

Council

23 January 2025

Appointment of Director of Public Health and Assistant Director, Children's Social Care

Report from: Richard Hicks, Chief Executive

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Summary

This report asks full Council to support the appointment of the Director of Public Health, following the decision made by the Appointments Committee on 6 December 2024.

This report also seeks approval to recruit to the vacant post of Assistant Director, Children's Social Care.

1. Recommendations

- 1.1. The Council is recommended to support the appointment of Dr David Whiting as the Director of Public Health, which was agreed by the Appointments Committee on 6 December 2024.
- 1.2. The Council is recommended to approve recruitment to the role of the Assistant Director, Children's Social Care.

2. Budget and policy framework

- 2.1. Whilst the Appointments Committee is responsible for appointing Assistant Directors and above, the Council's Pay Policy Statement states that any proposal to offer a new Assistant Director or above appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, fees or allowances which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to Full Council for approval before any such appointment is advertised or before any such offer is made to a particular candidate.

3. Background

- 3.1. Following the passing of James Williams last year, the Appointments Committee met on 6 December 2024, the purpose of which was to appoint to the role of Director of Public Health. As set out in part 2 (responsibility for Council functions) of chapter 3 (responsibility for functions of the Council's Constitution, the appointment of the Director of Public Health needed to

comply with the Council's employment rules and also the requirements of the Health and Social Care Act 2012 and statutory guidance from the Department of Health and Social Care (DHSC), in relation to the joint role of the DHSC and an Advisory Appointments Committee constituted in accordance with statutory guidance.

- 3.2. Therefore, to comply with these provisions, the following representatives also formed part of the interview panel: Alison Barnett, Regional Director, Department of Health and Social Care, Darrell Gale, Director of Public Health, East Sussex County Council and Kate Langford, Chief Medical Officer, NHS Kent & Medway Integrated Care Board.
- 3.3. In addition to the requirements of the Pay Policy Statement and the particular requirements relating to the arrangements for the appointment of the Director of Public Health, the appointment of the Director of Public Health could only be made where no material or well-founded objection has been made by any member of the Cabinet in accordance with the provisions of Part II of Schedule 1 of the Local Authorities (Standing Orders)(England) Regulations 2001. This is known as the executive notification procedure.
- 3.4. Following the Appointments Committee on 6 December 2024, Cabinet Members were contacted to find out whether they had any material or well-founded objections to the appointment of Dr David Whiting. Cabinet Members were advised that David had demonstrated to the Appointments Committee that he fulfilled the requirements of the role based on his previous experience.
- 3.5. Members are advised that no Cabinet Members indicated they had any material or well-founded objections to the appointment of Dr Whiting.
- 3.6. Members will be aware that Donna Mariott, the previous Assistant Director, Children's Social Care, left the Council's employment in the latter part of 2024 and that Kelly Cogger, is currently acting up into this role as the Acting Assistant Director, Children's Social Care.
- 3.7. The Director of People and Deputy Chief Executive plans to recruit to this role in the first half of 2024 and given that the remuneration package for Assistant Directors may exceed £100,000, it is necessary to seek full Council approval prior to advertising the role.
- 3.8. The Assistant Director, Children's Social Care role is responsible for leading and managing the work of Children's social work teams, early help, youth services, youth offending and children's commissioning. They play a crucial part in delivering critical services as well as oversight of a continuing improvement programme under external inspection. Therefore, proceeding with recruitment to this role is of paramount importance and Members are recommended to approve this recruitment.

4. Risk management

- 4.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Lack of suitable candidates to make an appointment	If an appointment is not made initially there is time to re-advertise given the post is currently filled by internal 'acting up' opportunity.	Should there be unsuitable candidates the use of specialist recruitment will maximise success. Re-advertise post, having reviewed the reasons for inability to appoint.	CIII

For risk rating, please refer to the following table (please **retain** table in final report):

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

5. Financial and legal implications

- 5.1. There is budgetary provision for these posts.
- 5.2. The process for the recruitment and appointment of Assistant Directors and above is set out within the Employment Rules in the Council's Constitution.
- 5.3. The Council's Employment Rules reflect and are consistent with the provisions in the Local Authorities (Standing Orders) (England) Regulations 2001.
- 5.4. Section 38(1) of the Localism Act 2011 (the Act) requires English and Welsh local authorities to produce a pay policy statement for each financial year.

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Appendices

None

Background papers

None