

## Equality impacts – proposals for the post-firebreak regime

### Context

1. Coronavirus itself has disproportionate equality impacts. It has more serious health impacts and a greater likelihood of death for older people; men; people living in more deprived areas and BAME people. Controlling the virus and reducing transmission will have positive equality impacts for these groups.
2. It is also clear, as set out in the SAGE SARS-COV-2 Transmission routes and environments paper, that *“the COVID19 pandemic is strongly shaped by structural inequalities that drive household and occupational risks, such as prolonged working hours in close proximity to others and / or in high risk occupations, use of public transport, and household crowding. It is essential to tailor effective control and recovery measures to the greater needs and vulnerabilities of disadvantaged communities (high confidence).”*
3. We aim to control transmission of the virus through a range of non-pharmaceutical interventions (NPIs). By definition these are intended to disrupt daily life and people’s normal habits of social interaction, work and leisure to make it more difficult for the virus to be transmitted and reduce the number of people it can be transmitted to.
4. The nature of NPIs means it is inevitable there will be equality impacts and impacts on children’s rights. There is scope to mitigate the most significant adverse impacts in the selection of measures and the package of support offered but it will not be possible to address all of the disproportionate and adverse impacts. Some of those impacts are short term but many will have long run effects and exacerbate disadvantage.
5. We are forced to tolerate some adverse impacts on the basis of the risk to public health and the need control transmission of the virus but having NPIs in place over time – and as they are periodically made more restrictive and then lessened – mean that the adverse impacts are compounded over time.
6. We have agreed the principle that minimising adverse equality and children’s rights impacts should be intrinsic to the design of the new regime and the selection of control measures and the support framework.
7. This paper represents the next stage in the development of the equality impact assessment of the emerging proposals for the post-firebreak regime.

### Key measures

8. The key features of the proposed post-firebreak regime are as follows:
  - Household mixing – very limited. Indoors in private homes only meet with one other household who you have agreed to form an extended household with. Outdoors and in public spaces / regulated settings meetings of more than six people would not be allowed by law and guidance and messaging would be

around the behaviours to encourage people to limit any contacts as far as possible and avoid any mixing, but that when they do to be as cautious as possible.

- Travel – able to travel across Wales but with restrictions for on travelling to and from hot spots in Wales and restrictions on travelling outside Wales and from high prevalence areas outside Wales.
- Schools would be open for all learners for face to face teaching
- HE would continue to provide a blend of face to face and remote learning
- Non-essential retail businesses, including cafés, pubs and restaurants should revert to the pre-firebreak regime with additional requirements in relation to information provision, expanded guidance and a new FPN framework.
- Greater emphasis on working from home or working remotely and to encourage employers to do more to enable this.
- Sports and exercise would revert to the pre-firebreak regime.
- Community facilities will be open for all activities (except celebrations and activities involving singing) up to a maximum capacity with strict social distancing measures and case by case risk assessment.
- Places of worship would be open. There would not be a maximum capacity but there would be strict social distancing and risk assessment.

## **Impacts**

### *Socio-economic impact*

9. Covid-19 is characterised by having greater adverse health impacts and mortality in areas more deprived areas. Action to control the virus will therefore have positive socio-economic impacts compared to if it were permitted to run unchecked.
10. However, there are clear adverse socio-economic impacts of the control measures proposed.
11. All businesses, as regulated settings, will be subject to a range of requirements in legislation, with further advice set out in guidance, to enable them to operate in a Covid-safe way. These measures allow businesses to be open and to operate but they come with one-off and ongoing additional costs. They also constrain businesses ability to operate as they normally would reducing their output and profitability and changing the demand for staff. In a few cases this has provided new opportunities but the much more common experience, particularly in public facing sectors like non-essential retail, tourism, hospitality and entertainment, is has resulted in severe disruption to their businesses, reduced income and redundancies. Limitations on these public facing businesses has a knock on impact on businesses which rely on them even, for example taxis by suppressing demand substantially or the various services that support live music events.
12. In the sectors we expect to be significantly impacted we will see a disproportionate impact of certain groups: younger workers (especially in hospitality), women (especially in close contact services and non-essential retail) and BAME people (especially in parts of the hospitality sector and in transport services including taxis.) In the earlier stages of the pandemic, disabled people were more likely to be furloughed and this pattern may be repeated.

13. Our intention is to enable businesses to operate and not to instruct them to close. This means businesses will be unable to access the UK JRS which would pay two thirds of a person's wages. In the absence of this support and the greater flexibility the previous JRS offered, more people are likely to be made redundant or not be able to access contracted work or have their hours cut. This will increase socio-economic disadvantage and increase the number of people facing significant challenges. Where a business is able to access the JSS, we need to recognise that any worker would be trying to manage on significantly less money than would be normally available. There would also be particular issues for those on zero hours contracts, freelance workers, anyone with a significant proportion of their salary based on sales or bonuses, temporary or agency workers and other work placement schemes.
14. We have evidence that these workforce impacts are not falling equally. Citizen's Advice's report: An Unequal Crisis (England & Wales) states that of the 1 in 6 (17%) of the working population facing redundancy:
- 1 in 4 disabled people (27%) are facing redundancy, rising to 37% for those people whose disability has a substantial impact on their activities
  - 1 in 2 people who are extremely clinically vulnerable to coronavirus (48%) are facing redundancy
  - 2 in 5 people with caring responsibilities (39%), either for children or vulnerable adults, are facing redundancy
  - 3 in 10 people with children under 18 (31%) are facing redundancy, compared to less than 1 in 10 (7%) of those who don't have children under 18.
15. The Resolution Foundation reported on 27 October that:
- While more than half of those furloughed during lockdown had returned to work by September, 9 per cent of those previously furloughed had lost their jobs. This rate was highest for 18-24-year-olds, Black, Asian and minority ethnic workers, and the low paid.
  - Of those respondents who were still employed by September, 12 per cent reported being paid less than they were in February. Pay reductions were more common in hard-hit sectors and (to a lesser extent) among younger workers, although pay cuts have become more evenly distributed as the crisis has evolved.
16. Our proposal to promote working from home is more likely to be an option for those working in an office and in higher paid occupations. It will not be available to all and many lower paid occupations – retail, care work, close contact services and hospitality it would not be an option. So the scope to work in an environment which is 'safer' is not available to all. Home working is also not a universal 'good' and is much more challenging for those facing socio-economic disadvantage. The disparities include: of lack of space to work at home either because of the size of home or having to share with others; cost and reliability of broadband; additional heating and lighting bills, particularly over the winter period. Some commuting costs may be offset but that would depend on individual circumstances.

17. We are proposing to ensure schools remain open to all learners for face to face teaching on the school site. This is a crucial in avoiding generating further socio-economic disadvantage. Based on evidence including the Coronavirus and Me children's survey, it is more likely that children in poverty will have less space and quiet at home to work. This is particularly applicable in some BAME communities with people living within multiple occupancy properties and in properties shared by asylum seekers, refugees or low income BAME people. They are more likely not to have access to a device to do work online, to have to share a device or have limited data availability to access resources and support online. They are more likely to have more limited support from their families with school work either as a result of other pressures on their time or their own capacity, including low levels of English or Welsh in the household, therefore more support may be required. Their families may also face wider pressures as a result of the impact on their parents jobs or income which may make the home environment more stressful and impact on their wellbeing and mental health as well as affect their ability to concentrate on school work. We continue to receive concerns, particularly from refugee and asylum seeker families and Gypsy, Roma and Traveller families that they do not have access to devices or connectivity to be able to access learning online. Furthermore, families are less equipped to be able to offer help and address technical issues.

18. Our decision to allow sport and other activities to take place with controls is reducing further socio-economic disadvantage in terms of providing to access to outside space providing broader opportunities for play and development, especially for those who do not have access at home, and opportunities to access support groups and services, such as Flying Start and youth services.

19. Further mitigation measures we could consider to address ongoing issues:

- continue to press the UK Government for a more generous, comprehensive and flexible package of support for workers
- ensure access to emergency support via the Discretionary Assistance Fund where relevant
- ensure wider 'protect' support is available from local authorities and the third sector over the winter
- ensure key services can continue to operate, including on a face to face basis (for example, social services, VAWDASV services and Flying Start, homelessness and housing support services including MH and substance misuse services and youth services) and make sure LAs know they can and should allow these services to operate despite the emphasis on working from home
- ensure effective messaging to key groups in an easy to access/understand language – clear communication to parents of all abilities (easy read versions), clear and specifically targeted messages to children and young people (there are organisations that can help with this) and clear messages to families of children with additional needs that certain activities/family support arrangements are okay/permissible
- publicise helplines which offer advice on employment rights (new helplines have been funded following the initial lockdown period).

## Sex / gender

20. There is clear evidence that COVID-19 has a disproportionate impact on the health of men. Therefore measures to bring the virus back under control and reduce transmission will have positive impacts for men.
21. Women are disproportionately represented in a number of the sectors which have been impacted by the control measures including non-essential retail and close contact services. Men are disproportionately representing in other sectors which have been impacted by control measures including transport.
22. There is good evidence from the earlier part of the pandemic that the additional caring responsibilities arising from the pandemic, including childcare, fall disproportionately on women. It will continue to be the case that children will be asked to self-isolate when there are cases in schools and based on the first lockdown, looking after children and supporting them to learn, if there is remote learning taking place, will fall more to women than to men. This will impact on some women's ability to work and their health and wellbeing. There is concern this will also have a longer term impact on women's careers and job progression. Any decision to move to a more blended learning approach in schools would have similar adverse impacts.
23. Some pregnant women elected to have elected caesareans due to the lockdown measures so they didn't have to go through birth alone, women have also reported post-natal concerns around mental health support, breast feeding etc. Providing scope for partners to join pregnant women would help address this. We are proposing to enable groups like parent and baby / toddler to operate in community facilities of various sorts and this will help in addressing these issues.
24. There is evidence of increased demand for support with VAWDASV following the national lockdown. Increased emphasis on homeworking may have adverse impacts in this context by removing one of the key reasons a women might leave her home and potentially leaving her more exposed to the perpetrator. Ensuring household mixing enables contacts beyond a single extended household, as proposed, will offer scope for a women to make a disclosure given the extended household might be dictated by the perpetrator. Similarly the proposal to enable access to services and continued operate of a range businesses and services give more scope to access help or support.
25. Further mitigation measures we could consider to address ongoing issues:
  - continue to press the UK Government for a more generous, comprehensive and flexible package of support for workers
  - ensure access to emergency support via the Discretionary Assistance Fund where relevant
  - ensure wider 'protect' support is available from local authorities and the third sector over the winter
  - continued operation of formal childcare and ongoing flexibility to allow informal childcare

- consider options to reduce the length of the self-isolation period
- publicise helplines which offer advice on employment rights (new helplines have been funded following the initial lockdown period)

### Race and ethnicity

26. There is clear evidence that COVID-19 has a disproportionate adverse impact on the health of BAME people and their wider mental health and wellbeing – and that BAME people have a higher rate of mortality from the virus compared to people of white ethnicity. Therefore measures to bring the virus back under control and reduce transmission will have positive impacts.
27. As already noted, BAME people are disproportionately represented in a number of the sectors which have been adversely impacted by the control measures parts of hospitality and transport. The Resolution Foundation found that, while more than half of those furloughed during lockdown had returned to work by September, 9 per cent of those previously furloughed had lost their jobs. This rate was highest for 18-24-year-olds, Black, Asian and minority ethnic workers, and the low paid. There may also be particular adverse impact on BAME businesses that sell specialised cultural foods – such as ethnic cuisine who already struggle to maintain customers because of the scarcity of food products.
28. The Resolution Foundation reported on 27 October that:
- While more than half of those furloughed during lockdown had returned to work by September, 9 per cent of those previously furloughed had lost their jobs. This rate was highest for 18-24-year-olds, Black, Asian and minority ethnic workers, and the low paid.
  - Of those respondents who were still employed by September, 12 per cent reported being paid less than they were in February. Pay reductions were more common in hard-hit sectors and (to a lesser extent) among younger workers, although pay cuts have become more evenly distributed as the crisis has evolved.
29. Windrush and BAME Elders have reported isolation and advancing anxiety, depression and mental health difficulties linked to being locked down and isolated in homes away from their community members or family. The proposed approach to household mixing will offer some flexibilities to address this. In addition, enabling community facilities to open and for any activity to run (subject to a limit on numbers and risk assessment) will provide important further scope to mitigate these adverse impacts from the pandemic so far.
30. For some BAME groups extended families are a key feature and the proposed approach to household mixing may have some adverse equality impacts because of its emphasis on limiting total numbers of contacts. Similarly, some BAME groups will have close family and extended family with whom there are close relationships living in other parts of the UK and overseas. Limitations of travel will have an adverse impact as a result.

31. The BAME COVID-19 Socio Economic Sub Group report highlighted issues of overcrowding in homes for BAME people. Half of the BAME population in Wales live in rented properties, compared to just under a third of the white population. BAME people who rent are more likely to live in privately rented properties than socially rented properties (compared to broadly similar proportions of white people who live in privately rented properties and socially rented properties). We know from the Welsh Housing Condition Survey (2017-18) that the private rented sector generally has the oldest housing stock and a higher proportion of poor quality housing (e.g. containing damp or other hazards). People from a number of Black, Asian or Minority ethnic groups are more likely to live in overcrowded housing than White British people. Only 4.9% of White British people lived in overcrowded housing (that is, they had fewer bedrooms than they needed to avoid undesirable sharing). Compared to 28.7% of Gypsy or Irish Travellers and 27% of Bangladeshi's; whilst 19.4% of Black people and 18.5% of Arabs did.
32. This means, in addition to barriers arising from the economic sectors BAME people are more likely to work in, home working is not necessarily a viable option for many BAME people.
33. There is evidence from engagement with communities that some BAME families have not returned their children to school. One of the reported reasons being fear of the children being exposed to the virus in school and bringing it home and vulnerable relatives becoming unwell. It is possible that the circuit breaker will have further exacerbated this trend and disadvantage those children who are not in school. We are proposing to ensure schools remain open to all learners for face to face teaching on the school site. This is a crucial in avoiding generating further adverse impacts for BAME children. We have clear evidence that closing schools or limiting contact time at a school site, face to face with a teacher will have a disproportionate impact on some BAME children. From the Coronavirus and Me children's survey and other evidence it is more likely that BAME children will have less space and quiet at home to work due to family structures and overcrowded accommodation. They are more likely not to have access to a device to do work online or to have to share a device. They are more likely to have more limited support from their families with school work either as a result of other pressures on their time or language and other barriers. Their families may also face wider pressures as a result of the impact on their parents jobs or income which may make the home environment more stressful and impact on their wellbeing as well as affect their ability to concentrate on school work.
34. We continue to receive concerns, particularly from refugee and asylum seeker families and Gypsy, Roma and Traveller families that they do not have access to devices or connectivity to be able to access learning online. Furthermore, families are less equipped to be able to offer help and address technical issues.
35. Further mitigation measures we could consider to address ongoing issues:
- continue to press the UK Government for a more generous, comprehensive and flexible package of support for workers
  - ensure access to emergency support via the Discretionary Assistance Fund where relevant

- ensure wider 'protect' support is available from local authorities and the third sector over the winter
- target training and other support with securing work on priority groups including BAME people
- work with BAME communities to identify scope for home working hubs which could support home workers but with the appropriate space and facilities which may not be available in their own homes
- specific and targeted engagement with BAME families about their concerns about the virus and attendance at school to support more children returning to school in the new normal
- ensure effective messaging to key groups in an easy to access / understand language – clear communication to parents of all abilities (easy read versions), clear and specifically targeted messages to children and young people (there are organisations that can help with this) and clear messages to families of children with additional needs that certain activities/family support arrangements are okay/permissible
- Opportunities to fund befriending schemes for community "befrienders" to call the elders and discuss concerns and check on the well-being

### Age

36. There is clear evidence that COVID-19 has a disproportionate impact on the health of older people, particularly men. Therefore measures to bring the virus back under control and reduce transmission will have positive impacts for older people.
37. As already noted, the closure of certain sectors will have a disproportionate impact on young people. More broadly, there will be negative impacts on young people as a result of the medium and longer term economic consequences of efforts to control the virus in terms of their employment and earning opportunities. Similarly there will be impacts for those children and young people whose development and/or education has been disrupted, and there will be substantial variation in the effect by socio-economic group. Younger people are also reporting anxieties about the inability to form new relationships during the lockdown and the impact of isolation.
38. Citizen's Advice's report: An Unequal Crisis (England & Wales) states that of the 1 in 6 (17%) of the working population facing redundancy:
- 2 in 5 people with caring responsibilities (39%), either for children or vulnerable adults, are facing redundancy
  - 3 in 10 people with children under 18 (31%) are facing redundancy, compared to less than 1 in 10 (7%) of those who don't have children under 18.
39. The Resolution Foundation reported on 27 October that:
- While more than half of those furloughed during lockdown had returned to work by September, 9 per cent of those previously furloughed had lost their jobs. This rate was highest for 18-24-year-olds, Black, Asian and minority ethnic workers, and the low paid.



- Of those respondents who were still employed by September, 12 per cent reported being paid less than they were in February. Pay reductions were more common in hard-hit sectors and (to a lesser extent) among younger workers, although pay cuts have become more evenly distributed as the crisis has evolved.
40. For younger children, limiting opportunities for play and interaction will have impacted on their development and this will exacerbate socio-economic disadvantage. We are enabling children to play outside and enabling activities and sports. This is key in minimising adverse impacts, particularly for those families that do not have a garden or do not live close to good quality, accessible outside space or a park.
41. The key issue will be to minimise the duration of this impact and to compensate for it. In particular disabled children and young people on the autistic spectrum struggle particularly because their routines are disrupted. As well as impacted on the disabled child, their parents may also face difficulties in managing the behaviours of arising from frustration and anxiety which can also adversely impact on other children in the family.
42. We are proposing to ensure schools remain open to all learners for face to face teaching on the school site. Similarly childcare, including flying start childcare, will remain fully open. This is a crucial in avoiding generating further adverse impacts for children. Closing schools or limiting contact time at a school site, face to face with a teacher will have a disproportionate impact on some children. From the Coronavirus and Me children's survey and other evidence some children will have less space and quiet at home to work. Not all children have access to a device to do work online or to have to share a device. Not all children had support from their families with school work for a range of reasons. Some families may also face wider pressures as a result of the impact on their parents jobs or income which may make the home environment more stressful and impact on children's wellbeing as well as affect their ability to concentrate on school work. Some children, who met with the First Minister on 28 October said that in advance of knowing the outcome of the exams review they were being assessed and tested constantly and this was causing significant pressure and stress. Decisions are due week commencing 9 November. It will be important for schools to take stock and review their behaviours at this point.
43. Some of our youngest children will have missed routine developmental assessments, leading to developmental delay going unnoticed. This could have longer term detrimental impacts that affect the rest of their lives. We have established the child development fund in this financial year which will enable services to start to address issues but only if they can operate face to face and other support services.
44. For some children, home is not a safe space. Keeping schools open is a key measure to ensure they are seen, heard and are safe. Additionally, enabling key services to continue to operate and to do so on a face to face basis will be important in identifying issues, enabling disclosures to be made and working with families to address issues. There are similar issues for older people who may

also be exposed to neglect or harm and where services need to continue to be able to support them.

45. Enabling community facilities to open and for any activity to run (subject to a limit on numbers and risk assessment) will provide important further scope to mitigate these adverse impacts from the pandemic so far for older people, children and other age groups by enabling relevant activities to take place .

46. Further mitigation measures we could consider to address ongoing issues:

- careful consideration of which sectors to close based on the health impact continue to press the UK Government for a more generous, comprehensive and flexible package of support for workers
- ensure access to emergency support via the Discretionary Assistance Fund where relevant
- ensure wider 'protect' support is available from local authorities and the third sector over the winter
- target training and other support with securing work on priority groups including young people
- allow for face to face developmental and needs assessments to take place to reduce the potential impact of undiagnosed / unnoticed developmental delay
- ensure certain health professionals are not redeployed – e.g. midwives, health visitors, speech and language therapists so these services can continue
- ensure effective messaging to key groups in an easy to access/understand language – clear communication to parents of all abilities (easy read versions), clear and specifically targeted messages to children and young people (there are organisations that can help with this) and clear messages to families of children with additional needs that certain activities/family support arrangements are okay/permissible

### Disability

47. There is evidence that COVID-19 has a significant disproportionate impact on the health of some disabled people and some people with chronic health conditions. Therefore measures to bring the virus back under control and reduce transmission will have some positive impacts for disabled people.

48. As noted already, there is clear evidence that the economic costs of the control measures are impacting on disabled people disproportionately. Citizen's Advice's report: An Unequal Crisis (England & Wales) states that of the 1 in 6 (17%) of the working population facing redundancy:

- 1 in 4 disabled people (27%) are facing redundancy, rising to 37% for those people whose disability has a substantial impact on their activities
- 1 in 2 people who are extremely clinically vulnerable to coronavirus (48%) are facing redundancy
- 2 in 5 people with caring responsibilities (39%), either for children or vulnerable adults, are facing redundancy

49. In the earlier phase of the pandemic, some disabled people saw a reduction in their care package from local authorities or other changes in the support available. This impacted on people's quality of life and wellbeing. Sending a clear message that this should not happen in the next phase of the control measures will be important in mitigating that impact.
50. For some disabled people their home may not be a safe space. The proposed approach to household mixing, travel and enabling businesses and services to operate is key in providing routes to access support and raise concerns for disabled people. Enabling community facilities to open and for any activity to run (subject to a limit on numbers and risk assessment) will provide important further scope to mitigate these adverse impacts from the pandemic so far for disabled people by enabling relevant activities to take place .
51. The closure of 'personal contact services', particularly therapeutic services, in the earlier stages of the pandemic had an adverse impact on disabled people and their physical and mental wellbeing. The decision to enable businesses and services to continue to operate is critical to minimising the adverse impact.
52. Further mitigation measures we could consider to address ongoing issues:
- ensure access to emergency support via the Discretionary Assistance Fund where relevant
  - ensure wider 'protect' support is available from local authorities and the third sector over the winter
  - target training and other support with securing work on priority groups including young people
  - ensure the most stringent controls are not in place for a protracted period so that formal and informal support and volunteering is not exhausted
  - Put in place support for disabled carers
  - Put in place remote support for people with mental health conditions
  - Put in place a helpline for disabled people
  - ensure key services can continue to operate, including on a face to face basis and make it clear that changes in care packages for disabled people or other groups should not be made unless the disabled person wished to make different arrangements
  - ensuring there are appropriate flexibilities in any restrictions to take account of the needs of disabled people
  - ensure effective messaging to key groups in an easy to access/understand language – clear communication to parents of all abilities (easy read versions), clear and specifically targeted messages to children and young people (there are organisations that can help with this) and clear messages to families of children with additional needs that certain activities/family support arrangements are okay/permissible

### Sexual orientation

53. We have some evidence from earlier in the pandemic about the negative impact of being required to stay home for some people whose families were not negative

about or hostile to the individual's sexual orientation. The proposals on household mixing would provide some additional flexibility which would be important in addressing these adverse impacts.

54. Similarly, enabling community facilities to open and for any activity to run (subject to a limit on numbers and risk assessment) will provide important further scope to mitigate these adverse impacts from the pandemic so far by enabling relevant activities to take place.

Religion or belief

55. During the first phase of the pandemic, people were unable to access to places of worship. This has gradually been opened up by the way that has been done has provided different opportunities and different constraints depending on your religion or faith and the way in which it is practiced / celebrated. Places of worship were closed during the firebreak.
56. When places of worship are closed or their use curtailed, there will be an adverse impact on some people with religious or other beliefs. Depending on the timing this may have a bigger impact on some religions than others, for example Diwali mid-November, Christmas – end December.
57. We are proposing that places of worship remain open and operate as they were doing before the firebreak. Maintaining this is critical in reducing adverse impact.