

SOCIAL DISTANCING REVIEW

FOR ACTION

ISSUE: Approach to next week's social distancing review

PRIVATE OFFICE COMMENTS: You are already doing much of what is suggested in the submission engagement wise i.e. speaking regularly with FM, dFM and Tánaiste. The main thing would help officials is your steer on whether you are happy with the following principles guiding the NIO's approach [see para 9 of submission]?

- a. *To promote a common approach across all parts of the UK to the review of social distancing measures, based on a common and shared set of data;*
- b. *To allow for a degree of divergence in how measures are lifted should the evidence and rationale support such an approach;*
- c. *To ensure clear messaging to the public in Northern Ireland on both changes to existing measures and the rationale for lifting/not lifting measures; and*
- d. *To ensure close collaboration and coordination with the Northern Ireland Executive and the Irish Government.*

NR

MINISTER OF STATE COMMENTS: All seems sensible but on the tracking and tracing, the real challenge is going to be in seeking any kind of compatibility or mutual recognition with the Irish system and in the absence of this being able to make the case for the NIE to use ours.

It would not be acceptable to unionists to have a solely Irish solution to the track and trace challenge on the island and nor is it likely to be acceptable to nationalists to have access to only a British solution. We will also need to address the issue of whether data monitoring from the app should stop at the border or whether it will continue to work and whether we should seek an agreement with the ROI on allowing one another's data gathering to take place on a cross border basis.

SPECIAL ADVISER COMMENTS:

Isabel - *This looks fine to me from a comms & messaging point of view - ensuring clear comms will be really important in terms of explaining any divergence in approach etc so would hope the comms team are liaising with NIE colleagues on this in the run up to the review.*

Oliver - *Agree with recommendations.*

SECRETARY OF STATE COMMENTS:

Agree with RW comments, we need to manage carefully and ensure an agreed UK approach

To: Secretary of State
Date: 28 April 2020
Deadline: Urgent

COVID-19: APPROACH TO THE REVIEW ON SOCIAL DISTANCING MEASURES

ISSUE: The UK Government is due to review its approach to social distancing measures week commencing 04 May, and the Northern Ireland Executive must by 09 May 2020. Particular risks exist subject to when and how measures are relaxed, particularly if approach varies in different parts of the UK or in Ireland. Agreement on approach is sought.

RECOMMENDATION: That you:

- **Agree** the principles on which to base approach [para 9];
- **Agree** the next steps [para 10], namely:

That you [Secretary of State] should continue engagement with:

- The First Minister and Deputy First Minister to promote a common approach to the review point and collaborative working.
- The Tánaiste to promote a coordinated and transparent approach, emphasising the need to mitigate any risks linked to a divergent approach.

That officials should:

- Lean into Cabinet Office led meetings with all of the Devolved Administrations to ensure a common and shared approach to the use of data;
- Ensure DHSC works with the Department of Health on the possible extension of the Track and Trace app to Northern Ireland, noting that Ireland is developing a separate app, with a view to agreeing an approach that best supports the needs and circumstances of people in Northern Ireland.
- Engage with the Irish Government on the development of their app.
- Ensure clear comms on the result of the social distancing review on 09 May, to include an explanation of the rationale for approach both for where there is a change and where there is not.

From:

NR

Sent to SpAds: 28 April 2020

Clearing SCS: Rebecca Nugent

Additional materials: N/A

Clearing lawyer: N/A

BACKGROUND

1. The UK Government is statutorily required to review whether existing social distancing measures are working, based on expert advice, every three weeks. The next review point for the UK is week commencing 04 May. In Northern Ireland the review is due by 09 May. Social distancing measures have been in place across the UK since 23 March. Each government is responsible for determining its own approach. The power to enforce the measures is provided by the Coronavirus Act. The UK's approach is broadly aligned with that in Ireland, though noting that Irish measures were introduced slightly earlier on 12 March.
2. The UK Government has set out five tests against which approach to the easing of lock down measures will be considered:
 - Protecting the NHS's ability to cope;
 - Evidence of a sustained and consistent fall in the daily death rate to provide confidence that we have moved beyond the peak;
 - Reliable data from SAGE showing the rate of infection is decreasing to manageable levels across the board;
 - Confidence that the range of operational challenges including testing capacity and PPE are gripped and able to meet future demand; and
 - Confidence that any adjustments to the current measures will not risk a second peak of infections that overwhelm the NHS.

DETAIL

3. Approach to the easing of social distancing measures has two dimensions: when the measures should be lifted; and how. In the run-up to the review point, there is appetite across the Devolved Administrations for a common approach. The Cabinet Office is encouraging collaboration. As a minimum, each government is keen to base its approach on a common set of issues and data. Work is ongoing to ensure a common understanding of what data sets are being considered by each government, whether they are available to all (with a strong preference that they should be) and where any gaps are. There is a shared focus on the scientific and public health criteria to be met.
4. Recent official level engagement with all of the devolved administrations indicates that it is unlikely that any government will look to lift the measures as a result of the review.

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The Northern Ireland Executive is in a similar space. While there is a range of views across the five parties, the overall approach being taken is described as 'cautious'.

5. Therefore, focus in the run-up to the review point is on ensuring a clear and compelling rationale for approach and on developing a sense of which options might be available and when to support a gradual release of the measures. The Prime Minister has been clear that any lifting of measures should not be framed as a zero sum trade-off between health and the economy - if it goes wrong on health then it is also wrong for the economy, and vice versa.
6. There is no fixed view on what a 'gradual' release could look like but it could be by region, by sector, by economic area, or by group. For example, the Scottish Government is considering a set of categories: changes to advice about visiting other households; changes to advice about staying at home; changes affecting businesses who have been subject to closure and restrictions. Wider policy and tools will be instrumental in supporting and shaping approach. The development of a Track and Trace app, led by DHSC, is a good example of this. While engagement with the devolved administrations is yet to take place, the Executive has indicated that they are interested in participation. The First Minister reaffirmed her support for participation in the app during her discussion with you today (28 April).
7. The Northern Ireland Executive's thinking is not as far developed as that in Scotland and Wales but is broadly heading in the same direction with preference for a gradual approach. They are considering a set of widening concentric circles, with 'easy' measures that could be taken to maintain public support at the centre, broadening out into a spectrum of options, ranging from modest relaxation measures to those impacting more groups. Instinctively, they are likely to align with the UKG approach as long as this does not go against that being taken in Ireland.
8. The greatest risks to Northern Ireland are linked to the extent to which approach throughout the UK and with Ireland diverges. Experience in March linked to the introduction of social distancing, in particular the timing of school closures, demonstrates the need to ensure a coordinated and collaborative approach across these islands. For their part, the Irish Government has said that a plan setting out steps to reopen the Irish economy and society will be shared with the public before 5 May. It will be a staggered approach, to be reviewed every 2-3 weeks to take into account: if the rate of increase in the virus is improving; if hospitals have the capacity to deal with any surge if things go wrong; and if there is testing and contact tracing in place. They have said that they will discuss any proposals with the Northern Ireland Executive.
9. In light of the above, it is proposed that our approach to these issues (see Next Steps) should be based on the following principles:
 - To promote a common approach across all parts of the UK to the review of social distancing measures, based on a common and shared set of data;
 - To allow for a degree of divergence in how measures are lifted should the evidence and rationale support such an approach;

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- To ensure clear messaging to the public in Northern Ireland on both changes to existing measures and the rationale for lifting/not lifting measures; and
- To ensure close collaboration and coordination with the Northern Ireland Executive and the Irish Government.

Do you agree with these principles?

NEXT STEPS

10. To support preparations for and delivery of what is agreed at the 09 May review point, we recommend the following:

- That you [Secretary of State] should continue engagement with:
 - The First Minister and Deputy First Minister to promote a common approach to the review point and collaborative working. This is included in the briefing for your meeting on 28 April 2020;
 - The Tánaiste to promote a coordinated and transparent approach, emphasising the need to mitigate any risks linked to a divergent approach.

Officials will work with your office and the Engagement team to identify and create additional opportunities as required.

- That officials should:
 - Lean into Cabinet Office led meetings with all of the Devolved Administrations to ensure a common and shared approach to the use of data;
 - Ensure DHSC works with the Department of Health on the possible extension of the Track and Trace app to Northern Ireland, noting that Ireland is developing a separate app, with a view to agreeing an approach that best supports the needs and circumstances of people in Northern Ireland;
 - Engage with the Irish Government on the development of their app; and
 - Ensure clear comms on the result of the social distancing review on 09 May, to include an explanation of the rationale for approach both for where there is a change and where there is not.

COPY LIST: Minister Walker; PUS; Director General; Directors; Deputy Directors; Covid Preparedness Team, Covid Economy Team, Covid Policy team