

TITLE/ORGANISATION	TEO – DoH Removal of Restrictions
VENUE:	Zoom
DATE/TIME:	Tuesday 1 February 2022 @ 9am
List of Attendees:	<div> <div>Karen Pearson</div> <div>Jane Holmes</div> <div>NR</div> <div>Chris Stewart</div> <div>David Hughes</div> <div>Nigel McMahon</div> <div>NR</div> </div>
Apologies:	
KEY POINTS DISCUSSED: <p>Jane gave introduction and outlined the purpose of the meeting – to look at doing a review of the current regulations and guidance that are currently in place. Decisions need to be made and advice passed to Ministers on if regulations need to remain and what will they look like, also what needs to remain in guidance. Options on sunset clauses to also be discussed. Minister Swann wishing to keep the ability to making bring in emergency regulations, extension to September to be review.</p> <p>Ministers will ask what the fall-back position is if required.</p> <p>Significant input required from CMO/CSA to draft paper.</p> <p>Chris – Minister Swann worried about political backdraft, if not permitted an extension after September we maybe in a position of not having fall back. Extend provisions of Coronavirus Act until primary legislation is complete.</p> <p>Nigel – Scotland in process of making legislation but also seeking extension of the Coronavirus Act, six months prescribed in act, can extend for as many periods of six months as you wish. England would prefer this didn't happen. Not to be used as a longer term solution but logistics and resources also mentioned. England closes after march and they do not have any political steer on where the Gov want to go.</p> <p>Karen – Cabinet meetings a number of times a week, is it helpful if I flag the need for strategic discussion?</p> <p>Nigel – separate Coronavirus group meet and we have had lots of requests for input, they are aware of the position we are in. DHSE often kept in the dark redirection of travel. Discussions on going on the position.</p>	

Chris – worth mentioning, however we may be in a uniquely challenging position due to elections and a settled UK wide momentum without legislation in place.

Karen – mentioned health regime around testing and self-isolation, we are pressing UKG about conversations on these. Rebuttable presumption that regulations have to go for this conversation?

Nigel – keeping powers, if we don't have an executive we would not be able to make amendments to regulations. No restrictions, consistency across Scot and Wales for base line restrictions to be reviewed on 10 February and I get sense they will retain something.

Jane – meetings on-going with Scotland and Wales.

Chris – discussion around what takes place when there is no Executive in place.

Karen – Risk of what can take place in a public health situation. We need to iron this out and note a sweep of options. If noted as a cross cutting manner then Minister for Health has no power.

Chris – Cross cutting decisions discussed.

Karen – giving guidance and shutting down sectors, different levels for Minister Swann and may place him in a difficult situation.

Chris – Health and Safety Legislation can be utilised in considerable risk situations.

Karen – if we move from regulations then we need very strong public health advice in guidance. Right behaviours and guidance focused on safe behaviours would be an option. How quickly can we move away from regulatory position to guidance?

David – could be drafted this afternoon if moving away from all, but can become complicated and can take time as you need to determine that what you have left in place. Dormant regulations are not the norm but it is something that we can consider. May be difficult to get political agreement.

Commencement order discussed.

Karen - Would Minister Swann feel comfortable commencing something based on emergency scenarios discussed within the Executive? How do we get this conversation going in a way that is politically comfortable for him? Asking if they can leave some tools in place to allow the reinstatement of some powers. Could this conversation be generated outside of the Executive? What date would we aim for to make this neat and clear?

Nigel – everyone discussing 10 February

Chris – is there any speculation on what Scot and Wales might do to allow us to have some drafts up our sleeves.

Karen – Can we bring meetings with Scot and Wales forward from Thursday to get an insight into their direction. This would allow David and Co to start commencement on

drafts. We need a separate conversation about face coverings as this is the one that is most likely to be retained.

Chris – discussion around consolidated regulations and set a date 2-3 weeks ahead for introduction. Might be useful to send a message that we are removing the big legislation and introducing a small nugget of legislation.

Karen – is there an option for a rough draft and then tidy up later?

David – consolidated regulations process discussed, this may help towards extension order also.

Karen – how do we get in front of CMO/CSA?

NR table detailing what is left in the regulations for CMO/CSA to view.

Jane – this table to be sent to Chris, David and Nigel to QA. ACTION

Karen – what is the quickest way of commencing political conversations on this and are we aiming on getting in front of the assembly, Chris McNabb to be communicated with re comms. ACTION

NR discussion on guidance information. Key core guidance noted.

Karen – Executive will want to know the core message, guidance consistent with Exec decisions and it may take a while to tidy up. Departmental priority. Outlined guidance and Public health advice to be front and centre.

David – DoH guidance on their website, is this the time to get rid? As it is better outlined on NIDirect.

Karen – tension around this, if this could occur without political argument to streamline and reduce pressures.

Discussion around the information held on departmental websites.

Nigel – baseline measures for Scot and Wales to be reviewed on 10 February discussed. Face coverings, regard to guidance, reasonable measures, customer information and covid cert scheme.

Karen – important to name track and trace.

Recap

NR tidy table and circulated to group. Then share with CMO/CSA. Meeting to be set up to discuss further with DoH? And seek feedback from CMO/CSA.

Ask CMO/CSA if they are content to remove all regulations? Executive want to consider a nothing left approach, what is your advice on this? Or Leave ABC in place, what is your advice on this?

Chris, Nigel and David to have conversation with CMO/CSA prior to drafting of paper and with sight of the table drafted by Marie.

Proposition one – option of everything going.

Karen – Jane Brady will want to build in pre-discussions with Nicola and Naomi as well as post executive sectoral engagement as this has previously been very successful in reaching out to let people know. Are we going to end up in front of the assembly? Engage with private offices on this. ACTION

Jane and **NR** outlined the longer term plan from pandemic into endemic 'living with covid'. Public facing document preparations for document to ECT by 22 February, update to be given tomorrow morning and then one to one meetings with departments. Very much dependent on the decisions made on 10 February.

Could be an Executive on 3 March, request to be escalated to Jane Brady. ACTION

Health input required for this document, should be mentioned to CMO/CSA to discuss testing and the role it will play. Fall back strategy also to be included. ACTION

Jane – reasonably regular meetings of this group would be helpful especially after CMO/CSA advice has been received.

Karen – share useful information from Sue Gray meeting today if applicable.

Chris – discussion around capacity to build a bridge towards a more substantive approach, legislation hub to be commenced in DoH in a sustainable manner.

Jane – lessons learned exercise? When to do and if this is a good approach?

Public inquiry will identify errors, Liz Redmond doing lessons learned aspiration, future pandemic planning underway. CDWG workshops on what we wanted to do. This may be the pathway to outline the way forward for lessons learned.

Chris – how executive can deal with cross cutting issues should also be incorporated, clear DoH lead on public health mechanisms not TEO lead with the exclusion of everyone else. This is a good model to move forward with.

Karen – model to be designed into CDWG and voice it during meeting tomorrow (Wednesday).

Nigel – concern on how long this would take. OLC did questionnaire following introduction of Coronavirus Act, input from all departmental officials on how they felt and the time but it might now be an opportunity to carry out a similar exercise.

Karen – lessons learned to be done in real time. This needs to be done now with CDWG. ACTION

Meeting closed by Karen.

ACTION POINTS/OFFICIAL RESPONSIBLE/TARGET DATE:

- Action 1 – Flag during Cabinet Office the need for a strategic discussion on seeking and extension of the Coronavirus Act to allow for alternative draft legislation – Karen Pearson
- Action 2 - Seek to bring forward meetings with Scotland and Wales to discuss the direction they are taking. – Jane Holmes
- Action 3 – Finalise table of remaining restrictions/regulations and share with David, Nigel and Chris for Quality Assurance - **NR**
- Action 4 – Arrange secondary meeting with DoH colleagues to discuss their feedback on the table of restrictions – **NR**
- Action 5 – Communicate finalised table with CMO/CSA and seek feedback on the options of (a) removal of all regulations or (b) removal of some regulations – DoH
- Action 6 – Engage with Private Offices to secure pre-meet with Nicola and Naomi, post-executive sectoral engagement and determine if there will be a requirement for an oral statement in front of the assembly. – TEO
- Action 7 – Communicate with Jayne Brady to determine if there will be a meeting of the Executive on 3 February – TEO
- Action 8 – liaise with CMO/CSA to seek input on the testing regime for a fall back scenario and the role this will play in future legislation. – DoH
- Action 9 – incorporate the need for lessons learned action into the CDWG meetings to ensure lessons are recorded in real time. TEO

Minutes written by:**NR****Date:**

01 February 2022