

11 February 2013

Agenda Item:

REPORT OF THE DIRECTOR OF PUBLIC HEALTH PUBLIC HEALTH TRANSITION

Purpose of the Report

1. This report provides information on the transfer of the Public Health department and associated function from NHS Nottinghamshire County to Nottinghamshire County Council. It describes progress made to date, risks and planned actions to resolve issues before 1 April 2013.

Information and Advice

Context

2. The Health & Social Care Act 2012 will come into force on 1 April 2013. The act gives all upper tier Local Authorities the statutory responsibility for promoting health improvement in the local population. This responsibility is underpinned by the creation of Health & Wellbeing Boards and the transfer of Public Health staff and functions from the NHS into upper tier Local Authorities.

Public Health Department

3. Including the Director of Public Health, there are currently 59 members of staff in the Public Health (PH) department that will be transferring on 1 April 2013. The department is responsible for commissioning Public Health services to improve health and wellbeing and reduce health inequalities across local communities. Public Health performs this role through using Public Health and scientific skills to:
 - Identify the level of local Public Health needs within local communities
 - Analyse evidence to define the services and interventions that are known to work;
 - Compare cost effectiveness (or value for money) of a range of interventions;
 - Set service quality standards based on evidence
 - Define, monitor and analyse Public Health information and outcomes, comparing these with neighbouring areas.
 - Improve collaboration and integration across health, social care and third sector organisations.

Location of Public Health

4. Within Nottinghamshire, early discussions took place to relocate Public Health staff within Local Authority premises. This took place in November 2011 (with the exception of Staff working for NHS Bassetlaw.) The Public Health Department is now located within County

Hall and Meadow House. The remaining Public Health staff located in Bassetlaw are due to move to Meadow House in February 2013. Since the move, Public Health has been hosted within the Adult Social Care, Health & Public Protection directorate to provide internal accountability within the Council during transition.

5. On 1 April 2013, the Public Health department will formally transfer from the NHS to Nottinghamshire County Council. From April, Public Health (PH) will be a separate directorate within the Council. This will mean that PH will be managed as a separate department but staff will be functionally integrated into other parts of the Council, allowing for close working relationships across all directorates.
6. Dr Chris Kenny will be accountable to the Chief Executive in his role as Director of Public Health, and existing structures and relationships will be aligned to ensure effective governance arrangements are in place for all aspects of Public Health within Nottinghamshire County Council

Transition Plan

7. A detailed transition plan has managed the transition process since November 2011 and describes the actions being taken to make sure the Public Health transfer runs smoothly and to time. The plan covers four main elements:
 - **Maintaining the day-to-day Public Health Function during Transition** – a Public Health Business Plan and regular reporting has kept an overview of progress on a daily basis during transition.
 - **Delivering the Health & Wellbeing Public Health Function from April 2013** – The Nottinghamshire shadow Health & Wellbeing Board has been meeting since May 2011. Significant progress has been made to prepare the Board for its statutory function from 1 April 2013.
 - **Transfer and maintenance of an effective Public Health Workforce** – a joint management and trade union working group is in place to manage the transfer of staff.
 - **Transferring the Public Health function and infrastructure to support delivery** – a series of work streams is in place to manage the transfer of services, contracts and supporting structures connected to the Public Health function.
8. A dedicated Project Board has been established within the Council to manage the transition to give in depth support to areas of transition that require detailed action. The project is sponsored through David Pearson and Chris Kenny and led by Cathy Quinn, Associate Director of Public Health.

Key Issues

9. The Transition is running smoothly and is set to deliver the remaining actions in time for the formal transfer on 1 April 2013. The following issues have been highlighted which are currently being worked through to make sure a solution is in place before April 13. These are not deemed to pose a significant risk at this time.
10. **Human Resources** – A joint management and trade union working group is in place and the formal staff consultation commenced on 17 January 2013. In the main, staff terms and conditions are being nationally negotiated as part of a transfer scheme. These apply TUPE principles and will be consistent across the country at the time of transfer. However there is

still work to be done on defining the local agreements, such as flexible working and long service awards. These will be confirmed shortly and consulted with trade unions and staff.

11. **IT connection and Information Governance** – a working group is in place to take forward work to secure access to the health information systems that are needed for Public Health to continue to perform their function after April 2013. There have been some delays around securing an IT connection and national delays around information Governance requirements. However contingency plans are in place and work is progressing to resolve issues in time for April 13.
12. **Contract Transfer** – a list of contracts relating to Public Health services has been compiled in preparation for transfer to Nottinghamshire County Council. Final queries are being raised with Clinical Commissioning Groups, NHS Commissioning Board Area Teams and the PCTs to make sure these are transferred to the right organisation. A quality and performance framework is also being developed to support the future commissioning of PH services within the Council. Issues around property liability are being discussed to clarify risks associated with future decommissioning of services. These will be raised within the PCT and Council once information is available.
13. A transfer scheme is being compiled for the PCT that will form the legal transfer of staff employment, assets and liabilities, (including service contracts) between the PCT and successor organisations. The elements relating to Public Health appear uncomplicated and should not pose a risk to the organisation. The transfer scheme will be presented at the Policy Committee in March for approval due to the need to gain organisations approval before the end March 13.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) The Public Health Subcommittee are asked to note the progress being made on the Public Health transition to Nottinghamshire County Council.

Dr Chris Kenny
Director of Public Health

For any enquiries about this report please contact:
Cathy Quinn, Associate Director of Public Health

Constitutional Comments (NAB 1.2.13)

15. The Public Health Sub-committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (NR 1.2.13)

16. There are no financial implications arising directly from this report.

Background Papers

Public Health Transition Plan March 2012.

Public Health Business Plan 2012-13 revised July 2012.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All