

Response to the Review of the Public Health Act (Northern Ireland) 1967 December 2015

Belfast Healthy Cities is pleased to have the opportunity to contribute to the Review of the Public Health Act (Northern Ireland) 1967. Belfast Healthy Cities would be pleased to provide further evidence on any of the points noted, should that be helpful.

Introduction

Belfast Healthy Cities is a partnership organisation seeking to improve health and wellbeing by identifying ways to tackle inequalities in health and create healthy urban environments. The organisation's key role is to fulfil the requirements of Belfast as a World Health Organization (WHO) Healthy City and to act as a link between the city and WHO Europe. Within the city, the key roles for Belfast Healthy Cities are to facilitate intersectoral collaboration, and to work with partners to share evidence, build capacity and test new concepts and ways of working. The Department of Health, Social Services and Public Safety (DHSSPS) is a key partner within the partnership, as are Belfast Health and Social Care Trust, DOE, DSD, NIHE, Public Health Agency, QUB, and UU.

Context of response

The Healthy Cities approach is based on the social model of health, which emphasises that health, is the outcome of wider social and physical living conditions. WHO defines health as "a complete state of physical, mental and social well-being, and not merely the absence of disease or infirmity."

Phase VI (2014-2018) of WHO European Healthy Cities Network is informed by Health 2020, the WHO policy and framework for Europe. The overarching goals of the network, which are drawn from Health 2020 are

- improving health for all and reducing health inequities
- improving leadership and participatory governance for health.

The focus of Belfast Healthy Cities' work is on promoting health and wellbeing, and strengthening health equity through a social determinants approach to health and comments are made in this context.

General comments

- Belfast Healthy Cities welcomes the review of the Act and supports the development of updated legislation that will support the safeguarding of health of all. However, it is noted that proposals focus on health protection. Belfast Healthy Cities would welcome a wider definition of public health that includes the principles of health improvement and health promotion and goes beyond an absence of disease or threat.
- Legislation should also clearly refer to physical and mental health.
- It is essential that legislation addresses the pervasive and detrimental impact of health inequalities on the lives of people through focused action and ambitious target setting.

- Public health legislation should provide protection to all people at all stages of life with the intention of creating long and healthy lives regardless of socio- economic status. Inclusion of a life course approach, which focuses on interventions from early years through to old age could also be used to strengthen legislation.
- Legislation must be robust and fit for purpose to address new public health challenges as they emerge. Belfast Healthy Cities supports the adoption of a ‘multi’ or ‘all hazards’ approach and welcomes that the consultation has looked to other international models to inform discussion on this matter.
- The legislation should also recognise that responsibility for public health extends beyond the Department of Health, across all departments and agencies. It is necessary to incorporate a ‘whole of government’ approach, led, co-ordinated and monitored by the Department of Health, Social Services and Public Safety (DHSSPS), to address inequality and understand the conditions that destroy and create health.

Further, it should draw upon evidence from the WHO Global Commission on the Social Determinants of Health and Health 2020 that strong legislation has the ability to create conditions that support health.

- In order to be effective, the legislation should align with the principles of the Northern Ireland strategic framework for public health, *‘Making Life Better’*, prevention, protection and promotion. It should also mirror the requirements of International Health Regulations (IHR) and be fully compliant with Human Rights legislation.

Structure of Legislation

Belfast Healthy Cities would welcome legislation with a clear statement of intent, a set of governing principles and a series of measurable objectives. This approach would allow the wider context in which public health operates to be clearly outlined. Belfast Healthy Cities suggests principles focused on

- equity in health
- whole of government and multi-agency approaches
- life course approaches
- human rights
- international cooperation, as well as health protection in the legislation.

Comments

- **Equity in health**

Belfast Healthy Cities believes that with expanded scope, public health legislation has the ability to both protect health and deliver a wide range of benefits to society. WHO Health 2020 provides evidence of the societal and financial value of good health and calls for targeted action to reduce health inequalities. Belfast Healthy Cities believes the review of the Act is such an opportunity for Northern Ireland. There is much evidence of success from elsewhere.

For example the Norwegian Public Health Act 2011 with its vision ‘to promote the population’s health, wellbeing and social and environmental conditions’ while contributing to prevention of a range of conditions also sets out to ‘target underlying factors that affect health and social inequalities in health’. Belfast Healthy Cities would urge the Department to be equally ambitious in setting new legislation for Northern Ireland.

- **Whole of government/society approach**

A central theme for Healthy Cities is the ‘health in all policies’ approach, a whole of government model which can assist with the development and delivery of legislation. It reflects the reality that responsibility for public health extends beyond the Department of Health, across all departments and agencies. Belfast Healthy Cities welcomes this ‘whole system’ approach, and believes refreshed legislation presents an important opportunity for departments and other agencies to review their individual procedures and align actions to protect and promote health.

Belfast Healthy Cities believes there is a need to incorporate in the legislation, a record of the Ministers, departments and other bodies that have functions, duties and powers in relation to public health. Recognising that this may be a challenging process, Belfast Healthy Cities agrees that there is a need for clear accountability, governance and communication procedures. It is essential that legislation details information about the way in which these bodies are expected to work together and a duty to comply is included where appropriate. It is also important that these duties are reflected in other relevant legislation. As wellbeing is already incorporated into other legislation, there are opportunities to develop linkages, which will to make legislation more effective.

For example in Norwegian legislation, recognising the important roles and responsibilities of local government, regional community planning is required, by law, to ‘stimulate the development and set goals for ... healthy development within the region and places’. Belfast Healthy Cities would welcome a similar approach in Northern Ireland.

While DHSSPS should retain the duty for leading, co-ordinating and monitoring action, increased visibility of the contribution of other agencies towards public health has the potential to improve public understanding of the complex nature of delivering good health.

- **Life course approaches**

Belfast Healthy Cities would draw attention to the Swedish model, which takes a life course approach to developing legislation with the aim of protecting and promoting health and wellbeing at all stages of life. Evidence from WHO shows that interventions at key life stages, including pre-natal and early years, as well as supporting healthy ageing can be particularly effective. Belfast Healthy Cities would welcome the inclusion of this approach in legislation. The Swedish model also emphasises the importance of understanding emerging trends and has a procedure to review legislation at regular intervals to assess its effectiveness. Belfast Healthy Cities would welcome a similar mechanism within Northern Ireland legislation.

- **Human Rights**

As referenced by Making Life Better, the WHO constitution states that “The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without the distinction of race, religion, political belief, economic or social condition.” Belfast Healthy Cities agrees that it is essential that new public health legislation aligns fully with Human Rights legislation and that people in Northern Ireland have full access to the protections afforded to them.

- **International Health Regulations (IHR)**

As noted by the World Health Organization in relation to the development of the International Health Regulations (IHR) 2005 ‘In today’s connected world, health security is a global issue. We must all protect ourselves, and each other, from threats like infectious diseases, chemical and radiological events.’ To be effective, legislation should align with the IHR to and give powers where appropriate. It is important that the legislation reflects the necessity of international collaboration in addressing public health risk, but also states the value of nations and regions working together to safeguard population health.