

## **ACTION TAKEN UNDER DELEGATED POWERS**

### **SUMMARY REPORT**

**Chief Officer: Kate Kennally**

**Subject: Transfer of Public Health Functions**

#### **Delegated Powers Report 2079**

The Cabinet delegated the following decisions to the Cabinet Member for Public Health and the Director for People:

- That Cabinet approve the delegation of authority to the Cabinet Member for Public Health in consultation with the Leader of the Council to sign off by no later than the 1st of April 2013, the Inter-Authority Agreement for the shared Public Health service between the London Boroughs of Barnet and Harrow in line with the principles set out in Appendix One to the report;
- That Cabinet approve the delegation for the formal signing off of the NHS Transfer Orders for Public Health functions to the Cabinet Member for Public Health and for the signing off of NHS Handover Certificates to the Director for People.
- That Cabinet note the progress on developing the Memorandum of Understanding between the London Borough of Barnet and Barnet Clinical Commissioning Group and delegate responsibility to sign off the Memorandum of Understanding to the Cabinet Member for Public Health.

#### **Resulting decisions and actions**

Following these formal delegations by Cabinet the following actions have been taken:

- The Cabinet Member for Health approved the agreement of the Inter Authority Agreement during the inaugural Joint Public Health Board meeting on 26 February 2013
- The Inter Authority Agreement was executed under the common seal
- The NHS Handover Certificates were signed off by the Director for People, on the advice of the Joint Director for Public Health (Andrew Howe) on 7 March 2013
- The Memorandum of Understanding between the London Borough of Barnet and Barnet Clinical Commissioning Group was signed by the Cabinet Member for Public Health on 26 March 2013.

**Outstanding actions:**

- The NHS transfer orders for Public Health functions have not yet been received; they are expected to be sent by the end of June 2013.

**Background information:**

The Health and Social Care Act 2012 became law in March 2012. One of its key proposals is the transfer of the existing Public Health functions currently being undertaken through Primary Care Trusts.

These functions will be split between Public Health England the NHS Commissioning Board and Local Authorities. The Act identifies the expected and mandated Public Health commissioning responsibilities for local authorities from April 2013.

The decision to pursue a Joint Public Health Service reflects Barnet and Harrow Council's common position that it is vitally important to establish a centre of Public Health expertise with a sufficient critical mass of Public Health specialists.

The Inter-Authority Agreement will govern the running of the shared service and an annual work-plan will be agreed between the two authorities to describe how Public Health expenditure will be used to meet the priorities identified in Barnet's Health and Well-being Strategy and to also meet the needs identified in the Joint Strategic Needs Assessment. The agreement will be set for an initial term of 5 years but either party will have the ability to apply a no fault break, subject to a 12 month notice period.

**Relevant previous committee items and decisions:**

Item 14, Cabinet Resources Committee 20 June 2012

Resolution 1 Item 6, Cabinet 25 February 2013

Joint Public Health Governance Board 26 February 2013

**Signed:****Date: 25 April 2013****Director for People**