

## RECOMMENDATION TRACKING PRESENTED ON 26 APRIL 2011

INQUIRY: Promoting Good Public Health: the role of the Council and its Partners.		PUBLISHED: May 2010	LAST UPDATE RECEIVED: December 2010	
	Recommendation / progress / update	Stage		Complete
1	<p><b>That the Head of Scrutiny and Member Development continues to work with the membership of the Scrutiny Board (Health), or its successor body, to ensure that future public health issues in Leeds, particularly where there are significant health inequalities, are incorporated into the annual work programme from June 2010/11.</b></p>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed; however it should be noted that the development of Scrutiny Board work programmes rests with members of the Board alone. Nonetheless, the role of the Board's Principal Scrutiny Advisor is to provide guidance to the Chair and Board Members as to what that work programme might include. The analysis and review of Public Health issues are of great importance and a fundamental remit of the Health Board, therefore advice from officers will continue to ensure such work is appropriately incorporated into the annual work programme. This might include the Board undertaking specific scrutiny inquiries and/or maintaining an overview through regular performance monitoring.</p> <p><b><u>December 2010</u></b></p> <p>At the June and July 2010 meetings, the Scrutiny Board received contributions from a number of key stakeholders in terms of its future work programme. These included the Chairs and Chief Executives of NHS Leeds (as the primary care trust), Leeds Teaching Hospitals NHS Trust and Leeds Partnerships NHS Foundation Trust. The Board also heard from the Director of Public Health and representatives from the Council's Adult Social Services Directorates.</p> <p>At that time, the new coalition government had just published its proposed vision for the NHS – <i>Equity and Excellence: Liberating the NHS</i> – which outlined some major proposals for NHS reforms. More recently, the government has set out its proposed strategy for public health services in England through the White Paper – <i>Healthy Lives, Healthy People</i>. The Board will be considering the proposals in more detail, alongside the potential impact for Leeds, in early 2011.</p> <p>It should be noted that the Board maintains an overview of public health priorities through the regular quarterly performance monitoring reports. The Board also considers its work programme on a monthly basis, which allows members to identify and, where appropriate, amend the work programme to reflect any emerging issues and changes in priorities.</p>			

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	<p><b><u>April 2011 update</u></b></p> <p>This action is complete. Nonetheless, as in previous years, at the first meeting of the Board in the new municipal year (likely to be June 2011), a range of key stakeholders will be invited to contribute to the development of the Board's future work programme. While agreeing the work programme of the Board currently rests with the Board itself, public health matters are likely to part of this consideration.</p>	2 – achieved	YES	
2	<p><b>That, by December 2010, in collaboration with the Director of Public Health, the Director of Adult Social Services (as the lead for Health):</b></p> <p><b>(a) Makes an assessment of the extent to which all NICE public health guidance and recommendations (as they relate to local authorities) have been disseminated and used to inform the delivery of services, either directly or through appropriate policies, across the Council.</b></p> <p><b>(b) Designs and implements a robust assurance process to ensure the appropriate distribution and consideration of any future NICE guidance, appropriate to the Council.</b></p>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed. The Scrutiny Board (Health) has noted the important role of NICE in providing national evidence of effectiveness on the promotion of good health and the prevention and treatment of ill health. As part of the Government's White Paper on the NHS and the subsequent review of arms length bodies, the future role of NICE has been seen as crucial, and will be put on an even firmer statutory footing by establishing it in primary legislation. Its role will expand scope to include social care standards. A member of the NHS Leeds Public Health Directorate will take forward the recommendation from September 2010, working closely with LCC staff. The intention is to complete this work by December 2010. A Public Health trainee has been identified to take forward this work which will commence in September, with completion by December 2010</p> <p><b><u>December 2010</u></b></p> <p>Options have now been developed and are under discussion, within NHS Leeds and LCC. The preferred option requires additional resources, which have not been identified at this stage.</p> <ol style="list-style-type: none"> <li>1. Dissemination of NICE guidance to NHS Leeds, LCC and VCS contacts (i.e. not a full assurance process).</li> <li>2. Dissemination with a piloted assurance process in one area (possibly alcohol guidance).</li> <li>3. Full assurance process for implementing and monitoring NICE guidance, supported by a new NICE</li> </ol>			

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	<p>Public Health Group as dedicated support officer.</p> <p>A report outlining these options in full has been drafted and will be considered by the Health Improvement Board shortly.</p> <p><b><u>April 2011 update</u></b></p> <p>The options presented in the November 2010 report: 'NICE Public Health guidance: An assurance process proposal for NHS Leeds and Leeds City Council' will be discussed at the next meeting of the Health Improvement Board in May 2011.</p>	4 – not achieved. Progress acceptable. Continue monitoring	NO	
3	<p><b>That, by September 2010, the Director of Public Health works collaboratively to ensure an agreed Sexual Health Strategy is in place and signed up to by all key partners.</b></p>			
	<p><b><u>September 2010</u></b></p> <p>The sexual health modernisation team was re-established in May 2010 with representation from our clinical, statutory and voluntary sector partners. It was agreed by this group in June that the sexual health strategy be amended in light of the current political changes. The revised version sets out the commissioning priorities for NHS Leeds from 2010 to 2012. The strategy is currently being circulated to all members of the modernisation team for final comments. Once agreed an action plan to support the strategy will be developed. The process of engagement with Practice Based commissioner (PBC) consortia around NHS Leeds commissioning intentions is underway.</p> <p><b><u>December 2010</u></b></p> <p>A meeting has been arranged for January to agree the final strategy and begin the development of the action plan to support the strategy. The process of engagement with Practice Based commissioner (PBC) consortia around NHS Leeds commissioning intentions is underway.</p>			
	<p><b><u>April 2011 update</u></b></p> <p>The Sexual Health Strategy was presented to the Scrutiny Board (Health) in February 2011 where it was well received. The strategy outlined key commissioning intentions for the city and provided an overview of where service changes and modernisation will be focused. The board was advised on the expected new national Sexual Health strategy due out in spring 2011 and was assured that the Leeds strategy could be</p>	2 – achieved	YES	

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	adapted as needed to reflect the direction of the national strategy. Action plans are in development to support the implementation of the strategy.			
4	<b>That, as soon as practicable, the Director of Children's Services writes to the appropriate Minister and Government Department in an attempt secure a national direction for the delivery of consistent and high quality Sex and Relationship Education (SRE) in local schools.</b>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed. A report is being prepared for presentation at a future meeting of the Children's Trust Board. The report will cover a number of issues relating to Sex and Relationship Education in schools. There is an existing national campaign, which is also aimed at the government setting minimum standards for Sex and Relationship Education. The Leeds Children's Trust Board will be invited to add its support to the campaign.</p> <p><b><u>April 2011 update</u></b></p> <p>Progress to be confirmed.</p>	TBC		TBC
5	<b>That, as part of the overall Leeds Development Framework and prior to formal submission, the Director of City Development and the Director of Public Health ensure that the public health agenda and relevant NICE recommendations are appropriately addressed and reflected in the Core Strategy.</b>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed. NHS Leeds Public Health Directorate and LCC City Development have each identified a lead officer to jointly progress a strategic approach to improving health through City Development work streams that include spatial planning; transport; sport and leisure; and libraries, arts and culture. A City Development Health &amp; Wellbeing group has been formed and two workshops have made the first steps in developing key actions for transport and leisure and for libraries, leisure, arts and culture. These have been cross-referenced with NICE guidance and will feed into the process for deciding the Health and Well-being priorities of the Leeds Strategic Plan 2011 -14.</p>			

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	<p><b><u>December 2010</u></b></p> <p>Awaiting publication of the draft Local Development Framework.</p> <p><b><u>April 2011 update</u></b></p> <p>The draft Local Development Framework is almost complete. Lead Officers from Health and LCC are meeting in early May to agree the process for ensuring public health is addressed and reflected in the Core Strategy. Rationale and programme to carry out a rapid Health Impact Assessment on the Core Strategy has been outlined in previous discussions between partners. Broader work between NHS Leeds Public Health Directorate and LCC City Development to develop key actions will be further progressed once the City Priorities are signed off, to enable action plans to reflect and deliver those key priorities</p>	<p><b>4 – not achieved. Progress acceptable. Continue monitoring</b></p>	<p><b>NO</b></p>	
6	<p><b>That the Director of Public Health, in conjunction with other Chief Officers, actively identifies and assesses best practice examples from across the country, aimed at limiting or reducing the number of fast-food outlets across the City and improving access to good quality food: In this regard, a progress report be provided to the Scrutiny Board (Health) by January 2011.</b></p>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed. NHS Leeds Staying Healthy Commissioning Team along with the Council's Environmental Services have mapped data on of the distribution of hot food takeaways across Leeds. NHS Leeds is currently collating examples of good practice from across the UK to form recommendations that may be taken forward. A first draft will be shared with the DPH end August 2010.</p> <p><b><u>December 2010</u></b></p> <p>NHS Leeds has collated examples of good practice from across the UK and formed the following two recommendations:</p> <ol style="list-style-type: none"> <li>1. Explore the impact of the adoption of supplementary planning guidance to control the opening of hot food takeaways in Leeds.</li> <li>2. Look at opportunities to develop work with businesses to improve the nutritional content of takeaway meals, and ways of raising public awareness of takeaways which provide healthier options and food preparation practices</li> </ol> <p>Preliminary meetings with Trading Standards and Environmental health are taking place to scope the possibilities of taking forward recommendation 2 before the New Year.</p>			

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	<p><b><u>April 2011 update</u></b></p> <ol style="list-style-type: none"> <li>1. Work between NHS Leeds Public Health Directorate and LCC City Development to develop key actions supplementary planning guidance to control the opening of hot food takeaways in Leeds will be further progressed once the City Priorities are signed off, to enable action plans to reflect and deliver those key priorities</li> <li>2. NHS Leeds, West Yorkshire Trading Standards and Environmental Health have developed a joint project proposal to work with 20 takeaways across two targeted localities for 1 year. The aim is to reduce the fat and salt content of selected dishes by 10%. Achievement of this will be rewarded by a recognition scheme linked to scores on the doors. Funding of £8000 is required to deliver the proposal. We are currently looking for funding avenues to enable this work.</li> </ol>	<p><b>4 – not achieved. Progress acceptable. Continue monitoring</b></p>	<p><b>NO</b></p>	
7	<p><b>That, as soon as practicable, the Director of Public Health and the Head of Licensing and Registration, jointly write to the appropriate Minister and Government Department in an attempt to secure changes to the current licensing legislation, that would result in ‘public health’ considerations becoming material consideration within the licensing application process.</b></p>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed. A national consultation on empowering individuals, families and local communities to shape and determine local licensing ‘Rebalancing the Licensing Act’ ran for 6 weeks from 28 July to the 8 September 2010 and covered England and Wales, where proposals apply. The consultation document sets out the Government’s proposals for overhauling the current licensing regime to give more power to local authorities and the police to respond to local concerns about their night-time economy, whilst promoting responsible business. There are implications for public health, NHS commissioning and provider organisations. Officers from both NHS Leeds public health and LCC Licensing and Registration attended a Home Office consultation workshop and it was agreed to collaborate and forward separate responses to strengthen the Leeds position. A call for health harm as a licensing objective was among the many responses that were agreed and forwarded by both NHS Leeds and Leeds City Council.</p>			

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	<p><b><u>December 2010</u></b></p> <p>Recently, the government set out its proposed strategy for public health services in England through the White Paper – <i>Healthy Lives, Healthy People</i>. As part of the White Paper, it is stated that the Home Office will seek to overhaul the Licensing Act to give local authorities and the police stronger powers to:</p> <ul style="list-style-type: none"> <li>• Refuse and/or remove licences from any clubs, bars and pubs that are causing problems;</li> <li>• Close any shop or bar found to be persistently selling alcohol to children; and,</li> <li>• Charge more for late-night licences</li> </ul> <p>This is likely to include publication of the government's response to the consultation on '<i>Rebalancing the Licensing Act</i>' and a further publication on 'Alcohol pricing and taxation'.</p> <p>In early 2011, the Scrutiny Board will be considering the overall proposals for public health in more detail, alongside the potential impact for Leeds.</p> <p><b><u>April 2011 update</u></b></p> <p>A call for health harm as a licensing objective was among the many responses to the 2010 consultation paper: <i>Rebalancing the Licensing Act</i> that were agreed and forwarded by both NHS Leeds and Leeds City Council. The consultation paper set out the Government's proposals for overhauling the current licensing regime to give more power to local authorities and the police to respond to local concerns about their night-time economy, whilst promoting responsible business.</p> <p>The Police Reform and Social Responsibility Bill is going through parliamentary process and is set to "Rebalance" the Licensing Act once this is completed in 2012. Among other actions it will increase fines and sanctions for those selling alcohol to those who are under age and include health as a responsible authority for licensing decisions.</p>	4 – not achieved. Progress acceptable. Continue monitoring	NO	
8	<p><b>That, by July 2010, the Department of Health (in collaboration with any other appropriate Government Department) be strongly urged to work towards the introduction of a minimum price per unit of alcohol, as soon as practicable: This may include, but should not be restricted to, a review of current competition laws and regulations, as appropriate.</b></p>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed. The national consultation on empowering individuals, families and local communities to shape and determine local licensing '<i>Rebalancing the Licensing Act</i>' requested responses on action to ban below cost sales. NHS Leeds and Leeds City Council have both responded in support of</p>			

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	<p>legislation to introduce minimum price per unit of alcohol and of the review of alcohol pricing and taxation. The Core Cities Health Improvement Collaborative is building advocacy for legislation to be passed before April 2011 prohibiting the sale of alcohol for less than 50p per unit of alcohol. The NHS Leeds Board has formally endorsed this action.</p> <p><b><u>December 2010</u></b></p> <p>Plans are progressing to launch an updated Leeds Alcohol Strategy action plan in January, along with a report, commissioned by the Healthy Leeds Partnership into the economic impact of harmful alcohol consumption within the city. The national campaign on minimum unit pricing appears to have run into opposition from the government, although the national alcohol strategy is to be revised and re-launched in early 2011, when it is anticipated that the government's policy position on this issue will be clarified.</p> <p><b><u>April 2011 update</u></b></p> <p>The Coalition has unveiled plans to introduce legislation to ban retailers from selling alcohol below the rate of duty plus VAT. The Director of Public Health issued a press release recognising this as a positive step but that it will only have an impact on the price of a small percentage of alcoholic drinks. We await publication of the national alcohol strategy during 2011 before deciding any further action on advocacy for introduction of a minimum price per unit of alcohol.</p>	4 – not achieved. Progress acceptable. Continue monitoring	NO	
9	<p><b>That, in finalising the arrangements and terms of a joint Director of Public Health (DPH) appointment, the Council's Chief Executive consider the issues raised in this report, specifically in terms of ensuring the full and active role of the DPH – both as a member of the Corporate Leadership Team and within decision-making across the Council in general.</b></p>			
	<p><b><u>September 2010</u></b></p> <p>This recommendation is agreed. NHS Leeds and Leeds City Council aim to confirm the joint appointment of the Director of Public Health this October. A Memorandum of Understanding, which is in draft form at present, confirms that the Joint Director Of Public Health will be a member of the Council's Corporate Leadership Team and will be expected to take a lead on all health related issues across the Council. The joint post will be accountable to the Chief Executives of both organisations. The recently published NHS White Paper, Equity and Excellence; Reforming the NHS, sets out an intention to establish the public health director as a statutory post, employed directly by local authorities, but with joint accountability to the</p>			

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	<p>proposed Public Health Services. These new arrangements are scheduled for implementation by 2012.</p> <p><b><u>December 2010</u></b> The joint appointment of the Director of Public Health was formally announced on the 1<sup>st</sup> November 2010. From that date Ian Cameron has been a full member of the Council's Corporate Leadership Team, and has now established formal accountability arrangements with the Chief Executive.</p> <p><b><u>April 2011 update</u></b> This action is complete.</p>	2 – achieved	YES	
10	<p><b>That, under the direction of Executive Board, the Assistant Chief Executive (Corporate Governance) review current decision-making guidance and pro-forma, with a view to ensuring appropriate consideration of public health implications within all decisions by December 2010.</b></p>			
	<p><b><u>September 2010</u></b> This recommendation is broadly agreed.</p> <p>Whilst the recommendation was proposed prior to the publication of the NHS White Paper, the proposals set out in that document, include legislative change that would place statutory responsibility for improving the health of the population with local authorities. Shadow arrangements for this new statutory function are being proposed at present, and its implications for policy as well as service delivery are under review. While it is likely that a report on the wider issues will be presented to the Scrutiny Board (Health) in the next few months, it should also be recognised that the Council has a legal duty to consider a range of different matters as part of its decision-making framework. These legal duties are then overlain by the Council's own policies.</p> <p>Good corporate governance can be considered against three fundamental aspects relating to the decision-making arrangements in place within an organisation. Specifically that the arrangements:</p> <ul style="list-style-type: none"> <li>• are current and fit for purpose;</li> <li>• have been effectively communicated;</li> <li>• are embedded and routinely complied with.</li> </ul> <p>The current report writing guidance captures the range of competing demands and considerations that are placed upon the Council. Specifically, under section 4.0 (Implications For Council Policy And Governance), this guidance makes reference to a range of considerations that report authors should be seeking to</p>			

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	<p>address. A number of considerations relate to public health matters, such as:</p> <ul style="list-style-type: none"> <li>• milestones identified in the Leeds Strategic Plan – these currently include significant Public Health issues;</li> <li>• plans and policies included in the Council's Budget and Policy Framework as listed in Article 4 of the Constitution – Article 4 includes a range of plans which are required by the Local Authorities (Functions and responsibilities) Regulations, and have been voluntarily adopted by the Council. Many, if not all, are of relevance to this inquiry;</li> <li>• such other plans and policies as may be appropriate to the service area(s) affected by the report;</li> <li>• the Council's Narrowing the Gap agenda – again of which Public Health is a significant component.</li> </ul> <p>One of the roles of Directors and Chief Officers (in whose name reports are written) is to challenge draft reports to ensure that all relevant considerations are incorporated into final reports submitted for Committee decision and officer delegated decision. In this regard, and to help improve compliance with the guidance, opportunities for further training and development for staff will be explored during the Municipal year.</p> <p>In addition, as the Council regularly reviews its Corporate Governance arrangements, there is scope to ensure and maintain that the guidance and report writing template remain fit for purpose and relevant.</p> <p><b><u>April 2011 update</u></b></p> <p>Existing report writing guidance was initially produced in August 2006, and was last revised in March 2010. To ensure the guidance is fit for purpose and reflects the Council's current decision making procedures, a thorough review of the guidance has been undertaken. As a result, the guidance has been amended to more closely reflect the decision making requirements in the Constitution and to focus on the current risk areas to the Council's decision making, such as equality and diversity and cohesion and integration. The revised guidance also makes specific reference to considerations of how proposed actions contribute to the targets and priorities in the Council's Policy Framework – which from the new Municipal Year will incorporate a Health and Wellbeing City Priority Plan .</p> <p>A report on the revised guidance and proposed report template (which is proposed to come into effect from the start of the 2011/12 municipal year) will be presented to the Council's Corporate Governance and Audit Committee on 18 April 2011. This will seek comments of that committee on the revised report writing guidance and proposed report template.</p>	2 – achieved	YES	