

**TO: EXECUTIVE**  
**DATE: 23 JANUARY 2018**

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## **MANAGEMENT ARRANGEMENTS FOR PUBLIC HEALTH**

**Chief Executive**

### **1 PURPOSE OF REPORT**

- 1.1 To propose changes to the relationship between the Council and the Berkshire Shared Public Health Team and to establish a dedicated Director of Public Health post for Bracknell Forest.

### **2 RECOMMENDATIONS**

**That the Executive agrees to:**

- 2.1 **Create a new post of Director of Public Health reporting to the Director, Adult Social Care, Health & Housing.**
- 2.2 **Continue to participate in key elements of the Berkshire Shared Public Health Team on a reduced basis to reflect the appointment of a local Director of Public Health.**
- 2.3 **Continue to act as host for the Berkshire Shared Public Health Team, reimbursed by the other five Berkshire Councils.**

### **3 REASONS FOR RECOMMENDATIONS**

- 3.1 The Berkshire Shared Public Health Agreement created a Strategic Director of Public Health covering all six unitary authorities supported by a shared core team in order to ensure a 'safe landing' for each of the Council's new Public Health responsibilities when they were transferred to local government in 2013.

The pan Berkshire Director of Public Health and shared team have been hosted by Bracknell Forest since 2013. The original plan was to also establish a local team within each Council, led by a Consultant in Public Health who would report to a local Director and to the Strategic Director of Public Health as appropriate. In the case of Bracknell Forest the local direct reporting for the Consultant has been to the Director, Adult Social Care, Health & Housing

- 3.2 The original arrangements worked well initially and delivered a safe and smooth transition when public health became a local authority responsibility. However, increasingly, individual local authorities have pulled back from the areas of shared responsibility as budgets have come under pressure. This has highlighted a risk and challenge inherent in hosting the statutory function and being the employer of the shared Director of Public Health when we have no influence on other authorities' priorities, strategies and actions.

- 3.3 On this basis, a number of changes are proposed to the Council's Public Health arrangements to reflect local need.

#### **4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Continuing to invest in the full range of services offered by the Berkshire Shared Team: This would incur recurrent costs to the Council that could otherwise be reinvested into Public Health services to residents.
- 4.2 Complete withdrawal from the Berkshire Shared Public Health Agreement: This would present a risk in relation to the ability of the Council to meet its statutory Public Health responsibilities, particularly in relation to health protection.

#### **5 SUPPORTING INFORMATION**

##### **Background to the Berkshire Shared Public Health Agreement**

- 5.1 The Berkshire Shared Public Health Agreement was established in 2013 to coincide with the transfer of public health responsibilities to local authorities.
- 5.2 The purpose of the Shared Agreement was to provide a 'safe landing' for the public health functions previously delivered by Berkshire West and Berkshire East Primary Care Trusts.
- 5.3 This agreement included the creation of six Public Health Teams (one in each unitary authority) as well as a 'Shared Public Health Team'. The purpose of the latter was to provide support in relation to a) data analytics and informatics, b) shared commissioning and contracting, c) health protection and sexual health coordination and d) strategic leadership from a Director of Public Health for Berkshire.
- 5.4 This Shared Team is currently hosted by Bracknell Forest Council underpinned by local teams with consultants who were intended to be working on pan Berkshire issues. The Council's Chief Executive takes the role of Berkshire lead with the DPH reporting to him, although the DPH's relationships with the other Chief Executives are important.
- 5.5 The Public Health Shared Agreement ensured that all public health functions across Berkshire continued without interruption to service, although a local focus has been challenging under a Berkshire wide arrangement.

##### **Bracknell Forest Public Health**

- 5.6 The local Bracknell Forest Council Public Health Team has enjoyed significant success in delivering its Public Health responsibilities. It has won three national awards for its work and has received several other nominations. Work on public health communications and self care initiatives have been cited by the LGA as national examples of good practice.
- 5.7 Public Health work, while led by a local Public Health team located in the Adult Social Care, Health & Housing Department, is very much seen as a corporate responsibility and is increasingly embedded across the council, with all departments contributing fundamentally to its success. Joint arrangements for public health work are also in place with the local CCG and more recently with the Frimley Health & Care STP.

The Public Health Consultant is active in the development of the STP, including being a member of the Programme Delivery Board, leading on a new Social Prescribing programme across five council areas and representing local authorities in the STP Analytics work stream.

- 5.8 The local Public Health team now commissions only one contract jointly with other Berkshire Unitary Authorities (sexual health is jointly commissioned with Slough and RBWM). The current contracts for smoking cessation, weight management, health visitors, school nursing, drug and alcohol services, physical activity and children's mental health support have all been commissioned independently by the local team with advice from the corporate procurement team. The Council's Business Intelligence functions across all Departments are also being bought together under the Consultant in Public Health to provide a more comprehensive but flexible approach to Business Intelligence across the Council.
- 5.9 The Bracknell Forest team do still collaborate closely with other Berkshire UAs (along with the rest of the region) on Health Protection and Emergency Planning matters. The Bracknell Forest Consultant participates in the Health Protection 'on call' rota and members of the local team work closely with the Shared Team's Consultant leading on Health Protection (who also currently leads on sexual health).

### **Overview of Proposed Changes**

- 5.10 Bracknell Forest Council currently contributes, along with the other five Councils, towards the cost of the Berkshire Shared Team Services. However, less of the original service has been used by all six, prompting a review of future arrangements. Whilst there is recognition that some areas of collaboration provide economies and that all Councils are looking to use the Shared Team for some elements of their public health work. However, local arrangements are being made in most authorities for some elements of the activity.

There is also a specific weakness in the current system regarding the role of the Pan Berkshire DPH. Although the Director needs a relationship with each Council, he/she is employed by Bracknell Forest Council. That raises an issue about this Council's role if the DPH believes that one of the partners is not meeting its statutory duties.

Clearly, the Council has little ability to influence and no ability to direct a Council that the DPH feels may be failing. Nor would it wish to seek such influence or control. That does make the current arrangement potentially very difficult for the host and is another key driver for change.

It is therefore proposed that Bracknell Forest Council withdraws from some of the Berkshire Shared Public Health Agreement functions from April 2018 and reinvests the funding to strengthen and expand local Public Health services to residents.

- 5.11 Specifically, it is proposed that the Bracknell Forest Public Health Team cease investment in the Shared Team in relation to the Strategic Director function, the data analytical / informatics functions, and the contracting support function (with the exception of collaboration on sexual health commissioning). In the case of contracts, it is suggested that the Council maintains its support until April 2019 to allow for an orderly transition for all six authorities.
- 5.12 It is proposed that Bracknell Forest continue to 'buy into' the work of the Shared Team Consultant on Health Protection, Emergency Planning and Sexual Health,

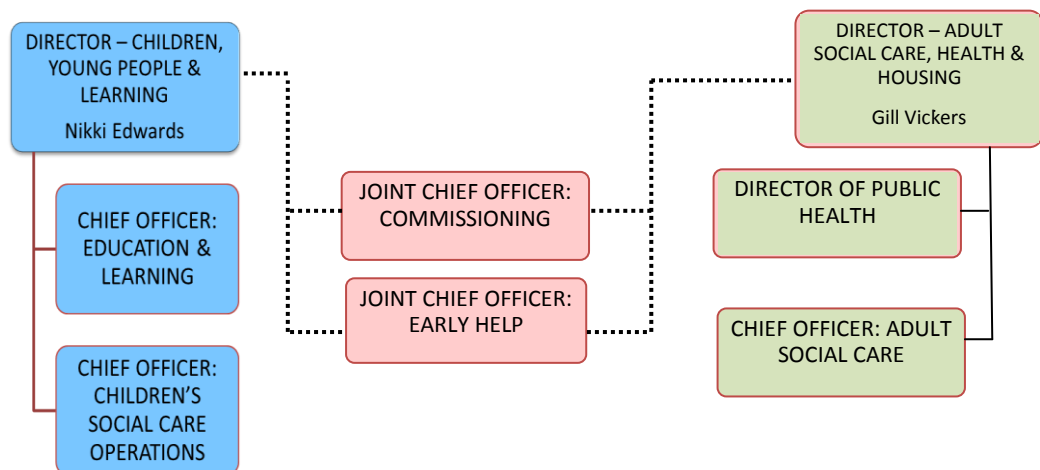
paying an appropriate proportion of the costs of that post (plus on costs) and participating in shared work and protocols (including the Consultant on-call rota).

- 5.13 Detailed proposals for how Bracknell Forest can operate its Public Health function outside of the Berkshire Shared Agreement are set out in the following sections.

**Strategic Direction and Senior Staff**

- 5.14 It is proposed that a Director of Public Health (DPH) for Bracknell Forest post be created to lead the local Public Health function. This post would take lead responsibility for Public Health as well as the corporate business intelligence function. They would report to the Director, Adult Social Care, Health & Housing (DASCHH). There is a precedent for this line management arrangement. Indeed the pan Berkshire Strategic Director of Public Health reported to the previous DASCHH from 2013 to 2015.
- 5.15 The new Director of Public Health would be recruited in accordance with guidance published by Public Health England (2013)<sup>1</sup>. The role would include all of the statutory functions of the Directors of Public Health as defined in the NHS Act 2006 and the Health and Social Care Act 2012 - and related regulations<sup>2</sup>.
- 5.16 The new Director of Public Health role will be supported by a part-time, local Public Health Consultant for Bracknell Forest. This role will have specific responsibility for supporting the DPH in collaborative work with local and regional healthcare partners, including NHS Commissioners & Providers and Public Health England. They will work closely with both the Bracknell Forest Director of Public Health and the Berkshire Shared Public Health Consultant leading on Health Protection.

**Proposed Aligned Structure  
Children, Young People & Learning and  
Adult Social Care, Health & Housing**



<sup>1</sup> PHE (2013) Guidance on appointing directors of public health. [http://www.fph.org.uk/uploads/DsPH\\_in\\_LG\\_guidance\\_on\\_appointments.pdf](http://www.fph.org.uk/uploads/DsPH_in_LG_guidance_on_appointments.pdf)

<sup>2</sup> Dept of Health (2013) Directors of Public Health in Local Government [http://www.fph.org.uk/uploads/DPH\\_Guidance\\_Final\\_v6.pdf](http://www.fph.org.uk/uploads/DPH_Guidance_Final_v6.pdf)

### **Proposal for the Delivery of Data Analytics and Informatics**

- 5.17 The Bracknell Forest Public Health Team already manages its data analytics and health intelligence work independently of the Shared Team.
- 5.18 Bracknell Forest Public Health staff all have post graduate training in data analytics and are experienced at delivering advanced data analyses in support of their own work and that of others (eg: CCG, other Council Departments).
- 5.19 Going forward, the Public Health team will work closely with the new council wide Business Intelligence Function (which will be led by new Director of Public Health).
- 5.20 Informatics resources in relation to NHS datasets and Primary Care data are available via the established links with the Commissioning Support Unit and the STP Analytics Programme (for which the local Public Health Consultant is the East Berkshire local authority lead). The latter, while still being established, already provides access to a range of healthcare datasets. In addition, the local Public Health team has access to a range of non-healthcare data sources including LG Inform Plus and GIS mapping systems.
- 5.21 The local Public Health team, together with the newly reorganised Business Intelligence Function, therefore have the resources and capacity to fulfil all requirements in relation to needs assessments. This includes the Joint Strategic Needs Assessment, Pharmaceutical Needs Assessment and ad hoc needs assessments.
- 5.22 The resources are also in place to deliver a comprehensive and robust Director of Public Health Annual Report – a statutory responsibility of the DPH.
- 5.23 Capacity within the local Public Health team also includes the ability to carry out effective consultation exercises and asset based assessment with residents, including access to consultation software and a range of resident ‘panels’ including local patient participation groups and online communities.
- 5.24 A new ‘core offer’ of commissioning support to CCGs, which is a statutory duty of local authorities, will be negotiated and delivered by the local Public Health Team supported by the Business Intelligence Function. Care will be taken to coordinate and compliment the commissioning support offer made by the Berkshire Shared team.

### **Proposal for the Delivery of Public Health Commissioning**

- 5.25 As with data analytics, the Bracknell Forest Public Health Team already manages its commissioning work largely independently of the Berkshire Shared Team.
- 5.26 The local team are fully trained and experienced in commissioning work. Indeed it won a national award for its commissioning of Stop Smoking Services. Recent work includes the successful procurement of a new, integrated Public Health Nursing programme and joint commissioning with the CCG of online counselling for young people.
- 5.27 The only commissioning work currently undertaken by the Shared Team for Bracknell Forest concerns Health Checks and Sexual Health: Health Checks commissioning was initially managed by the local team and this arrangement can be reinstated

without any disruption or requirement for extra resources. On sexual health, commissioning is delivered in partnership with the Shared Team Consultant.

- 5.28 In the medium term, the separation from the Berkshire Shared Public Health Agreement on commissioning will not increase the dependence of the local Public Health Team on the Council's corporate procurement team. These teams already work regularly together with only 'light touch' support and advice coming for the corporate team. The local Public Health team already deliver the vast majority of commissioning work required, including needs assessment, service specification design, consultation, procurement, taking proposals through democratic processes and contract management. They also have close links with the Chief Officer for Commissioning who will also provide expertise and support which will be strengthened further under the recently agreed proposals to create an enhanced Commissioning Chief Officer role supporting both Adult Social Care, Health & Housing and Children, Young People & Learning Directorates. However, as outlined above, to ensure a smooth transition for Bracknell Forest and the other five Councils, it is planned to support the contracting element of the shared team until April 2019.

### **Proposal for the Delivery of Health Protection Duties**

- 5.29 The health protection duties of local authorities are defined with the Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013. Guidance on these duties has been published by PHE<sup>3</sup>.
- 5.30 In Berkshire, the Director of Public Health and Shared Team Consultant currently lead on the delivery of these duties, in collaboration with local authority Public Health Consultants and their teams.
- 5.31 The local authority Public Health Consultants currently participate in the Public Health England Health Protection on-call rota, in a 'third-on-call' role. With their teams, they also work with other Unitary Authorities, Public Health England and the Council's Emergency Planning Officers on key work streams, including cold weather / heatwave preparedness and influenza vaccination programmes. The local Public Health Consultant also provides advice when needed to schools, care settings and other partners was and when local health protection matters arise.
- 5.32 It is proposed that Bracknell Forest Council continue to participate in all of these arrangements. As part of this, it is proposed to continue to part fund the Berkshire Shared Team work on Health Protection leadership and support which includes support to commission and clinically manage sexual and reproductive health service contracts.
- 5.33 In addition, the new Bracknell Forest Director of Public Health post holder will fulfil their statutory responsibilities in relation to health protection as set out in the relevant legislation (mainly the NHS Act 2006 and the Health and Social Care Act 2012 - and related regulations). These include:
- 5.33.1 Any of the Secretary of State's public health protection or health improvement functions that s/he delegates to local authorities, either by arrangement or under regulations – these include services mandated by regulations made under section 6C of the 2006 Act, inserted by section 18 of the 2012 Act;

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<sup>3</sup> Public Health England (2013). Protecting the health of the local population: the new health protection duty of local authorities. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/199773/Health\\_Protection\\_in\\_Local\\_Authorities\\_Final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/199773/Health_Protection_in_Local_Authorities_Final.pdf)

5.33.2 Exercising their local authority's functions in planning for, and responding to, emergencies that present a risk to the public's health.

### **Proposal for the Delivery of Other Functions**

- 5.34 The Bracknell Forest Director of Public Health will be supported by a new part-time local Bracknell Forest Public Health Consultant in fulfilling these duties. They will also work closely with Public Health England, as well as the Shared Team Consultant and the Director Public Health for the other Berkshire Councils on health protection matters, participating in all joint committees, exercises or events relevant to Health Protection and Emergency Planning.
- 5.35 The Bracknell Forest Director of Public Health will, as per statutory duty prepare an annual Public Health Report. Care will be taken to ensure this report compliments the Berkshire DPH report.
- 5.36 With the Director Adult Social Care, Health & Housing the Bracknell Forest Director of Public Health will provide system leadership role across the local health and care system. This will include a significant contribution to the development of the Frimley Health & Care STP and future arrangements for an Accountable Care System.
- 5.37 The Bracknell Forest Director of Public Health and Public Health team will fully participate in any arrangements related to the Child Death Overview Panel, the LSCB and local children's safeguarding work.
- 5.38 The Bracknell Forest Director of Public Health will be a Member of the Bracknell Forest Health & Well-Being Board as well as attend Health Overview & Scrutiny Panel meetings and other Council Committees as appropriate.

### **Proposal for Ongoing Collaboration with Public Health England**

- 5.39 The Bracknell Forest Public Health Team currently collaborates regularly with Public Health England at both Regional and National Levels. This began with support from PHE to develop the first ever Patient Group Direction (PGD) within a local authority (for varenicline - a smoking cessation medication). More recent examples have included work with PHE South East on Community Asset Based work and on the improvement of Health Check offer coverage in our local area. The Consultant in Public Health also participates in the PHE health protection on-call rota and has contributed to PHE work streams on smoking cessation and alcohol harm reduction.
- 5.40 The changes proposed above should strengthen this collaboration and allow the Bracknell Forest Public Health Team to forge new closer working relationships beyond Berkshire and more directly with PHE colleagues. The proposals have been discussed with Public Health England who are supportive of the plans.
- 5.41 Each staff member within the local Public Health team has specialist areas of interest and will be asked to pursue these as part of PHE working groups and initiatives. In addition, the funding released from disinvestment in Shared Team Services will allow options to be explored with PHE on innovative ways of delivering health improvement services. Examples include the delivery of Health Checks, web-based initiatives and community asset development (including social prescribing). In relation to the latter, the local team have already approached PHE in regards to the further development of a community asset programme within the local Sustainability and Transformation Plan (STP).

## **Funding**

***Section to be added w/c 1 Jan. Proposals will be cost neutral.***

## **Process for Change**

- 5.42 There has been significant discussion amongst the six Council's on the potential transfer of the Shared Team function to a new host authority. However, the general feeling is that the Shared Team works well and is effectively supported in Bracknell Forest. Significant cost would be incurred in moving the team, not least on integrating ICT with a new host. Furthermore, as Bracknell Forest will still be using the Shared Team there is no obvious reason to move it. On that basis it is recommended that the team remain in Times Square recharged to the other Councils with the standard 6% on cost included in all pan Berkshire joint arrangements.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 tbc

### Borough Treasurer

- 6.2 tbc

### Equalities Impact Assessment

- 6.3 tbc

### Privacy Impact Assessment

- 6.4 tbc

### Strategic Risk Management Issues

- 6.5 tbc

## **7 CONSULTATION**

### Principal Groups Consulted

- 7.1 tbc

### Method of Consultation

- 7.2 Group meetings, face to face interviews.

### Representations Received

- 7.3 None



Contact for further information

Timothy Wheadon, Chief Executive – 01344 355601

[Timothy.wheadon@bracknell-forest.gov.uk](mailto:Timothy.wheadon@bracknell-forest.gov.uk)

Lisa McNally, Consultant in Public Health,  
Adult Social Care, Health & Housing – 01344 355214

[lisa.mcnally@bracknell-forest.gov.uk](mailto:lisa.mcnally@bracknell-forest.gov.uk)

Gill Vickers, Director, Adult Social Care, Health & Housing – 01344 351458

[gill.vickers@bracknell-forest.gov.uk](mailto:gill.vickers@bracknell-forest.gov.uk)