

27 January 2021		ITEM: 11
Council		
Director of Public Health Recruitment		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Rob Gledhill, Leader of the Council		
Accountable Director: Lyn Carpenter, Chief Executive		
This report is Public		

Executive Summary

In accordance with Constitutional requirements this report seeks approval from Council to appoint to the interim Director of Public Health.

Following a search and selection process, General Services Committee (GSC) interviewed on the 19 January 2021. GSC recommends the appointment of [*name to follow*] as interim Director of Public Health.

In accordance with Public Health England requirements and Faculty of Public Health Guidance, attached as Appendix 1, the Council is obliged to establish a specialist panel to conduct recruitment to a permanent Director of Public Health. The panel comprises of representatives from Public Health England, Faculty of Public Health, NHS and the recruiting Local Authority. Furthermore, final approval of the appointment of the permanent Director of Public Health is granted by the Secretary of State for Health and Social Care.

1. Recommendation(s)

- 1.1 To approve in accordance with the Council's Constitution the appointment of [*name to follow*] as the interim Director of Public Health.**
- 1.2 To agree in accordance with the Council's Constitution (Chapter 2; Part 1; Article 4; 4:1) the appointment of the sub-committee set out at 4.5 below to conduct recruitment to the permanent Director of Public Health.**
- 1.3 To agree in accordance with the Council's Constitution (Chapter 2; Part 1; Article 4; 4:1) to discharge approval of the appointment to a permanent Director of Public Health to the sub-committee set out at 4.5 and the Secretary of State for Health and Social Care.**

2. Introduction and Background

- 2.1 The Director of Public Health role will become vacant from 1 March 2021 when the existing postholder takes up the role of Corporate Director of Adults, Housing and Health.
- 2.2 As a statutory role for the Council it is essential that the post is filled on an interim basis whilst the permanent recruitment process is underway.
- 2.3 The requirements relevant to the appointment of a permanent Director of Public Health are set out in the guidance, attached as Appendix 1, produced by Public Health England in partnership with the Faculty of Public Health and Local Government Association. This sets out the recruitment process to be followed and the composition of the panel that must be involved in the selection and appointment.
- 2.4 Local Authorities must have regard to the statutory provisions and best practice guidelines when undertaking recruitment for this role and adapt normal processes to comply.

3. Interim Director of Public Health Recruitment

- 3.1 Recruitment to the interim Director of Public Health role commenced in December 2020.
- 3.2 One candidate was interviewed by General Services Committee on 19 January 2021.
- 3.3 The recommendation of General Services Committee is to appoint [*name to follow*] as interim Director of Public Health.

4. Permanent Director of Public Health Recruitment

- 4.1 In accordance with Public Health England and Faculty of Public Health guidance recruitment to a permanent Director of Public Health should be undertaken by a panel comprising of representatives from Public Health England, Faculty of Public Health, NHS and the recruiting Local Authority. Furthermore, approval of the appointment of a permanent Director of Public Health must be provided by the Secretary of State for Health and Social Care.
- 4.2 In accordance with this guidance Council is asked to approve the appointment of a temporary sub-committee that will carry out recruitment to this role on behalf of the General Services Committee.
- 4.3 Council is asked to give approval for this sub-committee to make the recommendation for appointment to the Secretary of State for Health and Social Care and to discharge the duty set out in the Constitution for Council approval of the appointment.

4.4 This approach will enable the Council to adhere to the statutory guidance and meet the requirements for the Secretary of State's approval of the appointment in compliance with the employment procedural rules set out in the constitution.

4.5 The panel required to be appointed as sub-committee will include:

1	Cllr James Halden	Chair of Health and Wellbeing Board
2	Cllr Allen Mayes	Cabinet Member for Health
3	Cllr Victoria Holloway	Shadow Portfolio Holder
4	Lyn Carpenter	Chief Executive
5	Ian Wake	Director of Public Health
6	Dr Aliko Ahmed	Regional Director, Public Health England
7	To be confirmed	Faculty Assessor, Faculty of Public Health
8	To be confirmed	Senior NHS Representative

5. Reasons for Recommendations

5.1 To appoint to the interim Director of Public Health to ensure the council fulfils statutory functions and requirements and has appropriate senior leadership in place.

5.2 To discharge the functions of recruitment and approval of the permanent Director of Public Health to the recommended sub-committee to recruit in accordance with Public Health England and Faculty of Public Health guidance.

5.3 To allow the Council to recruit to the permanent Director of Public Health to ensure the council fulfils statutory functions and requirements and has appropriate senior leadership in place to deliver critical services and ambitions.

6. Consultation

6.1 Appointment to the interim Director of Public Health role has been conducted by General Services Committee. GSC recommends the candidate be approved by Full Council.

6.2 Group Leaders have been consulted on the recommendations for the permanent recruitment process.

7. Impact on corporate policies, priorities, performance and community impact

7.1 The Director of Public Health is a politically restricted statutory officer post under Section 73A of the National Health Service Act 2006, as amended by the Health and Social Care Act 2012.

8. Implications

8.1 Financial

Implications verified by: **Sean Clark**
**Corporate Director of Finance, Governance
and Property**

This is a substantive, statutory post and is therefore included within the council's core budgets.

8.2 Legal

Implications verified by: **Ian Hunt**
**Assistant Director Legal Services and
Monitoring Officer**

Under section 73A of the National Health Services Act 2006 as amended by the Health and Social Care Act 2012, local authorities have a statutory duty, acting jointly with the Secretary of State for Health and Social Care, to appoint a Director of Public Health.

The recruitment process should be undertaken in accordance with the relevant guidance employment law provisions and the authority's constitutional framework.

8.3 Diversity and Equality

Implications verified by: **Rebecca Lee**
**Team Manager Community Development &
Equalities**

This appointment is recommended based on the council's recruitment process which is underpinned by the council's equal opportunity policy.

9. Appendix

Appendix 1 - Faculty of Public Health and Public Health England Guidance

Report Author:

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