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STATUTORY INSTRUMENTS

2020 No. 1045

PUBLIC HEALTH, ENGLAND

The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020

Approved by both Houses of Parliament

Made - - - -- at 5.00 p.m. on 27th September 2020

Laid before Parliament 28th September 2020

Coming into force - -at 12.00 a.m on 28th September 2020

The Secretary of State in exercise of the powers conferred by sections 45B, 45C(1) and (3)(c), 45D, 45F(2), 45P and 45T(6) of the Public Health (Control of Disease) Act 1984 Act(a), makes the following Regulations.

These Regulations are made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in England.

The Secretary of State considers that the restrictions and requirements imposed by these Regulations are proportionate to what they seek to achieve, which is a public health response to that threat.

In accordance with section 45R of that Act the Secretary of State is of the opinion that, by reason of urgency, it is necessary to make this instrument without a draft having been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020.

(2) These Regulations come into force on 28th September 2020.

(3) These Regulations apply in relation to England only.

(a) 1984 c. 22. Part 2A was inserted by section 129 of the Health and Social Care Act 2008 (c. 14).

PART 1

Requirements on person notified of positive test for acute respiratory syndrome coronavirus 2 (SARS-CoV-2) and close contacts of such persons

2.—(1) This regulation applies where an adult is notified, other than by means of the NHS Covid 19 smartphone app developed and operated by the Secretary of State, by a person specified in paragraph (4) that—

- (a) they have—
 - (i) tested positive for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (“coronavirus”) pursuant to a test after 28th September 2020, or
 - (ii) had close contact after 28th September 2020 with someone who has tested positive for coronavirus;
- (b) a child in respect of whom they are a responsible adult has—
 - (i) tested positive for coronavirus pursuant to a test after 28th September 2020, or
 - (ii) come into close contact after 28th September 2020 with someone who has tested positive for coronavirus.

(2) Where—

- (a) paragraph (1)(a) applies, the person notified must—
 - (i) self-isolate for the period specified in regulation 3; and
 - (ii) notify the Secretary of State, if requested by a person specified in paragraph (4), of the address at which they will remain pursuant to the restriction in paragraph (3)(a); and
- (b) paragraph (1)(a)(i) applies, the person notified must notify the Secretary of State of the name of each person living in the same household as P;
- (c) paragraph (1)(b) applies, R must—
 - (i) secure, so far as reasonably practicable, that the child self-isolates for the period specified in regulation 3; and
 - (ii) notify the Secretary of State, if requested by a person specified in paragraph (4), of the address at which the child will remain pursuant to the restriction in paragraph (3)(a); and
- (d) paragraph (1)(b)(i) applies, R must notify the Secretary of State of the name of each person living in the same household as the child.

(3) in paragraph (2), “self-isolate” means P is subject to the following restrictions—

- (a) P must remain in—
 - (i) P’s home;
 - (ii) the home of a friend or family member of P or of R where P is a child; or
 - (iii) bed and breakfast accommodation, accommodation provided or arranged under section 4, 95 or 98 of the Immigration and Asylum Act 1999(a) or other suitable place;
- (b) P may not leave the place specified in sub-paragraph (a) except where necessary—
 - (i) to seek medical assistance, where this is required urgently or on the advice of a registered medical practitioner, including to access—

(a) 1999.c.33. Section 4 was amended by section 49 of the Nationality, Immigration and Asylum Act 2002 (c. 41), by section 10(1) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), by section 43(7) of the Immigration, Asylum and Nationality Act 2006 (c. 13), and by paragraph 1 of Schedule 11 to the Immigration Act 2016 (c. 19). Section 95 was amended by section 50(1) of the Nationality, Immigration and Asylum Act 2002 and by paragraph 29 of Schedule 10 to the Immigration Act 2016.

- (aa) services from dentists, opticians, audiologists, chiropodists, chiropractors, osteopaths and other medical or health practitioners, or
 - (bb) services relating to mental health,
 - (ii) to access veterinary services, where this is required urgently or on the advice of a veterinary surgeon,
 - (iii) to fulfil a legal obligation, including attending court or satisfying bail conditions, or participating in legal proceedings,
 - (iv) to avoid a risk of harm,
 - (v) to attend a funeral of a close family member,
 - (vi) to obtain basic necessities, such as food and medical supplies for those in the same household (including any pets or animals in the household) where it is not possible to obtain these provisions in any other manner,
 - (vii) to access critical public services, including social services, and services provided to victims (such as victims of crime),
 - (viii) to move to a different place specified in sub-paragraph (a), where it becomes impracticable to remain at the address at which they are.
- (4) The persons specified for the purpose of paragraphs (1) and (2) are—
- (a) the Secretary of State;
 - (b) a person employed or engaged for the purposes of the health service (within the meaning of section 275 of the National Health Service Act 2006(7) or section 108 of the National Health Service (Scotland) Act 1978(8));
 - (c) a person employed or engaged by a local authority.
- (5) If a person specified in paragraph (4) notifies P, or R where P is a child, that a notification referred to in paragraph (1) in respect of P is withdrawn, such notification shall be deemed never to have been given for the purposes of these Regulations.

Period of self-isolation

3.—(1) The period of self-isolation specified for the purpose of regulation 2(2) is calculated as follows.

- (2) The period begins from the moment notification is received by—
 - (a) P where P is an adult, or
 - (b) R where P is a child.
- (3) The period ends with the final day of a period where regulation 2(1)(a)(i) or (b)(i) applies, of ten days beginning—
 - (a) in a case where P, or R where P is a child, reports to a person specified in regulation 2(4) of the date on which symptoms first developed, with whichever is the later of—
 - (i) the date five days before the test pursuant to which notification referred to in regulation 2(1) was given, or
 - (ii) that date which they report;
 - (b) in any other case, the date of the test pursuant to which notification referred to in regulation 2(1) was given;
- (4) The period ends with the final day of a period where regulation 2(1)(a)(ii) or (b)(ii) applies, of 14 days beginning—
 - (a) where P is living in the same household as the person (“C”) who tested positive for coronavirus—
 - (i) in a case where C, or R where C is a child, report to a person specified in regulation 2(4) of the date on which symptoms first developed, with whichever is the later of—

- (aa) the date five days before the test pursuant to which notification referred to in regulation 2(1) was given, or
- (bb) that date which C, or R where C is a child, reports;
- (ii) otherwise, with the date of the test pursuant to which notification referred to in regulation 2(1) was given;
- (b) in any other case, with the date which a person specified in regulation 2(4) records as being the last date on which P last came into close contact with C before P received the notification referred to in regulation 2(1).

Amendment of the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020

4. The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020(a) are amended as follows—

- (a) in regulation 4 (interpretation), in the definition of “local authority”, in paragraph (b) omit the words “for an area in which there is no County Council”;
- (b) in regulation 14 (requirement to retain and disclose details), after “Secretary of State” insert “or a Public Health Officer”;
- (c) in regulation 17 (offences and penalties)—
 - (i) in paragraph (1)(g), for “regulation 15” substitute “regulation 14”,
 - (ii) after paragraph (1)(g), as so amended, insert “; (h) regulation 16”;
- (d) in regulation 18 (fixed penalty notices)—
 - (i) in paragraph (7)(b), for “£3000”, substitute “£4000”,
 - (ii) in paragraph 7(c), for “£4000”, substitute “£10,000”,
 - (iii) in paragraph (8), for “relevant” substitute “specified”;
- (e) in the Schedule (Listed Services), in paragraph 2(i), insert “including gyms” after “leisure centres”.

Interpretation of Part 1

5. In Part 1—

“adult” means a person aged 18 or over;

“child” means a person aged under 18;

“close contact” means—

- (a) having face-to-face contact with someone at a distance of less than 1 metre,
- (b) spending more than 15 minutes within 2 metres of an individual,
- (c) travelling in a car or other small vehicle with an individual or in close proximity to an individual on an aeroplane;

“P” means a person subject to the self-isolation requirement in regulation 2(2);

“R” and “responsible adult” mean an adult who has—

- (d) custody or charge of a child for the time being, or
- (e) parental responsibility for a child within the meaning given in section 3 of the Children Act 1989.

(a) S.I. 2020/1005.

PART 2

Interpretation of Part 2

6.—(1) In this Part—

“agent” has the meaning given in regulation 9(1)(b);

“designated place” means the place at which a self-isolating worker or a self-isolating agency worker is self-isolating in accordance with either regulation 2 of these Regulations or regulation 4 of the International Travel Regulations;

“employer”, “employment” and “worker” have the meanings given by section 230 of the Employment Rights Act 1996(a);

“International Travel Regulations” means the Health Protection (Coronavirus, International Travel) (England) Regulations 2020(b);

“isolation period” means a period during which a self-isolating worker or a self-isolating agency worker is required to self-isolate;

“isolation requirements” means the requirements in regulation 2 of these Regulations or regulation 4 of the International Travel Regulations relating to the circumstances in which an individual who is self-isolating is permitted to leave the designated place;

“principal” has the meaning given in regulation 9(1)(b);

“self-isolating agency worker” has the meaning given in regulation 9(1); and

“self-isolating worker” means a worker who is subject to a requirement to self-isolate in accordance with either regulation 2 of these Regulations, or regulation 4 of the International Travel Regulations.

(2) For the purposes of regulation 7, references to a self-isolating agency worker’s employer are to be read as including the agent, and any principal to whom the self-isolating agency worker is, or is to be, supplied during the isolation period (where they would not otherwise be the self-isolating agency worker’s employer), and for the purposes of regulations 7 and 9 “employment” is to be construed accordingly.

Requirement on employers of workers required to self-isolate

7.—(1) Subject to paragraph (2), where the employer of a self-isolating worker or a self-isolating agency worker is aware of the requirement to self-isolate, the employer must not knowingly allow the worker or self-isolating agency worker to attend any place other than the designated place, during an isolation period, for any purpose related to the worker’s or self-isolating agency worker’s employment.

(2) An employer is not in breach of the requirement in paragraph (1) where the self-isolating worker or self-isolating agency worker attends any place in accordance with the isolation requirements.

Notification by workers of requirement to self-isolate

8.—(1) Where a self-isolating worker is—

(a) aware of the requirement to self-isolate, and

(b) due to work or undertake any other activities related to the worker’s employment during the isolation period, other than at the designated place,

the worker must notify the worker’s employer of the requirement to self-isolate and the start and end dates of the isolation period.

(a) 1996 c.18.

(b) S.I. 2020/568.

- (2) The worker must provide the notification required by paragraph (1)—
 - (a) as soon as reasonably practicable, and
 - (b) in any event, before the worker is next due to start work within the isolation period.

Notification in respect of agency workers

9.—(1) Paragraphs (2) to (4) apply in any case where an individual (a “self-isolating agency worker”)—

- (a) is subject to a requirement to self-isolate in accordance with either regulation 2 of these Regulations or regulation 4 of the International Travel Regulations,
- (b) is supplied, or is to be supplied, by a person (an “agent”) to do work for another (a “principal”) under a contract or other arrangements made between the agent and the principal, and
- (c) is not—
 - (i) as respects that work, a worker, because of the absence of a worker’s contract between the individual and the agent or the principal, or
 - (ii) a party to a contract under which the individual undertakes to do the work for another party to the contract whose status is, by virtue of the contract, that of a client or customer of any profession or business undertaking carried on by the individual.

(2) Where a self-isolating agency worker is—

- (a) aware of the requirement to self-isolate, and
- (b) due to work or undertake any other activities related to the self-isolating agency worker’s employment during the isolation period, other than at the designated place,

the self-isolating agency worker must notify the agent, the principal or the self-isolating agency worker’s employer (where that person is not the agent or a principal) of the requirement to self-isolate and the start and end dates of the isolation period.

(3) The self-isolating agency worker must provide the notification required by paragraph (2)—

- (a) as soon as reasonably practicable, and
- (b) in any event, before the self-isolating agency worker is next due to start work within the isolation period.

(4) Where a person receives a notification under paragraph (2), the person must, as soon as reasonably practicable, supply the information contained in the notification—

- (a) if the recipient is the agent, to the self-isolating agency worker’s employer (where that person is not the agent or a principal) and to any principals to whom the self-isolating agency worker is, or is to be, supplied during the isolation period;
- (b) if the recipient is a principal, to the self-isolating agency worker’s employer (where that person is not the agent or a principal) and to the agent, and
- (c) if the recipient is the self-isolating agency worker’s employer (where that person is not the agent or a principal), to the agent and any principals to whom the self-isolating agency worker is, or is to be, supplied during the isolation period.

(5) Paragraph (6) applies where—

- (a) a self-isolating worker is supplied, or is to be supplied, by an agent to do work for a principal under a contract or other arrangements made between the agent and the principal,
- (b) the agent is the worker’s employer, and
- (c) the worker notifies the agent in accordance with regulation 8(1).

(6) The agent referred to in paragraph (5) must, as soon as reasonably practicable, supply the information contained in the notification to any principals to whom the worker is, or is to be, supplied during the isolation period.

PART 3

Enforcement

10.—(1) Where an authorised person considers that P is away from the place that they are self-isolating in contravention of regulation 2, the authorised person may—

- (a) direct P to return to the place where they are self-isolating, or
- (b) remove P to the place that they are self-isolating.

(2) An authorised person exercising the power in paragraph (1)(b) may use reasonable force, if necessary, in exercise of the power.

(3) Where P is a child and has left, or is outside of, the place where they are self-isolating and is accompanied by R—

- (a) an authorised person may direct R to take P to the place where P is self-isolating; and
- (b) R must, so far as reasonably practicable, ensure that P complies with any direction given by an authorised person to P.

(4) Where P is a child and an authorised person has reasonable grounds to believe that P is repeatedly failing to comply with regulation 2, the authorised person may direct R to ensure, so far as reasonably practicable, that P so complies.

(5) An authorised person may only exercise a power in paragraph (1), (3) or (4) if the authorised person considers that it is a necessary and proportionate means of ensuring compliance with regulation 2.

(6) For the purposes of this regulation “authorised person” means—

- (a) a constable,
- (b) a police community support officer,
- (c) a person designated by the Secretary of State for the purposes of this regulation,
- (d) an officer designated by the relevant local authority for the purposes of this regulation.

Offences

11.—(1) A person who contravenes a requirement in regulations 2, 7, 8 or 9 without reasonable excuse commits an offence.

(2) A person who contravenes a requirement to self-isolate under regulation 2 without reasonable excuse and in doing so—

- (a) has reason to believe they will come into close contact with another person or group;
- (b) does then come into close contact with another person or group;
- (c) is reckless as to the consequences of that close contact for the health of that other person or group;

commits an offence.

(3) A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations, including any person who is an authorised person for the purposes of regulation 10 commits an offence.

(4) A person who, without reasonable excuse, contravenes a requirement in or imposed by, regulation 10 commits an offence.

(5) An offence under these Regulations is punishable on summary conviction by a fine.

(6) Section 24 of the Police and Criminal Evidence Act 1984 applies in relation to an offence under this regulation as if the reasons in subsection (5) of that section included—

- (a) to maintain public health;
- (b) to maintain public order.

- (7) A person who knowingly—
- (a) gives false information pursuant to regulation 2(2)(a)(ii), (b), (c)(ii) or (d); or
 - (b) falsely states, when asked by a person specified for the purpose of regulation 2(4), to that person that someone is a close contact of a person who has tested positive for coronavirus,

commits an offence.

- (8) If an offence under this regulation committed by a body corporate is proved—
- (a) to have been committed with the consent or connivance of an officer of the body, or
 - (b) to be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(9) In paragraph (5), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

- (10) In paragraph (2), “close contact” has the same meaning as in Part 1 of these Regulations.

Fixed penalty notices

12.—(1) An authorised person may issue a fixed penalty notice to anyone that the authorised person reasonably believes has committed an offence under these Regulations.

- (2) If a person is issued with a notice under this regulation in respect of an offence—
- (a) no proceedings may be taken for the offence before the end of the period of 28 days beginning with the day after the date of the notice;
 - (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.
- (3) A fixed penalty notice must—
- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence,
 - (b) state the period during which (because of paragraph (2)(a)) proceedings will not be taken for the offence,
 - (c) specify the amount of the fixed penalty (as to which, see paragraphs (4) to (7)),
 - (d) state the name and address of the person to whom the fixed penalty may be paid, and
 - (e) specify permissible methods of payment.

(4) Subject to paragraph (5), where a fixed penalty notice is issued in respect of offences described in regulation 11(1), of contravening, without reasonable excuse, a requirement in regulation 2 or regulation 11(7)—

- (a) if the fixed penalty notice is the first issued to the person under these Regulations, the amount of the fixed penalty notice is £1,000,
- (b) if it is the second fixed penalty notice so issued, £2,000,
- (c) if it is the third fixed penalty notice so issued, £4,000,
- (d) if it is the fourth fixed penalty notice so issued, and for any subsequent fixed penalty notice so issued, £10,000.

(5) For an offence under regulation 11(2), the amount of the fixed penalty notice is—

- (a) if the fixed penalty notice is the first issued to the person, £4,000,
- (b) if it is the second or subsequent fixed penalty notice so issued, £10,000.

(6) Where a fixed penalty notice is issued in respect of offences described in regulation 11(1) or 11(8) of contravening, without reasonable excuse, a requirement in regulation 7—

- (a) if the fixed penalty notice is the first issued to the person for contravening, without reasonable excuse, a requirement in regulation 7, the amount of the fixed penalty is £1,000.

- (b) if the fixed penalty notice is the second fixed penalty notice issued to the person for contravening, without reasonable excuse, a requirement in regulation 7, the amount of the fixed penalty is £2,000.
- (c) if the fixed penalty notice is the third fixed penalty notice issued to the person for contravening, without reasonable excuse, a requirement in regulation 7, the amount of the fixed penalty is £4,000.
- (d) if the fixed penalty notice is the fourth or a subsequent fixed penalty notice issued to the person for contravening, without reasonable excuse, a requirement in regulation 7, the amount of the fixed penalty is £10,000.

(7) Where a fixed penalty notice is issued in respect of offences described in regulation 11(1) or 11(8) of contravening, without reasonable excuse, a requirement in regulation 8 or 9(2), the amount of the fixed penalty is £50.

(8) Where a fixed penalty notice is issued in respect of offences described in regulation 11(1) or 11(8) of contravening, without reasonable excuse, a requirement in regulation 9(4) or 9(6), the amount of the fixed penalty is £1,000.

(9) Whatever other method may be specified under paragraph (3)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (3)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(10) If a letter is sent as mentioned in paragraph (9), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(11) In any proceedings, a certificate that—

- (a) purports to be signed by or on behalf of—
 - (i) the person with responsibility for the local authority’s financial affairs of the local authority to which payment is made, or
 - (ii) the designated officer where payment is made to that officer, and
- (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the fact stated.

(12) In this regulation—

“authorised person” means—

- (a) a constable;
- (b) a police community support officer;
- (c) a person designated by the Secretary of State for the purposes of this regulation;
- (d) an officer designated by the relevant local authority for the purposes of this regulation;

“designated officer” means an officer designated by the Secretary of State, or by the relevant local authority, for the purposes of this regulation;

a “fixed penalty notice” is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to—

- (e) the relevant local authority, or
- (f) the designated officer;

“the relevant local authority” means the local authority, (or as the case may be, any of the local authorities), in whose area an offence under these Regulations is alleged to have been committed.

Prosecutions

13. Proceedings for an offence under these Regulations may be brought by a local authority or the Crown Prosecution Service.

Power to use and disclose information

14.—(1) A person referred to in regulation 2(4) may disclose the information described in paragraph (2) (“relevant information”), to any person (H) for the purposes of—

- (a) carrying out a function under these Regulations, or
- (b) preventing danger to the health of the public as a result of the spread of infection or contamination with coronavirus or coronavirus disease.

(2) The relevant information referred to in paragraph (1) is—

- (a) where an individual is required to self-isolate under regulation 2—
 - (i) contact details of that individual,
 - (ii) the date that individual received a notification under regulation 2,
 - (iii) the particular period in respect of which that individual is required to self-isolate calculated in accordance with regulation 3,
 - (iv) details of any notices issued or contemplated under regulation 12, or proceedings taken under regulation 13 in respect of that individual.

for the purposes of this regulation “contact details” means the name, address and where available, the telephone number of the individual.

- (b) confirmation an individual is not required to self-isolate under regulation 2.

(3) H may only use relevant information disclosed under paragraph (1) where it is necessary—

- (a) for the purpose of carrying out a function under these Regulations,
- (b) for the purpose of—
 - (i) preventing danger to the health of the public as a result of the spread of infection or contamination with coronavirus or coronavirus disease,
 - (ii) monitoring the spread of infection or contamination with coronavirus or coronavirus disease, or
- (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).

(4) Subject to paragraph (6), H may only disclose relevant information to another person (the “recipient”) where it is necessary for the recipient to have that information—

- (a) for the purpose of carrying out a function of the recipient under these Regulations,
- (b) for the purpose of preventing danger to the health of the public as a result of the spread of infection or contamination with coronavirus or coronavirus disease, or
- (c) for a purpose connected with, or otherwise incidental to, a purpose described in sub-paragraph (a) or (b).

(5) Subject to paragraph (7), disclosure which is authorised by this regulation does not breach—

- (a) an obligation of confidence owed by the person making the disclosure, or
- (b) any other restriction on the disclosure of information (however imposed).

(6) This regulation does not limit the circumstances in which information may otherwise lawfully be disclosed under any other enactment or rule of law.

(7) Nothing in this regulation authorises the use or disclosure of personal data where doing so contravenes the data protection legislation.

(8) For the purposes of this regulation—

- (a) “data protection legislation” and “personal data” have the same meanings as in section 3 of the Data Protection Act 2018;
- (b) “coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus).

Self-incrimination

15.—(1) Information notified to the Secretary of State in accordance with regulation 2 may be used in evidence against the person, subject to paragraphs (2) to (4).

(2) In criminal proceedings against the person—

- (a) no evidence relating to the information may be adduced by or on behalf of the prosecution, and
- (b) no question relating to the information may be asked by or on behalf of the prosecution.

(3) Paragraph (2) does not apply if the proceedings are for—

- (a) an offence under these Regulations, or
- (b) an offence under section 5 of the Perjury Act 1911(a) (false statements made otherwise than on oath).

(4) Paragraph (2) does not apply if, in the proceedings—

- (a) evidence relating to the information is adduced by or on behalf of the person who provided it, or
- (b) a question relating to the information is asked by or on behalf of that person.

Review and expiry

16.—(1) The Secretary of State must review the need for the requirements imposed by these Regulations before the end of the period of six months beginning with the day on which they come fully into force.

(2) These Regulations expire at the end of the period of 12 months beginning with the day on which they come into force.

(3) This regulation does not affect the validity of anything done pursuant to these Regulations before they expire.

Designations

17. A person who is designated for the purposes of regulation 9(13) or 10 of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020(b) is to be treated as if they were designated for the purposes of regulations 10(6) and 12(12) of these Regulations.

Signatory text

At 5.00 p.m. on 27th September 2020

Matt Hancock
Secretary of State
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 1 of these Regulations impose self-isolation requirements in relation to persons who have tested positive for coronavirus and their contacts. Regulation 4 amends the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 to—

- (a) amend the definition of local authority so that where there are two tier authorities, a District Council may issue a Fixed Penalty Notice.

(a) 1911 c. 6. Section 5 was amended by section 1(2) of the Criminal Justice Act 1948 (c. 58).

(b) S.I. 2020/684, amended by S.I. 2020/719, 2020/750, 2020/788, 2020/800, 2020/824, 2020/828, 2020/974, 2020/986.

- (b) provide that in addition to the Secretary of State, a relevant person must also disclose any details he has retained pursuant to the Regulations to a Public Health Officer, on request of that Public Health Officer.
- (c) provide that it is an offence not to comply with a requirement in regulations 14 and 16 of the Regulations.
- (d) amend the fixed penalty notice amounts. In particular for the third breach the amount of any notice is to be £4,000 and for the fourth and any subsequent breach, it is £10,000.
- (e) amend the Schedule to make clear that gyms are included as a listed service.

Part 2—

- (f) prohibits an employer from allowing a worker to attend any place (except the place where they are required to self-isolate) for any purpose connected to the worker's employment;
- (g) sets out the prohibition on knowingly allowing a self-isolating worker or a self-isolating agency worker to be present anywhere for work purposes, other than the place where they are required to self-isolate;
- (h) requires a self-isolating worker to inform their employer of the requirement on them to self-isolate; and
- (i) requires a self-isolating agency worker to inform either their employer, the agency or the principal of the requirement on them to self-isolate. It requires whoever has received such a notification to pass the information on to the two other parties.

Part 3 provides for enforcement, in particular as to offences and fixed penalty notices, as well as disclosure of information. It also provides for the review and expiry of these Regulations.

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