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

7 July 2020

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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.

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.

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.

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.

**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.

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**English public health laws**

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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**

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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.

Professional regulation and governance for public health

**Statutory Regulators for Health Professionals**

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**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.

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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| **The Coronavirus Act 2020** |
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<td><strong>Public Health etc. (Scotland) Act 2008</strong></td>
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<td>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.</td>
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| **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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| **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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