

Information correct as of the afternoon of 07/04/20.

Summary of Government, Regulator, Trade Body and Trade Union Covid-19 Policies

An overview of the work being undertaken by government departments to cope with the economic impact of the Covid-19 outbreak, new economic and business advice committees recently set up by the government, and of the policies advocated by trade unions and trade bodies.

We have included an update on our own most recent activities as to how we are working to put our sector on the agenda when it comes to business continuity measures.

The contents page below provides links to the latest updates within each organisation.

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REA Activity Update

At the Association of Renewable Energy & Clean Technology, we have launched an [advice page](#) on which members can find links to access information and support. The page also details how we are consulting members about the best way we can represent the industry's interest to government in the difficult months ahead. Our activities are detailed below.

Progress on Covid-19 Business Continuity Work

The REA is prioritising business continuity work for our members at this current time of national and international pandemic. As part of this, we have:

- Weekly calls with a Senior Director within BEIS to press our members concerns
- Regular calls with the group feeding in Business Continuity messaging to Number 10
- Senior level contact with all other relevant Government Departments and Regulators
- Compiling and updating a Log of all member concerns, and sending to Government regularly
- Set up a dedicated area of the REA website to keep members updated
- Upload the latest information to the area daily
- Send out regular specific news items to relevant affected members

In the past week the REA and industry have had the following successes for the sector:

- On Monday 31 March BEIS issued a [letter](#) that clarifies which construction site workers are able to continue work and which should not, during the current lockdown. We now also have the [Site Operating Procedures \(SOP\)](#) published by the Construction Leadership Council which must be followed at operational sites.
- Confirmation that the FiT deadline (for community, hydro and some AD projects) has been extended by six months
- [Clarification from Ofgem](#) on certain rules for biomethane plant commissioning.
- Clarification that the resource and waste industry and biomass heat supply chain are considered an essential service (following the high-level declaration that the energy, transport and water sectors are all essential services)
- We continue to raise all your concerns with the relevant contacts and held an REA Policy Board discussion this week on the topic- please send us any issues you are encountering so we are as up to date as possible

We are working to progress over thirty identified issues at this vital time and this list is growing - please contact us to discuss how we can assist your business.

Government and Regulators

Cabinet Office

Key workers and guidance on attending work

On 23 March the Cabinet Office issued [guidance](#) to clarify which businesses and workers are effected by the 'stay home' order given on the evening of 23 March.

Energy, waste and recycling, and utility companies are not included in the [list of businesses ordered to close](#). These are key sectors and therefore any employees whose roles are essential in relation to keeping the service going, are also entitled to send their children to school. All workers can travel where they 'absolutely cannot work from home', which indicates that work such as boiler or other equipment maintenance, biomass fuel or waste deliveries and AD operators can continue to go to work, as are construction workers. The public is strongly encouraged to work from home unless their jobs are important for the functioning of the country's health, social and transport systems or utility and food supply.

Robert Jenrick, the Housing Secretary, clarified on the evening of 23 March that construction workers are [exempt](#) from the order to stay at home, so long as they practice a social distancing policy.

On 30 March, the Cabinet Office issued a more [detailed guidance document](#), listing businesses that are expected to close and exceptions. One notable exception for our industry is that tradesmen are permitted to continue installations and other work at residential properties, provided that none of the parties involved has symptoms or is self-isolating.

Suppliers of public bodies and local authorities

On 7 April government revised a [Procurement Policy Note](#) and FAQs for public authorities. It aims to provide them with guidelines about maintaining their commitments to suppliers. The document outlines what is expected of public bodies and stresses that they should pay their suppliers, identify suppliers that may be at risk of going bust and put in measures to ensure that suppliers can maintain cash flow.

Competition and Markets Authority

The competition watchdog has decided to [streamline](#) its operations and focus on the most urgent issues only. While relaxing competition rules for supermarkets, it is also launching a [taskforce](#) to crack down on profiteering due to the Covid-19 outbreak. At the moment, the taskforce will focus on incidents in which prices have been increased due to demand far outstripping supply, and on misleading claims about the benefits of products.

Department for Business, Energy and Industrial Strategy

Financial Support

The Department has released more detailed [guidance](#) on the eligibility of businesses for the Small Businesses Grants fund, in light of the coronavirus crisis.

On 2 April, new [rules](#) were announced for banks on issuing government-backed loans to businesses. This means that banks are banned from requesting personal guarantees on these loans, and that businesses can apply for the loans even if they have not previously applied for a commercial loan and been denied. Before, businesses had to have applied for a commercial loan and been denied in order to qualify.

The Secretary of State told banks in a [speech](#) on 1 April that it is 'completely unacceptable' to deny businesses coronavirus loans, particularly in the context of the bailout that many banks received with public funding during the financial crisis of 2008. He also noted that the Chancellor, with the Bank of England and Financial Conduct Authority, has written to the chief executives of British banks to 'urge them to make sure the benefits of the Loans Schemes are passed on to businesses and consumers.

Measures for the Energy Sector

BEIS has announced an [extension of the Feed-in-Tariff Accreditation Deadline](#) for eligible projects. Although the FiT remains closed to new projects, this extension will apply to community projects, Anaerobic Digestion and Hydro projects still had time to benefit. The deadline has been extended to 30 September, for projects that were likely to miss deadlines falling in March due to coronavirus. It also offers a six month extension to projects whose deadlines fall after 1 April.

On 19 March the Department announced that it had agreed new [emergency measures](#) with the energy industry to protect energy supply to the most vulnerable. From 19 March onwards, energy customers with pre-payment meters (often used by those on low-incomes) who may not be able to add credit to the meters, will be able to liaise with suppliers about continuing their usage. This may include nominating a third party for top ups, having a discretionary amount added to their credit, or being sent a pre-loaded top-up card. The Department has also [agreed with suppliers](#) that they will support customers going through financial difficulties.

The department has also recently released a package of measures to support the heat sector. These can be read [here](#).

On 17 March, one newspaper [reported](#) that energy suppliers have agreed to halt all nonessential maintenance of energy infrastructure, due to concerns about possible staff shortages during the pandemic. The measure that has been met with concern from trade unions. The government has yet to confirm that an agreement has been reached, but Ofgem has said that it is prioritising essential work.

Key Worker Definitions

The government has included energy sector (oil, gas and electricity) workers in the [list of key workers](#), whose children are permitted to continue to attend school. Transport and utilities such as water (including sewerage), and waste disposal services are also included in the list.

It is important to clarify that this definition applies for the purposes of childcare provision and is not an indication in itself of whether someone is able to continue to work or whether a business should remain open.

Site Operating Procedures and Construction

On 31 March, the Secretary of State, Alok Sharma, published a [letter](#) confirming that construction work should continue to go ahead with work, if work cannot be carried out from home. The government has developed coronavirus [Site Operating Procedures](#).

Department for Environment, Food and Rural Affairs

Carrying over annual leave

On 27 March the Department announced, along with the Department for Business, Energy and Industrial Strategy, that [rules around carrying over annual leave are to be relaxed](#). Up to four weeks of annual leave per person will be permitted to carry over into the next two working years. This measure is designed to help give businesses flexibility, meaning that staff can continue contributing to the national effort against coronavirus without losing annual leave entitlements. It will also allow businesses to ensure that workers can carry over leave, at a time when many businesses in some key industries such as food production are already short-staffed.

Key workers

In response to recent [concerns](#) raised by the REA to Defra, on 25th March we received a confirmation from the department that workers in waste disposal services are classified as key workers. This includes waste collection and treatment including AD.

Defra also confirmed that AD is a key working sector. A quote from Defra: “You can assume that the reference to gas and energy production would cover those operators that are producing biogas especially if this is to feed into the grid or to provide biofuel etc. to keep services/industries operating.”

Food and garden waste collections and HWRCs

The government has published (7 April) non-statutory [guidelines](#) for local authorities on the prioritisation of waste collections in England during the coronavirus pandemic. Devolved administrations are responsible for determining their own guidelines and the REA is participating in Scottish Government’s COVID-19 Waste Sector Forum.

Food waste is categorised as high priority as too are mixed food and garden waste collections and should be maintained as far as possible. Garden waste on its own is categorised as low priority and if it cannot be collected at least once per fortnight Defra seems to be recommending temporary suspension of this service. Household Waste Recycling Centres are categorised as medium priority, with recommendation to keep them open if possible but if not to consider whether priority sites can be maintained with restricted access. Essential are adequate staffing levels for health and safety and security purposes and maintaining social distancing rules. The REA has flagged HWRCs due to their contribution to the supply of garden wastes to composting facilities and non-garden woody wastes to various operators in wood waste processing sectors.

These guidelines show that Defra has acted further since it’s first [response](#) to the REA’s request that food and garden waste collections should be regarded as priority collections, in which Defra clearly stated that Government would do whatever is necessary to support councils in their response to coronavirus. Defra continues to work with local authorities and the waste industry to ensure that waste collections are prioritised to protect the environment and human health.

Department for Transport

Airlines

The Department is focussing on working with the Treasury to announce a series of measures to save Britain's airline industry.

The Department for Transport is also heavily [involved](#) in government efforts to repatriate hundreds of thousands of Britons left stranded abroad by border closures and flight cancellations. The government has announced a £75 million [partnership](#) with airlines to get stranded Britons abroad home.

Rail and Bus

On 3 April a £397 million [support package](#) was announced for bus companies, to help them stay in business and keep bus routes open so that key workers can continue to use them for commuting and members of the public can use them for essential journeys.

Rail franchises have been [temporarily suspended](#) to avoid train operators collapsing, after a 70 per cent fall in the number of passengers. Instead, the government is paying a small fee to operators to keep a limited service running. As of Monday 23 March, operators are running a significantly reduced service. The Transport Secretary Grant Shapps announced that those with advance tickets will be entitled to full refunds, while season ticket holders will be able to get a refund calculated using the amount of time that the ticket will go unused.

Hygiene [guidance](#) for transport sector workers has also been issued.

Driver and Vehicle Standards Agency

On Monday 30 March the government announced that [annual inspections of dangerous goods vehicles have been suspended](#), and those wishing to transport goods classified as dangerous will need to apply for a waiver, if their authorisation is due to expire during the lockdown. There is no fee for a waiver.

Vehicle approval tests (required for imported, privately built or radically altered vehicles) have been [suspended](#) by the government for at least three months, although companies and individuals working in 'critical' sectors will still be able to get an emergency test if necessary. Vehicles eligible for an emergency test include light goods vehicles, heavy goods vehicles, and trailers.

This is in addition to the [6-month MOT exemption](#), extending MOT expiry dates by 6-months if they are due to happen during the course of the outbreak.

Environment Agency

On 6 April the Environment Agency published a regulatory position statement on temporarily exceeding the waste storage limits at permitted sites because of Covid-19. The EA will allow this provided site management comply with the RPS [guidelines](#).

The Environment Agency has acknowledged to the REA that some biofuel, biomass and waste businesses may be concerned about being able to satisfy attendance requirements of technically competent management (TCM) while sites are running at reduced staffing levels. The agency has indicated that it is willing to be pragmatic in its approach but warns that it is a requirement to have

TCM as a component of the permit. They note that where TCM cannot attend, the operator should be capable of operating the plant safely through training and EMS. Operators should ensure that they have incident response plans and rotas in place.

As competence test centres are now closed, the agency will not view failure to attend a continuing competence assessment as a failure to comply with the Wamitab Assessment Scheme.

James Bevan, Chief Executive of the Environment Agency has issued an open letter to industry setting out their approach to the virus. Within it he confirms that they have put in place arrangements to carry out regulatory activities in a safe, secure and effective way as far as possible. Although they will need to stop or slow some of their normal activities in order to focus on the most important and urgent issues. The full letter [can be read here](#).

Financial Conduct Authority

The FCA issued [proposals](#) on 2 April, to aid people with overdrafts, loans and credit card debt. The FCA proposes that people with existing overdrafts should not be charged interest on the first £500 for 90 days. It is also working on plans to freeze loan, store card and credit card repayments for 3 months, for people who are in financial difficulty. Interest would continue to accrue on the loans. The FCA has asked banks to respond by 6 April and is anticipating that its new measures will come into force on 9 April.

HM Revenue and Customs

HMRC has published detailed [guidance](#) for employees to enable them to check whether their employer is eligible for the furloughing scheme.

HMRC are running free [webinars for businesses](#) to help provide information and answer questions on how businesses can access support. The webinars cover a range of information including the Coronavirus Job Retention Scheme, refunding eligible Statutory Sick Pay costs, and furloughed employees.

HM Treasury & Dept. for Business, Energy & Industrial Strategy

On Monday 23 March the government [launched the details](#) of its business support package, including a loan scheme for small and medium-sized businesses. Small companies have been reporting that lenders are unaware of the scheme and unwilling to provide loans to help them survive the crisis. Banks are allegedly continuing to use pre-crisis criteria for lending. The Federation of Small Businesses [told the Financial Times](#) that this is being widely reported by members.

The new business support package includes a Coronavirus Business Interruption Loan Scheme, open for applications from 23 March. The Loan Scheme will give businesses with a turnover of up to £45 million the opportunity to get loans of up to £5 million to help them survive the crisis. The government will cover interest payments and any lender-levied fees for an initial period of 12 months, and is providing lenders with an 80% guarantee on each facility. The scheme is currently available through around [40 accredited lenders](#), however this number is expected to rise.

Banks have been criticised for demanding [personal guarantees](#) from businesses, even though the loans are government-backed. This means that if the firm goes bust and the owner cannot afford to

pay off the debt, their personal assets (apart from their main home) are liable to be seized. There is some disagreement between different industry bodies over whether what security banks are allowed to require.

The Bank of England also has a new lending facility for larger businesses, the Covid Corporate Financing Facility. This, too, is open for applications from 23 March. The scheme will enable larger business to purchase commercial paper, also known as short-term corporate debt. The hope is that this will help companies that are 'fundamentally strong' but experiencing short-term cash flow problems. Firms need to be able to demonstrate that they were in good financial health prior to the crisis.

Alongside the two loan schemes, the government is also launching an information campaign to try to ensure that businesses are aware of the help available and how to access it. The campaign will use social media, radio, television and a new central website, soon to be launched. The measures sit alongside the Job Retention Scheme launched on 20 March.

Ministry of Housing, Communities and Local Government

The government has announced that commercial tenants will be [protected from eviction](#), if they cannot pay their rent because of the outbreak. The measures are included in the emergency Coronavirus Bill.

Expert Taskforce

The government has announced the creation of a [taskforce](#) comprised of experts from local government, the military, police, health sector, adult social care, and resilience professionals. This will assess the plans of the Local Resilience Forums to and provide advice to the Forums.

There are 38 LRFs across England. They provide opportunities for dialogue and cross-coordination between the emergency services, government agencies, health bodies and local authorities.

The taskforce will work with the LRF's to commission a tabletop exercise for each area, discuss support for vulnerable people and the maintenance of key services, analyse the relationships between LRFs and Local Health Partnerships, and analyse the LRF's preparedness for a flu pandemic.

Inspections

In addition, the government has announced the suspension of Ofsted and Routine Care Quality Commission inspections. The deadline for local government financial audits has been extended to September. The government is also considering removing the legal requirement for annual Council meetings to take place in person, and introducing legislation to permit Council meetings to be held virtually, on a temporary basis.

Crisis experts

Up to 70 MOD planners and Liaison Officers have also been brought on to the response by government to liaise with and advise local authorities and public services. Local authorities are also required to identify social care volunteer opportunities.

New Committees

The government has created four new implementation committees, focussing on health, public sector preparedness, economy and the international response. The Chairs of the committees will each attend the daily Covid-19 meetings of key ministers and senior officials.

The committees:

- Healthcare – chaired by the Health Secretary to focus on the preparedness of the NHS, in particular the critical care system, and the medical and social care packages for those who will be subject to the new ‘shielding’ measures.
- General Public Sector – chaired by the Chancellor of the Duchy of Lancaster. The committee will focus on preparing the rest of the public sector and critical infrastructure.
- Economic and Business – chaired by the Chancellor, with the Business Secretary as the Deputy Chair. This considers the impact on businesses and the economy, including the effect on supply chains. It will also coordinate roundtables with key sectors to be chaired by the relevant Secretaries of State.
- International – chaired by the Foreign Secretary. This committee has been set up to coordinate our international response through the G7, G20 and other routes.

Office for Low-Emission Vehicles

OLEV has issued guidance to chargepoint installers on how to protect staff and customers during the outbreak. It recommends that installers follow the broader public advice, noting that they are categorised as key workers, and should contact households ahead of installation to check whether they are isolating or vulnerable to infection. Installers should not accept offers of food or drink when at the property.

In light of the recent decision to reduce the size of grant available for domestic installations after 31 March 2020, OLEV has taken the decision to extend the grant period, in cases where an installation was due to take place before 31 March and has been delayed because of coronavirus. A transition period will apply for orders placed before 12 March but due to take place after 31 March – these can now take place up to 31 May and still be eligible for the £500 grant. For WCS installations, OLEV has extended the period in which vouchers are eligible, if they originally applied before 31 March. However, OLEV must be notified within 5 working days of any missed installation.

Ofgem

Ofgem has released its [position](#) on the annual sustainability reports required under the RHI and RO schemes. There have currently been no changes to previously set deadlines for either schemes. Should a site visit not be possible because of coronavirus restrictions, justification will need to be provided to Ofgem, but the risks of not performing a visit can be mitigated. Further information can be found on the REA webpage, linked above.

Ofgem has split its [advice page](#) into two sections – one for consumers and one for licensees and industry.

A [statement](#) released on 19 March by CEO Jonathan Brearley stated that Ofgem is working closely with the government to protect the security of the UK's energy supply. Ofgem stresses that its priority is to safeguard jobs in the industry and protect customers. Brearley's statement said that Ofgem is exploring ways to ensure that a reliable service continues, especially for vulnerable users. He

acknowledged that there were queries around how self-isolating customers could get essential repairs to meters, and that some may struggle to pay their bills, however he asked that companies put plans in place for how self-isolating customers could be serviced.

A further [statement](#) on 27 March sought to reassure consumers that a rigorous prioritisation of work is taking place in order to protect the energy supply. Bearley also urged consumers not to call their energy provider's helpline unless the issue was very urgent, in order to ensure that the most vulnerable consumers were serviced quickly.

Bearley said that Ofgem will be 'pragmatic' with its approach to compliance during the pandemic. Ofgem has also taken the decision to postpone RIIO-2 hearings, and is exploring how to consider the impact of Covid-19 on its consultations throughout the year.

Scottish Environment Protection Agency

SEPA has issued a [position statement](#) on how they will be dealing with waste management regulatory issues during the pandemic. They are keen for operators to make them aware of any compliance challenges directly. SEPA expect operators to ensure impacts on the environment are minimised and recognises that the consequences of the outbreak may mean it is not possible for operators to comply fully with their environmental obligations for reasons beyond their control. SEPA will take account of the challenges faced by operators in its approach to compliance assessment and enforcement during this exceptional period.

SEPA state that recycling services should be maintained for as long as possible in line with the Waste (Scotland) Regulations 2012. The position statement includes information of the provision of Technical Competence cover and arrangements for using remote electronic systems for signatures on waste transfers.

Waste Industry Safety & Health forum

The Waste Industry Safety and Health forum (WISH) has produced an [information document](#) on managing COVID-19 risks in the context of a range of waste management activities.

It gives information on what to do if an employees shows symptoms, some general precautions and then advice for specific waste management operational types and functions.

Parliamentary Activity

Bills

[The Coronavirus Bill](#) has officially passed with no amendment and received Royal Assent on the 25th March. The Bill is 329 pages long and covers matters relating to:

- The postponement of elections, referendums, recall petitions and canvass
- Increasing the health and social care workforce
- Ease the burden on frontline staff
- Slowing the spread of the virus
- Management of the deceased

- The suspension of port operations
- Giving Police the powers to enforce self-isolation for those showing symptoms
- Statutory sick pay and pensions

COP 26

On the afternoon of April 1st, Italy and the UK alongside the United Nations Framework Convention on Climate Change (UNFCCC) made a joint statement announcing intentions to delay COP26 until 2021. New dates for the Conference are yet to be announced. The full statement is available [here](#).

Parliamentary Estate

Parliament closed on the evening of the 25th March with the view of being reopened on the 21st April. The reopening of Parliament will be in order to pass the Budget legislation which was announced on the 11th March. It is assumed, yet not officially confirmed, that following the passage of the Budget, the House of Commons will be asked to vote to suspend Parliament. If this vote takes place it is unknown how long the suspension will last.

During the suspension the Cabinet will continue to meet via video conference. When Parliament reopens on the 21st April, all non-essential events and meetings will be cancelled with non-pass holders unable to enter the Parliamentary estate.

Select Committees

Parliament was suspended on the 25th March. It will reopen on the 21st April in which it will vote to pass the Budget legislation. After the legislation is passed it is assumed, yet not confirmed, that the House of Commons will be asked again to vote to suspend Parliament for an unknown amount of time. Due to this all parliamentary business including physical Select Committee meetings will be cancelled. A number of Select Committees are continuing with their work digitally.

The Treasury Committee are currently undergoing a digital inquiry into the economic impact of coronavirus with CBI and the TUC giving oral evidence via skype on the 31st March. More information available [here](#).

Trade Unions and Trade Bodies

Confederation of British Industry

The CBI has created a '[Coronavirus Hub](#)' on its website, with dedicated sections to provide economic insight and analysis, support for business, on how the CBI is responding, and on how British businesses can help the national effort during the outbreak. The Hub includes a call for British manufacturers that may be able to make ventilators, and a consultation form on how the virus is affecting members' businesses.

The Hub's page on [how the CBI is responding](#) details its priorities, including: protecting employment and the health of employees, securing supply chains, and how the CBI wants the government to

enable better cash flow for businesses. The CBI is asking the government to suspend National Insurance payments for the first quarter of this year and to suspend business rates payments for all businesses, for at least three months.

The CBI is also releasing a [weekly update](#) on economic measures and business support packages announced by the devolved nations.

Federation of Small Businesses

The Federation of Small Businesses has set up a dedicated [page](#) to the impact of Covid-19 on small businesses. This has detailed information about what kind of financial assistance businesses can access, in all the regions of the UK, from business rates relief, to tax, loans and staffing. On 20 March the FSB held an advice [webinar](#), which has now been uploaded to watch on its website. The FSB has urged the government to provide additional support for the self-employed.

On Friday 3 April the FSB is running a [free webinar](#) for members on how to access support from local councils.

Association of Renewable Energy & Clean Technology

At the Association of Renewable Energy & Clean Technology, we have launched an [advice page](#) on which members can find links to access information and support. The page also details how we are consulting members about the best way we can represent the industry's interest to government in the difficult months ahead. We are also compiling a list of concerns and requests from businesses and are in discussions with government departments about how these can be mitigated.

GMB

The GMB has an advice [page](#) on how workers can protect their health, and details about their rights to be paid when self-isolating.

Unite

Unite claims to be the 'foremost' union for energy sector workers in the UK, and to represent tens of thousands in the industry. On Thursday 19 March, it released a statement addressed to Alok Sharma, BEIS Secretary, demanding that energy sector workers be classified as key workers. *The government has since clarified in its list of critical workers that [power sector workers are 'key workers'](#).*

Unite has launched a dedicated Legal Advice helpline for members whose employment and financial circumstances are affected by the Covid-19 outbreak. It has also provided a detailed advice page explaining entitlement to statutory sick pay, employment rights in the context of school closures, and other information.

UNISON

UNISON, the public services union, represents thousands of workers in the energy sector, although it has not released any statement or policy about the Covid-19 outbreak that is specific to energy sector workers. UNISON has welcomed the key worker provisions from the government. UNISON pressed the government (on 20 March) to provide a more coordinated response to widespread panic buying, which is leaving some key workers unable to access food.

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UNISON is continuing to offer [financial assistance](#) to members through its subsidiary charity, There for You. It has requested that all branches make a donation to the charity.