



Meeting: Council

Date: 4 December 2014

Wards Affected: All Wards

Report Title: Appointment of Director of Public Health

Is the decision a key decision? Yes

When does the decision need to be implemented? As soon as possible

Executive Lead Contact Details: Councillor Chris Lewis, Executive Lead Health and Well Being, Chris.lewis@torbay.gov.uk

Supporting Officer Contact Details: Julia Baldie, Human Resources Advisor, 01803 207374. Julia.baldie@torbay.gov.uk

1. Purpose and Introduction

- 1.1 Following the resignation of Torbay's permanent Director of Public Health in 2013, Public Health England gave the Council permission to appoint a replacement on an interim basis whilst undertaking an options appraisal for the future.
- 1.2 The Council now needs to appoint a permanent Director of Public Health to fulfil its statutory obligations, ideally concluding the appointment before 1st April 2015 when the current temporary arrangements are scheduled to end.
- 1.3 In recent months the Executive Director and Council Officers have been working with stakeholders with the support from Public Health England, to explore different service models to reflect the emerging Integrated Care Organisation and Pioneer Bid propositions.
- 1.4 Eight options have been explored, including possible joint working with other organisations, including Torbay's Clinical Commissioning Group (CCG) and/or Devon County Council and/or Plymouth City Council.
- 1.5 Stakeholder consultation has now concluded with input from: South Devon Healthcare NHS Foundation Trust, Torbay and Southern Devon Health and Care Trust, South Devon and Torbay Clinical Commissioning Group (CCG), Public Health England, Devon County Council, across Directorates within Torbay Council (e.g. Adults, Children, Place, Community Safety and Public Health), Gordon Oliver, Elected Mayor of Torbay, Chris Lewis, Chair of the Torbay's Health and Wellbeing Board and David Taylor, Chair of Torbay's Local Safeguarding Children Board.

2 Proposed Decision

- 2.1 That a joint appointment be made with the Clinical Commissioning Group to the post of Director of Public Health and that Option 7 of Appendix 1 to the submitted report be adopted as the preferred model for future service delivery.
- 2.2 That it be noted that the Recruitment to the Director of Public Health post must adhere to the recruitment process set out by Public Health England in partnership with Faculty of Public Health and the Local Government Association.
- 2.3 That the Executive Director of Operations and Finance in consultation with the Executive Lead for Health and Wellbeing be delegated authority to agree the detailed arrangements for the post of Director of Public Health.

3 Reason for Decision

- 3.1 Torbay is recognised nationally and internationally as an area of innovation with a model of integrated frontline services supporting adults across health and social care. This model provides both an enhanced quality of service for the local population but also a more efficient use of resources.
- 3.2 South Devon and Torbay CCG already has a strong and successful working relationship with Torbay's Public Health team. In addition there is increasing National interest from the NHS to tackle the direct and indirect causes of ill health. Having a jointly appointed Director of Public Health across both Torbay Council and the CCG will further strengthen and formalise this relationship. All stakeholders consulted expressed a strong desire to tackle the wider determinants of health and the expected outcomes of the joint appointment will include greater focus on addressing the underlying issues that affect the health of our communities.
- 3.3 The proposed model does not affect the statutory responsibilities of the Council.

Supporting Information

4. Position

- 3.4 Local Authorities were asked by Government to assume public health responsibilities in April 2013. A ring-fenced budget allocation is provided as a grant from Public Health England to employ public health expertise and commission public health services. A number of public health commissioning posts, including the Director of Public Health, transferred to the Local Authority in April 2013 from the Primary Care Trust.
- 3.5 The rationale for transferring responsibility for public health to Local Authorities was to better address the wider circumstances that impact on the health and wellbeing of local populations. Torbay Council has influence over the services and conditions that

cause the underlying inequalities in society such as education, housing, the economy and the environment. Inequalities in these wider determinants lead both directly and indirectly to poorer health and lifestyle behaviours.

- 3.6 Torbay's Public Health team commission public health services from a number of local providers, including South Devon Healthcare NHS Foundation Trust (Torbay Hospital) and Torbay and Southern Devon Health and Care NHS Trust (Care Trust). They also provide public health support and expertise to the South Devon and Torbay Clinical Commissioning Group (CCG), who commission the majority of health treatment services locally as part of their statutory responsibilities.
- 3.7 The provision of public health expertise to the CCG has two main benefits. It firstly supports the commissioning of healthcare treatment services and secondly, it focuses the CCG's attention on their contribution to the wider health and wellbeing agenda.
- 3.8 A number of options for future working have been explored across different Local Authorities. There is evidence within the South West of Dorset, Bournemouth and Poole merging their public health commissioners into one team, which represents all three Local Authorities. The public health commissioners across Devon, Torbay and Plymouth have been working collectively for some time on shared programmes of work but the three authorities approach is currently very different, with Torbay Council adopting the innovative Integrated Care Organisation model in 2013.
- 3.9 The options appraisal undertaken identified eight primary options with collective support to pursue option 7, which is a joint appointment of a Director of Public Health between the Council and the CCG. It is therefore recommended to Full Council that option 7 be agreed as a way forward.
- 3.10 Whilst the public health budget within Torbay Council is c£7m, this option potentially facilitates more formalised influence over a combined health budget in excess of £300m. It is also anticipated that services which directly influence the health of the public and which are currently delivered by the wider Council operations, can be supported and strengthened by the proposed option.
- 3.11 Although the post of Director of Public Health will be jointly appointed and part funded by the CCG, it is proposed that the post holder will be employed by Torbay Council in order to meet its statutory requirements and report jointly to the CEO of the CCG and Executive Director of Torbay Council. The successful candidate will become a Full Board Member of the CCG and remain a Director of Torbay Council.
- 3.12 Whilst the Statutory responsibility, budget and immediate Public Health staff employment will continue to be held by Torbay Council, the Director of Public Health's Job Description will articulate the anticipated benefits of the joint appointment and performance management arrangements. It is anticipated for example that the Director of Public Health will ensure that the Council, CCG and ICO boards are aware and able to significantly contribute to Place based determinants.

5. Possibilities and Options

5.1 Options for the recruitment of Director of Public Health are detailed in Appendix 1. A range of options were explored, the consensus across stakeholders being that Option 7 should be adopted as the best way forward. It is envisaged that this will facilitate greater integration between the respective health and local authority services.

The benefits identified include:

- There will be more opportunity for integration across services, functions and organisations, developing a 'whole system' approach to all public services and to individual pathways, such as obesity services.
- A greater focus on prevention across organisations, with a united approach to tackling the wider determinants of health, based on a clear understanding of the issues and demands of treatment services.
- The opportunity to look for economic gains within the whole system, for instance by reshaping services to focus more on and thus making savings on 'downstream' costs.
- Breaking down of organisations geographic boundaries, for instance to provide a more unified service within the South Devon area.

6. Fair Decision Making

6.1 Consultation has been carried out with key stakeholders within the NHS, CCG, Public Health England and other Local Authorities. Public Health England has indicated that they are supportive of the joint appointment and option 7 as the best way forward.

6.2 A full Equality Impact Assessment (EIA) is attached at Appendix 3.

7. Public Services (Social Value) Act 2012

The Council is not procuring a service, it is appointing a Director of Public Health, and therefore the Act does not apply.

8. Risks

8.1 If option 7 is agreed, this change will further integrate existing arrangements and enhance the Council's role in influencing the wider health systems and investment. It strengthens the Pioneer work to ensure that we have a holistic approach to health and well-being, and provides opportunity for strengthened partnership working across all council functions.

The risks of not pursuing a joint appointment include:

- The Council not progressing and becoming isolated from the integrated arrangement now in train and the wider determinants of health.

- Not maximising Public Health Commissioning outcomes or the potential added value outputs of the ring fenced grant.
- Not maximising the opportunity to harness the larger spend of the NHS on the wider public health determinants for which Torbay Council has responsibility.
- The joint appointment potentially provides greater capacity and capability, with enhanced resilience.
- The medium term impact on the team whilst the interim arrangements are in place means that the team cannot settle into a more stabilised model for successful service delivery.
- Potentially missing out on efficiency savings.
- Staff morale consequences as this is the preferred option which potentially offers the most innovative and high profile career opportunities.

The risks of pursuing a joint appointment include:

- There is a risk that option 7 may result in more of a health focus rather than a wider determinants model, however, this will be mitigated by accountability to the Health and Wellbeing Board, and the submission of an agreed Business Plan (including spending proposals) and Annual Report to Full Council. Additional scrutiny arrangements can be put into place as required by the Council's Overview and Scrutiny Board.
- Possible confusion as the CCG geography is not co-terminus with the Pioneer Status boundary. This might change in the future.

Appendices

Appendix 1 – Options for Recruitment of Director of Public Health.

Appendix 2 – Contextual note from PHE: Public Health working across Torbay Council and CCG.

Appendix 3 – Equality Impact Assessment.

Additional Information

None.