if those services are not permitted they will be inaccessible to older people, particularly those who may have limited mobility.
	Sex: Women	Levels 0-3	Women are significantly more likely than men to work in the 'other personal service activities' sector (hereafter referred to throughout this document as "Close Contact Services"). Women made up 80.7% of the total close contact services workforce in 2019. ¹⁶ Since close contact services are permitted in these levels, this will disproportionately benefit women's income and employment. It may also disproportionately expose women to greater chance of COVID-19 transmission, although there is no verifiable data available on this.
		Level 4	Mobile services and fixed premises close contact closed. While there is no verifiable gender employment data for close contact services, it is reasonable to assume that most services are provided by women. Easing of regulations allowing hairdressers and barbers to operate as long from a fixed premise and via appointments for a specified time will have a positive impact on female employment and income compared to previous Level 4 restrictions. Continued closure of all other close contact services is, however, likely to negatively impact disproportionately on female employment and income.

¹⁵ (Source: Annual Population Survey 2019)

²(Source: Annual Population Survey 2019).

Equality Impact Assessment

		The Scottish Government's Monthly GDP statistics for January 2021 shows the Close contact services sector as 49.1% lower in January compared to the same period last year (January 2020) and 8.6% lower for the economy overall. Closure of close contact services at Level 4 will have an impact on women given the proportion of women delivering such services.
Sex: Men	Levels 0 - 3	Men make up less than 20% of the mobile close contact services workforce and a third (33.8%) of the workforce of close contact services more generally is self-employed, higher than the Scottish average of 12.4% ¹⁷
	Level 4	Premises-based hairdressers and barbers can open by appointment and for a specified time, all other close contact services must remain closed. As there are fewer men working in the mobile close contact services, whilst the proportion of men impacted by closure of mobile services will be less than that of women the economic impact in terms of loss of income is likely to be similar to women. The reopening of barbers, by appointment only and for a specified time, will have a positive impact on men.
Race	Levels 0 - 3	There are an estimated 30,000 people employed in the close contact services workforce of which 6.7% are from an ethnic minority. 90.9% of the close contact services workforce is a UK National, 4.7% an EU National, and 4.4% is an Other Non-EU National ¹⁸
	Level 4	Premises-based hairdressers and barbers open by appointment only and for a specified time, all other close contact service remain closed. There is no additional data available on how closure of close contact services at this level would have a differential impact on people with this protected characteristic, other than as stated above.
Religion or Belief	Levels 0 - 3	There is no evidence of a differential impact identified at this time.
	Level 4	Premises-based hairdressers and barbers open by appointment only and for a specified time, all other close contact service remain closed. There is no evidence of a differential impact identified at this time.
Disability	Levels 0 - 3	Workers with a disability may find it more challenging to attend work but this will be dependent on their disability. Both practitioners and clients of close contact services that have a disability will be more likely to have a higher prevalence of serious illness from COVID-19 due to underlying health issues than those without a disability.
	Level 4	Premises-based hairdressers and barbers open by appointment only and for a specified time, all other close contact service remain closed. No data is available on participation in this sector by people with this characteristic. For disabled people who receive either physical, or therapeutic relief from such services, their closure may have a detrimental impact on physical wellbeing. Where mental health is the disability, ceasing mobile close contact services may exacerbate any underlying mental health issues.
Sexual Orientation	Level 0-3	There is no evidence of a differential impact identified at this time.
	Level 4	There is no evidence of a differential impact identified at this time.
Marriage and Civil Partnership¹⁹	Level 0-3	There is no evidence of a differential impact identified at this time.
	Level 4	There is no evidence of a differential impact identified at this time.

¹⁷ (Source: Annual Population Survey 2019).

¹⁸ (Source: Annual Population Survey 2019).

¹⁹ Section 149(7) of the Equality Act 2010 notes that the Public Sector Equality Duty does not apply to the protected characteristic of marriage and civil partnership.

Equality Impact Assessment

Pregnancy and Maternity	Levels 0 - 3	There is no evidence of a differential impact identified at this time.
	Level 4	Premises-based hairdressers and barbers open by appointment only and for a specified time, all other close contact service remain closed. Other than those impacts identified for women, there are no additional differential impacts for those with this characteristic.
Gender Reassignment	Level 0-3	There is no evidence of a differential impact identified at this time.
	Level 4	There is no evidence of a differential impact identified at this time.
Socio-economic disadvantage	Levels 0 - 3	<p>The socio-economic impacts will be experienced by those who work in this sector. The National Hair and Beauty Federation Industry Data booklet 2019 reports the average annual salary of hairdressers and barbers was £17,609 and the average annual salary of beauticians of £17,178. Whilst not representative of all services provided under the broader close contact services categorisation, these salaries fare significantly lower than the Weekly rate of £428.80 which is the Median Gross Weekly Public Sector Earnings for Scotland in 2018²⁰.</p> <p>As there are mitigations in place which allow the sector to operate at these levels, they are not able to deliver the full range of services that were on offer prior to the March 2020 lockdown. The limitations on numbers of clients in salons, mandatory face coverings restricting certain treatments and additional costs of implementing strict cleaning and hygiene measures will have a cumulative impact on revenue. The Scottish Government's Monthly GDP statistics for January 2021 shows the Close contact services sector as 49.1% lower in January 2021 compared to the same period last year (January 2020) and 8.6% lower for the economy overall.²¹</p>
	Level 4	<p>Premises-based hairdressers and barbers open by appointment only and for a specified time, all other close contact service remain closed.</p> <p>A third (33.8%) of the workforce of the close contact services sector are self-employed, higher than the Scottish average of 12.4%²². Closure of mobile close contact services will have a higher than average impact on those that are self-employed, who may already be economically disadvantaged through low levels of pay. The take-up rate of the UK Government's Self-Employment Income Support Scheme (SEISS) for the other service activities sector in Scotland was 78% as at 30th September 2020.</p> <p>As previously stated, the Scottish Government's Monthly GDP statistics for August 2020 shows a year on year contraction of the close contact services sector between 2019 and 2020 (34.2% lower in August compared to August 2019) and 10.0% lower for the economy overall. Closure of close contact services at Level 4 will have an impact across a sector which is predominantly used by and employing women.</p>
Mitigating actions:	Levels 0 - 3	<p>Guidance is for available for the safe operation of close contact services which includes guidance for those providing mobile services. This guidance sets out a number of actions that should be taken by both clients and practitioners to mitigate against COVID-19 transmission and includes mandatory wearing of face coverings, physical distancing between clients in salons and other premises, enhanced hygiene and cleaning regimes and Test and Protect measures, all of which have a consequential cost for the businesses.</p> <p>https://www.gov.scot/publications/coronavirus-covid-19-retail-sector-guidance/pages/close-contact-services/#mobileclosecontact</p> <p>There are however no effective mitigations available for those with a protective characteristic that are either prevented or inhibited from seeking those static services. In addition there are limitations in place when travelling from one</p>

²⁰ Scottish Government: Annual survey of hours and earnings: 2018

²¹ [Monthly GDP Estimate: January 2021 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/monthly-gdp-estimate-january-2021/)

²² Source: Annual Population Survey 2019.

Equality Impact Assessment

		level to another that is in an either lower or higher level, although they may travel to seek static services delivered in their own area.
	Level 4	Premises-based hairdressers and barbers open by appointment only and for a specified time, all other close contact service remain closed. There is financial support for those who are required to cease working and who satisfy relevant eligibility criteria including through the Self-Employed Income Support Scheme, the Job Retention Scheme or through Universal Credit. For clients of some services, there may be the option of considering treatments delivered by a Regulated Healthcare professional. The take-up rate of the UK Government's Self-Employment Income Support Scheme (SEISS) for the other service activities sector in Scotland was 78% as at 30 th September 2020.

Assessing the impacts and identifying opportunities to promote equality

The Scottish Government is mindful of the three needs of the Public Sector Equality Duty (PSED) - eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not - and recognises while the measures may positively impact on one or more of the protected characteristics, also recognises that the introduction of the measures may have a disproportionate negative impact on one or more of the protected characteristics.

Where any negative impacts have been identified, we have sought to mitigate/eliminate these. We are also mindful that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality. We have sought to do this through provisions contained in the measures or by support and guidance available.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			The measures set out in the Regulations for levels 0, 1, 2 and 3 will apply to all employees and clients who deliver or receive the range of close contact services. Where such services are offered, in level 4, this may increase quality of life of older people who use these services.
Advancing equality of opportunity			X	There is no measurable differential impact on those with this protective characteristic.
Promoting good relations among and between different age groups			X	There is no measurable differential impact on those with this protective characteristic.

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			Disabled people may rely on close-contact services to help maintain quality of life, and on mobile services if they are unable to easily leave the home. Increasing access to such services at level 4 may increase quality of life.

Equality Impact Assessment

Advancing equality of opportunity			X	There is no measurable differential impact on those with this protective characteristic.
Promoting good relations among and between disabled and non-disabled people			X	No data available on engagement with this sector by people with this characteristic.

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			The measures set out in the Regulations will apply to all employees and clients who deliver or receive these services. However, as these services are predominantly delivered by women, and are assumed to be delivered to women, permitting the delivery of these services will impact more on women.
Advancing equality of opportunity	X			As these services are predominantly provided by women this leads to greater economic opportunities and participation for women. However, the services are mostly utilised by women so they will also be negatively impacted by any future closure of such services.
Promoting good relations between men and women			X	There is no measurable differential impact on those with this protective characteristic.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measures set out in the regulations will apply to all employees and clients who deliver or receive these services.
Advancing equality of opportunity			X	There is no measurable differential impact on those with this protective characteristic.
Promoting good relations			X	There is no measurable differential impact on those with this protective characteristic.

Do you think your policy impacts on people proposing to undergo, undergoing, or who have undergone a process for the purpose of reassigning their sex? (NB: the Equality Act 2010 uses the term 'transsexual people' but 'trans people' is more commonly used, although it may include a wide range of people not covered by the Act).

Gender reassignment	Positive	Negative	None	Reasons for your decision

Equality Impact Assessment

Eliminating unlawful discrimination, harassment and victimisation			X	The measures set out in the regulations will apply to all employees and clients who deliver or receive these services.
Advancing equality of opportunity			X	There is no measurable differential impact on those with this protective characteristic.
Promoting good relations			X	There is no measurable differential impact on those with this protective characteristic.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measures set out in the regulations will apply to all employees and clients who deliver or receive these services.
Advancing equality of opportunity			X	There is no measurable differential impact on those with this protective characteristic.
Promoting good relations			X	There is no measurable differential impact on those with this protective characteristic.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measures set out in the regulations will apply to all employees and clients who deliver or receive these services.
Advancing equality of opportunity			X	There is no measurable differential impact on those with this protective characteristic.
Promoting good race relations			X	There is no measurable differential impact on those with this protective characteristic.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measures set out in the regulations will apply to all employees and clients who deliver or receive these services.
Advancing equality of opportunity			X	There is no measurable differential impact on those with this protective characteristic.

Equality Impact Assessment

Promoting good relations			X	There is no measurable differential impact on those with this protective characteristic.
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Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	The measures set out in the regulations will apply to all employees and clients who deliver or receive these services ²³

Conclusion

The Strategic Framework and approach set out in these Regulations are intended to balance the restrictions necessary to protect people from the direct harms to health from catching the virus, with the unintended potential harms the restrictions may have on isolation, wellbeing and the economy.

²³ "Section 149(7) of the Equalities Act 2010 Act does not apply to marriage and civil partnership as assessed here.