

ENVIRONMENTAL DEVELOPMENT

& ALLIED PROFESSIONALS

16 April 2010

Centre for Health Protection
NSW Department of Health
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Dear Sir/Madam

RE: Draft Public Health Bill 2010 overview of the Public Health Act 1991

Following a recent committee meeting and de-briefing on the proposed changes on behalf of EDAP members we submit the following submission on the proposed overview of the *Public Health Act 1991*.

- 1 EDAP requests that the current Bill be put on hold and the consultation period be extended to allow sufficient time for the various stakeholders to provide constructive input into this important piece of legislation. The issue of Public Health has undergone major alterations and an extended period of consultation would be appropriate this would provide a window of opportunity to review interstate and international legislation and ensure the new legislation takes into account the major changes that have occurred and meets the challenges of the future.
- 2 The proposal to rename ***Environmental Heath Officers/Surveyors*** to ***Health Inspector*** is strongly opposed. The profession of Environmental Health Officer/Surveyor has fought over the years to have the term ***inspector*** deleted as such title is belittling to the profession and is going back to the Public Health Act of 1896 when such profession was known as "***inspector of nuisances***" and were renamed "***sanitary inspectors***"

Environmental Health Surveyors/ Officers may perform the following tasks:

- investigate complaints about food safety and make sure that shops, restaurants and food processors follow health regulations
- monitor and control water, air and noise pollution and collect water samples for analysis
- initiate and conduct environmental health impact or risk assessments
- design and conduct health education programs or public information campaigns

- prepare policy documents and guidelines relating to environmental health matters
- manage immunisation campaigns
- investigate and manage public health incidents such as disease outbreaks
- assess development applications and inspect houses and public buildings to make sure that they comply with environmental or health and safety standards
- inspect and license premises, such as tattoo parlours and acupuncturists, where skin penetration and body piercing occurs, and inspect hairdressing and beauty salons
- maintain records, prepare statistics, write reports, and give evidence in court cases where health or environmental regulations have been violated
- manage the collection and destruction of used syringes from doctors, dentists and nursing homes
- supervise the exhumation of bodies from graves and inspect mortuaries.

The NSW Food Authority have gone to great lengths through its partnership with Local Government to raise the profile of both food safety and role of the Environmental Health Surveyors and a proposal to revert to Health Inspector is not seen as promoting this role.

- 3 The proposal to **not** require any qualifications for Health Surveying is in total contrast to the requirements recently announced by the Department of Planning Building Professionals Board to require accreditation of Council Building Surveyors. This proposal is also a retrograde step for the profession of Environmental Health Surveying.
- 4 The proposal to add further requirements of Local Government to keep registers for all public pools and spas and skin penetration premises. Local Government is already stretched to the limit and any additional workloads will need to be resourced by the State.
- 5 The Public Health Act Regulations will also need review in light of the proposed amendments to the Public Health Act and as such amended Regulations have not yet been made available EDAP reserves the right to provide an additional submission on the amended regulations.

Conclusion

Local Government has had an active role in Public Health since the nineteenth century. The current Draft Public Health Bill provides an opportunity to ensure Health Surveyors and Local Government with defined powers and responsibilities to carry out their functions.

The NSW Food Authority as earlier noted have adopted a model for co-operative and sustainable relationships between the Authority and Local Government and the key elements of the model are:

- an organisational and political consensus about a vision for the management of public health

- an acknowledgement that Local Government needs to recover the costs of regulatory functions,
- an articulation of what Local Government were willing to do and able to do within their existing resources,
- a delineation of the roles of Local Government and Authority,
- careful articulation of the powers of Local Government provided to enable them to carry out their regulatory tasks,
- regulatory tools which are appropriate to carry out the designated regulatory functions,
- provision of regular training to Local Government officers
- setting up regional groups throughout the State
- setting up a State body with Local Government representatives reporting directly to the Minister
- a State liaison group established to hear stakeholders viewpoints

The process was a lengthy one but ensured the success of the NSW Food Authority and Local Government Partnership and as such model has been a huge success. It is suggested that the Department take a step back and consider this model of consultation.

The group looks forward to your reply and would be pleased to provide any additional information which may be required on these matters.

Yours faithfully

Alan Lindsay
Secretary EDAP

**Cc DEPA,
Ms D Fardell MP Member for Dubbo,
Riverina Group,
EDAP Members**