

**EASTERN METROPOLITAN REGION
NETWORK**

**SUBMISSION IN RESPONSE TO THE
DISCUSSION PAPER**

**REVIEW OF THE *HEALTH ACT 1958*
A NEW LEGISLATIVE FRAMEWORK FOR
PUBLIC HEALTH IN VICTORIA**

NOVEMBER 2004

The Eastern Metropolitan Network (EMR Network) is a group of seven local government officers who have carriage of their council's Municipal Public Health Plans. Five of these officers (see below) have jointly developed this submission to the Review of the *Health Act 1958*.

The EMR Network has been meeting for two years to discuss issues related to the development and implementation of MPHPs. As a Network we applied for and were successful in gaining a Good Practice Program grant from the Department of Human Services. This funding is being used to undertake some practical projects aimed at increasing the strategic reach of the MPHPs across our organisations and continuing to respond to health and wellbeing issues in the context of the natural, built, economic and social environment.

We therefore welcome the opportunity to provide comment on the Review and have focussed our attention primarily on those sections that relate to local government's role planning for the health and wellbeing of the community through MPHPs.

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Section Three – Overarching Framework

3.1 Name of the new Act

Issue for comment:

1. Should the Act be renamed and, if so, what name would best reflect the role and purpose of the new Act?

We have two suggestions:

Public Health Act as it reflects both the regulatory functions traditionally associated with Council *health* services and the *public* dimension of Municipal Public Health Plans which have a whole-of-community focus.

Community Health and Wellbeing Act as all of our MPHPs include the words ‘community’, ‘wellbeing’ and ‘health’ in their titles in recognition of the social model of health that they are based on.

3.2 Scope of the new Act

Issues for comment:

3. Should the new Act recognise the importance of promoting public health and, if so, how should the new Act do this?
4. Should the new Act recognise the need to address inequalities in the health and wellbeing of disadvantaged communities and, if so, how should the Act do this?

3. Yes, the new Act should recognise the importance of health promotion by ensuring that information on the relationship between the natural, built, social (including culture) and economic environments and health outcomes is taken into account in decision making and planning. The Victorian Department of Human Service’s Environments for Health framework would be a useful reference to include¹. The new Act could also do this through its objects clause (see Question 5 below).

4. By referring to the Environments for Health Framework and incorporating a social model of health and understanding of the social determinants of health and wellbeing the new Act would be able to recognise the need to address inequalities in the health and wellbeing of disadvantaged communities.

¹ Department of Human Services, Environments for Health: promoting health and wellbeing through built, social, economic and natural environments – Municipal Public Health Planning Framework.

3.3 Objects

Issue for comment:

5. What objects provisions would represent the public health objectives, values and outcomes that the new Act should aim to achieve?

The object provisions in the example given on the top of page 12 would represent the public health, values and objectives that the new Act should aim to achieve. The object provisions should be drafted as statements of intention rather than create a strict statutory obligation.

Section Four – Intersectoral Relationships

4.2 Functions of municipal councils

Issues for comment:

9. Should the new Act retain the functions for municipal councils as set out in the current Act?

10. Should the new Act recognise municipal council's role in :

- Planning, advocating and providing organised public health programs?
- Developing and implementing strategies to protect and improve public health, and promote community health and wellbeing?

9. Yes, the new Act should retain the functions for municipal councils as set out in the current Act.

10. Yes, the new Act should also recognise municipal councils' role in:

- Planning, advocating and providing organised public health programs
- Developing and implementing strategies to protect and improve public health, and promote community health and wellbeing

4.3 Partnerships in public health

Issue for comment:

11. Should the concept of partnership between state and local government, and between government and non-government, be addressed in the new Act?

11. Yes, the concept of partnership between state and local government, and between government and non-government be addressed where relevant and appropriate and as determined by the partners. Each of the councils in the EMR Network has strong partnerships with Community Health Services, Primary Care Partnerships, Divisions of General Practice, Police and others in the development and implementation of our MPHPs.

4.4 Municipal public health plans

Issues for comment:

12. Should the new Act place greater emphasis on implementing the MPHP and achieving its outcomes, rather than just developing a document, and if so, how could this be achieved?

13. Should the new Act require that municipal councils set out how they intend to fulfil their statutory functions in their MPHPs?

14. Should the new Act retain the requirement to prepare MPHPs at set intervals and to review MPHPs annually in consultation with the Department of Human Services

15. What should be the local government reporting requirements, if any, under the new Act? For example, should the new Act retain the requirement to report annually and at other times as directed by the Secretary? Should there be a requirement to submit MPHPs? If so, what would be the expected value of such reporting requirements?

16. Should the new Act link the requirement to prepare a MPHP to other planning processes within local government, such as the Council Plan? For example, should the requirement be to prepare MPHPs every four years?

12. Each of the seven eastern metropolitan local governments already places great emphasis on implementing our MPHPs and achieving their outcomes. The Plans have separate Action Plans that include output and other performance measures. The development and implementation of the MPHP is a key action in our Council Plans and audited accordingly.

13. No, the new Act shouldn't require municipal councils to set out how they intend to fulfil their statutory functions. Over the last decade MPHPs have moved away from a focus on these functions and towards a broader social model of health. This shift has led to MPHPs gaining the status of strategic rather than operational documents in the EMR Network's member councils. The statutory functions are more appropriately reported in the relevant department's operational plans.

14. Yes, the new Act should retain the requirement to prepare MPHPs at set intervals and to review MPHPs annually in consultation with the Department of Human Services. A four-year interval to coincide with the preparation of the Council Plan would be preferable. MPHPs are currently reviewed annually in consultation with a broad based committee of stakeholders including regional Department of Human Service public health staff. The EMR Network has excellent relationships with regional DHS health promotion and public health staff.

15. There is no need for local government reporting requirements under the new Act. As outlined in the answer to Question 12 (above) reporting already occurs in our Council Plans and operational plans.

16. Yes, the new Act could link the requirement to prepare a MPHP to the Council Plan. As outlined in the answer to Question 12 (above) councils in the eastern region are already doing. This requirement would assist with the elevation of MPHPs to the same level of prominence as the MSS.

Section Six – Health Impact Assessments

The EMR Network has an interest in the use of Health Impact Assessment in the development of projects, programs and policies, particularly those in the non-health related fields such as transport and housing. However, a great deal of resources and skills-development would need to be made available to local government if HIA became a legislative requirement.

References

Department of Human Services (2001), Environments for Health: promoting health and wellbeing through built, social, economic and natural environments – Municipal Public Health Planning Framework

Knox City Council Community Health and Wellbeing Strategy 2004-2007

Maroondah Health, Safety and Wellbeing Plan 2003-2005

Shire of Yarra Ranges Community Well-Being Plan 2002-2005

Boroondara Municipal Public Health Plan 2003 - 2006 "A strategy for enhancing health, well-being and independence".

City of Monash Municipal Public Health Plan 2004-2006