



Chartered  
Institute of  
Housing

# What you need to know Coronavirus Act 2020

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## Background

The [Coronavirus Act 2020](#) (the 'UK Act') received royal assent and became law in the UK on 25 March 2020. The Act's provisions extend to the whole of the UK for areas of policy that are fully retained or partly devolved (e.g. border control, social security, UK finance etc). The scope of the 300 plus page Act is wide ranging and provides the legal basis for the current 'lockdown' and emergency powers to respond to the Covid-19 pandemic. The Act contains temporary measures designed to either amend existing legislative provisions or introduce new statutory powers. The span of these measures is wide, covering topics all the way from maintaining the food supply, to boarder control, to the impact on pensions for retired medical professionals returning to work, to management of the deceased. The Act is time limited to two years and will be subject to six monthly parliamentary reviews.

This CIH WYNTK guide picks out the elements of the Act we consider to be most relevant to the housing sector.

## 1. Employment Related

### Statutory sick pay (UK)

The Act enables the recovery of additional payments of statutory sick pay by some employers for absences caused by the virus. This is designed to reduce the burden on the employers with increased staff absence. For workers, the Act removes the three-day 'waiting period' requirement and allows employees to claim statutory sick pay from the first day that they stop working.

Click [here](#) to read CIH's WYNTK about the coronavirus and welfare benefits including information on statutory sick pay.

### HMRC (UK)

The Act allows the Treasury to grant additional functions to HMRC where these are necessary to deliver the Government's response to Covid-19. In particular, it enables the Treasury to grant the functions necessary for HMRC to pay grants to businesses to deliver the [Coronavirus Job Retention Scheme](#). Under this Scheme employers are able to contact HMRC for a grant to cover most of the wages of people who are not working but are furloughed. The Scheme

will cover 80 per cent of the salary of workers retained, up to a total of £2,500 per month. It will cover the cost of wages backdated to 1st March 2020 and will be open initially for at least three months.

### Emergency volunteering leave (UK)

The Act introduces a new form of unpaid statutory leave, and powers to establish a compensation scheme to compensate for some loss of earnings and expenses incurred by volunteers. These measures are intended to enable relevant appropriate authorities (local authorities and relevant health and social care bodies) to maximise the pool of volunteers that they can draw on to fill capacity gaps by addressing the deterrents of risk to employment and employment rights, and loss of income.



## 2. Residential tenancies protection from evictions

### England and Wales

The UK Act does not ban evictions. It instead extends the minimum notice period before proceedings for possession can take place to three months (schedule 29). The three-month period can be extended by the relevant minister to up to six. These provisions apply to all the statutory grounds for possession, not just those that relate to rent arrears. These provisions automatically expire on 30 September 2020 (when the law is automatically restored to its original position), but this period can be extended by the relevant minister.

The Welsh Government has passed a legislative consent motion to bring these provisions into force in Wales. Welsh Ministers can (independently of English Minister) extend the expiry date beyond 30 September or extend to three-month period notice period. Social Landlords in Wales have made a public commitment not to evict any tenant suffering from financial hardship during the Covi-19 crisis and [the Housing & Local Government Minister, Julie James, has written to all social housing tenants to reassure them of that.](#)

### Scotland and Northern Ireland

The [Coronavirus \(Scotland\) Act 2020](#) (the 'Scottish Act') was passed by the Scottish Parliament on 1 April and received Royal Assent on 6 April. The Scottish Act is intended to protect social and private sector tenants in Scotland from eviction and increase flexibility to ensure public bodies can continue to provide services during the Coronavirus outbreak. The Scottish Act temporarily extends the notice period for most grounds for eviction to six months. Shorter notice periods will still apply in certain cases including where the home has been abandoned or in cases of criminal or antisocial behaviour.

It should also be noted that the Housing Tribunal, which deals with evictions in

the private rented sector in Scotland, has [postponed all hearings until at least 28 May](#) and during this time, no legal notice to evict can be issued. Click [here](#) to read CIH's What you need to know guide on the Scottish Act.

The Department for Communities has an [agreement](#) in place with all social landlords in Northern Ireland (Housing Executive and Housing Associations) that ensure any social tenant who is facing difficulties paying their rent during covid-19 will not be evicted.

The NI Executive is bringing forward the Private Tenancies (Emergency Modifications) Bill 2020 via accelerated passage to ensure landlords are required to give private tenants [12 weeks' notice](#) to quit before actioning proceedings to evict. This is due to be enacted within the next two weeks and will remain in place until 30 September 2020.

### Further information on evictions (UK wide)

Click [here](#) to read CIH's factsheet containing all the information we currently have on protection from evictions provisions during the coronavirus pandemic.

Click [here](#) to read CIH's good practice guide on supporting tenants with rent arrears.



### 3. Care and Support (England, Wales and Scotland)

The UK Act contains provisions that are intended to free up the time and resources of NHS social care staff, which may also impact on residents of specialist housing services. Amongst other measures it lifts the duties on local authorities introduced in the Care Act 2014 and Social Services and Wellbeing (Wales) Act 2014 to enable local authorities to prioritise services offered to meet the most urgent and serious care needs. This will include assessments of people's need for care and support services and carers' need for support as well as delivery of some services. Local authorities will still be expected to do as much as possible to comply with their duties, but this is to help to manage demand pressures and possible workforce issues due to illness. It does not remove the local authorities' duty of care towards an individual's risk of serious neglect or harm. It would introduce similar measures in respect of a duties under a number of acts in Scotland, including Social Work (Scotland) Act 1968, Children (Scotland) Act 1995, Social Care (Self-directed Support) (Scotland) Act 2013 and Carers (Scotland) Act 2016.

Click [here](#) to read CIH's factsheet on supported housing.

### 4. Limiting social contact - powers to prohibit or restrict events, gatherings and access premises (UK)

The UK Act (schedule 22) gives ministers, including in the devolved administrations, the power to restrict or prohibit gatherings and

close and restrict access to premises. Such powers may be directed towards the owner or occupier of the premises, or anyone involved in managing access to and within the premises. At the time of writing (7 April 2020) there are no plans to force closure of construction sites in England and the Secretary of State for Business, Energy and Industrial Strategy has [written](#) to the construction sector to say that work on construction should continue (whilst also observing social distancing).

The schedule (parts 3 to 5) duplicates these powers for each of the devolved nations and each jurisdiction the relevant administration has the power to enforce suspension of construction activities as it sees fit.

Scotland's First Minister advised on 23 March that non-essential construction should not continue. The position was further clarified with [guidance published on 6 April](#) specifically setting out essential and non-essential services.

The Welsh Government has implemented legislation that makes it an offence for an employer not to ensure a 2m distancing rule in the workplace. [However, First Minister Mark Drakeford said it is not an "absolute ban" on working closely together but that employers would need to demonstrate that "all reasonable steps" have been taken.](#)

### 5. Local Authority Meetings (England, Wales and Northern Ireland)

The UK Act allows provision to be made by regulations in relation to local authority meetings. These can include provisions in relation to the requirement to hold meetings, the requirements on timing and frequency of meetings, the place at which meetings must be held, the way in which people should attend, speak at and vote, and public admission and access to meetings and documents in relation to council meetings.

## 6. Other useful links

- CIH's COVID -19 resource page pulls together practical information to support you in being able to provide the best help and advice possible to the customers and communities you serve. <https://cihnews.org/p/YRX-FXV/our-approach-to-covid-19>
- Explanatory notes to the UK Bill were prepared by the Department for Health and Social Care to assist MPs and Lords as the Bill worked its way through its Parliamentary stages. These do not form part of the Act and have not been endorsed by Parliament. <https://publications.parliament.uk/pa/bills/lbill/58-01/110/5801110en.pdf>
- Ministry of Housing, Communities and Local Government guidance for landlords and tenants in the private and social rented sectors <https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities>

