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# Delivery of Public Health functions in West Berkshire

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	30 November 2023
<b>Portfolio Member:</b>	Councillor Janine Lewis
<b>Date Portfolio Member agreed report:</b>	17 November 2023
<b>Report Author:</b>	Paul Coe
<b>Forward Plan Ref:</b>	(C4475)

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## 1 Purpose of the Report

- 1.1 This report is to set out the proposed future high-level structure of the Public Health (PH) team in West Berkshire, following a recent review by the Local Government Association. It does not seek to finalise the team-level structure, which will be articulated once the high-level position has been agreed and progressed.
- 1.2 The report has been developed in conjunction with Reading Borough Council (RBC).
- 1.3 The recommendation will ensure that West Berkshire Council meets the requirements relating to the role of Director of Public Health (DPH) as set out in the Local Government and Housing Act 1989, the National Health Service Act 2006 (as amended), the Health and Social Care Act 2012, and related regulations.

## 2 Recommendation(s)

- 2.1 It is recommended that the high-level structure set out at Appendix A is implemented at the earliest available opportunity.
- 2.2 Under this recommendation:
  - a) Council is asked to approve the recruitment of a DPH.
  - b) The DPH post will be hosted by Reading Borough Council and jointly funded by West Berkshire Council.
  - c) The DPH will oversee the delivery of public health functions in both Reading and West Berkshire.
  - d) The DPH will be a member of the Corporate Leadership Team in both local authorities.

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- e) Two PH teams will be formed – one in Reading Borough Council and one in West Berkshire Council (WBC). There will be no shared Team. Selected posts will transfer to respective local authorities; these posts will be identified once the key principles have been agreed.
- f) Those teams will have formal line management under the shared DPH.
- g) A 'dotted line' will run between key posts, indicating regular discussion to agree actions through consensus and negotiation.
- h) The RBC and WBC PH teams will formalise arrangements to share best practice, work collaboratively on shared agendas, share information and intelligence, etc. This will be captured in a Service Level Agreement. Those teams will also explore similar opportunities for shared work across Berkshire and potentially with other authorities. In West Berkshire, this will also include the establishment of a Public Health Board.
- i) Further work will be required to agree the structure at team level.
- j) Further work will be required to carry forward the wider recommendations in the LGA Report.
- k) Targeted consultation with directly affected staff and Trades Unions will be undertaken if required.

### 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	<p>All costs will be managed through the use of the Public Health Grant.</p> <p>The movement of posts/ contracts from the Shared Team increases both the costs and income for the council in equal measure.</p> <p>Neighbouring authorities have advertised DPH roles at around £107-£122k per annum). This would then be subject to on-costs (e.g. Pension/NI).</p> <p>Reading and West Berkshire Councils will need to offer a competitive salary.</p> <p>The costs of the post will be shared equally with Reading Borough Council.</p>

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<b>Human Resource:</b>	<p>There is impact on WBC PH staff relating to their place within the corporate structure.</p> <p>Certain posts currently in the Shared Team are likely to transfer to WBC under TUPE arrangements. These posts will be confirmed once principles have been established.</p>			
<b>Legal:</b>	<p>Any shared post will require a legal agreement to support that role being undertaken, and to ensure that the cost of the post and the requirements of that post are fully stipulated.</p> <p>The legal agreement will also need to ensure that adequate controls are in place regarding the PH Grant, which will be managed by the DPH on behalf of West Berkshire Council.</p> <p>Any arrangements for work to be shared across teams will also require further legal agreements to formalise those working arrangements.</p>			
<b>Risk Management:</b>	<p>It is understood that there are risks associated with being part of a shared service, hosted in another Local Authority. Those risks will be mitigated by the development of formal agreements between the Local Authorities.</p>			
<b>Property:</b>	<p>Under the recommended option, a small number of staff will be transferred to WBC. These staff can easily be accommodated within Timelord 2 principles.</p>			
<b>Policy:</b>				
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>	X			<p>Proposed changes to the delivery of PH functions should improve the experience of those with additional health needs.</p>

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<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			Proposed changes to the delivery of PH functions should improve the experience of those with additional health needs.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			Proposed changes to the delivery of PH functions should improve the experience of those with additional health needs.
<b>Environmental Impact:</b>		X		
<b>Health Impact:</b>	X			Proposed changes to the delivery of PH functions should improve the experience of those with additional health needs.
<b>ICT Impact:</b>		X		
<b>Digital Services Impact:</b>		X		
<b>Council Strategy Priorities:</b>	X			Proposed changes to the delivery of PH functions should improve the experience of those with additional health needs.
<b>Core Business:</b>	X			Proposed changes to the delivery of PH functions should improve the experience of those with additional health needs.
<b>Data Impact:</b>		X		

<b>Consultation and Engagement:</b>	<p>This report has been developed in collaboration with representatives from RBC, the Shared PH Team and the Interim DPH. Advice has also been received from colleagues in Human Resources.</p> <p>Input has also been received from colleagues working on the equivalent challenge in the east of Berkshire.</p>
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## 4 Executive Summary

- 4.1 In June 2023, a report was received following a Local Government Association (LGA) Decision-Making Accountability (DMA) Review. The review covered the Public Health teams and structures working across the six local authorities in Berkshire.
- 4.2 Following consideration of the findings, the Chief Executives of RBC and WBC took the view that a shared DPH across the two authorities would be proportionate and affordable, based on the size and needs of the respective populations.
- 4.3 A Task and Finish Group then convened to identify options and recommendations for Reading and West Berkshire. The work of that group has led to the development of this report.
- 4.4 The core recommendation is for a PH team in RBC, a PH team in WBC, the dissolution of the shared team, development of joint-working protocols/ Service Level Agreement, and oversight from a single DPH hosted by RBC.
- 4.5 The recommendation is based on the belief that this approach will support the appropriate focus on local challenges and resources, linked to the differing needs of local populations. It will also ensure that the voice of public health can be heard loudly within each authority. It will also ensure compliance with the relevant legal framework. It will support leadership based on public health principles to the benefit of both local authorities and the populations they serve.
- 4.6 The Office for Health Improvement and Disparities have indicated they are supportive of the plans set out by West Berkshire and Reading.

## 5 Supporting Information

- 5.1 Prior to the LGA review, the DPH role was shared by West Berkshire, Reading and Wokingham councils.
- 5.2 It should be noted that the following arrangements are forming across Berkshire:
  - a) Slough Borough Council has established a dedicated DPH role.
  - b) Wokingham Borough Council has established a dedicated DPH role.
  - c) Bracknell and the Royal Borough of Windsor and Maidenhead have established a joint DPH role.

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- 5.3 It is recognised that there are differences in the public health needs of Reading and West Berkshire. There are differences in geography and demographics, and these elements feed through into the public health impacts and requirements of the respective populations. However, there are shared concerns and issues, as well as an established history of joint working and shared arrangements.

## 6 Other options considered

- 6.1 WBC could recruit a DPH without partnering with another Local Authority. This is thought to make the role less appealing to prospective candidates and is unhelpful given the shortage of appropriately qualified candidates. It also increases costs and reduces opportunities for taking action at scale.
- 6.2 WBC could partner with a different Local Authority. Decisions made by other Berkshire Unitary Authorities mean that RBC is the most appropriate neighbour. While there are differences between West Berkshire and Reading in terms of geography and demographics, RBC remains the most appropriate partner in this endeavour.
- 6.3 Failure to recruit a DPH would lead to legal breaches and negative impacts on the health of the local population.

## 7 Conclusion

- 7.1 The LGA Review was clear that changes to the delivery of Public Health functions in Berkshire were needed.
- 7.2 Neighbouring authorities set out their own plans in response to that Review, which also necessitated change.
- 7.3 The proposed changes, beginning with the appointment of a shared DPH in Reading and West Berkshire will lay the foundations to meet the future requirements in both local authority areas.

## 8 Appendices

- 8.1 Appendix A – Proposed High Level Structure
- 8.2 Appendix B - Equalities Impact Assessment

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### Subject to Call-In:

Yes:  No:

The item is due to be referred to Council for final approval



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- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

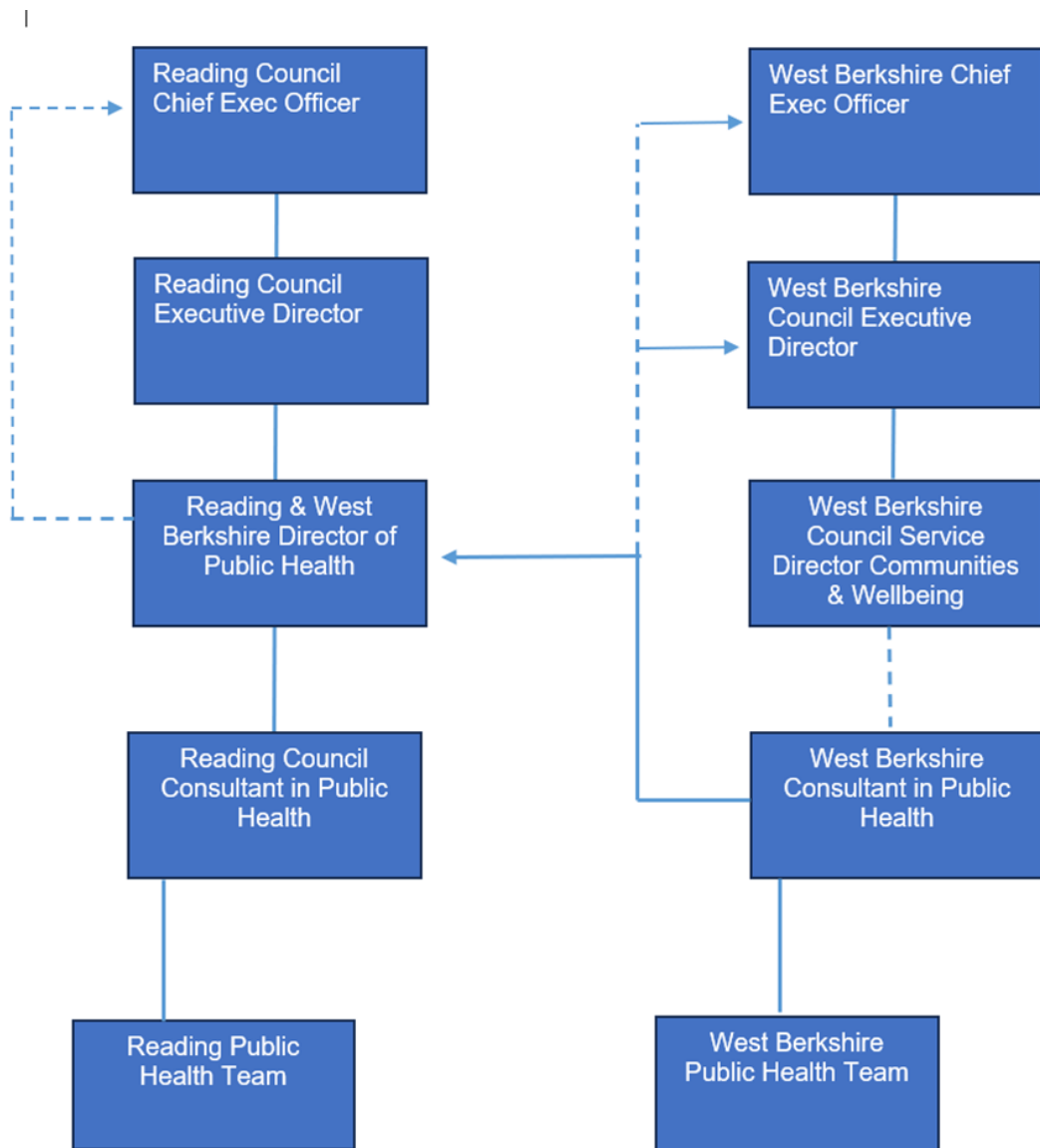
**Wards affected:** All

### Officer details:

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## Appendix A



## Appendix B



## Equality Impact Assessment (EqIA) - Stage One

<b>What is the proposed decision that you are asking the Executive to make:</b>	To agree a staffing structure for the delivery of Public Health functions.
<b>Summary of relevant legislation:</b>	Local Government and Housing Act 1989 National Health Service Act 2006 (as amended) the Health and Social Care Act 2012 and related regulations
<b>Does the proposed decision conflict with any of the Council's priorities for improvement?</b>  <ul style="list-style-type: none"> <li>• Ensure our vulnerable children and adults achieve better outcomes</li> <li>• Support everyone to reach their full potential</li> <li>• Support businesses to start develop and thrive in West Berkshire</li> <li>• Develop local infrastructure including housing to support and grow the local economy Maintain a green district</li> <li>• Ensure sustainable services through innovation and partnerships</li> </ul>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Name of Budget Holder:</b>	April Peberdy
<b>Name of Service/Directorate:</b>	People/ Communities and Wellbeing
<b>Name of assessor:</b>	Paul Coe
<b>Date of assessment:</b>	7 Oct 2023
<b>Version and release date (if applicable):</b>	

Is this a .... ?		Is this policy, strategy, function or service ... ?	
<b>Policy</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>New or proposed</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Strategy</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>Already exists and is being reviewed</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Function</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>Is changing</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Service</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

**(1) What are the main aims, objectives and intended outcomes of the proposed**

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decision and who is likely to benefit from it?	
<b>Aims:</b>	To improve the delivery of Public Health functions in West Berkshire
<b>Objectives:</b>	To establish a new staffing structure To deliver the recommendations of the LGA Review
<b>Outcomes:</b>	A new structure Agreed protocols with Reading Borough Council and other neighbouring authorities as required A functioning Public Health Board monitoring the use and effectiveness of the Public Health Grant
<b>Benefits:</b>	A healthier local population Robust and credible monitoring of financial processes

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?		
Group Affected	What might be the effect?	Information to support this
Age	Positive effect through better public health interventions	
Disability	Positive effect through better public health interventions	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity	Positive effect through better public health interventions	
Race		
Religion or Belief		
Sex		
Sexual Orientation		
<b>Further Comments:</b>		

<b>(3) Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
The work of the Public Health team seeks to reduce Health inequalities and provide equitable benefits to the whole population in West Berkshire. A fit-for-purpose structure will support that work.	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
The work of the Public Health team seeks to reduce Health inequalities and provide equitable benefits to the whole population in West Berkshire. A fit-for-purpose structure will support that work.	
<b>(4) Identify next steps as appropriate:</b>	
<b>EqlA Stage 2 required</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Owner of EqlA Stage Two:</b>	
<b>Timescale for EqlA Stage Two:</b>	

Name: Paul Coe

Date: 7 Oct 2023