

Lanarkshire NHS Board

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**NHS Board Meeting
24 January 2007**

PUBLIC HEALTH LEGISLATION IN SCOTLAND: A CONSULTATION

1. On 25 October 2006, the Public Health and Substance Misuse Division of the Scottish Executive Health Department sought views on proposals to upgrade Public Health arrangements in Scotland, with the responses to the consultation helping to inform future Public Health Policy and the drafting of new legislation to ensure a capability to respond effectively to current and foreseeable Public Health threats.
2. Attached, for members' consideration, is a copy of the response to the Consultation. This has been informed by: in-depth consideration of the proposals within the Board's Department of Public Health; consideration by Scottish Directors of Public Health; discussion with the Royal College of Physicians of Edinburgh, and through national and regional consultation events, which included input from NHS Lanarkshire. The response to the consultation has been co-ordinated by Dr Dorothy Moir, Director of Public Health, who will speak to this item.
3. Public Health legislation in Scotland is contained in a number of statutes and dates back to the late 19th century. It has contributed significantly to the huge strides that have been made in controlling infectious diseases, nuisances and other threats to health. However, there is increasing evidence that the legislation is not wholly consistent with current practice or modern life. The consultation document set out a number of proposals to strengthen the Public Health response in Scotland, and to clarify the roles and responsibilities of those working in the Public Health field. It was developed through the work of the Public Health Review Group, which comprised representatives of a number of relevant Public Health organisations and disciplines.
4. The World Health Assembly of the World Health Organisation has adopted new International Health Regulations, which aim to

enhance the global Public Health response to new diseases and naturally occurring, accidental release or deliberate use of chemical and biological agents or radio-nuclear materials that affect health. The new Regulations require to come into effect by June 2007, although Member States have a further 12 months from the entry into force date to adjust their domestic legislation. The Scottish Executive is working with the UK Government to establish the legislative changes required to comply by that date, and further information will be made available to local NHS systems.

5. The closing date for consultation responses was Friday 12 January 2007. The attached response has therefore been submitted, in order that the Department of Public Health's considered views on this important issue could be taken account of in the analysis of consultation responses. The intention is that the analysis of responses, along with any other available evidence, will help the Scottish Executive Health Department to shape new Public Health legislation. The Department intends to issue a report on the consultation process by Spring 2007.
6. The Board is asked to consider and endorse the attached consultation response.

NJA/OD
17 January 2007