

Equality Impact Assessment

The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020

September 2020

Equality Impact Assessment - The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020

Title of Policy	The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020
Summary of aims and desired outcomes of policy	To introduce a number of emergency public health measures to be taken in relation to people arriving into Scotland from outside the Common Travel Area (or within the Common Travel Area if outside it in the 14 days prior to their arrival), or from a non-exempt country or territory (or from an exempt country or territory, having been in or transited through a non-exempt country or territory within the previous 14 days) to reduce the public health risks posed by the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (“coronavirus”) in Scotland which causes the disease Covid-19.
Directorate	External Affairs

Executive Summary

The Scottish Government, along with the UK Government and the other Devolved Administrations, have introduced emergency public health measures at the UK border, designed to reduce the public health risks posed by coronavirus, by limiting the further spread of the disease.

The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 as amended¹ (“the Regulations”) therefore contain provisions:

- requiring international travellers arriving from outside the Common Travel Area at the UK border in Scotland or the rest of the UK to provide journey details, contact details and details of their intended onward travel, in order to support “contact tracing”; and
- requiring international travellers arriving from a non-exempt country or territory (or from an exempt country or territory where they have departed from, or transited through, a non-exempt country in the previous 14 days) to self-isolate for 14 days upon their arrival in Scotland at home or in other suitable

¹ [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Regulations 2020](#), as amended by [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment Regulations 2020](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 2\) Regulations 2020](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 3\) Regulations 2020](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 4\) Regulations](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 5\) Regulations](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 6\) Regulations](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 7\) Regulations](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 8\) Regulations](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 9\) Regulations](#), [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No 10\) Regulations](#), and [the Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Amendment \(No. 11\) Regulations 2020](#).

accommodation (bar limited exemptions contained in regulation 7 and schedule 2 of the Regulations, including for those working on critical infrastructure and transportation), in order to limit risks of transmission.

Since the introduction of these Regulations there have been amendments to these measures which have been laid through Statutory Instruments at the Scottish Parliament. The amendments have related to the addition and removals of country specific exemptions in terms of the requirement to self-isolate and sectoral exemptions from the same measure.

The Scottish Government is mindful of the three needs of the Public Sector Equality Duty (PSED) - eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not - and recognises while the measures may positively impact on one or more of the protected characteristics², also recognises that the introduction of the measures may have a disproportionate negative impact on one or more of the protected characteristics. Where any negative impacts have been identified, we have sought to mitigate/eliminate these. We are also mindful that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality. We have sought to do this through provisions contained in the Regulations, or by current support and guidance available.

While it is the view of the Scottish Government that any remaining impacts are currently justified and a proportionate means of helping to achieve the legitimate aim of reducing the public health risks posed by coronavirus, the Scottish Government also recognises that these measures are only required to respond to the current set of circumstances, and are only necessary as long as the potential public health benefits can justify any negative impacts caused.

Therefore, there are safeguards built into the Regulations in that regard. In accordance with the approach taken to the wider Covid-19 measures, a review of the need for the requirements imposed by the Regulations must take place at least once every 21 days³. There have been four reviews so far on 29 June, 20 July, 10 August and 31 August with Ministers assessing that there remains a requirement for these regulations to remain in place. The Scottish Government will continue to review existing mitigating actions and impacts.

We will continue to consider newly identified evidence, as it relates to each of the protected characteristics, and will make further adjustments, as appropriate. Finally, it should be noted that all measures contained in the Regulations are also time-limited and will expire at the end of the period of 12 months, from 8 June 2020 when they came into force.

² Section 4 of the Equality Act 2010

³ Regulation 14 of the Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020

Background

Summary of the Regulations

It is critical for the Scottish Government to take all reasonable steps to prevent the community transmission of the disease, where possible. Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) has been declared by the World Health Organisation a Public Health Emergency of International Concern. These measures are deemed necessary to limit the further spread of the disease.

The Regulations provide for measures in respect of international travellers arriving from outside the Common Travel Area (or within it if outside it in the previous 14 days prior to their arrival) or from a non-exempt country or territory at the UK Border in Scotland, or elsewhere in the UK and then travelling on to Scotland, in order to reduce the risk of the introduction of new infections of coronavirus into the community.

The Regulations contain provisions to require international travellers on, or before, arrival into Scotland to provide journey details, contact details and details of their intended onward travel via a Passenger Locator Form, in order to support “contact tracing”. Failure to comply with the requirements to provide information on arrival at the border, which in practice is collected on behalf of the Scottish Government by the Home Office (Border Force) for these public health measures, is an offence.

The Regulations contain provisions to require international travellers to stay in the premises named in their passenger locator form for a period of 14 days following arrival in Scotland from a non-exempt country or territory (or an exempt country or territory having departed from, or transited through, a non-exempt country or territory in the previous 14 days) at home or in other suitable accommodation, in order to limit risks of transmission. The Scottish Government has produced supplementary guidance to support the Regulations⁴, and it may be noted that the guidance on the measures states that it is important to avoid contact with other people in their accommodation in order to reduce the risk of transmitting coronavirus.

In relation to the requirement to stay in specified premises, under the Regulations, the international traveller is required to remain in the premises except in a small number of stated circumstances, which include seeking medical assistance, and obtaining basic necessities like food and medical supplies. Failure to comply with the requirement is an offence.

The Regulations make provision for a limited number of exemptions from the requirement to provide contact details and a longer limited list of exemptions from the requirement to self-isolate. In relation to those exempt from the requirement to self-isolate, these include prescribed critical national infrastructure and other economically essential workers, including pilots, seamen, emergency workers and oil rig workers.

⁴ <https://www.gov.scot/publications/coronavirus-covid-19-public-health-checks-at-borders/>

The UK Government has committed to facilitating accommodation for any travellers (asymptomatic and symptomatic) who have no suitable accommodation in which they can self-isolate effectively.

Similar emergency public health measures have already been made in relation to England, Wales and Northern Ireland, with the four UK nations aligning their coming into force date on 8 June. Countries across the world continue to implement public health measures to ensure imported transmission of coronavirus is minimised.

Purpose of the Regulations

The Regulations are designed to reduce the public health risks posed by coronavirus by limiting the further spread of the disease, and are therefore designed to prevent harm to individuals in Scotland.

The Scottish Government is satisfied that all of the measures are appropriate and proportionate, but it recognises that they contain extraordinary measures required to respond to an emergency situation. The Regulations therefore contain the following safeguards:

- All measures contained in the instrument are time-limited and will expire at the end of the period of twelve months beginning with the day on which they come into force.
- Moreover, the need for the requirement in the Regulations is subject to a requirement to review restrictions or requirements at least every 21 days and for those to be lifted as soon as they are no longer deemed necessary to prevent, protect against or control the incidence or the spread of coronavirus.

This Impact Assessment recognises the need to keep in sight the changing nature of this situation and will have been reviewed as part of the overall reviewed process cited above.

The Scope of the Equality Impact Assessment

It was necessary to make and lay these Regulations urgently to seek to reduce the public health risks posed by coronavirus from those travelling to Scotland, in order to reduce the risk of the introduction of new infections of Covid-19 into the community.

These measures are deemed necessary to maintain compliance with the public health guidance and limit the further spread of the disease. The Regulations have required to be made urgently in Scotland as part of a four nation approach of new public health measures at the UK border to help, as above, prevent further spread of the coronavirus and a possible second wave.

On that basis, there has been limited opportunity to gather evidence on the possible impacts of the Regulations. However, given the importance of assessing the impact on each of the protected characteristics, the Scottish Government has considered the measures against the needs of the general equality duty as set out in section 149 of the Equality Act 2010 to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who

share a protected characteristic and those who do not. The Scottish Government has also considered whether the measures could constitute direct and/or indirect discrimination.

Specifically, the EQIA assesses any impacts of applying a proposed new or revised policy or practice against the needs relevant to a public authority's duty to meet the public sector equality duty.

The needs are to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity; and
- Foster good relations

The pace of the work on this has meant limited consultation with external stakeholders in Scotland. However, this EQIA has sought to use existing and emerging information and evidence and analysis, as part and parcel of the decision making process.

There has been discussion and dialogue by the Scottish Government with Police Scotland, The Crown Office and Procurator Fiscal Service, Border Force in Scotland, Public Health Scotland and the Office of the Information Commissioner, which has shaped how the policy in Scotland is implemented. In developing these Regulations the Scottish Government has also sought the views of other external organisations where possible. These include Disabled People's Organisations such as Inclusion Scotland, Disability Equality Scotland, British Deaf Association Scotland, the Chair of the Scottish Independent Living Coalition, VOX Scotland, Scottish Commission for Learning Disability (SCLD) and Deaf Scotland; and organisations concerned with women's equality in the workplace and society, such as Engender and Close the Gap.

The Scottish Government has considered the evidence gathered and the inputs provided, both in implementation of the Regulations and as part of our review of the impact of the Regulations. These in turn will help in the consideration of the existing and potential impacts – negative and positive – that these Regulations might have on each of the protected characteristics. It is recognised that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality. Therefore it should be recognised that mitigating actions do not stand alone and form part of that wider consideration of the duty.

Key Findings

The Regulations are designed to reduce the public health risks posed by coronavirus by limiting the further spread of the disease, and are therefore designed to prevent harm to individuals in Scotland.

The Impact Assessment has identified some potential positive impacts on one or more of the protected characteristics. Limiting the spread of coronavirus is designed to positively affect the whole population, but may particularly affect the health of those people who are more severely affected by the disease.

This includes older people (age) and those with underlying health conditions (some disabled people are more likely to experience severe ill-health from contracting Covid-19 than the general population). There have been slightly more deaths among women than men involving Covid-19, although age-standardised death rates are higher for men. Covid-19 was a relatively more common cause of death for people in the South Asian ethnic group, compared to people in the white ethnic group. These impacts will be explored further in this impact assessment.

However, the Scottish Government has recognised that there may be some potential indirect and disproportionate negative impacts on one or more of the protected characteristics. These are set out and explored further in this impact assessment.

Whilst the view of the Scottish Government is that these Regulations are justified and a proportionate means of reducing the public health risks posed by coronavirus by limiting the spread of the disease, it is also clear that there is also a need to mitigate those negative effects and to promote equality as part of our wider responsibilities under the general duty.

Where any potential negative impacts have been identified, we have sought to mitigate these – for example, by provisions in the Regulations, or by current support and guidance available. Furthermore, during this impact assessment process the importance of accessible communication was highlighted, and this was also something that was raised by Disabled People’s Organisations. As a result of this process, we have translated the public health checks at borders guidance into Easy Read. Whilst this provision is designed to eliminate discrimination, it is also designed to promote equality and to foster good relations between people by ensuring access to information for people who have a distinct communication need and those who do not.

Insofar as these actions to eliminate discrimination, advance equality of opportunity and foster good relations may not be able to mitigate all of the potential impacts, the Scottish Government currently considers the potential impacts justified, and a proportionate means of achieving the legitimate aim of reducing the public health risks posed by coronavirus, and the prevention of harm to individuals living in Scotland.

However, the Regulations also contain two safeguards as outlined above in relation to the requirement for frequent review and their time-limited nature. As part of keeping these Regulations under review, evidence on their impacts and how they are operating will help inform our evidence base, and will also help to inform any changes required as to the way they operate, to meet the needs of people with one or more of the protected characteristics.

The Scottish Government will keep all mitigating actions, and positive and negative impacts, under review. This impact assessment is a living document and as such we will also continue to consider and use any newly identified evidence, as it relates to each of the protected characteristics. We will make further adjustments, as appropriate, as we wish to ensure that equality and human rights are central to this process.

Current actions, which will be explored in more detail below, include:

- Provisions in the measures which allow individuals to leave the place they are self-isolating for certain reasons, such as to obtain basic necessities, to seek medical assistance and to access public services.
- The public health checks at the borders guidance (<https://www.gov.scot/publications/coronavirus-covid-19-public-health-checks-at-borders/>) refers to:
 - The Scottish Government's Covid-19 webpage, which provides guidance/links in relation to topics such as: help if you are vulnerable or need additional support; support if you are feeling anxious or depressed; domestic abuse support; information for older people; and guidance for households⁵ (*referred to below as the Scottish Government's Covid-19 guidance*)
 - The Scottish Government's existing national helpline (also available to telephone users), which provides essential assistance to those who do not have a network of support. Groups the helpline is particularly focused on includes disabled people, older people, and those who are pregnant⁶.
 - Ready Scotland's 'where to find additional support' page, which provides links to additional guidance on an array of topics⁷ (*referred to below as Ready Scotland's additional support page*)

The currently identified impacts on each of the protected characteristics, including how the Scottish Government has sought to mitigate these, are explored in more detail below.

Age

Children and young people

The requirement to provide information applies to children (defined as individuals under the age of 16) though adults with a child are required to provide the child's information. Only unaccompanied children would be required to provide the information in their own right, although we understand from Border Force that in practice, a safeguarding welfare officer is responsible for working with any unaccompanied children.

Children and adults will be required to self-isolate, and liable to offences for failure to do so in their own right. There is an additional provision that, where a constable has reasonable grounds for suspecting that a child has repeatedly contravened the requirement, the constable may direct any individual who has responsibility for the child to ensure, so far as reasonably practicable, that the child complies with that requirement.

⁵ <https://www.gov.scot/coronavirus-covid-19/>

⁶ <https://www.gov.scot/publications/coronavirus-covid-19-help-for-vulnerable-people/>

⁷ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

Where other legal obligations apply – for example, in relation to shared custody – children may be able to move between households as a result of regulation 9(6)(e) of the Regulations. Regulation 9(6)(e) allows movement outside of the place of self-isolation to fulfil legal obligations.

The self-isolation of students may have some negative impacts on young people, such as international students coming to Scotland to study or on short-term exchange programmes, whether for the first time or as returners. In extreme circumstances, it might discourage international students choosing to study in Scotland, reducing their options.

As students prepare to arrive/return to universities/colleges, this remains a live issue for universities and colleges who are considering how best to support international students. Some universities are encouraging international students to arrive early and have indicated that they will actively support students during their self-isolation period.

This is also expected to impact on international children returning to boarding schools in Scotland. Boarding schools are contingency planning for additional accommodation to supplement dormitories if physical distancing measures need to be in place limiting the number of beds.

It is recognised that the travel and tourism industries have been adversely impacted by these measures. The tourism sector, for example, employs a high share of young workers, with around 40 per cent of the workforce aged between 16 and 24⁸, so young people may have been disproportionately impacted, and this may lead to reduced employment opportunities.

The Scottish Government has a dedicated resource related to advice for businesses⁹, and the Scottish Government's Covid-19 guidance provides specific information/links in relation to the tourism sector. However, we will continue to take into account evidence of the impacts of the Regulations, and consider how they may affect one or more of the protected characteristics.

Older people

Older people are confirmed as having coronavirus at a higher rate than younger people - as at 16 August 2020, people aged 75-84 were confirmed as having coronavirus at a rate of 766 people per 100,000 population, and for those aged 85 and over, the rate was 2,214 people per 100,000 population. This is compared to a rate of 418 people per 100,000 population for people aged 45-64¹⁰. As of 09 August 2020, more than three quarters (77%) of all deaths involving Covid-19 were of people aged 75 or over¹¹. There are a higher ratio of women to men in older age groups, reflecting women's longer life expectancy. For example, women make up

⁸ This data is from analysis of the ONS Annual Population Survey (July 2018 – June 2019 dataset)

⁹ <https://findbusinesssupport.gov.scot/coronavirus-advice>

¹⁰ Public Health Scotland (2020) [COVID-19 statistical report](#) (This data is from the supplementary data published alongside the 19 August 2020 report)

¹¹ National Records of Scotland (2020) <https://www.nrscotland.gov.uk/files//statistics/covid19/covid-deaths-report-week-32.pdf> (cases) was mentioned on the death certificate.

65% of people aged 85+ in Scotland¹². Measures that may help limit the spread of coronavirus are designed to positively affect the entire population, but may particularly benefit older individuals.

According to the 2017 Scottish Health Survey, 56% of people aged 75 and over had a limiting long-term condition¹³, and therefore older people – while *allowed* to leave the house to obtain basic necessities – may find it harder to do so, and may struggle to get an online delivery due to existing pressures, and lower internet use. The situation may be exacerbated for any individuals who cannot rely on the help of neighbours and friends.

Older people are less likely to have internet access and even if they do they are less likely to use it. 36% of households where all adults are over 65 do not have home internet access, with only 57% of those with access using it regularly. 60% of households where all adults are over 80 do not have internet access, with 72% not using it regularly. Only 29% of adults aged 75 and over use a smartphone to access the internet¹⁴.

Existing mitigating measures are in place which may benefit older people who are self-isolating. The Scottish Government's Covid-19 guidance provides specific guidance on help for those who are vulnerable or need additional support, and one of the areas the Scottish Government's national helpline is specifically designed for is those over the age of 70 who may need extra help, including those people who do not have internet access. Furthermore, Ready Scotland's additional support page¹⁵ provides links to further information for older people, directing people to Age Scotland.

The UK Government (Border Force) are collecting passenger information at the border for people arriving in Scotland. In instance where passengers have not completed their forms, there are tablets and stands in airports to complete the forms. Assistance has been provided by Border Force to help those people – for example, elderly people – who may need additional help.

Summary: Measures that help limit the spread of coronavirus are expected to particularly positively affect older people, protecting their health and helping to advance equality of opportunity. The national helpline may also help to mitigate any negative impacts, and advance equality of opportunity, helping people over the age of 70 who may need extra help, including those who do not have internet access. It may also have a positive effect in fostering good relations between people, as helpline staff may have the opportunity to understand more about the difficulties faced by older people. Provisions in the measures that can allow children to move in between households to fulfil existing legal obligations, in relation to shared custody, may help to advance equality of opportunity.

¹² National Records of Scotland (2020) [Mid-2019 Population Estimates Scotland](#)

¹³ Scottish Government (2018) [Scottish health survey 2017: volume one - main report](#)

¹⁴ This data is from additional analysis of the Scottish Household Survey 2018

¹⁵ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

Disabled people

Around a third of adults reported a limiting longstanding health condition or illness. According to the 2017 Scottish Health survey, 29% of men and 34% of women in Scotland reported living with a limiting long-term condition. For people aged 75 and over, 56% had a limiting long-term condition¹⁶. 1 in 5 Scots identify as disabled and more than a quarter of working age people acquire an impairment¹⁷.

Coronavirus particularly affects those with a pre-existing medical condition¹⁸. Some disabled people are more likely to experience severe ill-health from contracting Covid-19 than the general population, due to a higher incidence of pre-existing health conditions and poorer overall health within the disabled community.

Therefore, measures which limit the spread of coronavirus would be positive for individuals. It is important to note, however, that many disabled people do not have underlying health conditions that put them at a higher risk¹⁹. Many of those people who are at very a high risk will not be disabled people, and a reduction in the spread of coronavirus would also benefit these people.

However, a requirement to self-isolate may exacerbate issues that some disabled people report already. Some disabled people may find it harder, or not be able to, leave their household to obtain basic necessities, may struggle to get an online delivery due to existing pressures and lower internet use, and/or may not have family and friends who can help.

7% of adults (aged 16+) with a limiting long-term condition reported having only one person or nobody that they could turn to for support in a crisis. This compares with 3% for those without a limiting long-term condition²⁰. In 2019, the proportion of recent UK internet users was lower for disabled adults (78%) compared with non-disabled adults (95%)²¹, and according to the 2018 Scottish Household Survey, 27% per cent of adults who have some form of long-standing physical or mental health condition or illness reported not using the internet, compared with 8% of those who do not have any such condition²². As a result, a greater percentage of disabled people may not be able to order online.

To assist in the mitigation of any negative effects and to eliminate discrimination, existing measures are in place which may support disabled people who are self-isolating. The Scottish Government's national helpline is designed for those who may be at risk and don't have community support available, as well as those who cannot get online, putting them in touch with their local authority to access essential help. This measure may also have a positive effect in fostering good relations between

¹⁶ Scottish Government (2018) [Scottish health survey 2017: volume one - main report](#)

¹⁷ Scottish Government (2018) [A Fairer Scotland for Disabled People: employment action plan](#)

¹⁸ <https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/coronavirus-covid-19-general-advice>

¹⁹ When seeking the views of stakeholders, Inclusion Scotland referenced this point

²⁰ This data source is the Scottish Health Survey 2015/2017.

²¹ ONS (2019) [Internet users, UK](#)

²² Scottish Government (2019) [Scottish household survey 2018: annual report](#)

people as helpline staff may have the opportunity to understand more about the difficulties faced by disabled people.

The Scottish Government's Covid-19 guidance for those who are vulnerable or need additional support provides additional information. Ready Scotland's additional support page²³ also provides links to information for disabled people, linking people to Disability Information Scotland.

For certain groups who rely on talking to neighbours as a form of social contact, being asked to stay at home and avoid face-to-face contact may be particularly hard. Disabled people were more likely than the general population aged 16+ to say they regularly stop and talk with people in the neighbourhood (64.6% vs 62.2%)²⁴. This was especially true for disabled people aged 70+ (74.8%)²⁵. People living with a long-term physical or mental health condition are more than twice as likely to experience feelings of loneliness within the last week compared to those without (34% compared with 16%)²⁶.

To assist in the mitigation of any negative effects and to eliminate discrimination, the Scottish Government's Covid-19 guidance provides links to information on health and wellbeing, including for individuals feeling anxious or depressed. The Ready Scotland additional support page²⁷ also provides links to support and guidance for anyone struggling with their mental health and well-being.

Provisions in the Regulations allow individuals to leave their household to seek medical assistance; to access public services (including social services or victims' services) where access to the service is critical to the person's well-being, and the service cannot be provided if the person remains at their accommodation; and to avoid injury, illness or to escape a risk of harm. These provisions may help to lessen any potential negative impacts on disabled people.

According to the Scottish Commission for Learning Disability (SCLD), in 2019 there were 23,584 adults with learning disabilities known to local authorities across Scotland. This equates to 5.2 people with learning disabilities per 1000 people in the general population²⁸. The requirement to self-isolate for 14 days may have a particular impact on those with learning disabilities. SCLD refer to how people with learning/intellectual disabilities are experiencing increased loneliness and social isolation during this time, and these feelings are likely to be more pronounced for people with learning/intellectual disabilities²⁹. A period of self-isolation may therefore exacerbate existing feelings of loneliness and social isolation.

²³ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

²⁴ ONS (2020) [Coronavirus and social relationships and support for vulnerable groups: 2017 to 2018 and 2018 to 2019](#)

²⁵ *Ibid*

²⁶ Scottish Government (2019) [Scottish household survey 2018: annual report](#)

²⁷ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

²⁸ SCLD (2019) [Learning Disability Statistics Scotland 2019](#)

²⁹ SCLD (2020) [Scottish Commission for people with a Learning Disability. Statement on Human Rights and COVID-19](#)

To assist in the mitigation of any negative effects and to eliminate discrimination, Ready Scotland's additional support page³⁰ provides a link to information on coronavirus as well as resources and support for those with learning disabilities or their carers. During any self-isolation period for an individual, a visitor providing essential care is allowed to visit. The above provisions in the Regulations, such as the ability to seek medical assistance, access public services and to avoid injury, illness and harm, may also help to reduce any impacts.

Some disabled people may have specific needs in relation to communication. During this impact assessment process, the importance of accessible communication was highlighted, and this was also something that was raised by a range of Disabled People's Organisations³¹. As a result, we have translated the public health checks at borders guidance into Easy Read.

The national helpline, referred to in the Scottish Government guidance, supports people who do not have other community or family support available by joining them up with local services. There is a textphone number available and we have added into our guidance that deaf and deafblind BSL users can contact the national helpline number via contactScotland-BSL, a Scottish Government service that connects deaf BSL users throughout Scotland through an online BSL interpreting video relay service (VRS)³².

Summary: Measures that help limit the spread of coronavirus may particularly positively affect those with underlying health conditions (and some disabled people are more likely to experience severe ill-health from contracting Covid-19 than the general population), protecting their health and helping to advance equality of opportunity. The national helpline may also help to mitigate any negative impacts, and advance equality of opportunity, providing support for disabled people who may be at risk and don't have community support available, as well as those who cannot get online. It may also have a positive effect in fostering good relations between people, as helpline staff may have the opportunity to understand more about the difficulties faced by disabled people.

Translating the guidance into Easy Read is designed to eliminate discrimination, but is also designed to promote equality of opportunity and to foster good relations between people by ensuring access to information for people who have a distinct communication need and those who do not.

Sex

As of 16 August 2020, among women there were 11,822 confirmed cases, compared to 7,404 cases among men. Among those aged 15-44 years, more than twice as many women than men had been confirmed as having Covid-19³³. There are likely to be a

³⁰ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

³¹ When seeking the views of stakeholders, the British Deaf Association Scotland, Deaf Scotland, Disability Equality Scotland, Inclusion Scotland, the Chair of the Scottish Independent Living Coalition, VOX Scotland and the Scottish Commission for Learning Disability raised this

³² <https://contactscotland-bsl.org/about-us/>

³³ ³³ National Records of Scotland (2020) <https://www.nrscotland.gov.uk/files//statistics/covid19/covid-deaths-report-week-32.pdf>

number of reasons behind this difference, including the testing of NHS and care home staff, who are predominately women³⁴.

As at 16 August 2020, of all deaths involving Covid-19, just under 50% of deaths were men (2,091), while just over 50% of deaths were women (2,122). 43% of all Covid-19 deaths were of people aged 85 and over³⁵.

More men than women have been admitted to ICU³⁶, and age-standardised death rates (which adjust for the age-structure of the population), were 43% higher for men than for women (289 vs 201 per 100,000 population for deaths occurring in March - June)³⁷.

Measures that may help limit the spread of coronavirus are designed to positively affect the entire population regardless of sex by reducing the risk of infection. However, based on the currently available data, limiting the spread may particularly benefit men, in respect of reducing ICU admissions and the age-standardised death rate, and limiting the spread – and any reductions in the overall numbers of deaths – may particularly benefit women over the age of 85.

Women who are self-isolating may need additional support for a number of reasons. The police recorded 60,641 incidents of domestic abuse in 2018-19. Where gender information was recorded, around four out of every five incidents of domestic abuse in 2018-19 had a female victim and a male accused³⁸. While in April 2020 Police Scotland stated that there had been a slight decrease in domestic abuse incidents, they stated this may not reflect what is actually happening, and acknowledged that people do not always report abuse immediately³⁹.

Scottish Women's Aid have indicated that since lockdown commenced, there has been a significant increase in calls to the National Domestic Abuse and Forced Marriage helpline. On 27 May 2020 Refuge, which provides specialist support for women and children experiencing domestic violence, reported that calls and contacts to its helpline had risen to a weekly average increase of 66%, while visits their website had risen 950% compared to pre-Covid levels⁴⁰.

Self-isolation may increase risks for women and children housed with a domestic abuse perpetrator. Qualitative research by the Scottish Government on the experience of individuals and families experiencing domestic abuse, which took

³⁴ Public Health Scotland (2020) [COVID-19 Statistical Report](#) (This is from the report published on 10 June 2020)

³⁵ National Records of Scotland (2020) [Deaths involving coronavirus \(COVID-19\) in Scotland Week 29 \(13 July to 19 July 2020\)](#) The NRS figures published include all deaths where COVID19 (including suspected cases) was mentioned on the death certificate.

³⁶ Public Health Scotland (2020) [COVID-19 statistical report](#) (This data is from the supplementary data published alongside the 22 July 2020 report)

³⁷ National Records of Scotland (2020) [Deaths involving coronavirus \(COVID-19\) in Scotland Week 29 \(13 July to 19 July 2020\)](#) The NRS figures published include all deaths where COVID19 (including suspected cases) was mentioned on the death certificate.

³⁸ Scottish Government (2020) [Domestic abuse in Scotland: 2018 - 2019 statistics](#)

³⁹ <https://www.scotland.police.uk/what-s-happening/news/2020/april/recorded-crime-down-during-scotland-s-coronavirus-res-ponse/>

⁴⁰ <https://www.refuge.org.uk/refuge-reports-further-increase-in-demand-for-its-national-domestic-abuse-helpline-services-during-lockdown/>

place over the initial 8 weeks of the Covid-19 'lockdown', found that in some cases, victims and their children were at greater risk due to the increased time spent in isolation with the perpetrator, and many services involved in the research reported that, although perpetrator tactics have not changed significantly, the impact and risk of domestic abuse is magnified by lockdown⁴¹.

Regulation 9 allows a person to leave the place they are self-isolating to seek medical assistance, or to avoid injury, illness, or to escape a risk of harm. Furthermore, existing mitigating measures are in place to help support those affected by domestic abuse. The Scottish Government's Covid-19 guidance has been updated to reflect these exemptions and provides information on domestic abuse support⁴² while Ready Scotland's additional support page⁴³ also provides links to support for anyone experiencing domestic abuse, forced marriage or anyone affected by sexual violence. In March 2020, the Scottish Government announced that Scottish Women's Aid would receive £1.35 million over a six month period⁴⁴.

Out of the 170,000 lone parents aged 16 to 74 with dependent children in Scotland in 2011, 92 per cent (156,000) were women⁴⁵. Due to self-isolating, women with dependent children may therefore find it more difficult to attain food and medical supplies. Additionally, women who are required to self-isolate may be negatively impacted by delayed or restricted access to abortion or contraception⁴⁶.

The Scottish Government is mindful of this need, therefore existing provisions in the Regulations, which allow a person to leave the place they are self-isolating to obtain basic necessities, and to seek medical assistance, may help to mitigate such impacts. Furthermore, the Scottish Government is working with abortion care providers to enable patients having an early medical abortion to have their consultation by telephone or video call so they can follow public health advice to stay at home and minimise social contact. Following the consultation, if the patient wishes to proceed the medication is either delivered to her home or she collects it from the clinic. The new approval allows women having early medical abortions to take both abortion drugs at home, where they wish to and where it is considered appropriate for them.

In addition, the Scottish Government's Covid-19 guidance, along with the national helpline, aims to provide guidance and support for those who may need additional help.

Furthermore, the ability of women to seek and maintain paid employment may be compromised by the requirement to self-isolate for 14 days.

⁴¹ Scottish Government (2020) [Coronavirus \(COVID-19\): domestic abuse and other forms of violence against women and girls - 30/3/20-22/05/20](#)

⁴² <https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-domestic-abuse/>

⁴³ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>

⁴⁴ <https://www.gov.scot/news/support-for-victims-of-domestic-violence-during-covid-19-outbreak/>

⁴⁵ <https://www.scotlandscensus.gov.uk/news/census-2011-key-results-households-and-families-and-method-travel-work-or-study-scotland>

⁴⁶ When seeking the views of stakeholders, Engender referenced this point

Firstly, evidence indicates that women spend far more time on childcare than men. 1 in 4 women across all age groups took part in childcare on a given day in 2014-15 (24%), compared to 15% of men⁴⁷. Research by the Office for National Statistics (ONS) found the gap in unpaid work (activities such as childcare, adult care, housework and volunteering) between men and women reduced slightly during lockdown but was still large, with women doing 1 hour and 7 minutes more unpaid work per day than men. While men increased their amount of childcare by 58% between 2014 to 2015 and March to April 2020, they still undertook 15 minutes a day less unpaid childcare than women⁴⁸.

Furthermore, individuals living with children spent 35% longer on average providing childcare, which included helping out with homework. For a child under the age of 8 in the household, women spent 4 hours and 5 minutes caring for a child, compared to 2 hours 50 minutes for men⁴⁹.

The fact that children entering the country will also be required to self-isolate may make it more difficult for women to manage their commitments, as they will be unable to access childcare for that period⁵⁰. Increased childcare responsibilities can therefore have an effect on women's ability to carry out paid work. In their report on the impact of Covid-19 on women's labour market equality, Close the Gap advised women are disproportionately affected by the need for more unpaid care, which impacts on their ability to do paid work⁵¹.

Secondly, more women workers than men workers may find it more difficult to work from home during a period of self-isolation due to their role not being suited to home working. Evidence suggests that those in lower-paying industries and occupations are least likely to be able to work from home⁵². Therefore, as women make up the majority of lower paid workers⁵³, it is more likely that the requirements of self-isolation will have a greater impact on women than on men.

Thirdly, it is recognised that the travel and tourism industries, which includes accommodation and food services, may particularly be adversely impacted by these measures. Just over half of the tourism workforce within the sector are women (higher than the Scottish Economy as a whole)⁵⁴, and a larger proportion of the women workforce within the sector are in part-time positions than for the Scottish economy as a whole⁵⁵. A larger portion of women than men working within the tourism sector earn less than the real living wage⁵⁶.

⁴⁷ Scottish Government (2019) [Centre for Time Use Research Time Use Survey 2014-15](#)

⁴⁸ ONS (2020) [Coronavirus and how people spent their time under lockdown: 28 March to 26 April 2020](#)

⁴⁹ *Ibid*

⁵⁰ When seeking the views of stakeholders, Close the Gap referenced this point

⁵¹ Close the Gap (2020) [Disproportionate disruption: The impact of COVID-19 on women's labour market equality](#) (When seeking the views of stakeholders, Close the Gap referenced this publication)

⁵² Resolution Foundation (2020) [Doing what it takes: Protecting firms and families from the economic impact of coronavirus](#) (Close the Gap referenced this publication in their publication [Disproportionate disruption: The impact of COVID-19 on women's labour market equality](#))

⁵³ Close the Gap (2020) [Disproportionate disruption: The impact of COVID-19 on women's labour market equality](#)

⁵⁴ This data is from analysis of the ONS Annual Population Survey (April 2018 – March 2019)

⁵⁵ *Ibid*

⁵⁶ This data is from analysis of the ONS Annual Survey of Hours and Earnings for 2018

In their report on the impact of Covid-19 on women's labour market equality, Close the Gap advise that women make up the majority of the hospitality and retail workforces, and that the accommodation, food services and retail sectors are impacted by tourism⁵⁷. Furthermore, in their briefing on Women and Covid-19, Engender comment that women are over represented in industries at risk of contraction during Covid-19, including tourism, retail, and hospitality⁵⁸. As a result, women may be disproportionately impacted.

In addition, the minority ethnic employment gap is much higher for women (22.0 percentage points vs 9.5 for men, in 2019). The vast majority, 76%, of part-time workers are women: in 2019, women aged 16+ accounted for three-quarters of part-time employment in Scotland⁵⁹.

These measures, including both the requirement to self-isolate and broader impacts, may therefore disproportionately negatively impact on the incomes, and wellbeing, of women.

To assist in the mitigation of any negative effects and to eliminate discrimination, the Scottish Government's Covid-19 guidance provides links to work and financial support, which may serve to help women who are affected. However, both individually and collectively, these restrictions have the potential to have a greater negative impact upon women. Therefore, we continue to closely monitor the impacts of the Regulations, to see what actions may be required to address these issues for women who will be required to self-isolate.

Summary: It is recognised that some of these measures have the potential to have a greater negative impact on women, and wherever possible we have tried to put in place support which recognises the gender based nature of discrimination. These Regulations will not be able to address systemic issues of gender based issue of discrimination – however, measures in place such as the national helpline, measures to tackle gender based violence, etc., alongside existing guidance, may help to tackle some of that discrimination as it applies to the Regulations.

Provisions in the measures may help where lone parents may not be able to leave the house as they are the main carer. Again, as set out above, evidence indicates that lone parents are more often women than men. Being able to leave the home to obtain basic necessities and to seek medical assistance will help to ensure that women to are able to access basic necessities, and will also help to ensure that they are able access abortion and contraception. Existing support and guidance, along with provisions in the measures, such as being able to leave the household to seek medical assistance, or to avoid injury, illness, or to escape a risk of harm may help to eliminate harassment and victimisation for women (who by far suffer the greatest harm from domestic abuse) who are living with an abusive partner.

⁵⁷ Close the Gap (2020) [Disproportionate disruption: The impact of COVID-19 on women's labour market equality](#)

⁵⁸ Engender (2020) [Engender Briefing: Women and COVID-19](#) (When seeking the views of stakeholders, Engender and Close the Gap also referenced the retail and hospitality sectors)

⁵⁹ Scottish Government (2020) [Scotland's Labour Market: People, Places, and Regions - Statistics from the Annual Population Survey 2019](#)

Gender Reassignment

According to the UK Government Equalities Office LGBT Survey in 2017⁶⁰ (a large scale UK survey of 108,000 LGBT people, though respondents were self-selected and results may not be representative of the whole population) 29% had experienced an incident in the previous 12 months involving someone they lived with because they were LGBT. The most common types were verbal harassment (14% experienced this), disclosure of their LGBT status without permission (14%) and coercive or controlling behaviour (9%). A quarter (24%) of all respondents were not open about being LGBT with any family members that they lived with (excluding partners).

There may, therefore, be potential negative impacts on some LGBT people, including transgender people, self-isolating with someone they live with. Furthermore, there is evidence to suggest that transgender people have a greater need of support in relation to mental health⁶¹.

The Scottish Government's Covid-19 guidance on health and wellbeing, including for individuals feeling anxious or depressed, is designed to provide assistance, while Ready Scotland's additional support page⁶² provides links to support and guidance for anyone struggling with their mental health and well-being.

In addition, provisions in the Regulations allow individuals to leave their household to seek medical assistance; to access public services (including social services or victims' services) where access to the service is critical to the person's well-being, and the service cannot be provided if the person remains at their accommodation, and to avoid injury, illness, or to escape the risk of harm. These provisions may help to lessen any potential negative impacts on transgender people.

Overall, there is limited evidence on the experiences of transgender people in Scotland and globally. Many surveys and data sources do not include questions on a person's trans status or provide a non-binary response to the sex/gender question.

Summary: Existing support and guidance available⁶³, and provisions in the measures, such as being able to leave the house to seek medical assistance, access public services and to avoid injury, illness, or to escape the risk of harm, may help to protect transgender people from victimisation and harassment.

Sexual Orientation

The aforementioned UK Government Equalities LGBT Survey in 2017 reported that 29% of LGBT people had experienced an incident in the previous 12 months involving someone they lived with because they were LGBT.⁶⁴ There may, therefore,

⁶⁰ UK Government Equalities Office (2018) [National LGBT Survey Summary Report](#)

⁶¹ <https://www.scottishtrans.org/trans-rights/practice/health-social-care/>

⁶² <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

⁶³ <https://www.gov.scot/publications/coronavirus-covid-19-guidance-on-support-information-food-and-other-essentials/>

⁶⁴ UK Government Equalities Office (2018) [National LGBT Survey Summary Report, p. 13](#)

be a negative impact on some LGBT people who self-isolate with someone they live with, including as a result of their sexual orientation.

The Scottish Government's Covid-19 guidance on health and wellbeing, including for individuals feeling anxious or depressed, is again designed to provide assistance, while Ready Scotland's additional support page⁶⁵ also provides links to support and guidance for anyone struggling with their mental health and well-being.

In addition, as described above, provisions in the Regulations allow individuals to leave their household to seek medical assistance; to access public services (including social services or victims' services) where access to the service is critical to the person's well-being, and the service cannot be provided if the person remains at their accommodation, and to avoid injury, illness, or to escape the risk of harm. These provisions may help to lessen any potential negative impacts on people as a result of their sexual orientation.

Summary: Existing support and guidance available, and provisions in the measures, such as being able to leave the house to seek medical assistance, to access public services and to avoid injury, illness, or to escape the risk of harm, may help to protect people from victimisation and harassment due to their sexual orientation.

Race

Analysis by National Records of Scotland (NRS) has found that deaths among people in the South Asian ethnic group were almost two times as likely to involve Covid-19, compared to deaths in the White ethnic group (after accounting for age group, sex, area-level deprivation and urban rural classification). NRS note they do not have sufficient evidence to say that deaths among people in the Chinese ethnic group were more likely to involve Covid-19, and due to the low number of completed records for deaths involving Covid-19 in other minority ethnic groups, NRS also stated they were not able to carry out analysis of the relative likelihood that deaths involved Covid-19⁶⁶. Analysis from Public Health England in June showed that death rates from Covid-19 were highest among people in the Black and Asian ethnic groups⁶⁷.

Measures that may help limit the spread of coronavirus are designed to positively affect the entire population, but may particularly benefit people in the South Asian ethnic group.

Scotland's 2011 census found that the 'White: Polish' ethnic group had the highest rate of overcrowded households (30 per cent), followed by 'Bangladeshi' and 'African' households (both 28 per cent). This compares with 8% for 'White: Scottish' and 6% for 'White: Other British'⁶⁸. Furthermore, the report by Public Health England

⁶⁵ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

⁶⁶ National Records of Scotland (2020) [Analysis of deaths involving coronavirus \(COVID-19\) in Scotland, by ethnic group](#)

⁶⁷ Public Health England (2020) [Disparities in the risk and outcomes of COVID-19](#)

⁶⁸ Scottish Government (2015) [Census 2011 equality results: analysis, part two](#)

noted that Black, Asian and Minority Ethnic people may be at an increased risk of acquiring coronavirus due to factors such as overcrowded households⁶⁹.

While the measures are designed to limit the further spread of coronavirus, a returning traveller required to self-isolate, and living in an overcrowded household, may find it more difficult to distance themselves from other members of their household. This *may* potentially contribute to an increased risk of the spread of the virus within such a household, and this may be particularly pertinent among people from minority ethnic groups (including among the South Asian ethnic group).

The UK Government can provide accommodation for those who cannot self-isolate safely in their own accommodation. Furthermore, a new expert group will work with the Scottish Government to provide a clearer picture of the impact on minority ethnic communities of coronavirus. The group will consider evidence and data being gathered by the Scottish Government, Public Health Scotland, National Records of Scotland and the NHS, and advise on policy actions to mitigate any disproportionate effects⁷⁰.

The Scottish Government will continue to take into consideration any newly identified evidence, in relation to any impacts the requirement to self-isolate for 14 days may have on minority ethnic people, and use this evidence to make changes, as appropriate.

Ready Scotland's additional support page⁷¹ links to support and guidance for anyone struggling with their mental health and well-being, provides links to family support, information and advice on staying at home with children, and links to the Ethnic Minority National Resilience Network.

Non-UK Nationals

It is recognised that the travel and tourism industries may particularly be adversely impacted by these measures. 11.5% of the tourism sector's workforce are **non-UK EU nationals**, compared with 5.8% for Scotland as a whole⁷². As a result, non-UK nationals may be disproportionately impacted.

The Scottish Government has a dedicated resource related to advice for businesses⁷³, and the Scottish Government's Covid-19 guidance provides specific information/links in relation to the tourism sector. However, we will continue to take into account evidence of the impacts of the Regulations, and consider how they may affect one or more of the protected characteristics.

There may be a risk that the general population misunderstand the intention of these measures and assume **all non-UK citizens in Scotland** should be self-isolating. It is therefore crucial that messaging and communication that these measures are a requirement for **all arrivals, subject to certain exemptions**, is delivered across the UK. The public health checks at borders guidance provides information on these

⁶⁹ Public Health England (2020) [Disparities in the risk and outcomes of COVID-19](#)

⁷⁰ <https://www.gov.scot/news/action-against-inequality/>

⁷¹ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

⁷² This data is from analysis of the ONS Annual Population Survey (July 2018 – June 2019 dataset)

⁷³ <https://findbusinesssupport.gov.scot/coronavirus-advice>

measures, and the Scottish Government will work internally and with the UK Government to ensure that the rights of those already in Scotland are not impeded by the new measures.

Gypsy/Travellers

Gypsy/Travellers who do not live in settled accommodation face some specific additional risks and vulnerabilities during the Covid-19 crisis – such as access to sanitation or a separate trailer to self-isolate - which may make it difficult for them to limit virus spread and comply with public health guidelines. In 2011, Gypsy/Travellers in Scotland, compared to the population as a whole, were more likely to report a long-term health problem or disability and were more likely to report bad or very bad general health⁷⁴.

These should be considered within local resilience plans - for example, if space is needed to camp for the quarantine period. The impact of Covid-19 on Gypsy/Traveller travel patterns is unpredictable. The summer travelling season may result in travel from Ireland but, due to ferry routes, this will come through Northern Ireland.

To assist in the mitigation of any negative effects and to eliminate discrimination, the Scottish Government are currently working with Local Authorities⁷⁵, while Ready Scotland's additional support page⁷⁶ provides links to information and guidance that has been produced for Gypsy/Traveller communities on coronavirus. A Facebook page, a joint initiative of partners including the Scottish Government, has been set up for Gypsy/Traveller communities to provide up to date information on coronavirus⁷⁷.

Summary: Measures that may help limit the spread of coronavirus are designed to positively affect the entire population, but may particularly benefit people in the South Asian ethnic group. However, it is also noted a returning traveller required to self-isolate, and living in an overcrowded household, may find it more difficult to distance themselves from other members of their household, and this may potentially contribute to an increased risk of the spread of the virus within such a household. This may be particularly pertinent among people from minority ethnic groups (including among the South Asian ethnic group).

A new expert group will work with the Scottish Government to provide a clearer picture of the impact on minority ethnic communities of coronavirus, and advise on policy actions to mitigate any disproportionate effects⁷⁸. The Scottish Government will continue to take into consideration any newly identified evidence, in relation to any impacts the requirement to self-isolate for 14 days may have on minority ethnic people, and use this evidence to make changes, as appropriate.

⁷⁴ Scottish Government (2015) [Gypsy/Travellers in Scotland - A Comprehensive Analysis of the 2011 Census](#)

⁷⁵ Scottish Government (2020) [Coronavirus \(COVID-19\): framework to support gypsy/traveller communities](#)

⁷⁶ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

⁷⁷ <https://www.facebook.com/GypsyTravellers-ScotlandCoronavirus-information-100442048272006/>

⁷⁸ <https://www.gov.scot/news/action-against-inequality/>

The current border health measures guidance, which makes clear who the Regulations apply to, may help to eliminate discrimination against non-UK citizens in Scotland, and to foster good relations between people. Mitigating measures available to help Gypsy/Travellers - for example, existing guidance and support and the setting up of the Facebook page, may help to eliminate discrimination and advance equality of opportunity, by helping to provide support to Gypsy/Traveller communities.

Pregnancy and Maternity

The NHS Inform website states that people who are pregnant do not appear to be more susceptible to coronavirus than the general population, although are generally more susceptible to infection generally. If a pregnant woman contracts coronavirus during their pregnancy it is likely that they will not be more seriously unwell than other healthy adults, and that they will experience only mild or moderate cold/flu-like symptoms⁷⁹. However, pregnant women are listed in the group of people who are at higher risk of developing severe illness with coronavirus⁸⁰.

To assist in the mitigation of any negative effects and to eliminate discrimination, one of the groups the Scottish Government's national helpline is specifically designed for is those who are pregnant, while Ready Scotland's additional support page⁸¹ also provides links to health guidance for pregnant women and maternity professionals looking after them.

Summary: Existing guidance and support measures in place, and the national helpline, may help to eliminate discrimination and promote equality of opportunity, to assist pregnant women who may need extra help. The national helpline may also help foster good relations, as helpline staff may have the opportunity to understand more about the difficulties faced by pregnant women.

Religion or Belief

Individuals will not be able to attend a place of worship during the period of self-isolation, and for some individuals this may be an integral part of their faith. This applies to all individuals and all faiths equally, although the exact impact will depend on the exact period of self-isolation, relative to a particular religious event or service.

Many faith groups have established online worship services which would be available to persons who are self-isolating after entering the country. The Scottish Government provided funding that has allowed faith groups to purchase equipment and software that would facilitate these online worship services. This has widened access to prayer, worship, and funeral services, with persons able to attend from home.

⁷⁹ <https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/parents-and-families/coronavirus-covid-19-pregnancy-and-newborn-babies>

⁸⁰ <https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19/coronavirus-covid-19-general-advice>

⁸¹ <https://www.readyscotland.org/coronavirus/where-to-find-additional-support/>.

The requirement to self-isolate may discourage international travel. This may therefore impact on those going abroad for annual pilgrimages, which may particularly affect Muslim communities. However, at this time the Umrah has been suspended, and Saudi Arabia has announced international visitors will be unable to undertake the Hajj this year. Furthermore, Saudi Arabia have banned international travel into the country.

The Scottish Government will continue to consider any impacts of the Regulations on the protected characteristic of religion or belief, and identify any mitigating actions, as appropriate.

Regulation 9(6)(d) will allow an individual self-isolating to leave their household on compassionate grounds, to attend the funeral of a member of their household and a close family member, or where no household members or family members are attending, the funeral of a friend.

Summary: Existing mitigating actions in place, such as the additional funding provided to help facilitate online worship, may help eliminate discrimination and to advance equality of opportunity, to help allow people to continue to practice their faith. This mitigating action, along with the provisions in the measures allowing individuals self-isolating to attend a funeral in some circumstances, may also help to foster good relations between people.

Marriage and Civil Partnership

We have not identified any impacts of the Regulations for this protected characteristic.

Considerations in relation to non-protected characteristics

Asylum

Asylum is a matter reserved to the UK Government and handled by the Home Office. People arriving to seek asylum, while the quarantine arrangements are in place, will need to observe the requirements. However, they may need support to understand the requirements, if they don't speak English, and may not have access to digital technology. We will work with the Home Office to ensure they are aware of Scottish quarantine arrangements, which may differ in some respects from those in place in England. The Scottish Government will continue to consider any impacts of the Regulations, and identify any mitigating actions, as appropriate.

Refugee resettlement

Refugee resettlement is also reserved to the UK Government, but is delivered by local authorities. Resettlement has been paused since March 2020, due to the Covid-19 pandemic. Local authorities will need to take account of quarantine requirements in their plans to restart resettlement. As with people seeking asylum, resettled refugees may need support to understand the requirements, if they don't speak English, and may also not have access to digital technology.

The Scottish Government works closely with the Convention of Scottish Local Authorities (COSLA), who provide support to local authorities receiving refugees, and it will be necessary to engage with COSLA and local authorities, to ensure they are well sighted on plans for the quarantine period. The Scottish Government will continue to consider any impacts of the Regulations, and identify any mitigating actions, as appropriate.

Recommendations and Conclusion

The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 are designed to protect public health and support the reduction of the spread of coronavirus, and are therefore designed to prevent harm to individuals living in Scotland. The coronavirus outbreak is a severe and sustained threat to human life in Scotland, and the Scottish Government is committed to taking all steps necessary to address that threat.

The measures may disproportionately positively benefit the health of the people who the disease more severely affects, such as older people, and those with underlying health conditions (and some disabled people are more likely to experience severe ill-health from contracting Covid-19 than the general population). There have been slightly more deaths among women than men involving Covid-19, although age-standardised death rates are higher for men. Covid-19 was a relatively more common cause of death for people in the South Asian ethnic group, compared to people in the white ethnic group.

However, some potential indirect negative impacts on one or more of the protected characteristics have been identified. Whilst the view of the Scottish Government is that these Regulations are justified and a proportionate means of reducing the public health risks posed by coronavirus, there is also a need to not only mitigate those negative effects identified but to eliminate discrimination, advance equality of opportunity and foster good relations between people, and the measures we have put in place are designed to help do this.

To assist in the mitigation of any negative effects and to eliminate discrimination, advance equality of opportunity and foster good relations between people, the Regulations also contain two safeguards:

- The Regulations will be reviewed every 21 days, in relation to the need for restrictions and requirements imposed under the Regulations
- The Regulations will cease 12 months from the day the Regulations come into force

Any negative impacts will be kept under close scrutiny, as will measures designed to mitigate them. We will also continue to consider any newly identified evidence in relation to the impacts of these Regulations and its operation, as it relates to each of the protected characteristics, and make further adjustments, as appropriate, in line with the requirements of the PSED.

Declaration and Publication

I have read the Equality Impact Assessment and I am satisfied that it represents a fair and reasonable view of the expected equality impact of the Regulations.

Signed: Rachel Sunderland

Date: August 2020



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