

# COVID-19

## UK Public Health & Health Care Laws, Regulation, and Guidance

**Diagrams showing the interaction  
of key legislation with wider sources  
of regulation and guidance for England,  
Northern Ireland, Scotland, and Wales**

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# ENGLAND

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## Overarching law

### **Human Rights Act 1998 and Equality Act 2010**

These Acts respectively codify fundamental rights and prohibit discrimination. Both remain in force throughout the pandemic, requiring all measures enacted to be proportionate and necessary to its aims, and for consideration to be afforded to unequal effects.

### **The Coronavirus Act 2020**

This Act introduces novel powers, and amends (or provides the power to amend) existing legislation, aiming to slow the spread of the virus, reduce the resourcing and administrative burden on public bodies, and limit the impact of potential staffing shortages.

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## English public health laws

### **Public Health (Control of Disease) Act 1984**

This legislation allows the Secretary of State to create Regulations to prevent the spread of infectious disease in England.

### **Health Protection Regulations**

Health Protection Regulations are made under the Public Health (Control of Disease) Act 1984. These make provisions to prevent person-to-person transmission, through enforceable restrictions regarding personal, commercial, and other freedoms and activities. They are subject to frequent review, and include the [Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#) as well as 'lockdown' measures locally, such as in [Leicester](#) in early July 2020, or in earlier Regulations covering all of [England](#).

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## Professional regulation and governance for public health

### **Statutory Regulators for Health Professionals**

Bodies which license and discipline health professionals, including the [General Medical Council](#) and the [Nursing and Midwifery Council](#), have general codes of conduct and have also issued specific COVID-19 related guidance.

### **Public Health England**

As an executive agency of the Department of Health and Social Care, Public Health England works alongside the Secretary of State and national and local government, the NHS, and public health professionals and has issued public and professional guidance on COVID-19.

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## Advisory guidance

### **Professional Associations**

Bodies including the [Academy of Medical Royal Colleges](#), the [Royal College of Nursing](#), the [Faculty of Public Health](#), and the [British Medical Association](#) are providing guidance and support to their members in responding to COVID-19.

### **Advisory and Expert Ethics Bodies**

Bodies such as the [World Health Organization](#), the [Moral and Ethical Advisory Group](#), the [Equality and Human Rights Commission](#), and the [Nuffield Council on Bioethics](#) are addressing ethical questions raised by the pandemic.

# NORTHERN IRELAND

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## Overarching law

### **Human Rights Act 1998 and Anti-Discrimination/Equality Legislation that Applies in Northern Ireland**

Enshrining rights and outlawing discrimination in certain circumstances, these Acts remain in force during the COVID-19 pandemic. They require public bodies to respect human dignity, paying special attention to the interests and voices of people who are vulnerable, and avoiding limitations of rights that are unnecessary or disproportionate to the goal sought.

### **The Coronavirus Act 2020**

This Act introduces novel powers, and amends (or provides the power to amend) existing legislation, aiming to slow the spread of the virus, reduce the resourcing and administrative burden on public bodies, and limit the impact of potential staffing shortages.

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## Northern Ireland public health laws

### **Public Health (Northern Ireland) Act 1967**

The Coronavirus Act created new legal powers under this Act for protecting public health in Northern Ireland as a result of COVID-19.

### **The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020**

The Regulations govern 'lockdown' measures in Northern Ireland. They are subject to review by the Executive every 21 days and have been amended as circumstances change in responding to COVID-19.

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## Professional regulation and governance for public health

### **Statutory Regulators for Health Professionals**

Bodies which license and discipline health professionals, including the General Medical Council and the Nursing and Midwifery Council, have general codes of conduct and have also issued specific COVID-19 related guidance.

### **Public Health Agency & RQIA**

The Agency deals with public health matters, including disease outbreaks. The Regulatory and Quality Improvement Authority (RQIA) is responsible for the quality of health and social services in Northern Ireland.

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## Advisory guidance

### **Professional Associations**

Bodies including the Academy of Medical Royal Colleges, the Royal College of Nursing, the Faculty of Public Health, and the British Medical Association are providing guidance and support to their members in responding to COVID-19.

### **Advisory and Expert Ethics Bodies**

The Moral and Ethical Advisory Group, NI Human Rights Commission, and the Equality Commission of NI are addressing ethical and human rights questions raised by COVID-19. Organisations such as the Nuffield Council on Bioethics are also addressing the ethical questions raised by the pandemic.

# SCOTLAND

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## Overarching law

### **Human Rights Act 1998 and Equality Act 2010**

These Acts respectively codify fundamental rights and prohibit discrimination. Both remain in force throughout the pandemic, requiring all measures enacted to be proportionate and necessary to their aims, and for consideration to be afforded to unequal effects.

### **The Coronavirus Act 2020**

This Act introduces novel powers and amends (or provides the power to amend) existing legislation, aiming to slow the spread of the virus, reduce the resourcing and administrative burden on public bodies, and limit the impact of potential staffing shortages.

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## Scottish public health laws

### **Public Health etc. (Scotland) Act 2008**

Allows for wide-ranging measures to be taken for the purpose of preventing, protecting against or controlling the spread of infection. Powers under this Act are of a broad nature, necessitating specific legislation to address the pandemic.

### **The Coronavirus Act (Scotland) 2020 (amended by the No.2 Act)**

This Act complements and regulates the use of emergency powers conferred to Scottish Ministers by Schedule 19 of the Coronavirus Act 2020. The No.2 Act introduces further changes to how essential public services operate, and increases support for businesses and individuals.

### **The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (amended by the No.2 Regulations)**

Gives legal effect to the 'lockdown' in Scotland, requiring individuals to remain at their living place, unless they have a reasonable excuse not to, and for most premises and businesses to close. It grants police powers to enforce these measures. Amendments clarify terms from the prior Regulation.

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## Professional regulation and governance for public health

### **Statutory Regulators for Health Professionals**

Bodies which license and discipline health professionals, including the [General Medical Council](#) and the [Nursing and Midwifery Council](#), have general codes of conduct and have also issued specific COVID-19 related guidance.

### **Public Health Scotland**

Established in April 2020, this governmental body supports the management of the pandemic in Scotland, producing guidance and reports.

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### **Professional Associations**

Bodies including the [Academy of Medical Royal Colleges](#), the [Royal College of Nursing](#), the [Faculty of Public Health](#), and the [British Medical Association](#) are providing guidance and support to their members in responding to COVID-19.

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## Advisory guidance

### **Advisory and Expert Ethics Bodies**

Bodies such as the [World Health Organization](#), [Equality and Human Rights Commission Scotland](#), [Scottish Human Rights Commission](#), and [Nuffield Council on Bioethics](#) are issuing guidance addressing ethical and legal concerns.

# WALES

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## Overarching law

### **Human Rights Act 1998 and Equality Act 2010**

These Acts respectively codify fundamental rights and prohibit discrimination. Both remain in force throughout the pandemic, requiring all measures enacted to be proportionate and necessary to its aims, and for consideration to be afforded to unequal effects.

### **The Coronavirus Act 2020**

This Act introduces novel powers, and amends (or provides the power to amend) existing legislation, aiming to slow the spread of the virus, reduce the resourcing and administrative burden on public bodies, and limit the impact of potential staffing shortages.

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## Welsh public health laws

### **Public Health (Control of Disease) Act 1984**

This legislation allows Senedd Cymru to legislate on Health and Public Health matters and is the source of devolved powers.

### **Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020**

Laid down by the Welsh Minister for Health and Social Services under the Public Health (Control of Disease) Act 1984, the Regulations give legal effect to the 'lockdown' measures in Wales. They are binding on health professionals and the wider population until relaxed by order of the Ministers. The Regulations are subject to ongoing amendments and are reviewed periodically.

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## Professional regulation and governance for public health

### **Statutory Regulators for Health Professionals'**

Bodies which license and discipline health professionals, including the General Medical Council and the Nursing and Midwifery Council, have general codes of conduct and have also issued specific COVID-19 related guidance.

### **Public Health Wales**

The lead agency for dealing with public health matters, including disease outbreaks. Its guidance must be followed by health and social care professionals in Wales.

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## Advisory guidance

### **Professional Associations**

Bodies including the Academy of Medical Royal Colleges, the Royal College of Nursing, the Faculty of Public Health, and the British Medical Association are providing guidance and support to their members in responding to COVID-19.

### **Advisory and Expert Ethics Bodies**

Bodies such as the COVID-19 Moral and Ethical Guidance for Wales Advisory Group (CMEAG-Wales) and Nuffield Council on Bioethics are addressing the ethical questions raised by the pandemic.