

CLAS CIRCULAR 2020/14

(14 May 2020)

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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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CHARITIES AND CHARITY LAW

Charity Commission responds to Select Committee questions

For information

In response to the [DCMS Select Committee's fifteenth question](#) – what preparations is the Commission making for the ending of excepted status for religious charities in March 2021, and will it be able to cope with the related increase in demand for its services? – the Charity Commission responded that:

“We are conscious that 31 March 2021, the date on which the excepting regulations are currently due to expire, is drawing closer. We are in discussion with the Office for Civil Society to explore an extension to this and further options to help make the situation more manageable both for charities and the Commission.

“When the measures do come into force, we will agree a phased approach, something that we would like to be able to discuss with church denominational bodies.”

[Source: Charity Commission, 13 May]

CORONAVIRUS UPDATE

Coronavirus Job Retention Scheme and volunteering

For information

Ben Lake MP [asked](#) the Government whether it will add an exemption to the Coronavirus Job Retention Scheme guidance allowing furloughed workers employed by faith-based organisations to participate in activities usually undertaken by volunteers in their faith community.

On 4 May, Jesse Norman MP replied that: "The purpose of the Coronavirus Job Retention Scheme is to support people who would otherwise have been made redundant. To prevent fraudulent claims, the Government made clear that individuals cannot work or volunteer for their organisation. This aims to protect individuals too; if workers were allowed to volunteer for their employer, the employer could ask them to effectively work full time while only paying them 80% of their wages. DCMS is working with other Government departments and the voluntary, community and social enterprise sector to identify areas where volunteers can contribute to the COVID-19 response."

On 13 May, the Chancellor announced an extension of the Job Retention Scheme until October: more below.

[Source: House of Commons, 4 May]

Historic Religious Buildings Alliance COVID-19 collation updated

For information

The Historic Religious Buildings Alliance has [updated](#) its COVID-19 collation of guidance and external comment. The collation is a helpful tool to identify helpful schemes in one location.

[Source: Historic Religious Buildings Alliance, 13 May]

EMPLOYMENT & VOLUNTEERING

Chancellor extends furlough scheme until October

For information **and possibly for action**

The Chancellor has [announced](#) that the Coronavirus Job Retention Scheme will be extended until the end of October. The scheme will continue in its current form until the end of July and will slightly change at the start of August: more information will be made available at a later date.

The only announced change to the scheme (when the changes come in at the start of August) will be that the scheme will continue to cover 80% of any employee's monthly salary but the cost will be shared between the Government and employer instead of, as currently, being covered entirely by the Government.

[Source: HM Treasury, 12 May]

Holiday entitlement and pay during coronavirus

For information **and possibly for action**

BEIS has [published](#) guidance explaining how holiday entitlement and pay operate during the coronavirus pandemic and where it differs from the standard holiday entitlement and general pay guidance. The guidance covers:

- [Holiday entitlement](#)
- [Taking holiday](#)
- [Holiday pay](#)
- [Carrying annual leave into future leave years](#)
- [Furloughed agency workers.](#)

[Source: BEIS, 13 May]

FAITH & SOCIETY

Religious Education syllabus in Wales

For information

On Tuesday, the Welsh Government launched a [consultation](#) on proposed legislative proposals for the implementation of Religion, Values, and Ethics (RVE) within the Humanities Area of Learning and Experience in the Curriculum for Wales. The consultation seeks views on the proposed changes to legislation to support RVE as a mandatory part of the Curriculum for Wales. It includes proposals in relation to the development and application of agreed syllabus and denominational syllabus in different types of school. It will run for 12 weeks, closing on **28 July**.

[Source: Senedd/Welsh Parliament, 5 May]

Reopening of places of worship

For information

Five new ministerial-led taskforces have been set up to develop plans for how and when closed sectors can reopen safely in England, following publication of the UK Government's [roadmap to rebuild Britain](#). They will look at the following sectors:

- Pubs and restaurants (Department for Business, Energy and industrial Strategy)
- Non-essential retail (including salons) (Department for Business, Energy and industrial Strategy)
- Recreation and leisure, including tourism, culture and heritage, libraries, entertainment and sport (Department for Culture, Media and Sport)
- **Places of worship, including faith, community and public buildings** (Ministry for Housing, Communities and Local Government)
- International aviation, reflecting the unique challenges that sector is facing (Department for Transport)

Each taskforce will work across Government and engage with key stakeholders in public health, industry, trade unions and devolved administrations to ensure that COVID-19 secure guidelines are developed in line with the phased approach and public health directions, building on the existing guidance and providing intelligence and sector-specific expert input, to agree and ensure alignment

of all relevant sectoral guidance and to provide key sector stakeholders direct access to Ministers to shape the guidance. [The full guidance on the establishment of the taskforces is here.](#)

Specifically in relation to places of worship, the Government envisages the following:

Non-residential institutions required to close: Places of worship	Exceptions	From 13 May
	<ul style="list-style-type: none"> Funerals may be held, but it is advised that they be conducted in line with guidance from Public Health England 	Remain closed apart from exceptions
	<ul style="list-style-type: none"> Burial grounds and cemeteries can remain open. Grounds surrounding crematoria may also remain open, including gardens of remembrance. Providers of funeral services, such as funeral directors and funeral homes, may remain open. A minister of religion or worship leader may leave their home to travel to their place of worship. A place of worship may broadcast an act of worship, whether over the internet or otherwise. A place of worship can remain open for the purpose of hosting essential voluntary activities and urgent public services, such as food banks, homeless services, and blood donation sessions. 	Will be considered as part of Step 3 - engagement through taskforce on Places of Worship.

[Source: Cabinet Office, 12 May]

SCOTLAND

Coronavirus (Scotland) (No.2) Bill

For information

The Scottish Government has introduced the Coronavirus (Scotland) (No.2) Bill into the Scottish Parliament. It makes changes intended to help public services continue to operate during the coronavirus pandemic. It also includes changes to support businesses and individuals. It includes:

- Measures to ensure that business and public services can continue to operate well;
- Changes to some obligations and duties on public services;
- Changes to protect certain student tenants;
- Support for carers and power to reduce non-domestic rates; and
- Changes to criminal procedure to ensure that essential justice business can continue.

Most of the measures in the Bill will expire at the end of September 2020 but could be extended up to a maximum duration of a further year, if the Parliament approves an extension. The Explanatory Notes on the Bill are [here](#).

[Source: Scottish Government, 13 May]

Emergency marriage and civil partnership guidance

For information

The Scottish Government has [stated](#) that it “will now work as a matter of urgency” to publish guidance on emergency marriage and civil partnerships during the COVID-19 pandemic. It will work with National Records of Scotland to set out guidance on the kinds of occasions where an emergency marriage or civil partnership is allowed and how to apply for them.

[Source: Scottish Government, 13 May]