

Assessment of specific restrictions and measures

Restrictions under assessment

From Monday 11 October 2021, people have been required to show the NHS COVID pass to demonstrate they are either fully vaccinated or have had a recent negative lateral flow test, to enter the following venues and events:

- Nightclubs and similar venues
- Indoor non-seated events of more than 500 people, where people are mixing closely for prolonged periods.
- Outdoor non-seated events of over 4,000, where people will be mixing closely for prolonged periods.
- Any event, which has more than 10,000 people in attendance.

The COVID pass was extended to include cinema's theatres and concert halls from the 15 November 2021.

The COVID pass allows people to prove they have either been fully vaccinated or provide evidence of a negative lateral flow test.

Individuals are able to access the COVID pass using the NHS digital system which allows them to produce a COVID pass using a smart phone, a computer or laptop. [Access your COVID pass \(on nhs.uk\)](#).

Further information and guidance is available on the Welsh Government website. Read the [current guidance on accessing the COVID pass](#).

Lateral flow tests can be ordered from the Welsh Government website: **Get rapid lateral flow COVID-19 tests if you do not have symptoms**.

Business guidance has been developed to outline to businesses what consideration should be given to attendees on showing their COVID Pass.

The use of the COVID pass and lateral flow tests is one way that risks of infected people entering and spreading coronavirus could be minimised. Organisers may also wish to consider asking all those attending the event site to undertake a voluntary at home rapid COVID-19 test (Lateral Flow Device) in order to help protect themselves, others and the safe delivery of the event.

Recommendations:

How the five ways of working in the Well-being of Future Generations (Wales) Act 2015 are being applied in COVID-19 control measures, including this measure:

- Long/Medium/Short term
- Prevention
- Integration
- Collaboration
- Involvement

How the five ways of working in the Well-being of Future Generations (Wales) Act 2015 are being applied:

Long-term – Principles for baseline measures

The proposed measures have been designed on the basis of the following proposed principles, for simplicity and clarity:

- a. The baseline should provide the maximum degree of easement possible, recognising the wider harms of protective measures , whilst keeping the virus at manageable levels.
- b. Reconstruction of the economy, a return to financial viability for businesses and more normal operation of public services will be a key goal.
- c. Remaining measures impacting -on individual freedoms should as far as possible be those which have a relatively small detrimental effect and do not contribute to accumulation of inequalities or wider harms.

Measures should help embed long-term positive behaviours and trends linked to wider Welsh Government policy goals.

Prevention

Preventing the spread of the virus will be focussed on several aspects. These will include ensuring reasonable measures are in place for businesses and others, and employers continuing making allowances for staff to continue to work from home where practical.

Reasonable measures linked to risk assessment in workplaces, retail, hospitality and public services.

- Legal requirement on businesses and others to undertake a Covid-19 risk assessment in consultation with those working on the premises and their representatives.
- Legal requirement on persons responsible for premises to take reasonable measures to minimise the risk of spread of coronavirus and risk to staff (but less

specific about individual mitigations in regulations).

- A legal requirement to wear face coverings on public transport and some other indoor public settings, unless exempt or where the context makes this impossible e.g. eating and drinking in a restaurant.
- Co-production and use of sector frameworks to manage the escalation and de-escalation of public health measures, such as for face coverings in schools.
- Guidance around;
 - keeping physical distance where possible,
 - maintaining adequate ventilation in premises,
 - avoiding crowded places,
 - respiratory and hand hygiene, and
 - responsible choices about crowded places
- Wide availability of LFD test kits, either provided free-of-charge through schools or potentially commercially supplied and encouragement for people to use them.

Work from home and avoid going to work when unwell

- Guidance to encourage people to work from home if they can and for businesses to enable people to work from home, combined with more remote working hubs to give people and businesses more flexibility and choice
- Public health guidance reinforcing the importance of staying at home when unwell.

Integration

The Coronavirus Control plan outlines Welsh Government's response to the pandemic, moving through the alert levels, guided by the latest scientific data available. It sets out the strategic direction of the Welsh Government to tackling the virus to support the more normal operation of public services

These all-Wales measures have been designed to be as simple, fair and clear as possible. They also reflect the advice we have had from our own Technical Advisory Group (TAG), which coordinates scientific and technical advice to support Welsh Government decision-makers during emergencies. TAG indicated that a national approach to restrictions is most likely to be understood and effective.

Throughout the pandemic, the balance of harms has changed considerably. The plan has continually been updated and tailored to ensure the relevance of the plan as we move through the alert levels in Wales.

The plan has been developed with a wide range of key internal and external stakeholders' views integrated into the policy making of the document. The reviews of regulations consider the plan carefully to ensure wider harms affecting all parts of society in Wales such as socio-economic harms, not just public health concerns, have been considered.

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- Outdoor non-seated events of over 4,000, where people will be mixing closely for prolonged periods.
- Any event, which has more than 10,000 people in attendance.

The following will be exempt

- protests;
- mass participation sporting events;
- worship
- funerals, marriage ceremonies or civil partnerships and related post ceremony gatherings

The COVID pass was extended to include cinema's theatres and concert halls from the 15 November 2021.

Collaboration and Involvement

Policy officials have engaged with relevant key stakeholders throughout the pandemic to ensure that any possible mitigations are considered and implemented when restrictions are imposed or eased.

Due to the nature of the pandemic, the development of the control plan and policy generally in relation to restrictions have been undertaken at pace. As a result the Welsh Government has not been able to consult with citizens in the development of the control plan in the way it normally would.

However, Ministers and policy officials have been informed via regular surveys undertaken by both the Welsh Government and Public Health Wales. These surveys have indicated people's views of the pandemic including views on the Welsh Government's approach to Keep Wales Safe¹.

¹ [Updated advice from the Technical Advisory Group and Chief Scientific Advisor for Health on the evidence for the use of COVID Passes | GOV.WALES](#)

WELLBEING IMPACTS

A number of studies covering Wales and internationally show that coronavirus is having, or is likely to have, a lasting impact on the wellbeing of people². It is exacerbating feelings of anxiety, loneliness, and unhappiness in people. This is often due to a lack of contact with their peers.

The What Works Centre for Wellbeing identifies strong evidence that participatory arts, sport, and cultural activities can improve wellbeing when they bring together participants in the same physical space³.

Public Health Wales' Public Engagement Survey on Health and Wellbeing during Coronavirus Measures, for the week 27 September to 4 October, showed that 12% were worrying about their mental health a lot (29% a little), and 37% said their quality of life was worse than before the pandemic.⁴ The mental health charity Mind published survey evidence last year suggesting that more than half of adults and young people in the UK had experienced a deterioration in their mental health as restrictions have remained in place, with young adults being worse affected.⁵ Therefore it is important people have opportunities to undertake activities to improve their wellbeing.

Many people remain anxious about the virus. The latest PHW data noted above also support this, with 16% reporting worrying a lot and 41% reporting worrying a little when going out in public places. The introduction of COVID passes for these venues could help to provide reassurance to those anxious about doing these activities, and may encourage them to attend these venues and events which will have a positive impact on their wellbeing. The same PHW survey asked respondents how the requirement to show COVID-passes would affect their likelihood to attend a large event of nightclub, with 34% reporting they would be more likely to attend, 28% saying no difference and only 7% saying it would make them less likely to attend.

There is a wealth of survey evidence pointing to the social harms from restrictions, including significant negative impacts on mental health and wellbeing⁶. These harms are particularly acute for the young who are more likely to report suffering poor mental health. For example, the ONS' Covid-19 latest insights into wellbeing show that wellbeing measures in Great Britain have consistently been below their pre-pandemic levels. Furthermore, around 1 in 5 people experienced some form of depression in January to March 2021. While this reduced to around 1 in 6 in July to August 2021, these are much higher than the 1 in 10 people reporting some form of depression in the pre-pandemic period (July 2019 to March 2020). It also reports that levels of depression were higher in younger adults, women, disabled adults, the unemployed, those unable to afford an unexpected expense and those living in deprived areas.

² See for example

² https://whatworkswellbeing.org/blog/places-spaces-and-loneliness-what-matters-for-participatory-art-and-sport/?mc_cid=c975bde8f8&mc_eid=e4236b0dbe

⁴ PHW [How are you doing? - Public Health Wales \(nhs.wales\)](https://www.nhs.uk/news/2020/09/27-how-are-you-doing/) 27 September – 4 October

⁵ Mind (2020) The mental health emergency: How has the coronavirus pandemic impacted our mental health?

⁶ [REPORTS | COVID Social Study](#)

COVID passes could contribute to reducing transmission in these settings, which should help to reduce pressure on the NHS. If this ensures that these venues and events can remain open for the long term, people's wellbeing will be improved over a situation where these businesses would have to close again.

The additional requirements may put some people off attending these venues. In particular, those who are unvaccinated may see the requirement to provide evidence of a negative test as an additional barrier, which may make them feel discriminated against.

There may be additional barriers to those who do not have easy access to the COVID pass, such as those on low incomes who may not have smartphones. Previous evidence from the Resolution Foundation⁷ has shown the impact of lockdown restrictions has been disproportionately felt by those on low incomes as a result of measures closing sectors which have a disproportionate number of low income workers. This could provide an additional barrier to accessing these events for those on low incomes, which could sustain and create greater wellbeing inequalities.

There is an increased risk of unemployment if businesses are unable to adapt to these additional requirements. It is well-established that unemployment is associated with low levels of wellbeing and worsening health. Increasingly, adverse effects will also be felt by new entrants to the labour market should they enter the labour market during an economic downturn. There is evidence that adverse labour market experiences in recession can have life-long effects on the economic, health, wellbeing and even life-expectancy of young people.⁸

In addition, recent advice from the Technical Advisory Group noted potential disbenefits, such as the potential for complacency, mixing pre/post events, possible falsification, practical arrangements such as staff having time to check, possibility of queues forming while waiting for pass to be checked and so on (recognising the passes are part of the broader suite of measures)⁹.

ECONOMIC IMPACTS

Estimating the effect of protective measures on the economy is subject to extreme uncertainty as it depends on an assessment both of how these measures affect the behaviour of businesses and consumers and an assessment of how businesses and consumers would behave in the absence of measures.

The impacts of COVID passes on the affected venues and events would be dependent on the extent to which businesses are able to adapt to the measures in place. Certain businesses may already have procedures in place, whereas for some, additional investment in technology and staff may be required. This is likely to increase cost pressures for businesses who are among those who have suffered greatest over the course of the pandemic.

⁷ [Low Pay Britain 2021 • Resolution Foundation](#)

⁸ See: <https://voxeu.org/article/impact-covid-19-chronic-health-uk>

⁹ [Technical Advisory Group: advice on vaccine passports | GOV.WALES](#)

There is also a risk that the introduction of COVID passes in Wales, at a time when England has not introduced them could result in a loss of economic activity from Wales to England, particularly in border areas. While events will continue to be able to operate in Wales, the additional requirements may result in some organisers choosing to plan fewer events in Wales. There may also be longer term effects even if COVID pass requirements are withdrawn in future, if organisers continue to focus on events in England and not return to Wales.

However, in reality, the level of economic losses will be influenced by the longer term consequences of introducing further measures for the future course of the pandemic and on the expectations of businesses and consumers. If the introduction of COVID passes reduces uncertainty about the future course of the pandemic, and in particular, reduces the likelihood of future restrictions, this could result in spending and GDP being higher, rather than lower, than if they were not introduced. On the other hand it is possible that if businesses are unable to adapt, it could result in the loss of a disproportionate number of businesses that are currently on the brink of failure. There is no way to make a reliable assessment of the likelihood of this eventuality.

The introduction of COVID passes primarily impacted nightclubs and certain events. However businesses have been affected by a number of impacts relating to COVID-19 and associated restrictions, including on labour supply; supply chains; reduced demand; and operational impacts such as reduced cash flow etc. The impacts of COVID-19 have been felt across a broad range of sectors, but have been largest in Accommodation and Food and Arts, Entertainment and Recreation¹⁰.

There were 470 enterprises in the nightclub sector¹¹ in Wales in 2021, approximately 0.4% of the total number of enterprises. This compares to 0.2% of all enterprises at the UK level for the sector. There were 4,000 people in employment in 2020 in the nightclub sector in Wales (0.3% of total Welsh employment). Compared to Great Britain as a whole (0.2%), Wales had a higher share of employment in the sector.

There is a risk that the introduction of COVID passes will negatively impact on the viability of many nightclubs within Wales. It could result in increased costs for businesses due to the additional monitoring requirements and there may also be reduced demand as some people may be put off going. Conversely if people feel less anxious about attending nightclubs due to these increased mitigations, this could at least partially offset this effect. It is not possible to directly measure any potential impact, as it depends on an assessment both of how restrictions affect the behaviour of businesses and consumers and an assessment of how businesses and consumers would behave in the absence of restrictions.

However the nightclub industry has raised concerns, saying COVID pass could risk clubbers going to England instead and that implementing them will be "arbitrary" and

¹⁰ [The impact of the coronavirus so far: the industries that struggled or recovered - Office for National Statistics \(ons.gov.uk\)](#)

¹¹ Defined as Standard Industrial Classification (SIC) 56301: Licensed clubs

risks confrontations between staff and customers. The Night Time Industries Association has also warned that COVID passes would have a "hugely detrimental impact on trade, and would result in some of the hardest-hit Welsh businesses losing out to those in England".

There were 2,400 enterprises in the events sector¹² in Wales in 2021, approximately 2.2% of the total number of enterprises. This compares to 2.6% of all enterprises at the UK level for the sector. There were 27,000 people in employment in 2020 in the events sector in Wales (2.1% of total Welsh employment). Compared to Great Britain as a whole (2.2%), Wales had a lower share of employment in the sector.

The England run Events Research Programme has published its first report relating to phase 1 of their programme and their results showcase the importance of the events sector, indoors and outdoors, and its contribution to GVA, jobs, supply chain and economies¹³. The impact of COVID on the events sector has been significant from the beginning and remains a challenge as events have not resumed in any significant capacity.

The initial findings of this work state (see section 2.2) "due to the nature of COVID-19 restrictions, sectors reliant on events have been disproportionately impacted by the pandemic and restrictions in place on reopening. GVA in events-related sectors experienced a substantial decrease when the pandemic hit and lockdowns were implemented at the start of Q2 2020. GVA dropped by 50-60% for these sectors, while the whole economy GVA dropped by 25% and other sectors in the Digital and Telecoms sectors were virtually unaffected. The summer of 2020 saw a moderate uptick while restrictions were eased, but GVA for firms in the 'Arts, entertainment, recreation and other services' (AER) sector was still well below pre-pandemic levels, at around 60% of January 2019 levels."

Many companies were utilising the UK Government Coronavirus Job Retention Scheme (CJRS) to furlough staff or other forms of support. The CJRS ensured that should workers be furloughed the UK Government guaranteed 80% of their normal salaried income (with employers allowed to top up at their discretion). The UK Government reduced the level of their contribution to the guarantee from the end of June meaning that employers were required to progressively contribute towards the income guarantee of their employees. The scheme came to a full close on 30 September.

The tapering off of CJRS may therefore lead to thousands of job losses from the events industry who will be unable to make a contribution to the tapering if they find it commercially unviable for them to open. There are concerns that a lack of clarity around removing restrictions could lead to precautionary staff redundancies in the face of considerably uncertainty over future revenues.

¹² Defined as Standard Industrial Classifications (SIC) 90: Creative, arts and entertainment activities, 799: Other reservation service and related activities, 823: Organisation of conventions and trade shows, 931: Sports activities, 5629: Other food service activities, 9329: Other amusement and recreation activities

¹³ source: <https://www.gov.uk/government/publications/events-research-programme-phase-i-findings/events-research-programme-phase-i-findings#impact-on-the-economy-and-society>

A survey of the events industry in November 2020¹⁴, found that 75% of respondents who employ staff, had needed to put staff on furlough. About half (52%) who employ staff had either made redundancies, issued notice of or intended to make redundancies, or anticipated having to make redundancies. The median loss per business responding to the survey from the crisis was between £50,001 and £100,000. The median loss per business differed by size of business. The median loss for those who employ 1 to 5 staff was within the range of £100,000 to £250,000, whilst the median loss for those who employ more than 50 staff was more than £1,000,000¹⁵.

Events act as a driver for tourism, hospitality, supply chain and food producers. The associated spend by event attendees in 2019 was:

- £220m on domestic leisure 3+ hour day visits (5% of domestic day spend)¹⁶, and an estimated £35m on domestic overnight trips (2% of domestic overnight spending), where a sporting event is the main activity¹⁷.
- £88m on domestic leisure 3+ hour day visits (2% of domestic day spend), and an estimated £105m on domestic overnight trips (6% of domestic overnight spend), where a cultural/arts event is the main activity.
- £21m on domestic overnight trips for a business event (which is 15% of all domestic overnight business trips and spending, and 1.2% of all domestic overnight spending).
- £72m on international business trips (all business purposes – insufficient detail in the data to identify ‘business events’), which is 14% of spending in Wales by international visitors¹⁸.

ENVIRONMENTAL IMPACTS

Introducing COVID passes is likely to have a marginal impact on the environment. In a few cases, it may reduce the reasons for members of the public to travel. While no forecasts are available as to what the knock on effect will be to air quality it can be expected that air quality will continue to be worse when compared to times where stronger restrictions were in place, in which air quality is believed to have improved. For this reason, officials in Environment and Rural Affairs are monitoring the impacts on air quality that have arisen since lockdown measures were introduced.

External consultants have been commissioned to analyse the impacts and this work will inform future policy with a view to retaining air quality improvements for the future, as far as possible.

¹⁴ <https://gov.wales/events-industry-and-supply-chain-business-covid-19-impact-survey-12-november-8-december-2020-html>

¹⁵ There is a small sample size when reporting results by size of business, and, therefore, an element of caution needs to be applied when interpreting these findings.

¹⁶ [Great Britain Day Visits Survey: 2019 | GOV.WALES](#)

¹⁷ [Great Britain Tourism Survey: 2019 | GOV.WALES](#)

¹⁸ [Visits to Wales by overseas residents, 2009 to 2019 - Office for National Statistics \(ons.gov.uk\)](#)

A children’s rights impact assessment has been carried out, to assess the potential impact of this policy on children and young people.

Potential positive and negative impacts have been identified, for example:

Positive: the policy seeks to provide a safer environment for large scale events, which will therefore also be safer for children and young people attending the events (article 6 UNCRC: governments should ensure that children survive and develop healthily and article 36: children should be protected from any activities that could harm their development)

Negative: children may not be able to attend large scale events if their parents are not vaccinated and are not prepared to take the lateral flow test prior to attending.

Whilst many school children have already got used to lateral flow testing in schools, additional mitigations have also been considered and a Welsh Government communications campaign about the benefits of the vaccine will be targeted at underrepresented groups. In addition re-assurance via “how to use guides” will be provided to make sure that parents are children are re-assured about the simplicity of the COVID pass or how to use and report lateral flow tests.

For those who are digitally excluded (including parents or grandparents) there will be a paper pass available demonstrating vaccination status, although there is a maximum 10 day turnaround time between phone call and receipt of certificate. Welsh Government will also work with businesses to increase understanding and knowledge of requirements¹⁹.

IMPACT ASSESSMENTS

Equality impacts

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Age (think about different age groups)	Positive: Given the health impacts of Coronavirus are more serious for older people, reducing transmission rates through this additional measure will have a positive impact. The use of the Covid Pass may also	Welsh Government officials are mindful of the large proportion of people across Wales who are not digitally confident. Datasets from the National Survey for Wales show that older people, disabled people, those living in social housing and the	Mitigations: Being double vaccinated will not be the only way that individuals can prove that they meet the requirements to enter an event or business (e.g. nightclubs).

¹⁹ [COVID Pass: guidance for businesses and events | GOV.WALES](#)

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>encourage greater take up of the vaccination, which will help to reduce overall Covid 19 case rates, this would benefit all age groups, particularly older people.</p> <p>Negative: If measures lead to increased complacency and more risk taking it's possible COVID-19 case rates in the community will rise which may lead to greater hospitalisations and deaths among older people (due to their increased vulnerability to COVID-19) and younger people (due to them being more likely to be unvaccinated).</p> <p>Older people may not have access to the digital technology required to access the COVID pass online</p> <p>People of all ages, but particularly older people, may be</p>	<p>economically inactive & unemployed are those most likely to be digitally excluded²⁰ ie they either do not personally use the internet, lack the basic digital skills to access vital services and information and may lack access to a device and or connectivity.</p> <p>Following reports of extremely rare and specific blood clots being a potential side-effect of the AstraZeneca COVID-19 vaccine, individuals under 30 are being offered an alternative vaccine. Public health experts have made clear that for those over 30, the benefit of vaccination with the AstraZeneca COVID-19 vaccine continue to strongly outweigh the risks of COVID-19 for the vast majority of adults.²¹</p> <p>In August an ONS study found that 11% of 16-17 year olds reported vaccine hesitancy (the highest of all age groups).²² There are likely to be a variety of reasons for this, including worries about possible side effects and the low</p>	<p>The COVID pass includes provision for proof of a negative Lateral Flow Test within 24 hours of attending</p> <p>Risk-taking behaviours/complacency through perceived safety of meeting with others with a COVID pass will be highlighted in core guidance and through communications routes, to emphasise that the COVID pass will be one of a myriad of reasonable measures which can be put in place, and does not replace these other measures.</p>

²⁰ [Digital Inclusion Forward Look: towards a digitally confident Wales](#). 10 December 2020

²¹ [Public Health Wales statement on safety concerns with AstraZeneca COVID-19 vaccine - Public Health Wales \(nhs.wales\)](#)

²² [Coronavirus and vaccine hesitancy, Great Britain - Office for National Statistics \(ons.gov.uk\)](#)

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>concerned about increased risks from an increase in complacency and therefore greater risk-taking due to perceived safety of meeting those with the COVID pass.</p>	<p>likelihood of severe disease for this age group. Vaccine uptake in younger ages will be monitored.</p> <p>Older age groups</p> <p>Significant progress in vaccination coverage across older age groups has been achieved with over 90% of all over 60s in Wales having received their first vaccine (rising to 95.7% in over 80s).²³ Work will continue to increase this further although some individuals will be unable to take the vaccine on medical grounds and for some, sadly towards the end of their life, vaccination may not be appropriate depending on their individual circumstances.</p>	
<p>Disability (consider the social model of disability²⁴ and the way in which your proposal could inadvertently</p>	<p>Positive: If COVID passes encourage more people to be vaccinated this may serve to reduce COVID-19 case rates in the community thereby benefiting disabled people (who</p>	<p>The pandemic has had a disproportionate effect on disabled people in Wales; this is being examined by the Disability Rights Taskforce.²⁵ People with a severe/profound learning disability and individuals with</p>	<p>Risk-taking behaviours / complacency through perceived safety of meeting with others with a COVID pass will be highlighted in core guidance and</p>

²³ [Rapid COVID-19 virology - Public - Public Health Wales Health Protection | Tableau Public](#)

²⁴ Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

²⁵ [Written Statement: The Rights of Disabled People in Wales \(24 March 2021\) | GOV.WALES](#)

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
<p>cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)</p>	<p>are more likely to be vulnerable to serious consequences of COVID-19).</p> <p>Negative: Latest ONS insights on COVID-19 (https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/articles/coronaviruscovid19latestinsights/deaths) indicates that between March 2020 and April 2021, the COVID-19 pandemic consistently had a proportionally higher impact on mortality rates in the most deprived areas in England. When focusing on deaths due to COVID-19, the mortality rate in the most deprived areas of England was more than double that in the least deprived areas for 12 of the 14 months. If COVID passes lead to an economic downturn this may disproportionately effect disabled people since evidence suggests living with a person who has a disability makes relative income poverty more likely for children and working age people</p>	<p>schizophrenia or bipolar disorder, or any mental illness that causes severe functional impairment were recommended for vaccination in priority group 6 by the Joint Committee on Vaccination and Immunisation. The Welsh Government set out an inclusive approach to encourage vaccine uptake in these groups and utilised existing GP lists and identification codes for learning disability and serious mental illness.²⁶</p> <p>These groups face specific challenges in vaccination and testing depending on the individual's circumstances. The capacity to give informed consent may be impaired in individuals with learning disabilities or incapacity. Individuals with physical disabilities may require buildings with specific access facilities. Those who are hard of hearing or have vision impairments may require additional support in utilising testing and vaccination facilities. Mental health issues may cause individuals to be less likely to engage with testing and the</p>	<p>through communications routes, to emphasise that the COVID pass will be one of a myriad of reasonable measures which can be put in place, and does not replace these other measures.</p>

²⁶ <https://gov.wales/covid-19-vaccinations-individuals-learning-disability-or-severe-mental-illness-html>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>(https://gov.wales/relative-income-poverty-april-2019-march-2020.html)</p> <p>Negative: Statistics show that disabled people have made up a large and disproportionate percentage (68%) of deaths relating to Covid-19. In addition to increased risk of death, for some people with impairments, there may be a risk of Covid causing complications with or exacerbation of existing conditions. As well as and because of increased health risks, disabled people, particularly those with compromised immune systems, may be justifiably concerned about increased risks to them from a greater mixing of people becoming complacent when socialising as they perceive mixing with those who have the COVID pass to be safe and may bypass other reasonable measures as a result.</p>	<p>vaccination programme. There will also be some individuals who have medical reasons why vaccination is not appropriate for them.</p> <p>The true extent of vaccination coverage for disabled people is not clear due to challenges in the identification of these groups, which includes a degree of clinical discretion. However, an ONS survey in England revealed a lower Covid-19 vaccination rate (for adults 70 years or over by 11th March 2021) for those who reported to be limited a little by their disability (89.9% coverage) or limited a lot by their disability (86.6% coverage) compared to those who did not report any disability (91.0% coverage).²⁷</p>	

²⁷

<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthinequalities/bulletins/coronavirusandvaccinationratesinpeopleaged70yearsandoverbysociodemographiccharacteristicengland/8december2020to11march2021>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>Positive: COVID-19 has a significant disproportionate impact on the health of some disabled people and some people with chronic health conditions. Strengthened measures to reduce transmission will have some positive impacts for disabled people.</p>		
<p>Gender Reassignment (the act of transitioning and Transgender people)</p>	<p>Positive: This group may benefit more than others from being able to undertake safe and responsible socialising with friends and peer support networks, with this additional safeguarding measure in place, given this group are at higher risk of isolation, increased stress, exposure to disrespectful family members and violence, with particular impact on younger and older transgender people</p> <p>Negative: This group can be particularly affected by COVID-19 measures and related socio-economic impact, due to being disproportionately represented as having lower income, experiencing homelessness and</p>	<p>N/A</p>	<p>N/A</p>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	poverty, and having reduced access to healthcare and support services		
Pregnancy and maternity	<p>Positive: Issues of loneliness, isolation or reduced access to support networks may have been exacerbated by concerns about socialisation, concerns which may be reduced with these additional measures in place.</p> <p>Positive: If COVID passes lead to increased vaccine uptake, reduced transmission and lower COVID-19 case rates in the community this will benefit unvaccinated pregnant women.</p> <p>Negative: If COVID passes lead to increased complacency, more mixing and higher COVID-19 case rates in the community this will adversely impact unvaccinated pregnant women.</p>	<p>On April 17th 2021, the Joint Committee on Vaccination and Immunisation (JCVI) updated their advice to offer Covid-19 vaccines to pregnant women at the same time as the rest of the population (based on age and clinical risk group).²⁸ The advice made clear that women will not need to stop breastfeeding to be vaccinated and that there is no evidence to suggest that Covid-19 vaccines will affect fertility.²⁹</p> <p>It should be noted that prior to this update from the JCVI, the advice was to only consider Covid-19 vaccination for pregnant women when the risk of exposure to the virus was high or could not be avoided, or if the woman has underlying conditions that cause a high risk of complications from Covid-19. The original advice and/or misinformation surrounding the vaccine's effect on fertility may consequently lower vaccine uptake in women who are pregnant or</p>	N/A

²⁸ [JCVI issues new advice on COVID-19 vaccination for pregnant women - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/jcvi-issues-new-advice-on-covid-19-vaccination-for-pregnant-women)

²⁹ [Covid-19: No evidence that vaccines can affect fertility, says new guidance | The BMJ](https://www.bmj.com/news/covid-19-no-evidence-that-vaccines-can-affect-fertility-says-new-guidance)

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
		<p>trying to conceive. 11% of women who expressed negative sentiment towards Covid-19 vaccination reported "I am pregnant or trying to get pregnant and afraid of the effects on my baby".³⁰</p> <p>The vaccine coverage of these groups will be monitored as the vaccine programme is rolled out to these groups of women.</p>	
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	<p>Positive: If COVID passes reduce transmission and encourage more people to be vaccinated this may serve to reduce COVID-19 case rates in the community thereby benefiting some ethnic minority groups who are more likely to be unvaccinated and are more likely to be vulnerable to serious consequences of COVID-19</p> <p>Negative: If COVID passes lead to increased complacency, more mixing and higher</p>	<p>It has been reported that ethnic minority groups are less likely to take the Covid-19 vaccine.³¹ Research from UCL suggests that of those who were hesitant about taking a Covid-19 vaccine in December 2020, more than 4 in 5 now plan to take, or have already taken a vaccine. For adults from South Asian or Black backgrounds, the figures were 90% and 88% respectively.³² ONS research also saw a slight decrease in vaccine hesitancy across most groups; however, 21% of Black or Black British adults still reported vaccine hesitancy.³³ Survey evidence of</p>	<p>Risk-taking behaviours/complacency through perceived safety of meeting with others with a COVID pass will be highlighted in core guidance and through communications routes, to emphasise that the COVID pass will be one of a myriad of reasonable measures which can be put in place, and does not replace these other measures</p>

³⁰ [Coronavirus and vaccine hesitancy, Great Britain - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/coronavirus/articles/coronavirusandvaccinehesitancygreatbritain). 9 Aug 2021

³¹ [Ethnic minority groups less likely to take COVID vaccine | Understanding Society](https://www.understandingsociety.co.uk/ethnic-minority-groups-less-likely-to-take-covid-vaccine). 18 January 2021

³² [Over 4 in 5 people who were hesitant would now take Covid-19 vaccine | UCL News - UCL – University College London](https://www.ucl.ac.uk/news/2021/03/over-4-in-5-people-who-were-hesitant-would-now-take-covid-19-vaccine). 24 March 2021

³³ [Coronavirus and vaccine hesitancy, Great Britain - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/coronavirus/articles/coronavirusandvaccinehesitancygreatbritain). 6 May 2021

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>COVID-19 case rates in the community this will adversely impact unvaccinated ethnic minorities</p> <p>Negative: Latest ONS insights on COVID-19 (https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/articles/coronaviruscovid19latestinsights/deaths) indicates that between March 2020 and April 2021, the COVID-19 pandemic consistently had a proportionally higher impact on mortality rates in the most deprived areas in England. When focusing on deaths due to COVID-19, the mortality rate in the most deprived areas of England was more than double that in the least deprived areas for 12 of the 14 months. If COVID passes lead to an economic downturn this may disproportionately effect certain ethnic groups since evidence suggests non-white ethnicity is linked with</p>	<p>people from Black, Asian and Minority Ethnic backgrounds suggest the major reasons for hesitancy are: not knowing enough about the vaccine; thinking it's unsafe; not trusting the science; or simply not wanting to get the vaccine.³⁴</p> <p>According to Public Health Wales the gap in coverage (of at least one vaccine dose) between the combined Black, Asian, Mixed and Other ethnic groups and combined White ethnic groups has narrowed, although remains significant in most age-groups and particularly for adults between 18 and 39 years.³⁵</p> <p>Refugees, people seeking asylum and undocumented migrants are likely to have lower uptakes of the Covid-19 vaccine and increased vaccine hesitancy. Barriers include: concerns surrounding vaccine content and side-effects; lack of information in an appropriate language; lack of trust; low</p>	<p>There is an ongoing effort to increase vaccination rates among ethnic minority groups as a mitigation so that more people can then use vaccine status to gain entry, as well as co-producing guidance where at all possible, via trusted messengers to provide reassurance on purpose if there is hesitancy.</p> <p>Public Health Wales developed a coronavirus help booklet for refugees and asylum seekers available in many different languages.³⁷</p>

³⁴ [One in ten BAME Britons say they will not get the coronavirus vaccine | YouGov](#)

³⁵ [Wales COVID-19 vaccination enhanced surveillance - equality report.pdf](#) Public Health Wales.

December 2021

³⁷ <https://sanctuary.gov.wales/covid-19>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>a greater likelihood of relative income poverty (https://gov.wales/relative-income-poverty-april-2019-march-2020.html).</p> <p>Negative: Black, Asian and minority ethnic individuals are known to be at higher risk from the effects of coronavirus and may have heightened concerns about public complacency in settings using the COVID pass.</p> <p>Negative: Vaccination Programme and COVID pass/access to LFTs – notable number of people still not vaccinated for various reasons. There are those who wish to be vaccinated but do not have any identification or documentation and/or are not registered with a Doctor. These individuals may also not be able to access Lateral Flow tests or the NHS pass for the same reasons (including requiring access to NHS number).</p>	<p>perceived need of vaccination; and poor access to primary care. Undocumented migrants also have fears surrounding being charged for the vaccine and facing immigration checks if they present for a vaccine and may be unaware that this will not be the case.³⁶</p>	

³⁶ <https://www.medrxiv.org/content/10.1101/2021.04.12.21255313v1>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>There are known disparities in vaccination take-up and greater levels of hesitancy in sharing data with Government, Black, Asian and minority ethnic groups This hesitancy may make the lateral flow option less attractive to these groups.</p> <p>The number of people from Black, Asian and minority ethnic groups will be more likely to have received a vaccination in another country which will not be recognised on the Covid pass. We are working with the UK Government to design and deliver a system to upload and record these vaccines.</p>		
Religion, belief and non-belief	<p>Positive: If COVID passes lead to increased vaccine uptake, reduced transmission and lower COVID-19 case rates in the community this will benefit people who are unvaccinated due to their religion/beliefs</p> <p>Negative: If COVID passes lead to increased complacency, more mixing and higher</p>	<p>There is likely to be a low uptake in vaccination in religious communities which may not accept vaccination on principle. Those with strong anti-vaccination beliefs for non-religious reasons are also likely to have a low vaccination rate. These beliefs may include scepticism of vaccination's safety and efficacy.</p> <p>ONS research shows vaccine hesitancy was higher for adults</p>	<p>The updated regulations clarify that people engaged in prayer are considered to be seated for the purposes of the COVID pass provisions in the Restrictions Regulations. Therefore they only require COVID pass in these settings when the numbers exceed 10,000.</p>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	COVID-19 case rates in the community this will adversely impact people who are unvaccinated due to their religion/beliefs	identifying Muslim (14%) or Other (14%) as their religion ¹ , compared with adults who identify as Christian (4%) ³⁸ None of the MHRA-approved Covid-19 vaccines contain any animal products or egg. However, some individuals still report concerns surrounding the Covid-19 vaccines' ingredients. ³⁹	
Sex / Gender	Negative: Women are the majority of those providing care, paid and unpaid and the majority of health workers and are more likely than men to deliver unpaid care at home (Women's Budget Group, Covid-19: Gender and Equality Issues) so if complacency of others believing socialisation using a COVID pass is completely safe led to an increase in cases, this could impact this group. Positive: Conversely, the additional protection offered if the COVID pass is used an additional safeguard alongside	N/A	Risk-taking behaviours/complacency through perceived safety of meeting with others with a COVID pass will be highlighted in core guidance and through communications routes, to emphasise that the COVID pass will be one of a myriad of reasonable measures which can be put in place, and does not replace these other measures. There have also been reports on social media

³⁸ [Coronavirus and vaccine hesitancy, Great Britain - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandwellbeing/bulletins/coronavirusandvaccinehesitancy/greatbritain), 9 Aug 2021

³⁹ <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandwellbeing/bulletins/covid19vaccinerefusaluk/februarytomarch2021>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>the other reasonable measures, this could provide this group with further protection from the virus.</p> <p>Negative: Women are disproportionately represented in hospitality sector and therefore more likely to be negatively impacted by introduction of COVID passes if they lead to more job losses in the sector</p> <p>Negative: Latest ONS insights on COVID-19 (https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/articles/coronaviruscovid19latestinsights/deaths) indicates that between March 2020 and April 2021, the COVID-19 pandemic consistently had a proportionally higher impact on mortality rates in the most deprived areas in England. When focusing on deaths due to COVID-19, the mortality rate in the most deprived areas of England was more than double that in the least deprived areas for 12 of the 14 months. If COVID passes lead to an</p>		<p>platforms regarding impact of the vaccine on male fertility, therefore misinformation may be a factor in men choosing not to be vaccinated.</p>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>economic downturn this may disproportionately effect women since evidence suggests living in a single female household with no children is linked with a greater likelihood of relative income poverty (https://gov.wales/relative-income-poverty-april-2019-march-2020.html)</p>		
Sexual orientation (Lesbian, Gay and Bisexual)	<p>Positive: This group may benefit more than others from being able to undertake safe and responsible socialising with friends and peer support networks, with this additional safeguarding measure in place, given this group are at higher risk of isolation, increased stress, exposure to disrespectful family members and violence, with particular impact on younger and older people.</p> <p>Negative: This group can be particularly affected by COVID-19 measures and related socio-economic impact, due to being disproportionately represented as having lower income,</p>	N/A	N/A

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	experiencing homelessness and poverty, and having reduced access to healthcare and support services		
Marriage and civil partnership	No unique impacts to this protected group have been identified.	N/A	N/A
Children and young people up to the age of 18	<p>Negative: Latest ONS insights on COVID-19 (https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/articles/coronaviruscovid19latestinsights/deaths) indicates that between March 2020 and April 2021, the COVID-19 pandemic consistently had a proportionally higher impact on mortality rates in the most deprived areas in England. When focusing on deaths due to COVID-19, the mortality rate in the most deprived areas of England was more than double that in the least deprived areas for 12 of the 14 months. If COVID passes lead to an economic downturn this may disproportionately effect children since in Wales, 31% of children were living in</p>	Children under 18 years of age are not required to provide a COVID pass to gain entry into events, though may be affected if their parents do not attend and take them to such.	Guidance issued on reasonable measures with advice on additional mitigations to reduce the risk of transmission. . A paper COVID Pass will be available to individuals who are unable to access the digital system for access to venues and settings in Wales.

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>relative income poverty in 2017 to 2020. Children are consistently the age group most likely to be in relative income poverty. 73% of children living in a workless household were in relative income poverty compared to 25% living in a working household in 2017 to 2020. If COVID passes lead to job losses in the hospitality sector children whose parents have lost their jobs will particularly suffer https://gov.wales/relative-income-poverty-april-2019-march-2020.html)</p> <p>Possible negative impacts</p> <p>Children who are dependent on their parents may not be able to attend large events (e.g. Wales rugby and football internationals in the Autumn, Swansea and Cardiff City football matches etc. which have over 10,000 supporters) if their parents are not vaccinated and refuse</p>		

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>to take the lateral flow test.</p> <p>There could also be an issue if parents/grandparents do not have access to the digital infrastructure to provide the evidence of a vaccine and, therefore, the parent (and the child) will not be able to attend these events. Article 31 - All children have a right to join in a wide range of activities could apply here.</p> <p>For children who are able to attend large events as their parents/ guardians are vaccinated or prepared to take a lateral flow test: could there be possible negative impact if there are a large number of unvaccinated children there (increasing transmission), or even transmission from those who are vaccinated – what is the public health view on that? (but see also this from opposite point of view under possible positive impacts below)</p> <p>Possible positive impacts</p>		

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>Possible benefits for children (and families) by seeking to provide a safer environment for large scale events through requiring Passes or lateral flow tests. This policy is consistent with the decision to vaccinate 12-15 year olds (on the basis of wider societal benefits rather than health). Article 6 (Governments should ensure that children survive and develop healthily) and Article 36 (Children should be protected from any activities that could harm their development.) could apply here.</p>		
Low-income households	<p>Negative: Low-income households may be negatively affected due to lack of access to technology involved and additional costs such as possible increased costs of events due to putting</p>	<p>For those who are digitally excluded (including parents or grandparents) there will be a paper pass available demonstrating vaccination status, although there is a maximum 10 day turnaround time between phone call and receipt of certificate. Welsh</p>	<p>A paper COVID Pass will be available to individuals who are unable to access the digital system for access to venues and settings in Wales</p>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>in place additional H&S measures</p> <p>Negative: Latest ONS insights on COVID-19 (https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/articles/coronaviruscovid19latestinsights/deaths) indicates that between March 2020 and April 2021, the COVID-19 pandemic consistently had a proportionally higher impact on mortality rates in the most deprived areas in England. When focusing on deaths due to COVID-19, the mortality rate in the most deprived areas of England was more than double that in the least deprived areas for 12 of the 14 months. If COVID passes lead to an economic downturn this may disproportionately effect low income households given they are more likely to be living in poverty.</p>	<p>Government will also work with businesses to increase understanding and knowledge of requirements.</p>	

European Convention on Human Rights (ECHR)

By restricting Covid-19 certification to only those who have had two Covid-19 vaccinations or a negative Lateral Flow test, the following articles from the ECHR may be infringed upon on justifiable public health grounds: article 5 (rights to liberty); 11 (rights to assemble); 14 (prohibition from discrimination). These are all qualified

rights and interference with these rights can be lawful where that interference is necessary in pursuit of a legitimate aim and is proportionate to that aim.

The restrictions and requirements also balance interference with the rights to the right to life (Article 2 of the ECHR) which imposes positive obligations upon the state to protect life. Whilst the introduction of the COVID pass will infringe on several of the ECHR articles, this is considered proportionate in the interests of providing a public health response to the coronavirus pandemic. Minor restrictions on movement and gatherings for those without a pass strikes a balance between protecting public health and the social, financial, economic and well-being harms caused by these restrictions.

Similarly, the implementation of the COVID pass seeks to mitigate against mental and physical health harms that might be suffered by vulnerable groups as a result of this requirement.

United Nations Convention on the Rights of the Child

If the proposals for the scheme were to also extend to children, being persons below the age of 18, this impact assessment would need to be revisited to identify any possibly impacts under the United Convention of the Rights of the Child, and the Rights of Children and Young Persons (Wales) Measure 2011, which requires the Welsh Ministers to, when exercising any of their functions, have due regard to the requirements of the Convention. We are aware of some potential negative impacts which are covered in the relevant section above, including the fact that children may not be able to attend large scale events if their parents are not vaccinated and are not prepared to take the lateral flow test prior to attending.

Welsh Language

The proposals are not expected to impact use of Welsh language either positively or negatively, and information on the COVID pass will be available bilingually in line with the Official Languages Scheme. However, the ability to access this information with ease will also be affected by locality (difference in urban/rural broadband connectivity) and age (with older cohorts of the population having lower levels of digital literacy than their younger counterparts), though this can be said of both English and Welsh versions of online guidance documents.

Data Protection

Information on individuals is collected as part of the COVID pass scheme.

The NHS Wales service will securely handle data in the same way as other health data in Wales. All data is sent by NHS Wales Digital Health and Care Wales (DHCW) to SAIL (the databank assisting the Government and NHS in tackling the pandemic). An overarching Wales Accord on the Sharing of Personal Information (WASPI)

agreement has been made in respect of the introduction of the mass contact tracing arrangements in Wales.

The COVID pass works to minimise spread of COVID-19 by demonstrating that the holder has either; been fully vaccinated, or; has recorded a negative LTF before accessing certain activities or events. This may prove vital in the Government's approach to helping slow and prevent the transmission of COVID-19 being passed onto others.

Easements of restrictions in Alert Level 0 means people are meeting more often in different and multiple contexts. Where positive cases are present, this could result in more opportunities for transmission, which may result in more positive cases and contacts. Since moving to lower alert levels, the number of contacts has doubled compared to that in earlier waves. This means that more people might need to self-isolate and become impacted by the associated harms.

Throughout the COVID-19 pandemic, the harms associated with self-isolation and infringement on people's liberties have been widely documented and have included negative impacts on physical and mental health[1]; incomes and business[2] and children and young people[3]. The Protect element is designed to mitigate such impacts. Protect identifies any support which may be required to help and enable people to engage in testing and successfully self-isolate to prevent the spread of COVID-19. Local Authorities co-ordinate this support to a wide range of specific groups at a local level, working with the public, County Voluntary Councils and third sector organisations to deliver services and referring to other agencies, where appropriate.

[1] [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)30460-8/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)30460-8/fulltext)

[2] <https://phw.nhs.wales/news/staying-at-home-policy-has-reduced-spread-of-coronavirus-but-has-also-had-other-positive-and-negative-impacts-on-the-well-being-of-welsh-society/a-health-impact-assessment-of-the-staying-at-home-and-social-distancing-policy-in-wales-in-response-to-th/>

[3] https://www.childcomwales.org.uk/wp-content/uploads/2020/06/FINAL_formattedCVRep_EN.pdf