

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO HEALTH & HOUSING COMMITTEE

Agenda Item No.

meeting date: 5 JUNE 2014
title: AUTHORISATION OF ALTERNATIVE PROPER OFFICER
submitted by: CHIEF EXECUTIVE
principal author: JAMES RUSSELL – HEAD OF ENVIRONMENTAL HEALTH SERVICES

1 PURPOSE

1.1 To consider and confirm arrangements in relation to the authorisation of 'proper officer' appointments with the local health organisations.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions – to help make peoples lives safer and healthier and to protect and enhance the existing environmental quality of our area.
- Community Objectives – to promote and support health, environmental, economic and social wellbeing of people who live, work and visit the Ribble Valley.
- Corporate Priorities – to be a well managed Council, providing efficient services based on identified customer needs.
- Other Considerations – to agree essential support/service partnerships with fellow health providers.

2 BACKGROUND

2.1 As a district Council, Ribble Valley Borough Council is required to authorise medical officers to give advice and act on its behalf under the following legislation:

- Public Health Act 1936
- Public Health Act 1961
- Public Health (Control of Disease) Act 1984 (as amended)
- The Health Protection (Notification) Regulations 2010
- The National Assistance Act 1948
- The National Assistance (Amendment) Act 1951

2.2 The current authorised proper officers were duly authorised following a previous report to this Committee on 2 June 2011, which are now out of date.

3 ISSUES

3.1 Recently, there have been significant changes in both associated legislation and the structure of the organisations and their personnel, who would provide this service on this Council's behalf. Some of these services will in future be provided through the

officers of Public Health England, Cumbria and Lancashire Health Protection Team based at Chorley on behalf of Public Health England (PHE), whilst responsibilities under the National Assistance Act remain vested in the Borough Council but undertaken by Public Health Team at County level.

3.2 As a result of ongoing discussions with Dr Steven Gee, Director of Cumbria and Lancashire Health Protection Team, it has been agreed to confirm officer authorisation to ensure an appropriate response to infectious disease problems and outbreaks. However, the situation of proper officers for requests for compulsory admission to hospital under Section 47 of the National Assistance Act remains unresolved and is the responsibility of upper tier local authority public health teams to nominate lead officers to co-ordinate investigation and care management arrangements in complex cases where Section 47 Orders might be considered. The proposal is based on the understanding that the nominated consultants being the main contact but that other consultants would be available under out of hours 'on call' arrangement and to cover absence.

3.3 Dr Steven Gee's suggestions are as follows:

A For Section 84 & 85, Public Health Act 1936 and Section 37, Public Health Act 1961, Public Health (Control of Disease) Act 1984, and the Health Protection (Notification) Regulations 2010:

Proper Officer Dr Steven Gee – Director of Health Protection Team.

Alternative Proper Officers Dr John Astbury, Dr Kenneth Lamden, Kate Brierley and Nicola Schinaia.

B For the National Assistance Act 1948 and the National Assistance (Amendment) Act 1951:

Proper Officer Delegate to this Council's Chief Executive to appoint a Proper Officer nominated by Lancashire County Council Public Health Team on a case by case basis

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – No implications identified.
- Technical, Environmental and Legal – Ensures appropriate medical officers are properly authorised to act on behalf of this Council.
- Political – No implications identified.
- Reputation – Ensures that proper formal arrangements are in place to deal with foreseeable situations relating to infectious disease.
- Equality and Diversity – No implications identified.

5 RECOMMENDED THAT COMMITTEE

- 5.1 Approve the authorisation of the said officers for the duties listed to act on behalf of Ribble Valley Borough Council.

JAMES RUSSELL
HEAD OF ENVIRONMENTAL HEALTH SERVICES

MARSHAL SCOTT
CHIEF EXECUTIVE

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