

CLAS CIRCULAR 2020/31 (9 November 2020)

Disclaimer

CLAS is not qualified to advise on the legal and technical problems of members and does not undertake to do so. Though we take every care to provide a service of high quality, neither CLAS, the Secretary nor the Governors undertakes any liability for any error or omission in the information supplied.

It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

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COVID-19 UPDATES

Possibly for action

England

At 5 pm on Friday, the Government updated [COVID-19: guidance for the safe use of places of worship during the pandemic](#) to reflect the new lockdown Regulations. The update includes advice on broadcasting services, involvement of musicians and singers, and on support groups, funerals and individual prayer. The most important part is as follows:

'Under these restrictions, from 5 November places of worship in England must only open for the following purposes:

Individual prayer

A person, or single household, entering the venue to pray on their own and not as part of a group. Individual prayer does not cover attendance for led prayers or led services. Communal worship must not take place.

The number of individuals or households permitted in a place of worship at any one time will be dependent on the size of the building and ability to socially distance therein.

Precautions to stop people arriving at the same time should be taken, no matter the size of the building.

Funerals

Funerals must have no more than 30 people. Anyone working is not included as part of the 30 person limit. Please refer to [COVID-19: guidance for managing a funeral during the coronavirus pandemic](#).

Commemorative events to celebrate the life of a person who has died

These are events which commemorate or mark the deceased's passing. Examples include the scattering of ashes and stone setting ceremonies. It would not include regular communal worship services during which prayers for the deceased are said. Such events must have no more than 15 people in attendance. Anyone working is not included as part of the 15 person limit.

Broadcasting or filming an act of worship

Attending a place of worship for broadcasting or filming an act of worship is permitted but should only involve those people working or volunteering who are essential for the content of the service, and for technical support to enable people to watch and worship online or via a television or radio. If musicians or singers usually form part of the act of worship that is being broadcast, they may

participate but only if they are essential to the delivery of that act of worship. The numbers or people involved should be kept as small as possible to minimise risks and participants should follow social distancing guidance.

Childcare and education

For formal childcare and where the place of worship is used as part of a school (if this is provided by a person registered on the Early Years Register under Part 3 of the Childcare Act 2006). Out-of-school settings (including wraparound childcare) can continue to operate if it is primarily for the purpose of enabling parents to work or other essential purposes as outlined in the [guidance for education and childcare settings: new national restrictions from 5 November 2020](#).

Essential voluntary and public services

These will include the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions, or support in an emergency. See [COVID-19 guidance for voluntary, community and social enterprise organisations](#).

Support groups

To ensure support for the most vulnerable during this period, support groups that provide mutual aid, therapy or any other form of support can take place with up to 15 people attending, if the support group is organised by a business, a charitable, benevolent or philanthropic institution or a public body. Examples include support to:

- a) victims of crime (including domestic abuse
- b) those with, or recovering from, addictions (including alcohol, narcotics or other substance addictions) or addictive patterns of behaviour
- c) new parent
- d) those with, or caring for persons with, any long-term illness or terminal condition or who are vulnerable
- e) those facing issues related to their sexuality or identity including those living as lesbian, gay, bisexual or transgender
- f) those who have suffered bereavement
- g) vulnerable young people, including to enable them to meet youth workers.

Anyone working is not included as part of the 15 person limit.

The following activities are examples (but not an exhaustive list) of what is **not permitted** in a Place of Worship:

- worshippers present to partake in communal, congregational or corporate worship (led devotions/worship/service/prayer by a Minister of Religion or lay person, e.g. Evensong, informal prayer meetings, Jummah, Mass or Kirtan)
- weddings (with the exception of those in the exceptional circumstances of someone not expected to recover from a serious illness), baptisms or other ceremonies which mark

significant life cycle moments (except those that celebrate the life of a person who has died as above)

- study groups
- lifestyle and leisure/recreational groups such as craft groups or exercise groups
- food that is served to be consumed on the premises
- amateur choir practice or group bell ringing
- tourism and shops contained within the place of worship.'

It might be helpful to CLAS members to know that the Church of England Coronavirus pages have also been updated with a specific [guidance note on lockdown](#) which links through to the MHCLG guidance. There is also an updated [Risk Assessment template](#) for the lockdown period which Church of England parishes (and others) may wish to use to review their existing plans. One thing to note is that Public Health England has revised the quarantine period after known exposure to Coronavirus from 72 hours down to 48 hours. This means that the period between uses of a building without the need to clean is reduced, so churches that have been using that method to ensure the safety of their buildings may be able to open more often

The [guidance on multi-purpose community facilities](#), which has applications to church halls, has not yet been updated but the Church of England anticipates that this will happen shortly.

There is no change to guidance on construction, maintenance, repairs, archaeology, surveys and investigations, conservation, curation and care of collections, and associated activities: all are still permitted so long as a risk assessment has been done and safety mitigations put in place, as they cannot be done from home.

[With thanks to Becky Clark.]

[Source: MHCLG, Church of England, 6 November]

Wales

As mentioned in Circular 2020/30, short, sharp 'circuit breaker' or 'fire-break' was introduced across Wales: the [Health Protection \(Coronavirus Restrictions\) \(No. 3\) \(Wales\) Regulations 2020](#) put in place a series of restrictive measures from 6 pm on Friday 23 October until the start of Monday 9 November 2020. Following is an update on the position as from 9 November.

- The Welsh Government [confirmed](#) on 2 November that places of worship can re-open for worship on today, Monday 9 November 9, and that 'Community centres will be available for small groups to meet safely indoors in the winter months' – a 'small group meaning 15 or fewer people.

- The Welsh Government also [announced](#) assistance for businesses and other organisations during the firebreak lockdown. The main fund has already closed due to the number of applications and some of these funds include criteria which appear to exclude faith communities in principle from applying. Cytûn is seeking clarity from the Welsh Government on this matter.
- The UK Government has extended the [Job Retention Scheme](#) (furlough) to 30 November. The scheme operates subject to a number of conditions and Cytûn encourages denominations to seek their own professional advice in this field.

The Welsh Government later confirmed that the maximum of 15 people for organised activities indoors from 9 November will not apply to places of worship – the numbers will be determined by a risk assessment of each place of worship as previously.

[With thanks to Gethin Rhys.]

The Church in Wales has issued a series of guidance documents, updated **today**, which may be of interest to other member Churches. They can be accessed from the main [Coronavirus \(Covid-19\) guidance](#) page.

[Sources: Cytûn, 3 November, Church in Wales, 9 November]

CHARITIES & CHARITY LAW

Charity Commission: updated guidance on COVID-19

For information

The Charity Commission has updated the 'charity meetings' section of [Coronavirus \(COVID-19\) guidance for the charity sector](#) to take account of the new rules from the Government, as follows:

'Charity meetings in England

The Government has introduced new rules from 5 November restricting meeting socially in England. However, you can still hold trustee or members' meetings where these meetings are necessary for providing voluntary or charitable services.

You can get more detailed information on these rules in the guidance [new National Restrictions from 5 November](#).

Charity meetings in Wales

Different rules apply in Wales. Until 9 November the rules restrict meeting socially. If you can, you should hold trustee or member meetings online or by telephone (see the section below on how to do this). However, if you cannot do this, you can hold trustee or members' meetings in person if this is necessary to provide voluntary or charitable services.

You can find more [guidance on the rules in Wales until 9 November](#) on the Welsh Government website.

We will update our guidance with details of the rules that apply in Wales from 9 November.'

[Source: Charity Commission, 6 November]

FAITH & SOCIETY

Law Commission: consultation on weddings law in England & Wales extended

For information

The Law Commission has extended the consultation period until 4 January: see its updated webpage here; <https://consult.justice.gov.uk/law-commission/weddings/> – presumably in response to the impact of the COVID-19 pandemic.

[Source; Law Commission, 7 November]

FUNDING

National Heritage Memorial Fund

For information and **possibly for action**

The National Heritage Memorial Fund has announced a phased reopening of project funding through its National Lottery Grants for Heritage.

In the first phase, **beginning 25 November**, it will resume accepting applications for **grants from £3,000-£10,000 and £10,000-£100,000**. This will provide financial assistance, particularly, to those heritage sector organisations that have, so far, been unable to access COVID-19 emergency funds. The Fund will be looking for projects with a particular emphasis on organisational resilience and inclusion.

In the second phase, **beginning 8 February 2021**, it will resume accepting applications for **grants from £100,000-£250,000 and £250,000-£5m**.

[Source: National Heritage Memorial Fund, 9 November]