



Subject:	Consultation to Public Health Bill - Consultation Response
Date:	10 th September 2024
Reporting Officer:	Siobhan Toland - Director of City Services, City and Neighbourhood Services
Contact Officer:	David Bone – City Services Manager, City and Neighbourhood Services Manager Vivienne Donnelly – City Protection Manager, City and Neighbourhood Services Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number <input type="checkbox"/>	
<ol style="list-style-type: none">1. Information relating to any individual2. Information likely to reveal the identity of an individual3. Information relating to the financial or business affairs of any particular person (including the council holding that information)4. Information in connection with any labour relations matter5. Information in relation to which a claim to legal professional privilege could be maintained6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction7. Information on any action in relation to the prevention, investigation or prosecution of crime	
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	A public consultation has been launched by Department of Health setting out the proposals which will underpin a new health protection legislative framework for Northern Ireland, and which are based on the recommendations of the Review of the 1967 Act and learning from recent public health emergencies.
1.2	This is the second public consultation on Public Health and seeks views on specific policy proposals that will underpin the provisions to be included in the Bill. The first public consultation in September 2015 asked basic questions about current Public Health law. The outcome of that consultation enabled a final report to be published by Department of Health in March 2016, which set out key recommendations for legislative reform and the shaping of future public health protection law in Northern Ireland, leading to the current consultation.
1.3	Review of Public Health Act consultation response was ratified by Belfast City Council November 2015, following presentation to People and Communities committee on 10th November 2015 .
1.4	Responses to this current consultation are due by 14 th October 2024 an extended deadline allowing Council time to fully consider and respond. Attached for Members' consideration is a detailed response to the questions posed in the consultation questionnaire. Responses have been developed with input from Health & Environmental Services, Good Relations, and Equality team as well as Legal Services.
2.0	Recommendation
2.1	Members are asked to note the contents of the Council response Appendix 1 and approve its submission to the Department. For members information a copy of the consultation document is attached at Appendix 2 .
3.0	Main Report
	<u>Background</u>
3.1	As set out above, a review of the current Public Health Act (Northern Ireland) 1967 highlighted the need to update the Northern Ireland antiquated public health legislative framework to allow for an effective and fit for purpose response to 21st century public health emergencies.
3.2	The overarching principle of the draft Bill is to introduce an all-hazards approach. The focus of previous public health legislation has been to protect the public in relation to infectious diseases. The all-hazards approach allows for action in relation to a much broader range of risks to public health, including various forms of infection and contamination including biological, chemical, and radiological.
3.3	This all-hazards approach will enable broader public health surveillance in the fight against new illnesses and conditions, supporting more timely and effective interventions, controlling the further spread of infection and contamination generally.

3.4	<p>In the context of emergency situations, it also introduces a range of new powers to control infection.</p>
	<p><u>Key Issues</u></p>
3.5	<p>The consultation explores four key themes: structure and purpose of the bill, organisational responsibilities, public health powers and protecting individuals.</p>
3.6	<p>In general officers agree with an all-hazards approach and welcomes Northern Ireland being brought into line with the rest of the UK with regards to public health legislation. However, the extent to which councils will be responsible for these additional powers has not been set out and therefore it is impossible to meaningfully respond to the consultation save for broad support of the principles which underpin the policy intent.</p>
3.7	<p>It is officer's view that further consultation and engagement with councils is necessary by the Department of Health and PHA to understand the proposed roles and responsibilities for these new powers and how that will impact upon councils. The key aspects of the impact of new powers and resourcing of these are of concern. Officers are also of the view that general population controls related to health security, monitoring and surveillance and emergency enforcement powers stated in the consultation document are matters for the Department of Health to determine and we state this throughout our response.</p>
	<p><u>Financial & Resource Implications</u></p>
3.9	<p>Any additional enforcement powers or responsibilities would require significant additional funding which must be provided on a permanent basis. The Department of Health remain key to making clear some of the critical aspects raised in the consultation and that if any impact on councils is identified, it cannot be at the expense of local rate payers. Therefore a route of resourcing and budget provision must be identified and secured. This has been highlighted throughout the draft consultation response.</p>
	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
3.10	<p>None at present.</p>
	<p>Appendices - Documents Attached</p>
	<p>Appendix 1 - Belfast City Council Consultation Response to Public Health Bill Appendix 2 – Full Consultation Document</p>