

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

First Delegated Legislation Committee

HEALTH PROTECTION (CORONAVIRUS,  
RESTRICTIONS) (SELF-ISOLATION) (ENGLAND)  
(AMENDMENT) (NO. 3) REGULATIONS 2021

*Monday 25 October 2021*

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**The Committee consisted of the following Members:**

*Chair:* STEWART HOSIE

Ali, Rushanara ( <i>Bethnal Green and Bow</i> ) (Lab)	† Kendall, Liz ( <i>Leicester West</i> ) (Lab)
Betts, Mr Clive ( <i>Sheffield South East</i> ) (Lab)	† Moore, Damien ( <i>Southport</i> ) (Con)
† Bhatti, Saqib ( <i>Meriden</i> ) (Con)	† Morris, Grahame ( <i>Easington</i> ) (Lab)
† Bruce, Fiona ( <i>Congleton</i> ) (Con)	† Randall, Tom ( <i>Gedling</i> ) (Con)
† Clarke-Smith, Brendan ( <i>Bassetlaw</i> ) (Con)	† Spencer, Dr Ben ( <i>Runnymede and Weybridge</i> ) (Con)
† Double, Steve ( <i>St Austell and Newquay</i> ) (Con)	† Throup, Maggie ( <i>Parliamentary Under-Secretary of State for Health and Social Care</i> )
† Furniss, Gill ( <i>Sheffield, Brightside and Hillsborough</i> ) (Lab)	† Watling, Giles ( <i>Clacton</i> ) (Con)
† Johnson, Dame Diana ( <i>Kingston upon Hull North</i> ) (Lab)	Liam Laurence Smyth <i>Committee Clerk</i>
† Johnston, David ( <i>Wantage</i> ) (Con)	
Keeley, Barbara ( <i>Worsley and Eccles South</i> ) (Lab)	† <b>attended the Committee</b>

# First Delegated Legislation Committee

Monday 25 October 2021

[STEWART HOSIE *in the Chair*]

## Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) (No. 3) Regulations 2021

4.30 pm

**The Chair:** Before we begin, I encourage Members to wear masks when they are not speaking, in line with the current Government guidance and that of the House of Commons Commission. Please give each other and members of staff space when seated, and when entering and leaving the room. Members should send their speaking notes to [hansardnotes@parliament.uk](mailto:hansardnotes@parliament.uk). Similarly, any officials in the Gallery should communicate electronically with Ministers.

**The Parliamentary Under-Secretary of State for Health and Social Care (Maggie Throup):** I beg to move,

That the Committee has considered the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) (No. 3) Regulations 2021, (SI, 2021, No. 1073).

It is a pleasure to serve under your chairmanship, Mr Hosie. This statutory instrument extends the self-isolation regulations and the No. 3 regulations until 24 March 2022 as part of the autumn and winter plan 2021, as well as allowing minor technical amendments to be made to the self-isolation regulations in order to clarify existing policy. The technical amendments will clarify the requirements for those taking part in workplace daily contact testing schemes and update the definition of “fully vaccinated” with regards to household contacts and to those who have been given doses of two different vaccines.

The No.3 regulations allow local authorities to impose restrictions on individual premises, events or public outdoor places. Local authorities have played a pivotal role in the fight against coronavirus, providing support to thousands of people across the country, and the regulations equip them with the powers to monitor and evaluate public settings, and to respond swiftly to any serious and imminent threats to public health. The No. 3 regulations also grant powers to the Secretary of State for Health and Social Care to provide instruction to local authorities and to revoke any decisions that they have made, should he consider that they have not met the three legal tests required prior to taking action. The six-month extension to the No. 3 regulations is necessary to retain a firm grip on local outbreaks and to provide support, where needed, through the coming autumn and winter period.

The test, trace and self-isolate system continues to be one of the key ways for us to control the virus and protect the nation. The self-isolation regulations provide the legal requirement to self-isolate for individuals who have been notified that they have tested positive for covid-19 or that they are a close contact of a positive

case who does not fall under one of the exemptions in the regulations. Like with the No. 3 regulations, the self-isolation regulations have been granted a six-month extension as part of the SI that was laid on 22 September 2021.

The technical amendments to the self-isolation regulations allow for those who have received doses of two different MHRA vaccines in the UK to be included in the definition of “fully vaccinated”. They will therefore be counted as exempt from self-isolation if they are the close contact of a positive case. Clarification is also given in the SI that a household contact is deemed fully vaccinated, and therefore exempt from self-isolation, where they have received two doses of a vaccine more than 14 days before the index case first demonstrated symptoms or tested positive. Finally, the amendments provide clarification that people taking part in a workplace daily contact testing scheme who test positive with an assisted lateral flow test, but who subsequently receive a negative test result from a confirmatory PCR test, remain under a legal duty either to continue with daily testing or to self-isolate for the remainder of their original self-isolation period.

Although the regulations around self-isolation have changed in recent months, freeing up thousands of fully vaccinated close contacts from the requirement, it is imperative that we clarify these points to ensure that those affected are able to follow the Government’s guidelines with ease, to support overall compliance. Test, trace and self-isolation activity has had a notable effect on transmission rates. The recently published Canna model concluded that between August last year and April this year, there had been a significant reduction in virus transmissions. It concluded that at key periods, self-isolation made a significant contribution to bringing the R rate below 1, which enabled the Government to make critical changes to lockdown and the tier system.

The autumn and winter plan 2021, which the Government set out on 14 September, noted that the number of new coronavirus infections in July 2021 was higher than in July 2020. These data, in line with advice from other Government Departments, local authorities and public health officials, determined that it was appropriate to extend the self-isolation regulations for six months in order to retain this key tool, which has proven to be effective in limiting the spread of the virus.

We recognise that extending certain restrictions places a burden on many individuals and families across the country. To address this, the funding for financial and practical support has also been extended for the same period. Since September last year, £280 million has been released to local authorities to issue support payments to people who may face financial hardships because of self-isolation. We also made £100 million available between March and September this year for councils to offer practical and emotional support to some of the most vulnerable in our communities. Because of that, over 1 million people have received help through our financial and practical support services, including over 320,000 test and trace support payments and over 320,000 medicine deliveries.

Many businesses have also struggled. In issuing £407 billion over this year and last to help to safeguard jobs, businesses and public services, we have provided the largest peacetime support package to date. Retaining the self-isolation regulations provides the legal environment

required to take us through to next spring, in line with the autumn and winter plan, and the expectation is that the regulations will be reviewed again early next year.

Finally, I offer my apologies that we are debating the regulations only now. It was imperative that we made the necessary changes in September, to ensure that there was no break in the legal duty when the previous regulations ceased to have effect. I welcome the scrutiny of Parliament and the Committee's invaluable contributions, and I commend the regulations to the Committee.

4.37 pm

**Liz Kendall** (Leicester West) (Lab): It is a pleasure to serve under your chairmanship, Mr Hosie. I appreciate your repeating the advice about mask wearing in the Committee, and I thank some Members on the Government side for following it.

As the Minister said, the main thing that the SI does is extend by six months the requirement to self-isolate for people who have been in contact with someone who has tested positive but who are not double-vaccinated, as well as for anyone who has tested positive. I absolutely accept and support the need to extend the powers, but they need to come alongside some other measures. First, we need to turbocharge the vaccination programme, particularly the booster jabs and jabs for children, and I shall make what I hope are some constructive suggestions about how the Government might go about doing that. We also need to deal with the fundamental, long-standing problems that we have had with supporting people to self-isolate during the pandemic—namely, the need to give proper financial support and sick pay in order to help people do the right thing, drawing on the lessons I have learned in my constituency over these issues, and to put in place the other measures that we need to get on top of the virus, to deal with the growing pressures on the NHS, and to keep children in school, parents in work and our economy open for business. Plan A, plan B or whatever we call it—we need a plan.

Our NHS has done a fantastic job so far on the vaccination programme. We know that being double-vaccinated and having a booster jab is absolutely essential for continuing the fight against the virus and stopping people having to self-isolate in the first place, which is what the regulations are about. However, I am really concerned that the roll-out is stalling, especially on the booster jabs and on children's vaccinations. The Minister and I have talked about this issue before. In the city that I represent, only 40% of over-50s have so far had the booster jab. Nationally, 2 million people have not even been invited for the jab, which is really worrying for people who are immunocompromised and have serious conditions such as blood cancer and kidney problems. We also know from surveys done by charities that 55% to 60% of people with those conditions still have not been invited to get the third injection, which is important for people whose immune systems have been compromised.

The Minister will know that the Blood Cancer UK chief executive has called the booster programme a “chaotic failure... poorly planned and badly implemented”, and Kidney Care UK has said that there has been an “inexcusable exposure to risk”.

I hope the Minister will say more about what the Government are doing about that, and also offer some clarification, because there have been media reports

that only two thirds of care home residents, who are the most vulnerable, have had their booster jab. I have been trying to discover the source of those reports to find out where the figures are from. Will the Minister say something about that? I am desperately concerned as a shadow social care Minister, so I hope she will let me know where the figures are from and where I might find them.

There is a similar situation with respect to vaccinating children, and the reason—

**The Chair:** Order. Before the hon. Lady continues, I should say that I am giving her quite a bit of leeway because the Minister made some more general points towards the end of her remarks, but this is a narrow statutory instrument about restrictions and self-isolation. I am sure the hon. Lady will want to return to those subjects quite quickly.

**Liz Kendall:** I absolutely will. This statutory instrument on people having to self-isolate if they test positive would not be required if we were much more on top of the spread of infection, particularly among school-age children. The highest rates in our city are among that school-age group, and we have to get that vaccination programme going. Countries such as the United States finished their child immunisation programmes in July and European countries are motoring ahead.

Let me briefly make some practical suggestions on how we get those programmes back on track. First, there should be more flexibility in where vaccinations can be delivered. Pop-up centres, mosques, gurdwaras and community centres have made a big difference in places such as Leicester. There should be more support for local communication around the plan because we have to keep ramming home the message about how important vaccines are. Can we use venues other than schools for vaccinations for young people? That would really help in some areas. Will the Minister also consider the proposals made today by Opposition Members on exclusion zones around schools? We have discussed the matter before, and she knows there have been some horrible incidents of abuse and threats being made to teachers. Children should not have to go through that, so will she consider the proposals?

Let me turn to the issue of self-isolation, which is at the heart of the regulations. We know that self-isolation is essential to reducing the spread of this horrible virus, but we must do more to help people do the right thing. The Minister talked about the assistance being given to local authorities in supporting people who are self-isolating. My local authority has done incredible things in getting food boxes, food vouchers and social emotional support to people, but if they cannot afford to self-isolate because they are on a zero-hours contract, they do not qualify for sick pay, their boss does not pay enough or they are an unpaid carer—if an unpaid carer has to self-isolate, they cannot care for the person they love—the situation is impossible. Will she look at the evidence from the Office for National Statistics, which showed that care homes that gave full pay to people who had to self-isolate had lower infection rates? You do not have to be Einstein to realise that that is the key to making this work. It is not rocket science.

Let me conclude by thanking you, Mr Hosie, for allowing me some flexibility; I am very grateful. I want this to work. I want the vaccination—the booster programme—to work. I want self-isolation to work.

[Liz Kendall]

The Government have to get to grips with this. We have infection rates rising and hospitals under pressure. Alongside mask wearing in enclosed spaces, including in this place, and working from home where possible, as well as other measures in the so-called plan B, which Opposition Members are calling for, the Government have to get to grips with plan A on vaccination, boosters, sick pay and ventilation. Plan B, plan A, whatever we call it, we have to get more on top of this, and I hope that the Minister understands why I wanted to make some practical proposals today.

4.45 pm

**Maggie Throup:** I thank the hon. Lady for her contribution, and I take on board some of her ideas. However, the Government have already taken on board some of those ideas and implemented them. I will come to that later, with your indulgence, Mr Hosie.

As we enter the autumn and winter months, we can reflect on the continuous patience and perseverance that the nation has shown. We cannot, however, be complacent about recognising the challenge we face in maintaining a low transmission level during this period of higher risk. If we are to return to restrictions on our social freedoms, we must retain some of the powers that have been in place for the last year to continue to limit the transmission of the virus and protect ourselves and our loved ones.

The SI we are debating today is a necessary step, based on the latest data and public health advice. Extending the No. 3 regulations and the self-isolation regulations is vital in ensuring that local authorities retain the powers to respond to threats from covid-19 in enforcing self-isolation for individuals who have tested positive or for unvaccinated adult close contacts. The technical amendments set out in the SI are necessary at this point to reflect changes to policy on self-isolation and daily contact testing, and to provide complete clarity on guidance.

Let me answer some of the hon. Lady's questions. She says that the booster campaign is not working; it is. As of last night, more than 5.1 million people had taken up the offer of the booster vaccine, and I saw that for myself this morning when I visited St Thomas' Hospital and saw not just the booster vaccine programme but the 12 to 15-year-old vaccine programme. She may be unaware that the national booking service is now open to 12 to 15-year-olds, adding to the school-age immunisation

service and allowing children to come with their parents to vaccination centres across the country, because we believe in opening up opportunity and choice for our young people.

She mentions the third jabs for the immunocompromised. They are different from booster jabs and those who are eligible will have been contacted by either their consultant or their GP. If they feel that they perhaps should have had a letter, they should contact the NHS directly to find out whether they are eligible. Those letters went out over the past couple of weeks and those people should be coming forward now.

Like the hon. Lady, I believe that false information and intimidation are completely unacceptable and that schools have every right to call the police, and the police will take action. Let us face it: false information is costing lives, and that is completely wrong. We are together on this issue, as she rightly says.

The hon. Lady talks about the financial aspects and I am proud to be part of the Government that, because of coronavirus, have put in place the ability for people to claim statutory sick pay from day one and, as I mentioned in my opening speech, provided £280 million in self-isolation payments. She also asked about care homes and I am delighted to let her know that nine out of 10 care homes have either had their vaccines carried out or have them booked for the coming weeks.

As the hon. Lady says, it is important to put these measures in place to keep the economy open for business. The measures are regularly monitored against the latest data and scientific evidence and will be kept in place for only as long as is absolutely necessary. The strength and resilience of the general public and those on the frontline has been testament to what our nation stands for. I extend my gratitude to all those who have played a part in the vaccine programme and the test and trace service, those in the NHS and wider social care services and the countless other volunteers and individuals who have worked relentlessly throughout the course of the pandemic. Once again, I thank the hon. Lady for her contributions today and I can assure the Committee that every contribution in these debates and those on the regulations we have previously brought before the House have been valued and considered. The continued support and effort is appreciated and I commend the regulations to the Committee.

*Question put and agreed to.*

4.50 pm

*Committee rose.*



