

Committee Name and Date of Committee Meeting

Staffing Committee – 20 July 2020

Report Title

Recruitment of Director of Public Health

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

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Ward(s) Affected

None

Report Summary

This report sets out the process for the recruitment of a new Director of Public Health following the current postholder's notice of her intention to retire in October 2020.

Recommendations

1. That Staffing Committee approve the request to fill the vacant post of Director of Public Health and refer the process to the Advisory Appointments Committee to make the appointment.
2. That the variation to the remuneration package of the Director of Public Health be approved by Council, and the Pay Policy Statement be amended to reflect the revised remuneration package.

List of Appendices Included

None

Background Papers

Localism Act 2011 Hutton Review of Fair Pay in the Public Sector

Local Government Transparency Code 2015

Pay Policy Statement

Officer Employment Procedure Rules

Directors of Public Health in Local Government: Guidance on appointing directors of public health

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

Yes

Exempt from the Press and Public

No

Recruitment of Director of Public Health

1. Background

- 1.1 The current Director of Public Health has submitted their written resignation confirming their intention to retire at the end of October 2020.
- 1.2 Formal arrangements need to be made to fill the post on a permanent basis.

2. Key Issues

- 2.1 Staffing Committee is asked to give their approval to recruit a replacement for the Director of Public Health position which is a statutory function under the Health and Social Care Act. The Act sets out that each local authority must, acting jointly with the Secretary of State for Health, appoint an individual responsible for its public health functions. The postholder will continue to lead the public health team and sit under the Adult Care Housing and Public Health Directorate.
- 2.2 As per the Officer Employment Procedure Rules; Code of Conduct and Public Health England's guidance on appointing Directors of Public Health, if approval is given by Staffing Committee to fill the vacant post, plans will immediately begin for attraction and selection, led by the Advisory Appointments Committee. The Advisory Appointments Committee shall be comprised of:
 - *Leader of the Council*
 - *Relevant Cabinet Member*
 - *Leader of the Opposition*
 - an external professional assessor, appointed after consultation with the Faculty of Public Health;
 - the chief executive (or nominated deputy);
 - senior local NHS representation;
 - PHE regional director, or another senior professionally qualified member of PHE acting on their behalf; and
 - (in the case of appointments to posts which have teaching or research commitments), a professional member nominated after consultation with the relevant university.

It is intended to complete recruitment activity by September 2020.

- 2.3 Based on a three month notice period, it is expected that the successful candidate would take up post during December 2020, which may mean the post would be vacant for up to 6-8 weeks, although the current postholder has offered to extend their notice to a mutually agreed exit date.

- 2.4 In 2014, Commissioners agreed that in order to compete for the recruitment and retention of relevant qualified candidates, either medically qualified or not, that the job had the salary of an Assistant Director of £87,791 and a market supplement of between £9,000 to £20,000 dependant on qualification and experience to take the pay up to a similar amount that the appointee would receive on NHS pay rates. It is proposed that this formula is continued to be used.
- 2.5 The current package for the Director of Public Health post is currently £100,825, consisting of £87,791 Assistant Director salary and a market supplement of £13,034.
- 2.6 During the response to COVID-19 a modified recruitment protocol has been agreed and will be utilised if required, including the option to conduct the assessment stages of the recruitment process virtually.

3. Options considered and recommended proposal

- 3.1 Due to the statutory function of this post, the only viable option is to recruit on a permanent basis and minimise the impact of the post being vacant, if the current postholder is not able to extend their notice.

4. Consultation

- 4.1 Consultation has taken place with the Chief Executive and Leader of the Council.

5. Timetable and Accountability for Implementing this Decision

- 5.1 As per the Pay Policy Statement, Staffing Committee make recommendations to Council in relation to decisions affecting the remuneration of any post whose remuneration is or is proposed to be or would become £100,000 per annum or above.
- 5.2 Based on current plans and the requirement to have the new Director of Public Health in post prior to the end of the current postholders notice period, the post will be advertised for a period of four weeks from mid-July with assessment centre and final interview panels completed by early September.

6. Financial and Procurement Implications

- 6.1 The Director of Public Health post is funded within the Public Health budget and is therefore part of the Council's existing budget and financial plans. The proposed post salary is up to £107,791 per annum including the market supplement, however total cost of the post is £139,920 including on-costs. Based on the current planned departure date of the current postholder, the timing of the recruitment could leave the post vacant for at least one month, providing a saving of around £11,000. The post will incur recruitment costs, these are estimated to be between £15-20k which could be partially offset by the saving arising during the time that the post is vacant. Should the current postholder not leave until the appointee commences then there will be no salary savings to contribute to the recruitment costs and these will need to be managed within the overall Public Health budget.

7. Legal Implications

7.1 There are no direct legal implications arising from this report.

8. Human Resources Implications

8.1 An appropriately rewarded workforce motivates employees and meets standards of fairness and equality required by employment legislation.

8.2 During the current COVID-19 pandemic, the Director of Public Health is an essential role within the local authority and has a statutory duty to seek assurance around the steps in place to protect the health of the population. Therefore, it is imperative that a high calibre permanent replacement is sourced and begins employment with the Council as soon as practicable.

9. Implications for Children and Young People

9.1 The appointment of a suitably qualified and experienced candidate supports the Council's key priority of every child making the best start in life.

10. Equalities and Human Rights Implications

10.1 Fair pay structures are a requirement of employment and equalities legislation.

11. Implications for Partners and Other Directorates

11.1 The role is a member of the Adult Care Housing and Public Health Directorate Leadership Team as well as working corporately with the Senior Leadership Team, Elected Members and external stakeholders to ensure the Council vision, priorities and values are actively promoted and made a reality.

12. Risks and Mitigation

12.1 There is a risk that the Council will be unable to deliver their statutory function relating to health protection.

13. Accountable Officer(s)

Anne Marie Lubanski, Strategic Director, ACHP

Approvals Obtained from:-

	Named Officer	Date
Chief Executive	Sharon Kemp	09/07/20
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	03/07/20
Head of Legal Services (Monitoring Officer)	Bal Nahal	03/07/20
Assistant Director of Human Resources (if appropriate)	Lee Mann	02/07/20