

Annex G

Powers of Enforcement

Powers for isolation

Responsible body	Legislation	Power to...	Scenario example of trigger
Local Authority (Environmental Health)	Public Health {Control of Diseases} Act 1984	Authorised Officer can apply to a court for a court order to control an infectious person (a Part 2a order). In urgent cases it can be done without notice to the individual. Section 45G Power to order health measures in relation to persons may impose the following restrictions: (c) that P be detained in a hospital or other suitable establishment; (d) that P be kept in isolation or quarantine; (j) that P be subject to restrictions on where P goes or with whom P has contact; (k) that P abstain from working or trading.	A local newsagent is found to be positive but is refusing to abstain from working.
Public Health England	Coronavirus Act 2020	Schedule 21 Part 2 Section 14(3) powers include the following restriction: (e) to remain at a specified place in isolation from others for a specified period.	A positive case is living in temporary accommodation but is refusing to isolate and has been regularly leaving the property.

Powers for closing premises / dispersing gatherings

Powers held by	Legislation	Power to...	Scenario example of trigger
Local Authority	Health and Safety At Work Act	Allows the relevant regulator to serve notices to require the duty holder to ensure the Health safety and welfare of those not in his employ . This power only applies to their land not the public highway. Essentially low risk premises (offices, shops and retail)	A small local business has not made any provision for its consumers to be safe in their shop.
HSE	Health and Safety At Work Act	Allows the relevant regulator to serve notices to require the duty holder to ensure the Health safety and welfare of those not in his employ). This power only applies to their land not the public highway. Essentially high risk (manufacturers, Nursing homes, hospitals) https://www.hse.gov.uk/foi/internalops/og/og-00073-appendix1.htm	A meat packaging plant has not made any provision to take to minimise the spread of COVID-19 in its working environment.
Police	The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020	Prohibition notices to businesses that should not be open	A restaurant is found to be trading whilst relevant restrictions are in place
Police	The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No 3) Regulations 2020 – 1 June 2020	Police powers for gatherings – direction, removal, enforcement 4E's: Engage, Explain, Encourage, Enforce (FPN)	A large group of people from a range of different households are not social distancing and are gathering in the city centre.