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MEMORANDUM E (21) 177 (C)

**FROM: FIRST MINISTER
DEPUTY FIRST MINISTER**

DATE: 6 SEPTEMBER 2021

TO: EXECUTIVE COLLEAGUES

FINAL EXECUTIVE PAPER: COVID 19 - Ratification of Relaxation of Decisions: domestic settings indoors, house parties, raves, night clubs, hospitality, face coverings, working from home, socially distance, live music/dancing, risk assessments

Introduction

1. At the Executive's meeting on 12 August, it was agreed that the following remaining restrictions would be considered for relaxation.
2. This paper sets out advice from Department of Health, CMO and CSA on the remaining relaxations (Annex A).

General advice and overview, CMO and CSA

3. As summarised in the R paper, case numbers are falling slowly, and hospital admissions are plateaued or rising at present. COVID prevalence is at an all-time high according to the ongoing ONS survey (1 in 40 infected). The vaccination programme has weakened the link with severe illness requiring hospital admission, but hospital pressures will still be considerable when prevalence is high, especially as there is increasing evidence of waning immunity after either natural infection or vaccination. Furthermore, as discussed in the R paper, adult vaccination remains lower in NI than elsewhere.

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4. Modelling suggests a fall in cases following a late August peak, followed by a significant increase from mid-September due to the return of schools and Universities. Any incentives to increased mixing in the hospitality or retail sectors may also contribute to an increase in transmission. Better adherence and enforcement to current restrictions and guidance would be of benefit.
5. Overall, there is likely to be a further increase in hospital pressures in the second half of September and October from a high baseline. At present, NI COVID bed occupancy is around 50% of the previous winter peak, while the rest of the CTA is at less than 20%. Any further relaxations in restrictions will exacerbate this, as will waning immunity.
6. Currently, the hospital sector and other parts of HSC are under severe pressure, with prolonged ED waiting times and cancellation of significant volumes of elective surgery, including some complex time critical surgery. Some scenarios indicate that the hospital system will be at risk of becoming overwhelmed in October, and we cannot exclude the possibility that it will be necessary for the Executive to consider the re-imposition of some restrictions.

Behavioural Science Advice

7. The Behavioural Science team have stated that their previous advice, attached again at Annex b for ease of reference, still applies and emphasised that - *Any decision on what aspects of social distancing or face covering wearing should be mandated or not, must be based on an epidemiological understanding of the pandemic's future trajectory*, emphasising that it is important to prevent re-introducing behaviours that are currently habitual (e.g. face covering wearing).

Departmental responses

8. **DfC** - Financial modelling has shown that our theatres/seated venues need approximately 70% occupancy to break even and to attract large events/shows. In many venues a 1m social distancing requirement only allows for approximately 25% occupancy. This, coupled with the need for additional operational staff to help ensure the safety of audiences and staff, is leading to the

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potential for bankruptcy and/or redundancies (particularly with furlough ending) should 1m requirements continue. This is further compounded by the restrictions on hospitality, a key revenue stream for many venues. The restrictions on movement in licensed premises has meant that some venues are still unable to generate any income from hospitality. The upcoming peak season sustains the sector through normally quieter periods. International and UK wide tours/events will proceed with NI excluded and there will likely be no opportunity to reschedule which leads to longer term risks of NI simply being removed from the schedules.

9. In economic terms the Arts Council has reported that its annually funded organisations received income of £50.2m in 2019/20, with a 75% reduction experienced in 2020/21. The Millennium Forum is facing a deficit of approximately I&S by year end, increasing by 5%-7% per week with the ending of furlough, and the Lyric Theatre I&S per month, increasing by I&S on reopening, should 1m social distancing requirements persist.
10. From a sporting perspective the Belfast Giants begin the 2021/22 Elite Ice Hockey League on 25 September with the first home game in the SSE Arena scheduled on Friday 1 October. In order to participate this year, they have had to recruit their team with players starting to arrive in early September. Significant money has already been spent on work permits, visas, flights, apartments, league fees etc. and, from the middle of September, they will incur approximately I&S a month in players' salaries. The current position on social distancing will impact the viability of their opening events, inclusive of the Giants' home fixtures for the upcoming season.
11. These organisations all have robust proposals and Covid compliant mitigations in place to reduce the risks associated with attending their venues. The social impact of not removing the requirement is a loss to us all.
12. **DfE** - Social distancing is having an impact on the viability of many tourism and hospitality businesses as they are operating well below their normal capacity. Any movement to remove this restriction would be warmly welcomed.
13. The current requirement for table service is not sustainable; it requires additional staff to implement and many venues such as non-food pubs have had to alter

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their business model to adhere to it. Any options to ease this mitigation and enabling business to return to normal operations would go some way to enable business to recover.

14. Hospitality venues would also like to see the return of live music and dancing. The current limit on volume is just not workable. CMO/CSA have noted that no evidential basis has been provided for this opinion.

15. Minister Lyons has written to Executive Colleagues on the 20 August with regards to working from home.

Recommendations

16. The Executive is invited to:

- Consider proposed relaxations in the light of the advice from Department of Health, CMO and CSA; and
- Reach decisions on the issues set out in the attached table.

**PAUL GIVAN MLA
FIRST MINISTER**

**MICHELLE O'NEILL MLA
DEPUTY FIRST MINISTER**

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ANNEX A – RELAXATIONS FOR DECISION ON 6 SEPTEMBER

Number	Proposal	CMO CSA Advice
1.	<p>Domestic Setting Indoors – Currently 10 from 3.</p> <p>Proposal – Move to 15 from 4</p>	<p>In light of the current situation as highlighted in the R paper and above, it would be better to retain current restrictions at present until case numbers and hospital inpatients fall. If further relaxation is desired, some limit should be maintained to avoid excessive and uncontrolled household gatherings.</p> <p>Risks could be somewhat reduced by keeping windows open and use of face coverings.</p>
2.	Remove the ban on large house parties indoors from the regulations (over 30 people) – linked to 1.	Not advised – high risk
3.	Remove ban on raves - indoor parties of more than 30 set to pulsing music	Not advised – high risk
4.	<p>Withdraw messaging to work from home Note Separate paper coming. Replace with a message on preparing to return to the workplace, proposed wording</p> <p>Flexible working</p> <p>The removal of restrictions more generally has meant a return to the workplace for many sectors. Other employers will be considering the risk within their workplaces and planning a gradual return to the office or other place of work for employees.</p> <p>Working from home, where appropriate and possible, will continue to be an important mitigation for controlling the spread of COVID-19 as it reduces the movement and contact of people.</p> <p>Where practical, employers are encouraged to facilitate flexible working practices based on discussions with their</p>	<p>In light of the current situation as highlighted in the R paper and above, it would be better to retain current guidance at present until case numbers and hospital inpatients fall.</p> <p>A return to work will be associated not only with increased interactions in the workplace but also with increased interactions on transport, and in shops and hospitality sectors.</p> <p>It would be reasonable now to initiate discussions around future working patterns and to plan for</p>

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	<p>staff and unions where appropriate. This may mean more of a hybrid approach to work, allowing both home and office-based working. As businesses work towards a return to the workplace, employers must complete a mandatory risk assessment and decide what mitigations are required. Some employers may have introduced regular COVID-19 testing for employees as part of these measures.</p> <p>Staggered office hours or a mixture of commuting and non-commuting days are mitigations that ease pressure on rush hour traffic and public transport, thereby further reducing risks of COVID-19 transmission.</p> <p>Employers, businesses and organisations should maintain or develop effective processes to manage outbreaks in a workplace or public setting as part of their COVID-19 risk assessments.</p>	<p>maximum mitigations following a return to the workplace, including the appropriate use of regular LFTs, face coverings, ventilation, social distancing, cleaning protocols etc. When a return to the workplace is required or necessary, careful attention should be paid to the use of such mitigations.</p>
5.	Hospitality	<p>In light of the current situation as highlighted in the R paper and above, it would be better to retain current restrictions at present until case numbers and hospital inpatients fall.</p> <p>If relaxation is desired, limiting entry to those with double vaccination and a negative LFT (optimal), a negative LFT (preferably observed) or a positive PCR in the preceding six months would mitigate risk.</p> <p>Every available option to improve ventilation should be utilised.</p>
Proposals	<p>a) Remove the need for table service – (this taken alone would allow people to order from the bar, but still require them to be seated for consumption.)</p>	<p>Agreed for outdoors.</p> <p>Risks indoors greater but agreed if regulated queuing, use of face coverings and</p>

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		requirement for seated consumption.
	b) Remove the ban on people moving around the premises and enable people to stand to consume food/drink.	Agreed for outdoors. Not advised for indoors at present.
	c) Allow movement and standing to play pool, darts, use gambling machines etc. only, to allow income from those services to return.	Risk less than allowing standing to consume food and drink. Face coverings should be required.
6.	Music and Dancing	
Proposals	a) For indoor, live-performance events (concerts & gigs) remove the requirement for ticketed entry purchased in advance.	Yes with details of all attendees to be recorded and other mitigations in place. Limiting entry to those with double vaccination, a negative LFT or positive PCR in the preceding six months would mitigate risk. See above at 5 for detail on vaccination and testing mitigations:
	b) For indoor, live-performance events (concerts & gigs) remove the requirement for audience members to have allocated seats. (Linked to 8)	Yes, but all should still be seated. Limiting entry to those with double vaccination, a negative LFT or positive PCR in the preceding six months would mitigate risk.

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		See above at 5 for detail on vaccination and testing mitigations.
	c) Remove the current restriction of live music to background or ambient levels in venues where that restriction currently applies.	Will increase risk by encouraging louder speaking and closer interactions.
	d) Remove the restrictions on dancing in indoor settings insofar as they relate to post marriage and civil partnership celebrations. <i>(Note – if this relaxation is agreed it may be appropriate to agree a comparable adjustment to item 6(c) above to allow music at other than ambient level for post marriage and civil partnership celebrations)</i>	Removal of restrictions on post marriage and civil partnership celebrations only would be associated with less total risk, solely because the number of events would be smaller. Individual events themselves would be associated with similar or greater risks than other types of event in indoor hospitality settings.
7.	Move use of face coverings from regulations to guidance entirely .	Not recommended. Effectiveness of face coverings rapidly drops off in a non-linear fashion as the percentage on non-users increases. Survey data indicate that a move to guidance would lead around 30% of individuals to stop using face coverings, which would reduce effectiveness by much more than 30%.
8.	Social distancing To move requirement for social distancing from regulations to guidance for the settings detailed below.	In light of the current situation as highlighted in the R paper and above, it would be better to retain current restrictions at present until case numbers and hospital inpatients fall. Individual settings are discussed below.

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	<p>a) Seated indoor venues – e.g. theatres, concert halls and indoor venues, when used for the purpose of a performance (inc. sports), recording or rehearsal; and venues used for the purposes of a conference or exhibition. As well as bingo halls and cinemas.</p>	<p>Of the various settings considered, risk moderate in these due to nature of interactions. Details of all attendees should be recorded, ventilation maximised and face coverings required.</p> <p>Limiting entry to those with double vaccination, a negative LFT or positive PCR in the preceding six months would mitigate risk and is strongly recommended if SD requirement is dropped.</p> <p>See above at 5 for detail on vaccination and testing mitigations</p>
	<p>b) indoor attractions including an amusement arcade, a museum, a gallery.</p>	<p>Of the various settings considered, risk low in a museum or gallery due to nature of interactions (although likely to be higher during a crowded opening).</p> <p>Risk higher in an amusement arcade.</p> <p>Ventilation should be maximised and face coverings required.</p>
	<p>c) Shops and enclosed shopping centres.</p>	<p>Of the various settings considered, risk moderate in these due to nature of interactions.</p> <p>Ventilation should be maximised and face coverings required.</p>

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9.	Remove the requirement to collect and retain visitor information from regulations	Not recommended at this time
10.	Nightclubs permitted to reopen – (linked to 6&8)	Not recommended at this time
11.	Risk Assessments - remove requirement from Regs	Not recommended at this time

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Behavioural considerations when transitioning from regulations to guidance



Executive Summary

This paper was written by The Behavioural Insights Team and iLab to support TEO when considering moving from regulations to guidance.

Key Considerations

Below we summarise the key considerations when moving from an environment of regulation to one of guidance and factors that are likely to influence compliance. Additional details and examples of policy and communication approaches are included within each section.

- **Policy decisions should be guided by epidemiological models that establish what level of compliance is “good enough”.** If a high level of compliance (e.g. >80%) with non-pharmaceutical interventions (NPIs) such as face coverings or social distancing is required to control transmission of the virus, then guidance may not be sufficient and regulations in some settings may be required.
- **Compliance with face coverings will likely drop when regulations change to guidance.** Face covering rates on public transport in England dropped by 26% in the week before and in the weeks after regulations changed to guidance.

Factors influencing compliance

- **How well guidance is communicated.** The clarity of guidance will influence the extent to which people comply. This is particularly important given that noise from ROI's and England's different policy approaches may add additional confusion.
- **Environmental cues.** Decisions on what is safe or what precautions to take are influenced by environmental cues (e.g., if we don't need to wear masks, it must be safe to not wear a mask). The effect of any environmental cues in Northern Ireland (e.g., mandation of face masks in certain settings) may be affected by noise from neighbouring jurisdictions.
- **People's understanding of COVID-19 transmission.** For guidance to be successful, individuals must be able to make informed decisions about the risk of activities and the effectiveness of protective behaviours. With polling indicating some confusion around vaccine effectiveness and efficacy of NPIs, public information campaigns should also aim to address these misconceptions.

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Recommendations for communicating guidance

- **Messaging must be targeted, clear and use easy rules of thumb.** For example, use action-oriented “if then” rules that encourage specific behaviour (e.g., “wear a mask covering if you’re on public transport”)
- **Focus on low-burden behaviours.** Capitalising on “low burden” behaviours - those in which some social habits have already been established (e.g., mask wearing) - may support efforts to reduce Ro.
- **Improve understanding of COVID-19.** If we expect people to continue to engage with NPIs, it is necessary for them to understand when and why they are necessary.

Current Context

The table below sets out the different policies adopted by England and the Republic of Ireland in relation to face coverings.

	England	Northern Ireland	Republic of Ireland
Face covering rules	From 19th July, the legal requirement to wear a face covering has been lifted, but people will be advised to continue to wear one in enclosed and crowded settings	Mandatory on public transport and in indoor public settings and hospitality, with exceptions including places of worship and for those eating, drinking or exercising or when seated at a table.	Mandatory on public transport and in indoor public settings, with exceptions for sit-in restaurants and cafes.
Face covering behaviour - public transport	Face covering rates ¹ dropped 26% on commuter rail journeys from the 12th to the 24th of July, from 92% to 68%.	Face covering rates ² dropped 11.5% from May to end of July on NI public transport, from 96% to 85%.	N/A
Face covering behaviours- retail and other	N/A	Anecdotal estimates ³ put compliance in major retail settings between 70 - 90%. However, compliance in inner city convenience stores is estimated to be around 50% and dropping.	Despite no changes to the regulations on face coverings, there has been a steady increase in the percentage of self-reported direct contacts occurring without face coverings in all settings, from 12% in April '21 to 30% at the end of July '21 ⁴ .

The key consideration is that any Northern Ireland policy changes may be affected by noise from two different approaches to the next stage of the pandemic: the Republic of Ireland, where more

¹ Cabinet Office Dashboard: Behaviours - Self reported and observed mask wearing. Accessed 09/08/21

² Translink/DfI correspondence 03.08.21

³ Retail NI and FSB; email correspondence

⁴ [Social Activity Measure Wave 13](#), Slide 7: Close Contacts with No Masks

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stringent measures on certification and NPIs remain, and England which has some of the most relaxed restrictions in the world.⁵

Key Framing: decisions on regulation or guidance should be based on epidemiological models that establish what level of compliance is “good enough”

Any decision on what aspects of social distancing or mask wearing should be mandated or not must be based on an epidemiological understanding of the pandemic’s future trajectory.

With vaccination levels in Northern Ireland at 84.2% for adults, modelling might enable the Executive to understand what threshold NPI compliance must reach in order to support efforts to control the spread of the virus.

To illustrate this point, we outline two high-level ways in which different modelling scenarios would affect any shift from regulation to guidance:

1. **A low level of compliance (e.g., 30% sustained mask wearing) was enough to control transmission:** with existing levels of adherence to wearing facemasks, guidance - with a supporting communications campaign - may be sufficient to reach this threshold.
2. **A high level of compliance (80-90% sustained mask wearing) is required to control transmission:** guidance is likely to be insufficient and so regulations (e.g., mask wearing in certain settings) should be considered.

As an example of the potential change in compliance a shift to guidance might cause, data from England indicates compliance with mask wearing on public transport could drop by 26% at a minimum after a move to guidance. If the same trajectory followed for Northern Ireland, this would result in a drop in compliance from 85% to 63% in the first weeks after the change.

Factors influencing compliance with guidance

How well the guidance is communicated

The extent to which individuals will follow guidance will depend on the clarity and transparency with which it is communicated.

In November 2020 when three COVID-19 alert levels with specific rules were introduced, BIT ran an online experiment to test public understanding of guidance. It found that whilst most people understood their local alert level (e.g., medium, high, very high) and basic rules, the tier specific rules (e.g., on childcare or staying overnight) were less well understood.

Ensuring clarity of guidance will be particularly important given the likelihood that the different approaches pursued in ROI and England will generate additional noise and risk further confusion.

⁵ [Stringency Index, Our World in Data](#)

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Environmental cues available

BIT has consistently found that individuals use the current restrictions in place to determine what is safe/unsafe and what they should/not do (BIT, November 2020). Current restrictions had a much greater effect on people's risk decision-making than the proportion of the population who were vaccinated.

Whilst lockdown restrictions are the most powerful environmental cues, face masks may serve a similar function. Scotland's and Wales' decision to remove most restrictions but to continue to mandate masks on public transport and in indoor settings (except when sitting at table) provide a useful example. As a low burden behaviour with relatively high pre-existing compliance, requiring mask wearing in spaces where mandation is enforceable and seems reasonable (because they are crowded, confined and involve close-contact) acts as a "secondary signal" of risk that may promote other health protective behaviours, such as social distancing.

Understanding of how COVID-19 spreads and what precautions can mitigate spread

The move from regulation to guidance will require individuals to make an individual risk assessment of activities and the precautions required to mitigate transmission risks.

BIT's online experiment in May 2021 found that people broadly understand that being outside is safer than being inside, but underestimate *by how much*. It also found that people correctly understood that vaccination and facemasks were the most effective way to reduce transmission, but misunderstood vaccine efficacy: 1 in 4 incorrectly believed that vaccines offered strong protection from COVID-19 within a few days, rising to 4 in 10 among young people.

Previous (Jan-May 2021) suggests that a small number of people (5%) believed that people who have had a COVID-19 vaccine do not need to social distance or comply with NPIs, and 6% believed they don't have to social distance or comply with NPIs now that now older age groups have been vaccinated. Further findings were that 60% of people still believed that not enough people are wearing face masks, social distancing, and washing hands.⁶ We recommend monitoring these numbers to observe any changes since more of the population has been vaccinated and as we move from regulation to guidance.

Supplementing these findings is recent findings from the biweekly TEO Ipsos poll⁷ showing that despite high vaccination rates, 38% of people said they feel most at risk when others aren't wearing masks.

In the move from guidance to regulation, ensuring the public has an accurate understanding of risk and mitigation strategies and how their behaviour affects others perceived safety will be critical to maintaining compliance.

⁶ PHA Report, May 2021 (n=1000)

⁷ Report 1_Ipsos_COVID-19 topics_Wave 2_30 Jun to 14 Jul 2021, Slide 38

Recommendations to increase compliance under a guidance-based scenario

1. Messaging must be targeted and clear, with easy “rules of thumb”

With the different regulation and guidance frameworks in ROI and England at risk of confusing any changes in NI, it will be vital that guidance is targeted and clear.

One way to simplify communication is to create action-oriented “if then” rules that encourage specific behaviour. Figure 1 shows “if then” instructions for self-isolation, and this could be replicated for social distancing or mask wearing (e.g., “wear a mask covering if you’re on public transport”).



Figure 1. If-then comms

2. Focus on “low burden” behaviours

Capitalising on “low burden” behaviours - those in which some social habits have already been established (e.g., mask wearing) - may support efforts to reduce Ro. Low-burden behaviours will still require some support, including visual prompts (e.g., signs in shops) or providing free masks at crowded venues.

For these behaviours, it may be better to aim for a higher compliance in certain environments (e.g., 90% on public transport) than lower compliance in a wider range of scenarios.

3. Improve understanding of COVID-19 to encourage compliance with guidance.

If we expect people to continue to engage with NPIs, it is necessary for them to understand **when and why** they are necessary. For example, if people believe that the virus is primarily prevented by washing hands regularly (i.e., fomite transmission) they may fail to meet outdoors or wear face coverings. This will be particularly important given the risk of possible danger of [“risk compensation”](#), an effect which might mean that people who are vaccinated feel free to engage in other “risky behaviours” such as not wearing a face mask.

Potential ways to improve understanding of COVID-19 could include:

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- Using the [Swiss Cheese Model](#) to promote understanding that a **combination of precautions** (e.g., vaccination social distancing and mask-wearing) are necessary to reduce spread.
- Rules of thumb, such as the three C's which Japan uses to help people assess how risky a situation is (Figure 2)
- Using [localised data](#), such as this COVID-19 risk map, to help people understand the risk of coming into contact with someone who is infectious.
- Improving understanding of how COVID-19 is transmitted through a public health campaign (e.g., this [WHO video](#)).

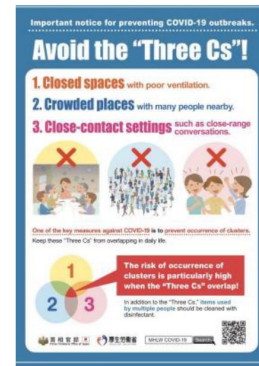


Figure 2. The Three Cs

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Comparison of SD, WFH and Face covering requirements across the CTA

SUMMARY			
	Social Distancing	Working from Home	Face Coverings
Northern Ireland	<ul style="list-style-type: none"> • Indoor - 1m for hospitality, shopping, indoor venues / events, 2m other locations. • Outdoor – guidance only 	<ul style="list-style-type: none"> • If you can work from home, you should. 	<ul style="list-style-type: none"> • Face coverings required in all indoor public spaces and public transport, inc taxis • Use for places of worship moved to guidance only
Scotland	<ul style="list-style-type: none"> • No legal requirement • Continue to follow advice and keep distance if you can. 	<ul style="list-style-type: none"> • Working from home, where appropriate and possible, will continue to be an important mitigation for controlling the virus • Encouraging employers to facilitate flexible working practices. • Employers, businesses and organisations should maintain or develop effective processes to manage outbreaks in a workplace or public setting as part of their COVID-19 risk assessments. 	<ul style="list-style-type: none"> • Must wear face covering in most indoor spaces and public transport – under 12's exempt • Face coverings required in schools for older children
England	<ul style="list-style-type: none"> • No legal requirement – advice to minimise number, proximity and duration of contacts 	<ul style="list-style-type: none"> • Whilst Government is no longer instructing people to work from home if they can, Government would expect and recommend a gradual return over the summer 	<ul style="list-style-type: none"> • No legal requirement • The Government expects and recommends that people wear face coverings in crowded areas such as public transport.

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Wales	<ul style="list-style-type: none"> • Indoor – 2m social distancing to be maintained • Physical distances of less than 2 metres are permissible in limited circumstances indoors in work places and businesses open to the public, as long as all reasonable measures are taken to minimise the risks of exposure to COVID-19. However, for the majority of businesses and the general public, the rule is still to keep a 2 metre distance from others indoors. • Outdoor – guidance only 	<ul style="list-style-type: none"> • people should still work from home wherever possible 	<ul style="list-style-type: none"> • Face coverings to be worn in all indoor public spaces and public transport / taxis – applied to age 11 and over, excludes hospitality premises
ROI	<ul style="list-style-type: none"> • 2m social distancing retained indoors and outdoors – excluding persons you live with. 	<ul style="list-style-type: none"> • You should continue to work from home where possible. 	<ul style="list-style-type: none"> • Face coverings required on public transport, bus and rail stations and taxis • Requirement to wear for entry to shops / retail and other indoor settings – exemptions for sit in restaurants / cafes • Rules apply to 9 Nov 2021 (currently)

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