

<p>Non-Executive Report of the:</p> <p><b>Health and Adults Overview and Scrutiny Sub-Committee</b></p> <p>Thursday 23<sup>rd</sup> July 2020</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Somen Banerjee, Director of Public Health</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Title: Keep Tower Hamlets Safe – Local COVID-19 Outbreak Plan</b></p>	

<b>Originating Officer(s)</b>	Somen Banerjee, Director of Public Health, LBTH
<b>Wards affected</b>	All Wards

### Special circumstances justifying urgent consideration

This report was not available for publication by the statutory publication deadline because additional information was required. It is presented for consideration at this meeting as it is not possible to defer until the next meeting. It should also be noted that the report title was made available as part of the original meeting agenda.

### Executive Summary

All Local Authority areas were required to publish local COVID-19 outbreak plans on the 30<sup>th</sup> June. The Tower Hamlets local outbreak plan is attached. This sets out plans for prevention and management of outbreaks in the borough. In line with the national framework it sets out prevention and outbreak arrangements in particularly high-risk settings (including care homes, school and other venues). The plan also outlines plans for test and trace, surveillance of COVID-19, support for vulnerable groups and governance arrangements. The plan is a living document and will adapt in response to scenario testing, experience and ongoing review of governance arrangements.

### Recommendations:

The Health and Adults Overview and Scrutiny Sub-committee is recommended to:

1. Review and comment on the plan
2. Note the importance placed within the plan to address disparities of impact on COVID-19 on specific high-risk groups (e.g. occupational categories, BAME groups)
3. To note particularly that this is a living plan that needs to adapt to

continually changing circumstances (policy, community transmission levels of COVID-19)

## **1. REASONS FOR THE DECISIONS**

1.1 There is no specific decision requested

## **2. ALTERNATIVE OPTIONS**

2.1 There is no specific decision requested

## **3. DETAILS OF THE REPORT**

3.1 See attached document

## **4. EQUALITIES IMPLICATIONS**

4.1 The plan identifies the disparities that have emerged nationally and locally in COVID-19 infection and deaths. For this reason it has a specific priority on ensuring that equalities are integrated into outbreak prevention and response. Specifically, the community engagement plan seeks to ensure that communication messages and support is targeted at equalities group that are at particular high risk

## **5. OTHER STATUTORY IMPLICATIONS**

5.1 DHSC required publication of local authority outbreak plans by 30<sup>th</sup> June.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 Approval of the plan does in-itself require the council to incur any expenditure. Should the plan have to be enacted there will be significant costs that will need funding support to be provided at a national level as these costs are beyond that which the council would be expected to fund.

## **7. COMMENTS OF LEGAL SERVICES**

7.1 The Coronavirus Act 2020 Act ("the 2020 Act") contains temporary measures designed to mitigate the impact of Covid-19. The Public Health (Control of Disease) Act 1984 ("the 1984 Act") and its regulations provide the legislative framework for health protection in England and Wales. Part 2A of the Act, provides a legal basis to protect the public from threats arising from infectious diseases.

7.2 Where Public Health Officers have reasonable grounds to suspect that a person is potentially infectious, Schedule 21 of the Coronavirus Act 2020 allows Public Health Officers to:

- direct or remove persons to a place suitable for screening and assessment; and
- direct the person to go immediately to a place specified in the direction which is suitable for screening and assessment.

if considered necessary and proportionate to do so, in the interests of the person, for the protection of other people, or for the maintenance of public health. The person must be informed of the reason for directing or removing them, and that it is a summary offence to fail without reasonable excuse to comply with a direction, or, where a person is removed, for them to abscond. Before officers can exercise these powers they need to be reflected in the appropriate scheme of delegation.

7.3 Where there is an outbreak (an incidence or transmission which constitutes a serious and imminent threat to public health), Schedule 22 of 2020 Act provides that the Secretary of State has power to prohibit or restrict events and gatherings, and to close and restrict access to premises, if the public health situation deems it necessary. A person commits an offence if they fail to comply with a prohibition, requirement or restriction imposed on them by a direction. The local authority has no enforcement powers. The current legislation allows for most premises to be open, save for certain entertainment establishments and venues eg casinos and nightclubs.

7.4 Should schools need to close to prevent an outbreak Section 37 and Schedule 16 of the 2020 Act provides that only the Secretary of State has the power to make 'a temporary closure direction' restricting attendance at premises used for the provision of education or childcare. This power is not given to local authorities.

7.5 The Health Protection (Local Authority Powers) Regulations 2010 give local authorities discretionary powers to impose restrictions and requirements to prevent, protect against, control or provide a public health response in relation to the spread of infection which presents or could present significant harm to human health. Requests can be made to individuals or groups to do specified things for health protection purposes. Compensation or expenses may be offered in relation to the request. These regulations also allow local authorities to keep a child away from school, if there is a risk of infection.

7.6 Currently, functions under the Public Health Act 1984 are exercisable by the Head of Trading Standards & Environmental Health.

7.7 Section 2B(1) of the National Health Service Act 2006 requires each local authority to take such steps as it thinks appropriate for improving the health of the people in its area. These steps may include providing information and advice and providing services or facilities for the prevention, diagnosis or

treatment of illness. These powers may be used in conjunction with the other powers referred to above.

- 7.8 In carrying out its functions, the Council must comply with the public sector equality duty set out in section 149 Equality Act 2010, namely it must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and to foster good relations between persons who share a protected characteristic and those who do not when carrying the Outbreak Plan.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- Keep Tower Hamlets Safe – Local Outbreak Plan

### **Appendices**

- NONE

### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- These must be sent to Democratic Services with the report
- State NONE if none.

#### **Officer contact details for documents:**

Or state N/A