

23 December 2005

FAXED

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CA

Mr Stephen Lodge
Manager
Legislation Review Unit
Public Health
Department of Human Services
GPO Box 1670N
MELBOURNE VIC 3001
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Dear Mr Lodge

Initial submission to Review of the Health Act 1958 – Draft policy paper

The Victorian Council of Social Service (VCOSS) welcomed the review of the Health Act 1958 in our submission in November 2004, and endorses the aim of the Review to achieve a simplified, coherent and modern legislative framework. VCOSS welcomes the opportunity for the community sector and other key stakeholders to contribute to this aim.

VCOSS notes its concerns, however, at the extremely short timeframe in which the Public Health Branch has allowed for submissions. Many organisations in both the community and health sectors are concerned that the initial timeline for analysis of, and response to, the Draft policy paper has been extremely short. VCOSS does not believe that two weeks is a sufficient period to enable organisations and individuals to analyse and provide a considered response, particularly amongst significant end-of-year tasks. The availability of an extension of the deadline until 30 January is appreciated. However, given the time of year at which the Draft policy paper was released, and the fact that a number of organisations operate at severely limited capacity during January, many will not find that this extension gives them sufficient time to prepare a thorough response.

This submission is intended to provide the Legislative Review Unit in the Public Health Branch with some indicative comments. VCOSS will provide a more detailed submission in late January.

Scope

- VCOSS endorses the following recommendations that the public health Act recognise:
 - (3) the importance of promoting public health
 - (4) the need to address inequalities in the health and wellbeing of disadvantaged communities.

Definitions

- VCOSS endorses recommendation (6), adopting the broader view of health.

Patron
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- Objects
 - VCOSS supports the proposed Objects of the Act outlined in recommendation (11). VCOSS advocates that it would be of value for the Objects to also acknowledge that health is a fundamental human right.
 - VCOSS is concerned that the Object proposed for the new legislation are not reflected throughout the new Act, with much of the discussion paper and recommendations limited to being a traditional public health tool.
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- Guiding Principles
 - VCOSS endorses the principles outlined for the public health Act, particularly the principles of primacy of prevention, evidence based decision making, accountability and collaboration.
 - VCOSS is concerned that there is no principle of health equity, given there is a specific object relating to reducing the social and health inequalities of all Victorians (recommendation 12).
- 55
- Functions of Municipal Councils and Municipal Public Health Plans
 - VCOSS supports the requirement for municipal councils to prepare Municipal Public Health Plans (MPHPs) (recommendation 55).
- 56
- In defining what should be addressed in MPHPs Municipal councils should have a specific responsibility to address the health and wellbeing of Victorians who experience disadvantage – this links to recommendation (12).,
 - VCOSS supports municipal councils being required to engage its local community in developing, implementing and evaluating MPHPs, (recommendation 56). Municipal councils should also be required to consult with local community and health service providers.
- 15+
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- Partnerships in Public Health
 - VCOSS endorses the new Act recognising and facilitating Intersectoral partnership and collaboration, and supports the proposed mechanisms to achieve improved partnership and collaboration.
 - VCOSS believes that in developing any such mechanisms, the Public Health Branch should both ensure that any mechanisms are resources and look to other mechanisms, particularly at the State Government level, that it can utilise. For example, Aboriginal Affairs Victoria has recently completed a process with Indigenous communities that has resulted in the establishment of local, regional and state representative structures.
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- Statewide Public Health Plan
 - VCOSS endorses the development of a non-legislative Public Health Plan, but believes that the requirement for this plan be specified in the Act. VCOSS advocates that the legislative requirement be for the Department of Human Services to develop a Public Health Plan for a prescribed period, for example, every three five years.
 - VCOSS advocates that a Health and Equity Plan be a prescribed part of any Public Health Plan

Please contact either Cath Smith, Chief Executive Officer, or myself, mobile: 0419 896 859, in relation to this submission.

Please note that the VCOSS office is closed from 23 December 2005 to 3 January 2006. Please also note that the VCOSS office is moving. From 3 January the office will be at:

Level 8

128 Exhibition Street
Melbourne VIC 3000.

Our telephone, facsimile, email and web contact details remain the same.

Yours sincerely
Victorian Council of Social Service



Carolyn Atkins
Deputy Director