



CORONAVIRUS - [COVID-19] NEWSLETTER 6 – BREXIT, MIXING & TRANSMISSION RATES

The Prime Minister announced that all areas of England would return to a tiered system of coronavirus (Covid-19) control when restrictions were lifted on the 2nd December 2020. These measures are enacted, underpinned and protected by law. Police and other authorities will have the powers to give fines and break up gatherings

The Government has advised that the tier system will be reviewed every 14 days with the first review due on 16th December 2020. The daily infection rate has reduced to around 12,000 cases per day which is a 67% drop from the highest daily recorded figure in November 2020 of over 33,000 cases.

Currently only 3 of the 200 councils have an R rate lower than 100 in 100,000 people and have been allowed to operate under Tier 1 Terms. Although many areas over the last week or so have seen a reduction in the number of cases, it is expected that at the first review that many areas will remain in Tier 2 and some (like Kent and London boroughs) may possibly move into tier 3.

The view is that tier 2 is the barometric level of Coronavirus and most organisations should measure the openness of their facilities by this gauge. If infection figures are stable they will remain in tier 2, if they are rising then the area will move into tier 3 and if they fall they will move to tier 1. In tier 1 movement will only occur if the infection rate and the stretch of public resources gets worse.

The Allocation of tiers will be dependent on a number of factors including;

- each areas case numbers; and are they rising or falling
- the reproduction number (r rate) and
- the current and projected pressure on the NHS (and services) locally.

These allocations will be reviewed every 14 days and the regional approach will last until March 2021. Focus and emphasis over the next three months is on “Tough tiering, mass community testing and the vaccine roll out”.

As we are aware the mass-vaccine roll-out has commenced with 4M Pfizer vaccine doses targeted at the most vulnerable age-groups and people. It is expected soon that the Oxford / AstraZeneca vaccine may soon be MHRA approved, although it is between 62% and 90% effective (estimate 70%) at stopping serious illness from coronavirus, there is positive news that it may reduce asymptomatic spread by 27%, something that has not been measured before.

It is unlikely that the effect of the mass vaccination program will show significant changes to daily figures or NHS Referrals until spring 2021 onwards.

With regard to Martial Arts classes the Government undertook a significant U-Turn when publishing the guidelines for the Tiers. Initially the Government prohibited all indoors meeting for clubs in tier 2, then back peddled and allowed face to face meet up indoors for all age groups in tiers 1 and 2.

Martial Arts are not considered a 'grassroots' sports as they are defined as a 'recreational' sport. This is one of the expected reasons why Martial Arts were not included in the Winter Survival Payment as part of the Sports Industry bail-out of £300M.

Although Gyms, Sports Centres, Educational Schools and Private Dojos can remain open under tiers 1 and 2: Church Halls, Community Centres and Village Halls have predominantly remained closed during this time with many expected to reopen in January following the review on 30th December 2020.

This should give a better guidance on the opening of services as the 'Christmas Bubble' will be over and infection rates should be settling back to normal and better to analyse and predict the tier movements in the new year.

There may be an opportunity for clubs that are in desperate financial straits to apply for the Local Regional Support Grant LRSG from their local authority if their classes have been closed or restricted due to enforced or discretionary closures. We as usual cannot guarantee or adjudicate for or against any claims.

HMRC and Public Health England seem to have adopted the harsher definition of the tier restrictions to state that no indoor mixing is permitted between households or support bubbles. This simply shuts down all indoor activities under tiers 2 and 3 immediately and this would suggest that clubs that do currently teach are committing a breach of the tier rules.

Organised and Supervised Sports are defined as 'exemptions'. We are aware that some dojos are cramming their hour long classes with 20 – 30 under 18s even now. Note that even if you have the minimum four adult instructors present at every class - in theory you could be in breach of indoor gathering requirements if you mix or overlap support or household bubbles indoors; even with facemasks and adherence to the guidelines. The most common faults being made at the moment are as follows:

- Booking, Extending and using facilities outside scheduled times (including during lockdown)
- Not completing and filing Covid registers for class attendances
- Not allowing 100 sqft per student or adequate ventilation
- Not using facemasks when within 1m of another person
- Not recommending students arrive dressed and wearing facemasks
- Teaching and Training barefoot or in inappropriate clothing
- Several breaching social distancing measures
- Fails to draft or file a Risk Assessments for less than 5 employees with OFMAR/MACA to approve your school or club for reopening.

These do not make or ensure that your dojo is operating as Covid-Secure and instructors are encouraged to read the rules and guidelines fully themselves and questioning this with their National Governing Body before they are allowed to even teach. If you have any questions you need to contact your insurance provider first. They will advise that if you breach any of the above clauses you are not or will not be covered. OFMAR has already outlined in Newsletter 5 the repercussions for clubs and instructors of a civil suit for a coronavirus infection. Simply put; ignorance is no excuse or defence for a case of misconduct or negligence.

The Government have allowed certain activities to continue during lockdown. This is a privilege but the expectation is that this is done by the book. Instructors cannot flout the law and not follow procedures, or skip corners or processes as this will only lead to a removal of those granted privileges and possible fines. The onus now is on communities to set the example to actively reduce coronavirus.

TIER SUMMARY

Tier 1 - Medium

- Certain Leisure and sporting facilities such as gyms, sports courts, leisure centres and by extension sports centres, fitness and dance Studios, golf courses, swimming pools, riding centres and outdoor playgrounds can remain open.
- Other public buildings such as libraries, village halls, community centres can open but attendance is dependant on maximum determined capacity and adherence with Covid Secure guidelines especially regarding contact and social distancing.
- You must not socialise in groups larger than 6 people, indoors or outdoors (other than where a legal exemption applies) – “The Rule of Six”
- Businesses and venues can continue to operate in a Covid-Secure manner other than those which remain closed by law.
- Public attendance at indoor events is limited at 50% Capacity or 1,000 people.
- Organised indoor sport and exercise classes can continue if the “Rule of Six” is followed. Organised Supervised sport can take place with larger groups mixing, but must operate and follow guidance in a Covid-Secure manner.

Tier 2 – High

- You must not socialise with anyone you do not live with, or who is not in your support bubble in any indoor setting, whether at home or in a public place.
- You must not socialise in a group of more than six people outside, including in a garden or public space.
- Businesses and venues can continue to operate in a Covid-Secure manner other than those which remain closed by law.
- Public attendance at indoor events is limited at 50% Capacity or 1,000 people.
- Organised indoor sport and exercise classes will only be permitted if it is possible for people to avoid mixing with people they do not live with (or share a support bubble with). Organised and Supervised Sport can take place with larger groups mixing, but must operate and follow guidance in a Covid-Secure manner.
- OFMAR recommends that any clubs in Tier2 or Tier3 switch to ‘Zoom’ or online classes to prevent possible non essential travel and a better reduction possibility of spreading the infection, or else work support bubbles ‘face to face’ only. See our later note on mixing and transmission rates.

Tier 3 – Very High

- You must not meet socially indoors or in most outdoors places with anybody you do not live with, or who is not in your support bubble, this includes in any private garden or at most outdoor venues.
- You must not socialise in a group of more than six people in some other outdoor public spaces including parks, beaches, countryside accessible to the public, public gardens, or grounds of a heritage site, castle or sports facility – “The Rule of Six”
- Leisure and Sport facilities may remain open but group exercise classes should not go ahead.
- Organised outdoor sport can continue, however higher risk contact activity should not take place.
- Organised indoor sport, physical activity and exercise classes cannot take place indoors. There are exemptions for disability sport, educational sport and supervised sport for under 18s but sport for over 18s cannot continue.
- OFMAR recommends that any clubs in Tier2 or Tier3 switch to ‘Zoom’ or online classes to prevent possible non essential travel and a better reduction possibility of spreading the infection, or else work support bubbles ‘face to face’ only. See our later note on mixing and transmission rates.

Exemptions from gatherings limits in all tiers

There are several listed exemptions to gathering limits in all tiers, however the most salient ones for Martial Art Instructors are as follows:

- For supervised activities provided for children, including wraparound care (before and after-school childcare), Groups and activities for under 18s, and children's playgroups.
- For formal support groups, and parent and child groups – up to 15 people aged 5years and older
- For childcare, education or training – meaning education and training provided as part of a formal curriculum. Martial Arts tuition or learning is not considered an educational core curriculum subject and could be considered a 'recreational' or 'non essential' vocation.

The R rate

Latest figures suggest that the r rate is between 0.8 and 1.2. This means that currently each person who has coronavirus will affect one other person

OFMAR has already discussed the coronavirus modelling, but to summarise as follows:

80% people will suffer asymptotically or have mild symptoms

15% will develop full symptoms (and need to self-isolate)

5% coronavirus may be fatal

Of that 15%

95% should recover after rest or treatment - or may will require hospitalisation and may require or mechanical ventilation

5% coronavirus may be fatal

All survivors could suffer symptoms of long-covid

Until everyone in the UK has been tested we cannot know the full extent of the spread across the population. Research has shown that asymptomatic carriers may potentially carry the infection for up to ten weeks.

Indoors Training and Gyms

Sport should be split into three distinct areas: Professional or Elite Athletes (who can continue to train indoors or outdoors even throughout lockdown), 'Grassroots' sports and 'Recreational Sports'. The Department of Culture Media and Sport already confirmed that loans and grants are available from Sport England on request. The initial loans were available on matched basis, so a £10,000 loan could be made to a club that funded £10,000 themselves. This is standard for the lottery supported 'good causes' funding route.

The 'light-switch' mentality of the lockdown relaxation will not work in the long term for sustaining or rebuilding the Martial Arts Industry. This also provides pressure on clubs offering intermittent services as they transition between the tier bandings. Clubs still have to finance insurance cover, training and qualification, national recognition, Authority memberships, DBS Checks and Course attendances. OFMAR has estimated the cost per school to be around £2,000 per year per venue per club for full compliance inclusion before you even consider wages, rates and rents.

We know that teaching under 18s represents 60% of most clubs revenue, so this is a key group to still be able to teach throughout all tier restrictions. However with a class of 20 – 30 under 18s (who may come from mixed support bubbles at their schools) will no doubt increase the chance of a infection or outbreak occurring.

If long-covid becomes medically recognised as a condition this will be extremely difficult to insure and litigate against to protect clubs and instructors from possible civil suit claims in the future. It may be that students will need to take out insurance in their own names to be able and covered to train in Martial Arts, and be required to prove vaccination and compliance with health guidelines each year.

Mixing & Transmission Rate

Recent Studies and data from MIT has been looking at the transmission rate of indoors venues between asymptomatic carriers through environment modelling. This is well worth a read. It suggests that in a 500sqft room of two people with adequate ventilation and both wearing facemasks then it would take 2hrs before the other person could become infected. With closed windows, heating and no facemasks, this reduces to 45 minutes. In a room of six persons with one carrier this would reduce to 7 minutes. Imagine now applying these modelling figures to your average supermarket.

In a 2000sqft house with five adults without facemasks and no ventilation the time is three hours so a household meeting up for Christmas dinner with an asymptomatic carrier could potentially spread the infection without contact through breathing and air exchange.

Throughout the Government guidelines the definition of mixing has remained vague. It alludes that 2m social distance is an accepted minimum distance to prevent infection. The reason that 2m is considered a minimum distance is because there are 58% less infected particles at 2m than at 1m, which is why facemasks are compulsory at any distance below 2m is you are overlapping with another persons support bubble.

Mixing should be properly defined for area purposes. Our inference here of the definition is that mixing indoors represents an 'overlap' of social bubbles and should not occur in tiers 2 or 3 because you cannot avoid overlapping bubbles indoors even if you maintain a social distance. This means that any instructor who teaches face to face even a household or support bubble in tier2 through 'indoor transmission modelling' is mixing or overlapping their bubble with another person or household even if social distancing is being maintained.

Social Distancing

The Prime Minister was due to review the rules surrounding Social Distancing in November 2020 and possibly consider a move toward a 'one meter plus'. Social Distancing currently remains at 2m and will look likely to do so until at least March, possibly into late 2021. Statistics show that there is a 58% reduction in particle spread at 2m than at 1m. The guidelines suggest a 100sqft per person allocation which is allowing 3mx3m training space and access passage such to an extent that social distancing is maintained throughout. Many venues have spaces marked out at 2mx2m which do not meet this requirement as this only effectively allows 36sqft per person and 3x less ventilation area. Secondly ventilation is of paramount importance. Without this you are just recycling potentially infected air.

Early publications are looking at a reduction to 1.5m possibly some time next year, or from one meter (but face coverings must be worn). *CLOSE CONTACT* is forbidden (unless it is between household support bubbles and partnerings only) and no contact is one of DCMS main objectives as detailed in their letter dated 9th September 2020 along with equipment cleansing and instructor certification and a regular hygiene regime.

To summarise:

- Tier 1** Can Teach as many students as your venue is certified to handle in a Covid Secure manner
- Tier 2** Can Teach as many students as your venue is certified to handle in a Covid secure manner as long as your venue is open
 - or ZOOM Classes
- Tier 3** Can Teach as many under 18s as your venue is certified to handle but you cannot teach adults indoors in an exercise class or singly
 - or ZOOM Classes

ZOOM Classes

Online 'dojos' have become very popular for fitness and maintaining health. OFMAR still questions the fighting capability of students who learn through 'Youtube' or via online dojos. Many black belts have been awarded without facing the physical test of human interaction and believes this is mostly motivated by the balance sheet.

"Theory is only theory until it is put into practice, then it becomes experience"

Liasing with Insure4Sport they have clarified some of the guidelines for their ZOOM Classes which is good to know for all persons who are considering teaching online classes.

1. Check with your insurer you are covered for live two way applications like Zoom, Skype, Microsoft Teams or Google.
2. Your Session needs to be Live and both you and each client needs to be able to see each other
3. You need to be able to see all of your clients at the same time
4. Sessions which are pre-recorded or shared, hosted on Instagram or Facebook Live must be private and the Coach can control who is seeing it
5. All New existing and Current Clients on any platform must go through the normal onboarding process, health declaration, PARQ forms as if they were a normal face to face client.
6. Participants have checked their training area to ensure there are no obstacles or hazards
7. Participants are fit and well enough to complete the class
8. Any equipment used by the participant is being used correctly and in line with the manufacturers guidelines. It must be cleaned afterwards
9. All participants must be UK Residents and activities completed within the boundary of the UK.
10. You are not covered for any exercises or moves that require physical contact with other participants in the class e.g kicks, punches, tackles, throws etc especially where a family may be training online from home.
11. You are not covered for any exercises where participants are suspended above the floor, e.g. aerial hoops, poles or rings
12. You are not covered for any exercises where participants are completing gymnastics moves such as headstands , cartwheels or somersaults

Conclusion

The reopening of sports and community facilities is wholly dependent on the allocation of tiers on Thursday 26th November as this will affect what provisions clubs can train at from 2nd December 2020 until the first review on the 16th December 2020.

The Government intentions at the current time are that under 18s should not be impacted by lockdown restrictions which is why martial arts can continue under all Tiers for this age-group. It must be noted at the time that the minimum age requirement for a face covering is from age 12 onwards. This may mean that later on "The rule of Six" could be extended to include all over 12 year olds into this category; or maybe possibly extended to anyone over the age of 5years old.

Clubs that do teach under 18s also need to consider the delivering martial arts to child welfare guidelines that under 18s cannot participate in sport against people who are more than 5 years older or younger than themselves. I.e a club that teaches from 3year olds must band their classes as follows:

Age 3 – 7	8yrs+ cannot be taught in the same class as a 3yr old
Age 8 – 12	13yrs+ cannot be taught in the same class as an 8yr old
Age 13 – 17	permitted (cannot train against anyone over18)
Age 18+	banned under tier 3 from mixing with other people

Any Instructor who teaches 'Family Classes' or mixed age bandings is potentially breaching child welfare rules. The maximum age band range for a 7 year old is 11 years so instructors will need to tailor classes and teaching instruction bearing this in mind whilst ensuring the classes are kept separate and do not mix.

According to statistics up to the 25th November 2020, Gyms and Leisure Centres accounted for roughly 2.8% of cases reported, the 6th place on the common locations, behind supermarkets, pubs and bars, schools and universities.

The Government have hinted that most of the UK will be released into Tier 2 or Tier 3 which means that most services will be impacted due to cost effectiveness and inability to teach 'face to face'. This has caused uproar amongst the fitness industry who believe that a comprehensive financial support package should be made available for recreational sport participants and operators during this difficult time.

With Brexit due on the 1st January 2021 it is now imperative that UK Clubs check whether they are due to be impacted. Now is the time to ensure that current Non UK Associations, Funding Companies, Insurers have filed and completed their EORI declarations to continue processing personal data and payments for UK Clubs and citizens from 1 January 2021 and declared the levels of tariff they will be applying to UK Services and Products going forward from this date. Failure to provide this information or evidence could mean that a Non UK registered Association may lose their Governing status under UK Law from 1st January 2021 meaning Instructors and clubs may not be covered from this date.

STAY SAFE – PROTECT THE NHS
"Hands – Face – Space"

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