

**Document 1 - HARM 1 - The Direct Impact of COVID – Places of Worship - 21 December 2020**

<b>HARM 1 The Direct Impact of COVID – focus on transmission risk and impact on R</b>															
<p><b>Summary and rating</b></p> <p><b>Gatherings and occasions:</b> This is inherently a high risk option given the location, duration, use of artefacts and food, singing/chanting and touching.</p> <p>For some faiths the age of worshippers may render them more vulnerable, for others their ethnicity may increase their risk.</p> <p>Given the wide range of contacts that worshippers may have outwith the PoW congregation, the opportunity for spreading is high.</p> <p><b>Overall this option is rated low 2 for individuals and moderate 3 for community transmission</b></p> <p>[Redacted - 30(b)(ii)].</p>	<p><b>Indoor/ Outdoor</b></p> <ul style="list-style-type: none"> <li>indoors</li> </ul> <p><b>Number of people</b></p> <ul style="list-style-type: none"> <li>variable and some congregations are likely to be elderly.</li> </ul> <p><b>Duration of contact</b></p> <ul style="list-style-type: none"> <li>communal worship will last more than 15 mins.</li> </ul> <p><b>Proximity of contact</b></p> <ul style="list-style-type: none"> <li>it should be possible to apply 2m distancing between households however the ease of this and the numbers that can be involved depends on the size and layout of the building.</li> </ul> <p><b>Surfaces including food</b></p> <ul style="list-style-type: none"> <li>lots of potential for touching common items although places of worship appear to have very good guidance in place</li> </ul> <p><b>Aerosol/Droplet</b></p> <ul style="list-style-type: none"> <li>This is a risk with congregational singing, chanting, praying out loud.</li> </ul> <p><b>Ease of mitigation</b></p> <ul style="list-style-type: none"> <li>Places of worship have put in place detailed guidance although as numbers increase implementing the guidance may become more difficult.</li> </ul> <p><b>Indoors</b></p> <table border="1"> <thead> <tr> <th>Indoor</th> <th>Number of people</th> <th>Duration</th> <th>Proximity</th> <th>Surfaces including food</th> <th>Aerosol Droplet</th> <th>Rating</th> </tr> </thead> <tbody> <tr> <td style="background-color: red;"></td> <td style="background-color: red;"></td> <td style="background-color: red;"></td> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> <td style="background-color: red;"></td> <td style="background-color: yellow;">2/3</td> </tr> </tbody> </table>	Indoor	Number of people	Duration	Proximity	Surfaces including food	Aerosol Droplet	Rating							2/3
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**Document 2 – Email from Connected Communities Unit Head to Coronavirus Legislation Co-ordination – Places of Worship – 23 December 2020**

**From:** [Redacted – 38(1)(b)]

**Sent:** 23 December 2020 17:49

**To:** [Redacted – 38(1)(b)]

**Cc:** Outbreak Management – Strategy; [Redacted – 38(1)(b)]; Cooper P (Penelope); Rogers D (David) (Constitution and Cabinet Director)

**Subject:** RE: OFFICIAL-SENSITIVE: Level 4 Measures - Candidates for Tightening Restrictions - Marriages, funerals and places of worship

[Redacted – 38(1)(b)] cc others

At our meeting earlier today, David and Penelope asked us to e-mail with the (including resourcing) implications of FM deciding to opt for full closure of Places Of Worship (POW) as part of any tightening of Level 4 restrictions, whilst also setting out any policy considerations around this. Apologies this, reaches you late (and not formatted as suggested below).

At present, level 4 entails a cap on POW of 20 with a cap of 50 applying at all other levels. The caps are in guidance only, not regulations and that guidance details how POW can safely open at all levels. As such the move of most of Scotland into level 4 on Boxing Day will entail a significant reduction in gatherings at POW.

Our recommendation [Redacted -30(b)(i)]. This is because:

- [Redacted -30(b)(ii)]
- [Redacted -30(b)(ii)];
- [Redacted -30(b)(ii)].

[Redacted -30(b)(i)] this would be achievable as follows:

[Out of scope].

- adapt relevant existing Impact Assessments (EQIA, BRIA etc), drafted to cater for re-opening, to full closure [Out of scope].

[Out of scope].

[Redacted – 38(1)(b)]

**From:** [Redacted – 38(1)(b)]

**Sent:** 23 December 2020 14:26

**To:** [Redacted – 38(1)(b)]

**Cc:** Outbreak Management - Strategy ; [Redacted – 38(1)(b)]; Cooper P (Penelope) ; Rogers D (David) (Constitution and Cabinet Director) ;  
**Subject:** OFFICIAL-SENSITIVE: Level 4 Measures - Candidates for Tightening Restrictions - Marriages, funerals and places of worship  
**Importance:** High

## **Marriages, Funerals and Places of Worship**

<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2020/10/covid-19-scotlands-strategic-framework/documents/level-4-measures/level-4-measures/govscot%3Adocument/level-4-measures.pdf>

Good afternoon colleagues,

[Out of scope].

The presumption is to provide consistency and to tighten restrictions where possible/sensible, focusing firmly on mitigating Harm 1 in recognition of the changing situation with the virus.

We would therefore be grateful for confirmation of what timescales the tasks below could be completed in over the coming days, if we are required to deploy any changes urgently after Christmas.

- [Out of scope].
- Material for Impact Assessments to be produced, depending on the nature of the change.

[Redacted -30(b)(ii)].

With apologies for the tight deadline, grateful for your input **by 1600 today.**

Many thanks,  
[Redacted – 38(1)(b)]

[Redacted – 38(1)(b)]  
Coronavirus Legislation Co-ordination  
Constitution and Cabinet Directorate

## Document 3 - Submission to the Cabinet Secretary for Communities on the Tightening of Places of Worship – 29 December 2020

From: [Redacted -38(1)(b)]  
Connected Communities

29 December 2020

Cabinet Secretary for Communities and Local Government

### COVID-19 TIGHTENING RESTRICTIONS AT LEVEL 4: PLACES OF WORSHIP

#### Purpose

1. To outline options for tightening of restrictions on places of worship at protection level 4 and to seek your views on those options. Final decisions on restrictions will be taken by the First Minister.

#### Priority

2. **Urgent** - This work is being carried out on a **contingency** basis to enable the Scottish Government to implement additional restrictions quickly should that be necessary.

#### Background

3. COVID-19 cases in Scotland are rising again in parts of the country and a new variant of the virus has been identified and is circulating in Scotland.
4. From 26 December 2020, the whole of mainland Scotland will be placed in protection level 4. Orkney, Shetland and the Western Isles, and the other island communities areas will go into level 3.
5. The new variant of the virus is more transmissible; it spreads more rapidly. As more information about the new variant becomes available, it may be that a decisive action has to be taken quickly to tighten restrictions at level 4. The level of tightening has yet to be determined [Redacted – Section 29(1)(a)]. In either event [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#) will need to be amended.
6. This submission sets out the options for a tightening of restrictions at level 4 for places of worship.

#### Places of Worship and Current Restrictions in Level 4

7. Scotland's [COVID-19 Strategic Framework](#) sets out the current restrictions for places of worship.

8. In level 4, places of worship, are permitted to open with **restricted numbers of up to 20 people in attendance** (the limit on numbers is only in guidance). This number is a departure from the other levels as set out in the framework. Apart from level 4, restrictions for places of worship are consistent throughout levels 0 – 3 (with restricted numbers of up to 50 people in attendance). As discussed at para 4, the majority of Scotland is now in level 4 - places of worship will therefore have to reduce their maximum permitted numbers from 50 to 20 (representing a reduction of 60%).
9. People can travel within Scotland to/from a level 3 area to attend their normal place of worship. However, the same is **not permitted** to/from a level 4 area. This will further impact the ability of worshippers to attend their normal service if it is the case that it is located in different local authority from their ordinary dwelling. An exception is made for Ministers of religion or worship leaders, with travel between areas is permitted for the purposes of leading an act of worship.
10. It should be noted that the restrictions on numbers in places of worship are **in guidance only**. They are not provided for in the regulations. Similarly, the guidance only details how places of worship can open safely at all levels.
11. Different restrictions are in place for the use of places of worship for funeral services and marriage and civil partnership ceremonies. [Out of scope].

### **Public Health Impacts – Places of Worship During COVID-19**

12. At the beginning of the first UK-wide lockdown (March 2020) places of worship were initially closed completely for worship (both individual and communal).
13. As detailed in Phase 2 of the Scottish Government's 'route map' out of COVID-19, individual or private prayer was permitted in June 2020. In Phase 3 of the route map (July 2020) the Scottish Government allowed places of worship to reopen with a cap of 50 people, and subject to other safety precautions as set out in our Places of Worship Guidance.
14. The cap of 50 people for places of worship was then replicated in Levels 0-3 of the Scottish Government's Strategic Framework (replacing the phased approach as per the earlier 'route map'). As discussed, level 4 restricts places of worship to a maximum of 20 people.
15. [Redacted -30(b)(ii)].
16. In terms of the impact on public health and the spread of COVID-19, the Scottish Government has been notified of only **one small outbreak** with a Church in Lanarkshire. In this instance the case numbers totalled two individuals. Of course a caveat to this figure is that there may have been more outbreaks occurring at places of worship, of which the Scottish Government has not been notified.
17. [Redacted -30(b)(i)].

[Out of scope]

### **Options for Tightening Places of Worship Restrictions**

18. Should the introduction of stricter measures be necessary at level 4, the options for places of worship are set out below.

[Redacted – Section 29(1)(a)]

19. [Redacted – Section 29(1)(a)]

20. [Redacted – Section 29(1)(a)]

21. [Redacted – Section 29(1)(a)]

22. [Redacted – Section 29(1)(a)]

23. [Redacted – Section 29(1)(a)]

24. [Redacted -30(b)(i)].

[Redacted – Section 29(1)(a)]

25. [Redacted – Section 29(1)(a)]

26. [Redacted – Section 29(1)(a)]

27. [Redacted – Section 29(1)(a)]

28. [Redacted -30(b)(i)].

[Redacted – Section 29(1)(a)]

29. [Redacted – Section 29(1)(a)]

30. [Redacted – Section 29(1)(a)]

31. [Redacted – Section 29(1)(a)]

32. [Redacted -30(b)(i)].

*Option D: fully restrict the operation of places of worship*

33. This option is the most restrictive. It would see places of worship unable to admit worshippers, even for individual prayer or contemplation only. This reflects the position for places of worship during the first phase of the pandemic. [Redacted – Section 29(1)(a)].

34. [Redacted -30(b)(ii)]. Ministers would still need to take cognisance of ECHR considerations if such an approach was deemed favourable.

35. This option will require analysis of the “four harms” including (on harm 1) an assessment of the risks of keeping POW option and the potential benefits of closure to reduce transmission.

36. [Out of scope]

37. **This option is recommended only in the instance that there is agreement that to do otherwise would:**

- i. **compromise the integrity of related ‘stay at home’ messaging; and/or**
- ii. **create insurmountable inconsistencies as level 4 guidance is further tightened for similar-sized gatherings and arrangements with similar transmission risks; and/or**
- iii. **run counter to the protection of public health.**

### **Recommendation**

38. [Redacted -30(b)(i)].

39. [Redacted -30(b)(ii)]

[Out of Scope]

40. [Out of scope]

41. [Out of scope]

42. [Out of scope]

### **Conclusion**

43. [Redacted -30(b)(i)].

[Redacted -38(1)(b)]  
Connected Communities  
29 December 2020

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness

First Minister Deputy First Minister Cabinet Secretary for Local Government and Communities Cabinet Secretary for Health and Sport Lord Advocate Solicitor General		X	X X		X X
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Permanent Secretary  
 Chief Medical Officer  
 Deputy Chief Medical Officer  
 Jason Leitch, National Clinical Director  
 David Rogers  
 Madhu Malhotra  
 Penelope Cooper  
 [Redacted -38(1)(b)]  
 Ruairaidh Macniven  
 Colin Troup  
 James Hynd  
 Cheryl Paris, Health Protection  
 Katrina McNeill, Health Protection  
 [Redacted -38(1)(b)], Health Protection  
 [Redacted -38(1)(b)]  
 [Redacted -38(1)(b)], Coronavirus Legislation  
 Coordination  
 [Redacted -38(1)(b)]SGLD Covid Legislation  
 [Redacted -38(1)(b)], Family Law Unit  
 [Redacted -38(1)(b)], Family Law Unit  
 Robert Marshall, Connected Communities  
 [Redacted -38(1)(b)], Connected Communities  
 [Redacted -38(1)(b)], Connected Communities  
 CCD Logistics Team  
 Communications COVID-19  
 Burial and Cremation Inbox  
 Liz Lloyd  
 Jeanette Campbell  
 David Hutchison

## Document 4 – Email from Head of COVID Analysis regarding 4 Harms – Places of Worship – 31 December 2020

**From:** Head of COVID Analysis

**Sent:** 31 December 2020 11:17

**To:** DG Health & Social Care; Director of Population Health; Cooper P (Penelope) ; Bain MB (Marion) ; Caesar DH (David) ; Rogers D (David) (Constitution and Cabinet Director) ; McQueen F (Fiona) ; Leitch J (Jason); Smith G (Gregor) ; Murray D (Diane) ; Steedman N (Nicola) ; DCMO Health COVID19>; CNOD - Covid 19 ; Chief Medical Officer

**Cc:** Covid-19 Director ; Head of COVID Analysis ; DG Constitution and External Affairs ; Griffin J (Joe) ; Thomson KAL (Ken) (Director-General) ; Munro D (Dominic) [Redacted -38(1)(b)]; Hynd JS (James) ; [Redacted -38(1)(b)]; Director of Health Workforce

**Subject:** RE: Immediate for comments submission to FM 31.1

David et al

From a harms perspective I have tried to bring together various ideas that are on email chains and comment from a four harms perspective.

[Redacted - Out of Scope]

- **Places of worship** – reducing the numbers allowed to places of worship will make no real difference so the options considered are **private prayer only or complete closure**. – From a Harm 1 perspective the latter should have a moderate to high impact (given the 800,000 people who regularly engage in congregational worship) as it reduces the potential for meeting which could also reduce individual risk for older people and people from ethnic minorities who may be overrepresented in this category. Private prayer only will have a more modest impact on Harm 1, quite low. From a harm 2 and 3 perspective we know that the mental health detriment of restricting congregational worship or closing places of worship are potentially very significant for faith communities. Increased isolation and loneliness and a loss of community could impact on mental and potentially physical health. Alternately it may be a relief to some more vulnerable members of the congregation if they know they cannot attend and a difficult decision on whether to risk attending is take out of their hands by closure.

[Redacted - Out of Scope]

Setting this all out has been helpful for me if not for you. Let me know if I missed anything.

Audrey

Dr Audrey MacDougall FAcSS

Scottish Government Chief Social Researcher

**Joint Head of C-19 Analysis Division**