

## **APPOINTMENT OF PROPER OFFICERS**

To request the Council to appoint Consultants in Communicable Disease Control (CCDC) as Proper Officers to carry out Public Health functions for and on behalf of the London Borough of Hillingdon

**RECOMMENDATION: That the following Proper Officers be appointed to carry out public health functions within the London Borough of Hillingdon:**

1. **Dr Claude Seng;**
2. **Dr Margaret Meltzer (Lead Officer)**
3. **Dr Sarah Anderson**
4. **Dr Yimmy Chow**
5. **Dr Lucy Thomas**
6. **Dr Deepti Kumar**

### **INFORMATION**

#### **Reasons for recommendation**

The London Borough of Hillingdon requires the services of Proper Officers to carry out various functions as required by public health legislation including National Assistance Act 1948; Public Health (Control of Diseases) Act 1984; Public Health (Infectious Diseases) Regulations 1988.

The appointments are based on the understanding that the lead CCDC will be the main contact for any enquiries related to the abovementioned Acts and Regulations, but that other consultants would be available to provide cover out of hours and for holidays, sickness or staff vacancies.

#### **Alternative options considered / risk management**

**Not to appoint the Proper Officers listed above** – The London Borough of Hillingdon a statutory duty under Section 74 of the Public Health (Control of Disease) Act 1984 to ensure that Proper Officers are appointed to carry out the tasks outlined below.

#### **Supporting Information**

The Health Protection Agency (HPA) is responsible for ensuring that arrangements are in place for the control of infectious or communicable diseases within various boroughs. The HPA employs a CCDC to carry out this function within a defined geographic / borough area. The CCDC is a medically qualified consultant attached to the local Primary Care Trust (PCT).

The CCDC has executive responsibility for the surveillance, prevention and control of communicable disease within the defined area – which is usually defined as the boundaries of the relevant Local Authority. By way of example, in the event of an infectious medical outbreak such as Swine Flu, on a borough level, the CCDC will act as the lead person responsible for implementing the Department of Health's plans for control and/or treatment of the disease. In addition, the CCDC may have the lead responsibility for the coordination of the health aspects of response to chemical incidents in the area.

The Proper Officer will act as a medical advisor to the local authority during any major outbreaks of infectious diseases and form part of an outbreak control team, which may be convened to investigate and control such outbreaks. The Proper Officer will provide expert medical and epidemiological advice to the outbreak control team on the management of any

outbreak, including the interpretation of clinical data, methodology of investigation and control measures to minimise spread and prevent recurrence. Where appropriate, the Proper Officer can arrange for medical examinations of cases and contacts and, if necessary, the taking of clinical specimens arrangements for immunisation.

The Public Health (Control of Disease) Act 1984 includes a number of responsibilities of local authorities which are set out in the table below. It is therefore a statutory requirement of the Public Health (Control of Diseases) Act 1984 that the CCDC is the appointed "proper officer" of the local authority of the relevant area. This arrangement helps to facilitate the proper discharge duties and exercise powers under the Public Health (Control of Diseases) Act 1984 and the Public Health (Infectious Diseases) Regulations 1988.

Currently, the CCDC maintains and develops effective working relationships with individuals and organisations involved with protection of the health of the population, in particular the environmental health departments, water companies and the Environment Agency, veterinary services, microbiology departments, hospital control of infection teams, occupational health services, hospital medical staff and primary care groups (Trusts)/local health groups, schools, nursing homes, prisons and voluntary agencies.

The work of a CCDC involves liaison with health service managers, other consultants in communicable disease control, the Communicable Disease Surveillance Centre, regional epidemiologists and the Departments of Health and Environment/National Assembly for Wales, as well as the close working relationship with other consultants in public health medicine and the Director of Public Health of the Health Authority.

When a CCDC acts as a Proper Officer under the Public Health (Control of Disease) Act 1984, his/her responsibilities include:

- Being told about cases of notifiable disease or food poisoning.
- Getting information about cases of notifiable disease or food poisoning.
- Stopping of work to prevent disease spreading.
- Excluding children from school if they are likely to carry a notifiable disease.
- Asking for the names and addresses of pupils at a school or department of a school.
- Issuing certificates to get an order to examine people believed to be carrying notifiable diseases.
- Removal to hospital of a person with notifiable disease.
- Detention in hospital of a person with notifiable disease.
- Getting a warrant to examine residents of a common lodging house.
- Certifying a common lodging house to be free from infection.
- Certifying that the body of someone who dies in hospital from a notifiable disease must not be moved except to be taken to a mortuary or immediately buried or cremated.
- Certifying that it would be a health risk to keep a body in a building.
- Authorising documents (such as advice pamphlets) under this Act on behalf of the authority.

Because the CCDC acts as a proper officer for and on behalf of the local authority in carrying out the statutory functions of the local authority, it is expected that the cost (if any) of enforcing the decision of the CCDC will be met from existing budgets.

Since 1 April 2003, CCDCs acting as Proper Officers are nominated and vetted by the Health Protection Agency. In order to ensure sufficient cover, the Health Protection Agency has recommended that the following CCDCs are appointed as Proper Officers to act on behalf of the London Borough of Hillingdon:

- i) Dr Claude Seng
- ii) Dr Margaret Meltzer (existing Hillingdon lead)
- iii) Dr Sarah Anderson
- iv) Dr Julianna (Yimmy) Chow
- v) Dr Lucy Thomas
- vi) Dr Deepti Kumar

The Public Health (Control of Disease) Act 1984 has been amended by the Health and Social Care Act 2008. Council is advised that regulations are currently being drafted in accordance with the Health and Social Care Act 2008 which may amend the role and responsibilities of the CCDC.

## **Legal**

Appointment of Proper Officers will ensure that the Council is able to discharge its duties and responsibilities in respect of public health in the borough.

The Local Government Act 1972 requires each local authority to appoint a “*proper officer*” to exercise the relevant powers and duties of the Council, in the name of the Council. Article 4.04(m) of the Constitution authorises the Council to make such appointments.

The London Borough of Hillingdon a statutory duty under Section 74 of the Public Health (Control of Disease) Act 1984 to ensure that Proper Officers are appointed to carry out the tasks outlined below.

Background Papers: none