

Report for: **Staffing & Remuneration Committee: 9 September 2021**

Title: **Appointment to the post of Director of Public Health**

**Report
authorised by :** **Beverley Tarka – Director of Adults and Health**
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Lead Officer: **Helen Gaffney - Human Resources**
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Ward(s) affected: **All**

Report for **Non Key Decision**

1. Describe the issue under consideration

- i. The recruitment and selection campaign for the Director of Public Health began in June 2021 with a closing date of 5 July 2021. 2 candidates applied for the role and a long-list of 2 was considered and put forward for the technical assessment stage. Following the technical assessment the Member Panel considered the outcomes and short-listed 1 candidate to take part in the final assessment stage. The final assessment stage will take place on the 9 September 2021.
- b. In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 and Part 4 Section K of the Council's Constitution applicable at the time of advertisement, the Staffing and Remuneration Committee is required to discharge the Council's functions in respect of the appointment of a suitable candidate to the post the Director of Public Health.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

- a. That the Committee considers the recommendations of the Member Panel and appoints a suitable candidate to the post of Director of Public Health subject to the approval of the Secretary of State for Health as well as subject to the objections process of the Cabinet whereby this Committee may only make the offer of appointment of the Director of Public Health when:
 - (i) no objection has been made by any member of the Cabinet, or
 - (ii) if any objection is made, the Staffing and Remuneration Committee has declared itself satisfied that the objection is not material or well-founded.

- b. Subject to (a) above, that the appointment of the candidate to the post of Director of Public Health to be on the salary that is proposed to the Committee by the Member Panel. This will be in the range of £84,559 - £114,003 as set out in the NHS terms and conditions for Consultants and the Council's Pay Policy Statement.
- c. Subject to (a) above, any appointment made will take effect when the appointed candidate accepts in writing the contract of employment offered to him/her by the Council.

4. Reason for decision

- a. To fill a senior post in the Council's organisation structure which is responsible for leading the delivery of services within the accountabilities of the role.

5. Alternative options considered

- a. To fill this role on a temporary basis. However, this would not have been as cost effective nor offer the service the stability of a permanent appointment.

6. Background information

- a. The recruitment and selection process for the Director of Public Health has been as follows:
 - i. The post was advertised in June with a closing date of 5 July 2021. 2 candidates applied for the role and a long-list of 2 was considered and put forward for the technical assessment stage.
 - ii. Following the technical assessment the Member Panel considered the outcomes and short-listed 1 candidate to take part in the final assessment stage.
 - iii. The short-listed candidate will take part in a final assessment process concluding on 9 September 2021 and will comprise:
 - A final interview Panel with Members, the Director of Adults and Health and representatives from the Faculty of Public Health as well as Public Health England.
 - The final Member Panel interview will consist: Cllrs Basu, das Neves, Morris, Beverley Tarka, Helen Waters and Kevin Fenton.
 - iv. The post of Director of Public Health has a proposed salary which is within a pay range of £84559 to £114003 and is recognised as a Consultant graded role within the NHS pay bands for Consultants and the Council's Senior Leadership pay bands.
 - v. In accordance with the Council's Pay Policy Statement, if the appointee salary will be in excess of £100,000 per annum, it has to be agreed by the Staffing and Remuneration Committee.

- b. The recommendation that the appointment will take effect if and when the appointed candidate accepts in writing the contract of employment offered to him / her by the Council is intended to ensure that the appointed candidate signs up to the contract of employment which the Council offers him / her.

7. Contribution to strategic outcomes

- a. The post of Director of Public Health is a key role and part of the strategic leadership of the Council, responsible for the delivery of Council priorities and the Borough Plan.

8. Statutory Officers' comments Chief Finance Officer (including procurement)

- a. The cost of the Director of Public Health, within the range set out above, can be met from the approved budget for this post.

9.

- a. The Head of Legal & Governance has been consulted in the preparation of this report, and makes the following comments.
- b. A local authority shall appoint such officers as it thinks necessary for the proper discharge by the authority of such of their functions (section 112 Local Government Act 1972).
- c. In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001("the 2001 Regulations") and Part 4 Section K of the Council's Constitution, any proposed appointment to the post referred to in this report will be required to be appointed by this Committee. In addition, the 2001 Regulations state that where a committee or a sub-committee of the council is discharging the function of appointment on behalf of the authority, at least one member of the cabinet must be a member of that committee or sub-committee.
- d. The offer of appointment of the Director of Public Health shall only be made where:
 - (i) no objection has been made by any member of the Cabinet, or
 - (ii) if any objection is made, the Staffing and Remuneration Committee has declared itself satisfied that the objection is not material or well-founded.
- e. In accordance with the Council's Pay Policy Statement and Part 3 Section B of the Constitution, where it is proposed to appoint an officer and the proposed salary is £100,000 per annum or more, the Staffing and Remuneration Committee must consider and approve the proposed salary.
- f. Under section 7 of the Local Government and Housing Act 1989, every appointment to a paid office or employment to a Council post must be made on merit.

- g. In light of the above, there is no legal reason why the Committee cannot adopt the Recommendations contained in this report.

10. Equalities

11. Use of Appendices

Not applicable

12. Local Government (Access to Information) Act 1985

Not applicable.