POLICY NOTE

THE PUBLIC HEALTH ETC. (SCOTLAND) ACT 2008 (NOTIFIABLE DISEASES AND NOTIFIABLE ORGANISMS) AMENDMENT REGULATIONS 2020

SSI 2020/51

The above instrument was made in exercise of the powers conferred by sections 12(2) of the Public Health etc. (Scotland) Act 2008. The instrument is subject to negative procedure.

Purpose of the instrument. This instrument amends Part 1 and 2 of schedule 1 of the Public Health etc. (Scotland) Act 2008 to add coronavirus disease 2019 to the list of notifiable diseases and to add severe acute respiratory syndrome coronavirus 2 to the list of notifiable organisms.

Policy Objectives

1. The effect of making the Regulations is that they will trigger duties on registered medical practitioners to share information (such as the patient's name, the patient's address and where considered relevant by the practitioner the name and address of the patient's place of work or education) with health boards where they have reasonable grounds to suspect that a person they are attending to has coronavirus disease 2019 (COVID-19). This information must then be shared onwards to the Common Services Agency

2. The Regulations will also have the effect if severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) is identified by a diagnostic laboratory in Scotland, that the director of that laboratory must provide information to the health board in the laboratory's area and to the Common Services Agency.

3. The Regulations are required to be in place in public health interests so that the notification requirements contained in the Public Health etc. (Scotland) Act 2008 ("the 2008 Act") will apply should a case of COVID-19 arise in Scotland.

Consultation

4. There has been no public consultation in relation to this instrument. The public health community (Health Protection Scotland and Directors of Public Health) have been consulted on the proposed Regulations.

Impact Assessments

5. There is no, or no significant, impact on business, charities or voluntary bodies.

6. The impact on the public sector is that relevant bodies providing certain NHS services will have additional duties in respect of sharing information regarding COVID-19 or SARS-CoV-2 with health boards and the Common Services Agency.

7. An Impact Assessment has therefore not been prepared in relation to this instrument.

Financial Effects

8. The Cabinet Secretary for Health and Sport confirms that no BRIA is necessary, as the instrument has no, or no significant financial effect on the Scottish Government, local government or on business.

Guidance

9. The Scottish Government will provide guidance to NHS Boards and diagnostic laboratories who will be involved in the operation of these changes and the protection of public health during any outbreak of COVID-19 in Scotland.

Contact

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Scottish Government
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