



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Amendments to the Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020**

DATE **19 January 2021**

BY **Mark Drakeford MS, First Minister**

The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 (“the Regulations”) have today been amended in a number of areas.

Following my Written Statement on 15 January, the Regulations now place requirements on businesses and premises to undertake a specific coronavirus risk assessment.

As I also set out last week, they have been amended to strengthen requirements on retail to specify certain reasonable measures they must take.

In addition, the Regulations have been amended to require the proprietor of a school or further education institution not to permit learners to attend the premises of a school or further education institution (FEI) from 20 January.

The restriction will apply to all schools, including independent schools and FEI. However, the Regulations will provide that this does not prevent the following:

- Pupils/Students attending the school or FEI premises to undertake an examination or other assessment;
- Pupils/Students from attending the premises whose school or FEI considers it appropriate for them to do so by reason of the learner’s vulnerability;
- Pupils who are a child of a critical worker from attending school premises. In deciding whether a pupil is the child of a critical worker, the local authority and the proprietor of an independent school must have regard to any guidance published by the Welsh Ministers about identifying children of critical workers. The Welsh Ministers have published the following guidance – <https://gov.wales/identifying-children-critical-workers-guidance>

- Pupils attending the premises of a special school, a pupil referral unit, a unit in a school where the unit is recognised by a local authority as being reserved for pupils with SEN and the pupils are wholly or mainly educated at the unit; or
- A pupil who is a boarder residing in accommodation at the school premises.

Placing the requirement for all schools and FEI to close their premises to most learners on a statutory footing will ensure consistency and clarity across Wales.

Finally, as a result of the amendments described above, a number of minor consequential amendments have been made to the Regulations.