

## Other Business Report - Decisions and Actions Required

### Decisions

1. *Members are asked to:*
  - *receive policy updates on smoke free legislation, Asylum and migration, local government bill.*
  - *feedback from meetings attended since the last Board meeting on 7 May 2007;*

### Actions Required

2. *Secretariat to take necessary action.*

**Action by:** *Secretariat*

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## Other Business Report

### Summary

1. *This report provides a summary of other business relevant to the Board and also deals with issues relating Community Well-being Board representation on LGA groups. Members are also asked to feedback on meetings attended since the last Community Well-being Board meeting on 7 May.*

### Other Business

#### Smoke Free England

2. *The long-awaited Smoke Free legislation came into effect on the 1<sup>st</sup> July 2007, providing a massive boost to public health through the ending of smoking in enclosed public places. Experience in Scotland shows a high degree of voluntary compliance is likely, and the LGA is working with other Smokefree England partners to counter the more lurid recent journalistic approaches to this issue.*
3. *LACORS has produced a key messages document which covers the key messages with supportive text, potential questions relating to Local Authorities work and some examples of work LAs have been doing.*
4. *The LACORS in conjunction with the LGA have put together a series of smokefree factsheets on why smokefree is needed, why it is wanted and why it is workable. The 'workable' factsheet covers information about the success of smokefree legislation in other countries plus some information about businesses in England that have already gone smokefree.*
5. *The LACORS guidance is available on the LACORS website, where they have produced some further information following questions from authorities.*

#### Asylum and Refugee Task Group

6. *The Asylum and Refugee Task Group, chaired by Cllr Roger Lawrence of the Community Well-Being Board, at its meeting on 20 June, noted that a response to the Home Office's consultation on future support for unaccompanied asylum seeking children had been submitted. The full response, prepared in conjunction with ADASS, ADCS, ADSS Cymru, COSLA, London Councils, NCCG and the WLGA, and informed by the Refugee Council and Children's Commissioner, is available on the LGA website at: <http://www.lga.gov.uk/Briefing.asp?lsection=59&id=SXF2E9-A78447F5&ccat=962> The key messages on the issues around insufficient funding for local authorities made in this report will also be used to lobby on the current Borders and Immigration Bill.*
7. **The National Framework for NHS Continuing Care and NHS Funded Nursing Care** was issued on 26<sup>th</sup> June following extensive consultation. The framework will be implemented on 1 October 2007, which is also the date on which the current three "Bands" of NHS Funded Nursing care will be replaced by a single band of £101 p/w.

*Key points:-*

- a. *The framework has taken account of a number of specific concerns raised jointly by LGA and ADASS and this is welcome.*
- b. *The Department of Health estimate that implementing the new framework will mean that in the first year around 5,500 more people are likely to qualify for 100% NHS funding. An additional £220m is being made available to PCTs to cover the associated costs and there will be no transfer from Local Authorities to offset this. Any associated reduction in Local Authority spend in this area will be used to offset other local pressures.*
- c. *The framework is to be applied irrespective of setting – i.e. not just in residential settings – though its application will apply primarily to residential settings.*
- d. *In the context of the overall pressures associated with demographic change and the need to modernise services – in particular to enable more extensive care and support at or near to home – the additional funding is, though welcome, small.*
- e. *The responsibilities of PCTs is underlined and reinforced in particular in relation to disputes – for example in relating to discharge from hospital PCTs will continue to fund until any dispute about entitlement (and so funding responsibility) is resolved.*
- f. *New monitoring arrangements will be put in place with PCTs submitting quarterly returns specifying the numbers of people assessed as entitled to 100% continuing care and the associated spend.*
- g. *The framework puts considerable emphasis on joint working – which is to be welcomed – though there is a suggestion that this will be put on a mandatory basis.*
- h. *Training and preparation for implementation will be key to the success of the new framework and it will be essential that local government is well represented in this and in the proposed monitoring arrangements.*

*Further information and guidance can be found at:*

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_076288](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_076288)

**Mental Health Bill**

8. *The Mental Health Bill has now passed back to the Lords and will move between both houses until agreement is reached on the final shape of the legislation. A number of concessions have been made by Government on issues of concern, including:-*
  - a. *A set of principles on the face of the act, including a clause on treatability (to ensure that patients under section can only be treated if the purpose is to alleviate or prevent worsening of a disorder). This goes some way to meeting the concern about the broad definition as previously drafted.*
  - b. *Improved safeguards for people receiving ECT.*
  - c. *Provisions for age appropriate accommodation and services for young people*
  - d. *The ability of 16 and 17 year olds to refuse treatment without being overridden by parents*
  - e. *Provisions for independent advocacy to be made available for people subject to the act*
  - f. *Clarification of the conditions that might be imposed in Community Treatment orders, specifying that conditions must apply to their health.*
  - g. *Provisions for “safe transfer” between places of safety”*
  - h. *A statutory code of practice.*

*Further information and guidance can be found at:*

[http://www.dh.gov.uk/en/Policyandguidance/Healthandsocialcaretopics/Mentalhealth/DH\\_073490](http://www.dh.gov.uk/en/Policyandguidance/Healthandsocialcaretopics/Mentalhealth/DH_073490)

## **Community Cohesion**

9. *On 14 June, the Commission on Integration and Cohesion published its final report, Our Shared Future. The report presents four key principles that the commission feels underpin a new understanding of integration and cohesion: the need for a sense of shared futures; a new model of rights and responsibilities; a new emphasis on mutual respect and civility; and the need to deliver visible social justice. It also proposes a new definition of an integrated and cohesive society and a typology of five types of local community based on the three factors found to have the most influence on cohesion - deprivation, rate of change, and rural/urban context.*
10. *The Commission makes 60<sup>1</sup> recommendations, many of which are of direct concern or have some relevance to councils and the LGA. Almost all recommendations offer encouragement to do different things according to the needs and circumstances of the local area. The commission says that this needs to be balanced, however, by a 'shared national vision' with clear leadership from central government. It also provides recommendations for some national policy initiatives. The commission says that it has avoided being prescriptive or setting obligations on councils.*
11. *The LGA will be discussing these recommendations with its new advisory group for community cohesion, extremism, migration and equalities and further developing its work programme to respond to them. Proposals for future work will be discussed with relevant boards as part of their September priority setting meetings.*

## **White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity related health issues**

12. *The European Commission published a White paper on a Strategy for Europe on nutrition, overweight and obesity related health issues at the end of May 2007. This follows a debate on diet, nutrition and physical activity during 2005/06, in which the LGA provided case studies, showing how local authorities in England are already playing an active role in improving the public health of their citizens at a local level. and putting the case that any EU strategy should include and involve local government.*
13. *The Commission proposals include;*
  - *In 2007, the Commission will publish an "urban guide" to local authorities to raise awareness of funding opportunities for walking and cycling projects and other grants for public infrastructures to encourage healthy lifestyles. This will also be part of the Green Paper on urban transport and a White Paper on Sport, both of which will be published later in 2007.*
  - *to set up a High Level Group on nutrition and physical activity to encourage rapid exchange and uptake of ideas between Member States. The Commission also plans to make information on regional and local activity accessible from its website.*
  - *to promote public health in all other policy areas, including the Common Agricultural Policy; as part of the reform of the fruit and vegetables regime, the Commission is proposing to promote children's consumption of fruit and vegetables by allowing surplus production to be distributed to educational institutions and children's holiday centres, as part of a market withdrawal scheme. However, UK producer organisations do not take part on this scheme and it is highly unlikely they will do so in future. A school fruit scheme, co-financed by the EU and aimed at children between 4 and 12 years old will also be part of this reform. Again, the UK already has a National Fruit for Schools scheme.*
  - *to consider nutrition labelling across the EU; to maintain existing voluntary codes of conduct for advertising and marketing on food and drinks targeted at children and to develop and support*

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<sup>1</sup> Some of these are contained within the Annexes

scientific information and education campaigns particularly to address vulnerable groups such as children.

The LGA European & International Unit is drafting a response to the White Paper.

### **LINKs Update**

14. *The Local Government and Public Involvement in Health Bill received its second reading in the House of Lords on 20 June with Committee set for some time in July. Expectation remains that the Bill will receive Royal Assent in October.*
15. *The Commission for Patient and Public Involvement in Health (CPPIH) is working with the Department of Health (DH) to ensure a smooth transition to the new LINKs arrangements and to maintain the valuable skills and experience of the people who are currently involved. As part of this work, CPPIH is running seven Early Adopter Projects (EAPs) across England on behalf of DH. The Healthcare Commission are running separately an additional two EAPs. These projects are examining how LINKs could work in different locations and involve a range of stakeholders (including current Patient and Public Involvement Forum members, local authority staff and others) in discussions about the new set up. Early learning from these EAPs is expected to emerge from DH shortly.*
16. *Given the uncertainty of an exact date for the LGPIH Bill to receive Royal Assent, DH are unable to provide a concrete timescale to LINKs. An indicative implementation schedule suggests that procurement of host organisations will begin soon after Royal Assent. PPI Forums will then be abolished at the end of March 2008 (at which time CPPIH will cease operationally), with LINKs emerging in April 2008.*
17. *The LGA has received and commented on a DH draft model specification document for local authorities to use when procuring the host organisation. The final version of this document is expected in July. The DH is also hoping to publish a further guidance document in July entitled 'What a mature LINK will look like'. A meeting is currently being arranged between LGA officers and DH officers to discuss the ways in which we can work together on LINKs as the new arrangements develop.*

### **Strategic Engagement Agreement between LGA and Department of Health**

18. *The CWB team are at an advanced stage in negotiation with DH to agree a new way of engagement between us. This follows recognition by both sides that while the relationship is mature and wide ranging, good policy and outcomes for people are best developed together. The apparent inertia around the Central Local Partnership has not been helpful.*
19. *The agreement would work at both official and political levels and in different ways to suit. At the political level, that means Secretary of State to LGA Chairman, other DH Ministers to CWB lead members and similar at official level.*
20. *There are close links between the economic development and sustainability of regions and local communities and individual quality of life, health and well-being within those communities. This interdependence necessitates close working between the LGA and DH.*
21. *The purpose of this SEA is to:*
  - *Provide a framework for the engagement between the two organisations at all levels*
  - *Provide a way of agreeing areas of mutual interest in working with third parties and joint priorities to work on*
  - *Provide a safe place for challenge*

- *Develop the principles of working together*
- *Seek to breakdown the silos that can exist in both organisations*

22. *At a national level it is key that we jointly develop arrangements to increase understanding and awareness in policy teams in both organisations of how local government and NHS organisations operate, including responsibilities, influences, levers, organisational infrastructures and cultures etc*

### **Feedback from Meetings attended by members of the Community well-being Board:**

#### **National Councillor Network for Adult Social Care and Health**

23. *The second meeting of the National Councillor Network for Adult Social Care and Health took place on 28 June at the Renaissance Hotel, Manchester. A network for Lead Members for Children's Services has been running since 2005, and the IDeA felt that it would be valuable to start a network for councillors responsible for leading the Adults and Health portfolios. Councillor David Rogers attended this event and provided delegates with an update on work of the Community wellbeing Board.*
24. *The network meetings bring councillors together to share experiences and learning, and provide an opportunity for members to hear from specialist speakers, IDeA advisers and local authority colleagues with good practice to share. The IDeA also propose to set up a dedicated web page to keep members of the network up-to-date with the latest relevant legislation and best practice.*
25. *There was a presentation from Anthony Kealy from the Department of Health on the new Commissioning Framework and a presentation from David Stout, Director, NHS Confederation PCT Network on the role of the network and relationship with the National Councillor Network.*

#### **Caring Choices**

26. *On Friday 22 June, Councillor Gareth Barnard represented the LGA at the Bristol event of the Caring Choices Roadshow. The events are part of a nationwide initiative aimed at shaping future policy on long-term care for older people. The aim of the events is to capture the opinions of a wide range of individuals involved with long-term care, in order produce a short policy report and raise public awareness. The Caring Choices Coalition to which the LGA is a partner aims to find new solutions to the future funding of long-term care.*
27. *Despite the demographic realities of an ageing population and the increased lifespan of disabled people, public understanding of the potential costs of long-term care and the way the current system works remains low, something the 15 organisations in the Caring Choices coalition are aiming to correct.*
28. *Future events take place in Leeds on September 13th, Edinburgh on October 4<sup>th</sup>, Taunton on October 23rd, and in London on November 14th. To book a place at one of the "Caring Choices" events, or for more information, please contact Charlotte Saini at LGA at [charlotte.saini@lga.gov.uk](mailto:charlotte.saini@lga.gov.uk) or on 020 7664 3025.*

#### **Westminster Briefing: 'Towards a Smoke-free Future: Building Healthier Communities through Education and Enforcement'**

29. *Clr Richard Grant attended and spoke at this event on 22 May. The briefing was designed to ensure that delegates were fully informed about the 'No Smoking legislation'. The briefing session provided the opportunity for different players to explore the issues and to check out the priorities for their specific sphere of activity. As with all the briefings in this series,*

speakers were from Whitehall, Westminster and local government. There is a wealth of information available on the NHS website [www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk) an invaluable resource for everybody with any interest in this issue. Andrew Black from the Smoke Free England Website was one of the speakers.

30. *Being fifth in a line of speakers, Cllr Grant took the opportunity to concentrate upon the 'councillor focus' aspects of the no smoking law. Other speakers had dealt with the detail of the legislation, health, implementation and enforcement so Cllr Grant was able to demonstrate the pivotal role of local government and elected members in making the connections between the various agencies and people on these community issues. Cllr Grant spoke about the potential for improvement in health and well-being of constituents and their communities and linked in with the LAAs.*

### **Health Challenge England, Health Scrutiny Support Programme and Urban Commission**

31. *On 22<sup>nd</sup> May, Councillor Mary Aspinall attended the South West Regional event on "Health Challenge England - next steps for Choosing Health", which focused on this paper from the Department of Health. The event aimed to set out how the Department of Health developed this new approach to public health and how this will be taken forward in the next two years. The afternoon of this event was the South West Regional Event on Tackling Childhood Obesity.*
32. *Councillor Mary Aspinall attended the Centre for Public Scrutiny's Health Scrutiny Support Programme Stakeholder Management Group held on 7<sup>th</sup> June at Layden House. This was the last meeting of the Group since the Department of Health's funding was at its end and the future of any further funding has not been decided. Issues discussed included LINKs and the Community call for Action. A more detailed report of this meeting has been sent to all members of the board by email for their information.*
33. *Councillor Aspinall also attended the LGA's Urban Commission on 21<sup>st</sup> May 2007 and a report on this has been circulated to members of the board for information.*

### **Implications for Wales**

34. *There are no specific implications for Wales in this report.*

### **Financial/Resource Implications**

35. *None.*

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