

**Public Health Wales advice to the Chief Medical Officer for  
Wales No. 37**

**Advice on the need to add diseases / conditions to Schedule  
1 or 2 of the Health Protection (Notification) (Wales)  
Regulations 2010 (as amended)  
7 September 2023**

This advice note is provided by Public Health Wales to the Chief Medical Officer to inform the development of strategy and policy decisions taken by Welsh Government. As such, it is intended to be independent advice informed by evidence and should not be considered as definitive guidance or government policy.

**1 Context**

The Health Protection (Notification) (Wales) Regulations 2010 set out what registered medical practitioners (RMP) and diagnostic laboratories must report to the 'proper officer'. The regulations then place a duty on the proper officer to communicate these reports further as required.

**[Redacted]**

A core principle required for Public Health Wales to recommend that a disease/condition or causative agent be specifically added to either Schedule 1 or 2 of the Health Protection (Notification) (Wales) Regulations 2010 (as amended) is: that there is a need to initiate ongoing, long-term surveillance that cannot be implemented through informal means, and, any report made as a consequence is worthy of health protection investigation/action. This does not prevent non-legislative surveillance being undertaken as and when needed.

Therefore, as commissioned, this briefing limits itself to whether a condition or causative agent should be incorporated into any review of legal health protection notification requirements within Wales. Whether a matter is worth of surveillance alone – by means other than legislation –

is not specifically covered here and would be worthy of wider consideration if needed.

The reason for this is that incorporation within the regulations is an inflexible, long term and non-specific requirement. It will apply to all registered medical practitioners or all diagnostic laboratories respectively and they will have to follow a prescribed reporting pathway. Non compliance with such requirements will become a professional regulation matter or one for consideration of enforcement by local authorities.

The Department of Health and Social Care (DHSC) proposes to extend the list of notifiable diseases under Schedule 1; extend the list of causative agents under Schedule 2 causative agents and amend reporting requirements to include negative and void results in addition to current reporting requirements for positive results. This document both advises on whether there should be amendments to Health Protection (Notification) (Wales) Regulations and an assessment of risk of divergence with Health Protection (Notification) Regulations in England.

## **2 Conditions considered for inclusion in Schedule 1 of the notification regulations.**

**[Redacted]**

### 2.5 Neonatal herpes

The benefit of adding neonatal herpes to Schedule 1 is unclear. PHW recommends awaiting the outcome of DHSC regulation consultation before a decision is taken in Wales.

**[Redacted]**

**3 [Redacted]**

**4 [Redacted]**

5 [Redacted]

6 [Redacted]

## 7 Conclusions and Recommendations

a)

[Redacted]

For the following conditions, PHW recommends awaiting the outcome of the DHSC consultation in England, as the benefit to statutory reporting is unclear or there are already alternative surveillance systems in place:

[Redacted]

- Neonatal herpes

[Redacted]

8 [Redacted]