

Dear Mr Sharkey

Services provided by CORU registered Physiotherapists can be regarded as essential services under paragraph 15 (b) of Schedule 2 **S.I. No. 121/2020 - Health Act 1947 (Section 31A -Temporary Restrictions) (Covid-19) Regulations 2020**; <http://www.irishstatutebook.ie/eli/2020/si/121/made/en/print>

The Health Act 1947 (Section 31A - Temporary Restrictions) (COVID-19) Regulations 2020 (SI No. 121 of 2020) were signed by the Minister for Health on 7 April 2020. Schedule 2 of the Regulations sets out essential services, including routine work, that are exempted from the restrictions and therefore can continue to be provided. This includes (at 15(b)) physiotherapy as these services are provided by a member of a designated profession within the meaning of section 3 of the Health and Social Care Professionals Act 2005 (No. 27 of 2005).

See also the Department of An Taoiseach list of essential services at Gov.ie - link attached-which includes essential therapy activities under the Human health and social work activities heading: <https://www.gov.ie/en/publication/dfeb8f-list-of-essential-service-providers-under-new-public-health-guidelin/#human-health-and-social-work-activities>

However, other forms of therapy that you outline below (*osteopathy, neuromuscular therapy, massage and more*) delivered by persons who are not registered physiotherapists are not covered by the Regulations above. While the ongoing restrictions to your clinics/practice is, of course, disappointing it is clear that the restrictions are having a very positive effect in combating the spread of COVID-19. It is important to recognise that the restrictions in place are temporary and can only succeed with the support and goodwill of everybody. The Government urges every employer to respect its guidance and to put their employees' and the public's health and safety first at all times.

The COVID-19 *Roadmap for Reopening Society and Business* (Government of Ireland , 1 May 2020) is a living, flexible document and will be subject to regular review in the context of: the progression or suppression of COVID-19 in Ireland at different points in time; new guidance and evidence which emanate from the research, experience and findings of international bodies, and of other countries, and consideration of the utility and outcomes of taking particular measures. This public health led approach is to inform a slow, gradual, step-wise and incremental reduction of the current social distancing measures, in a risk-based, fair and proportionate way, with a view to effectively suppressing the spread of COVID-19 while enabling the return of social and economic activity.

You are reminded that all return to work is based on a risk assessment. The difficulty, for a number of therapies is that they can fall under phase 4 but some activity may be phase 5 and high risk. This is because the nature of your work cannot always facilitate social distancing nor limit person to person contact and time spent in contact (between client and therapist).

I would also wish to draw your attention to the **Return to Work Safely Protocol** which was published by the Minister for Business, Enterprise and Innovation on Saturday 9 May. This detailed guidance document was developed to assist employers and employees in the coming period. Link to the protocol is here: <https://dbei.gov.ie/en/Publications/Return-to-Work-Safely-Protocol.html>

I fully appreciate that there is significant planning required to move to a new model of operating with the challenges of COVID-19. **It is however, the responsibility of employers (and self-employed persons) to apply a risk based approach to returning to work and to prepare to apply the precautions necessary to comply fully with the public health advice**

Finally, I would recommend that you keep up to date with the latest developments by checking regularly on the gov.ie/covid webpages.

Kind Regards

Covid-19 Response Team

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