

Health Impacts (Public Sector Duty) Bill

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Require public authorities to have regard to the need to consider physical and mental health impacts in the exercise of their functions; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Purpose

The purpose of this Act is to ensure that the policies of public authorities, whether directly pertaining to health or not, are considered for the impact that they have on the health of those on which the actions of the public authority has effect, and the health of the nation as a whole.

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2 Duties as to health impacts of policies

(1) A public authority must, in the exercise of its functions, have regard to the requirement to—

- (a) improve the physical and mental health of those persons on which the actions of the authority have effect,
- (b) improve the physical and mental health of the nation as a whole,
- (c) eliminate discriminative impacts on health on the basis of—
 - (i) poverty,
 - (ii) geography, or
 - (iii) any protected characteristic, and
- (d) advance equality of health between persons who have one or multiple protected characteristics and persons who do not share those characteristics.

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(2) If an inequality between persons under subsection (1)(d) is identified, a public authority must, where it is relevant to the public authority's functions—

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- (a) remove or minimise disadvantages in health suffered by persons on which the actions of the public authority have effect, and

- (b) take steps to meet the health needs of persons who share one or multiple protected characteristics that are different from the needs of persons who do not share those characteristics.
- (3) To ensure that a public authority has regard to the requirements in subsection (1), a public authority must— 5
- (a) establish mechanisms for ensuring that the public authority has regard to those requirements, and
- (b) publish periodic assessments of the impacts of the exercise of the public authority’s functions on the health of persons on which the actions of the authority have effect. 10
- 3 Interpretation**
- In this Act—
- “health” means a person’s state of physical and mental well-being, including but not limited to the absence of disease or infirmity;
- “protected characteristic” means any of the protected characteristics listed in section 4 of the Equality Act 2010; 15
- “public authority” means a public authority within the meaning of section 6 of the Human Rights Act 1998, other than a court or tribunal.
- 4 Financial provisions**
- There is to be paid out of money provided by Parliament— 20*
- (a) *any expenditure incurred under or by virtue of this Act by the Secretary of State, or by a government department, and*
- (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*
- 5 Extent, commencement and short title 25**
- (1) This Act extends to the whole of the United Kingdom.
- (2) This Act comes into force at the end of the period of six months beginning on the day on which it is passed.
- (3) This Act may be cited as the Health Impacts (Public Sector Duty) Act 2018.

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*Ordered to be brought in by Luciana Berger,
Debbie Abrahams, Dr Lisa Cameron,
Rosie Cooper, Stella Creasy,
Mr George Howarth, Diana Johnson,
Norman Lamb, Johnny Mercer,
Rachel Reeves, Andrew Selous
and Philippa Whitford.*

*Ordered, by The House of Commons,
to be Printed, 25 April 2018.*

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