

Derbyshire County Council

CABINET

25 March 2014

Report of the Director of Public Health

**LOCAL AUTHORITY HEALTH PROTECTION TEAM FOR DERBYSHIRE
(Health and Communities)**

1. Purpose of the Report

To consider the county council's responsibilities for health protection and the proposed development of a shared team with Derby City Council.

2. Information and Analysis

2.1 Health protection responsibilities

The county council has a number of responsibilities in relation to protecting the health of the population which were transferred in April 2013 as part of the new responsibilities for public health. The definition of health protection is to seek to prevent or reduce the harm caused by communicable diseases and minimise the health impacts from environmental hazards such as chemicals, radiation and extreme weather events. In addition there is a role around screening which aims for early identification and intervention to respond to potential or actual disease.

This report describes those functions and proposes the development of a shared team with Derby City to meet the requirements of national legislation and guidance. These relate to:-

- emergency planning to respond to incidents which affect the health of the local population,
- an advisory role around mobilising NHS resources to respond to outbreaks of disease,
- a quality assurance role around NHS screening, vaccination and immunisation programmes,
- an advice and challenge responsibility around equitable access to screening, vaccination and immunisation programmes for all ages
- responsibilities around assuring and challenging infection control arrangements and procedures across the health and social care system.

2.2 System wide roles and responsibilities

Responsibilities for health protection are shared between local authorities, Public Health England, Clinical Commissioning Groups, NHS England Area Teams and the providers of health and social care services. The Local Health Resilience Partnership (LHRP) is responsible for ensuring the readiness of NHS organisations to respond appropriately and effectively to health protection issues affecting local people. The LHRP works closely with the Derbyshire Local Health Resilience Forum as the lead body for protecting the health of local people from incidents which would impact on health. It is recognised that coordination of response across the whole system is essential for emergency planning.

The main responsibility for infection prevention and control sits with health and social care providers. Commissioners must ensure that providers meet quality standards and are working to deliver continuously improving quality of care.

Public Health England (PHE) provide surveillance, epidemiology and specialist advice and support to commissioners, providers and infection control teams. They will also provide leadership in the event of an outbreak or incident.

The public health role of the council is one of local leadership and assurance that the system protects the health of the residents of the county. This includes the responsibility to provide specialist community infection prevention resource and advice along with providing support to PHE in the event of an incident or outbreak.

2.3 Emergency preparedness

The main responsibilities of public health are scrutinising the emergency plans and arrangements of local organisations, ensuring that local plans are subject to testing and co-chairing the LHRP.

Within Derbyshire, the LHRP is co-chaired by the Director of Operations from the NHS England Local Area Team and the Director of Public Health from Derbyshire County Council on behalf of both the county and city. This is a mandatory role for the Director. An action plan has been developed to ensure a robust function is in place.

Both co-chairs are members of the Derbyshire LRF which is led by the county council. They ensure that the health protection responsibilities

are aligned with wider system roles, that the NHS response is robust, responsive and aligns with the responsibilities of stakeholders.

2.4 Communicable disease outbreak management

Within communicable disease outbreak management, the main responsibilities of the council are scrutinising and challenging local outbreak management plans, ensuring plans are tested, and supporting PHE and other organisations in ensuring an appropriate response is discharged following an incident or outbreak. It has been agreed locally that Directors of Public Health and their consultant teams will support PHE by chairing Outbreak Control Teams and providing surge capacity for prolonged or large scale incidents such as pandemic flu.

2.5 Community infection prevention and control

The county council as part of its public health responsibilities has to provide a specialist community infection prevention resource and advice capacity. In addition, there is a need to review local performance data of all health care providers and ensure appropriate actions are in place if performance is not satisfactory.

Within the East Midlands, a regional core offer has been developed that outlines the community infection prevention and control advice and support that local authorities should offer to the whole health and social care economy. Due to differences across the region in the amount allocated to each local authority to support this function the core offer outlines the minimum the public health team should be offering, but allows individual areas the flexibility to then develop and incorporate other functions as necessary.

The core offer outlines the strategic role of local authorities in community infection prevention and control. It requires identification of a strategic lead within the Public Health team, together with providing specialist support to health and social care organisations across a range of functions. The functions outlined in the core offer are:-

- provision of expert infection prevention and control advice to community services and providers of health and social care services,
- seeking assurance from commissioning organisations that services they commission are compliant with all relevant infection prevention and control guidelines,
- seeking assurance from commissioners and providers that all staff working in health and social care within Derbyshire receive infection prevention and control training,

- providing support in the event of an outbreak and seeking assurance that investigations following an outbreak are conducted in a robust and effective way,
- monitoring the NHS quality dashboard in relation to health-care associated infection indicators,
- providing support to providers to enable effective audits to be undertaken, and
- providing advice and guidance on local implementation of national policy

The Derbyshire Whole Health Economy Infection Prevention and Control Group currently oversees the community infection prevention and control agenda. The group is administered by Southern Derbyshire CCG and attended by Public Health.

The Director of Public Health is named in guidance as jointly responsible, with the Medical Director of NHS England's Local Area Team, for convening a review panel if required to adjudicate in a Post Infection Review of an MRSA blood stream infection. This is when agreement on the accountable organisation hasn't been reached within a week. This requires an in depth knowledge of processes and systems to reduce and prevent these life threatening infections.

2.6 Vaccination, immunisation and screening programmes

The commissioning and delivery of vaccination, immunisation and screening programmes is not the primary responsibility of the county council as part of its responsibilities for public health. However, there is a requirement to seek assurance, through reviewing local performance data that these programmes are being run in a safe and efficient manner. Should performance not be satisfactory appropriate actions will be sought from the service providers to remedy the position as a matter of urgency. The council will also need to be assured that commissioners and providers of these services are addressing health inequalities systematically.

Within Derbyshire the Local Programme Boards established by Derbyshire and Nottinghamshire Local Area Team provide the mechanisms to review the local performance of vaccination, immunisation and screening programmes. Recent guidance for local government recommends that local authorities are proactive in reducing potential health inequalities through monitoring the uptake of programmes across all age groups and areas, having an active role in reaching hard-to-reach groups, and working with schools and communities to improve awareness of the importance of vaccination.

3. Proposal

The majority of Health Protection functions are currently organised on a county wide basis across Derbyshire. These functions cover the full range of Health Protection functions including the Local Health Resilience Partnership, the Health Protection Board, the Flu Emergency Planning Board and the Area Team Immunisation and Screening Programmes. It is, therefore, proposed to have a joint Derbyshire wide Health Protection Team incorporating infection control, but also providing assurance for all areas of Health Protection. This will consist of a Senior Health Protection Manager and a Health Protection Officer/ Specialist Infection Control Nurse with an appropriate level of administrative support.

The team will report to a Consultant in Public Health in Derbyshire County Council. The overall aim of the team will be:-

- To ensure that both Directors fulfil their statutory duties under the Health and Social Care Act and to provide assurance on all aspects of health protection, including vaccination, immunisation and screening, and emergency planning falling within their remit.
- To ensure that the Derby City and Derbyshire County Councils, and their partners, have robust health protection and emergency planning arrangements that impact on health in place.
- To provide expert health protection advice at a strategic level to the whole health economy, including advice and guidance on local interpretation of national policy.
- To ensure that infections are managed effectively across Derbyshire and comply with the relevant criteria of the Health and Social Care Act Code of Practice.
- To ensure collaborative working with other agencies, in local government, Public Health England, NHS England and within the Local Resilience Forum and the Local Health Resilience Partnership, to ensure multi-agency emergency planning is undertaken appropriately.
- To assure that those agencies allocate sufficient resources to health protection and emergency planning and to monitor and challenge underperformance.

There is insufficient capacity within the current public health teams in the county and the city to provide this essential role which requires dedicated resource to avoid fragmentation and to be able to provide effective advice and appropriate challenge to NHS stakeholders.

During transition to the county council the staff who held these posts in the NHS left due to uncertainty about their future roles: national guidance was very late in defining the roles of local authorities for health

protection. This meant that skills were lost. However the funding attached to these NHS posts has transferred to the county and city councils through the public health grant. The responsibilities of providers cross county and city boundaries so having a shared team will make for economies of scale, efficiencies in delivery and a pro rata sharing of costs. It is proposed that the Senior Health Protection Manager and the Health Protection Officer/ Specialist Infection Control Nurse are appointed by Derbyshire County Council, under a Service Level Agreement with Derby City Council.

4. Accountabilities

Directors of Public Health are responsible for ensuring that Health and Wellbeing Boards receive assurance that health protection strategies and responses meet the needs of the local population. Within Derbyshire, the Health Protection Board provides a high level forum for agreeing strategic health protection priorities and to reduce risks relating to health protection. Reporting mechanisms for the Senior Health Protection Manager will be to the Derbyshire wide Health Protection Board which is accountable to the Health & Wellbeing Boards for both Derbyshire and Derby. In addition there will be accountabilities to the Derbyshire Local Health Resilience Partnership. Line management responsibilities will be through a named Consultant in Public Health in Derbyshire then jointly to the Directors of Public Health for Derbyshire and Derby.

5. Financial Considerations

Derbyshire County Council and Derby City Council have identified £142k to deliver this function as part of the transfer of resources in April 2013. Indicative costs for all the posts plus on-costs are £116,014 pa. Derby City Council will contribute to the costs of these posts on a per capita basis.

6. Human Resources Considerations

Staff will be employed by Derbyshire County Council. The Senior Public Health Manager - Health Protection has been banded as grade 14. The other posts will be evaluated under the HAY job evaluation scheme and recruitment will be undertaken in-line with Recruitment On Merit on Derbyshire County Council terms and conditions of employment.

It is proposed that the Health Protection staff are appointed by Derbyshire County Council, but with a Service Level agreement with Derby City Council, who would assume part liability for any possible

future redundancy and employment liabilities, of the associated Health Protection staff.

7. Legal Considerations

Section 111 of the Local Government Act 1972 provides that a local authority has the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The Director of Legal Services advises that section 111 provides the power for the County Council (and Derby City Council) to establish a joint team which facilitates the discharge of their respective health protection functions.

The Director of Legal Services will ensure that an appropriate agreement is put in place with Derby City Council in order to reflect the proposals set out in this report.

7. Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, environmental, health, property and transport considerations.

8. Key Decision

No

9. Call-in

Is it required that call-in be waived in respect of the decisions proposed in the report? No

10. Background Papers

Directors of Public Health in Local Government: Roles, Responsibilities and Context prepared by the Public Health Policy and Strategy Unit, Department of Health October 2013

The Health and Social Care Act 2008: Code of Practice for Health and Social care on the Prevention and Control of Infections and related Guidance

Forward Thinking, Future Working, Framework specification for HPA Local and regional service provision 2008 – 2010- HPA October 2008.

Protecting the health of the local population: the new health protection duty of local authorities under the Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013. Dept of Health, Public Health England, LGA May 2013.

11. OFFICER'S RECOMMENDATIONS

- 1 To note the county council's responsibilities for health protection.
- 2 To approve the establishment of a joint team for health protection working across the county and city councils as set out in the report.

Elaine Michel
Director of Public Health