

01-049

DEPARTMENT OF DEVELOPMENT SERVICES
ENVIRONMENTAL HEALTH & TRADING STANDARDS SERVICE

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OUR REF: ADM/SMH/01.16

YOUR REF:

12 January 2007

Sean Doohan
Scottish Executive Health Department
Public Health Team
3E(S), St Andrew's House
Regent Road
Edinburgh
EH1 3DG

Dear Mr Doohan

Public Health Consultation Response

I refer to the current consultation exercise concerning possible changes in the legislation and have some concerns, particularly with regard to the working relationship between NHS Boards and local authorities, whereby the existing co-operative arrangements are proposed to be replaced by what appears to be a master/servant relationship – rather like the situation of years ago before the recognition of the professionalism which existed, and still exists, within local authority environmental health units.

Further, I feel that the proposals in relation to working relationships are an inevitable consequence of the imbalance in the membership of the Public Health Legislation Review Group which is weighted against the Environmental Health profession. Co-operation must be two-way. There is at least a perception of bias, which is unfortunate.

On to specifics:

Question 1 – Particularly with regard to food-borne illness it is not realistic to split responsibility along people/property lines. Further, the removal of powers from an elected body to an appointed one takes the public at large yet one more step away from democracy.

Question 2 – It is not considered that cultural and moral sensitivities should influence the reportability of a new condition or hazard.

Question 3 – The involvement of the Chief Executive of the NHS Board seems unnecessary. In any event this once again suggests the primacy of NHS where, in many instances, the lead on any investigation should be the local authority.

Question 4 (specifically 4.7) – I refer to the earlier suggestion that the division along people/property lines is questionable. However, no strong feelings as to who should pay compensation.

