

**Open Report on behalf of Tony McGinty, Interim Director of Public Health**

Report to:	<b>Executive</b>
Date:	<b>07 March 2017</b>
Subject:	<b>Annual Report of the Director of Public Health on the Health of the People of Lincolnshire 2016</b>
Decision Reference:	<b>I013029</b>
Key decision?	<b>No</b>

**Summary:**

The Annual Report on the Health of the People of Lincolnshire from the Director of Public Health is an independent statutory report to Lincolnshire County Council. The report raises issues of importance to the health of the population of Lincolnshire.

**Recommendation(s):**

Executive is requested to receive the Annual Report on the Health of the People of Lincolnshire from the Interim Director of Public Health and consider the recommendations included in each chapter.

**Alternatives Considered:**

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| 1. | None |
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**Reasons for Recommendation:**

This is a statutory annual report and the Executive is asked to note its recommendations.

## **1. Background**

It is a statutory duty of the Director of Public Health to produce an annual report on the health of the people of the area he/she serves. It is a statutory duty on the local authority for that area (in this case the Council) to publish that Report. The report attached at Appendix A is the latest report of the Director of Public Health for Lincolnshire. The report is not an annual account of the work of the Public Health Team, but an independent professional view of the state of the health of the people

of Lincolnshire, with recommendations on the action needed by a range of organisations and partnerships.

As Interim Director of Public Health this is my first annual description of the state of the health of the people of Lincolnshire, and one I have enjoyed working with my colleagues to design and compile.

I decided this year to focus on the mental health and mental illness profile of local people. My decision was based on the principle best described as 'no health without mental health', which leads us to a definition of mental health as a resource, rather than simply a state involving the absence of illness or distress.

Good mental health is a valid goal in and of itself for individuals and communities to pursue. However, it is also a pre-requisite for people to achieve their goals and potential in life; to support their ability to make good choices and protect themselves from harm. Many different factors can support or challenge the mental health of individuals and communities, and these have more or less of an affect at different points in people's lives. For this reason my report is presented as a series of points along the average life-course, highlighting the risks and opportunities to mental health at each of these stages of life.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- \* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- \* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

An Equality Impact Analysis has not been carried out on the annual report. However consideration has been given within the report itself to matters relating to inequalities and how these impact on the mental health of the population.

#### Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

This report is an independent professional view of the state of the health of the people of Lincolnshire by the Interim Director of Public Health. It has, therefore, drawn from a wide range of evidence including, but not limited to, the JSNA.

#### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

The report covers a number of risk factors and impacts that mental health can have on the health of the people of Lincolnshire and this includes the impact that mental health can have on perpetrators and victims of crime.

### **3. Conclusion**

The statutory annual report of the Interim Director of Public Health on the Health of the People of Lincolnshire has now been prepared and the Executive is asked to receive and note the recommendations included in each chapter.

#### **4. Legal Comments:**

Under section 73B of the National Health Service Act 2006, the Director of Public Health must prepare a report on the health of the people of the area and the Council must publish that report.

Consideration of the report prior to its publication is within the remit of the Executive.

#### **5. Resource Comments:**

In 2016/17, Lincolnshire County Council's Public Health Grant allocation was £34.371m.

The Public Health Grant is for activities whose main or primary purpose is to improve the public health of local populations as described in Appendix A and as per the conditions of the grant which are described in Local Authority Circular LAC(DH)(2016).

#### **6. Consultation**

##### **a) Has Local Member Been Consulted?**

n/a

##### **b) Has Executive Councillor Been Consulted?**

n/a

##### **c) Scrutiny Comments**

This report has not yet been considered by a Scrutiny Committee.

##### **d) Have Risks and Impact Analysis been carried out??**

No

##### **e) Risks and Impact Analysis**

None

#### **7. Appendices**

These are listed below and attached at the back of the report

Appendix A	Annual Report of the Director of Public Health on the Health of the People of Lincolnshire 2016.
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## **8. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Tony McGinty, who can be contacted on 554229 or [tony.mcginty@lincolnshire.gov.uk](mailto:tony.mcginty@lincolnshire.gov.uk) .

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