

**REPORT TO:** Cabinet Member – Environmental  
Cabinet  
Council

**DATE:** 9 April 2008  
17 April 2008  
8 May 2008

**SUBJECT:** Appointment Of Proper Officers For Certain Public Health  
Functions

**WARDS AFFECTED:** All Wards

**REPORT OF:** W T Milburn  
Environmental Protection Director

**CONTACT OFFICER:** David Packard  
0151 934 2100

**EXEMPT/CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To seek Cabinet Member- Environmental approval to changes to the list of Proper Officers designated to undertake certain public health functions within the Borough.

To seek the formal delegation of authority to approve the list of Proper Officers for public health functions to the Environmental Protection Director.

**REASON WHY DECISION REQUIRED:**

Formal authorisation of Proper Officers is necessary for them to undertake their specified functions under public health legislation. The authority to approve the list is currently delegated to the Cabinet Member – Environmental.

The increased frequency of requested changes to the Proper Officers list and the non controversial nature of the appointments makes a change in delegation of the authority to approve the list from the Cabinet Member – Environmental to the Environmental Protection Director a more appropriate approach for future approvals. Cabinet is required to formally change the delegation of authority in the Councils constitution to allow this to occur.

**RECOMMENDATION(S):**

**That the Cabinet Member – Environmental:**

- 1, Approves and signs the list of Proper Officers identified in Annex A
- 2, Recommends to Cabinet and Council that they agree a change to the Councils Constitution to allow the Environmental Protection Director to approve the Proper Officer list in the future.

**That Cabinet and Council:**

Agree to appropriately amend part C of the Councils Constitution (Cabinet Member – Environmental) relating to the delegated powers of the Environmental Protection Director to appoint officers, to also allow him to approve the Proper Officer list for public health functions under the Public Health (Control of Disease) Act 1984, the Public Health (Infectious Diseases) Regulations

1988, the National Assistance Act 1948 and the National Assistance (Amendment) Act 1951.

**KEY DECISION:** No  
**FORWARD PLAN:** Not applicable  
**IMPLEMENTATION DATE:** Following the Council meeting.

**ALTERNATIVE OPTIONS:**  
None

**IMPLICATIONS:**

**Budget/Policy Framework:** None  
**Financial:** None  
**Legal:** Formal authorisation of Proper Officers is required under the legislative procedures they undertake.  
**Risk Assessment:** Not to designate Proper Officers to undertake the specified public health functions would significantly harm the Council's ability to address a range of public health issues.  
**Asset Management:** N/A

**CONSULTATION UNDERTAKEN/VIEWS**  
NONE

**CORPORATE OBJECTIVE MONITORING:**

| <u>Corporate Objective</u> |   | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|----------------------------|---|------------------------|-----------------------|------------------------|
| 1                          | Creating a Learning Community   |                        | √                     |                        |
| 2                          | Creating Safe Communities   | √                      |                       |                        |
| 3                          | Jobs and Prosperity   |                        | √                     |                        |
| 4                          | Improving Health and Well-Being   | √                      |                       |                        |
| 5                          | Environmental Sustainability  | √                      |                       |                        |
| 6                          | Creating Inclusive Communities  | √                      |                       |                        |
| 7                          | Improving the Quality of Council Services and Strengthening local Democracy | √                      |                       |                        |
| 8                          | Children and Young People   | √                      |                       |                        |

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| <b>LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT</b> |
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|                                |
|--------------------------------|
| Constitution of Sefton Council |
|--------------------------------|

**BACKGROUND:**

1. The Cabinet Member – Environmental will recall previously authorizing a list of NHS persons recommended for appointment as Proper Officers to fulfill certain public health functions for the benefit of the population of Sefton.
2. The Cheshire and Merseyside Health Protection Agency review the arrangements for the provision of Public Health Proper Officer functions and again request that further appointment of a range of Proper Officers is made to allow adequate cover arrangements, including out of hours call-out, across Cheshire and Merseyside.
3. These arrangements provide a required service to Sefton ensuring medical public health assistance and cover is provided to the local authority at all times.
4. It is recommended that the list of officers, attached as Annex A, be appointed as Proper Officers in respect of certain public health functions under the Public Health (Control of Disease) Act 1984, the Public Health (Infectious Diseases) Regulations 1988, the National Assistance Act 1948 and the National Assistance (Amendment) Act 1951.
5. As the nature of cover arrangements for the Cheshire and Merseyside has evolved regular amendments to the list are being requested by the Health Protection Agency. A greater number of appointed officers allows for more flexible and comprehensive cover by the health services and is desirable.
6. As the requests for amendment to the approved list is becoming more frequent and commonplace it is recommended that the authority to appoint proper officers for the purpose of the public health functions under the Public Health (Control of Disease) Act 1984, the Public Health (Infectious Diseases) Regulations 1988, the National Assistance Act 1948 and the National Assistance (Amendment) Act 1951 be delegated to the Environmental Protection Director.
7. The recommended change does however require a formal change to the Councils constitution. The Cabinet Member – Environmental is asked to endorse this change and recommend that Cabinet and Council agree to change the scheme of delegation in Part C of the Constitution appropriately.

**REPLY SLIP ONE**

CHESHIRE & MERSEYSIDE  
LIST OF PROPER OFFICERS: MARCH 2008  
FOR THE FOLLOWING STATUTORY POWERS:

**Public Health (Control of Disease) Act, 1984;**  
**Public Health (Infectious Diseases) Regulations 1988**

| <b>HPU Consultant Staff</b>                               |   |
|---|---|
| Dr John Reid<br>Consultant in Health Protection/Director  | Mrs Carol Kerr<br>Nurse Consultant in Health Protection |
| Dr Jörg Hoffmann<br>Locum Consultant in Health Protection | Dr Nicholas Phin<br>Consultant in Health Protection     |
| Dr Evdokia Dardamissis<br>Consultant in Health Protection | Dr Alexander Stewart<br>Consultant in Health Protection |
| Dr Sam Ghebrehewet<br>Consultant in Health Protection     | Dr Hilary Thurston<br>Consultant in Health Protection   |
| Dr Richard Jarvis<br>Consultant in Health Protection      | Dr Roberto Vivancos<br>Consultant in Health Protection  |

On behalf of .....[name of] Council, I confirm that the above have been appointed Proper Officers for the purpose of the legislation specified above under Delegated Powers (granted to ..... [insert specified officer] under the Scheme/Schedule of Delegations approved on ..... [date]).

|   |       |
|---|-------|
| Signed:   |       |
| Please print name:                                  |       |
| Job Title:  | Date: |
| On behalf of: <i>(please state Local Authority)</i> |       |

Please return by **25<sup>th</sup> April 2008** to Cathy Lowe, Unit Administrator,  
Cheshire & Merseyside HPU at the address on the covering letter

**REPLY SLIP TWO**

CHESHIRE & MERSEYSIDE  
LIST OF PROPER OFFICERS: MARCH 2008  
FOR THE FOLLOWING STATUTORY POWERS:

**Public Health (Control of Disease) Act, 1984;**  
**Public Health (Infectious Diseases) Regulations 1988**  
**Section 47 of National Assistance Act 1948 and Amendment 1951**

| <b>Primary Care Trust Consultant Staff</b>  |   |
|---|---|
| Dr Rita Robertson<br>Director of Public Health<br>Warrington PCT                  | Dr Janet Atherton<br>Director of Public Health<br>Sefton PCT                                      |
| Dr Diana Forrest<br>Director of Public Health<br>Knowsley PCT                     | Dr Guy Hayhurst<br>Consultant in Public Health<br>Central & Eastern Cheshire PCT                  |
| Dr Dympna Edwards<br>Deputy Director of Public Health<br>Halton & St Helens PCT   | Dr Marioth Manche<br>Deputy Director of Public Health<br>Warrington PCT                           |
| Dr Chris Birt<br>Consultant in Public Health<br>Sefton PCT                        | Dr Leslie Klein<br>Associate Director of Clinical Effectiveness<br>Central & Eastern Cheshire PCT |
| Dr Daniel Seddon<br>Public Health Consultant<br>C&M Specialist Commissioning Team | Dr Emer Coffey<br>Consultant in Public Health<br>Liverpool PCT                                    |

On behalf of .....[name of] Council, I confirm that the above have been appointed Proper Officers for the purpose of the legislation specified above under Delegated Powers granted to ..... [insert specified officer] under the Scheme/Schedule of Delegations approved on ..... [date]).

|  |       |
|--|-------|
| Signed:  |       |
| Please print name:   |       |
| Job Title:   | Date: |
| On behalf of: <span style="float: right;"><i>(please state Local Authority)</i></span> |       |

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