

DECISION-MAKER:	EMPLOYMENT AND APPEALS PANEL		
SUBJECT:	ESTABLISHMENT OF JOINT EMPLOYMENT PANEL FOR THE APPOINTMENT OF A JOINT DIRECTOR OF PUBLIC HEALTH WITH PORTSMOUTH CITY COUNCIL		
DATE OF DECISION:	13 TH JULY 2016		
REPORT OF:	SERVICE DIRECTOR, LEGAL AND GOVERNANCE		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY			
None			
BRIEF SUMMARY			
<p>The Director of Public Health (DPH) post is currently appointed as an interim position. It is therefore necessary to consider recruitment to this position and the purpose of this report is to seek members' approval to formally engage with Portsmouth City Council with a view to securing a jointly appointed post to fulfil the statutory role of Director of Public Health.</p>			
RECOMMENDATIONS:			
	(i)	To approve the establishment of a joint Employment Panel with Portsmouth City Council;	
	(ii)	To approve the terms of reference for the joint Employment Panel as set out in paragraph 9 of the report for incorporation into Part 3 of the Council's Constitution;	
	(iii)	To determine that the membership of the Panel should comprise: 2 members from each authority together with 2 co-opted non-voting members from Public Health England and the Faculty of Public Health (as required by the Secretary of State for Health).	
	(iv)	That the vision for a shared service be endorsed and a Joint Director of Public Health be appointed;	
	(v)	That delegated authority be granted to the Chief Executive following consultation with the Chief Executive of Portsmouth City Council to undertake such arrangements as considered appropriate to enable the appointment to be made.	

REASONS FOR REPORT RECOMMENDATIONS	
1.	For contractual and practical reasons it is necessary to have the Director employed by one host authority. The authorities have informally agreed that will be Southampton City Council. It is however, imperative that as the Director will be responsible for a range of services for both unitary authorities and strategic health partners that both the Councils are intrinsically involved at member level in all stages of the appointment.
2.	To comply with the requirements of the Health and Social Care Act 2012.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
3.	To continue with the current interim appointment is not considered appropriate in order to fulfil both authorities duties and aspirations
4.	Similarly, the appointment of a Director of Health solely for Southampton is not considered to be the most cost efficient option given the reductions to local authority budgets.
DETAIL (Including consultation carried out)	
5.	There is a requirement for upper-tier councils to appoint a Director of Public Health under the Health and Social Care Act 2012. Guidance from the Department of Health states that the DPH should:
	<ul style="list-style-type: none"> • be the person who elected members and senior officers look to for leadership, expertise and advice on a range of issues, from outbreaks of disease and emergency preparedness through to improving local people’s health and concerns around access to health services • know how to improve the population’s health by understanding the factors that determine health and ill health, how to change behaviour and promote both health and wellbeing in ways that reduce inequalities in health • provide the public with expert, objective advice on health matters • be able to promote action across the life course, working together with local authority colleagues such as the director of children’s services and the director of adult social services, and with NHS colleagues • work through local resilience fora to ensure effective and tested plans are in place for the wider health sector to protect the local population from risks to public health • work with local criminal justice partners and police and crime commissioners to promote safer communities • work with wider civil society to engage local partners in fostering improved health and wellbeing. <p><i>(Department of Health: Directors of Public Health in Local Government: Roles, responsibilities and context. 2012)</i></p>

6.	<p>It is felt that, with adequate safeguards and controls, the statutory role of DPH could be carried out jointly with another council. This would enable a financial saving to be made by both parties, as well as facilitating a more efficient use of other Public Health resources. In the lead-in to the transfer of public health responsibilities to local government, the Council did share a DPH with Portsmouth for an interim period. Both councils then decided to appoint a full time DPH to oversee and shape the implementation of the transfer in each city.</p>
7.	<p>Subsequently, there have been huge reductions to local authority budgets, including cuts to the Public Health grant from the Department for Health. Both councils have also progressed their adoption of the public health responsibilities and the two cities share many similarities in terms of the health profiles and needs of their populations. Public Health has been identified as an area of high expenditure with growing pressures. Therefore, it is appropriate to seek ways in which capacity and expertise can be deployed more efficiently. As Public Health responsibilities have become more embedded within local government, and as we have developed our thinking locally about the integration across health and social care, there has been good reason to explore whether this capacity and expertise should be deployed on a sub-regional basis, i.e. between Portsmouth, Southampton and the Isle of Wight.</p>
8.	<p>At this stage, the Isle of Wight does not seek a shared arrangement at DPH, but is interested in exploring greater collaboration in other aspects of public health, such as the deployment and skills sets of the public health consultants across the area and the deployment of analysts. This work can be developed over time, giving the area a more robust and efficient service.</p>
9.	<p>Assuming that agreement can be reached across the two councils, a joint appointment would be sought, with an appointment panel comprising elected members from both councils, as well as the Government's required representation from Public Health England and the Faculty of Public Health. Both cities will also wish to ensure that their Clinical Commissioning Group colleagues and other partners are appropriately involved in the recruitment process. Any changes affecting current staff will have to be managed according to the relevant HR policies of each council.</p> <p>Terms of Reference</p> <p>The terms of reference for the Joint Employment Panel will be as follows:-</p> <p>“To shortlist, interview and appoint a Joint Director of Public Health for Southampton and Portsmouth City Councils upon such terms and conditions as appropriate by law”</p> <p>Indicative timelines are attached at Appendix 1 of the report.</p>

RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
10.	The current post is held within the structure at 0.5FTE at a total cost of £79k charged 100% to the Public Health Grant.
<u>Property/Other</u>	
11.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
12.	Health and Social Care Act 2012 and Local Government Act 2000
<u>Other Legal Implications:</u>	
13.	Government guidance and requirements dictate that both Public Health England and the Faculty of Public Health are intrinsically involved in the selection process. Under local government law they cannot be a voting member of the sub committee so therefore sitting in a co-opted non-voting capacity on the joint panel is most appropriate method of involving partners.
POLICY FRAMEWORK IMPLICATIONS	
14.	None
KEY DECISION	No
WARDS/COMMUNITIES AFFECTED:	none
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Draft timetable for appointment.
Documents In Members' Rooms	
1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
Privacy Impact Assessment	
Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.	No
Other Background Documents	
Equality Impact Assessment and Other Background documents available for inspection at: Civic Centre, Southampton.	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	Government Guidance document - Directors of Public Health in Local Government - Guidance on appointing directors of public health from 1 April 2013 (October 201	
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