

12 February 2021

Rt Hon Stephen Timms MP
Chair
Work and Pensions Committee
Delivered by email to: workpencom@parliament.uk

Dear Mr Timms,

Thank you for your letter to me dated 1 February 2021. Please find below responses to your questions and do not hesitate to get in touch with me again should you require any further information. I would be very happy to assist.

1. In October 2020, CIEH called for Environmental Health Practitioners (EHPs) in England to be given greater powers to tackle non-Covid secure workplaces. Since then, have EHPs been given any additional powers? a. In your view, what further powers do EHPs need to tackle non Covid secure workplaces effectively?

Environmental Health Practitioners (EHPs) employed by local authorities across the UK have been, and continue to be, integral to the country's COVID-19 response. Amongst other duties, they are authorised to enforce business restrictions to control the transmission of the virus.

On 9 October 2020, [CIEH called on the Government](#) to give more powers to local authority Environmental Health Practitioners (EHPs) in England to allow them to tackle non-COVID secure businesses. In Wales, local authority EHPs were able to take decisive action, serving premises improvement notices or closing premises that did not take reasonable measures to minimise exposure to COVID-19.

In December 2020, local authorities in England were given new powers to issue Coronavirus improvement notices, Coronavirus Restriction Notices and Coronavirus Immediate Restriction Notices to premises not complying with COVID-secure regulations. Premises can now be fined £2,000 for breaching an improvement notice and £4,000 for breaching a restriction notice.

The Regulations that introduced these powers are The Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020 (SI 2020 No. 1375) which came into force on 2 December:

<https://www.legislation.gov.uk/ukSI/2020/1375/contents/made>

Gov.uk guidance on the new powers was published on 4 December 2020:

<https://www.gov.uk/government/publications/additional-covid-19-local-authority-enforcement-powers/additional-covid-19-local-authority-enforcement-powers>

The Regulations were amended on 26 December 2020 by The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) (Amendment) (No. 3) Regulations 2020 (SI 2020 No. 1646) to take account of the introduction of a new Tier 4:

<https://www.legislation.gov.uk/uksi/2020/1646/contents/made>

We are not aware of the need for further powers at the present time.

2. Do EHPs have powers to inspect and, if necessary, close hospitality venues such as pubs? If not, where does responsibility sit?

Yes, EHPs employed by local authorities have powers of entry and investigation set out in Sections 61 and 62 the Public Health (Control of Disease) Act 1984. They also have powers of entry and investigation under the Health and Safety at Work Act 1974. EHPs have powers to inspect, and if necessary, close hospitality venues such as pubs.

A Coronavirus Immediate Restriction Notice can be issued by an EHP (or other suitably authorised enforcement officer) where rapid action is needed to close a premises or restrict an activity to stop the spread of the virus. Closure will be for a 48-hour period initially. The local authority is required to review the notice and it can be withdrawn or allowed to expire where the premise has taken necessary steps to remedy unsafe practices.

Where necessary, a local authority can decide to issue a Coronavirus Restriction Notice at the end of the 48 hours, so that the premises is required to close for a further 7-day period, or where it is assessed that the premises is causing a serious and imminent threat to public health, a direction can be issued under separate regulations.

3. How are EHPs working with local authorities and other bodies during the current lockdown? Is there more that the Government and local authorities should be doing to make use of EHPs' expertise?

Environmental Health Practitioners are directly employed by local authorities in the UK as well as in government, private and third sectors. They have been heavily involved in the COVID response.

We would like to see a senior Environmental Health role introduced within central Government in England. All other UK Nations have a Chief Environmental Health Officer role, which sits within central Government and has responsibility for providing Ministers and senior officials with environmental health expertise and advice, as well as acting as a vital link to Environmental Health Practitioners working on the ground, within local authorities. We believe that a similar role would be useful in England to enable the Government to draw on environmental health expertise and have a direct connection to the environmental health workforce.

4. How many qualified EHPs are currently working across the UK? In your view, are there a sufficient number of EHPs, and do they have the resources they need, to ensure that workplaces are Covid secure?

We do not have a complete picture of the number of fully qualified EHPs working across the whole of the UK. However, data from our recent workforce survey suggests that there are around 3,700 fully qualified EHPs working at local authorities (district/unitary level) across England and Wales. This figure is likely to be an underestimate as this does not include EHPs working within the 25 English County Councils, 219 UK port health authorities, or any EHPs working in Scotland and Northern Ireland. There are also a large number of EHPs working in the private sector across the UK.

The survey data is still unpublished at this time but we hope to make the data public within the next two months.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. James', with a stylized flourish underneath.

Dr Phil James
Chief Executive
Chartered Institute of Environmental Health

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From the Chair

Dr Phil James
Chief Executive Officer
Chartered Institute of Environmental Health

1 February 2021

Dear Phil,

I am writing to you following recent reports that, despite Government advice that people should only leave their home for work where they cannot reasonably work from home, some employees have reported being pressured by their employers to return to their workplace. Others have reported being told to return to work in businesses that have remained open despite being “non-essential”.

Despite some employees reporting that their workplaces are still not Covid secure, the Committee has seen reports that the Health and Safety Executive has not taken any enforcement action against employers during the current lockdown. It would be helpful to have answers to the following questions:

- 1. In October 2020, CIEH called for Environmental Health Practitioners (EHPs) in England to be given greater powers to tackle non-Covid secure workplaces. Since then, have EHPs been given any additional powers?**
 - a. In your view, what further powers do EHPs need to tackle non-Covid secure workplaces effectively?**
- 2. Do EHPs have powers to inspect and, if necessary, close hospitality venues such as pubs? If not, where does responsibility sit?**
- 3. How are EHPs working with local authorities and other bodies during the current lockdown? Is there more that the Government and local authorities should be doing to make use of EHPs’ expertise?**
- 4. How many qualified EHPs are currently working across the UK? In your view, are there a sufficient number of EHPs, and do they have the resources they need, to ensure that workplaces are Covid secure?**

It would be helpful to have a response by Friday 12 February.

Yours sincerely,

A handwritten signature in black ink, reading "Stephen Timms". The signature is written in a cursive style with a horizontal line above the name.

Rt Hon Stephen Timms MP
Chair, Work and Pensions Committee