

4 January 2012



Gateway reference: 16964

Richmond House
79 Whitehall
London
SW1A 2NS

TO:

All chief executives in local authorities in England
All chief executives in primary care trust clusters
All chief executives in strategic health authority clusters



CC:

All directors of public health in England
All strategic health authority cluster directors of public health in England (regional directors of public health)
All HR directors in local authorities in England

Local Government House
Smith Square
London
SW1P 3HZ

Dear colleague,

Director of public health appointments

This letter provides advice and support to local areas on appointing Directors of Public Health to vacant posts in upper tier and unitary local authority areas and on transferring those already in post from the NHS.

Directors of Public Health in local government

Subject to the passage of the Health and Social Care Bill, from 1 April 2013 upper tier and unitary local authorities will take on critical new functions in public health. To enable them to exercise these functions local authorities will employ Directors of Public Health and the appointment process will be undertaken jointly with the Secretary of State. Public Health England, an Executive Agency of the Department of Health, will take on this role on behalf of the Secretary of State.

Appointing to vacant posts (during transition period up to 1 April 2013)

External professional assessment and advice provided by the Faculty of Public Health is a central component of senior public health appointments. The system already in place for jointly appointing Directors of Public Health is the most efficient way of assuring the necessary technical and professional skills during the transition period as well as in the future when appointments are made jointly with Public Health England. It will ensure that Directors of Public Health can promote, improve and protect health and that local government can provide high level, credible, peer-to-peer advice to the NHS in relation to health services. The information in Annex A provides information on the best way of doing this. All appointments should pay due regard to the Equality Act 2010.

To ensure appointments are fit for purpose in the future, we recommend that all appointments made during the transition period (up to 1 April 2013) reflect the anticipated changes set out in the most recent policy statements on the role of the Director of Public Health in local government from 1 April 2013.

After Royal Assent, the Government intends to issue statutory guidance on the responsibilities of Directors of Public Health, in the same way that guidance is currently issued for Directors of Children's Services and Directors of Adult Services. Whilst the organisation and structures of individual Local Authorities is a matter for local leadership, we are clear that these legal responsibilities should translate into the Director of Public Health acting as the lead officer in a local authority for health and championing health across the whole of the authority's business. This means that we would expect there to be direct accountability between the Director of Public Health and the Local Authority Chief Executive for the exercise of the Local Authority's public health responsibilities and that they will have direct access to Elected Members.

A template job description for the new role of Directors of Public Health in local government has been developed by the Faculty of Public Health, which defines the necessary core technical and professional competencies (http://www.fph.org.uk/job_descriptions). Of course, local authorities may wish Directors of Public Health to take on tasks in addition to the essential technical and professional responsibilities set out in this sample job description and may wish to develop their own.

We would expect Local Authorities to want to make early progress in appointing to a current vacancy and to do this in agreement with their Primary Care Trust cluster to ensure it can continue to fulfil its statutory public health duties until 2013.

Transfer of Directors of Public Health to local government

While the Health and Social Care Bill sets out that Directors of Public Health are transferring to local government and NHS structures are changing, the role of the Director of Public Health as the professional adviser to the local authority and NHS on improving and protecting health and advising on health services remains a constant.

We would expect local areas to be moving forward already with developing their arrangements for public health in the transition year in line with their Joint Strategic Needs Assessment and the new role for local government, recognising that the Health and Social Care Bill has not yet received Royal Assent and that more information will become available early in 2012.

The approach to managing the transition period has been set out in the Operating Framework for the NHS in England 2012-2013. The NHS will be accountable for delivering a successful public health transition and it will need to do so in co-production of the new system with local authority colleagues.

Each Primary Care Trust cluster is required to have an integrated plan, submitted through its Strategic Health Authority cluster to the Department of Health by the 5 April 2012, which reflects the outcomes of the local Joint Strategic Needs Assessment, and ensures the public health transition elements have been developed with local authorities. Strategic Health Authority clusters are responsible for assuring Primary Care Trust cluster plans and are required to produce submissions to DH based on early drafts by the end of January 2012 with final submissions by the 5 April deadline.

The Public Health Human Resources Concordat provides the framework for moving forward with planning for 2012-2013. We expect the transition year to be a period of significant development in establishing the new arrangements for public health in local government using the partnership and HR mechanisms that already exist.

Guidance on appointing Directors of Public Health jointly with Public Health England (from April 2013)

The Department of Health will publish further guidance, developed in partnership with local government, on the process for local authorities to appoint Directors of Public Health jointly with Public Health England from 1 April 2013, building on the approach outlined in this letter.

Yours sincerely



Professor Dame Sally C Davies

Chief Medical Officer, Department of Health



Carolyn Downs

Chief Executive Local Government Association

Annex A

Appointing a Director of Public Health

Directors of Public Health are already joint appointments between the NHS and local government in the majority of areas and have a strong history of working in partnership to improve and protect the health of people locally and tackle the health inequalities that many experience. They provide an essential role in advising on and managing the health services required to achieve those goals.

Current policy statements outline the intention to build a new, enhanced locally-led twenty-first century public health service. The role of the Director of Public Health in local government is central to that.

Faculty of Public Health assessment and advice

External professional assessment and advice provided by the Faculty of Public Health provides the assurance that Directors of Public Health, as well as their public health consultant colleagues, have the necessary technical and professional skills required to promote, improve and protect health and provide high level, credible, peer-to-peer advice to the NHS about public health in relation to health services.

The existing processes that are in place for senior public health appointments set out by the Faculty of Public Health provide a robust, tried and tested method for providing assurance of technical and professional skills of Directors of Public Health (http://www.fph.org.uk/senior_public_health_appointments).

New role in local government

The current policy statements anticipating the new role in local government, particularly the suite of Public Health Reform Updates, provides the information to ensure appointments are fit for purpose for the future.

Multidisciplinary public health

The majority of Director of Public Health posts are open to applicants from a variety of professional public health backgrounds both medical and non-medical. The Faculty of Public Health process reflects the multidisciplinary nature of these posts and is consistent with current statutory regulations for the appointment of NHS medical Consultants in the UK (see Department of Health's Good Practice Guidance, January 2005).

The role of Strategic Health Authority Cluster Directors of Public Health

Strategic Health Authority Cluster Directors of Public Health play an important role in providing advice and support to local areas with their appointments and will play a key role in linking to Public Health England and the process of appointing Directors of Public Health in the future.

Job description

The Faculty of Public Health provides essential advice on the draft job description, draft advert and person specification and we recommend you contact them at an early stage to benefit from this.

The Faculty of Public Health provide a template job description that sets out the professional and technical competencies (http://www.fph.org.uk/job_descriptions). Sharing your local job description with the Strategic Health Authority cluster Director of Public Health and the Faculty of Public Health Adviser is good practice. It will provide you with assurance that it covers all necessary areas of professional and technical competence although clearly there may be additional responsibilities outside of these areas. An email list of Faculty Advisers is available from the Faculty Office (aac@fph.org.uk).

Advertising the post

Reaching relevant professional audiences is important in local recruitment search strategies. Currently it is customary for senior public health positions to be publicised in national journals and internet sites familiar to those professionals, such as the British Medical Journal and Health Services Journal. Local areas will need to consider carefully how to communicate vacancies to both medical and non-medical public health professionals working at a senior level to attract the best candidates for its Public Health Chief Officer.

The Advisory Appointments Committee

The Advisory Appointments Committee is a widely recognised, tried and tested method of recruiting to senior public health appointments and is consistent with the process for medical NHS Consultants (http://www.fph.org.uk/senior_public_health_appointments). It ensures independent professional advice to organisations making senior professional appointments and appropriate representation at a senior level of key partners that contribute to health improvement, protection and services. Good practice guidance on the NHS (Appointment of Consultants) Regulations 1996 applies to appointments in Primary Care Trusts and Strategic Health Authorities until 1 April 2013.

An Advisory Appointments Committee would usually be chaired by a lay member such as a local authority elected member, for example the cabinet member of the Health and Wellbeing Board, and include external Faculty of Public Health assessors from both public health medicine and a professional background other than medicine. It should ideally also include the following:

- the Chief Executive of the local authority or his/her nominated deputy who will be a Board level executive or who normally deputises as a senior manager for the Chief Executive;
- senior NHS representation, currently the Chief Executive of the Primary Care Trust Cluster or his/her nominated deputy who will be a Board

level executive or associate director who normally deputises as a senior manager for the Chief Executive;

- the Strategic Health Authority cluster Director of Public Health or his/her nominated deputy (and in future his/her equivalent in Public Health England);
- and, in the case of appointments to posts which have either teaching or research commitments, or both, the committee should also include a professional member nominated after consultation with the relevant university.

Specialist registration

All Directors of Public Health are required to be registered with an appropriate specialist register (GMC Specialist Register/GDC Specialist List in Dental Public Health/UK Public Health Register) before they can take up an appointment as a Consultant in Public Health. Non-medical candidates are usually on the Voluntary UK Public Health Register.

Currently those who are on the GMC or GDC Specialist Registers are eligible for appointment under NHS terms and conditions for medical Consultants. Currently those who are on the UK Public Health Register (UKPHR), who are not medically qualified, are eligible for NHS Agenda for Change or Local Authority Senior Managers terms and conditions. Directors of Public Health are eligible for director level NHS remuneration.