**Tourism Businesses, QR Codes And The Rule of Six**

There has been considerable confusion regarding the new requirements on tourism businesses regarding the Rule of Six that came into effect on 18th September in England and the new QR codes associated with the NHS Track and Trace app that come into effect on 24th September. This briefing aims to provide a simple guide to the new requirements. Greater detail is available on the following link

<https://www.gov.uk/guidance/maintaining-records-of-staff-customers-and-visitors-to-support-nhs-test-and-trace>

**1. New Legal Requirements**

On 18th September, it became a legal requirement for tourism and hospitality businesses to gain the following information from customers:

* the name of the customer or visitor. If there is more than one person, then you can record the name of the ‘lead member’ of the group (of up to 6 people) and the number of people in the group
* a contact phone number for each customer or visitor, or for the lead member of a group of people. If a phone number is not available, you should ask for their email address instead, or if neither are available, then postal address
* date of visit, arrival time and, where possible, departure time
* the name of the assigned staff member, if a customer or visitor will interact with only one member of staff (for example, a hairdresser). This should be recorded alongside the name of the customer or visitor

(In addition, operators must keep a record of all staff working on the premises, their shift times on a given day and their contact details).

**2. QR Codes**

The use of QR codes connected to the NHS’s Trace and Trace App as a means of collecting the required information from customers was initially voluntary. However, on 18th September the Government decided that all tourism and hospitality businesses needed to use the QR Codes from 24th September.

This means that you now have to go to the following website and generate a specific QR Code for each business premises you have, print a poster to be displayed somewhere visitors can see it and ask customers to scan it when they arrive, using the NHS COVID-19 app.

<https://www.gov.uk/create-coronavirus-qr-poster>

If customers scan the QR Code, you do not have to collect the information specified above.

**Exemptions**

You do not need to ask someone for their contact details or to scan the NHS QR Code if the person visiting is:

* + a police officer or emergency responder on duty
  + making a delivery or collection by supplies or contractors, including food or physical goods.
  + under the age of 16.

**3. Rule of Six**

It is also now an offence for the following business not to adhere to the Rule of 6 when taking a booking or allowing entry to a group of customers.

* hospitality, including pubs, bars, restaurants and cafés
* tourism and leisure, including tourism accommodation, museums, cinemas, zoos and theme parks

Businesses that do not comply with the Rule of Six can be fined issue £1,000 for the first offence, £2,000 for the second, £3,000 for the third and £4,000 for any offences after that. The regulations will be enforced by Local Authorities. However, with the new restrictions announced on 22 September, these fines could be increased to £10,000.