

Summary Impact Assessment – weekly reviews between 9 December and 24 December 2021

Introduction

This document aims to capture an assessment of the impact of the restrictions that will potentially be made or signalled during the weekly reviews held between 9 December 2021 and 24 December 2021 in light of the emergence of the Omicron variant.

Legislative Background

The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 came into force on 26 March 2020, and were subsequently replaced by The Health Protection (Coronavirus Restrictions) (No. 2) (No. 3) and (No. 4) (Wales) Regulations 2020. A consolidated version of the most recent Regulations can be found on GOV.WALES.

This Summary Impact Assessment relates to the possible amendments made to The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 as a result of the 21 Day Review process between 9 December 2022 and 17 December 2022.

Review of the restrictions regulations

The Regulations must be reviewed every three weeks in line with the latest evidence and intelligence. Due to the imminent threat posed by the emergence of the Omicron variant and the lead up to the festive period. The potential restrictions would come into force on 26 December 2021. The amendments to the restrictions are as follows:

- i. Limit to activities and events, 30 people indoors and 50 people outdoors
- ii. Rule of 6 and additional measures for licensed premises
- iii. Work from home where reasonably practicable
- iv. Nightclubs required to close

- i. Limit to activities and events, 30 people indoors and 50 people outdoors**

The Welsh Ministers will be guided by scientific advice, and if it is deemed necessary will reintroduce restrictions on both indoor and outdoor large events, from 6am on 26 December 2021. This will include the maximum number of people who can gather at an indoor event being 30 and 50 outdoors. There will be exceptions for team sports, where up to 50 people can spectate outdoors in addition to those taking part. There is also an exception for events involving children and those aged under 18.

If implemented, these restrictions will be kept under review and will be relaxed as soon as the public health position allows.

WELLBEING IMPACTS

There are significant negative impacts associated with restricting people socialising and gathering. Limits on capacity indoors and outdoors have a large impact on the events sector in particular. 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 space.¹

Allowing reduced numbers to continue to attend outdoor and indoor events will help mitigate against these impacts. This is particularly relevant for grass-roots sporting activities which will still be able to take place within the proposed limits. However many events with crowds will not be able to operate. This is likely to have a negative impact on wellbeing, as people will no longer be able to attend.

Attending or participating in events and particularly sport and physical activity, plays a part in reducing loneliness and isolation, supporting a healthy and active nation, and is an integral part of the wider preventative agenda across a range of cross-government portfolio areas. There is good scientific evidence that being physically active can help us lead healthier and happier lives. Regular exercise can reduce the risk of many chronic conditions including coronary heart disease, stroke, type 2 diabetes, dementia, some cancers, obesity, mental health problems and musculoskeletal conditions.

In summer 2021, the UK Covid-19 Consumer Sentiment Tracker asked UK residents which types of activities they are more or less likely to do compared to normal over the next few months. The latest data shows increasing intended engagement levels with 'entertainment, catering and events' (e.g. restaurants, cinema, festivals etc.) as lockdown restrictions are lifted. Intention among UK residents reached net neutral levels for the first time since the survey began² and as of early May, Wales residents reported higher than normal intention for this type of activity.³ This provided an indication of the importance of attending these kinds of activities, so any restrictions on these are likely to have negative impacts on wellbeing.

ECONOMIC IMPACTS

For those events able to continue, the changes allow people to continue to attend in line with the restrictions. However a large number of events will be required to be cancelled or postponed, as they may be unviable to operate without full crowds. Most theatres for example, remained closed under alert level 2, needing 80%+ capacity just to break even. The following statistics provide an overview of the Events Sector⁴ which cover the majority of directly affected businesses.

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

² VisitBritain [Covid-19 Consumer Sentiment Tracker](#) 14-18 June 2021

³ Visit Wales [Covid-19 Consumer Sentiment Tracker](#) 6 April-9 May 2021

⁴ Defined as 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

There were 23,000 people in employment in 2019 in the events sector in Wales (1.7% of total Welsh employment). Compared to Great Britain as a whole (2.4%), Wales had a lower share of employment in the sector. Within Wales, the largest employment levels were in South East Wales, with 12,000 or 1.8% of total employment. The sector employed 6,000 persons in Mid & South West (1.6% of total employment) and 4,500 in North Wales (1.5% of total employment).

There were 2,390 enterprises in the events sector in Wales in 2020, approximately 2.3% of the total number of enterprises. This compares to 2.7% of all enterprises at the UK level for the sector. South East Wales had the largest number of events enterprises (1,130), followed by Mid & South West Wales (725) and North Wales (535). The majority (85%) of Welsh enterprises in the events sector are classed as micro enterprises (employing 0-9 persons), somewhat below the figure for all sectors (89%).

The consensus amongst economists who have studied the path of the crisis is that the JRS/SEISS has been absolutely critical in preserving employment through the periods of restrictions. Therefore in the absence of government support, restrictions which force businesses to close, either through legal requirements or viability, risk a much larger negative impact on employment levels than we have seen in the pandemic to date.

Financial support, including a package of £120m to support retail, hospitality, leisure and tourism businesses across Wales, alongside a £15.4m Cultural Recovery Fund (CRF) and a £3m Spectator Sports Fund (SSF) have been made available.

The £120m package includes an additional larger fund specifically for closed and severely impacted hospitality and events businesses.

Even with this support, the timescales involved in setting up this scheme may mean businesses are closed for over a month before receiving funding to cover staff wages. Many businesses in the impacted sectors have very little available reserves to cover such costs in the meantime. This could result in some businesses making the decision to make employees redundant, or not being able to pay their staff during this period. There may be an additional impact of self-catering accommodation of under 30 people in groups, whilst not directly impacted, may be indirectly impacted by wider restrictions. Self-catering accommodation businesses for under 30 people in groups will not be eligible for ERF support.

Employees in this sector are more likely to be low paid with many staff earning on or close to the National Living and Minimum Wages. Concerns have been raised that the coronavirus is having a detrimental impact on the finances of poorer households, particularly those whose members work in shutdown sectors. These households are less likely to be able to reduce their spending significantly as a result of coronavirus in the same way that richer households will be able to, meaning they are more likely to be financing their spending during restrictions using savings (which may be limited) and accumulating debt.⁵ Those with lower incomes have been more likely to

⁵ Bangham & Leslie (2020) Rainy days: An audit of household wealth and the initial effects of the coronavirus crisis on saving and spending in Great Britain. Resolution Foundation.

see their income reduced, and lower-paid workers have been more likely than those on higher pay to have been furloughed or lost their jobs.⁶

There are also likely to be secondary economic impacts as a result of a number of events no longer being able to take place. However there are already signs of background behaviour change in response to the emergence of Omicron. Wave 45 (covering the period 29th November to 12th December 2021⁷) of the ONS' Business Insights and Conditions Survey (BICS) indicates that 24.0% of Welsh businesses reported turnover had decreased by up to 50% compared to normal expectations for the time of year. This was the highest of any UK country or English region. This indicates that economic activity in these sectors would be likely to fall to some degree, even in the absence of legal restrictions. It is therefore difficult to accurately estimate the impact of these restrictions.

Events act as a driver for tourism, hospitality, supply chain and food producers. Therefore if events cannot take place, this will likely cause a reduction in economic activity in these related sectors. The associated spend by event attendees in 2019 was:

- £220m on domestic leisure 3+ hour day visits (5% of domestic day spend), and an estimated £35m on domestic overnight trips (2% of domestic overnight spending), where a sporting event is the main activity.
- £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).
- There is no Wales-level data on domestic business day trips, but the UK market value is around £16bn (GBDVS 2018 data, produced for Eurostat).
- £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 visitors.

ENVIRONMENTAL IMPACTS

The potential decreased movement of people could have a positive impact on air quality as people may choose to make fewer journeys and travel shorter distances within and to Wales. Conversely, the current health situation and constrained public transport capacity may lead to a greater use of private vehicles and limited use of car sharing, impacting negatively on air quality. Active travel is being widely promoted, but this is unlikely to be viable for longer distances.

Officials in Environment and Rural Affairs are monitoring the impacts on air quality over the course of the pandemic. 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.

⁶ Resolution Foundation: [Incomes, savings and spending through the coronavirus crisis](#) November 2020

⁷ BICS does not maintain a consistent set of questions for their fortnightly survey.

IMPACT ASSESSMENTS

Equality impacts

An assessment of impacts by protected characteristics is set out below. In general terms the proposal promotes equality as it allows up to thirty people to take part in an indoor event, and up to 50 people outdoors.

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
<i>Age (think about different age groups)</i>	<p><i>Positive:</i> By ensuring activities and events can still take place (albeit on a reduced level): People of all ages will benefit, especially those cut-off from family and friends and vulnerable people, including children, mitigating effects of loneliness and isolation or digital exclusion.</p> <p><i>Negative:</i> People of all ages, but particularly older people, may be concerned about increased risks from people continuing to gather indoors in regulated settings during the current wave of the Omicron variant.</p> <p>Additionally there could be additional effects on mental health and wellbeing of people of all ages, especially if some activities or events that they had been attending/planning to attend have to be</p>	<p>A range of survey data suggests younger people (18-29) are most likely to be worried about their mental health, and are more likely than other age groups to feel isolated.</p> <p>People over 70 are more likely to be worried about their health and the risks of contracting COVID-19, however the majority of this age group have received both doses of the vaccine plus a booster dose, which may alleviate some of the concerns.</p>	<p>Ensuring events and activities can still take place aims to mitigate against the possibility of people becoming completely isolated.</p> <p>Guidance is available on:</p> <ul style="list-style-type: none"> • the increased risks of people meeting indoors and how to best protect against transmission (including social distancing, wearing of face coverings, good hand hygiene and good ventilation); • additional risks for

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	cancelled or changed at short notice.		<p>those clinically extremely vulnerable;</p> <ul style="list-style-type: none"> • how businesses and activity/event organisers can enable proposed activities to safely be carried out, including undertaking risk assessments and implementing reasonable measures.
Disability	<p><i>Positive:</i> By ensuring activities and events can still take place (albeit on a reduced level): Disabled people are likely to benefit, especially those cut-off from family and friends and vulnerable people, including children, mitigating effects of loneliness and isolation or digital exclusion.</p> <p><i>Negative:</i> some disabled people may be concerned about increased risks from people continuing to</p>	No specific evidence identified.	<p>Ensuring events and activities can still take place aims to mitigate against the possibility of people becoming completely isolated.</p> <p>Guidance is available on:</p> <ul style="list-style-type: none"> • the increased risks of people meeting indoors and how to best protect

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>gather indoors in regulated settings during the current wave of the Omicron variant.</p> <p>Additionally there could be additional effects on mental health and wellbeing of disabled people, especially if some activities or events that they had been attending/planning to attend have to be cancelled or changed at short notice.</p>		<p>against transmission (including social distancing, wearing of face coverings, good hand hygiene and good ventilation);</p> <ul style="list-style-type: none"> • additional risks for those clinically extremely vulnerable; • how businesses and activity/event organisers can enable proposed activities to safely be carried out, including undertaking risk assessments and implementing reasonable measures.
Gender Reassignment (the act of transitioning and	Positive: By ensuring activities and events can still take place (albeit on a reduced level):	No specific evidence identified	Ensuring support groups, albeit at reduced number, can still take place aims to mitigate against

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
Transgender people)	<p>Will benefit transitioning and transgender people, especially those cut-off from family and friends and vulnerable people, including children, mitigating effects of loneliness and isolation or digital exclusion.</p> <p>Negative: transitioning and transgender people may be at increased risk of adverse impacts on their mental health, especially if they are worried that their access to support networks or groups cannot be accessed.</p>		<p>the possibility of people becoming completely isolated or left without any access to vital support networks/groups.</p> <p>Guidance is available on:</p> <ul style="list-style-type: none"> • the increased risks of people meeting indoors and how to best protect against transmission (including social distancing, wearing of face coverings, good hand hygiene and good ventilation). • additional risks for those clinically extremely vulnerable. • how businesses and activity/event

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
			organisers can enable proposed activities to safely be carried out, including undertaking risk assessments and implementing reasonable measures.
Pregnancy and maternity	<p>Positive: By ensuring activities and events can still take place (albeit on a reduced level): Pregnant people and those on maternity leave can still access activities and events (including support groups, anti-natal classes, parent and toddler groups) mitigating effects of loneliness and isolation or digital exclusion.</p> <p>Negative: There could be effects on mental health and wellbeing of pregnant people or those on maternity leave, especially if some activities or events that they had been attending/planning to attend have to be</p>	No specific evidence identified	<p>Ensuring support groups, albeit at reduced number, can still take place aims to mitigate against the possibility of people becoming completely isolated or left without any access to vital support networks/groups.</p> <p>Guidance is available on:</p> <ul style="list-style-type: none"> the increased risks of people meeting indoors and how to best protect against

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	cancelled or changed at short notice.		<p>transmission (including social distancing, wearing of face coverings, good hand hygiene and good ventilation).</p> <ul style="list-style-type: none"> • additional risks for those clinically extremely vulnerable. • how businesses and activity/event organisers can enable proposed activities to safely be carried out, including undertaking risk assessments and implementing reasonable measures.
Race (include different ethnic minorities, Gypsies and Travellers and Migrants,	Positive: By ensuring activities and events can still take place (albeit on a reduced level), individuals can still access activities	<u>first-ministers-bame-covid-19-advisory-group-report-of-the-socioeconomic-subgroup.pdf (gov.wales)</u>	Ensuring support groups, albeit at reduced number, can still take place aims to mitigate against the possibility of

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
Asylum seekers and Refugees)	<p>and events (including support groups mitigating effects of loneliness and isolation or digital exclusion.</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 attending indoor and outdoor events during the current wave of the Omicron variant.</p>		<p>people becoming completely isolated or left without any access to vital support networks/groups.</p> <p>Guidance is available on:</p> <ul style="list-style-type: none"> • the increased risks of people meeting indoors and how to best protect against transmission (including social distancing, wearing of face coverings, good hand hygiene and good ventilation). • additional risks for those clinically extremely vulnerable. <p>how businesses and activity/event organisers can enable proposed activities to safely</p>

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
			be carried out, including undertaking risk assessments and implementing reasonable measures.
Religion, belief and non-belief	No specific differential impacts identified.	N/A	N/A
Sex / Gender	No specific differential impacts identified.	N/A	N/A
Sexual orientation (Lesbian, Gay and Bisexual)	No specific differential impacts identified.	N/A	N/A
Marriage and civil partnership	No specific differential impacts identified.	The cap on numbers (30 indoors and 50 outdoors) do not apply to wedding, civil partnership or alternative wedding ceremonies. Neither do they apply to receptions and wakes (although hospitality rules do apply).	N/A
Children and young people up to the age of 18	Positive: Events involving children and those aged under 18 are excluded from the current restrictions.	N/A	N/A
Low-income households	No specific differential impacts identified.		N/A

Human Rights and UN Conventions

The overriding purpose of the restrictions and requirements associated with the response to the pandemic have been to protect everyone's right to life. This has led to constraints on rights such as on private and family life and the freedom of assembly and association on justifiable health grounds. Public health is described as an acceptable reason to curtail these rights, as long as it is necessary and proportionate.

United Nations Convention on the Rights of the Child

The convention has been considered in this assessment. The restrictions on movement and gatherings conflicts with the following Articles:

- Article 15 – Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.
- Article 31 – All children have a right to relax and play, and to join in a wide range of activities.

Children under 11 are excluded from the restrictions on meeting indoors and outdoors.

Welsh Language

The proposal does not have any identified negative impact on the Welsh language. In general terms the ability to meet with people from up to six other households indoors could have a positive effect on the use of the Welsh language. This will enable Welsh speakers to meet with other Welsh speakers from across Wales and beyond. Welsh medium education is not affected by this proposal.

ii. Rule of 6 and additional measures for licensed premises

The Welsh Ministers will be guided by scientific advice and if deemed necessary will reintroduce restrictions on social mixing in regulated settings, from 6am on 26 December 2021. This will include the rule of six applying to gatherings in regulated premises such as cinemas, theatres and hospitality. All licensed premises are also required to take additional measures to protect customers and staff, including table service and collecting contact details.

If implemented, these restrictions will be kept under review and will be relaxed as soon as the public health position allows.

WELLBEING IMPACTS

There are negative impacts associated with restricting people socialising. Throughout the pandemic people have reported increased feelings of isolation and loneliness as a result of restrictions. Allowing people to continue to meet socially in

regulated settings and attend entertainment venues, subject to the restrictions, will help guard against increasing feelings of loneliness and isolation.

ECONOMIC IMPACTS

For those businesses able to operate, the changes to allow people to continue to meet socially and attend entertainment venues, in line with the restrictions. However it is likely that many businesses will be negatively impacted by the restrictions, for example, as a result of reduced capacity and cancellations of bookings for groups larger than 6. In recognition of the economic impact of these restriction on businesses, financial support will continue to be made available for businesses.

There are already signs of background behaviour change in response to the emergence of Omicron, which is having a negative impact on many businesses. Wave 45 (covering the period 29th November to 12th December 2021⁸) of the ONS' Business Insights and Conditions Survey (BICS) indicates that 24.0% of Welsh businesses reported turnover had decreased by up to 50% compared to normal expectations for the time of year. This was the highest of any UK country or English region. This indicates that economic activity in these sectors would be likely to fall to some degree, even in the absence of legal restrictions. It is therefore difficult to accurately estimate the impact of these restrictions.

ENVIRONMENTAL IMPACTS

The potential decrease in movement of people could have an impact on air quality as people may choose to make fewer journeys and travel shorter distances within and to Wales. Conversely, the current health situation and constrained public transport capacity may lead to a greater use of private vehicles and limited use of car sharing, impacting negatively on air quality. Active travel is being widely promoted, but this is unlikely to be viable for longer distances.

Officials in Environment and Rural Affairs are monitoring the impacts on air quality over the course of the pandemic. 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.

IMPACT ASSESSMENTS

Equality impacts

An assessment of impacts by protected characteristics is set out below. In general terms the proposal promotes equality as it allows up to six people from up to a maximum of six households to continue to meet for any reason indoors in regulated settings.

⁸ BICS does not maintain a consistent set of questions for their fortnightly survey.

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)	<p>Positive: ensuring people are able to continue to mix socially and attend entertainment venues will benefit all ages, especially those cut off from family and friends, mitigating effects of loneliness and isolation or digital exclusion.</p> <p>Negative: People of all ages, but particularly older people, may be concerned about increased risks from people meeting indoors in regulated settings during the current wave of the Omicron variant and the potential risk should an infected person visit them at home.</p>	<p>A range of survey data suggests younger people (18-29) are most likely to be worried about their mental health, and a more likely than other age groups to feel isolated.</p> <p>People over 70 are more likely to be worried about their health and the risks of contracting COVID-19, however the majority of this age group have received both doses of the vaccine plus a booster dose, so could alleviate some of the concerns.</p>	<p>Guidance is available on:</p> <ul style="list-style-type: none"> increased risks of people meeting indoors and how to best protect against transmission (including social distancing, wearing of face coverings, good hand hygiene and good ventilation). Also included is the recommendation to undertake a Lateral Flow Test (LFT) before socially mixing with people they do not live with; additional risks for those clinically extremely vulnerable; how businesses and activity/event organisers can enable proposed activities to safely be carried out, including undertaking risk assessments and implementing reasonable measures.
Disability (think about different types of disability)	<p>Positive: ensuring people (including disabled people) are able to continue to mix socially and attend entertainment venues will benefit all ages, especially those cut-off from family and friends, mitigating effects of loneliness and</p>	<p>No specific evidence identified</p>	<p>Guidance is available on:</p> <ul style="list-style-type: none"> Increased risks of people meeting indoors and how to best protect against transmission (including social distancing, wearing of face coverings, good hand hygiene and good ventilation). Also

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>isolation or digital exclusion.</p> <p>Negative: disabled people may be concerned about increased risks from people meeting indoors in regulated settings during the current wave of the Omicron variant and the potential risk should an infected person visit them at home.</p>		<p>included is the recommendation to undertake a Lateral Flow Test (LFT) before socially mixing with people they do not live with;</p> <ul style="list-style-type: none"> • additional risks for those clinically extremely vulnerable; <p>how businesses and activity/event organisers can enable proposed activities to safely be carried out, including undertaking risk assessments and implementing reasonable measures.</p>
Gender Reassignment (the act of transitioning and Transgender people)	No specific impacts identified	No specific evidence identified	N/A
Pregnancy and maternity	No specific impacts identified	No specific evidence identified	N/A
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	<p>Positive: No specific differential impacts households</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 meeting indoors in regulated settings during the current</p>	<p>first-ministers-bame-covid-19-advisory-group-report-of-the-socioeconomic-subgroup.pdf (gov.wales)</p>	<p>General communication activity on the risks for different groups and ongoing need for everyone to continue to follow guidance such as social distancing, face coverings when not seated and good hand hygiene.</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?
	wave of the Omicron variant		
Religion, belief and non-belief	No specific differential impacts identified	N/A	N/A
Sex / Gender	No specific evidence identified	N/A	N/A
Sexual orientation (Lesbian, Gay and Bisexual)	No specific differential impacts identified	N/A	N/A
Marriage and civil partnership	No specific differential impacts identified.	N/A	N/A
Children and young people up to the age of 18	No specific differential impacts identified.	N/A	N/A
Low-income households	No specific differential impacts identified.	N/A	N/A

Human Rights and UN Conventions

The overriding purpose of the restrictions and requirements associated with the response to the pandemic have been to protect everyone's right to life. This has led to constraints on rights such as to private and family life and the freedom of assembly and association on justifiable health grounds. Public health is described as an acceptable reason to curtail these rights, as long as it is necessary and proportionate. This proposal affects the following:

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative Impacts?
The right to enjoy family relationships without interference from government (e.g. right to live with your family and to regular contact)	Positive: the rule of six does not apply to those from the same household, therefore this number can be greater than six people. Restrictions on the number of people who can gather in regulated premises are proportionate on public health grounds.	N/A	No specific negative impacts from the proposal.
The freedom of assembly and association	Positive: the rule of six does not apply to those from the same household, therefore this number can be greater than six people. Restrictions on the number of people who can gather in regulated premises are proportionate on public health grounds.	N/A	No specific negative impacts from the proposal.

United Nations Convention on the Rights of the Child

The convention has been considered in this assessment. The restrictions on movement and gatherings conflicts with the following Articles:

- Article 15 – Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.
- Article 31 – All children have a right to relax and play, and to join in a wide range of activities.

Children under 11 are excluded from the restrictions on meeting indoors.

Welsh Language

The proposal does not have any identified negative impact on the Welsh language. In general terms the ability to meet with people from up to six other households indoors could have a positive effect on the use of the Welsh language. This will enable Welsh speakers to meet with other Welsh speakers across Wales and beyond. Welsh medium education is not affected by this proposal. **Work from home where reasonably practicable**

The Welsh Ministers will be guided by scientific advice, and if deemed necessary will reintroduce restrictions to place a legal requirement to work from home if reasonably practicable, from 6am on 26 December 2021.

If implemented, these restrictions will be kept under review and will be relaxed as soon as the public health position allows.

The impact of working from home where possible has previously been considered in the following SIA: [alert-levels-in-wales-a-guide-to-restrictions-summary-impact-assessment-august-2021.pdf \(gov.wales\)](#).

WELLBEING IMPACTS

Reducing staff choice where they work may have a negative health and well-being impact for those who prefer to work in an office environment. Some members of staff might not have a home environment suitable for homeworking or miss the social aspect of office working, or the possible career enhancement opportunities of working with colleagues if fewer staff are able to work in an office environment. However, some staff may experience increased anxiety in office environments especially if they use public transport and face covering usage diminishes.

Another potential negative of working from home is the lack of the separation between work and home-life. Office working may reduce the 'blurring' for staff between home-life and working which may reduce the potential for staff to work longer hours from a home environment.

If implemented, in most circumstances everyone must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing need that would make working from home impractical.

Our [guidance for employers, businesses and organisations](#) will be updated to set out that employees must not be required or placed under pressure to return to a workplace setting if there is not a clearly demonstrated business need for them to do so. Employers who are considering requiring their staff to return to workplace settings should first assess whether alternative arrangements could meet the majority of the employer's needs. This should be discussed with staff and/or representatives of staff. Employers should capture the discussions and decisions within the Covid Risk assessment and share this with staff and/or representatives of staff.

Employers must ensure staff are able to work from home reasonably practicable. This may include issuing staff with laptops or mobile phones or specialist equipment and facilitating communication with all.

ECONOMIC IMPACTS

Less office working may reduce costs for organisations by decreasing the reliance on physical estates, and for staff through reduced commuting. However, staff may see an increase in energy bills due to working from home.

There will likely be secondary economic impacts as a result of decreasing numbers of people returning to offices. A number of businesses, particularly in hospitality and retail in large urban areas may see a negative impact, as a result of decreased footfall. Conversely, some businesses in smaller towns may see a positive impact, if people who previously worked away from their local communities in larger urban centres increase spending closer to home.

IMPACT ASSESSMENTS

Equality impacts

An assessment of impacts by protected characteristics is set out below.

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
Age (think about different age groups)	<p>There may be negative impacts to employees' mental health and wellbeing of all ages if unable to work in a suitable home environment.</p> <p>Older employees could benefit from increased working from home as they are more likely to have caring responsibilities e.g. for ageing</p>	<p>A COVID-19 pandemic world and beyond: The public health impact of Home and Agile Working in Wales – Supporting Information Report (https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)</p>	<p>People must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>parents and/or children. This way of working could help these employees balance caring commitments with their job.</p> <p>Younger members of staff might not have a home environment suitable for homeworking or might be more likely to miss the social aspect of office working.</p> <p>Working from home with incorrect equipment can lead to an increase in musculoskeletal injuries, while this can affect all individuals, its impact is likely to be more profound in certain age groups.</p>		<p>need that would make working from home impractical. Any decisions on working from home or being required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include all equipment being made available to staff to effectively work from home and/or outlining what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for reasons which include negative</p>

Protected characteristic	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
			<p>impacts to mental health and wellbeing will be able to work in the office without the risk of incurring a fine.</p> <p>Guidance will be updated for both the public and employers to reflect the above mitigations.</p>
<p>Disability (consider the social model of disability and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)</p>	<p>Positive: Not returning to offices may positively impact some disabled staff who may feel under pressure to come into the office for team meetings 'because everyone else will be there' even though home-working is more comfortable and convenient.</p> <p>The requirement to work from home has the potential to open</p>	<p>(https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)</p>	<p>People must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing need that would make working from home impractical. Any</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>up job opportunities for individuals whose impairment or health condition precludes full-time office working and/or travelling (e.g. because it causes fatigue and/or discomfort), thus increasing workforce diversity.</p> <p>Levelling the playing field for all staff so that working and meeting remotely and from home/other locations is the norm rather than the exception can increase inclusion for disabled staff who are not able to work in an office.</p> <p>Disabled staff may welcome home working as a means of minimising their exposure to unacceptable</p>		<p>decisions on working from home or being required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include all equipment being made available to staff to effectively work from home; and/or outlining what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for reasons which include negative impacts to mental health and welling will be able to work</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>behaviours in the workplace. Where this is the case we would want staff to raise concerns with HR so that these behaviours can be addressed. Staff subject to unacceptable behaviour in the workplace should not feel that the only solution open to them is to work from home.</p> <p>Even where individuals are not subject to explicit unacceptable behaviours they may be impacted by others' unconscious biases. Working virtually may mean they are no longer subject to this.</p> <p>Negative: The requirement for everyone to work from home where reasonably practicable may</p>		<p>in the office without the risk of incurring a fine.</p> <p>Guidance will be updated for both the public and employers to reflect the above mitigations.</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	negatively impact some disabled staff where working from home is not suitable because of impairments. Further working from home with incorrect equipment can lead to an increase in musculoskeletal injuries, while this can affect all individuals, its impact is likely to be more profound for people with impairments		
Gender Reassignment (the act of transitioning and Transgender people)	Positive: The ability to work from home may be beneficial to individuals undergoing gender reassignment – e.g. greater privacy and the potential to reduce the need for sickness absence or special leave in some instances or to work around appointments.	N/A (https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)	People must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate impacts?</i>
	<p>Negative: Working from home may negatively impact some transgender staff who may not be 'out' at home, so increased reliance on homeworking may cause personal difficulties.</p>		<p>need that would make working from home impractical. Any decisions on working from home or being required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include all equipment being made available to staff to effectively work from home. Or outline what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for reasons which include negative impacts to</p>

Protected characteristic	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
			<p>mental health and wellbeing will be able to work in the office without the risk of incurring a fine.</p> <p>Guidance will be updated for both the public and employers to reflect the above mitigations.</p>
Pregnancy and maternity	<p>Positive: The ability to work from home, may be beneficial to individuals who are pregnant e.g. by reducing the need for sickness absence or by being able to reduce fatigue and discomfort arising from commuting to an office.</p> <p>Employees who have returned to work following the birth of a child are likely to benefit from working from home for additional time</p>	<p>No specific evidence used</p> <p>(https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)</p>	<p>People must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing need that would make working from home impractical. Any decisions on</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>with their new born.</p> <p>Negative: Employees who have returned to work following the birth of a child may have been looking forward to returning to the 'office environment' and may feel isolated following a prolonged period at home after the birth of their child.</p>		<p>working from home or being required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include providing all equipment being made available to staff to effectively work from home. Or outline what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for reasons which include negative impacts to mental health and wellbeing will be able to work in the office</p>

Protected characteristic	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
			<p>without the risk of incurring a fine.</p> <p>Guidance will be updated for both the public and employers to reflect the above mitigations.</p>
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	<p>Positive: Black, Asian and minority ethnic staff may welcome home working as a means of minimising their exposure to unacceptable behaviours in the workplace.</p> <p>Where this is the case we would want ethnic minority staff to raise concerns with HR so that these behaviours can be addressed. Staff subject to unacceptable behaviour in the workplace should not feel that the</p>	<p>The WG's published data on COVID-19 and Black, Asian and minority ethnic communities shows that some ethnic minorities within Wales are more likely to live in overcrowded housing.⁹</p> <p>(https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)</p>	<p>People must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing need that would make working from home impractical. Any decisions on working from home or being</p>

⁹ Welsh Government, [Coronavirus \(COVID-19\) and the Black, Asian and Minority Ethnic \(BAME\) population in Wales](#), June 2020

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>only solution open to them is to work from home.</p> <p>Negative: Some Black, Asian and minority ethnic staff may not live in housing conducive to working from home, and therefore negatively impacted from not going to the office. Allowing more staff into the office may be a benefit.</p>		<p>required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include providing all equipment being made available to staff to effectively work from home. Or outline what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for reasons which include negative impacts to mental health and wellbeing will be able to work in the office without the risk of incurring a fine.</p>

Protected characteristic	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
			Guidance will be updated for both the public and employers to reflect the above mitigations.
Religion, belief and non-belief	Positive: Working from home may positively impact employees of faith to incorporate religious observance during their working day.	(https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)	
Sex / Gender	Part-time working as a result of caring commitments is more likely to be taken up by female employees. Positive: working from home impacts include reduced commuting times and the ability to more easily 'work round' caring responsibilities could allow (predominantly female) part-time workers to	(https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)	People must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing need that would make working

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>increase their working hours or better work/life balance, with a positive impact on current and future financial security and potential positive impact on career development.</p> <p>The ability to work from home may also allow male partners to take a more active role in childcare responsibilities.</p> <p>Negative: working at home may not be suitable for staff experiencing domestic abuse (whether male or female) and they could be at greater risk, particularly if the perpetrator is also working from home. The opportunities to reach out for help will become limited which will add to the anxiety and threat of mental</p>		<p>from home impractical. Any decisions on working from home or being required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include all equipment being made available to staff to effectively work from home and/or outlining what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for reasons which include negative impacts to mental health</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>or physical abuse.</p> <p>There is the potential that those who also have caring responsibilities may also have negative impacts when working from home as they may find work life balance more difficult and feel that they need to provide more care as they are actually at home.</p>		<p>and willing will be able to work in the office without the risk of incurring a fine.</p> <p>Guidance will be updated for both the public and employers to reflect the above mitigations.</p> <p>To mitigate we have allocated a further £1.050m revenue in 2022-23 and £2.1m capital in each of the three years to address violence against women, domestic Abuse, and sexual violence.</p>
Sexual orientation (Lesbian, Gay and Bisexual)	<p>Negative: LGB individuals might be negatively impacted from home working if they do not feel safe at home. Working from home may negatively impact some LGB individuals who may not be 'out' at home, so increased reliance on</p>		<p>People must work from home where reasonably practicable for them to do so. In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>homeworking may cause personal difficulties.</p> <p>LGB individuals may welcome home working as a means of minimising their exposure to unacceptable behaviours in the workplace. Where this is the case we would want ethnic minority staff to raise concerns with HR so that these behaviours can be addressed. Staff subject to unacceptable behaviour in the workplace should not feel that the only solution open to them is to work from home.</p>		<p>clear business or mental health and wellbeing need that would make working from home impractical. Any decisions on working from home or being required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include all equipment being made available to staff to effectively work from home. Or outline what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
			<p>reasons which include negative impacts to mental health and welling will be able to work in the office without the risk of incurring a fine.</p> <p>Guidance will be updated for both the public and employers to reflect the above mitigations.</p>
Marriage and civil partnership	No specific differential impacts	N/A	N/A
Children and young people up to the age of 18	<p>Positive- Children may benefit from the presence of those working at home. For example they may have more of an opportunity to interact with a parent or carer who no longer needs to commute.</p> <p>Negative – Children who are subject to abuse will be negatively impacted by the presence of their abuser.</p>	none identified	N/A

Protected characteristic	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Low-income households	<p>Positive: low-income households could benefit from the requirement to work from home as they may save money by saving on fuel or public transport costs for their commute.</p> <p>Negative: worry and anxiety may increase for those who may not have the space or reliable internet connection to work from home or who may be concerned about increased heating and energy costs. This could negatively impact their mental health and wellbeing.</p> <p>Home working is also not a universal 'good' and is much more challenging for those facing socioeconomic</p>	<p>None identified</p> <p>(https://phw.nhs.wales/news/home-working-can-enhance-mental-well-being-but-also-increases-risk-of-stress/the-public-health-impact-of-home-and-agile-working-in-wales-supporting-information-report/)</p>	<p>In line with their duties to take reasonable measures, employers must enable, allow or require their employees to work from home unless there is a clear business or mental health and wellbeing need that would make working from home impractical. Any decisions on working from home or being required to attend the work place should be clearly identified within the coronavirus specific risk assessment, including any mitigating measures taken by the employer. These mitigating measures should include all equipment being made available to staff to effectively work from home. Or</p>

<i>Protected characteristic</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	<p>disadvantage.</p> <p>The disparities include: lack of space to work at home either because of the size of home or having to share with others; cost and reliability of broadband; additional heating and lighting bills, and the negative impact of isolation of mental health and wellbeing, particularly over the winter period. Some commuting costs may be offset but that would depend on individual circumstances.</p>		<p>outline what measures will be taken to minimise exposure to and spread of the virus within the work place environment.</p> <p>Employees unable to work from home for reasons which include negative impacts to mental health and wellbeing will be able to work in the office without the risk of incurring a fine.</p> <p>Guidance will be updated for both the public and employers to reflect the above mitigations.</p>

Record of Impact on Human Rights and UN Conventions

<i>Human Rights</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate negative Impacts?</i>
N/A	No Impact	N/A	N/A

iii. Nightclubs required to close

Ministers need to take account the considerations below in making a final decision. These assessments consider the extent to which a restriction may be disproportionate due to its wider impact on social, economic and environmental wellbeing and reflect the public sector equality duty.

ECONOMIC IMPACTS

The following statistics provide an overview of the nightclub sector¹⁰ in Wales. There were 485 enterprises in the nightclub sector in Wales in 2020, approximately 0.5% of the total number of enterprises. This compares to 0.3% of all enterprises at the UK level for the sector. South East Wales had the largest number of nightclub enterprises (255), followed by Mid & South West Wales (155) and North Wales (75). 74% of Welsh enterprises in the nightclub sector are classed as micro enterprises (employing 0-9 persons) considerably below the figure for all sectors (89%).

There were 6,000 people in employment in 2019 in the nightclub sector in Wales (0.5% of total Welsh employment). Compared to Great Britain as a whole (0.2%), Wales had a larger share of employment in the sector. Within Wales, largest employment levels were in South East Wales, with 3,500 or 0.5% of total employment. The sector employed 1,750 persons in Mid & South West (0.5% of total employment) and 900 in North Wales (0.3% of total employment).

It is difficult to accurately estimate the impact of closing nightclubs, as they may have experienced reduced footfall as a result of background behaviour change in response to the emergence of Omicron. Wave 45 (covering the period 29th November to 12th December 2021¹¹) of the ONS' Business Insights and Conditions Survey (BICS) indicates that 24.0% of Welsh businesses reported turnover had decreased by up to 50% compared to normal expectations for the time of year. This was the highest of any UK country or English region. This indicates that negative economic impacts will occur to some degree, even in the absence of legal restrictions. However the following narrative highlights the importance of the sector to the economy.

In 2019 19% of domestic leisure trips of 3+ hours involved going on a night out to a pub or club, and for 10% of all visits (15.2 million trips out, with associated spend of £449m) this was the main reason for the trip. Associated spending includes all parts of the leisure trip, and data for expenditure on eating and drinking in particular is not

¹⁰ Defined as 56301: Licensed clubs

¹¹ BICS does not maintain a consistent set of questions for their fortnightly survey.

available. For overnight trips to Wales, direct spending on eating and drinking out during 2019 was £428m, 28% of the total trip cost, on average.¹²

Some nightclubs may choose to operate in a different way in order to stay open, for example by offering table service. However many businesses may find this difficult and are likely to experience significant falls in revenues. At the UK level, during the early 2021 lockdown, nightclubs attempting to trade by offering takeaway drinks or virtual gigs have achieved on average 5 per cent of normal revenues, according to the Night Time Industries Association (NTIA), the trade body for businesses operating between 6pm and 6am. At that time they also reported each week around 40 night-time businesses have shut for good. Figures from the Local Data Company show that Wales, Yorkshire and London had the most nightclubs close — between 10 and 13 per cent of their total¹³.

There are also likely to be secondary impacts on other sectors as a result of nightclubs being required to close. According to ONS data, the whole of the *Food and Beverage Service* sector contributed £1.3billion of gross value added (GVA) to the Welsh economy in 2018, equivalent to 2% total GVA for the same year. In 2019 using Business Register and Employment Survey (BRES) data, there were an estimated 85,500 people directly employed in the 'Hospitality - Pubs, Cafes and Restaurants' sector in Wales, 6.7% of total employment.¹⁴

The hospitality sector is also fundamental to the foundation economy. Local companies often source food and drink from local suppliers. There is a clear knock on impact of the closure of the hospitality sector on the food and drink supply sector – for example, 50% of milk that is supplied by farmers generally goes to the hospitality sector. Although there has been a 15% uplift in the domestic consumption this does not make up for the drop from hospitality. Welsh Government has had to step in to support farmers as a result.

The consensus amongst economists who have studied the path of the crisis is that the JRS/SEISS has been absolutely critical in preserving employment through the periods of restrictions. Therefore in the absence of government support, restrictions which force businesses to close, either through legal requirements or viability, risks a much larger negative impact on employment levels than we have seen in the pandemic to date.

Even with financial support in place, the timescales involved in setting up this scheme may mean businesses are closed for over a month before receiving funding to cover staff wages. Many businesses in the impacted sectors have very little available reserves to cover such costs in the meantime. This could result in some businesses making the decision to make employees redundant, or not being able to pay their staff during this period.

Employees in this sector are more likely to be low paid with many staff earning on or close to the National Living and Minimum Wages. Concerns have been raised that the coronavirus is having a detrimental impact on the finances of poorer households, particularly those whose members work in shutdown sectors. These households are

¹² Source: GBTS, 2019. Internal analysis

¹³ FT (published 09/04/21) - [Nightclub nightmare: industry fears for its post-Covid future](#)

¹⁴ Defined 2-digit SIC2007 code (56) Food and Beverage service activities i.e. restaurants, cafes, takeaway food, pubs / bars, clubs, and event catering

less likely to be able to reduce their spending significantly as a result of coronavirus in the same way that richer households will be able to, meaning they are more likely to be financing their spending during restrictions using savings (which may be limited) and accumulating debt.¹⁵ Those with lower incomes have been more likely to see their income reduced, and lower-paid workers have been more likely than those on higher pay to have been furloughed or lost their jobs.¹⁶

The nature of night clubs is that much of the demand (and associated revenues) lost since restrictions were put in place may potentially be lost and not recovered once restrictions are eased. Forgone consumption in this sector is unlikely to build up and be released (pent-up demand) in ways that are conceivable for other sectors that may sell goods and/or services.

Employment and Income Effects

For many in Wales the Covid-19 pandemic has had a detrimental impact on their household incomes. Survey evidence suggests that 14% of people are in a worse financial situation as a result of the coronavirus, while 21% report being better off.¹⁷ Concerns have been raised that the coronavirus is having a detrimental impact on the finances of poorer households, particularly those whose members work in shutdown sectors. These households are less likely to be able to reduce their spending significantly as a result of coronavirus in the same way that richer households will be able to, meaning they are more likely to be financing their spending during restrictions using savings (which may be limited) and accumulating debt.¹⁸ Those with lower incomes have been more likely to see their income reduced, and lower-paid workers have been more likely than those on higher pay to have been furloughed or lost their jobs.¹⁹

ENVIRONMENTAL IMPACTS

Nightclubs are areas which require employees and consumers to travel to business premises to operate. While the Welsh Government continues to promote active travel as an alternative to other forms of travel throughout the coronavirus pandemic and beyond, closing the sector will almost certainly decrease the reasons for members of the public to travel by private vehicle. While no forecasts are available as to what the knock on effect will be to air quality it can be expected to have a small impact when compared to recent months. 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

¹⁵ Bangham & Leslie (2020) Rainy days: An audit of household wealth and the initial effects of the coronavirus crisis on saving and spending in Great Britain. Resolution Foundation.

¹⁶ Resolution Foundation: [Incomes, savings and spending through the coronavirus crisis](#) November 2020

¹⁷ Public Health Wales (2021) [Public Engagement Survey on Health and Wellbeing during Coronavirus Measures](#): Week 64: 21-27 June 2021.

¹⁸ Bangham & Leslie (2020) Rainy days: An audit of household wealth and the initial effects of the coronavirus crisis on saving and spending in Great Britain. Resolution Foundation.

¹⁹ Resolution Foundation: [Incomes, savings and spending through the coronavirus crisis](#) November 2020

impacts and this work will inform future policy with a view to retaining air quality improvements for the future, as far as possible.

ENABLER INTERDEPENDENCIES

Transport

Data from the 2014/15 National Survey of Wales records the mode of transport people used to travel to pubs, cafes, etc. It showed that (non-exclusively) 47% of people used a car as a usual form of travel to pubs, cafes, and restaurants, 43% walked, and 8% used buses, and 9% used taxis. This raises a potential issue that needs consideration, which is around the impact of the resultant drop in use of taxis.

IMPACT ASSESSMENTS

Equality impacts

An assessment of impacts by protected characteristics is set out below. In general terms the proposal promotes equality as it removes restrictions on travel that will have affected different groups in different ways. Potential negative impacts relate to the risks of adaptations being made to outdoor places not fully taking into account the needs of different groups. These are primarily about equality of access.

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
<i>Age (think about different age groups)</i>	<p>Negative: Younger cohorts of the population are significantly more likely to work within nightclubs in Wales than older cohorts, therefore closing them could have negative distributional impacts This cohort currently represents the age group most at risk from an economic downturn.</p> <p>Positive: The risk of negative health outcomes associated</p>	<p>Analysis by Welsh Government of Annual Population Survey (APS) data for 2019 shows that 46% of workers in pubs, cafes, and restaurants in Wales are under the age of 25 (while this age group only represents 12% of workforce).</p>	

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	with contracting Covid-19 increases with age, which should be considered for both staff and customers of the sector.		
<i>Disability (think about different types of disability)</i>	Negative: Disabled population in Wales represent a higher share of employees within the hospitality sector than they do in the workforce as a whole,	Analysis of APS data for 2019 suggests that the proportion of disabled people working in hospitality in Wales, is higher than average with 19% of the workforce being classified as disabled (this group represents 15% of the wider workforce).	
<i>Gender Reassignment (the act of transitioning and Transgender people)</i>	No specific differential impacts identified.	N/A	N/A
<i>Pregnancy and maternity</i>	No specific differential impacts identified.	N/A	N/A
<i>Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)</i>	Negative: BAME population more likely to work within the hospitality sector in Wales than white population, therefore closing night clubs could have negative distributional impacts. Positive: BAME groups may be	Analysis of APS data for 2019 estimates that 12% of workers in pubs and restaurants in Wales are BAME (while this group only represents 5% of the Welsh workforce).	

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
	disproportionately at risk of negative health outcomes should they contract Covid-19,		
<i>Religion, belief and non-belief</i>	No specific differential impact identified.	N/A	N/A
<i>Sex / Gender</i>	Negative: proportion of sector employees who are women slightly higher than for Welsh workforce as a whole.	Analysis of APS data for 2019 estimates that 50% of workers in Wales within hospitality are female, while women represent 47% of the total Welsh workforce.	
<i>Sexual orientation (Lesbian, Gay and Bisexual)</i>	No specific differential impact identified.	N/A	N/A
<i>Marriage and civil partnership</i>	No specific differential impact identified.	N/A	N/A
<i>Children and young people up to the age of 18</i>	No differential impact identified		
<i>Low-income households</i>	negative: Individuals employed in the nightclubs or dependent on the night time economy, especially those on casual contract will be negatively effected	Provisional data from the Annual Survey of Hours and Earnings provides estimates for hourly and weekly gross pay by 2-digit SIC codes in Wales. For Food and Beverage Service Activities (SIC code 56) median gross hourly pay was £8.28 - £3.91 lower than the Welsh median for all employee jobs of	

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
		<p>£12.19. For weekly gross pay in this sector the median is £197.30, approximately £243.50 lower than the Welsh median.</p> <p>Using the same data at least 80% of employees in Food and Beverage Service Activities are estimated to have lower gross hourly pay than the Welsh median.</p>	

Human Rights and UN Conventions

The overriding purpose of the restrictions and requirements associated with lockdown have been to protect everyone’s right to life. This has led to constraints on rights such as on private and family life and the freedom of assembly and association on justifiable health grounds. Public health is described as an acceptable reason to curtail these rights, as long as it is necessary and proportionate.

United Nations Convention on the Rights of the Child

No impact on children identified.

Welsh Language

No impact identified in relation to the Welsh language.