

# HAMPSHIRE COUNTY COUNCIL

## Decision Report

<b>Decision Maker:</b>	Cabinet
<b>Date:</b>	16 April 2018
<b>Title:</b>	Developing a Strategic Partnership for Public Health between Hampshire County Council and the Isle of Wight Council
<b>Report From:</b>	Director of Public Health and Director of Adults' Health and Care

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### 1. Recommendations

Cabinet is asked to:

- 1.1 Endorse the actions taken up to the date of this report and approve the arrangement for Hampshire County Council to take steps in developing a strategic partnership between Hampshire County Council and Isle of Wight Council for the delivery of Public Health services on the Isle of Wight.
- 1.2 Formally approve in principle the headline terms of that agreement as outlined in section 4 of this report.
- 1.3 Formally agree the project management and governance arrangements as described in Section 7 of this report.
- 1.4 Agree to receive a further report in September 2018 in order to give consideration to a more detailed draft agreement for a longer term partnership between Hampshire County Council and Isle of Wight Council for delivery of Public Health services on the Isle of Wight.

### 2 Executive Summary

- 2.1 On the back of a successful partnership with Children's Services, Isle of Wight Council approached Hampshire County Council about providing assistance with Public Health responsibilities and services following the rapid departure of the Island's Director of Public Health DPH on 1 January 2018.
- 2.2 With the tacit agreement of the Leaders of both Hampshire County Council and Isle of Wight Council and the senior level support of Public Health England, an in principle agreement was reached between the Chief Executives of Hampshire County Council and Isle of Wight Council to enter into an immediate interim partnership for an initial period of 6 months for the

oversight and delivery of public health services on the Island through a shared DPH.

- 2.3 During the interim partnership further analysis will be undertaken to verify the viability of establishing a more permanent strategic partnership.
- 2.4 The Partnership arrangement will involve sharing competencies and capacity and will further strengthen ties between the two authorities.
- 2.5 The purpose of this paper is to ask Cabinet to endorse the actions taken up to the date of this report regarding the interim partnership and to seek approval for proposals towards a longer term agreement between Hampshire County Council and Isle of Wight Council for the oversight and delivery of Isle of Wight Public Health responsibilities and services by Hampshire County Council. This is an initial decision to create a formal basis for these proposals and a possible final agreement. This report does not form that final agreement but sets out the reasons for the proposal, the general and more specific terms of a possible agreement, an initial analysis of the risks involved and a consideration of the likely next steps.

### **3 Background**

- 3.1 The Isle of Wight Council is a unitary authority with a population of about 140,000. The Council has responsibility for all local government services on the island. These responsibilities include discharging the statutory duties for Public Health that were conferred on local authorities by the Health and Social Care Act 2012. Both Hampshire and the Isle of Wight (HIOW) are part of the HIOW Sustainability and Transformation Partnership (STP) and this arrangement provides opportunities for both councils to further develop the scope of high quality Public Health services within that STP area. Public Health is acknowledged as a key driver in both improving overall wellbeing and also in reducing demand on NHS and social care services.
- 3.2 Local authorities have, since April 2013, been the local leaders for public health with responsibility for taking such steps they consider appropriate for improving the health of their population and for delivering a number of statutory and mandated functions.
- 3.3 The Health and Social Care Act makes clear that each unitary and upper tier authority must, acting jointly with the Secretary of State for Health, appoint a Director of Public Health (DPH) who is a statutory Chief Officer, to have responsibility for its public health functions.

There is provision for the role to be shared with another local authority where this makes sense.

- 3.4 The fundamental duties of a DPH are set out in law <sup>1</sup> however, the role is broader than that set out in legislation: the Director of Public Health is a statutory chief officer of the authority and the principal adviser on all health

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<sup>1</sup> [http://www.fph.org.uk/uploads/DPH\\_Guidance\\_Final\\_v6.pdf](http://www.fph.org.uk/uploads/DPH_Guidance_Final_v6.pdf)

matters to elected members, officers and partners, with a leadership role spanning health improvement, health protection and healthcare public health.

- 3.5 Hampshire County Council has an established constructive relationship of working together with Isle of Wight Council, through its partnership of delivering Children's Services. That partnership has recently been renewed, beyond its initial five year period into an open-ended arrangement. This arrangement to provide Public Health services on the Isle of Wight will be approached in a similar vein to how Children's Services have been delivered.
- 3.6 The incumbent DPH for the Isle of Wight was seconded to Public Health England for three months from January 2018 and will leave the employment of IWC at the end of the secondment.
- 3.7 This led to a need for Isle of Wight Council to make immediate arrangements for DPH cover.
- 3.8 The Isle of Wight Council Chief Executive requested a partnership arrangement be established with Hampshire County Council to provide such cover, through a shared DPH, initially for a six month period.
- 3.9 With the agreement of the Chief Executives of Hampshire County Council and Isle of Wight Council, through an exchange of letters the shared DPH arrangement commenced on 23 January 2018.

#### **4 Draft and Outline Terms of Agreement**

- 4.1 In consultation with the Leaders of both Councils an in principle agreement was reached between the Chief Executives of Hampshire and Isle of Wight Councils to enter into a partnership for the oversight and delivery of public health services on the Island through a shared DPH.
- 4.2 The partnership is at the request of Isle of Wight Council and in light of the rapid departure of the incumbent DPH on 1 January 2018 required an immediate interim arrangement with a view to establishing a more permanent strategic partnership in the near future.
- 4.3 The arrangement has the support of Public Health England.
- 4.4 The interim arrangement commenced on 23 January 2018.
- 4.5 There are 2 distinct stages to the partnership:
  - a) First stage - Interim partnership; initially a 6 month arrangement that may be extended, as appropriate, with authority delegated to the respective Chief Executives, in consultation with the Leaders of both Councils, to enable a longer term decision to be taken.
  - b) Strategic Partnership - Long term (circa 3-5 years) provided both parties deem phase 1 to be successful.
- 4.6 The first stage will be providing interim DPH and Associate DPH cover and carrying out an in depth review of public health delivery on the Isle of Wight to inform the package needed to establish a longer term partnership, if both parties agree to this being developed.

- 4.7 The second stage is putting in place arrangements for a long term partnership.
- 4.8 The financial, legal and political accountabilities for Isle of Wight public health will remain with Isle of Wight Council. This is in line with the arrangements for the established Children's Partnership.
- 4.9 Hampshire County Council will take no direct political accountability but will readily explore political partnership opportunities over time.
- 4.10 There has to be a clear principle of at least full cost recovery, with no detriment to the Hampshire County Council public health function and performance, based on the established processes used for the Children's Partnership.
- 4.11 Monitoring of the public health indicators in Hampshire's Corporate Plan and the oversight of the Public Health Isle of Wight Council Partnership Implementation Project Board will provide assurance regarding the continued strong performance and quality of the Hampshire Public Health function.
- 4.12 Hampshire County Council are mindful that any financial charges need to be established within the affordability of the Isle of Wight Council budget and will work with the Chief Executive of Isle of Wight Council to establish a well managed and well performing Public Health service within the appropriate budgetary envelope.
- 4.13 Assurance needs to be given by Isle of Wight Council that the additional costs of the outgoing DPH in his secondment role will not be borne by, or become an impediment to the arrangement.

## **5 Risk assessment and management**

- 5.1 The Public Health partnership will be following in the footsteps of an already established and successful Children's Services partnership with Isle of Wight Council.
- 5.2 The Partnership arrangement will involve sharing competencies and capacity, primarily at Director level but will initially involve other managerial levels. That will lead to mutual learning but must not be allowed to detract from necessary capacity within the County. Whatever the strength of Hampshire's performance and reputation in Public Health, officers and members are keenly aware that sustaining quality remains a challenge and that complacency in these services is one of the greatest risks of all. The Director of Public Health will continue to closely monitor the overall performance of Public Health services at Hampshire County Council.
- 5.3 IWC retain full political accountability for Public Health. This substantially reduces the direct risks to be carried by Hampshire County Councillors. Although not carrying direct political accountability it needs to be acknowledged that there still remain indirect implications for Hampshire members if the partnership were to face serious problems.

## **6 Finance**

- 6.1 It is too early to determine the full financial implication of this arrangement. However, the underlying principle is that Hampshire County Council will be properly compensated for the resources that it uses. Detailed proposals for the full recovery of Hampshire County Council costs will be agreed with Isle of Wight Council.
- 6.2 There will be two strands in relation to costs during the interim phase.
- 6.3 Strand 1: Fixed Cost for DPH function. To put in place the broad agreement around financial costs for Hampshire County Council providing the day to day DPH function during the Interim period. This will include access to the Hampshire Associate DPH and other Hampshire County Council specialists in public health, as appropriate for the day to day running of public health.
- 6.4 Strand 2: Variable Cost of diagnostic work in preparation for a long term partnership. During this interim period the DPH, and where required, Hampshire County Council Associate DPH and any Public Health specialist employed by Hampshire County Council shall, with Isle of Wight Council assistance, carry out diagnostic activity to understand the current Isle of Wight Council Public Health service operation and identify any changes needed and establish the estimated costs for a long term partnership. This will include reviewing the delivery of statutory and mandated functions, review of Public Health commissioned services and staffing structure, reviewing the Public Health budget, running costs, the budget management process and establish the partnership costs and charging mechanism.

## **7 Governance**

- 7.1 A project management approach, based on that used for establishing the Children's Partnership is being adopted and a dedicated project manager has been identified.
- 7.2 A time limited project board - Public Health Isle of Wight Council Partnership Implementation Project Board has been established which is chaired by Hampshire County Council's Chief Executive, with membership from the DPH, the Director of Adults' Health and Care and key representatives of other corporate areas and services, including Children's Services, as well as Finance, Legal and Human Resources. Isle of Wight Council will be invited to send a representative.
- 7.3 The Board will report to the Corporate Management Team for the establishment of the interim partnership arrangement and, in due course, to Cabinet once longer term options and opportunities have been identified.
- 7.4 The key lines of the project will include:
  - 7.4.1 Legal
  - 7.4.2 Finance
  - 7.4.3 HR
  - 7.4.4 Public Health Services

7.4.5 Performance Management

7.4.6 Operational logistics / support

7.4.7 Communications

7.5 The Project Board will also establish and manage a full risk register to address the issues summarised in section 4 above.

7.6 There must also be appropriate levels of political leadership to the respective decisions and approval of the two Council Leaders and the Lead Members for Public Health.

7.7 The detailed analysis of the key lines of this project will be subject to further work and analysis over the course of the coming weeks

## **8 Conclusion**

8.1 Hampshire County Council welcomes the opportunity to establish a further partnership with Isle of Wight Council and to build on the excellent working relationships and political partnership that have been established through the Childrens Partnership arrangement with Isle of Wight Council. The approach from Isle of Wight Council to enter into such an arrangement is welcome and presents an opportunity for the council to develop an area of work not as an income generator but as an extension of the council's capacity.

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

DocumentLocation

NONE

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2 Equalities Impact Assessment:**

The proposal itself will not have an impact on groups with protected characteristics. Any changes to the provision of public health services as a result of this proposal will be subject to an EIA.

### **2. Impact on Crime and Disorder:**

- a) No impact has been identified.

### **3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

There will be an unavoidable increase in travel, at least in the short term, for the DPH and the ADPH to the IOW from the mainland. This will be mitigated where possible by the use of communication technologies.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The longer term impact will be considered as part of the final arrangements for providing senior Public Health leadership on the IOW.