



Llywodraeth Cymru
Welsh Government

From:

Name Redacted

C19 Project Team

Cleared by:

Simon Brindle

Date:

26 June 2020

MINISTERIAL ADVICE

For decision by: **First Minister**

Copied to: **All Ministers and Deputy Ministers**

Subject	Providing for extended households during lockdown.
100 word summary	This advice seeks Ministerial agreement in principle to amend the requirements and restrictions imposed by the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 to permit two households to form an extended household, to come into effect from 6 July. This would be subject to a formal assessment alongside lifting the 'stay local' provisions next week.
Timing	Urgent. The First Minister has indicated he wishes to announce this proposed change at his Press Conference on Monday 29 June.
Recommendation	<p>The First Minister is asked to agree:</p> <ul style="list-style-type: none"> To the introduction, in principle, of extended households in Wales from 6 July. This would allow for two separate households of any size to form a single extended household, which will be treated as a single household in relation to social distancing provisions. For this proposal to be included as part of the advice early next week assessing conditions in order to lift the 'stay local' provisions. This will ensure the full legal decision-making process is followed and that the cumulative effect of these changes are considered together. For guidance and communications material to be produced to communicate the risks and encourage compliance with the requirements for extended households (e.g. quarantine for one person would apply to entire extended household).
Decision report	This decision does not require a Decision Report as it relates to legislation.

ADVICE

Background

1. The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 came into force at 4:00pm on 26 March. These were subsequently amended on 7 April, 25 April, 11 May, 22 May, 1 June and 21 June. The Regulations as amended are referred to in this advice as “the Regulations”.
2. The Regulations impose temporary restrictions on gatherings and the movement of people, and requirements and restrictions on the operation of businesses, including closures, in Wales. This has been done to minimise the extent to which people leave their homes to help reduce and control the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
3. Due to these regulations, indoor gatherings and physical interactions in Wales are limited to within a single household that all live together, with some limited exceptions, such as where an additional person is a carer or for someone a person is providing care to. There is also an exception for gatherings indoors where a ‘reasonable excuse’ to do so applies; however, this still requires social distancing to be maintained so would not entail physical interaction if it can be avoided.

Extended Households

4. The creation of an extended household (Scotland) or care and support bubble (England and Northern Ireland) enables physical contact to take place within an exclusive group. In effect the people joining that group become part of a single household and enjoy the same freedoms a household has in being able to meet indoors, have physical contact and stay in each-others houses. England and Northern Ireland will be extending this concept to shielded individuals in July.
5. Ministers have indicated they wish to consider permitting two households of any size in Wales to form an extended household, to come into effect from 6 July, in line with the proposed removal of the stay local requirement.
6. There are some common principles that would need to apply to any extended household in Wales. These should be simplified and communicated carefully. These are already broadly reflected in other parts of the UK:
 - No person can be part of more than one extended household (i.e. it becomes a new single exclusive household)
 - All individuals in one household must belong to the same household
 - The extended household must contain the same individuals for the foreseeable future (though some flexibility will be needed as extended households break down)
 - If one member of an extended household develops symptoms, the entire extended household will need to self-isolate, not just those living together.

- Ministers have also indicated a desire for households to keep records that would facilitate contact tracing if needed.

New Zealand

7. Extended households have been used in various forms in other countries such as New Zealand. Ministers have specifically asked for any advice to include reference to action taken there.
8. The New Zealand Government's 'Alert Level 3 – Restrict', defined as where community transmission might be happening and new clusters may emerge but can be controlled through testing and contact tracing, provides for 'bubbling'. Their guidance says people "must stay within their immediate household bubble but can expand this to reconnect with close family or bring in caregivers or support isolated people. This extended bubble should remain exclusive".
9. Long and colleagues (2020) recently published paper outlines the approach taken in New Zealand, reflecting on its effectiveness. Key findings can be found in the study's executive summary (See Annex C) but in brief it's suggested the bubble concept was effective in its messaging, that is, the importance of exclusive containment and mutual care/support that might stretch beyond a single household. As transmission slowed, limited merging of existing bubbles was permitted. A buddying scheme was introduced for those who were particularly isolated and households with complex care needs but take up was low. Importantly, compliance was high, even as bubbles were allowed to expand, with most people only expanding their bubble by merging with one other exclusive bubble.
10. The authors are clear that a focus on those most in need of support is important in introducing 'social bubbles'. They provide policy recommendations, including: phasing bubbles, with initial priority for those with the most acute care needs (allowing impact on transmission to be monitored); flexibility, recognising a bubble might break down; and clear, compassionate messaging, including detailed advice, on the spirit of the policy, ground rules, exclusivity and adaptability as bubbles are allowed to expand.

Public health situation

Coronavirus spread and impact

11. Latest advice from TAC (24 June) indicates the Rt value for Wales is below 1 (0.87 central estimate) with the number of new cases decreasing, although more slowly. This does not factor in recent outbreaks in North Wales which may increase the Rt for a week or so but it will most likely then fall again once these outbreaks are under control. Both Rt and growth rates are less useful when incidence is low. Regional estimates, in particular are subject to significant variation.
12. With the exception of the localised outbreaks, we are seeing a continued low level of cases, admissions, ICU and deaths associated with COVID-19. As of 19 June TAC reported of hospitalisations continues to fall slowly. ICU beds were

seeing a decrease in confirmed COVID patients and increase in non-COVID patients.

13. Other indicators reported by TAC on 19 June are broadly falling or stable, with the exception of the specific outbreaks identified and being controlled. The are not currently major concerns as they appear to be under control under TTP and with local action.

Mitigations

14. There appear to be no major concerns with NHS capacity or availability in mitigating the effects of the virus.
15. Test Trace Protect remains a critical element of future easements and the ability to be able to respond to new infections quickly. Data is still being developed, but indications are that over 80% of identified contacts are being traced, which would indicate an effective approach. Testing capacity continues to increase. More improvements are needed in the time taken between ordering a test and the results being communicated.
16. Outbreaks have recently been identified in Anglesey, Wrexham and Merthyr Tydfil within manufacturing sites. These appear to have been contained without sustained community infection, with further investigations taking place.

General public health assessment

17. Advice from the Chief Medical Officer for Wales (CMO) is provided in **Annex B**.

Economic, social environmental impact

18. An assessment against the various harms caused by coronavirus and the imposition of measures to control it for the 18 June review showed that the direct harms appear to have largely been mitigated. The immediate indirect harms linked to the health service have also been mitigated, and the increase in non-COVID activity will continue to mitigate the risks of longer term indirect impacts (e.g. longer-term treatments).
19. The greatest harms now appear to be the long-term social and economic harms. Steps were made following the 28 May review to mitigate some of these through the reopening of non-essential retail, childcare, and schools. A significant ongoing concern is the long-term impact on health and mental wellbeing of individuals separated from family and friends and from closer contact with those closest to them. A wider economic reopening is also constrained by an inability to access informal childcare because of the restrictions on gatherings indoors.
20. While there have been significant environmental benefits to the restrictions, there are no significant environmental impacts identified to date for this change; though relaxing the 'stay local' restrictions at the same time is likely to encourage more travel.

Initial assessment of lifting related restrictions

Advice from the Technical Advisory Cell

21. TAC consider extended households as an efficient way to increase contacts, while keeping relative risk low, especially if young families involved. They state benefit of the increased contact is gained by those in the bubble but the risk may be taken by those not.
22. TAC emphasise this risk should be communicated with those at high risk made aware of the increased risk of community spread. The increased mortality risk is focused largely in older adults independently of whether they are taking part in the social bubbles. A clear set of communications is required to explain risk and inform those deciding to form extended households.
23. There is an increased risk of increasing transmission rates, but this could be mitigated through effective Test Trace Protect, in particular contact tracing, and a clear and effective set of communications to support compliance. Further changes could be constrained if these are not as effective as hoped.

Impacts

24. Although this change to the lockdown restrictions would allow for any two separate households of any size to form a single extended household regardless of their circumstances, it would especially aid in addressing the wellbeing of those people who are lonely and isolated generally during lockdown. More specifically, this change to lockdown requirements would support households who are:
 - Trying to balance caring responsibilities with day to day tasks (e.g. childcare, looking after an individual with care and support needs);
 - Suffering from stress (due to financial difficulties or lack of connectedness – e.g. digitally disenfranchised);
 - Socioeconomically disadvantaged and minority households; or
 - Struggling with mental and physical health, including as a result of loneliness and isolation, physical disabilities or learning disabilities, either as an individual themselves or experienced by someone else in the household.
25. An assessment of the impact on different groups was considered in previous advice and will be updated when the formal advice is submitted early next week. In summary the proposal to join two households rather than a more restrictive approach will solve many of the equity issues identified in considering other options.
26. There are very significant positive impacts of making this change, which addresses major concerns about health and mental wellbeing of a wide range of people, including those facing isolation or with care and support needs.

Childcare

27. Schools in Wales are scheduled to increase operations on 29 June and childcare settings have been able to do so since 22 June. While this means families can access paid for, formal childcare, the Regulations would not currently provide for parents to seek informal help with childcare either from family or friends. This will likely be seen as unsustainable going forward and a barrier to people's return to work in Wales where informal childcare has traditionally been more significant than in other parts of the UK .
28. As informal childcare is not regulated, there is little formal data on its usage. However, evidence on childcare usage from the 2015/16 wave of the UK Understanding Society survey showed:
- Welsh and Northern Irish children are more likely to be in informal childcare than English children;
 - Single parents are more likely to use informal childcare and to do so for more hours of care than two parent households; and
 - Those on lower incomes are more likely to use informal childcare.
29. Of those families in Wales using informal childcare, 38% were using 10 hours or less per week with just 10% using 70 or more hours per week. This compares to England where 45% used 10 or less hours of informal childcare per week and just 8% used 70 hours or more. However, 15% of single parent households in Wales used informal childcare for 70 hour or more per week compared to 6% of two-parent households.
30. Looking at the National Survey Wales for 2018-19, of the 48% of parents using childcare 76% used informal childcare, with around half of those doing so for 10 hours per less per week. In addition to this 7% of parents paid family and friends to provide childcare. Just 18% of people used paid-for nursey / pre-school care.
31. The type of childcare used also varied with the age of the child. 92% of the oldest children (12-14) were looked after by family and friends (unpaid) compared with 73% of the youngest (0-4).
32. It also appears there is a strong usage of informal childcare in Welsh speaking families, linked to transmission of the language.

Unpaid Carers

33. Providing for extended households would also provide confidence to carers to seek informal support from friends and families. Many unpaid carers have chosen to not allow care workers into the home to protect themselves and the person they care for from Covid 19. Carers may also have spent an extended period of time on their own providing care, which may have increased their anxiety, stress, loneliness and fatigue. Social isolation may also have exacerbated existing health issues for both individuals are carers.
34. Allowing a friend or family member from outside the household to provide care and support would bring both practical and emotional benefits. This face-to-face support could be of particular benefit to people with sensory loss or other life limiting conditions and disabilities. Practical support could include help with household tasks, childcare or support to get online and promote digital inclusion.

35. Carers UK undertook an online survey between 3-14 April 2020 on the impact of Covid-19 on carers. Over 5,000 current and former carers across the UK responded, 270 of those were in Wales. While the sample size is small for Wales and findings should be interpreted with a degree of caution, the data suggest that:

- 79% of carers in Wales are now providing more care.
- Carers in Wales are on average are providing 11 additional hours of care a week.
- Over a third (36%) of carers in Wales are providing more care as a result of local services reducing or closing.

36. The report also finds that across the UK 57% of carers say they feel overwhelmed and are worried they are going to burn out in the next few weeks.

Cumulative effect

37. This advice concerns an in principle agreement to consider the proposals for extended households as part of the advice to come forward early next week on lifting the 'stay local' restrictions. This will allow for a view on the cumulative effect and to fully meet the legal requirements for amending the regulations.

Implementation Issues

38. Ministers have also indicated changes to lockdown restrictions to provide for extended households should come into effect from 6 July, in line with the proposed removal of the stay local requirement. If extended households were not permitted at this time, this could lead to a situation where people from Wales are staying in households in England, but cannot host visits the other way around. Continued divergence from this point could be difficult to sustain, whilst maintaining high levels of compliance.

39. Any provision for extended households in Wales will need to be supported by communications that emphasise the need to consider and understand risk, and that encourages and supports compliance with the conditions associated with forming extended households (especially as it is very difficult to enforce). These messages should stress, among other things:

- the need for caution in terms of travelling between households to avoid the spread of the infection;
- the need to consider the implications of establishing an extended household with someone in an occupation who face the greatest risk of exposure to coronavirus;
- that extended household must be limited to the same two households; and
- the need to consider the risks of transmission to shielded groups within that extended household, such as seeking childcare support from older grandparents.

40. Communication resources are stretched thinly, with very limited financial resource for a significant campaign. This is not currently factored into planning and more resources may be required to effectively provide this as a key mitigating factor. Communication was thought to be key to the implementation of the approach in New Zealand

Future lockdown reviews

41. At the last 21 day lockdown review on 18 June Ministers announced a significant easing of lockdown restrictions, including the reopening of non-essential retail and childcare from 22 June alongside the increased operation of schools on 29 June.
42. Ministers indicated that in advance of the next review by 9 July, businesses in the visitor economy and personal care services, like hairdressers, can begin to prepare should conditions be right to make further changes to the regulations. It was also stated that over the coming weeks there will also be detailed discussions with the sector about the options and potential phases for opening the hospitality sector – pubs, cafes, restaurants – under social distancing, if there is a continued reduction in the spread of coronavirus.
43. The Chief Medical Officer has indicated that the ambition of easements at the forthcoming 21 lockdown review may need to be reconsidered in light of any change in transmission caused by the introduction of extended households. This will be closely monitored.

Legal issues, powers and statutory duties

44. Legislative Counsel have advised that care needs to be taken in determining which elements of the policy proposal are to be implemented by regulatory provision and which are to be dealt with in guidance and advice. There is a danger that the rule of law is undermined by creating legislative provision that is unclear, is not enforceable or is not intended to be enforced. This could undermine the recovery strategy more broadly if the public do not regard the regulations as truly enforceable legal requirements.
45. Legislative Counsel are working on the basis that regulatory provision is to be made to allow any two households to agree to become an extended household and to therefore be treated as a single household for the purposes of the regulations.
46. This means that members of an extended household would not be required to be socially distanced when visiting retail premises, places of worship and other places that are now open. An extended household would be able to gather together indoors and would be able to meet with one other household outdoors (and if both households were extended ones there would be 4 households lawfully gathering).
47. Legislative Counsel also assume that legislative provision is required to permit households to only agree to join with another household once. Forming multiple

extended households or forming a second extended household even after the first one has broken down would be unlawful. Consideration will need to be given as to the sanction for breach of these requirements.

48. Further consideration will also need to be given to enforcement. If the new rules are to be enforced it will require police officers to make enquiries of people gathering as to whether they are part of the same (possibly extended) household (for example, if the police have reasonable suspicion that a gathering contains so many people it is unlikely to comprise only of two households, extended or otherwise).
49. The current contact tracing regime is not backed by legal obligations on individuals to record contacts for the purpose of tracing. It is therefore assumed that if extended households are to be requested to keep records for contact tracing purposes that this will be advice and guidance only and will not be a legal requirement. Otherwise it would seem to be at odds with the rest of the test, trace and protect regime. Similarly, it is assumed that where one member of an extended household is symptomatic, the other members will merely be advised to self-isolate (as is currently the case for members of the same household).
50. Further consideration is being given to any equalities law and human rights issues that may arise from the proposal. If necessary, supplementary advice will be provided early next week.

Communications and media handling

51. The communications team will discuss with you the handling of this announcement separately in advance of any decision.

ANNEX 1: ASSURANCE AND COPY RECIPIENTS**CLEARANCE TRACKING**

Aspect	Tracking	Yes	No	N/A	Clearance no.
Finance	Financial implications over £50,000?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Cleared by Group Finance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Cleared by Strategic Budgeting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Cleared by Local Government Finance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Legal	Legal issues?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Cleared by relevant lawyers?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Governance	Novel and contentious issues?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Cleared by Corporate Governance Centre of Excellence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

DIRECTOR, STATEMENT OF ASSURANCE

In clearing this MA, I confirm that I, Simon Brindle, have assured the quality of this advice, ensuring it is provided on the basis of evidence, accurately presents the options and facts and I am accountable for the recommendations made

I am satisfied that the recommended decision or action, if agreed, would be lawful, affordable and comply with all relevant statutory obligations. Welsh Government policy priorities and cross portfolio implications have been fully considered in line with delivery of the government objectives.

I have fully considered the statement of assurance contained in the MA guidance to ensure all relevant considerations have been taken into account and that the actions and decisions take account of regularity, propriety and value for money.

COPY LIST

All mandatory copy recipients for MAs.

Additional copy recipients specifically interested in this advice:

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Annex B**Chief Medical Officer Advice on Extended Households**

In the light of the current medical and scientific knowledge I have advised on the careful easing of restrictions in a sequential and proportionate manner. My recent recommendations have reflected an appreciation that the summer months are a time when we can encourage more outdoor activity; this due to our understanding that the coronavirus survives for a limited time in sunlight particularly in warm, well-ventilated environments.

I remain conscious of the need to enable friends and families to re-connect in a cautious and stepwise manner. You recently announced a first step of allowing family visits beyond five miles when there are compassionate grounds. A next logical step would be to permit two households to form an extended household with the requirement that they keep adequate records in case contact tracing is required. This relaxation will particularly benefit those who live alone, who are isolated or who have care or child care needs. Mental health, isolation and loneliness are concerns I have repeatedly raised and I am also aware of the practical difficulties that many people will face as schools and workplaces return in a phased way over the next few weeks. My opinion is that the proposals for extended households is an acceptable means of allowing the reconnection of families and supporting childcare needs. I **recommend** that this is supported with clear guidance to the public on the need for record keeping and maintaining exclusivity with one other household.

Frank Atherton
Chief Medical Officer
Welsh Government
25th June 2020

Annex C

Living in bubbles during the coronavirus pandemic: insights from New Zealand¹

Executive Summary

A 'bubble' is an exclusive social network. Members of a bubble only have physical contact with each other, limiting their likelihood of exposure to the coronavirus. If anyone in a bubble displays Covid-19 symptoms, then the entire bubble will quarantine itself, thereby containing the spread of contagion and preventing onward transmission of the virus.

New Zealand introduced the concept of the 'bubble' as part of the initial 'Level-4' lockdown it imposed in response to the Covid-19 pandemic. It began as a small exclusive bubble, typically centred on a single household. As transmission slowed, bubbles were permitted to expand and merge in order to meet care and support needs.

The Effectiveness of the New Zealand Policy

- The concept of the 'bubble' proved effective at conveying the necessity of exclusive containment, while foregrounding the importance of mutual care and support that might stretch beyond a single household or home.
- A buddying scheme introduced for people who were particularly isolated and for households with complex care demands was valued by citizens, but had fairly low levels of uptake.
- There was some stigma attached to essential workers, because their bubbles were not exclusive.
- Compliance with bubble regulations has been high, even as bubbles have been allowed to expand.
- Most people only expanded their bubble by merging with one other exclusive bubble; their decisions involved careful attention to both the risk of contagion, and the emotional and care needs of people in their social network.

Recommendations for Policy-makers

- The concept of the bubble could be an effective policy in other countries to encourage compliance with social distancing regulations while meeting care and support needs.
- The most acute care needs should be prioritised when developing a bubble policy, which could be introduced in phases to avoid public backlash and to monitor impacts on coronavirus transmission within communities.
- Particular attention should be given to the range of potential social and care arrangements that might constitute a bubble in any given context when formulating regulations.
- Policies should allow some flexibility for those who need to leave their bubble, those whose bubble breaks down, or those who need to meet multiple care obligations over many months of social distancing.
- Clear guidelines must be published accessibly in multiple languages and promoted in collaboration with community leaders so the population understands regulations surrounding bubble exclusivity and expansion.
- Citizens should be furnished with detailed advice on issues to consider when forming and establishing 'ground-rules' for their bubbles; this will minimise the possibility of misunderstanding or conflict and allow citizens to feel safe and supported.

¹ See Long et al (2020) at <http://eprints.lse.ac.uk/104421/>.

- Strong compassionate messaging around the 'spirit' of the bubble policy – to keep bubble members safe and well – should be paired with guidelines as bubbles are allowed to expand.