

### **Officer Delegation Scheme – Executive functions**

#### **Director of Public Health<sup>1</sup>**

With the exception of those matters where an appropriate Executive Member<sup>2</sup> has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>3</sup>, the Director of Public Health<sup>4</sup> is authorised to discharge any function of the Executive in relation to:

- a) taking appropriate steps to improve the health of the people in the authority's area<sup>5</sup>;
  - b) dental public health<sup>6</sup>;
  - c) joint working with the prison service<sup>7</sup>;
  - d) the medical inspection of pupils and the weighing and measuring of children<sup>8</sup>;
  - e) research, obtaining and analysing data or other information, and obtaining advice from persons with appropriate professional expertise<sup>9</sup>;
  - f) planning for, or responding to, emergencies involving a risk to public health;
  - g) co-operating with arrangements for assessing risks posed by violent or sexual offenders<sup>10</sup>;
  - h) any public health function of the Secretary of State (or functions exercisable in connection with those functions)
- which the authority is required by regulations to exercise<sup>11</sup>; or

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<sup>1</sup> Appointed under Section 73A National Health Service Act 2006 ("the 2006 Act")

<sup>2</sup> An "appropriate Executive Member is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>3</sup> The Director of Public Health may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration by the Executive Board.

<sup>4</sup> The fact that a function has been delegated to the Director of Public Health does not require the Director to give the matter his/her personal attention, and he/she may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Director remains responsible for any decision taken pursuant to such arrangements.

<sup>5</sup> Section 2B of the 2006 Act. Steps that may be taken include: providing information and advice; providing services or facilities designed to promote healthy living; providing services or facilities for the prevention, diagnosis or treatment of illness; providing financial incentives to encourage individuals to adopt healthier lifestyles; providing assistance (including financial assistance) to help individuals to minimise any risks to health arising from their accommodation or environment; providing or participating in the provision of training for persons working or seeking to work in the field of health improvement; making available the services of any person or any facilities; and providing grants or loans

<sup>6</sup> As prescribed by the Secretary of State under Section 111 of the 2006 Act

<sup>7</sup> In relation to improving the way in which the authority's functions are exercised to secure and maintain the health of prisoners - Section 249 of the 2006 Act

<sup>8</sup> Under Schedule 1 of the 2006 Act

<sup>9</sup> For any purposes in connection with the authority's functions in relation to the health service – paragraph 13 of Schedule 1 of the 2006 Act

<sup>10</sup> Under Section 325 Criminal Justice Act 2003

<sup>11</sup> Section 6C(1) and (3) of the 2006 Act

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- in respect of which arrangements have been made<sup>12</sup>;
- i) any other function prescribed by the Secretary of State as the responsibility of the Director of Public Health; and
- j) the oversight of clinical governance arrangements.

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<sup>12</sup> Under Section 7A of the 2006 Act