
Title:	Director of Public Health
Employing Organisation:	Newcastle City Council
Accountable to:	Professionally accountable to the Council (and the Secretary of State for Health through OHID) Managerially to Director of Workforce & Inclusion
Hours:	37 hours per week
Work base:	Civic Centre (plus agile working when appropriate)
Salary:	£89,955 - £95,434 minimum salary range plus market supplement payable for the right candidate.
Key Relationships:	<ul style="list-style-type: none">• Cabinet/Portfolio holder• Corporate Leadership Team• Local NHS bodies & trusts / Collaborative Newcastle• Office for Health Improvement & Disparities (OHID)• Health and Wellbeing Board• Local Resilience Forum• NHS England• The public and the press

Job Summary

The Director of Public Health is the system leader for improving the health and wellbeing of residents, reducing inequalities in health outcomes and protecting local communities from public health hazards (infectious diseases and environmental threats). As such, the Director of Public Health is a statutory chief officer of the authority and the principal adviser on all health matters to elected members, officers and partners, with a leadership role spanning health improvement, health protection and healthcare public health. Section 73A(1) of the NHS Act 2006, inserted by section 30 of the Health and Social Care Act 2012, gives the Director of Public Health responsibility for:

- all of their local authority's duties to improve public health
- any of the Secretary of State's public health protection or health improvement functions that s/he delegates to local authorities, either by arrangement or under regulations – these include services mandated by regulations made under section 6C of the 2006 Act, inserted by section 18 of the 2012 Act
- exercising their local authority's functions in planning for, and responding to, emergencies that present a risk to public health
- their local authority's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders
- such other public health functions as the Secretary of State specifies in regulations
- producing an independent annual report on the health of local communities

In order to deliver their responsibilities on behalf of the residents of Newcastle the DPH will need to be a visible system leader in the health and wellbeing partnership arrangements. The DPH will be expected to use all the resources at their disposal to ensure that the local public health system is able to tackle the full range of determinants of health affecting communities in Newcastle. Working with local communities, he/she should be able to inspire development of innovative solutions that support improvements in health and wellbeing and reduction in health inequalities whilst at the same time maintaining the confidence of Councillors and government.

Description of the LA and the Public Health Division

The Public Health Division within Newcastle City Council sits within the Workforce and Inclusion Directorate. Its newly reorganised services are organised into the following portfolios:

- Epidemiology and Intelligence
- Harm reduction and social inclusion
- Fair and healthy childhoods
- Wider determinants and wellbeing
- Quality healthcare and health protection
- Public Health Literacy and Development
- Service improvement and delivery

The DPH is responsible for circa 36 employees and a ring fenced budget of circa £25mn plus other external finding streams.

Job purpose and key responsibilities

The fundamental purpose of the postholder is to provide the leadership to drive improvements in the health and wellbeing of the residents of Newcastle to reduce inequalities in health outcomes and working in collaboration with OHID to protect local communities from threats to their health through infectious diseases, environmental and other public health hazards. In delivering the key responsibilities described below, the postholder is expected to demonstrate a high level of expertise in the Faculty of Public Health Competencies (Appendix 1) and the person specification (Appendix 2).

- a) Support the Chief Executive, Director of Workforce & Inclusion and Councillors in developing and delivering the Council's strategic agenda
- b) Be the chief officer and principal adviser on public health to the Council, local communities and local partners
- c) Operate strategically as a member of the council's extended leadership team and across the Council influencing policy and practice.
- d) To deliver commission, and or deliver services which are effective, value for money and meet quality standards.
- e) To act as a leader across the local system of public services, influencing change and enabling a culture of continuous improvement in health and wellbeing, innovation and evaluation.
- f) Utilise the public health resources imaginatively and cost effectively across all domains of public health in order to improve health and wellbeing of local communities and reduce inequalities in health outcomes.
- g) Accountable for both the shaping and delivery of the Health and Wellbeing agenda taking account of the national agenda and benchmarking (using the national outcomes frameworks; public health, NHS and social care).
- h) Deliver an independent annual report on the health and wellbeing of local communities for publication by Newcastle City Council, to stimulate debate and/or action by the Council and partners.

The person specifications for the post are set out in appendix 2. In delivering the responsibilities outlined above, the postholder and his/her team will undertake the following tasks:

1. Strategic Leadership

- Delivery of a system to support surveillance, monitoring and evaluation of health and wellbeing and inequalities in health outcomes of local communities (including an easily accessible Joint Strategic Needs Assessment System)
- Ensure all activity undertaken by the Council takes account of both, the need to reduce inequalities as well as the requirements of the Equality and Diversity Act.
- To ensure scientific principles are applied to assessing need, exploring interventions and assessing progress of the Council's strategic agenda.
- Ensure as a core member of the Health and Wellbeing Board and in partnership with the wider city of Newcastle, partners and the public, the development of plans to enable local communities become healthy, sustainable and cohesive
- Ensure a programme of action (both within and outwith the Council) to impact on the wider determinants of health that will promote improvements in health and wellbeing of local communities and reduction in health inequalities.

- Provide assurance that the health protection system for local communities is fit for purpose
- To work closely with Directors responsible for people (children, vulnerable communities and older people) to ensure to develop, implement and maintain a “fit for purpose” integrated strategy which meets the needs of local communities and is cogent with the national approach.
- Collaborate across organisational boundaries to ensure communities in Newcastle benefit from population health and care programmes (development of sustainable transformation plans 2016-20).

2. Directorate Specific Accountabilities

- To be an advocate for improving health and wellbeing and reducing health inequalities
- Exercise the statutory responsibilities including the delivery of the mandated services
- To advise Newcastle City Council on its statutory and professional public health obligations.
- Work with the UHID and NHS England to ensure local communities are protected from infectious disease threats (including food and water borne disease, pandemics, etc) and environmental hazards
- Ensure the development and delivery of a credible plan to improve health and wellbeing of communities in Newcastle and reduce health inequalities.
- Ensure that the Council has implemented its EPRR responsibilities and through Co-chairing of the Local Health resilience Forum, that partner organisations (UHID, NHS England and the ICB/ICP) have delivered their EPRR responsibilities.
- Work in partnership with the ICP/ICP and Directors of Social care to take responsibility for Population Health and Care; including oversight and promoting population coverage of immunisation and screening programmes
- Provide public health advice (the core offer) to the ICB/ICP supporting the commissioning of appropriate, effective (based on evidence), and equitable health services.
- Support the Health and Wellbeing Board to deliver its statutory duty to promote integration for the benefit of local communities
- Collaborate across local authority boundaries to ensure residents of Newcastle benefit from population health and care programmes.

3. Resource Management

- To be accountable for the budget including reporting on the use of the public health ring fenced grant.
- To manage Council resources (People, property, information and finance) imaginatively and efficiently.
- Manage public health staff and ensure that they are able to influence in such a way as to ensure health and wellbeing in its fullest sense is central to Newcastle City Council.

4. Commissioning

- Ensure services for improving health and wellbeing of local communities are commissioned within the Council policy for procurement and monitoring system and are responsive to the needs of the communities in Newcastle and over time.

- To set the framework for standards for commissioning and delivery; including the promotion of innovative approaches and appropriate risk management systems which are responsive to performance challenges.
- To ensure scientific principles of evaluation underpin all commissioning and delivery, of health and wellbeing services.

5. Advocacy

- Develop a constructive relationship with the media and the public, within the context of the Council Communications policy.
- To use the Faculty of Public Health, the LGA, the ADsPH, OHID and other channels to advocate for the public's health.

Management arrangements

The Director of Public Health will be professionally accountable to the Council (and Secretary of State for Health through Office for Health Improvement & Disparities) and managerially accountable through the Director of Wellbeing & Inclusion to the Chief Executive of the Local Authority. An initial job plan will be agreed with the successful candidate and reviewed annually.

The Director of Public Health will:

1. Manage 9 staff directly (including trainees)
2. Manage budgets of over £25mn in total
3. Be expected to take part in on call arrangements for communicable disease control/health protection as appropriate depending on local arrangements
4. Ensure appropriate management and support for Specialty Registrars (in Public Health)

The terms and conditions for the post are described in appendix 3.

Professional obligations

Professional responsibilities will be reflected in the job plan. The Director of Public Health will be expected to:

1. Participate in the organisation's staff and professional appraisal scheme and ensure participation of all staff members.
2. Ensure quality improvement (and clinical governance) programmes are an integral component of the public health approach in the Council.
3. Contribute actively to the training programme for Foundation Year Doctors/Specialty Registrars in Public Health as appropriate, and to the training of practitioners and primary care professionals within the locality.
4. Pursue a programme of CPD, in accordance with Faculty of Public Health requirements, or other recognised body, and undertake revalidation or other measures required to remain on the GMC/GDC Specialist Register with a license to practice or the UK Public Health (Specialist) Register or other specialist register as appropriate.
5. Practise in accordance with all relevant sections of the General Medical Council's Good Medical Practice (if medically qualified).
6. Agree in advance any external professional roles and the time required to deliver those roles with the Council.

Appendix 1: Faculty of Public Health: competencies expected of all public health consultants / specialists

All consultants irrespective of their background are expected to be proficient in the competencies set out below.

I. Use of public health intelligence to survey and assess a population's health and wellbeing

To be able to synthesise data into information about the surveillance or assessment of a population's health and wellbeing from multiple sources that can be communicated clearly and inform action planning to improve population health outcomes.

II. Assessing the evidence of effectiveness of interventions, programmes and services intended to improve the health or wellbeing of individuals or populations

To be able to use a range of resources to generate and communicate appropriately evidenced and informed recommendations for improving population health across operational and strategic health and care settings.

III. Policy and strategy development and implementation

To be able to influence and contribute to the development of policy and lead the development and implementation of a strategy.

IV. Strategic leadership and collaborative working for health

To use a range of effective strategic leadership, organisational and management skills, in a variety of complex public health situations and contexts, dealing effectively with uncertainty and the unexpected to achieve public health goals.

V. Health Improvement, Determinants of Health, and Health Communication

To influence and act on the broad determinants and behaviours influencing health at a system, community and individual level.

VI. Health Protection

To identify, assess and communicate risks associated with hazards relevant to health protection, and to lead and co-ordinate the appropriate public health response.

VII. Health and Care Public Health

To be able to improve the efficiency, effectiveness, safety, reliability, responsiveness and equity of health and care services through applying insights from multiple sources including formal research, health surveillance, needs analysis, service monitoring and evaluation.

VIII. Academic public health

To add an academic perspective to all public health work undertaken. Specifically to be able to critically appraise evidence to inform policy and practice, identify evidence gaps with strategies to address these gaps, undertake research activities of a standard

that is publishable in peer reviewed journals, and demonstrate competence in teaching and learning across all areas of public health practice.

IX. Professional, personal and ethical development

To be able to shape, pursue actively and evaluate your own personal and professional development, using insight into your own behaviours and attitudes and their impact to modify behaviour and to practise within the framework of the GMC's Good Medical Practice (as used for appraisal and revalidation for consultants in public health) and the UKPHR's Code of Conduct.

X. 10. Integration and application for consultant practice

To be able to demonstrate the consistent use of sound judgment to select from a range of advanced public health expertise and skills, and to use them effectively, working at senior organisational levels, to deliver improved population health in complex and unpredictable environments.

The DPH as a public health leader is expected to have both the technical expertise as well as the ability to use those techniques to both, lead and support the development of complex solutions to improve the health and wellbeing of local communities. In addition, they are expected to have skills and the attitudes to be able to present the results of applying their technical expertise so that they are understandable and stimulate actions by a range of individuals and organisations.

Appendix 2: Person specification (Director of Public Health, Newcastle City Council)

Competencies and other requirements

Behaviours	Recruitment and selection
<p>Leadership Establishing and promoting a clear public health vision which is coherent with the business strategy and the political vision for the and consistent with Government policy and takes account of social and economic trends. This is about role modelling through their own actions the types of behaviours expected of others in creating a high performing public health culture.</p> <ul style="list-style-type: none"> • Developing an effective PH team with appropriate skill mix to enable the Authority to deliver its full range of PH responsibilities • Developing effective relationships with elected members to ensure a coherent PH vision and operational plan • Work with fellow directors to enable/ensure public health perspective/principles underpin all aspects of LA delivery • Work with communities and media to ensure needs of local communities are made explicit and addressed by the H&WB • Deliver the independent report of the DPH in such a way as to compel all members of the H&WB to take action 	<p>Application form and selection process</p>
<p>Community and population focus It means working together to a common agenda and objectives with a shared purpose and common values, always looking for ways to improve access to services by communities and individuals. This is seen by:</p> <ul style="list-style-type: none"> • Actively seeking to understand the communities that are served and promoting and demonstrating an active commitment to meet their needs • Setting new standards for innovation in commissioning and delivery of services that anticipate and exceed expectations • Engaging with a wide range of stakeholders and partners to gather and evaluate information and make collaborative judgements and decisions • Making timely and where needed, difficult decisions for the benefit of the people of Newcastle. 	<p>Application form Selection process</p>
<p>Results Focus Co-development of a model of health with local stakeholders (including local communities) and the metrics to support; taking account of Public Health Outcomes Framework, the NHS Outcomes Framework and the Social Care Outcomes Framework. This is seen by:</p> <ul style="list-style-type: none"> • Acknowledging and working with ambiguity and complexity, making significant decisions where no precedents exist • Ensuring a best practice performance culture is developed and sustained • Setting, communicating and monitoring stretching organisational objectives and objectives 	<p>Selection process</p>

<ul style="list-style-type: none"> • Pro-actively identifying corporate, directorate and service risks, and ensuring action is taken to mitigate them • Formulating risk management plans and creating a positive health and safety culture 	
<p>Improvement and Change</p> <p>Developing and sustaining a culture of innovation and creativity underpinned by evaluation, where employees are engaged and have the desire to do things better, more efficiently and effectively to improve performance. This is seen by:</p> <ul style="list-style-type: none"> • Taking risks and moving into uncharted territory while taking accountability for results and failures • Welcoming the inevitable mistakes as part of the creative process • Suggesting the unthinkable to stimulate alternate ways of thinking • Focusing team performance on the achievement of outcomes that will maximise the resources available • Finding new ways of securing or deploying significant amounts of financial resource to meet new objectives • Advocating and role modelling the use of evaluation techniques to support innovation 	Selection process
<p>People Development</p> <p>Knowing and managing the strategic talent requirements for the organisation. It is about promoting and encouraging a culture where people focus on developing themselves and others to deliver improvement while developing careers. This is seen by:</p> <ul style="list-style-type: none"> • Holding direct reports accountable for people development generally and specifically for releasing high performers for personal development • Articulating the many long-term benefits of talent management and developing the talent pools required for succession • Ensuring comprehensive workforce plans are in place 	Application form Selection process
<p>Functional competencies</p> <ul style="list-style-type: none"> • Demonstrates detailed knowledge of methods of developing clinical quality assurance, quality improvement and evidence based clinical and/or public health practice. • Full and high level of understanding of epidemiology and statistics, public health practice, health promotion, health economics and health care evaluation. Develops service practices and ensures appropriate application. Provides advice on the more complex instances 	Application form Selection process
<ul style="list-style-type: none"> • Detailed knowledge and experience in driving and assisting in the management of change in a variety of settings, proactively seeking opportunities to create and implement improved service effectiveness 	Application form Selection process
<ul style="list-style-type: none"> • Detailed knowledge of personnel management. Carries out effective performance management of staff and demonstrates understanding of policies related to pay, capability, disciplinary matters and grievances. Plans department activities and use of staff resources 	Application form Selection process

effectively. Participates in workforce planning and training needs assessments	
<ul style="list-style-type: none"> • Demonstrates knowledge of project management tools and techniques. Sufficient skill to develop and implement large scale projects, utilising and leading multi-skilled project teams. 	Application form
Qualifications <ul style="list-style-type: none"> • Inclusion in the GMC Full and Specialist Register with a license to practice/GDC Specialist List (or be eligible for registration within six months of interview) or • Inclusion in the UK Public Health Register (UKPHR) for Public Health Specialists (or be eligible for registration within six months of interview) • <i>If included in the GMC Specialist Register/GDC Specialist List in a specialty other than public health medicine/dental public health, candidates must have equivalent training and/or appropriate experience of public health practice</i> • Public health specialty registrar applicants who are not yet on the GMC Specialist Register/GDC Specialist List in dental public health/UKPHR must provide verifiable signed documentary evidence that they are within 6 months of gaining entry at the date of interview; all other applicants must provide verifiable signed documentary evidence that they have applied for inclusion in the GMC/GDC/UKPHR specialist registers. • If an applicant is UK trained in Public Health, they must ALSO be a holder of a Certificate of Completion of Training (CCT), or be within six months of award of CCT by date of interview • If an applicant is non-UK trained, they will be required to show evidence of equivalence to the UK CCT • MFPH by examination, by exemption or by assessment 	Recruitment and selection Application form & proof of registration
<ul style="list-style-type: none"> • Must meet minimum CPD requirements (i.e. be up to date) in accordance with the Faculty of Public Health requirements or other recognised body 	Application form
Knowledge, experience and skills	
<ul style="list-style-type: none"> • Understanding of NHS and local government cultures, structures and policies 	Selection process
<ul style="list-style-type: none"> • Understanding of social and political environment 	Selection process
<ul style="list-style-type: none"> • Excellent oral and written communication skills (including dealing with the media) including to present to mixed audiences and the media 	Application form Selection process
<ul style="list-style-type: none"> • Practical experience in facilitating change 	Application form Selection process
<ul style="list-style-type: none"> • Budget management skills 	Application form

<ul style="list-style-type: none"> Understanding of the public sector duty and the inequality duty and their application to public health practice 	Application form Selection process
<ul style="list-style-type: none"> The normal duties of the role may involve travel on a regular or occasional basis. It is a condition of employment that the role holder can exercise satisfactory travel mobility in order to fulfil the obligations of the role. 	Application form
<ul style="list-style-type: none"> This position is subject to a criminal records disclosure check 	YES
<ul style="list-style-type: none"> This is a politically restrictive position 	YES

Appendix 3: Terms and Conditions (Chief Officer)

NEWCASTLE CITY COUNCIL

STATEMENT OF MAIN TERMS AND CONDITIONS OF EMPLOYMENT

JNC FOR CHIEF OFFICERS

- 1
 - a) NAME OF EMPLOYER: **NEWCASTLE CITY COUNCIL**
 - b) NAME OF EMPLOYEE:
 - c) This statement gives details of your employment with Newcastle City Council and is correct at .
 - d) ISSUED ON:

2 CONDITIONS OF SERVICE

The conditions of service applicable to the post are those determined by the Joint Negotiating Committee for Chief Officers of Local Authorities (the National Agreement) as amended or supplemented by decisions made by Newcastle City Council and agreements made between Newcastle City Council and Trade Unions representing JNC staff.

Documents setting out these conditions of service are available to view from Human Resources. Alternatively, you may view them on the intranet.

Changes to these conditions of service will be notified to you or entered into the above documents within one month of the changes.

3 JOB TITLES AND DUTIES

- a) Job Title:
- b) A copy of the current job description detailing the main duties and responsibilities of your post is attached. This is subject to periodical review and amendment by the City Council from time to time. Any such review and amendments will not necessarily alter the grade of the job.

4 PLACE OF WORK

You will be employed at or any other location as determined by the City Council. The City Council's address for purposes of your employment is: Civic Centre, Barras Bridge, Newcastle Upon Tyne NE1 8QJ.

5 DATE OF COMMENCEMENT OF EMPLOYMENT

- a) Date of commencement in post:
- b) Date of commencement with Newcastle City Council:

- c) Date when previous continuous service began with an organisation covered by the Redundancy Payments (Local Government) (Modification) Orders:

This will be used in calculating your entitlement to:

- (i) a redundancy payment
 - (ii) sickness allowance
 - (iii) maternity pay
- d) If you have returned to local government service following a break for maternity reasons, or reasons concerned with caring for children or other dependants you will be entitled to have previous service taken into account in respect of the sickness and maternity schemes provided that the break in service does not exceed eight years and that no permanent paid full time employment has intervened. For the purpose of the calculation of entitlement to annual leave the eight years' time limit does not apply provided that no permanent full time employment has intervened.

6 FIXED TERM EMPLOYMENT

Not Applicable.

OR

This is a fixed-term contract for the following purpose: (delete as appropriate):

To temporarily cover a vacancy until a permanent postholder is appointed
To temporarily cover for a permanent postholder on a career break
To temporarily cover for a permanent postholder on a secondment
To temporarily cover for a permanent postholder on additional paternity leave
To temporarily cover for a permanent postholder on adoption leave
To temporarily cover for a permanent postholder on long term sick
To temporarily cover for a permanent postholder on a maternity leave
To temporarily cover for a permanent postholder on shared parental leave
To undertake a discrete piece of work or a time limited task

This fixed-term contract will end on . The contract will end on the expiry date specified and no further notice of ending employment will be provided.

The contract may end earlier on the (delete as appropriate):

Early return of the substantive postholder.

OR

Appointment of a substantive postholder.

OR

Early completion of the discrete piece of work or time limited

Ending the contract at an earlier date will be subject to the periods of notice set out in the 'Periods of Notice' paragraph below.

7 PAY AND CONDITIONS

- a) Your salary is in accordance with spot point _____ on the Director/Executive Directors salary scale. Your salary at _____ will be _____.

8 PAYMENT OF SALARY/WAGES

Your salary will be paid monthly into your bank or building society account via the Bank Automated Credit System (BACS) on the last working day of each month.

9 HOURS OF WORK

There are no fixed hours of work. You will be expected to work as many hours as are reasonable and necessary for the performance of the job.

10 CAR USER ALLOWANCES

- a) Employees authorised by the City Council to use their own car for official business will be reimbursed the rate for a 451-999cc engine whatever the size of the car. An employee's car user allowance is subject to periodical review by the City Council.
- b) This post has been given casual car user status.
- c) Employees who drive their own car on Newcastle City Council business must ensure that they have appropriate vehicle insurance that specifically covers the employee for business purposes. They must also ensure that all other statutory documentation relating to the vehicle is current and valid (eg MOT test certificate, road tax licence).
- d) Employees who drive on Newcastle City Council business will be subject to annual driving licence checks.
- e) All employees who drive their own vehicles on Newcastle City Council business must do so in accordance with Newcastle City Council's Road Safety Policy and Drivers Code of Conduct.

11 PROBATIONARY PERIOD

There are 2 options here:

As a new entrant to Local Government your appointment is subject to the satisfactory completion of a probationary period of 6 months, the main purpose of which is to establish your suitability for the job.

or

Not Applicable

12 PERIODS OF NOTICE

- a) The period of notice to which you are entitled if the City Council ends your employment is **3 months**.
- b) The period of notice you are required to give if you end your employment is **3 months**.

13 DISCIPLINARY PROCEDURE

(Pre-hearing action) Preliminary Investigation

- 13.1 The purpose of a preliminary investigation is to determine if a question of discipline exists which, if established, could not be resolved informally, eg through an unrecorded informal warning.
- 13.2 Before progressing to a formal Investigating Committee hearing, the Council will ascertain that:
 - (i) the officer has been notified, preferably in writing, of the allegations which are being investigated and given the opportunity to make representations on their behalf;
 - (ii) the matter cannot be resolved through informal counselling;
 - (iii) the individual has been interviewed by the appropriate manager and afforded right to be represented by their trade union or accompanied by a fellow employee of their choice. Care must be taken not to compromise individuals who may be interviewed at a subsequent stage in this procedure;
 - (iv) it has been determined whether or not suspension is appropriate.
- 13.3 Where the preliminary investigation determines that there is a potential case to answer, an Investigating Committee will be established. The Investigating Committee will include no fewer than three elected members and will not include any member or officer with a direct personal involvement in the complaint or who participated in the preliminary investigation.

Suspension

- 13.4 Where the officer's continuing presence at work compromises the investigation or impairs the efficient exercise of the Council's functions, the officer may (subject to whatever consultation or approval may be required under the authority's standing orders) be suspended from duty. The Council, or appropriate committee or the Chief Executive, acting under delegated powers, may carry out such suspension on full pay. Written notice stating the reasons for any such suspension shall be given at the earliest opportunity possible.

- 13.5 The necessity for the officer to remain suspended should be reviewed at regular intervals and where possible lengthy periods of suspension should be avoided.

The Disciplinary Hearing

- 13.6 The officer will receive not less than ten working days written notice of the Investigating Committee's meeting. Before the meeting the officer has the right, if so requested, within a reasonable time, (i) to receive further details of the complaint made and/or (ii) to a postponement of the meeting for a jointly agreed period not exceeding 14 days. The officer may circulate a written statement to the Investigating Committee before the hearing.

- 13.7 At the meeting the investigating Committee will ensure that:

- the employee concerned knows the details of the allegation;
- he or she has the opportunity to put his or her side of the matter.

The Investigating Committee can:

- (i) exonerate the officer;
- (ii) state their opinion as to whether (and if so the extent to which) the evidence they have obtained supports any allegation of misconduct against the officer;
- (iii) determine the disciplinary action (if any) or range of actions which appear appropriate to take against the officer. The appropriate course of action will be drawn from the following list:
 - recorded oral warning;
 - written warning;
 - suspension on half pay or no pay for a specified period;
 - relegation (ie a reduction in salary) for a specified period;
 - an invitation to resign or accept retirement;
 - dismissal with notice.

The final decision will be given to the officer in writing at the earliest opportunity following the hearing.

If a warning is given, it should tell the employee:

- the level of improvement required;
- the date by which it is to be achieved;
- what will happen if it is not;
- how to appeal.

Alternatively the Panel may explore other alternatives, eg

- early retirement;

- secondment;
- redeployment to a more junior post where there are issues relating to capability.

Gross Misconduct

13.8 When a case appears to be one of gross misconduct, normally the officer should (subject to whatever consultation or approval may be required under the authority's standing orders) be suspended from duty on full pay. The procedure for the investigation will be as set out above.

Appeal Process

13.9 The officer may exercise full right of appeal. The procedure for an appeal hearing will follow the model above. Members who participated in the previous investigation may attend to give evidence but must be excluded during the consideration of the decision.

Capability

13.10 Where appropriate, a preliminary investigation, as detailed in paragraphs 13.1 should be undertaken where there is any question or complaint regarding the capability of an officer.

13.11 If the Chief Executive or other person undertaking the preliminary investigation concludes that there is a question of substance as to the officer's capability, he/she will advise the officer informally of the nature of that question. There should be a full discussion covering:

- 1 the reason for incapability;
- 2 problem areas;
- 3 what needs to be done to improve performance, including any opportunities for training the officer;
- 4 time frames over which improvements should be shown; (unless there has been a previous warning or there is evidence of serious incapability which is not likely to be remedied within a reasonable time);
- 5 when it is felt that there is no prospect of improving the officer's performance a satisfactory outcome may be achieved by the officer undertaking actively to seek other employment, resigning or accepting retirement.

13.12 If the matter is not resolved informally a capability hearing will be convened as in paragraphs 13.6 and 13.7.

13.13 At capability hearings subordinate officers may give evidence of fact. Where the parties disagree on technical or professional matters an appropriately qualified independent third party will be consulted.

13.14 Any time period should be sufficient to allow a reasonable opportunity for the officer to show either an improved performance or that the conclusion of the preliminary investigation was mistaken.

14 LEAVE ENTITLEMENT

- a) If you work full time your annual leave entitlement is 30 working days. Job Sharers/part-timers will receive paid annual leave pro rata to that of full time employees.
- b) If you work full-time, you will also be entitled to 8 Bank and Public holidays. Job Sharers/part-timers will receive paid bank and public holiday leave pro rata to that of full time employees.
- c) The annual leave year runs from 1 April to 31 March. Any annual leave taken must be by agreement with the Chief Executive and is subject to the requirements of the service.
- (d) If you were employed by the Council on and before 30 June 1981, you will retain any additional annual leave entitlement which applied to you at that time.

15 ILL HEALTH

Where there is medical evidence that an employee is no longer fit to fulfil the requirements of the job, the Council reserves the right to end their employment before the expiry of contractual sick pay, in accordance with HR procedures, details of which are available on the intranet or from your Employee Services section.

16 POLITICAL RESTRICTIONS

Posts are considered to be politically restricted if they fall into one or both of the following categories;

- Specific Posts - principally statutory posts and officers exercising delegated powers
- Sensitive Posts - posts giving advice to committees or sub committees and/or speak on behalf of the Authority to journalists and broadcasters.

If your post is politically restricted you will be notified of this. More information is available on the HR Intranet.

17 RESTRICTIONS ON RE-EMPLOYMENT

After the ending of your employment you:

- i) will not divulge any information to any third party which is confidential to the Authority;
- ii) will not, without the consent of the Authority, which will not unreasonably be withheld, within a period of 12 months take up employment with or provide services for reward to any body:

- a) if during your last two years of employment with the Authority you have been directly involved in transactions with that body for which the offer of employment or provision of services could reasonably be regarded as a reward;
- b) which is likely to benefit from commercially sensitive information which is known to you by virtue of your past employment by the Authority.

These provisions will not apply if the termination of employment with the Local Authority arises as a result of redundancy or the externalisation of work and consequent transfer to a new employer.

18 CHANGES IN PERSONAL CIRCUMSTANCES

In order to keep records up to date, you are required to notify the Employee Services (ES) Team, Room 204, Civic Centre, Newcastle upon Tyne, NE1 8QH of relevant changes in personal circumstances e.g. name, address, bank details.

19 OVERPAYMENTS

In accordance with the Employment Rights Act 1996, we will deduct from your salary any money that you owe the Council, including any overpayments made to you by us. You will be consulted before these deductions are made. Normally, we will seek to recover any overpayment immediately. Where we agree that immediate recovery is not appropriate, we will consult with you and agree a reasonable repayment period, which will usually be no longer than twelve months.

20 SPECIAL CONDITIONS

You are required to inform the Chief Executive of any criminal conviction, caution or bind over you acquire subsequent to commencement of your employment with the Council.

Failure to disclose such information may result in action being taken against you (up to and including dismissal) under the Disciplinary Procedure. Any information disclosed will be considered in line with our Code of Practice on Disclosures and the Disciplinary Procedure.

Other particulars applying to your employment are included in the Employee Booklet. This booklet is available on the HR intranet. You should read this booklet carefully, taking note of the conditions it contains, including information about the pension scheme and the grievance and disciplinary procedures.