COVID STATUS CERTIFICATE SURVEY SUMMARY FINDINGS

May 2021

Background

There has been growing discussion regarding the potential impact of the introduction of COVID status certificates and 'vaccine passports' in Scotland and the UK. These certificates are seen as a potential means to re-open large scale venues and event spaces. The UK Government has begun testing the use of certificates at some large scale events in England. The Scottish Government is currently looking at potential for the introduction of a certification scheme in Scotland.

Following concerns being raised by some Poverty Alliance community activists, and a request for views from the Scottish Government, we decided to test whether there were any general areas of concern starting to emerge amongst our membership. We distributed a short survey to 251 organisational members (we did not survey the individual associate members of the Poverty Alliance). The conclusions in this briefing represent the emerging views of the Poverty Alliance and our members. It is clear that more information is required to allow a proper assessment of the impact of COVID status certificates.

Findings

A total of 68 responses were received.   Responses came from across Scotland, with 23% from Glasgow, 16% from Edinburgh, 12% from Scotland wide organisations and 8% from North Lanarkshire. The remainder were distributed across another 14 local authority areas. Organisations work with a variety of client groups. Just over 44% worked with families, 40% worked with older people and 36% with people with disabilities. Just over one quarter worked with people from Black and ethnic minority communities. Several respondents worked specifically with women, with homeless people, migrants, and around addictions. Almost 60% were engaged in community work, 47% were providing support and 33% were giving advice to clients.

An issue for clients?

Respondents were asked if the people they worked with had been raising any issues regarding certificates. Fifty-eight per cent said that they had not, and 15% were not sure. This should not be taken as a lack of concern (as can be seen below) but rather that there has been insufficient discussion about the impact of certificates and their implications for individuals.

A common concern was around the potential for discrimination based on whether an individual had a certificate. Discrimination could arise as a result of being refused access to services, the potential employment implications. The need for a certificate to access service was seen as discriminatory towards some groups with protected characteristics – including women (particularly pregnant women), young people or people whose first language was not English.

It was also felt that COVID status certificates could be particularly impactful in areas of the economy most often associated with low paid employment, and therefore any move to introduce a scheme would have a disproportionate impact on those workers. This could mean that some of these workers may be compelled to be vaccinated in order get a certificate and keep their job. Where businesses were requiring customers to have certificates, it would seem likely that they would make the same demand on staff. At a time when jobs in this sector will be in short supply, there may be undue pressure placed on individuals to be vaccinated by their employers to keep jobs.

There were also concerns about needing access to smart phones and potentially other IT equipment. There was a fear that the need for digital certificates could further reinforce the digital divide that had been such a clear feature of the impact of pandemic. This was also linked to questions regarding the costs of certificates, where some people seemed to believe that there may be a need to purchase certificates.

There were also concerns about broader civil liberties issues, particularly with regards to the use and storage of personal data. Some people felt that the introduction of certificates was an infringement of their personal liberty as even though the vaccination is voluntary, the need to for certificates for services and employment would mean that individuals would be under real pressure to be vaccinated.

Overall, it appears that there is a need for greater clarity around what certificates would be used for, and what controls would be in place for their use. The lack of clear information is appearing to fuel concerns amongst at least some of clients of the organisations that responded to our survey.

Impact on clients

The survey asked organisations what the impact on their clients of the introduction of COVID status certificates. This was an attempt to distinguish between individual's perspectives and any clear organisational concerns.

Around 12% felt that there would be no impact on the people that they worked with, with some stating that the effect could be positive. For example, the ability to have a status certificate would allow their clients to access services with confidence if they knew that staff had been vaccinated (it was commonly assumed that COVID status certificates would mean only that a person had been vaccinated, rather than that an individual had immunity or had a negative test). Another 8% did not know what the impact would be.

Many of the responses to this question reinforced the fact that there is relatively little reliable information available on COVID status certificates. So various questions were raised including practically how certificates would be issued, would certificates restrict people's movement, limit access to service. It would appear from some of the questions raised that there is already a clear need for Scottish and UK Government to set out clearly what the COVID status certificates would not do (e.g. that certificates would not be required to access public services such as health care, home care, social work services) even as processes and approaches are being developed.

Several respondents raised issues around the digital accessibility of COVID status certificates. This was often highlighted in relation to people with protected characteristics, for example, disabled people:

"We are concerned that if certificates are digital that those without access to the internet and/or appropriate devices (e.g. Smartphones) will be excluded. We know that disabled people are less likely to have access to the internet and the skills needed to access online services. Any digital certificate would need to be accessible for people who use assistive technology."

Organisations that worked with people whose first language was not English and people who were in the asylum process, also raised concerns regarding digital access. Not having access to smartphones or having the data to use them could possibly mean that they would not have consistent access to certificates.

A frequent concern raised was around access to employment. One respondent noted that they had already found that individuals who were on zero hours contracts and had not been vaccinated were not given work. There was a fear that employers would use COVID status certificates as a reason for discrimination in the labour market. It was felt by some that this was particularly the case for people who were unable to be vaccinated, pregnant women and young people, and that certificates could potentially reinforce existing inequalities.

Perhaps the most common concern was the potential for COVID status certificates to be a divisive measure that will reinforce inequalities and create further divisions in society. There was a sense that the introduction of certificates would create a sense of safety at large events, and perhaps in some workplaces, but that this would possibly be at the expense of an overall sense of cohesion in society. Whilst certificates were seen by some as part of a process that would allow parts of the economy to re-open more quickly, thereby allowing people to get back to work and increase their income, there were concerns that this would be at the cost of greater divisions.

This was particularly the case for some people who are at risk of poverty. People who were homeless, or who had drug or alcohol problems, would be at significant risk of being further excluded from public life if they were unable to access a certificate. Some people may withdraw from services they needed if they were required to produce a COVID status certificate.

At least two respondents raised issues of COVID status certificates and coercive control. It was felt that disabled people who were reliant on the support of family members or personal assistants could have control exerted over their lives through certificates. Women experiencing domestic abuse were similarly considered to be at risk, with partners controlling them through certificates.

Many organisations raised the issue of exemptions for those who were not able to be vaccinated. This was most often raised in relation to pregnant women, but questions were also raised about the possibility of exemptions for people with long term health conditions, or for younger people who were not yet eligible for vaccination.

The civil liberty and human rights implications of COVID status certificates were raised repeatedly. Whether in relation to potential discrimination in relation to employment, the exclusion from services or issues around the security and use of personal data, questions of human rights were a common theme running through responses. Issues were raised in particular to the equal treatment of disabled people, of women and of migrants.

Organisational impact

As stated above, the lack of adequate information made it difficult for many respondents to assess what the impact would be on them as organisations. However, based on their current understanding 25% thought that there would be either minimal or no impact on their organisation.

Forty per cent believed that there would an administrative impact on their organisation. A variety of issues were raised in this context. Some were concerned about providing information to volunteers and users, and the need to ensure that this information was accurate. One organisation was concerned that they could lose volunteers if they were unable to say how they should be using certificates. Most organisations were simply concerned about an additional administrative burden being placed on them when resources were already stretched.

The processing of information related to certificates was also an issue. Some organisations felt that they may need to develop policies and processes in response to COVID status certificates and this could be a significant headache, particularly for smaller organisations. Some raised issues with GDPR and the potential to keep and store confidential and sensitive health data. Many were not only uncomfortable with this possibility but did not have the processes or resources to manage this data in a thorough way.

Some organisation stated that their systems had already changed as a result of the pandemic, with new safety measures in place, and that check certificates, if necessary, could be added to these processes. One organisation also felt that whilst there may be additional administrative tasks, these were similar to PVG processes, so they did not see them as a burden.

In the responses to this question, it was clear that some organisations had no wish to require staff or users of their services to have COVID status certificates and would not change the way that they delivered their services. On the other hand, some were clearly assuming that certificates were inevitable and would be a necessary part of their processes in the future, even to the extend of having services for those who do not have certificates.

Both types of responses highlight the potentially far-reaching impact of the introduction of COVID status certificates, reinforcing the need for any approach to be thoroughly tested and its implications openly discussed before introduction.

Conclusions

Whilst a significant proportion of the respondents to this survey felt that a COVID status certificate system was needed, there were serious questions about whether it would be required in the longer term. One respondent stated:

"*This could be a good scheme, especially to help small businesses and their employees, but one that must be approached carefully as the possibility exists for creating more inequality at an already volatile time.*"

There is a need for clear information on the use and monitoring of any certificate system in Scotland. A general sense from the respondents was that there was simply not sufficient information about how a certifications system would work for them to meaningfully comment on how it may impact on their organisations or the people they work with. Given that trials of a scheme have started in England and that discussions are underway in Scotland, it is essential that more information is provided as soon as possible before any scheme is introduced or even trailed.

It is very clear from responses to this survey that there are certain areas where COVID status certificates should not be used. Public services that everyone should have access to, and upon which people living on low incomes are particularly reliant, should remain so even after the introduction of certificates. This would mean, at a minimum, health and social care services, social security, social work, education. It should also mean services such as transport.

Our members were also concerned about access to shops and other services. Many of the people that our members work with have already experienced difficulties accessing shops during the pandemic, particularly those with disabilities and long-term conditions. One of the fears many have is that COVID status certificates could reinforce the discrimination that some people have already experienced during and prior to the pandemic. Robust safeguards must be put in place to ensure that this is not the case.

Concerns regarding the potential for discrimination in the use of COVID status certificates are linked to broader issues related to equalities and human rights. A range of issues were raised in this regard, particularly in relation to the use of personal data. It is critical that as Scottish Government develops its approach to COVID status certificates, that human rights considerations are paramount.

There are several areas where progress needs to be made in order to ensure that people living on low incomes can benefit and are protected during the implementation of any COVID status certificate scheme:

- Clear information: as discussed above, there is too little accurate information regarding what a COVID status certificate would be. Even before the final details of any scheme are finalised it would be essential to be clear on some of the basic elements – for example, who would issue certificates, how would be permitted to access this information, any costs involved. Without this clarity trust in any scheme will be compromised.
- Exemptions: there is a need for a process to allow individuals to be exempt from having a COVID status certificate. This would mostly be on the grounds of health, although other grounds would need to be considered. A clear system of exemptions would have a beneficial impact on people living on low incomes.

- Settings: there should be clear guidance, in law, regarding where COVID status certificates could legitimately be used. A certificate should not be used as an effective passport to access normal day to day goods and services. It would not be appropriate for certificates to be required to access shops and shopping malls, public transport and to use essential public services. There is a real danger that without clear guidance in law that COVID status certificates could be used in discriminatory ways.
- Time limited: alongside the settings where if COVID status certificates can be used, there needs to be clear time limits on their use. Their use should only be permitted for as long as the pandemic continues. Legislation to introduce COVID status certificates should therefore contain a sunset clause to limit their long term use.

It is vital that as plans for COVID status certificates become clearer, public discussion of their potential impacts much increase. There will be a need for civil society organisations to be fully engaged in this discussion.

For further information please contact:

Neil Cowan

Policy and Campaigns Manager

The Poverty Alliance

neil.cowan@povertyalliance.org

povertyalliance.org/ @PovertyAlliance