

Wards Affected:

All Wards

ITEM 9**MILTON KEYNES COUNCIL****15 JANUARY 2014****APPOINTMENT TO THE ROLE OF LOCAL AUTHORITY DIRECTOR OF PUBLIC HEALTH**

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Executive Summary:

This report asks the Council to note the shared arrangements between the Council and two other Authorities and approve the appointment of Muriel Scott as the Director of Public Health for Milton Keynes. The recommendation ensures the effective and efficient fulfilment of the Director of Public Health role and responsibilities. The Director of Public Health is a statutory chief officer of their authority and the principal adviser on all health matters to Elected Members and officers, with a leadership role spanning all three domains of public health; health improvement, health protection, and healthcare public health.

The Government's vision for public health was set out in the white paper *Healthy Lives, Healthy People: Our Strategy for Public Health in England* published in November 2010.

From April 2013 public health services in England returned to being hosted by Local Authorities. Every local authority with new public health responsibilities must make a joint appointment, with the Secretary of State for Health, of a specialist Director of Public Health, who is accountable for the delivery of their authority's public health duties.

Milton Keynes Council, Bedford Borough Council and Central Bedfordshire Council have agreed to share a Director of Public Health, with the Director of Public Health directly accountable to each Council's Chief Executive in relation to discharging the responsibility of the Director of Public Health for their respective area. The Director of Public Health will agree work priorities and objectives with each Chief Executive for each area. Bedford Borough Council is the employing Authority.

This arrangement, and the appointment of Muriel Scott, as the Director of Public Health for Milton Keynes Council in addition to her current position as Director of Public Health for both Bedford Borough Council and Central Bedfordshire Council, is supported by Public Health England.

1. Recommendation

- 1.1 That Council notes the Agreement between the three Local Authorities and approves the appointment of Muriel Scott, as the Director of Public Health for Milton Keynes Council in addition to her current position as Director of Public Health for both Bedford Borough Council and Central Bedfordshire Council.

2. Issues

- 2.1 On the transfer of Public Health Services to Local Authorities, the previous Director of Public Health post for Milton Keynes had just been made redundant by the NHS so interim Director of Public Health arrangements were put in place for Milton Keynes Council pending a review of the local requirements for this role. This review determined that the most efficient, effective and appropriate arrangements would be to enter into an agreement with neighbouring Authorities to share one Director of Public Health. This arrangement has been successfully piloted and the appointment of the shared Director of Public Health is a logical outcome.
- 2.2 The most fundamental duties of a Director of Public Health are set out in law and how those statutory functions translate into everyday practice depends on a range of factors that will be shaped by local needs and priorities from area to area and over time. The shared appointment will allow for Milton Keynes' specific needs to be addressed and for those needs that are common to one or more parties to the agreement to be more efficiently progressed.
- 2.3 Consultation has been undertaken with the Leader, the Group Leaders and the portfolio holder, who are all supportive of this arrangement, of the Agreement with the other two Authorities, and of the appointment of Muriel Scott, as the Director of Public Health for Milton Keynes Council, in addition to her current position as Director of Public Health for both Bedford Borough Council and Central Bedfordshire Council. The process to determine both the suitability of the shared arrangements and the appointment of the DPH has been the subject of consultation with Public Health England, with its formal support for this appointment confirmed in **Annex A**.
- 2.4 Monitoring to facilitate the effective operation of the Agreement is the responsibility of each Local Authority and will be undertaken by the Local Authority Chief Executives, with formal six monthly reviews, with the option to terminate in the event of any concerns about performance. Formal and regular joint performance management arrangements are already in place between the three Chief Executives and the Director of Public Health to consider current issues and review progress.
- 2.5 In Milton Keynes, local performance management arrangements for the Director of Public Health include regular 1:1 meetings between the Chief Executive and Director of Public Health (often joined by the Corporate Director, Community Wellbeing) and quarterly Performance Challenge sessions at which the performance of the whole Public Health service against its service plan objectives, budget etc. is reviewed by the Corporate Leadership Team. In addition there are regular briefings with the portfolio holder; elected members have the ability for members to scrutinise and challenge performance through commenting on quarterly performance indicators; and there is ongoing Director of Public Health participation in the work of the Health and Wellbeing Board.
- 2.6 The formal annual performance appraisal process for the Director of Public Health, will be conducted by the employing organisation, but with full input from the other two Chief Executives.

3. Options

3.1 A Director of Public Health has generic functions, statutory functions and local authority functions (See **Annex B**). The appointment of a Director of Public Health is a statutory requirement, with freedom to determine the local arrangements in collaboration with the Secretary of State for Health.

3.2 At the point of the transfer of Public Health to Milton Keynes Council, there was no Director of Public Health in post. Swift action was needed to ensure the Director of Public Health responsibilities in respect of Milton Keynes could be met. An interim appointment was made as at paragraph 2.1 above, pending fuller consideration of the available options for the longer term; these included the appointment of a part or full time Director of Public Health dedicated to Milton Keynes. However, the success of the interim arrangements which allowed us to draw on an experienced Director of Public Health, already working in communities with comparable issues, able to swiftly establish effective working relationships with the Health and Wellbeing Board and relevant Clinical Commissioning Group, and able to deploy expertise and functional resources below the Director of Public Health level across the boundaries of the three Authorities to our mutual benefit was seen to be the most appropriate option particularly at a time when all councils must actively pursue and make the most efficient arrangements possible.

Full account has been taken of the Secretary of State guidance on the appointment of directors of public health covering more than one local authority to ensure that the Director of Public Health role and responsibilities for Milton Keynes can be fulfilled as required.

4. Implications

4.1 This recommendation ensures that the Council's statutory responsibilities for Public Health will be met appropriately, and contributes to achievement of the Council's Corporate Priorities, Vision and Values, specifically the ambition to create a 'Cleaner, Greener, Safer and Healthier MK'. It also supports the delivery of the Health and Wellbeing Strategy for Milton Keynes.

4.2 Resources and Risk

The cost of the Director of Public Health role is met within existing Public Health budgets; this appointment creates no pressure on the MTFP.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

Not applicable for this report.

4.4 Legal

There is Secretary of State guidance on the appointment of directors of public health covering more than one local authority.

The Health and Social Care Act 2013 made clear the duty on each unitary and upper tier authority to take such steps as it considers appropriate for improving the health of the people in its area. Each authority must, acting jointly with the Secretary of State, appoint an individual to have responsibility for its new public health functions, known as the director of public health. That individual could be shared with another local authority where that makes sense. In doing so the Council will wish to take into account a number of factors when considering whether to appoint a Director of Public Health to lead for across more than one unitary or upper tier authority area. These include:

- (a) the size of population;
- (b) existing or historical arrangements for working on the wider footprint and an assessment of their effectiveness and success;
- (c) the leadership requirements if more than one health and wellbeing board;
- (d) the number of committees and strategic partnership groups the Director of Public Health is required to lead, advise and attend;
- (e) the leadership role in relation to more than one joint strategic needs assessment and overseeing its development and use;
- (f) the ability to deliver range of corporate responsibilities across more than one local authority area;
- (g) the ability to build relationships and inform elected members across more than one local authority and to act as an advocate and champion of the public's health;
- (h) the implications of the span of the role in relation to delivery of public health advice, including to NHS commissioners;
- (i) the implications of the span of the role in relation to ensuring robust health protection arrangements; and
- (j) other local factors that may impact on the successful delivery of leading for public health and improving the health of local people in each local authority area.

4.5 Other Implications

None for this report.

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers: None