

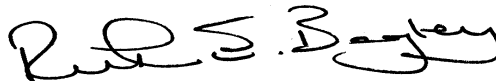
Date of despatch: 14<sup>th</sup> July 2014

**To the Members of Slough Borough Council**

Dear Councillor,

You are summoned to attend a Meeting of the Council of this Borough which will be held in the Flexi Hall, The Centre, Farnham Road, Slough, SL1 4UT on **Tuesday, 22nd July, 2014 at 7.00 pm**, when the business in the Agenda below is proposed to be transacted.

Yours faithfully



**RUTH BAGLEY**  
Chief Executive

**INDIVIDUAL ELECTOR REGISTRATION**

**MEMBERS ARE ASKED TO NOTE THAT PRIOR TO THE COUNCIL MEETING A PRESENTATION WILL BE DELIVERED BY MARK HUGHES, CABINET OFFICE, AT 6.30 pm**

**(This session is not open to the Press and Public)**

**PRAYERS**

**AGENDA**

***Apologies for Absence***

**PAGE**

1. Declarations of Interest

*All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with*

*Paragraph 3.28 of the Code.*

*The Chair will ask Members to confirm that they do not have a declarable interest.*

*All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.*

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|----|---|--------|
| 2. | To approve as a correct record the Minutes of the Council held on 5th June 2014 | 1 - 12 |
| 3. | To receive the Mayor's Communications.  |        |

### **Public Questions**

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| 4. | Questions from Electors under Procedure Rule 9. |  |
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### **Recommendations of Cabinet and Committees**

*[Notification of Amendments required by 10 a.m. on Monday 21<sup>st</sup> July 2014*

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| 5. | Recommendations of the Cabinet from its meetings held on 23rd June 2014 and 14th July 2014. | 13 - 130 |
|    | A. Statutory Service Plans.   |          |
|    | B. Consumer Protection and Business Compliance Enforcement Policy.                          |          |
|    | C. Salt Hill Park Path Improvements (report to follow).                                     |          |

### **Officer Reports**

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| 6. | Appointment of Member to the Slough Independent Admission Appeals and Exclusions Panel | 131 - 132 |
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### **Motions**

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| 7. | To consider Motions submitted under procedure Rule 14. | 133 - 134 |
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### **Member Questions**

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|----|---|--|
| 8. | To note Questions from Members under Procedure Rule 10 (as tabled). |  |
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<b>Press and Public</b>
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You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before Council considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

## MINUTES OF COUNCIL PROCEEDINGS

At a Meeting of the Council for the Borough of Slough held at the Small Hall, The Centre, Farnham Road, Slough, SL1 4UT on Thursday, 5th June, 2014 at 7.00 pm

**Present:-** The Worshipful the Mayor (Councillor Chaudhry), in the chair; Councillors Abe, Ajaib, Anderson, Bains, Bal, Brooker, Carter, Chahal, Cheema, Chohan, Coad, Dar, Davis, A S Dhaliwal, Dhillon, M Holledge, N Holledge, Hussain, Malik, Mann, Mansoor, Matloob, Mellor, Munawar, Nazir, Pantelic, Parmar, Plenty, Rana, Rasib, Shah, Sharif, Sidhu, Smith, Sohal, Strutton, Swindlehurst, Usmani, Wright and Zarait

**Apologies for Absence:-** Councillors Sandhu

### 1. To elect the Mayor for the 2014/15 Municipal Year

The Mayor called for nominations for the office of Mayor of the Borough of Slough for the ensuing municipal year. Councillor Hussain proposed and Councillor Ajaib seconded the nomination of Councillor Chaudhry.

There being no further nominations the Chief Executive declared Councillor Chaudhry be elected Mayor of the Borough of Slough for the 2014/15 municipal year. Councillor Chaudhry, having made and signed the requisite declaration of acceptance of office, was thereupon installed in the Chair.

(The Worshipful the Mayor, Councillor Chaudhry, in the Chair)

**Resolved -** That Councillor Chaudhry be elected as Mayor for the Municipal Year 2014/2015.

### 2. To elect the Deputy Mayor for the 2014/15 Municipal Year

The Mayor called for nominations for the office of Deputy Mayor of the Borough of Slough for the ensuing municipal year. Councillor Swindlehurst proposed and Councillor Sharif seconded the nomination of Councillor Rasib.

There being no further nominations, the Mayor declared Councillor Rasib to be elected Deputy Mayor of the Borough of Slough for the 2014/15 municipal year. Councillor Rasib made and signed the requisite declaration of acceptance of Office of Deputy Mayor.

**Resolved -** That Councillor Rasib be elected as Deputy Mayor for the Municipal Year 2014/2015.

**3. Declarations of Interest**

Councillors Bal and Munawar declared a personal interest in that members of their families were employed by Slough Borough Council.

**4. To approve as a correct record the Minutes of the Council held on 22 April 2014**

**Resolved** - That the Minutes of the Council meeting held on 22<sup>nd</sup> April, 2014 be approved as a correct record.

**5. To receive the Mayor's Communications.**

The Mayor welcomed newly elected Members to the Council and wished them well in their forthcoming duties as Councillors.

The Mayor was pleased to announce that the Reverend Linda Hillier, had at his personal request, agreed to serve as the Mayor's Chaplain during his term of office. He was very grateful to Linda for undertaking the chaplaincy duties for a further year and looked forward to working with her.

Council was advised that the Mayor's Reception would take place on Friday 20<sup>th</sup> June at The Centre and invitations would be sent out in the near future.

**6. Appointments of Committees, Quasi-Judicial and Other Bodies and Allocation of Political Group Officer Support**

The Mayor advised that nominations had been circulated within a supplementary agenda and further nominations/ alterations to nominations had been received:

Standards Advisory Committee

Independent Person – Mr Fred Ashmore

Member Panel on the Constitution

Conservative Group Nomination – Councillor Wright

It was moved by Councillor Anderson,  
Seconded by Councillor Swindlehurst,

“(a) That Committees be appointed and seats thereon allocated to political groups in accordance with the rules of proportionality, as set out in the supplementary report.

(b) That appointments be made to Committees as set out in Appendix 1.”

The recommendations were put to the vote and carried by 32 votes to 1 with 7 abstentions.

**Resolved -**

- (a) That Committees be appointed and seats thereon allocated to political groups in accordance with the rules of proportionality, as set out in the supplementary report.
- (b) That appointments be made to Committees as set out in Appendix 1.

It was moved by Councillor Swindlehurst,  
Seconded by Councillor Pantelic,

- “(c) That Councillor Anderson be appointed leader of the Council for a period of up to 4 years.”

The recommendation was put to the vote and carried by 32 votes to 1 with 8 abstentions.

**Resolved -**

- (c) That Councillor Anderson be appointed leader of the Council for a period of up to 4 years.

It was moved by Councillor Anderson,  
Seconded by Councillor Hussain,

- “(d) That the Deputy Leader and Commissioners (the Cabinet) be appointed as set out in Appendix 1.”

The recommendation was put to the vote and carried by 32 votes with 9 abstentions.

**Resolved -**

- (d) That the Deputy Leader and Commissioners (the Cabinet) be appointed as set out in Appendix 1.

It was moved by Councillor Anderson,  
Seconded by Councillor Swindlehurst,

- “(e) That the Chairs and Vice-Chairs of Committees be appointed as set out in Appendix 1.
- (f) That 1 FTE Political Group Officer be allocated to the controlling group and that 0.5 FTE be allocated to the Conservative Group.
- (g) That appointments be made to quasi-judicial and other bodies as set out in Appendix 2.”

The recommendations were put and carried unanimously.

**Resolved -**

- (e) That the Chairs and Vice-Chairs of Committees be appointed as set out in Appendix 1.

- (f) That 1 FTE Political Group Officer be allocated to the controlling group and that 0.5 FTE be allocated to the Conservative Group.
- (g) That appointments be made to quasi-judicial and other bodies as set out in Appendix 2.

## 7. **Appointments to Outside Bodies 2014/15**

The Mayor advised that nominations had been circulated in a supplementary agenda.

Amendments to nominations were received as follows:

- That Councillor Bal be nominated as a representative to the Royal Berkshire Fire Authority in place of Councillor Rasib.
- That Councillor Abe be nominated as the Conservative Group representative to Royal Berkshire Fire Authority

An addition to the list of Outside Organisations was received as follows:

- Local Government Association: Councillors Anderson, Mann and Swindlehurst

It was moved by Councillor Anderson,  
Seconded by Councillor Swindlehurst,

“That appointments be made to Outside Bodies for the Municipal year 2014/15 as now submitted”.

The recommendation was put and carried unanimously.

**Resolved** - That appointments to Outside Bodies for the Municipal year 2014/15 be as set out in Appendix 3 attached.

Chair

(Note: The Meeting opened at 7.00 pm and closed at 8.00 pm)

## **APPENDIX 1**

### **APPOINTMENTS TO CABINET AND COMMITTEES 2014/2015**

<b>Leader of the Council - Finance &amp; Strategy</b>	Councillor Anderson
<b>Community &amp; Leisure</b>	Councillor Carter
<b>Education &amp; Children</b>	Councillor P K Mann
<b>Environment &amp; Open Spaces</b>	Councillor Parmar
<b>Health and Wellbeing</b>	Councillor Hussain
<b>Neighbourhoods &amp; Renewal (&amp; Deputy Leader)</b>	Councillor Swindlehurst
<b>Performance &amp; Accountability</b>	Councillor Sharif
<b>Social and Economic Inclusion</b>	Councillor Munawar

### **LICENSING COMMITTEE** (Chair Councillor Davis, Vice-Chair Councillor Shah)

Councillors Ajiab, Bains, Cheema, Coad, Malik, Mellor, Munawar, Rasib, Sohal

### **PLANNING COMMITTEE** (Chair Councillor Dar, Vice-Chair Councillor Ajaib)

Councillors Bains, M Holledge, Plenty, Rasib, Sidhu, Smith, Swindlehurst

### **EMPLOYMENT & APPEALS COMMITTEE** (Chair Councillor Brooker, Vice-Chair N Holledge)

Councillors Chohan, Coad, Dhaliwal, Plenty, Sandhu, Sharif, Zarait

### **OVERVIEW & SCRUTINY COMMITTEE** (Chair Councillor Nazir, Vice-Chair-Councillor Smith)

Councillors Bal, Chahal, N Holledge, Malik, Rana, Pantelic, Usmani

### **AUDIT AND RISK COMMITTEE** (Chair Councillor Chohan, Vice-Chair, Councillor Zarait)

Councillors Dhaliwal, Dhillon, Mansoor, Sandhu.

### **Independent Co-opted Member**

Mr Ajay Kwatra

### **STANDARDS ADVISORY COMMITTEE** (Chair Councillor M Holledge, Vice-Chair Councillor Matloob)

Councillors Dhaliwal, Dhillon, Usmani, Sandhu

### **Independent Members**

Vacancy (4 year appointment)

Mr A Sunderland (appointed to the Annual meeting 2015)

Mr Roberts (appointed to the Annual meeting 2015)

### **Independent Person**

Mr Fred Ashmore

### **Parish Council Representatives**

TBC (Britwell Parish Council)

Councillor Harjinder Singh (Wexham Court Parish Council)

Councillor Scott Bryant (Colnbrook with Poyle Parish Council)

### **Joint East Berkshire Health Overview Scrutiny Committee**

Councillors Cheema, M Holledge and Pantelic (Deputies Chohan, Davis and Rana)

### **Berkshire Pension Fund Advisory Panel**

Councillor Brooker

### **Thames Valley Police and Crime Panel**

Councillor Sharif



**APPOINTMENTS TO QUASI-JUDICIAL AND OTHER BODIES 2014/15**

**MEMBER PANEL ON THE CONSTITUTION**

Councillors Ajaib, Carter, Dhillon, Matloob, Swindlehurst, Wright and Zarait.

**CORPORATE PARENTING PANEL**

Councillors Brooker, Carter, Davis, Mann, Pantelic, Strutton, Usmani

**SOCIAL SERVICES COMPLAINTS REVIEW PANEL**

Councillors Cheema (Deputies Rana, Sidhu)

**FOSTER PANEL**

Councillor Brooker

**SLOUGH WELLBEING BOARD 2014/ 2015**

Leader of the Council	Healthwatch representative
Cabinet Member for Health and Wellbeing	Local Police Area Commander
Chief Executive, Slough BC	Royal Berkshire Fire and Rescue Service representative
Strategic Director of Wellbeing	Local Business representative
Strategic Director of Public Health for Berkshire	Voluntary and Community Sector representative
Slough Clinical Commissioning Group representative	NHS Commissioning Board representative

**STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION**

**Committee 1 - Christian Denomination and other Faiths**

The Free Churches	Sue Elbrow (until 2017)
Black Free Churches	Vacancy
The Roman Catholic Church	Vacancy
Hinduism	Vacancy
Islam	Julie Siddiqi (until 2017) Zubayr Abbas-Bowkan (until 2017)

	Vacancy Vacancy
Judaism	Vacancy
Sikhism	Hardip Singh Sohal (until 2017) Ashpreet Singh Nainu (until 2017)
Baha'is	Vacancy
<u>Committee 2 – The Church of England</u>	
The Church of England	The Rev Andrew Allen (until 2017) Christine Isles (until 2017) Victoria Hall (until 2017) Andrea Sparrow (until 2017)
<u>Committee 3 - Associations representing Teachers (6)</u>	
National Union of Teachers VOICE (Formerly Professional Association of Teachers)	Lynda Bussley (until 2017) Linda Lewis (until 2017)
National Association of Head Teachers	Vacancy
Secondary Heads Association	Vacancy
National Association of School Masters/Union of Women Teachers	Vacancy
Association of Teachers and Lecturers	Vacancy
<u>Committee 4 – Representatives of Local Authority</u>	
	5 Members Brooker, Cheema, Mann, Rana (One Conservative vacancy)

### **SCHOOL ADMISSION/EXCLUSION APPEALS – POOL OF PANELLISTS**

Mrs S Baig (Education)	Ms R Mohan (Education)
Mr D Bryce (Lay)	Mrs L Parminter (Lay)
Mrs P Delamere (Education)	Mrs P Prescott (Education)
Mrs R Fawcett (Education)	Mrs S Punj (Lay)
Mrs C George (Lay)	Mrs J Putnam (Education)
Mr A Ghanie (Lay)	Mrs D Sandhu (Lay)
Mr P Godliman (Lay)	Mr R Saund (Lay)
Mr J Griffiths (Education)	Mrs L Simmons (Lay)
Dr P Johnson (Education)	Mrs L Smit (Lay)
Mrs T Khan (Education)	Mrs E Strange (Lay)
Mrs J Lloyd (Education)	Mr CH Stone (Education)

## MUNICIPAL YEAR 2014/15 APPOINTMENTS TO OUTSIDE BODIES

LEVEL 1 - CORPORATE BODIES WHERE MEMBERS HAVE SIGNIFICANT LIABILITY AND/OR THE BODY HAS SIGNIFICANT RESPONSIBILITY FOR SERVICE DELIVERY

<b>OUTSIDE BODY</b>	<b>APPOINTMENTS/ NOMINATIONS REQUIRED</b>	<b>MEMBER(S) APPOINTED</b>
Berkshire Healthcare NHS Foundation Trust	1 Member (preferably Commissioner for Health and Wellbeing)	Hussain
Berkshire Local Transport Body	1 Member (preferably Social and Economic Inclusion) and 1 named Deputy	Munawar & Davis (Deputy)
Board of Development Initiative Slough Housing Ltd (DISH)	3 Members	Anderson and Swindlehurst.  Ms H Minhas
Heatherwood and Wexham Park Hospitals NHS Foundation Trust	1 Member (preferably Commissioner for Health and Wellbeing)	Hussain
Slough Local Asset Backed Vehicle (LABV) Board	1 elected Member and 1 named Deputy	Nazir  (Deputy Vacancy)
Royal Berkshire Fire Authority  (allowance payable 14/15 £1800 pa)	4 Members including Commissioners for Public Protection & Young People's Services and Community Safety (proportional 3:1)	Plenty Bal Shah Abe
Safer Slough Partnership	1 Member	Sharif
Slough Children's Partnership Board	1 Member (Commissioner for Education and Children)	Mann
Slough Local Safeguarding Children Board	1 Member (Commissioner for Education and Children)	Mann
Slough Safeguarding Adults Partnership Board	2 Members (including the Commissioner for Health & Wellbeing)	Hussain Malik
Thames Valley Athletics Centre Management Committee	1 (Commissioner for Environment and Open Spaces) +1 Deputy	Parmar Cheema (Deputy)
Thames Valley Athletics Centre Trust	1 (Commissioner for Environment and Open Spaces) +1 Deputy	Parmar Cheema (Deputy)

**MUNICIPAL YEAR 2014/15**  
**APPOINTMENTS TO OUTSIDE BODIES**

LEVEL 2 - NO SIGNIFICANT LIABILITY/RESPONSIBILITY FOR SERVICE DELIVERY

<b>OUTSIDE BODY</b>	<b>APPOINTMENTS/ NOMINATIONS REQUIRED</b>	<b>MEMBER(S) APPOINTED</b>
Heathrow Airport Consultative Committee	1 and 1 Deputy (Member or Officer)	Swindlehurst & Munawar (Deputy)
James Elliman Trust	5 Members to serve until 2018	Mann, Rasib & Swindlehurst (2 vacancies)
Parking & Traffic Regulation Outside London Joint Committee (PATROLJC)	1 Member	Munawar
Slough Local Access Forum	2 Members	Parmar Davis
Berkshire Community Foundation	1 (Member or Officer)	Hussain Munawar (Deputy)
Local Authorities' Aircraft Noise Council	3 (Member or Officer)	Strutton (2 vacancies)
Groundwork South	1 (Member or Officer)	Plenty
South East Employers	2 Members & 2 Deputies (Chair of Employment & Appeals Committee plus a Commissioner) (NB. Should not be employee of another local authority or official of any of the local government unions)	Brooker Munawar (vacancies for 2 Deputies)
St Mary's School Charity	2 Members	Brooker Plenty
Standing Conference on Archives	1 Member	N Holledge
Strategic Aviation Special Interest Group (SASIG)	1 Member (plus deputy)	Mellor Plenty (Deputy)
Slough Council for Voluntary Service	1 Member + 1 Deputy + Chief Executive or Nominee	Dhaliwal Malik (Deputy)
Local Government Association	3 Members	Anderson Mann Swindlehurst

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Council

**DATE:** 22<sup>nd</sup> July 2014

**CONTACT OFFICER:** Nick Pontone, Democratic Services Officer  
**(For all enquiries)** (01753) 875120

**WARD(S):** All

**PART I**  
**FOR DECISION**

**RECOMMENDATIONS OF THE CABINET FROM ITS MEETINGS HELD ON 23<sup>rd</sup> JUNE 2014 AND 14<sup>th</sup> JULY 2014**

**1. Purpose of Report**

1 To advise the Council of the recommendations of the Cabinet on the following matters:

Cabinet meeting held on Monday 23<sup>rd</sup> June 2014

- A. Statutory Service Plans.
- B. Consumer Protection and Business Compliance Enforcement Policy.

Cabinet meeting held on Monday 14<sup>th</sup> July 2014

- C. Salt Hill Park Path Improvements (to follow).

**A. STATUTORY SERVICE PLANS**

**1 Introduction**

To advise the Council of the recommendation of the Cabinet on approval of the Statutory Service Plans (SSPs) for 2014/15 in relation to.

- Food Safety Service (as set out in Appendix A1)
- Health and Safety Service (as set out in Appendix A2)
- Trading Standards Service (as set out in Appendix A3)

in accordance with the requirements laid down by external agencies.

**2 Recommendation(s)/Proposed Action**

The Council is requested to Resolve that the Statutory Service Plans in relation to the Food Safety, Health & Safety and Trading Standards work undertaken by the Council be endorsed.

### **3 The Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

#### **3a. Slough Wellbeing Strategy Priorities**

The Plans ensure that the Council is able to fulfil its statutory obligations under the relevant Regulatory Services legislation. However, the focus of projects within all the Services is geared towards Sloughs specific community and business needs, based on local intelligence, our work with partners and the Joint Strategic Needs Assessment (JSNA), The Joint Wellbeing Strategy and the Corporate Plan

Examples of where the plans contribute to the Slough's priorities include:

- **Economy and Skills**

- Supporting local businesses in meeting their legal requirements ' through low cost training; 'Buy with Confidence' and Food Hygiene courses; recognising good standards in food businesses with the Food Hygiene Rating Scheme
- Partnerships with businesses in the Primary Authority Scheme, providing regulatory compliance advice for businesses trading beyond the boundaries of Slough, reducing the regulatory burden upon those businesses and contributing to the prosperity of the town.
- Developing with other Council teams and 'Open for Business' approach.

- **Health**

- Supporting and encouraging all the cuisines in Slough to provide safe food through inspections and interventions and the Food Hygiene Rating Scheme (FHRS)
- Catering for Health award supporting businesses to provide choices, including the safe importation of ethnic foods.
- Reducing risks in the work place with investigations, interventions and specific projects based upon Sloughs needs such as Legionella control,
- Increasing awareness of food labelling and healthy eating, contributing to reducing obesity rates in Slough;

- **Regeneration and Environment**

- Advice for Slough businesses on waste and pest control; animal by-products waste disposal; safe asbestos disposal

- **Safer Slough**

- Underage sales education and enforcement; projects to reduce the incidence of violence in retail and licensed premises e.g. Loan Shark project, Community Alcohol Partnership (CAP) and supporting work for the Local Alcohol Action Area (LAAA)
- Safeguarding migrant and other vulnerable workers

- **Housing**

- Supporting owners and landlords to provide Energy Performance Certificates for accommodation

### 3b. Slough Wellbeing Strategy: Cross-Cutting themes –

#### **Civic responsibility**

The majority of businesses in Slough want to be able to comply with legal requirements concerning food safety, fair trading and health & safety, The Service Delivery Plans are designed to help support businesses towards compliance with a graduated enforcement approach commencing with advice and sign posting to detailed information. Schemes such as Buy with Confidence and the Food Hygiene Rating Scheme recognise and reward businesses that do well; encouraging residents to use their local services and shops.

#### **Improving the image of the town**

The Plans set out how the Council will meet its statutory obligations to maintain the pre-requisites that residents and visitors expect in a town like Slough; to be able to eat out without becoming ill, go to work without being injured, buy safe goods in the town's shops. The plans detail essential work that will both protect the reputation of Slough and improve its image.

A core part of the Plans is the provision of assured regulatory advice to 34 national and international businesses and trade associations via the Primary Authority scheme. Slough has become a leader in the provision of Primary Authority advice contributing to the prosperity of the town and identifying Slough as a town that aims to reduce the regulatory burden for businesses.

#### **Joint Strategic Needs Assessment (JSNA)**

Key objectives are informed by evidence from the JSNA and aim to deliver positive outcomes via both legislative action and behaviour approaches to improve public and workplace health for example:

- **Reduce Inequalities in health.** Smoke free enforcement, tobacco control, underage sales test purchasing and counterfeit or illegally imported tobacco products investigations in partnership with SBC Licensing, Thames Valley Police and Immigration Enforcement.
- **Reduce Adult and childhood Obesity.** The Plans detail work on nutritional awareness and the roll out of catering for health in the Slough Community, together with a school meals survey which provides baseline data.
- **Improve the quality and availability of housing and environment for Slough residents.** Support for the Slough Sheds project with Energy Performance Certificates (EPCs) enforcement and advice
- **Increase skills and employment opportunities.** Provide assured advice for businesses in Slough and specialist training for food handlers. Supporting legitimate businesses to prosper.
- **Reduce violent crime, domestic abuse and sexual abuse.** Advice and support in relation to control of underage sales of alcohol and knives, provision of proof of age cards.

### 3c. Corporate Plan 2014/15

The Plans link directly to the Corporate Plan and the Council's vision through the food safety, health and safety, and trading standards action plans for the front line delivery of services;

- Improve customer experience – we seek and act upon feedback from our customers, aiming to simplify access to the service with more online information and supporting the development of ‘Open for Business’
- Deliver high quality services to meet local needs. Services are based upon local evidence of risk and need and are targeted specifically for Slough’s residents, visitors and businesses.
- Develop new ways of working, deliver local and national change, develop a skilled and capable workforce. Expanding our regulator services to businesses in order to increase income and work towards offsetting the cost of service delivery.
- Deliver local and national change and improvement. Supporting the Town Centre initiatives and responding to new statutory service requirements.
- Promote economic growth and protect the Council’s finances. Developing an improved approach to increase inward investment retention of existing businesses and entrepreneurship via Primary Authority support and ‘Open for Business’ approach, ensuring a level playing field for Slough business by dealing with rogue traders.

#### 4 Other Implications

##### (a) Financial

It is anticipated that the plans will be implemented within existing resources. However, the situation will be closely monitored as unplanned reactive pressures, such as major investigations, will have resourcing implications which will be reported to members for their consideration.

Costs recovered from Primary Authority work will be used to help off set the cost of service delivery and contribute to the council’s savings targets as appropriate.

##### (b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal	None	
Property	None	
Human Rights	None	Protection of worker and consumer rights in Slough
Health and Safety	None for SBC workforce. Risk Assessments are in place for all officer activities	Supporting businesses in Slough toward sensible risk management, enhancing health & safety conditions in Slough
Employment Issues	None	Costs recovered from Primary Authority can offset service delivery costs helping to maintain a flexible and resilient workforce to meet Sloughs needs



Equalities Issues	None. Equality Impact Assessments have been completed	The work of the teams actively supports equality in the work place for example, with disability access and awareness issues.
Community Support	None	The teams engage in neighbourhood and Community action events
Communications	None	The Teams engage with businesses and residents on a daily basis Regular press releases and newsletters are issued we have regularly interview slots on BBC Radio Berkshire
Community Safety	None	Underage sales, rogue traders, loan sharks activities support the Safer Slough Partnership priorities.
Financial	Risk from complex criminal investigations or outbreaks that demand considerable officer time resulting in pressure upon resources to complete statutory work within timescales set by national enforcement bodies. Increased costs from legal fees not fully recovered. Mitigated by the re-prioritisation of resources where possible.	The income from Primary Authority work can be used to offset cost of service delivery
Timetable for delivery	Risk from complex criminal investigations or outbreaks that demand considerable officer time resulting in pressure upon resources to complete statutory work. Mitigated by the re-prioritisation of resources where possible.	
Project Capacity	Risk from complex criminal investigations that demand considerable officer time resulting in pressure upon resources to complete statutory work. Mitigated by the re-prioritisation of resources where possible.	

Other Failure to endorse the SDPs	Serious risk to delivery of statutory obligations, failure to delivery on projects that impact positively on health & well being issues in Slough. Potential risk to Slough Borough Council reputation.	
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### Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications, the work detailed in the Plans is based upon UK and European legislation that has already been assessed in terms Human Rights Act Implications

### Equalities Impact Assessment

Equalities Impact assessments have been completed on key policies contained within the Plans. However, the work detailed in the Plans is based upon UK and European legislation that has already been assessed in terms of Equality Impact Assessment.

## **5 Supporting Information**

5.1 National guidance on the delivery of the Authority’s enforcement activities is issued by The Food Standards Agency, the Health and Safety Executive and the Department for Businesses, Innovation and Skills; setting out standards for service provision, monitoring and auditing arrangements, in order to ensure that local enforcement activities are undertaken in a robust and fair consistent manner in line with the Regulators Code and our Enforcement Policy.

5.2 The Plans are an important part of the process to ensure national priorities and standards are addressed and delivered to meet local needs effectively. These Plans, which are required to be reviewed and updated annually, will

- focus on local priorities and the needs of our local community
- provide an essential link with financial planning
- set objectives for the future, and identify major issues that cross service boundaries;
- and provide a means of managing performance and making performance comparisons

5.3 Local authorities are required to include in their Statutory Service Plans

- Information about the services they provide
- the means by which they will provide those services
- the means by which they will set/monitor performance targets and standards
- a review of performance against proposed targets

5.4 Primary Authority is a statutory scheme which enables partnerships to be formed between business and local authorities. The aim being to streamline and simplify the national regulatory compliance demands on local businesses in relation to trading standards, food and health & safety matters. The scheme has been

phenomenally successful in Slough and we have now secured 34 successful agreements with national and international businesses based in the town such as; Reckitt Benkiser, Mars, Telefonica, Citroen, Fiat and Burger King. The scheme continues to grow with the recent addition of two trade associations.

5.5 Statutory Service delivery will continue to focus very specifically upon areas of high risk whilst aiming to reduce the regulatory burden on compliant business: continuing to make the best use of the resources we have available and ensuring positive outcomes and value for money.

5.6 We will seek to strengthen existing partnerships and develop others to ensure effective delivery across service areas; using an evidenced based approach to help deliver services that meet the specific needs of Slough based upon the evidence available supporting the Corporate Plan and the Safer Slough Partnership

## **6 Comments of Other Committees**

The Cabinet considered the Statutory Service Plans at its meeting on 23<sup>rd</sup> June 2014 and resolved to Recommend endorsement of the plans to Council.

## **7 Conclusion**

The proposed Plans illustrate our commitment to continuous improvement and accountability, whilst responding flexibly to ongoing changes in both the regulatory and consumer landscapes nationally and locally. They also show how the Council has successfully adopted a balance of techniques and approaches to support local businesses, drive up compliance, enhance consumer protection and promote, with our partners, safety and wellbeing in the workplace and our communities.

## **8 Appendices**

- A1 Food Safety & Standards Service Delivery Plan 2014/15
- A2 Health & Safety Service Delivery Plan 2014/15
- A3 Trading Standards Service Delivery Plan 2014/15

## **9 Background Papers**

- '1' Food Standards Agency Code of Practice (Revised 2014)
- '2' National Local Authority Code, Health & Safety at Work. (2013)
- '3' Primary Authority Handbook. Local Better Regulation Office (2014)

## B. CONSUMER PROTECTION AND BUSINESS COMPLIANCE ENFORCEMENT POLICY

### 1 Introduction

For Members to review and approve the revised Consumer Protection and Business Compliance (previously Public Protection) Enforcement Policy as set out in Appendix B1.

### 2 Recommendation(s)/Proposed Action

The Council is requested to resolve:

- (a) That the draft Consumer Protection and Business Compliance Enforcement Policy be endorsed.
- (b) To consider recommending that the revised policy be adopted by all other regulatory and enforcement service areas where appropriate within the Council.
- (c) That the Head of Consumer Protection and Business Compliance Services be authorised to make minor amendments to the adopted Policy as required to reflect changes in legislation or guidance and codes of practice where a full review of the Policy is not warranted.

### 3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan

3a. **Slough Joint Wellbeing Strategy Priorities** – The Enforcement Policy supports the effective, consistent, proportionate, robust and accountable delivery of the Council’s statutory regulatory services which underpin key parts of the SJWS, the JSNA and the Corporate Plan, for example:

- Economy and Skills: enforcement action against rogue traders to ensure a level playing field for Sloughs local businesses to grow and prosper
- Health and Wellbeing: protecting the vulnerable from doorstep sales, loan sharks and underage sales; dealing for poor standards of hygiene in food premises
- Safer Communities; supporting action against anti-social behaviour

### 4. Other Implications

(a) Financial - There are no financial implications. The policy will be fully met within existing budgets

(b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal	Quality assurance procedures will ensure that enforcement decisions are taken in line with the revised Policy document.	All regulatory services are required to have in place an Enforcement Policy having regard to the Regulators Code. The revised policy sets out a transparent, risk based and graduated approach to enforcement.

Property	None	None
Human Rights	As detailed at (c) below	As detailed at (c) below
Health and Safety	None	None
Employment Issues	None	None
Equalities Issues	As detailed at (d) below	As detailed at (d) below
Community Support	None	None
Communications	None	None
Community Safety	None	None
Financial	As detailed in (a) above	As detailed in (a) above
Timetable for delivery	Approved by Cabinet on 23 <sup>rd</sup> June 2014 to recommended to Council on 22 <sup>nd</sup> July 2014.	Approved by Cabinet on 23 <sup>rd</sup> June 2014 to recommended to Council on 22 <sup>nd</sup> July 2014.
Project Capacity	None	None
Other	None	None

(c) Human Rights Act and Other Legal Implications

Section 1 and Schedule 1 Parts I & II of The Human Rights Act 1998, apply:

- Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of licence and shall not be deprived of the possession except in the public interest
- Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

The revised draft Policy document has regard to both Article 1 and Article 6 as above.

Section 21 of the Legislative and Regulatory Reform Act 2006 (the “Act”) imposes a duty on any person exercising a specified regulatory function to have regard to the five principles of good regulation. This principle provides that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent and should be targeted only at cases in which action is needed.

Section 22 of the Act provides for the issue of a code of practice relating to the exercise of regulatory functions, (the “Regulators’ Compliance Code”). This section imposes a duty on any person exercising a specified regulatory function to have regard to the Regulators’ Compliance Code when determining general policies or principles by reference to which that person exercises those functions.

Under Section 22(3) of the Act, where a person exercises a regulatory function of setting standards or giving general guidance about the exercise of other regulatory functions, the duty to have regard to the Regulators’ Compliance Code applies directly to the exercise of setting that function of setting standards or giving general guidance. Through the Legislative and Regulatory Reform Act 2006, the Better Regulation Delivery Office (BRDO) issued the “Regulators’

Code” which came into statutory effect on 6 April 2014. It replaces the previous Regulators’ Compliance Code, and is designed to provide clearer understanding for both the regulators and those regulated of the regulatory framework.

Regulators must have regard to the Code when setting standards or giving guidance which will guide the regulatory activities of other regulators. Therefore the Council is required to reconsider its enforcement policies and procedures in light of the new Code.

The Local Authorities (Functions & Responsibilities) (England) Regulations 2000 sets out a scheme for dividing the Council’s regulatory functions into either Council side or Executive (Cabinet) functions. The regulatory functions which come under the remit of the Corporate Enforcement Policy consist of both Council and Executive functions and it is therefore appropriate to consider the Policy and make recommendations prior to approval by full Council.

#### (d) Equalities Impact Assessment

An Equalities Impact Assessment has been completed. The Assessment has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.

### **5. Supporting Information**

- 5.1 In April 2012 Cabinet approved a comprehensive Enforcement Policy for the then Public Protection Service..
- 5.2 During the Course of 2012 changes were made to the structure of the Customer and Community Services Directorate creating a new Consumer Protection and Business Compliance Service (CP&BC) area which includes Food and Safety, Trading Standards, Licensing and most recently Community Safety.
- 5.3 The Policy is being reviewed to take account of changes in legislation and the introduction of a new Regulators Code. Due to statutory requirements the policy must be approved by both Cabinet and Council. The intention of the new policy is to create a clearer, consistent approach covering all regulatory services across the Council. This is to further enhance and formalise our joint working and partnership approach.
- 5.4 The previous Enforcement Policy document has been revised and updated to reflect the introduction of the Regulators Code. The Code is designed to regulate for the protection of the vulnerable, the environment, social or other objective, whilst seeking to promote proportionate, consistent and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate. The revised draft document for approval is attached at **Appendix B1**
- 5.5 The Regulators Code is central to the better regulation agenda, embedding a risk based and transparent approach to regulatory inspection and enforcement activity.
- 5.6 A Corporate Enforcement Policy promotes a consistent approach and ensure that all departments involved in enforcement are complying with its principles. At the same time it allows the flexibility for each service area to develop its own enforcement mechanisms taking on board the legal and operational differences

between the service areas. For example, the unique requirements associated with the closure of food premises. The specialist policies will be updated, audited and reviewed by the relevant departments.

- 5.7 The revised policy document provides guidance to officers, managers, businesses and consumers in relation to the enforcement actions and decisions taken by CP&BC services areas.
- 5.8 Although the revised document relates at this time to the Consumer Protection and Business Compliance services, the 'General Principles' at **Point 5** and the overview of 'Enforcement Actions' at **Point 6** do apply to all other regulatory and enforcement service areas within the Council.
- 5.9 With regards to Penalty Charge Notices, these are a specifically prescribed enforcement action relating to Parking Enforcement and have been included in the revised document following consultation with the Team Leader - Parking Enforcement and Development, during the consultation period.
- 5.10 The revised document has been subject to a consultation process which has included internal service areas, identified consultees as well as the public. A full list of consultees, their responses and a reply to the responses is attached at **Appendix B2**.

## **6. Comments of Other Committees**

The policy was considered by the Cabinet at its meeting on 23<sup>rd</sup> June 2014 and it was agreed to Recommend to Council.

## **7. Conclusion**

The revised draft Policy sets out in an open and transparent manner, the local authority's approach to enforcement and demonstrates a firm commitment to the statutory obligations under the Regulators Code. The policy will also ensure that enforcement decisions are taken in a proportionate, fair and consistent manner based on risk.

## **8. Appendices Attached**

- B1 - Draft Consumer Protection and Business Compliance Enforcement Policy (June 2014)
- B2 - Consultation consultees, responses and replies

## **9 Background Papers**

- 1 - Regulators Code (April 2014)
- 2 - Equality Impact Assessment
- 3. - Public Protection Enforcement Policy (April 2012)

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# Food Safety & Food Standards

## Service Delivery Plan 2014/15



## Consumer Protection & Business Compliance Group

The Consumer Protection & Business Compliance is an outward facing service group made up from the:

- **Food & Safety**
- **Licensing**
- **Community Safety & CCTV**
- **Trading Standards**

Our aim is to achieve a safe, healthy and fair trading town for our residents, businesses and visitors. The wide ranging work of the group is risk based and fundamental in creating a level playing field in which responsible businesses can flourish and our communities remain protected from rogues.

### Here are some facts about Slough Borough Council's Food Safety & Standards Service:

- We are responsible assessing compliance with food safety and food standards legislation at all food businesses within Slough. This role is shared between the Food & Safety Team and the Trading Standards Team. The teams are **also** responsible for:
  - Health & Safety enforcement
  - Infectious disease control
  - Consumer protection
  - Animal health
  - Imported food and products control
  - Primary Authority Partnerships
  - Smoke Free enforcement
- We provide a responsive service that aims to achieve a balance between enforcement and advice; taking a minimum tolerance approach on issues of serious concern in line with our enforcement policy whilst supporting compliant businesses.
- We work closely with businesses and key stakeholders like the Food Standards Agency, Public Health England and other partners within the Council such as Public Health, Neighbourhood Enforcement, Licensing, Mott MacDonald and Schools Support
- We play a major role in increasing awareness of the importance of nutrition, the reduction of obesity, particularly in Slough's children, and the links to increased risks to health of diabetes and coronary heart disease
- We have the equivalent of 5 officers dealing with food hygiene and 1 dealing with food standards issues.



The purpose of this plan is to inform you about how we are achieving our aims and of work we are doing, in conjunction with our partners and agencies, to enhance public health and well being. We will do this by:

- Completing Risk Based Inspections, focusing on the highest risk and poor performers
- Using a range of interventions to support business in Slough whilst protecting customers to increase the % of Broadly Compliant food businesses
- Promoting well performing businesses through the **Food Hygiene Rating Scheme** and also identifying those businesses which seek an economic advantage from non-compliance and also put Slough residents and visitors at risk
- Promotion of food businesses that offer a healthier choice with our **Catering For Health (CFH) Award** and increasing awareness nutrition as part of a healthy lifestyle
- Food quality and composition sampling
- Investigation of food complaints
- Acting as '**Primary Authority**' for large businesses and manufacturers both inside Slough and nation wide, which involves formal liaison with other local authorities, giving advice and support to the business in the Primary Authority partnership. Primary Authority is a cost recovered charged service.
- Investigation of food poisoning outbreaks and infectious diseases; taking action to prevent infection and spread
- The inspection of imported food, food products and the verification of imported organic food arriving via Heathrow airport
- The training of food handlers to a level 2 qualification in Food Safety in Catering and a wide range of promotional activities
- Training Food Handlers to the Level 2 award in Healthier Food & Special Diets

This plan will be reviewed annually and we would welcome your views, comments and suggestions on how it could be improved. Please forward your views to:

Ginny de Haan, Head of Consumer Protection & Business Compliance,  
Tel: 01753 875255 or e-mail: [ginny.dehaan@slough.gov.uk](mailto:ginny.dehaan@slough.gov.uk)

Or

Levine Whitham, Food & Safety Manager  
Tel: 01753 875255 or e-mail: [levine.whitham@slough.gov.uk](mailto:levine.whitham@slough.gov.uk)

# Proud to be Slough



## Our Vision

The Joint Wellbeing Strategy and the Council's Corporate Plan set out a vision for Slough, for the people, the place, the prosperity and the town, and the things that need to be done to make this a reality. Businesses and other partners within Slough are already working together to improve life in the Borough.

The themes incorporated into the Corporate Plan are:

- Health
- Economy & Skills
- Housing
- Regeneration & environment
- Safer Slough

One of our key aims is to protect and enhance public health and wellbeing whilst supporting local businesses. We will achieve this through the attached Action Plan which should be read in conjunction with our Enforcement Policy which aims to ensure a graduated approach to enforcement, based on risk.

The Enforcement Policy which has recently been updated to have regard to the new Regulators Code reaffirms our commitment to carry out our duties in an open, fair and consistent manner. We recognise that most people want to comply with the law; therefore, we want to support and enable them to meet their legal obligations without unnecessary expense. Firm action, however will be taken, including prosecution, where appropriate.

Our work also supports the two cross-cutting themes of the Slough Wellbeing Strategy; civic responsibility and promoting the image of the town.

Our Enforcement Policy has been reviewed this year and reaffirms our commitment to carry out our duties in an open, fair and consistent manner. We recognise that most people want to comply with the law; therefore, we want to support and enable them to meet their legal obligations without unnecessary expense. Assessment of risk and the likelihood of reoccurrence are major factors in our enforcement decisions. Firm action, however will be taken, including prosecution, where appropriate.

## **How did we perform during 2013/14?**

Our service plan will be reviewed on an annual basis and provides the opportunity to record our achievements and identify those key issues that still need to be addressed.

### **Primary Authority Scheme**

Assured advice is provided to businesses with the establishment of Primary Authority Partnerships or through co-ordinated partnerships; this has brought many advantages to businesses in Slough.



Primary Authority Partnerships comprises a legally binding contract between the Authority and a business to provide ongoing specialist advice on specific areas of regulation applicable to that business, such as fair trading, product labelling, product safety, food safety and health & safety.

Our Officers are able to provide companies which trade across council boundaries robust and reliable advice, through the creation of these legal partnerships. The scheme also provides a safety net to ensure that local authorities are consistent in the way they regulate businesses.

Since Slough Borough Council introduced Primary Authority partnerships in April 2011 we have already secured the 32 successful PA partnership agreements. These services are uniquely provided by in house by specialist officers.

Cost recovery is an essential element of the contracts and applicable to Primary Authority partnerships with an hourly charge for any work undertaken. In 2012/13 we obtained cost recovery of nearly £80k, during 2013/14 cost recovery was £108,000 an increase of 26%. Projected income for 2014/15 remains at £110K this cost recovery enables the Council to support businesses in Slough and increase the availability of specialist officers who are funded from Primary Authority at no extra cost to the Council. Last year 728 food advice interactions with all our PA companies were successfully completed; a high proportion of these were satisfied consumer complainants.

As a Primary Authority we have had communication with many other Council's to ensure that inspection and enforcement action reflects the advice we have already given, and is proportionate. We continue to work with the businesses to produce national inspection plans, and give guidelines to other councils to avoid unnecessary checks and tests.

The number of businesses joining Primary Authority Partnerships with the Council continues to grow and this will have a profound impact upon how we deliver the service requiring a flexible approach to our management of resources.

More information on Primary Authority Partnerships can be found on the website <https://primaryauthorityregister.info/par/index.php/home>

Businesses that would like to join the Scheme can either contact 01753 475111 (option 5) or e mail [primary.authority@slough.gov.uk](mailto:primary.authority@slough.gov.uk)

## High Risk Food Premises Inspections and Interventions

During 2013/14 year we have seen a **6%** increase in the level of '**broadly compliant**' food businesses within the borough and at the end of 2013/14 the level was **88%**.

There are 966 registered food premises within the borough, ranging from large manufacturing premises to small corner shops. We aimed to focus our resources on high risk hygiene inspections and last year completed 100% of all A risk rated premises, 83% of all B risk rated premises, and 45% of C rated premises due for inspection.

We focused our resourced on highest risk premises, and as a result, of the C rated due premises not inspected, 97.5% were low risk broadly compliant businesses, and therefore not the focus of our priority

We specifically focussed our resources on those businesses that were not compliant and had persistently shown poor standards, and to those who pose a higher risk due to the nature of the food they handle.

This year we carried out a project targeting some of our non-compliant premises in the Town Centre Area, xx businesses were provided with structured coaching to encourage improvement in their Food Hygiene Performance. Initial results indicate that xx% showed an improvement in standards.

During 2014/15 we plan to complete inspections and other interventions at all the A, B and non-compliant C rated premises in Slough. We will continue to focus our attention specifically upon premises that are have poor standards and are not 'broadly compliant', or are unrated. We aim to increase the number of broadly compliant businesses in the town by 2% to 90%

The table below shows the risk profile of Slough food businesses as at 6th April 2014 (reflecting recent changes in the national risk rating scheme) with 'A' rated premises assessed as posing the highest risk. In total there is 966 food businesses currently registered with the Authority.

Risk Rating	Frequency of intervention	Number of food premises
Premise Rating - A	6 months	6



Premise Rating - B	12 months	60
Premise Rating - C	18 months	225
Premise Rating - D	24 months	357
Premise Rating - E	Alternative Intervention	229
Premise Rating - Unrated	Awaiting initial inspection.	78
Outside programme	N/A	11
<b>TOTAL FOOD PREMISES</b>		<b>966</b>

## Food Hygiene Rating Scheme

# FOOD HYGIENE RATING

We have now been operating the National Food Hygiene Rating Scheme for just over a year. The scheme helps consumers to choose where to eat out or buy their food by giving them information about the hygiene standards in food businesses. The scheme also encourages businesses to improve standards.

There are 6 levels of rating- zero to five. Assessments for a Food Hygiene Rating are carried out during routine food hygiene inspections when inspecting Officers look at:

- How hygienically food is handled- including preparation, storage and temperature control.
- The condition of the structure of the building- including cleanliness, layout, facilities and maintenance.
- How the business manages and records what it does to make the food that it sells safe.

At the end of 2013/14 the number of food business with published ratings in Slough was:-

Rating	Number of businesses
0	6
1	48
2	13
3	200
4	122
5	200

Total	567
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All food hygiene inspection results are published at <http://ratings.food.gov.uk/authority-search/slough>

In the coming year we plan to increase the number of businesses with published FHRS ratings to 600. We will also continue to publicise the scheme encouraging consumers to check the rating before they buy food from businesses within the Borough.

### Catering for Health Award

The Catering for Health Award is run in partnership with the Bracknell Forest and Royal Borough of Windsor and Maidenhead. It is a voluntary enhancement of the hygiene rating scheme.



The Award recognises the inclusion of healthy menu choices and healthier catering practices to increase awareness of healthy eating across the Slough community. Specific assessment forms have been created to ensure the needs of different clients are met e.g. workplaces, schools, nurseries. 57 premises currently hold the award. These include many of Slough's schools; Masterfoods, UCB Celltech, Honda; Fiat, Citroen, O2 and Applegarth Care Home. This has influenced the diet of more than 56,000 people each week.

### Mission Healthy Eating

The Mission Healthy Eating project is run jointly by the Public Health Dietetic and Food & Safety Teams. It is designed to help children and parents make healthy lunchtime choices. Over one term, pupils learn about the food groups needed in a healthy meal and are taught to recognise which foods are high in fat and/or sugar. The scheme is supported by the Slough Schools Meals Survey which provides an important insight into what children eat which can then be linked levels of obesity.



### Slough School Meals Survey



School lunches play an important role in a child's diet with meals typically providing a quarter to one third of a child's daily intake of energy and nutrients. Many studies have shown that hunger affects concentration, and that well-nourished children fare better at school. It is therefore vital that all lunches provide sufficient energy and nutrients to support growth and development, academic achievement, and lay the foundations for healthy eating in adulthood.

The Food & Safety team co-ordinate a Borough wide survey to observe and record primary school packed lunches and school dinners. Across Slough, 4114 school meals and 6044 packed lunches were recorded. In total the team observed 10, 158 meals, covering 71% of the primary & special school population. Results showed that approximately 32% of children had a school dinner and that these were better balanced than packed lunches. The work provides the evidence base for what initiatives occur in which schools.

## **Cookery School**

The food & safety team's nutritionist supports the Children's Centre Development Worker to deliver a cookery school to targeted families in the Borough. Parents are taught basic nutrition and practical cookery skills that can be used in the home whilst their children are looked after in the Children's Centre crèche facilities. All participants are referred from agencies such as the Family Nurse Partnership, Family Links and Family Outreach Workers.

## **Pilot Takeaways Project**

Following the Chartered Institute of Environmental Health Takeaways Toolkit, the Food & Safety team began a pilot to encourage premises to reduce salt, fat and sugar and to increase healthier options. Replacement salt shakers (which dispense less salt) were provided to the pilot premises which were well received. Sampling of chip samples occurred to give evidence of fat and salt levels in each portion. The next step in the project is to help businesses transfer to healthier cooking oils and the offer of healthier drinks.

## **Food Alerts and Incidents**

All Food alerts and incidents are dealt with in line with the Food Standards Agency's (FSA) Code of Practice and protocols, based upon risk.

During 2013/14 we were notified by the FSA of 44 Food Alerts for Information and product withdrawals 3 of which required direct action to with businesses in Slough. Examples include the withdrawal of meat spread from Poland that had *Listeria monocytogenes* detected, dried fishery products that had been produced in an unapproved establishment and a press release providing information on a Caribbean soft drink that cocaine had been detected .

## **Food Complaints & Enquires**

We dealt with **385** complaints and enquiries from or about food businesses in Slough during 2013/14. This is an increase of **8%** on complaints and enquiries from last year. In particular we responded to;

- **16** complaints of a foreign body in food
- **121** complaints of poor standards in food premises
- **39** complaints of food poisoning and suspected illness
- **6** complaints of out of date or mouldy food
- **79** requests for food safety advice
- **42** imported food notifications which required investigation
- **3** requests for Export Certificates
- **5** Notifications of water disconnections
- **14** complaints about pest within premises
- **24** pieces of advice issues regarding flooding

In addition we have dealt with 74 Primary Authority referrals

We follow a procedure in relation to complaints and aim to keep the customer informed of our progress and outcome. The reasons for investigating food complaints include;

- Providing a service to the public;
- Resolving problems that may pose a risk to public health;
- Providing information to the food industry to raise their standards;
- Comply with our statutory requirements
- Prevent similar complaints from happening again.

The higher levels of complaints which have been more or less sustained from last year indicate that demand for the service is remaining high. Although it is difficult to predict trends it is possible that demand continues due to the economic climate and a reflection of the reduced resources available to food businesses to invest in good hygiene standards, and the desire for people to seek to set up small food businesses – this is likely to continue through the coming year. In addition the team have improved data recording procedures, which captures evidence of the work of the team.

## **Imported Food Control**

We check and either authorise or reject all consignments of imported food notified to us as entering the borough from outside the EU. We also check, and either authorise or reject all consignments of organic produce entering the Borough. In addition, we also check any imported food found inland, within food premises, such as corner shops and supermarkets, to ensure it has been imported correctly and does not pose a health risk.

On a daily basis we check many consignments of imported food entering the EU via Heathrow. **This year we have stopped and undertaken detailed documentary checks on 42 consignments of suspected illegal imported food.** Some consignments containing many different food items, each

individual item must be checked for composition and restrictions. Advice is given to the importer or agent on how to correctly import the consignment, of any controls that may exist and if it has been imported illegally and subject to detention and destruction. This has resulted in visits to physically check the consignment at the custom bonded warehouse.

We have taken 46 imported food samples of both products of animal origin and products not of animal origin, for microbiological analysis, and for chemical/composition analysis. In total 10 samples were unsatisfactory.

Some Unusual and illegal food items we have dealt with this year include;

- Nutritional Supplements containing beef adrenal gland powder
- Fish Oil Supplements
- Dried Beetles and Dried Butterflies
- Protein drinks
- White tea from China
- Organic Ginger from India
- Organic Coffee



## **Food Poisoning and Infectious Disease Investigations**

Last year, the Food and Safety Team were notified of 246 infectious diseases and food poisoning related illnesses. This figure shows a 14% increase in

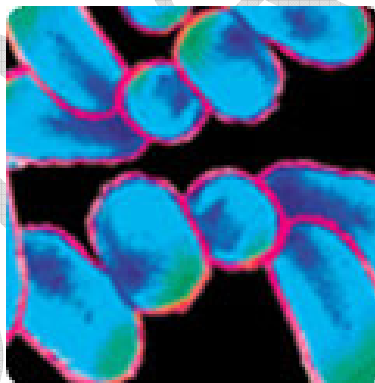
reported infectious diseases from the previous year. This increase may be due to a drop in food hygiene standards in homes and businesses in the borough, an increase in the reporting of diseases or a return to more traditional incidence of infectious diseases after a temporary drop last year.

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Many of the infectious diseases reported to us required in-depth investigations and completion of a food history. We co-ordinate investigations with Thames Valley Public Health England, the sampling laboratory or hospital, the infected person, their GP and often visit and inspect the alleged food premises.

The most common food poisoning reported in Slough is **Campylobacter** which made up 63% of the reported illnesses; this corresponds with national trends, as campylobacter is the most common type of food poisoning in the UK.

Some food poisoning related illnesses affect more than one person; in these cases the possibility of an outbreak is considered and, depending on the circumstances, the team may be required to assist Public Health England with their investigation. In 2013/14 no confirmed outbreaks were notified to the team for follow-up.



For further information on food poisoning and infectious diseases see our website <http://www.slough.gov.uk/business/environmental-health/food-poisoning.aspx>.

## Training and Promotions

We operate an accredited food hygiene training course on a monthly basis which is open to all members of the public. This is an important service, and

ensures all food handlers can attend essential and required food hygiene training, resulting in better educated and trained personnel, preparing safer food for consumers. In addition registered officers from the Team also provide food hygiene training for individual businesses, often on weekends.



This Year Food Hygiene courses continue to be a success. The team has provided **17** courses, which is an increase from 11 courses last year. **221** candidates have been trained, compared to 141 last year, with an average **93%** pass rate. This will contribute towards an improvement of the food safety standard within Slough, due to better trained and educated food handlers. This will ultimately contribute to a reduction in food poisoning cases, within Slough and to people passing through the borough using its facilities.

On an ad-hoc basis we also operate an accredited nutrition training course which is primarily open to caterers although any member of the public can attend. This course is an important step in improving the knowledge amongst caterers about their responsibility for public health. This year 3 courses have been run for candidates from partner agencies such as schools & nurseries, Children Centres, Respond Respite Care, Crossroads Care and Supported Living as well as colleagues in Windsor & Maidenhead Council.

We produced a **newsletter** for food businesses focussing on the Food Hygiene Rating Scheme, food traceability (in the wake of the horsemeat scandal) and upcoming changes on Food Standards, including allergen labelling. We aim to distribute food safety information to businesses in a similar manner twice this year. We also issue press releases to highlight food issues of importance to local businesses and residents and support the national **Food Safety and Awareness Week**.

## Sampling



The team took 110 samples last year (which included both swabs and water samples) and participated in both national and regional sampling surveys including: a Public Health England pilot survey of *Campylobacter* contamination in fresh whole UK produced chilled chickens at retail sale; pre-packed sandwiches; soda water from mixed dispensing guns in bars and pubs; fresh ready-to-eat herbs; and the Food Standards Agency's (FSA) Imported Food project. However, we have also taken microbiological samples to investigate alleged illness from consumption of food provided by two separate food premises in Slough, as a means of verifying controls in place at one meat product manufacturer based in Slough and to assist one of our Primary Authority companies in establishing a safe shelf life for a food product.

The largest of the projects was the Imported Food Project, for which we bid and were successful in receiving funding from the FSA. The microbiological aspects of this project focussed on three categories of product, which were: ready to eat foods at care homes/hospitals, cooked ready-to-eat meat products from delicatessen counters and imported herbs and leaves likely to be consumed without further cooking or processing. The only unsatisfactory samples were from the latter category, namely 1 import of curry leaves from India which tested positive for *Salmonella* & *E.coli* and 1 import of curry leaves from Pakistan which tested positive for *E.coli*. The positive *Salmonella* sample resulted in a Food Incident Report to the FSA.

The Public Health England pilot survey of *Campylobacter* contamination in fresh whole UK produced chilled chickens at retail sale was conducted in partnership with some of the other Berkshire Authorities. Each of us took a set number of raw chickens from sale at local supermarkets, which the laboratory tested for *Campylobacter* from the skin of the chicken and from a swab of the outside of the packaging. Some of the chicken skin was found to contain *Campylobacter* (which was expected) at varying levels, but interpretation of these results was not possible due to the absence of any set standards to compare against. However, all of the swabs returned satisfactory results, showing that levels of contamination on the outer packing were below detectable levels, which was a positive outcome.

### Raw chicken picture?

The pre-packed sandwiches study was a national project that looked at the microbiological quality of pre-packed sandwiches, with a particular emphasis on *Listeria*, sold through a wide range of retail premises, focussing on the small and medium sized outlets, such as convenience stores, low budget high street shops, mobile food vendors, and canteens. The results showed 8 out of 10 sandwich products to be of satisfactory microbiological quality, with the remaining 2 samples categorised as "unsatisfactory"- one egg and cress sandwich due to the presence of *Listeria* and one chicken and sweetcorn sandwich due to elevated levels of *Enterobacteriaceae*. Neither of the

unsatisfactory samples was produced in Slough and so the local authorities where the manufacturers were located were informed.



Likewise the Soda Water study was a national project initiated by some concerns over the levels of contamination in mixed dispensing guns used in bars and pubs to mix carbonated water with syrups before dispensing to the customer, due to poor cleaning regimes. We sampled from 12 premises across the borough and found 2 out of 12 samples to contain high levels of coliform bacteria, indicating a lack of cleaning or use of incorrect cleaning techniques.

Lastly, the national study on imported fresh ready-to-eat herbs (to be eaten raw or with minimal cooking) looked at microbiological quality with a particular emphasis on Salmonella. As with the FSA study, done earlier on in the year, this study returned 1 unsatisfactory sample of curry leaves from Ghana, contaminated with Salmonella, which led to a second Food Incident Report to the FSA.

During the year, via our food liaison group, we obtained our own Ultraspap ATP meter funded by FSA. This relatively new technology provides an instant assessment of the cleanliness of food preparation surfaces, as the dirt captured on a surface swab produces a measurable light reaction when mixed with an enzyme. Already this equipment has been well used, to best effect as a training tool, in coaching food handlers in cleaning techniques and how effective cleaning regimes produce microbiologically cleaner surfaces. This is therefore one area in which sampling is likely to increase over the next year, as the rapid method is both cost effective and extremely visual to those you are trying to educate.

## Food Standards

Trading Standards carried out 100% of their high risk routine Food Standards Inspections in 2013/2014, in addition to other food standards enforcement visits.



A total of 91 Food Standards visits were carried out last year.

**Further work in Food Standards include:-**

- Labelling advice to new food businesses
- Detailed Food Standards advice is given to the relevant Primary Authority Partners
- Sampling in conjunction with the Food Standards Agency (FSA), Trading Standards South East (TSSE) and the Public Analyst.
- Assisting our 'in-house' Nutritional Advisor to compile further data on Primary and Secondary school children's lunchbox foods.
- In addition we took part in the following food sampling projects:
  - o 26 Imported Food – on the correct labelling & composition of food imported from outside the EU
  - o 3 Burger samples – for DNA Species
  - o 7 DNA samples in response to the horsemeat scandal

A separate Food Standards Plan has been produced for Trading Standards for 2014/15. Targets for 2014/15 include:

- Complete 100% high risk food inspections
- Complete 50% medium risk food inspections
- Complete 100% Food Standards Agency funded imported food samples
- Complete regional food sampling programmes as required
- Further DNA samples on behalf of the FSA, in response to the horsemeat scandal
- Slough Trading Standards also participates in the Regional food focus group.

**Enforcement Action**

We use a comprehensive set of measures to protect residents of Slough, people who work here and visitors and to promote sensible risk management. We actively work with businesses and other stakeholders to achieve our shared goals. Any enforcement action by us will be graduated, proportionate



and in accordance with the council's enforcement policy. A full copy of the policy can be found on our website:

<http://static.slough.gov.uk/downloads/public-protection-enforcement-policy.pdf>

The following enforcement action was taken by the Food team in 2013/14

**Hygiene Emergency Prohibition Notices – 2**

**Hygiene Improvement notices – 26**

**Written warnings/Letters sent – 199**

**Prosecution -0**

**Simple Caution- 2**

**Seizure and Destruction of Food- 3**

**Detention of Food- 1**

**Voluntary Closure- 1**

## **Variation from service plan**

Departures from this service will be exceptional, capable of justification and be fully considered by the Head of Consumer Protection and Business Compliance, Ginny de Haan, before varying action is taken. Reasons for any departure will be fully documented.

**The action plan for 2014/15, which outlines our planned work for the year in Appendix B.**

## **Areas for development**

We are always striving to move the service forward. In order to achieve this, we set targets to identify areas for development during the coming year;

- Looking at ways to increase our engagement with businesses supporting the Councils 'Open for Business' approach
- Developing new income generating streams
- Increasing the number of businesses within Slough, in the FSA's Food Hygiene Rating Scheme (FHRS)
- Increasing the number of businesses within Slough achieving a 2, 3, 4 and 5 score in the FHRS
- Reviewing and updating the information we have on the CIVICA data base about local food businesses
- Reviewing and updating our general procedures and internal monitoring arrangements.

## **Striving for excellence**

## Service Standards

Providing excellent customer services is one of our key priorities. In order to achieve this we will always:

- Be polite, friendly and offer a helpful service
- Take the time to listen and explain things
- Provide accurate information and advice, in a clear and straightforward way
- Deal with enquiries immediately, but if this is not possible, tell you who we have passed your enquiry to and their contact details
- Keep you informed of progress and the outcome of our investigations
- Treat you fairly and with respect



## Customer Pledge

We aim to provide every customer with a quality service and will seek feedback from you to help further improve the quality of the services we provide. A manager will contact you personally if you are unhappy with the service received.

In addition, we have introduced the following standards against which we will monitor the responsiveness of our service, namely:

Service Standard	Target / Response Times
Respond to customer complaints and enquiries	Within 5 working days
Provide a full response	Within 10 working days



## Customer Feedback

Last year **100%** of our customers said they were satisfied or very satisfied with our Food service. The team is committed to working with local businesses and the local community to further improve levels of satisfaction and continually strives to provide a fair, consistent and quality service. We aim to enhance the quality of life of residents within the borough. All feedback received is used to inform and improve our service and we hope to improve on our customer satisfaction levels in the year ahead.

Our quality assurance procedures assess the work of our officers to ensure that it meets the high standard expected by the service.

## **Resourcing**

The Full Time Equivalent (FTE) staff allocated to food safety and standards work is **6.7 FTE** and the cost of the service during 2014/15 will be approximately £247,500. During 2013/14 were several Environmental Health Officer posts vacant for some time, equating to approximately **5.0 FTE filled posts, within the Food and Safety Team.**

A breakdown of the resources committed to Food Safety and Standards work is contained in Appendix A

In addition, during 2013/14 the team experienced resourcing pressure arising from the need to undertake detailed investigations; including a work related death incident and a number of other serious accident investigations. This pressure was compounded by an extended unplanned officer absence.

Members of the Team represent the Authority in a number of regional bodies with the aim of sharing good practice and achieving value for money including the Berkshire Food Liaison Group, The Regional Sampling Group and the Berkshire Infectious Disease group.

## **Staff Development**

On going development of the work force is paramount to ensure a comprehensive service is provided to the customer, whilst maintaining continuous improvement and providing value for money.

The Food Standards Agency requires that the Council maintains the competency of its officers and also that we have officers with sufficient skills to maintain the breadth of competency needed for Slough specifically. The town's close location to Heathrow airport places additional training requirements upon the team in relation to complex Imported Food legislation.

This year staff have attended, among other things, Imported Food training; Primary Authority Workshops on the development of Inspection Plans and Co-ordinated Partnerships; Food & Environment Sampling workshops; FSA Food Updates; a 2 day Enforcement Sanctions Course; Sous-Vide

training & Legal Enforcement training. Training and development is planned as part of the appraisal process and is tailored so that the Authority retains the specialist knowledge required in order to provide a Food Service which is appropriate to the needs of Slough residents and businesses.

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**APPENDIX A Resource Requirements for Food Service Delivery 2013/14**

## Food Service Delivery Plan 2014/15

EHO = Environmental Health Officer

TSO = Trading Standards officer

Service Provision	Expected output	FTE required	Resource
Primary Food Safety Inspections including Safe Food Award	88 high risk inspections	1.0	EHO/TSO
Primary Food Standards Inspections	10 High Risk 40 Medium Risk	0.50	EHO/TSO
Verification and monitoring visits	Approx 249	1.00	EHO/TSO
Support for businesses information training		0.20	EHO/TSO
Imported Food Control		0.30	EHO/TSO
Complaints & Service Requests	400	1.00	EHO/TSO
Sampling	100	0.10	EHO/TSO
Primary Authority Food Related Work	Difficult to estimate demand	1.00 (self funding)	EHO
Enforcement Action	May vary	0.50	EHO/TSO
Training	Minimum of 16 courses Undertaken in officers own time	0.0	EHO/TSO
Catering for Health and other food awareness work		0.20	Nutritional Advisor
QA and updating of procedures		0.10	Manager
Day to day management of service delivery		0.70	Manager
Administration and maintenance of data		0.50	Support Officer

**FOOD SAFETY & STANDARDS ACTION PLAN 2014/15 - DRAFT**

<b>Directorate:</b> CUSTOMER AND COMMUNITY SERVICES	<b>Service Manager:</b> Levine Whitham
<b>Division:</b> Enforcement & Regulatory Services Consumer Protection & Business Compliance	<b>Budget:</b> £340,000 (including Food Standards) <b>Number of staff employed:</b> 6 FTE Dealing with Food Safety and Hygiene, and Standards
<b>Team:</b> FOOD SAFETY & TRADING STANDARDS	
<p><b>Service Objectives:</b> <u>Protecting food, encouraging healthy eating and supporting Slough food businesses</u></p> <p><b>Provide a value for money food safety service within the Food &amp; Safety and Trading Standards Teams with excellent customer focus and well motivated competent staff to deliver our statutory obligations and the specific needs and priorities of Slough</b></p> <p><b>The timely delivery of specific work plans, evidence based initiatives and joint working with partners both within and beyond the Council to improving the quality of life in Slough and protect customers whilst supporting business growth and enterprise</b></p>	

Service Activity	Priority/ Corporate Plan	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
<p><b>Primary Authority (PA) and Compliance Support</b></p> <p><b>Regulatory Services Wide Scheme</b></p>	<p><b>Economy and Skills</b></p> <p><b>Health &amp; Wellbeing</b></p> <p><b>Delivering Services &amp; Facilities that meet local needs</b></p>	<p>Continue PA business growth in line with projected target</p> <p>Response times in line with Customer Charter and Pledge</p> <p>Feedback from PA businesses</p> <p>Hours of advice provided</p> <p>Amount of 'formal' advice issued.</p> <p>Number of businesses in Portfolio</p> <p>Improved standards within partners business, with less enforcement action taken by Enforcement authorities,</p> <p><b>Provide a suite of support options for all types of businesses in Slough, including SMEs to include</b></p> <ul style="list-style-type: none"> <li>• <b>Primary Authority</b></li> <li>• <b>Chargeable Advice</b></li> <li>• <b>Buy with Confidence</b></li> <li>• <b>Food Hygiene Rating Scheme</b></li> <li>• <b>Catering for Health</b></li> </ul> <p>Supporting the Councils Open for Business Strategy and the Corporate Business Growth plan</p>	<p>Designated officers to work closely with Primary Authority businesses to:</p> <ul style="list-style-type: none"> <li>• develop partnership working relations with PA client businesses</li> <li>• provide specific advice in relation to management systems &amp; procedures and controls adopted by the company nationally</li> <li>• issue 'formal PA advice' where procedures and controls are deemed suitable and compliant</li> <li>• handle referrals from other local authorities and central government bodies on behalf of that business</li> <li>• publication of Inspection plans</li> <li>• Issue of advice and guidance to other Enforcement Authorities on the companies activities</li> <li>• maintain an accurate record of any advice and guidance</li> <li>• hold meetings with partner businesses on a regular timetable of mutual agreement.</li> </ul> <p>Document actions, decisions and time spent with the business on FLARE</p> <p>Provide support and guidance to new business start ups and existing SME's and where applicable chargeable advice.</p>	<p>Ginny de Haan</p> <p>Trading Standards Manager</p> <p>Levine Whitham</p> <p>All Officers</p>	<p>Ongoing</p> <p>Monthly Reports on hours and income generation</p> <p>Quarterly Review</p> <p>Yearly overview of contract</p>

<p><b>Inspection of food premises in Slough</b></p>	<p><b>Health</b></p> <p><b>Economy and Skills</b></p> <p><b>Promote Economic Growth &amp; Protect the Councils Finances</b></p>	<p>100% of high risk businesses to be inspected according to risk rating. To be monitored monthly</p> <p>Complaints and service requests dealt with in line with Customer Service Charter and Pledge</p> <p>Number of approvals issued within time limits</p> <p>Increase in % of broadly compliant premises.</p> <p>Focused interventions and sector specific projects on high risk premises or where local intelligence suggests necessary.</p>	<p>Inspections based on risk;</p> <ul style="list-style-type: none"> <li>- 100% inspection of A, B and all other non complaint food businesses</li> <li>- Identified poor performing food businesses targeted with appropriate interventions</li> </ul> <p>Secure improvements where there are evident concerns, taking enforcement action where compliance is poor; in line with the council's business growth agenda, providing 'incubation periods' where suitable.</p> <p>Provide free regulatory advice for new businesses starting up.</p> <p>Alternative interventions to low risk premises, including newsletter, SAQ's, targeted advice sessions and other relevant advice.</p> <p>Publicise enforcement action taken against non compliant premises as a deterrent to other businesses and incentivise improvements.</p> <p>Enhance advice for businesses on SBC web site</p> <p><i>Value:</i></p> <ul style="list-style-type: none"> <li>- <i>promoting food safety; protecting consumers in Slough and beyond from the dangers of food poisoning</i></li> <li>- <i>Assessing compliance with smoke free legislation.</i></li> <li>- <i>Identifying Matters of health &amp; safety Evident Concern and taking action where necessary.</i></li> </ul>	<p>Food &amp; Safety Team Leader</p> <p>All Food Safety Officers</p> <p>TS/NET/ Licensing acting as 'eyes and ears'</p> <p>Support material from the FSA</p>	<p>March 2015</p> <p>Monthly and Quarterly review.</p> <p>Balanced Score Card</p>
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<p><b>Food Hygiene Rating Scheme</b></p>	<p><b>Health</b></p> <p><b>Economy and Skills</b></p> <p><b>Delivering Services &amp; Facilities that meet local needs</b></p>	<p>Measurable improvement on risk rating.</p> <p>Feedback from businesses.</p> <p>10% Increase in premises achieving 2, 3, 4 and 5 score in the FHRS.</p> <p>Increase the number of premises participating within the FHRS to 600</p> <p>90%Feedback from Businesses Customer satisfaction</p> <p>Improved customer awareness of the Scheme, and better informed choices when eating out.</p>	<p>Continue to implement FHRS in Slough food businesses</p> <p>Risk based projects focusing on 0 &amp; 1 FHRS scoring premises, to increase scores and hygiene standards, and their business potential</p> <p>Publicise the scheme locally at least once a year using relevant communications routes.</p> <p><i>Added Value</i></p> <ul style="list-style-type: none"> <li>- work to support % increase in Broadly Compliant rating.</li> <li>- Support compliant businesses and target businesses seeking a financial gain from non-compliance.</li> <li>- Peer pressure to improve ratings and threat of adverse publicity will compliment the Council's work.</li> </ul>	<p>Ann Stewart</p> <p>All Officers to support</p>	<p>March 2015</p> <p>Quarterly review</p>
<p><b>Level 2 Food Hygiene Training Programme</b></p>	<p><b>Health &amp; Wellbeing</b></p> <p><b>Economy and Skills</b></p> <p><b>Promote Economic Growth &amp; Protect the Councils Finances</b></p>	<p>Number of food handlers trained in Food Hygiene - 200</p> <p>90% Satisfaction from course evaluation sheet returns</p> <p>Annual Internal audit of course procedures</p> <p>Improve food safety knowledge amongst food handlers, in turn improving food safety standards within businesses. 90% pass rate for candidates</p>	<p>To provide a minimum of 12 courses throughout the year.</p> <p>Provide a minimum of 4 courses for the councils Learning &amp; Development Team, in addition to courses for other external businesses.</p> <p>Maintain procedures required for accredited Chartered Institute of Environmental health (CIEH) training centre</p> <p><i>Added Value:</i></p> <ul style="list-style-type: none"> <li>- self funding training reducing delivery costs to SBC</li> <li>- Positive impact on BC %</li> <li>- Enforcement officer contact with businesses</li> </ul>	<p>Jane Humphreys</p> <p>Support material from CIEH</p>	<p>March 2015</p> <p>Quarterly review</p>

<p><b>Level 2 Nutrition Training programme</b></p>	<p><b>Health &amp; Wellbeing</b></p> <p><b>Economy and Skills</b></p> <p><b>Promote Economic Growth &amp; Protect the Councils Finances</b></p>	<p>Number of candidates trained Healthier food &amp; Special Diets</p> <p>90% Satisfaction from course evaluation sheet returns</p> <p>Annual Internal audit of course procedures</p> <p>Improved food nutritional knowledge in businesses, in turn providing healthier menu options and nutritional food. (0% pass rate for candidates)</p>	<p>Provide a minimum of 4 courses throughout the year.</p> <p>Mountain procedures required for accredited CIEH training centre</p> <p><i>Added Value:</i></p> <ul style="list-style-type: none"> <li>- self funding training, reducing delivery costs to SBC</li> <li>- Positive impact on obesity rates</li> </ul>	<p>Joanne Ricketts</p> <p>Support material from CIEH</p>	<p>March 2015</p> <p>Quarterly Review</p>
<p><b>Catering for Health and other Healthy eating initiatives</b></p>	<p><b>Health &amp; Wellbeing</b></p> <p><b>Delivering services &amp; Facilities that meet local needs</b></p>	<p>Number of CFH awards issued – increase by 4</p> <p>Facilitation of projects, including joint working with Public health, Trading Standards, and possibility of CIEH 'Take Away's' Toolkit, provision of data to evidence potential bids for future funding</p> <p>Support for the Councils performance in relation to Department of Health Public Health Indicator Outcomes</p>	<p>To continue to promote the Catering for Health award scheme in partnership with the SBC Public Health Team – linking with other work on obesity in Slough and it's health impacts ( CHD, Diabetes)</p> <p>Officers to promote and provide information, the award at 100% of eligible businesses during interventions</p> <p>Improve the application process by providing an online application option and information.</p> <p>Extension into the community with linked projects focusing on childhood obesity to include an annual school meals survey.</p> <p>Review the feasibility of other schemes to ensure the most effective delivery of service for Slough.</p>	<p>Jo Ricketts</p> <p>All Officers to support</p>	<p>March 2015</p> <p>Quarterly review</p>

<p><b>Reactive Investigations, Food Complaints and service requests.</b></p>	<p><b>Health &amp; Wellbeing</b></p> <p><b>Economy and Skills</b></p> <p><b>Delivering services &amp; Facilities that meet local needs</b></p>	<p>Work in line with Enforcement policy, prosecutions template and internal procedures. Outcome from QA- 90% in line with procedures</p> <p>100% of request responded to within 5 days.</p> <p><b>Balanced score card:</b> number of enforcement actions</p> <p>Supporting the councils Open for Business Strategy and the Corporate Business Growth plan by providing regulatory support to non compliance business and new start ups, and where appropriate incubation periods.</p>	<p>Take a minimum tolerance approach to serious incidents, whilst managing customer expectations in line with Customer Charter.</p> <p>Full range of enforcement options used, including Simple Cautions as appropriate in line with the enforcement policy</p> <p>Number of new businesses supported in regulatory compliance</p>	<p>All officers</p>	<p>On going</p> <p>Assess during 1:1 meetings and Case Reviews</p>
<p>Support the Open for Business Corporate approach and work with partners and Town Centre Manager on the Business Development Strategy</p>	<p><b>Economy &amp; Skills</b></p> <p><b>Safer Slough</b></p>	<p>To increase and enhance opportunity for business growth and development.</p> <p>Joined up approach to support economic development.</p> <p>100% attendance at Open for Business training and briefing events</p>	<p>To assist in promoting business development and growth and provide advice and guidance on food safety and standards issues</p>	<p>All staff</p>	<p>On going</p> <p>Individual personal development plans</p> <p>1 to 1s</p> <p>By March 2015</p>

<p><b>Private Water Supplies and Private Distribution Systems (for Water Services)</b></p>	<p><b>Health &amp; Wellbeing</b></p>	<p>Complete Risk Assessments for Private Water Suppliers and implement Action Plans to ensure safe water supplies</p> <p>Review PWS Sampling Programmes in line with statutory guidance.</p> <p>Annual DWI return completed.</p> <p>Identify Private Distribution Systems and verify with Thames Water Authority.</p> <p>Risk Assess Private Distribution Systems and set up water sampling programme in line with statutory guidance.</p>	<p>Complete Risk Assessments and implement Action Plans for Private Water Suppliers</p> <p>Assessment of Private Water Supplies information and collation for return to the Drinking Water Inspectorate</p> <p>Confirm locations of Private Distribution Systems, verify, Risk Assess, implement Action Plans and set up sampling programme</p>	<p>Bill Campbell</p>	<p>March 2015</p> <p>Monthly review</p>
<p><b>Imported Food Controls &amp; Organic Imports</b></p>	<p><b>Health &amp; Wellbeing</b></p> <p><b>Economy and Skills</b></p>	<p>Number of notifications of imported food processed, including onward transmission</p> <p>Enforcement action taken</p> <p>Number of advice given to importers and agents on import restrictions and conditions.</p>	<p>Checking of consignments of food coming into Slough to remote transit sheds in the borough</p> <p>Verification of organic imported food Control of onward Transmission referrals and notifications of Personal Imports</p> <p>Investigations into illegally imported Products of Animal Origin (POAO) and other restricted foods.</p> <p><i>Added value: Slough community, the rest of the UK and other EU countries are protected against illegal and hazardous imports from third countries</i></p>	<p>Levine Whitham</p> <p>All Officers to support</p>	<p>March 2015</p> <p>Quarterly review</p>

<p><b>Sampling</b></p>	<p><b>Health &amp; Wellbeing</b>  <b>Economy and Skills</b></p>	<p>Participating in National and Regional sampling programmes to investigate emerging food concerns, and to ensure food is safe</p> <p>Number of samples taken and follow up of poor results.</p> <p>Number of joint initiatives with Food Standards Officers</p> <p>Imported food sampling where intelligence suggests necessary</p> <p>APT (adenosine triphosphate) testing in local businesses on cleaning practices, giving immediate results.</p>	<p>Undertake sampling as part of a suite of interventions to improve food hygiene and food standards and focus on high risk and local needs.</p> <p>Seek additional funds from external organisations e.g. Food Standards Agency.</p> <p>APT testing during interventions and projects to increase awareness of effective cleaning.</p>	<p>Julie Snelling</p> <p>All Officers to support</p>	<p>March 2015</p> <p>Quarterly review</p>
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<p><b>Infectious Disease Notifications &amp; Control</b></p>	<p><b>Health &amp; Wellbeing</b></p>	<p>Number of investigations investigated; responses in line with PHE Protocols</p>	<p>Investigation of Infectious Notifications including suspected food poisoning outbreaks in line with PHE protocols</p>	<p>Ann Stewart</p> <p>All Officers to support</p>	<p>March 2015</p> <p>Quarterly review</p>
<p><b>To enable consumers to make informed healthy lifestyle choices of food by enforcement of food standards legislation</b></p>	<p><b>Health &amp; Wellbeing</b></p>	<p>To ensure that :-                      - 100% of high risk                      - 50% of medium risk                      -: of food businesses are inspected and rated.</p> <p>Involvement in targeted sampling projects for compliance with a wide range of food legislation (e.g. compositional standards, compliant labelling, nutritional information, additives, allergens, etc.), with further follow up enforcement as required.</p>	<p>Undertake inspection programmes to focus on risk and local needs.</p> <p>Participation in national/regional sampling programmes including:</p> <ul style="list-style-type: none"> <li>- Legally compliant nutrition and health claims.</li> <li>- Composition of Food</li> <li>- DNA profiling.</li> </ul> <p>To work collaboratively with TSSE to undertake the Food Standards Agency imported food sampling based on local priorities</p>	<p>TS Manager</p> <p>Angela Satterly &amp; All food officers</p>	<p>March 2015</p> <p>Quarterly review</p>

<p><b>Promotion of Food Hygiene issues and involvement in joint projects with other partners</b></p>	<p><b>Health &amp; Wellbeing</b>  <b>Economy and Skills</b></p>	<p>2 newsletters per year</p> <p>Number of press releases issued</p> <p>Information on website kept up to date</p> <p>Other initiatives undertaken, including sector specific initiatives, joint projects and visits with licensing and TS</p>	<p>Increase awareness of food hygiene issues via local press, the Council's website and the publication of Newsletters</p> <p>Publicise enforcement action taken against non compliant premises as a deterrent to other businesses and incentivise improvements.</p> <p>Work with the Town centre manager to support local shops</p> <p><i>Added Value: utilise other teams to delivery information to improve awareness and compliance of food safety and standards issues</i></p>	<p>Sarah Hill</p> <p>All Officers to support</p>	<p>March 2015</p> <p>Quarterly review</p>
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<p><b>Internal Procedures including Officer competency and QA</b></p>		<p>Review of all internal procedures annually</p> <p>Monthly QA of all service areas</p> <p>Completion of Regulator Development Needs Assessments</p>	<p>Review and implementation of procedures to ensure compliance with FSA Competency and Framework requirements.</p> <p>Monitor officer performance to ensure consistent application of procedures.</p> <p>Annual completion of RDNA &amp; GRIP</p>	<p>Levine Whitham</p> <p>All Officers to support</p>	<p>March 2015 &amp; ongoing</p>
<p><b>Looking Ahead</b></p>		<p>Anticipated Additional Workload from changes in regulation and new guidance:</p> <p>Food Information Regulations</p> <p>FSA E.Coli Controls</p>	<p>Actively engaging with caterers to check allergen controls and safeguard against adverse reactions, jointly with Trading Standards colleagues</p> <p>Additional workload from update FSA E.Coli guidance, checks against increased hygiene standards during interventions may resulting in increased enforcement.</p>	<p>Ann Stewart</p> <p>All Officers to Support</p>	<p>Ongoing</p>

		<b>FSA Code of Practice (COP), specifically to Annex 5 – risk rating premises</b>	Additional workload to poorly performing premises achieving a high score in structural compliance or repeated borderline score in confidence in management. Increased revisits to ensure improvements in scoring.		
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# Service Delivery Plan 2014/15



Health, Safety and Wellbeing in Slough

## Consumer Protection & Business Compliance Group

The Consumer Protection & Business Compliance is an outward facing service group made up from the:

- **Trading Standards,**
- **Food & Safety and**
- **Licensing Teams**
- **Community Safety & CCTV**

Our aim is to achieve a safe, healthy and fair trading town for our residents, businesses and visitors. The wide ranging work of the group is risk based and fundamental in creating a level playing field in which responsible businesses can flourish and our communities remain protected from rogues.

## Health & Safety Service

Here are some interesting facts that you may not know about Slough Borough Council's Health & Safety Service.

We are responsible for enforcing Health & Safety in approximately 1,600 business premises including offices, warehouses, residential care homes, leisure centre's, shops, pubs and restaurants.

Employees and members of the public made 90 complaints and enquires about health and safety last year in relation to, for example, asbestos, slip or trip hazards, faulty lifting equipment, workplace temperatures and electrical safety.

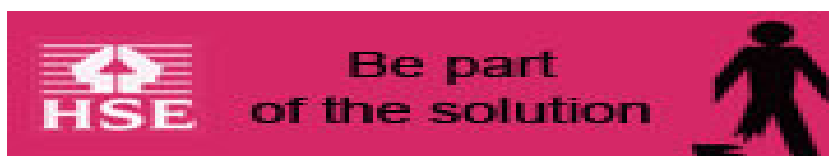


Slough Borough Council plays a major role in protecting the health, safety and welfare of employees and members of the public in Slough.

We achieve this by targeted projects, inspections, seminars and media campaigns to help reduce accidents and ill health in the work place and to protect others from risks.

We have adopted a 'sensible risk management approach' in line with the Health & Safety Executive (HSE) strategy:

**'The Health & Safety of Great Britain\ Be part of the solution'**



The HSE and local authorities, as co-regulators for health and safety legislation have a vital role to play in ensuring that the regulatory system:

- is focused on better health and safety outcomes and not purely technical breaches of the law;
- makes it as straightforward as possible for business, and in particular, small businesses, to deliver a healthy and safe working environment;
- is enforced in a manner which is proportionate to risk;
- avoids placing unnecessary burdens on businesses which manage health and safety effectively; and
- maintains a strong deterrent against those who fail to meet their health safety obligations and put their employees at material risk thereby also deriving an unfair competitive advantage.

The Health & Safety service is delivered via the Food and Safety Team. The team supports and works with businesses through local projects such as, safety in Care Homes, Asbestos 'duty to manage' and by publicising News Letters – all helping businesses to comply with requirements and good practice.

We also actively support businesses via the Primary Authority scheme, where our work on improving safety standards has a national impact. Further information on Primary Authority is given below.

We work to help safeguard migrant and other vulnerable workers linking in with the Private Sector Housing Team, Licensing, the Police and Immigration Enforcement.

The purpose of this plan is to let you know how we are going to achieve the various measures that we will be taking, in conjunction with our partners and other agencies, to enhance public health, safety and wellbeing.

We will do this by:

- Providing advice and information to Slough businesses and residents
- Inspecting businesses on the basis of risk, so reducing the burden on compliant businesses whilst targeting those that seek to gain an advantage from non-compliance
- Investigating complaints and listening and responding to your concerns
- Investigating accidents, giving priority to those involving major injury or death in the workplace
- Developing safety and health promotion initiatives

- Consulting our customers on the quality of our service
- Working in partnership with others to improve our outcomes for Slough. For example - The Health & Safety Executive, Slough Business Community Partnership, Thames Valley H&S Group, UK Border Agency, Thames Valley Police, the Royal Berkshire Fire and Rescue Service and other council teams.

We are committed to helping change the health and safety culture in Britain and retain common sense in the approach we take to ensuring the protection of employees and the public.

### ***Good Health and Safety, Good For Everyone.***

The HSE introduced a new **National Code for Local Authority Enforcement** in May 2013, and accompanying formal guidance in December 2013, which significantly changed the direction of health and safety enforcement nationally. The Code targets resources on risks, and aims to reduce the regulatory burden on compliant businesses, which is the direction Slough has been heading for several years. As a result we have refined our intervention strategies by targeting interventions on local and national priorities where evidence suggests necessary, and by preserving proactive inspections only for premises who do not manage their own risks or premises on the HSE's list of high risk sectors. This has reduced number of proactive inspections undertaken and released capacity for more effective outcome focussed interventions and more thorough reactive work.

Greater emphasis is placed dealing with complaints, accidents and incidents in accordance with Government directive to target those businesses that are poor performers and not meeting the requirements under health and safety legislation.

We continue to work in partnership with the other enforcing authorities and stakeholders to reduce the inspection burden on business alongside focussing on better outcomes.

This plan is reviewed annually and we welcome your views, comments and suggestions on how it can be improved.

Ginny de Haan, Head of Consumer Protection & Business Compliance,  
Tel: 01753 875255 or e-mail: [ginny.dehaan@slough.gov.uk](mailto:ginny.dehaan@slough.gov.uk) Or

Levine Whitham, Food & Safety Manager  
Tel: 01753 875255 or e-mail: [levine.whitham@slough.gov.uk](mailto:levine.whitham@slough.gov.uk)

To find out more about our service and initiatives that we are planning this year please read on or visit our website at :

<http://www.slough.gov.uk/business/health-and-safety/>

# Proud to be Slough



## Our Vision

The focus of work within the Health & Safety service is to ensure that the Council is able to fulfil its statutory obligations under the relevant legislation and that this is geared towards Slough's specific community and business needs, based on local intelligence, our work with partners.

The Joint Wellbeing Strategy and the Council's Corporate Plan set out a vision for Slough, for the people, the place, the prosperity and the town, and the things that need to be done to make this a reality. Businesses and other partners within Slough are already working together to improve life in the Borough.

The themes incorporated into the Corporate Plan are:

- Health
- Economy & Skills
- Housing
- Regeneration & environment
- Safer Slough

Our work also supports the two cross-cutting themes of the SCS; civic responsibility and promoting the image of the town.

One aim is to protect and enhance public health and wellbeing whilst supporting local businesses. We will achieve this through the attached Action Plan; this should be read in conjunction with our Enforcement Policy which aims to ensure a graduated approach to enforcement based on risk.



The Enforcement Policy reaffirms our commitment to carry out our duties in an open, fair and consistent manner. We recognise that most people want to comply with the law; therefore, we want to support and enable them to meet their legal obligations without unnecessary expense. Assessment of risk and the likelihood of reoccurrence are major factors in our enforcement decisions. Firm action, however will be taken, including prosecution, where appropriate.

The service plan sets out the actions we are taking to enhance and improve health, safety and wellbeing in Slough

## How did we perform during 2013/14?

Our service plan will be reviewed on an annual basis and provides the opportunity to record our achievements and identify those key issues that still need to be addressed.

**The health & safety service can be divided into key activities and projects namely:**

- Primary Authority Advice
- Proactive Inspections to high risk businesses or those on HSE list of high risk sectors
- Interventions and projects based on national and local priority where evidence suggest risks are not managed
- Promotion of health, safety and wellbeing awareness including, education campaigns, news letters
- Accident Investigations
- Legionella Controls - assessments, registration and inspection of cooling towers. Advising on the safe maintenance of showers, spa baths and other potential sources of harmful Legionella bacteria in commercial premises
- Listening to and responding to complaints from the public, employees and businesses
- Neighbourhood working on local safety concerns
- Protection of vulnerable and migrant workers
- Working in partnerships, such as advice to the Slough Safety Advisory Group, Slough Working Well, Thames Valley Health & Safety Group and the London & South East Asbestos Group.

**During 2013/14 our key achievements included:**

### Primary Authority Scheme

Assured advice is provided to businesses with the establishment of Primary Authority Partnerships or through co-ordinated partnerships; this has brought many advantages to businesses in Slough.



Primary Authority Partnerships comprises a legally binding contract between the Authority and a business to provide ongoing



specialist advice on specific areas of regulation applicable to that business, such as fair trading, product labelling, product safety, food safety and health & safety.

Our Officers are able to provide companies which trade across council boundaries robust and reliable advice, through the creation of these legal partnerships. The scheme also provides a safety net to ensure that local authorities are consistent in the way they regulate businesses.

Since Slough Borough Council introduced Primary Authority partnerships in April 2011 we have already secured the 32 successful PA partnership agreements. These services are uniquely provided by in house by specialist officers.

Cost recovery is an essential element of the contracts and applicable to Primary Authority partnerships with an hourly charge for any work undertaken. In 2012/13 we obtained cost recovery of nearly £80k, during 2013/14 cost recovery was £108,000 an increase of 26%. Projected income for 2014/15 remains at £110K this cost recovery enables the Council to support businesses in Slough and increase the availability of specialist officers who are funded from Primary Authority at no extra cost to the Council. Last year 728 food advice interactions with all our PA companies were successfully completed; a high proportion of these were satisfied consumer complainants.

As a Primary Authority we have had communication with many other Council's to ensure that inspection and enforcement action reflects the advice we have already given, and is proportionate. We continue to work with the businesses to produce national inspection plans, and give guidelines to other councils to avoid unnecessary checks and tests.

The number of businesses joining Primary Authority Partnerships with the Council continues to grow and this will have a profound impact upon how we deliver the service requiring a flexible approach to our management of resources.

More information on Primary Authority Partnerships can be found on the website <https://primaryauthorityregister.info/par/index.php/home>

- Businesses that would like to join the Scheme can either contact 01753 475111 (option 5) or e mail [primary.authority@slough.gov.uk](mailto:primary.authority@slough.gov.uk)

## Accident Investigations

The team received **155** accident notifications, a 26% decrease from the previous year. This could be an indication that risks are being more effectively managed, or due to a change in the reporting requirements; employers now have to report when an employee is unable to undertake their work activities for seven days following an incident, whilst this was previously three days. Accident notifications included;

- **63%** related to slips, trips or falls
- **17%** related to manual handling and lifting



During 2013/14, we have noticed a continued reduction in the number of physical assaults on employees and other incidents of workplace violence in the retail, late night takeaway, taxi business and leisure gaming sectors.



We continue to devote resources as needed and work in partnership with Thames Valley Police and businesses to assess the risk of workplace violence in individual workplaces and increase staff awareness.

We can also report that there were no incidents involving workplace transport, although there was a serious near-miss that did warrant enforcement follow up at a builders' merchants. In previous years accidents have happened from the misuse of fork lift trucks, movement of delivery vehicles and from unsafe practices performed whilst loading and unloading at retail and warehouse premises within the borough. Workplace transport safety has been a major consideration for officers in the team and will remain so.



The need for businesses to report accidents, to examine why the accident has happened and deal with potential risks continues to be a high priority and is included in our advice and support.

## **Complaints about Health & Safety in Slough**

We responded to 90 complaints and enquiries about health & safety issues which included;

- Defective passenger lifts and other lifting equipment.
- Requests for advice about asbestos risks, removal and disposal, including dumped asbestos.



- Low temperatures in work environments during the winter months
- High temperatures and uncomfortable workplace environments during warmer months
- Welfare at work, including stress related concerns, special provision for expectant mothers and provision for young persons at work and on work experience.
- Unsafe practices in the cosmetic beauty industry.
- Various unsafe work practices in different sectors, including childcare activities, sports and leisure clubs
- Controls required for water cooled air conditioning systems and other water systems in relation to Legionella
- Concerns about electrical and gas safety, including proper testing regimes.

## Health & Safety Inspections

In accordance with the HSE National Code, we target our resources on outcome focussed interventions and reactive work, rather than proactive inspections. Proactive Inspections are a good tool used in the right circumstances, however they are the most resource intensive for both the council and the business, and therefore not always appropriate for low risk businesses.

As a result we undertook **51** health & safety visits to premises in Slough, of which **21** were reactive following complaints, and **30** project or advice visits.

## Care Homes Project

As a result of an accidental death in a Slough Residential Care Home for Elderly Persons, along with concerning reports from the Care Quality Commission (CQC) about safety standards in a local care home, we decided to target an educational project specifically at care homes.

We identified all Care Homes in the Borough and in partnership with Social Services, carried out Health and Safety advisory visits. Advice and information was well received and as a result we have noticed significant improvements within care homes in Slough.

## Cooling Tower Registration

Registration of wet cooling towers and evaporative condensers, with the Local Authority, is a legal requirement.



We have registered, **16** premises with a total of **27** cooling towers. This is a significant reduction from 2008 when **63** cooling towers were registered. This is a result of several water based cooling systems being decommissioned due to the high cost of maintenance and water treatment involved and also as a result of the continuing development of quieter, more energy efficient, dry systems.

An important part of the registration and monitoring process is the assessment of stringent controls to prevent multiplication and possible infection with Legionella together with scrutiny of the businesses' own sampling procedures and results. On-site inspections are also carried out for those systems where the Council is the enforcing authority for health and safety. In 2013/14 The Food and Safety Team took part in the (mandatory) National Inspection Programme of all Cooling Towers in the Borough, jointly with the Health and Safety Executive. This National Programme was at Government direction following deaths in outbreaks, in preceding years, in Edinburgh and Stafford.

## Working with partners

We recognise that working with partners can increase our capacity to deliver health & safety solutions for businesses in Slough. During 2012/13 we worked to develop the following important projects.

- **Slough Working Well**

We continue to work with the Slough Business Community Partnership, Public Health England, Corporate Health, Mars, Slough Community Leisure and many others to promote the Slough Working Well project which was launched in 2010.



A programme of breakfast events takes place regularly, with three major seminars in 2013/14, providing advice and giving guidance to businesses and employees about workplace health and wellbeing.

- **Thames Valley Health and Safety Group**

We continue as advisors and partners in the continually growing Thames Valley Health and Safety Group. With The Mayor of Slough as it's Honorary President, the Group celebrates its 50<sup>th</sup> Anniversary in May 2014 having been originally set up, jointly, by Slough BC and the business health and safety community. The Group is part of Safety Groups UK, is affiliated to ROSPA and provides a forum and a focus for safety professionals in the Thames Valley. Many major businesses in Slough are active members of the Group as are those that are in the smaller and medium categories. The

Group meets, monthly, at different company venues in the Thames Valley Region but most often in Slough.

▪ **SAG (Safety Advisory Group)**

We are members of the Slough Borough Council SAG. SAG's role is to advise the Council on the suitability of applications to hold events, safely, in the Borough's parks, open spaces and premises and on the Borough's roads. Our role is to consider Health and Safety issues in the planning, organising, setting up and holding events and to recommend approval or rejection of applications. We also advise SAG and applicants on legal and technical standards in relation to Health and Safety at events.

## Enforcement Action

We have a comprehensive set of measures to protect residents of Slough, people who work here as well as visitors and to promote sensible risk management. We actively work with businesses and other stakeholders to achieve our shared goals.



Any enforcement action by us will be graduated, proportionate and in accordance with the council's enforcement policy.

Enforcement action was taken by the Health & Safety team in 2013/14 in the form of –

### 2 Improvement Notices relating to:

- dangerous electrical systems
- unsafe transport movements in a warehouse, and

### 3 Prohibition Notices relating to:

- dangerous electrical systems
- dangerous gas equipment

Finding these immediately dangerous situations reinforce the necessity for safeguards to be in place to prevent dangerous occurrences and reduce risk of injury. They also reinforce the importance of verification checks by both employers and enforcing authorities. By maintaining a competent trained inspectorate Slough Borough Council fulfils its obligations under the Health & Safety at Work, etc., Act 1974

## Prosecutions



We have spent a significant amount of officer time and resources investigating and preparing two comprehensive health & safety prosecution reports.

One prosecution related to a **workplace fatality**, where a resident fell from a bedroom window in a care home. Offences were taken against the limited company and the personal operator of the home, both of which pleaded guilty to several offences. A £9,600 fine was issued, in addition to a small contribution towards the council's costs.

A second investigation is completed and in its final stages of sentencing. The case is regarding a serious workplace accident, resulting in an employee being in a coma and left with severe brain damage with serious long term health conditions.

Although the time and resources taken to investigate serious cases often outweighs the fines and penalties awarded, such enforcement action is necessary to morally seek justice against those who put others at risk, and ensures duty holders and managers who fail to meet their responsibilities are held accountable for their actions. It also sends a strong deterrent to other businesses that Slough Borough Council will not tolerate poor performing businesses, who take an unfair advantage and put people's lives at risk.

## **Variation from service plan**

Departures from this service plan will be exceptional, capable of justification and be fully considered by the Head of Consumer Protection and Business Compliance, Ginny de Haan, before varying action is taken. Reasons for any departure will be fully documented.

## **Areas for development**

We are always striving to move the service forward. In order to achieve this, we set targets to identify areas for development during the coming year. These include, continue to improve the information about health & safety on the Council's website to support businesses in Slough with compliance and awareness of sensible risk management. We also plan to undertake a comprehensive review of our approach to health & safety enforcement along with our departmental procedures, to ensure we maintain a proportionate and balanced service in line with the HSE National Enforcement Code. We are also planning an inter authority peer-review exercise to gain independent assurance, identify any areas of improvement and share best working practices.

## **Service Standards**

Providing excellent customer services is one of our key priorities. In order to achieve this we will always:

- Be polite, friendly and offer a helpful service
- Take the time to listen and explain things
- Provide accurate information and advice, in a clear and straightforward way
- Deal with enquiries immediately, but if this is not possible, tell you who we have passed your enquiry to and their contact details
- Keep you informed of progress and the outcome of our investigations
- Treat you fairly and with respect



## Customer Pledge

We aim to provide every customer with a quality service and will seek feedback from you to help further improve the quality of the services we provide. A manager will contact you personally if you are unhappy with the service received.

In addition, we have introduced the following standards against which we will monitor the responsiveness of our service, namely:

Service Standard	Target / Response Times
Respond to customer complaints and enquiries	Within 5 working days
Provide a full response	Within 10 working days

## Customer Feedback

Last year **100%** of our customers said they were satisfied or very satisfied. The team is committed to working with local businesses and the local community ensure they remain satisfied with our service and continually strives to provide a fair, consistent and quality service. All feedback received is used to inform and improve our service and we hope to maintain our 100% customer satisfaction levels in the year ahead.

Our quality assurance procedures assess the work of our officers to ensure that it meets the high standards set for the service.

## Resourcing

The Food & Safety team employs **6.7 (FTE)** Full Time Equivalent. The FTE available for Health & Safety work is **1 FTE**. During 2013/14 were several posts vacant for some of the time, equating to approximately **5.0 FTE filled posts**.

In addition during 2013/14 the team experienced considerable resourcing pressure arising from the need to undertake detailed investigations; including a work related death incident and a number of other serious accident investigations.

## **Staff Development**

On going personal development of the work force is paramount to ensure a comprehensive service is provided to the customer, whilst maintaining continuous improvement and providing value for money.

## **Benchmarking**

The Head of Consumer Protection & Business Compliance has been trained as a 'Peer Challenger' and has carried out peer challenges in two other unitary authorities. This gives a useful insight and comparison for the team.



The work in relation to compliance to the Section 18 Standard also provides an 'excellence standard' for benchmarking the service.



**HEALTH WORK WELLBEING**

**The Health & Safety action plan for 2014/15, which outlines our planned work for the year is detailed in Appendix A.**

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## Appendix A - Health & Safety Action Plan 2014/15

<b>Directorate:</b> CUSTOMER AND COMMUNITY SERVICES	<b>Service Manager:</b> Levine Whitham, Food & Safety Manager
<b>Division:</b> Enforcement & Regulatory Services Consumer Protection & Business Compliance	<b>Budget:</b> £70,000 <b>Number of staff employed:</b> 1 FTE
<p><b>Service Objectives:</b> Provide a value for money health &amp; safety service within the Food &amp; Safety Team with excellent customer focus and well motivated competent staff.</p> <p>The timely delivery of specific statutory work plans, evidence based initiatives focused upon national and local priorities; joint working with partners both within and beyond the Council to improving the quality of life for Slough residents, visitors and those that work in Slough.</p>	

ACTION PLAN FOR 2013/14						
Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date	
<b>Primary Authority (PA) and Business Support</b>  <b>Regulatory Services Wide Scheme</b>	<b>Economy and Skills</b>	Continue PA business growth in line with projected target	Designated officers to work closely with Primary Authority businesses to: <ul style="list-style-type: none"> <li>develop partnership working relations with PA client businesses</li> <li>provide specific advice in relation to management systems &amp; procedures and controls adopted by the company nationally</li> <li>issue 'formal PA advice' where procedures and controls are</li> </ul>	Ginny de Haan	Ongoing	
	<b>Health &amp; Wellbeing</b>	Response times in line with Customer Charter and Pledge			Trading Standards Manager	Monthly Reports on hours and income generation
	<b>Delivering Services &amp; Facilities that meet local needs</b>	Feedback from PA businesses			Levine Whitham	Quarterly Review
		Hours of advice provided			All Officers	Yearly
		Amount of 'formal' advice issued.				
		Number of businesses in Portfolio				



		<p>Improved standards within partners business, with less enforcement action taken by Enforcement authorities,</p> <p><b>Provide a suite of support options for all types of businesses in Slough, including SMEs to include</b></p> <ul style="list-style-type: none"> <li>• <b>Primary Authority</b></li> <li>• <b>Chargeable Advice</b></li> <li>• <b>Buy with Confidence</b></li> <li>• <b>Food Hygiene Rating Scheme</b></li> <li>• <b>Catering for Health</b></li> </ul> <p>Supporting the Councils Open for Business Strategy and the Corporate Business Growth plan</p>	<p>deemed suitable and compliant</p> <ul style="list-style-type: none"> <li>• handle referrals from other local authorities and central government bodies on behalf of that business</li> <li>• publication of Inspection plans</li> <li>• Issue of advice and guidance to other Enforcement Authorities on the companies activities</li> <li>• maintain an accurate record of any advice and guidance</li> <li>• hold meetings with partner businesses on a regular timetable of mutual agreement.</li> </ul> <p>Document actions, decisions and time spent with the business on FLARE</p> <p>Provide support and guidance to new business start ups and existing SME's and where applicable chargeable advice.</p>		<p>overview of contract</p>
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Service Activity	Priorities	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
<b>Proactive Inspections</b>	<b>Health &amp; Wellbeing</b>  <b>Economy and Skills</b>	Number of interactions to premises listed as suitable for proactive inspections, by HSE, or to premises where local intelligence suggest risk are not controlled. Completed - 100%	Delivery in line with LAC 67-2 rev 4 – Guidance to Local Authorities on Targeting Interventions  Compliance with <b>National Code for Local Authority Enforcement</b>	All Officers	March 2015  Monthly review
<b>Other Interventions and Projects</b>	<b>Health &amp; Wellbeing</b>  <b>Economy and Skills</b>	100% of interventions to premises falling within national or local priorities.  Number of interventions to premises where local intelligence suggests controls are not being managed or where an investigation is warranted following complaint or report of accident  Number of projects undertaken, and improvements sustained, and joint working with stakeholders.	Delivery in line with LAC 67-2 rev 4 – Guidance to Local Authorities on Targeting Interventions  Compliance with <b>National Code for Local Authority Enforcement</b>  Local projects based on national and local priorities, including: <ul style="list-style-type: none"><li>- Beauty Industry Sector</li><li>- Tattooists; joint working with Licensing Team</li><li>- Gas safety in food premises</li></ul>	All officers	March 2015  Monthly review

<b>Other Visits</b>	<b>Health &amp; Wellbeing</b>  <b>Economy &amp; Skills</b>	Number of Matters of Evident Concern (MEC) or Matters of Potential Major Concern (MPMC) identified during other visits and dealt with.	Consider Health and Safety during all visits.  Imminent concerns; gas safety, electrical safety, pressure vessels, equipment guarding, slips and trips.  Review officer inspection pro-formas, Flare in-putting and guidance.  Monitor MEC & MPMC to identify trends and local issues.  Consider alternative interventions for poor performers/ major concerns. Liaison with Fire Officer where appropriate.	All Officers	March 2015  Quarterly Review
<b>On-going investigations and prosecutions</b>	<b>Health &amp; Wellbeing</b>  <b>Economy and Skills</b>	Work in line with Enforcement policy, EMM, prosecutions template and internal procedures. 90% quality assurance in line with Enforcement Policy  Adhere to timescales for prosecution file submission	Allocation of resources to adequately respond to serious incidents to comply with statutory enforcement obligations	All officers	On going Assessment during 1:1 meetings and Case Reviews
<b>Incidents</b>  Accident or complaint investigations; service request response	<b>Health &amp; Wellbeing</b>  <b>Economy and Skills</b>	90% Response within Customer Charter and Pledge timescales	Assessment and response to accident notifications, complaints and service requests relating to workplace health, safety and wellbeing; including referrals from HSE, in line with HSE incident selection criteria.  Imminent concerns; falls from height, slips and trips workplace transport, etc. Priority to work related	All officers	On going

			death, serious injury, lift/lifting equipment reports Promotion of sensible risk management		
<b>Legionella Controls. Registration of Cooling Towers</b>	<b>Regeneration &amp; Environment</b>	Number of cooling towers registered – 100%	Update of the register of cooling towers in Slough and monitor the controls in place to minimise risk of Legionella infection, in conjunction with the HSE.	Bill Campbell	Ongoing
	<b>Health &amp; Wellbeing</b> <b>Economy and Skills</b>	Number of risk assessments verified - 100%	Inspect individual premises at change in management, water treatment company; significant change in risk assessment/water treatment; alteration, replacement or shut down of plant.	Bill Campbell	Monthly review Ongoing
<b>Promotion of Health &amp; Safety</b>	<b>Health &amp; Wellbeing</b> <b>Economy and Skills</b>	Promote the HSE website and sources of information, and links from SBC website.  2 newsletters per year  Number of press releases  2 targeted sector advice notes produced and delivered; other interventions, such as Food Inspections to educate and increase awareness.	Review Slough BC website for information and direct to HSE website where possible.  Increase awareness of health & safety issues via local press, the Council's website and the publication of Newsletters  Regular press releases for new Guidance, Legislative change  Produce H&S information pack for new business start-ups, supporting the councils Open for Business agenda.	Bill Campbell  All officers to support	March 2015  Quarterly review

<p><b>Asbestos</b> – Duty to manage</p>	<p><b>Health &amp; Wellbeing Economy and Skills</b></p> <p><b>Regeneration &amp; Environment</b></p>	<p>Number of ASB5 (Licensed Works) Notifications assessed - 100%</p> <p>Number of Non-Licensed works assessed 100%</p> <p>Respond to enquiries about asbestos</p>	<p>Assessment of controls in place for minimizing risks from exposure to asbestos fibres. Inspect for safe working and legal compliance. Link to National and local promotional work</p> <p>Receipt of notifications and inspect as necessary.</p> <p>Give accurate, easy to understand, advice.</p> <p>Joint work with Cleansing, Environmental and Housing Teams</p>	<p>Bill Campbell</p>	<p>March 2015 and ongoing</p>
<p>Support the Open for Business Corporate approach and work with partners and Town Centre Manager on the Business Development Strategy</p>	<p><b>Economy &amp; Skills</b></p> <p><b>Safer Slough</b></p>	<p>To increase and enhance opportunity for business growth and development.</p> <p>Joined up approach to support economic development.</p> <p>100% attendance at Open for Business training and briefing events</p>	<p>To assist in promoting business development and growth and provide advice and guidance on health &amp; safety issues</p>	<p>All staff</p>	<p>On going</p> <p>Individual personal development plans</p> <p>1 to 1s</p> <p>By March 2015</p>

<p><b>Slough Specific</b></p> <p><b>Slough Safety Advisory Group</b></p>	<p><b>Health &amp; Wellbeing</b></p> <p><b>Economy and Skills</b></p> <p><b>Regeneration &amp; Environment</b></p>	<p>Attend SAG meetings. Take necessary follow-up action</p>	<p>Attend meetings and advise on H&amp;S standards and requirements. Inspect and enforce for H&amp;S where necessary</p>	<p>Bill Campbell</p>	<p>Ongoing</p>
<p><b>Slough Working Well</b></p>		<p>Link to SWW work plan; supporting partnership with SBCP, Public Health Team, PCT, NHS, etc. Meets HSE intervention criterion.</p>	<p>Attend meetings and help facilitate work detailed in work plan.</p>	<p>Bill Campbell</p>	<p>Ongoing</p>
<p><b>Thames Valley H&amp;S Group</b></p>		<p>Supports partnership with Private Sector businesses. Meetings attended. Meets HSE intervention criterion.</p>	<p>Attend meetings and advise on enforcement issues, changing H&amp;S standards, legislative change, etc.</p>	<p>Bill Campbell</p>	<p>Monthly</p>
<p><b>Identification, with local partners and other SBC teams, of key risks that impact specifically upon Slough</b></p>		<p>Joint outcomes achieved</p> <p>Projects scoped to meet these evidenced needs</p>	<p>Maintain links with local partners and other SBC Teams to gain an awareness of changing/ emerging work/risk activities in Slough.</p> <p>Participate in Crime Reduction and Environment (CRED) events</p>	<p>All officers to support</p>	<p>Ongoing</p>

<p><b>Berkshire H&amp;S Liaison Group</b></p>		<p>Regional H&amp;S Strategy Group. Jointly with Berkshire LAs and HSE</p>	<p>Attend meetings and agree regional strategies. Keep up to date on developments in H&amp;S delivery and changes in statutory requirements</p>	<p>Bill Campbell</p>	<p>Ongoing</p>
<p><b>London and South East Boroughs' Asbestos Group</b></p>		<p>Regional Asbestos Consultation and Strategy Group. Jointly with Boroughs, HSE and invited interest groups</p>	<p>Attend meetings and consult on asbestos issues and standards. Agree consistencies of approach on asbestos issues Consult on legislative and guidance changes</p>	<p>Bill Campbell</p>	<p>Ongoing</p>
<p><b>Peer Review</b></p>		<p>Inter-authority peer review for independent assurance that the requirements of the National Code for Local Authority Enforcement and accompanying LAC 67-2 rev 4 guidance, are being met.</p>	<p>Independent review the councils implementation of the Code and guidance, in comparison with other Berkshire authorities.  Identify and address areas of improvement, share best working practices and raise confidence and competence.</p>	<p>Levine Whitham/Bill Campbell</p>	<p>March 2015</p>
<p><b>Internal Procedures including Officer competency and QA</b></p>		<p>Review of approach to Health &amp; Safety Enforcement.  Annual review of internal procedures.  Monthly QA of all service areas</p>	<p>Review and implementation of procedures to ensure compliance with in line with LAC 67/2 and National Enforcement Code.  Monitor officer performance to ensure consistent application of procedures.</p>	<p>Levine Whitham  All Officers to support</p>	<p>March 2015 &amp; ongoing</p>

		Completion of Regulator Development Needs Assessments (RDNA) and individual Learning Logs	Annual completion of RDNA and completion of Learning Logs with reference to GRIP (Guidance for Regulators Information Point).		
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# SLOUGH TRADING STANDARDS TEAM



## Service Delivery Plan 2014/2015

## The Consumer Protection & Business Compliance Group

Consumer Protection & Business Compliance is an outward facing service group made up from the:

- **Trading Standards,**
- **Food & Safety**
- **Licensing**
- **Community Safety & CCTV**

Our aim is to achieve a safe, healthy and fair trading town for our residents, businesses and visitors. The wide ranging work of the group is risk based and is fundamental in creating a level playing field in which responsible businesses can flourish and our communities remain protected from rogues.

### Trading Standards

Slough Borough Council's Trading Standards Service has responsibility for the vast majority of consumer protection issues that arise in Slough.

As part of our duties we provide the following to the Slough community:-

- Advice and guidance to consumers and businesses based within the borough, in conjunction with Citizens Advice Consumer Service.
- Complaints handling – the department dealt with 1242 complaints from April 2013-March 2014. A decrease of 7.6% on the previous year.
- Playing a major role in your health, safety and economic well being.

This Service Delivery Plan is provided as a means of keeping you informed of our achievements and future plans and how we intend to deliver them, with the continued cooperation of our internal and external partners and stakeholders.

The work we have carried out and continue to carry out is achieved with the use of the following:-

- Prompt response to intelligence/complaints; triggering detailed investigations into consumer protection offences.
- Targeted project work.
- Participation in regional & national liaison groups.
- Risk based inspection programmes.
- Training and advice provided to both consumers and traders.
- Working with other organisations with similar priorities.
- Proportionate enforcement – with prosecution of offenders as a last resort (in line with our Enforcement Policy).

This plan is reviewed annually and we welcome your views, comments and suggestions on how it could be improved.

Please forward your views to:

**Ginny de Haan, Head of Consumer Protection & Business Compliance**

Tel: 01753 475111 or e-mail : [ginny.dehaan@slough.gov.uk](mailto:ginny.dehaan@slough.gov.uk)

or

**Angela Satterly, Compliance Team Leader (Trading Standards)**

Tel: 01753 475111 or email: [angela.satterly@slough.gov.uk](mailto:angela.satterly@slough.gov.uk)

Address:

**Slough Trading Standards, St Martin's Place,  
51 Bath Road, Slough, SL1 3UF.**

Or visit our website at: <http://www.slough.gov.uk/tradingstandards>

The following pages provide more information on our achievements last year and our plans for the year ahead.



## Our Vision

The Joint Wellbeing Strategy and the Council's Corporate Plan set out a vision for Slough, for the people, the place, the prosperity and the town, and the things that need to be done to make this a reality. Businesses and other partners within Slough are already working together to improve life in the Borough.

The themes incorporated into the Corporate Plan are:

- Health
- Economy & Skills
- Housing
- Regeneration & environment
- Safer Slough

The focus of work within the Trading Standards service is to ensure that the Council is able to fulfil its **statutory obligations** under the relevant legislation and that this is geared towards Slough's specific community and business needs, based on local intelligence and the Corporate Plan objectives.

Our work also supports the two cross-cutting themes of the SCS; civic responsibility and promoting the image of the town.

One aim is to protect and enhance public health and wellbeing whilst supporting local businesses. We will achieve this through the attached Action Plan; this should be read in conjunction with our Enforcement Policy which aims to ensure a graduated approach to enforcement based on risk.

The Enforcement Policy reaffirms our commitment to carry out our duties in an open, fair and consistent manner. We recognise that most people want to comply with the law; therefore, we want to support and enable them to meet their legal obligations without unnecessary expense. Assessment of risk and the likelihood of reoccurrence are major factors in our enforcement decisions. Firm action, however will be taken, including prosecution, where appropriate.

The service plan sets out the actions we are taking to enhance and improve health, safety and wellbeing in Slough.

The Trading Standards Team will during 2014/15 actively support the objectives of the Local Area Action Plan (LAAA) and in particular deliver with partners a pilot Community Alcohol Partnership in the Langley area to tackle under age drinking and associated alcohol related problems.

The following pages detail our achievements last year and our plans for the year ahead.

## Primary Authority Scheme

Assured advice is provided to businesses with the establishment of Primary Authority Partnerships or through co-ordinated partnerships; this has brought many advantages to businesses in Slough.



Primary Authority Partnerships comprises a legally binding contract between the Authority and a business to provide ongoing specialist advice on specific areas of regulation applicable to that business, such as fair trading, product labelling, product safety, food safety and health & safety.

Our Officers are able to provide companies which trade across council boundaries robust and reliable advice, through the creation of these legal partnerships. The scheme also provides a safety net to ensure that local authorities are consistent in the way they regulate businesses.

Since Slough Borough Council introduced Primary Authority partnerships in April 2011 we have already secured the 32 successful PA partnership agreements. These services are uniquely provided by in house by specialist officers.

Cost recovery is an essential element of the contracts and applicable to Primary Authority partnerships with an hourly charge for any work undertaken. In 2012/13 we obtained cost recovery of nearly £80k, during 2013/14 cost recovery was £108,000 an increase of 26%. Projected income for 2014/15 remains at £110K this cost recovery enables the Council to support businesses in Slough and increase the availability of specialist officers who are funded from Primary Authority at no extra cost to the Council. Last year 970 interactions with all our PA companies were successfully completed; a high proportion of these were satisfied consumer complainants.

As a Primary Authority we have had communication with many other Council's to ensure that inspection and enforcement action reflects the advice we have already given, and is proportionate.

We continue to work with the businesses to produce national inspection plans, and give guidelines to other councils to avoid unnecessary checks and tests.

The number of businesses joining Primary Authority Partnerships with the Council continues to grow and this will have a profound impact upon how we deliver the service requiring a flexible approach to our management of resources.

More information on Primary Authority Partnerships can be found on the website <https://primaryauthorityregister.info/par/index.php/home>

Businesses that would like to join the Scheme can either contact 01753 475111 (option 5) or e mail [primary.authority@slough.gov.uk](mailto:primary.authority@slough.gov.uk)

## Age Restricted Sales

*“Among 35 European countries, the UK has the third-highest proportion of 15 year olds who report having been drunk 10 times or more in the past year.”*

(Drinkaware statistics 2012)



- Under age sales enforcement, protects children from harmful items and substances and is a vital feed into the ‘Health & Wellbeing’ and ‘Safer Communities’ priorities of the SCS.
- **FREE Proof of Age Cards** are provided to 16 yr olds at all of Slough’s 11 schools – 1398 x cards were processed in 2013/14. This figure is the highest number of uptakes since the Scheme was launched in 2005. This work will be continued in 2014/15.
- **Trader Information Packs** were distributed to local businesses; providing information on the law on age restricted products, along with advice on due diligence and further information/documents to assist staff training on under age sales matters.
- **Licensing Reviews** have been used for all traders failing a test purchase this can result in conditions on licence or even a complete revocation
- **Testing purchasing** is essential and establishes whether local businesses are complying with the law and not selling restricted goods to children.

### Figures for 2013/14

- **Tobacco** - attempted purchases = 24 - sales = 1
- **Alcohol** - attempted purchases = 17 - sales = 1
- **Fireworks** - attempted purchases = 15 - sales = 9



**Total Sales = 11 from 56 attempted purchases.**

Criminal proceedings on some of the previous matters are still ongoing.

In 2014/15 Trading Standards will continue to provide trader information packs and advice to local businesses and conduct a programme of age related test purchasing to ensure businesses are compliant and underage young people are protected from alcohol, cigarettes and the dangers of fireworks.

## **Tobacco control work**

Slough Trading standards are represented at the National Tobacco Focus Group meetings, to share best practice with colleagues from around the UK.

In addition to this, Slough Trading Standards have re-launched the East Berkshire Tobacco Alliance.

The Alliance is a partnership with Public Health, Solutions 4 Health, Smoke Free Slough team, Neighbourhood Enforcement, Children's and Young Persons team, Berkshire Fire Service, Her Majesty's Revenue and Customs along with the Public Health/Trading Standards Services of other East Berkshire local authorities.



The aim of the Alliance is to contribute to a reduction in smoking prevalence across the area and assist in reducing smoking related illness in Berkshire as a whole. The East Berkshire Alliance is also exploring closer working arrangements with the West Berkshire Alliance; to encourage a Berkshire Wide approach to Tobacco Enforcement, Cessation & Smoke Free promotion.

## **Illegal money lending and credit**

Slough Borough Council works with the National Trading Standards illegal money lending team (put together to investigate suspect loan sharks across the country) as part of the Borough's 'Safer Communities' & 'Health & Wellbeing' priorities.

- Loan Sharks have a considerable negative impact on the economic wellbeing of communities and individuals who are affected
- Illegal money lenders flourish in austere times and it is imperative that mechanisms are in place to deal with issues as soon as they arise.
- Solutions can include the setting up of credit unions; to give consumers an alternative source of credit.
- Short term loan agreements can offer varying APR (Annual Percentage Rate) rates - further research is planned, by Slough Trading Standards, to find out what options are open to consumers looking to get credit for low amounts over a limited period.

The department has also carried out 10 credit licence checks and a debt compliance audit of a Limited Company, on behalf of the Office of Fair Trading, in order to establish that businesses applying for credit licences are suitable to hold one.

Trading Standards will cease to conduct credit license checks from 1<sup>st</sup> April 2014 as the new regulator namely, the Financial Conduct Authority (FCA) has taken over this role. However, advice on credit is still relevant, and the FCA are currently looking into a memorandum of understanding for intelligence sharing with National Trading Standards.



## Food Standards

Trading Standards carried out 100% of their high risk routine Food Standards Inspections in 2013/2014, in addition to other food standards enforcement visits.

- A total of 91 x Food Standards visits were carried out last year.

### Further work in Food Standards include:-

- Labelling advice to new food businesses
- Detailed Food Standards advice is given to the relevant Primary Authority Partners
- We took part in the following food sampling projects:
  - 26 Imported Food – on the correct labelling & composition of food imported from outside the EU
  - 3 Burger samples – for DNA Species
  - 7 DNA samples in response to the horsemeat scandal
- This sampling was in conjunction with the Food Standards Agency (FSA), Trading Standards South East (TSSE) and the Public Analyst.
- Assisting our 'in-house' Nutritional Advisor to compile further data on Primary and Secondary school children's lunchbox foods.

A separate Food Standards Plan has been produced for Trading Standards for 2014/15. Targets for 2014/15 include:

- Complete 100% high risk food inspections
- Complete 50% medium risk food inspections
- Complete 100% Food Standards Agency funded imported food samples
- Complete regional food sampling programmes as required
- Further DNA samples on behalf of the FSA, in response to the horsemeat scandal
- Slough Trading Standards also participates in the Regional food focus group.

## Rogue Traders and Doorstep Sales

The Trading Standards doorstep sales response team are constantly on hand to assist residents with any issues that they have with rogue traders that carry out work and then charge extortionate amounts for their services.

- Residents can be quoted one price and then the cost increases as the job progresses.
- Rogue traders tend to target elderly or vulnerable people, who may be easier to manipulate or intimidate.
- Some cases have reported victims being driven to banks/building societies to draw out large sums of cash to pay these traders.
- Trading Standards usually hear of the problem after it has happened and after the trader has left; usually leaving little trace of their whereabouts.
- In 2013/14 Trading Standards put a stop a rogue trader who ripped off Slough residents for nearly £100,000.
- The team works closely with Social Services Safeguarding Team; providing advice and guidance to vulnerable adults. 18 cases were handled during 2013 -2014 that were referred to the safeguarding team.





- A “**Rogue Trader Day**” was carried out in April 2013, with the assistance of Thames Valley Police and the Slough Borough Council Community Wardens. This resulted in 65 visits to householders who were having maintenance work on their property.
- Visits were made to premises where building work was being carried out; to establish that these traders were providing proper paperwork and good quality work.
- Further presentations to elderly and vulnerable groups were made this year to the “**Older Peoples Forum**” and the “**Age Concern AGM**”.

Effectively dealing with rogue traders and preventing doorstep crime remains a priority for 2014/15, and Trading Standards will continue to provide a rapid response team and share intelligence with neighboring authorities and Thames Valley Police to protect vulnerable consumers from becoming victims of doorstep crime.

## Education

Education is vital for consumers, in order for them to make informed choices when purchasing and to prevent them being ripped off.

During 2013/14, Slough Trading Standards provided the following training:-



- **Nutritional labelling workshops** – Food awareness teaching sessions to schools in the Borough (Foxborough School, Common Road, Langley); raising awareness of how to read food labels and find out how much fat and sugar is present in certain foods. Most of the workshops were provided for Year 6 children and involved joint working with School Nutrition Network Team.
- We also participated in the schools lunch box survey and food awareness week.
- **Trader Packs and Newsletters** are also provided to local businesses, to give advice on compliance with the law.

In 2014/15 Trading Standards will be providing a range of educational services to both businesses and consumers, relating to the nutritional composition of food, allergens and healthy eating.

## Publicity

With the varied remit of enforcement that Trading Standards cover, it is essential that this is publicised to inform people of the work we do.



- Press releases are published to advise of results that we have achieved or to provide warnings to the public of issues that have arisen.
- Examples include advice on :-
  - Bogus callers / Doorstep sellers,
  - Raising awareness on Loan Sharks
  - Advice on the purchase and safe use of fireworks

- Naming and shaming of counterfeiters along with results on legal cases
- A total of 17 press releases were issued in 2013/14.
- The department also give regular interviews to local radio stations. This year interviews were given on BBC Radio Berkshire, Asian Star FM and BBC Radio 4.
- Over the Christmas period, we conducted a campaign called 'Savvy Christmas' where daily Tweets with top tips were sent to ensure residents enjoyed a safe Christmas.

## Product Safety

Trading Standards enforce safety legislation on a variety of different products; e.g. toys, cosmetics, electrical and gas appliances, nightwear clothing, etc. where there are specific UK or EU regulations.

Highlights from 2013/1214 include:

- Safety checks at **Enhanced Remote Transport Sheds (ERTS)** have been carried out part of a regional TSSE Safety Project.
- The ERTS are customs bonded warehouses where imported goods are stored prior to their dispatch to the rest of the UK or Europe.
- There are 37 x 'ERTS' in the Slough Borough that handle safety related products.
- We received funding from the National Trading Standards to check the post coming in at the International Postal Hub for unsafe items.
- Safety product recalls have also been carried out as part of our work with local **Primary Authority** companies.
- Slough Trading Standards also participates in the Regional and National product safety focus groups

## Animal Health

Trading Standards carry out inspections for Animal Health, Welfare, and Animal by products, including:-

- **Inspections on livestock** to provide advice on transportation and welfare enforcement. This is achieved with our partners at the Royal Borough of Windsor & Maidenhead and Bracknell Forest District Council.
- **Inspections of the Langley Horse Fair** – monitoring welfare issues and educating on legal requirements. This is achieved with the City of London Animal Health team.
- **Animal By-Products** to ensure that certain raw meat waste is disposed of correctly and doesn't go to landfill sites.
- Animal diseases are always a threat. The **Slough Notifiable Animal Disease Contingency Plan** is updated constantly with regular liaison with our Emergency Planning team.



Animal

## Counterfeit Goods

Counterfeit goods can be dangerous, as well as resulting in the economic detriment of the purchaser. The honest trader will also suffer as they will not be able to compete on price. Much of the money from counterfeit & illicit smuggled trade can go to fund people trafficking, prostitution and other organised crime activities. Counterfeit alcohol may contain harmful substances, such as methanol, be over strength and may not be made with any quality control.

During 2013/14 Trading Standards seized 11,895 alleged counterfeit goods which ranged from Alcohol, Cigarettes and Condoms to computer software.

Criminal investigations into these matters are ongoing.



## Control of Explosives and Poisons

### Fireworks

- 29 explosives registrations were issued for local traders in 2013/14.
- All premises were inspected under the **Health & Safety at Work Act 1974**, to establish safe storage and sale of explosives/fireworks (except for those retailers in a Primary Authority Partnership) and were compliant.
- 2 retailers were also licensed to sell fireworks throughout the year.
- From our annual underage fireworks test purchasing it was disappointing to find that 9 retailers sold to our underage volunteers.



### Poisons



- Poisons Licence visits have been carried out to assess products that are restricted under the Poisons Act 1972.
- There are 15 businesses which are authorised to store and sell poisons within the borough.
- During routine inspections officers found that retailers areas were stocking products such as caustic soda, kettle descaler, weed killer (classified as a poisons under the Act) without holding the necessary licence.

## Weights and Measures

As well as looking at the products that are sold, Trading Standards Officers also check the accuracy of the equipment and measures that are used to sell them.

- 42 visits were carried out ranging from petrol pumps, spirit measures, jewellers scales, to vehicle weighbridges.
- Inspectors of Weights & Measures provide advice to local businesses packing by weight or volume, to make sure that their systems are robust and durable; ensuring that consumers can have confidence in the purchases that they make.

- This year, inspectors dealt with a number of enquiries relating to weights and measures matters, ranging from petrol pumps, cash for gold premises, short weights on food products, etc.
- The department also provide weights and measures advice and assistance to our Primary Authority companies in the borough.

## Road Traffic Checks

Trading Standards carry out checks (with Thames Valley Police) on the weight of commercial vehicles; from small transits vans to large articulated vehicles.



Overloaded road vehicles can contribute to:

- Excessive noise,
- Increased air pollution,
- Road damage
- Vehicle accidents.
- Steering and braking problems

An overloaded vehicle could potentially endanger other road users and constitutes as 'dangerous driving'.

One vehicle was recorded as having a 66% overload.

## Buy with Confidence

Our approved trader scheme has been operating since 2006, registering business fields as diverse as estate agents, landscape gardeners to financial advisors.

- BWC is an initiative run by Trading Standards South East and Trading Standards South West (SWERCOTS) and is fast becoming a national scheme.
- Over 5000 registered businesses across over 50 authorities nationally and many more being approved.
- In Slough, registration for businesses costs £25.00 at present but is under review for the coming year.
- Anybody who wishes to sign up for Buy With Confidence should contact us on 01753 475111 or [buywithconfidence@slough.gov.uk](mailto:buywithconfidence@slough.gov.uk)
- If you are looking to find an approved trader, further details can be found at [www.buywithconfidence.gov.uk](http://www.buywithconfidence.gov.uk)



## Additional Targeted Project Work

- **Energy Performance Certificates (EPC's)** – a pilot project was carried out in 2013/14 to establish the compliance of Landlords, Estate Agents, Letting Agents with EPC legislation, i.e. ensuring that properties that are rented/ marketed in the Borough are compiling with the requirements legislation.



- **Scam Hub project** – this project is delivered on behalf of National Trading Standards and other partner agencies. This project aims to protect the elderly and vulnerable from postal scams, lotteries and prize draw awards. Visits were carried out to residents on allocations given to Slough.

## Complaints and Enquiries

The following referrals and notifications from Citizen's Advice Consumer Service (CitA).

- Complaints and enquiries for 2013-14, received via CitA 4153; a slight decrease (from last years 4601) of 448 or 9.7%.
- Complaints requiring action decreased from 1340 to 446; a decrease of 33%.
- We have also received a total of 780 service requests for companies for whom we act as Primary Authority (PA). This is an increase on the 392 total from last year of 50%.



## Enforcement Action

Trading Standards have a comprehensive set of measures in place to protect consumers and promote business in the area.

- Any enforcement action taken will be graduated and proportionate; in line with Slough Borough Council's Enforcement Policy.

A full copy of the policy can be found on our website:- <http://static.slough.gov.uk/downloads/public-protection-enforcement-policy.pdf>



A summary of our enforcement work for the year can be found in Appendix A.

## Striving for Excellence

### Service Standards

Providing excellent customer service is one of our key priorities. In order to achieve this we will always:

- Be polite, friendly and offer a helpful service.
- Take time to listen and explain things.
- Provide accurate information and advice in a clear straightforward way.
- Deal with enquiries immediately, but if this is not possible, explain why.
- Provide you with any other contact details that you may need.
- Keep you informed of the progress and outcome of any investigations.
- Treat you fairly and with respect.



## Customer Pledge

- We aim to provide every customer with a quality service and will seek feedback from you to help further improve the quality of the services we provide.
- The Trading Standards Manager, will contact you personally if you are unhappy with the service received.
- In addition, we have introduced the following standards against which we will monitor the responsiveness of our service, namely :

## Customer feedback

- Our quality assurance procedures assess the work of our officers to ensure that the service meets the high standards that is expected.
- Our commitment to working with local businesses and the local community enables us to improve levels of satisfaction
- In addition to supporting economic growth and continually striving to provide a fair, consistent and quality service.
- We aim to enhance the quality of life of residents within the borough, making Slough a safe environment to live, where service users can access advice and making healthy informed choices.



- During 2013/14 customer satisfaction levels has improved on previous year and we went from 90% to 100%. We also achieved 100% satisfaction with our businesses.
- All feedback received is used to enhance and improve our service and to prioritise our resources in the most effective way.

## Resourcing

Slough Trading Standards employ 9 staff; 5 of which are part time staff (effectively 6.5 FTE's). The overall cost of the service for 2014/15 will be

## Looking to the Future and the Challenges Ahead

It is clear that food sampling plays an important part in consumer safety, especially in the light of the horse meat scandal. Protecting consumers within Slough with regard to the composition and allergens present in food has never been more important than now, preventing food fraud is paramount. Reducing salt, fat and sugar in food by advising our food businesses helps towards controlling obesity in Slough.

There will also be major changes in the respect of new regulations which will affect consumers, businesses and enforcers alike. These regulations are:

- **Food Information to Consumers Regulations**, which comes into force on 14<sup>th</sup> December 2014. Changes include allergen labelling on menus in restaurants, mobile caterers and caterers in general.
- **Consumer Rights Directive**, which comes into force on 13<sup>th</sup> June 2014. Changes include enhancements to cancellation rights, distance selling, digital media and consumer rights.

The trading standards service plan for 2014/15, which outlines our planned work for the year, is detailed in **Appendix B**

#### **Variation from the service plan**

Departures from this service plan will be exceptional, capable of justification and be fully considered by the Trading Standards Manager before varying action is taken. Reasons for any departure will be fully documented in the action plan.

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**APPENDIX A – PROSECUTION RESULTS 2013/14**

<b>Offence</b>	<b>Defendant Number</b>	<b>Fine</b>	<b>Costs</b>	<b>Additional Penalty</b>
Counterfeit wine & illegal tobacco	(1)	100 hours community service	£1500.00	Licence revocation
Illegal tobacco products	(1)	Ongoing prosecution	N/A	Licence revocation
Counterfeit camera and phone accessories	(1)	£2000.00	£3700.00	
Counterfeit i-Phones	(1)	8 months suspended sentence	N/A	Suspended for 12 mnths
Aggressive car clamping practices	(1)	£3000.00	£1800.00	Payment of fines back to consumers.
Under age sale of alcohol and tobacco	(1) (owner)	£1000.00	£600.00	
Under age sale of alcohol and tobacco	(2) (seller)	£200.00	£250.00	
	<b>TOTAL</b>	<b>£ 6200.00</b>	<b>£ 7850.00</b>	

**Simple Cautions accepted for the following:-**

2 x for possession for supply of illegal tobacco products

**Total Simple cautions = 2**

**Written warnings issued for:-**

1 x Failure to present an EPC (Energy Performance Certificate) for a marketable property

1 x Unauthorised use of a logo

1 x Possession for supply of illegal tobacco products.

9 x Under age sale of fireworks

2 x Possession for supply of out of date food products.

**Total No. of Written Warnings = 14**

**Alcohol licences revoked :-**

2 x Possession for supply of illegal tobacco products.



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## Appendix B - Trading Standards Action Plan 2014/15

<b>Directorate:</b> CUSTOMER AND COMMUNITY SERVICES	
<b>Division:</b> Enforcement & Regulatory Services Consumer Protection & Business Compliance	<b>Budget: £338,000</b>
	<b>Number of staff employed: 5.5 FTE</b>
<b>Service Objectives:</b> <ul style="list-style-type: none"><li>• Provide a value for money trading standards service with excellent customer focus and well motivated competent staff.</li><li>• The timely delivery of specific statutory work plans, evidence based initiatives focused upon local priorities; joint working with partners both within and beyond the Council to improving the quality of life for Slough residents, consumers and visitors.</li></ul>	

ACTION PLAN FOR 2014/15					
Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
Primary Authority  Regulatory Services Wide Scheme	Economy & Skills	<p><b>Refer to separate Action Plan for Primary Authority</b></p> <p>Continue PA business growth in line with projected target</p>	<p><b>Refer to separate Action Plan for Primary Authority</b></p> <p>Designated officers to work closely with Primary Authority businesses to:</p> <ul style="list-style-type: none"> <li>develop partnership working relations with PS client businesses</li> <li>provide specific advice in relation to management systems &amp; procedures and controls adopted by the company nationally</li> <li>issue 'formal PA advice'</li> <li>handle referrals from other local authorities and central government bodies</li> <li>publication of Inspection plans</li> <li>Issue of advice and guidance to other Enforcement Authorities</li> <li>maintain an accurate record of any advice and guidance</li> <li>hold regular meetings with partner businesses</li> </ul> <p>Accurate recording of actions, decisions and time spent with each PA business on FLARE</p>	Primary Authority Board	Ongoing
	Health & Wellbeing	<p>Response times in line with Customer Charter and Pledge</p> <p>Feedback from PA businesses</p> <p>Hours of advice provided</p> <p>Amount of 'formal' advice issued</p> <p>Number of businesses in Portfolio</p> <p>Improved standards within partners business, with less enforcement action taken by Enforcement authorities.</p> <p>Monthly Reports on hours and cost recovery. Head of CP&amp;BC to advice Strategic Director of CCS</p> <p>Quarterly Review</p> <p>Yearly overview of contract</p>			<p>Ginny de Haan</p> <p>Trading Standards Manager</p> <p>Levine Whitham</p> <p>Mick Sims</p> <p>All Officers</p>

**TRADING STANDARDS ACTION PLAN FOR 2014/15**

Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
Underage Sales	<p>Safer Communities</p> <p>Health &amp; Wellbeing</p> <p>Economy &amp; Skills</p>	<p>Effective partnership working to reduce the number of sales of age restricted products in the borough.  <b>Target: minimum 2 x exercises on alcohol/tobacco</b>  <b>1 x fireworks per year</b></p> <p>Informed and compliant local traders, in respect of under age sales legislation. <b>Target:90% pass rate for candidates</b></p> <p>Issue of proof of age cards to 16 year old at local schools in the borough supporting young people and retailers in the town</p>	<p>Work with partners to plan and deliver joint test purchasing of age restricted products</p> <p>Review and refresh training seminars and trader packs jointly with the Licensing team and in line with the Community Alcohol Partnership</p> <p>Issue of free Proof of age cards in support of Safer Slough Partnership activities(funded by Safer Slough Partnership)</p> <p>To share intelligence and best practice with external agencies and other partners.</p> <p>Collaborative working with TSSE regional focus groups and other partners and sharing data to build regional and national statistics.</p>	<p>Fakhra Zaman (+ other officers)</p> <p>Fakhra Zaman</p> <p>Lina Johnson</p> <p>Fakhra Zaman</p>	<p><b>March 2015</b></p> <p><b>With quarterly monitoring of individual project work.</b></p>

Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
<b>Counterfeit and illicit trade</b>	<b>Safer Communities</b>  <b>Health &amp; Wellbeing</b>  <b>Economy &amp; Skills</b>	Traders and consumers who are fully aware of the dangers of counterfeit and illicit products in the market, reducing the amount of counterfeit products available in Slough <b>Targets:10% reduction in incidents</b> <b>Measure: Number of actions and nature of products seized/ street value</b>	Assess local information and prioritise as appropriate investigation and seizure of counterfeit and illicit products being sold in the borough at retail outlets, markets or online (e.g. alcohol, tobacco, DVDs, clothing and other branded items). Brand protection assistance and advice to PA companies. Working collaboratively with partners (e.g. Trade Mark holders, Police, HMRC, etc.) to redevelop other cost effective interventions	Peter Adshead &  All officers.	<b>March 2015</b>  <b>With quarterly monitoring of specific project work.</b>
<b>Tobacco Control / Tobacco Alliance work</b>	<b>Health &amp; Wellbeing</b>	Reduction in smoking prevalence and related health conditions Collaborative working locally and regionally between all agencies involved in smoking related work. <b>Target:Creation of a Berkshire Smoke Free Alliance by December 2014</b>	Collaborative working and agreement across Berkshire Trading Standards and the Public Health Teams. Joint interventions to promote tobacco awareness and close working with the Smoking Cessation provider Build upon links with Licensing and Food & Safety Teams to deliver joint initiatives on Smoke Free and tobacco sales	Dean Cooke &  All officers.   Mick Sims Levine Whitham	<b>December 2014</b>  <b>With quarterly review on specific project work.</b>

Consumer Credit work	Safer Communities  Health & Wellbeing  Economy & Skills	To increase awareness of the dangers of Loan Sharks and encourage intelligence regarding local problems.  <b>Measure: Number of Loanshark interventions</b>	Build upon success of work with the Birmingham Loan Shark Team, extending Bite Back and with enforcement outcomes provided by Birmingham TS.  Working with internal and external partners (e.g. TV Police, Social Services, Benefits and the voluntary sector to raise awareness of safe and secure financing	Angela Satterly &  All officers.  Angela Satterly	<b>March 2015</b>  <b>With quarterly review on specific issues.</b>
Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
Animal Health - Contingency Plans and Inspect horse/livestock dealers to bring into compliance.	Health & Wellbeing  Safer Communities	To ensure that all relevant Contingency plans & procedures are up to date.  <b>Target: inspect Langley Horse Fair and advise traders to bring them into compliance.</b>  <b>Target: inspect local livestock dealers at medium risk premises.</b>	Maintain all Animal Disease Contingency plans as directed by DEFRA, in partnership with Royal Borough of Windsor & Maidenhead and Bracknell Forest Trading Standards.  To carry out a monitoring programme at the Langley Horse Fair, to ensure compliance.  Inspection of local animal keepers and quarterly monitoring to ensure that all AMLS and AMES data inputting are completed within set targets.	Dean Cooke  Dean Cooke & City of London AH officers.  Dean Cooke & Sally Dunford (RBWM)	<b>Annual review December 2014</b>  <b>March 2015</b>

<p><b>Intelligence led inspections and seizures to protect consumers from potentially dangerous product/substances</b></p>	<p><b>Safer communities</b></p> <p><b>Economy &amp; Skills</b></p> <p><b>Health &amp; Wellbeing</b></p>	<p>To ensure that products which may pose a risk to consumers are prevented from entering the market place.</p> <p><b>Target:50% increase in detection</b> Ongoing visits to ERTS distribution centres in Slough.</p>	<p>Ongoing participation in the national “Ports project” and taking samples of suspicious products.</p> <p>Relevant enforcement action taken if necessary.</p>	<p>Russell Clarke</p> <p>Russell Clarke &amp; All Officers.</p>	<p><b>March 2015</b></p> <p><b>with Quarterly Monitoring</b></p>
<p><b>To work with the 18 other trading standards authorities in the South East and local communities for a safe and fair trading environment to maximise local accountability.</b></p>	<p><b>Safer Communities</b></p> <p><b>Health &amp; Wellbeing</b></p> <p><b>Economy &amp; Skills</b></p>	<p>Improved enhanced consumer protection and training opportunities by partnership working through the various TSSE specialist groups.</p> <p><b>Target: 100% attendance at TSSE Board meetings, 75% attendance at Focus Groups,</b></p> <p>Completion of regional projects relevant to Slough</p>	<p>Support TSSE Focus Groups and regional training etc</p> <p>Benefit from TSSE joint bids (where appropriate).</p>	<p>Ginny de Haan &amp;</p> <p>TS Manager</p> <p>All officers to support</p>	<p><b>March 2015</b></p>

Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
On-going investigations and prosecutions	Safer Communities Health & Wellbeing Economy & Skills	Work in line with Enforcement policy, CPS Guide for Crown Prosecutors and the Regulators Compliance Code. <b>Target: Quality Assurance – 90%</b> <b>90% Adhere to time scales for prosecution file submission</b>	Allocation of resources to adequately respond to serious incidents to comply with statutory enforcement obligations	All officers	<b>On going</b> <b>Assess during 1:1 meetings and case reviews</b>
Internal Procedures including Officer competency and QA	Economy & Skills	Review of all internal procedures annually Fully implemented QA <b>Target: 90% compliance</b>	Review and implementation of procedures to ensure compliance with FSA Competency and framework requirements, to monitor performance and support officers in a consistent approach.	TS Manager	March 2015
To enable consumers to make informed healthy lifestyle choices of food by enforcement of food standards legislation	Health & Wellbeing	<b>Target</b> - 100% of high risk - 50% of medium risk <b>-: of food businesses are inspected and rated.</b> Involvement in targeted	Undertake inspection programmes to focus on risk and local needs.  Participation in national/regional sampling programmes including:	TS Manager Angela Satterly & All food officers	<b>March 2015</b> <b>Quarterly review</b>



		<p>sampling projects for compliance with a wide range of food legislation (e.g. compositional standards, compliant labelling, nutritional information, additives, allergens, etc.), with further follow up enforcement as required.</p>	<ul style="list-style-type: none"> <li>- Legally compliant nutrition and health claims.</li> <li>- Composition of Food</li> <li>- DNA profiling.</li> </ul> <p>To work collaboratively with TSSE to undertake the Food Standards Agency imported food sampling based on local priorities</p>		
Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
<p><b>To continue to working collaboratively with other agencies in seeking out and apprehending rogue traders</b></p> <p><b>Interventions to tackle rogue traders, unfair, illegal and unsafe trading practices.</b></p> <p><b>Further development of</b></p>	<p><b>Safer Communities</b></p> <p><b>Health &amp; Wellbeing</b></p> <p><b>Economy &amp; Skills</b></p>	<p>To protect elderly/vulnerable residents from doorstep crime.</p> <p><b>Target:100% Increase the number of 'Buy With Confidence' businesses</b></p> <p>To organise educational presentations to vulnerable adult groups on the dangers of doorstep crime.</p> <p>Provide publicity to</p>	<p>Rapid Response Team for reactive Doorstep interventions.</p> <p>Promotion of the Buy With Confidence Scheme and establish joint delivery arrangements to achieve efficiencies with Surrey Trading Standards</p> <p>Continue to promote service provision in this area</p> <p>Radio Interviews</p>	<p>TS Manager Angela Satterly</p> <p>Fakhra Zaman</p> <p>Angela Satterly Jaspal Singh</p> <p>All officers</p>	<p><b>March 2015</b></p> <p><b>With Quarterly monitoring</b></p>

<p><b>recommended trader scheme.</b></p> <p><b>Protection for the Elderly and Vulnerable</b></p> <p><b>Improving awareness of consumer protection scams/ risks.</b></p>		<p>raise awareness of developing consumer issues (including scams).</p> <p>To support relative initiatives with other enforcement agencies, TSSE &amp; NTS.</p> <p>To deliver a strong enforcement message to potential suspects with robust enforcement action.</p> <p>To raise public awareness of doorstep crime and provide reassurance thereby reducing the fear of crime.</p>	<p>Press releases</p> <p>National Scams Hub Project</p> <p>National Rogue Trader Day working with partners.</p> <p>Facilitate the necessary resources to support this service activity.</p> <p>Develop intelligence in respect of known suspects and to identify intelligence gaps</p>	<p>Fakhra Zaman</p> <p>Jaspal Singh</p> <p>TS Manager</p> <p>All officers</p>	
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Service Activity	Priority	Targets and anticipated Outcomes	Key Actions	Responsible Officer	Completion Date
Road Traffic checks	<p>Health &amp; Wellbeing</p> <p>Economy &amp; Skills</p>	A reduction in the number of overloaded vehicles.	Working in partnership with Thames Valley Police based upon local evidence to reduce the number of over weight vehicles	Peter Adshead Fakhra Zaman	<b>March 2015</b>
<p><b>Support the Open for Business Corporate approach and work with partners and Town Centre Manager on the Business Development Strategy</b></p>	<p><b>Economy &amp; Skills</b></p> <p><b>Safer Slough</b></p>	<p>To increase and enhance opportunity for business growth and development.</p> <p>Joined up approach to support economic development.</p> <p>100% attendance at Open for Business training and briefing events</p>	To assist in promoting business development and growth and provide advice and guidance on food safety and standards issues	All staff	<p>On going</p> <p>Individual personal development plans</p> <p>1 to 1s</p> <p>By March 2015</p>

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**APPENDIX B1**

**CONSUMER PROTECTION AND  
BUSINESS COMPLIANCE**

**ENFORCEMENT POLICY**

*(June 2014)*

## Consumer Protection and Business Compliance Enforcement Policy

Document Number	01
Version Number	03
Date approved	
Effective	
Contact Officer	Licensing Manager

Change History		
Version No	Date	Change Details
1.00	10/01/14	Initial Draft
2.00	23/01/14	Following comment from SBC Policy Unit
3.00	12/02/2014	Following comment from Legal Services
4.00	15/02/2014	Following Consultation

Related Documents	
Document Title	Location

If you have any further questions about this Policy or for further information, including applications forms, please contact:

Licensing Manager,  
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SL1 1JL

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## 1. INTRODUCTION

- 1.1 This document sets out what businesses and others being regulated can expect from Slough Borough Council Consumer Protection and Business Compliance Services (CPBC) and its Enforcement Officers.
- 1.2 By Consumer Protection and Business Compliance we mean the following Teams: Food and Safety, Trading Standards, Licensing and Community Safety. It commits the Council to good enforcement practice with effective procedures and clear policies. Where the Council is referred to in this document it means the CPBC.
- 1.3 This document has been prepared with regard to the current principal legislation and statutory guidance including:
  - [The Regulatory Enforcement and Sanctions Act 2008](#) (The RES Act).
  - [Co-ordination of Regulatory Enforcement \(Enforcement Action\) Order 2009 SI665/2009](#) (The CRE Enforcement Order).
  - [Co-ordination of Regulatory Enforcement \(Procedure for References to LBRO\) Order 2009 SI670/2009](#) (The CRE LBRO Order).
  - [Legislative and Regulatory Reform Act 2006](#) (LRRRA).
  - [Legislative and Regulatory Reform \(Regulatory Functions\) Order 2007](#)
  - [Regulators' Code](#) (RC) (Draft July 2013).
- 1.4 The RES Act established the Local Better Regulation Office which has been renamed the [Better Regulation Delivery Office](#) (BRDO). It also imposed upon the Council a duty to: (a) have regard to any guidance given to a Local Authority by BRDO, (b) a duty to comply with guidance where we are directed to do so by BRDO, and (c) a duty to have regard to any list of enforcement priorities published by BRDO. We are committed to doing so.
- 1.5 The LRRRA, Part 2, requires us to have regard to the Principles of Good Regulation in that we carry out our regulatory activities in a way which is proportionate, accountable, consistent, transparent, and targeted to situations which need action.
- 1.6 This Policy has also been prepared having regard to:
  - [The Enforcement Concordat: Good Practice Guide for England and Wales](#) and the Principles of Good Enforcement: Standards;
  - The Human Rights Act 1988; and
  - The Code for Crown Prosecutors
- 1.7 The CPBC primary function is to achieve regulatory compliance in order to protect the public, legitimate business, the environment and groups such as consumers and workers. However, we reserve the right to take enforcement action in some cases after compliance has been achieved if it is in the public interest to do so.
- 1.8 We recognise that prevention is better than cure, but where it becomes



necessary to take formal enforcement action against a business, or member of the public, we will do so. There is a wide range of tools available to us as an enforcement agency and these are detailed in full further in this policy document.

- 1.9 When considering formal enforcement action, CPBC will, where appropriate and where reasonably practicable, discuss the circumstances with those suspected of a breach and take these into account when deciding on the best approach. This paragraph does not apply where immediate action is required to prevent or respond to a breach or where to do so is likely to defeat the purpose of the proposed enforcement action.
- 1.10 If you are a business operating in more than one Local Authority and you have chosen to have a registered Primary Authority Partnership under The RES Act we will, where required, comply with the agreement provisions for enforcement and notify your Primary Authority of the enforcement action we propose to take. We may under that Act also refer the matter to BRDO if appropriate.

**2. LEGAL STATUS OF THIS ENFORCEMENT POLICY**

- 2.1 This Policy has been subject of consultation with other Berkshire Authorities, statutory external agencies such as the Police and Fire and Rescue Service, local business organisations and representatives as well as public consultation on the Council website.
- 2.2 The Policy was approved by Slough Borough Council Cabinet on .....2014
- 2.3 This policy is intended to provide guidance for Enforcement Officers, businesses, consumers and the public. Each case will be considered on its own merits and circumstances having regard to this policy.

**3. SCOPE AND MEANING OF 'ENFORCEMENT'**

- 3.1 This Policy applies to all the legislation enforced by CPBC Enforcement Officers in relation to Food and Safety, Trading Standards, Licensing and Community Safety.
- 3.2 'Enforcement' includes any criminal or civil action taken by Enforcement Officers aimed at ensuring that individuals or businesses comply with the law.
- 3.3 For the purposes of The RES Act the term 'enforcement action' has been given a general statutory definition, which is:
  - (a) action to secure compliance with a restriction, requirement or condition in relation to a breach or supposed breach;
  - (b) action taken in connection with imposing a sanction for an act or omission; and
  - (c) action taken in connection with a statutory remedy for an act or omission.
- 3.4 A list of specific 'enforcement actions' is provided in article 2 of the CRE Enforcement Order, which applies to Part 2 of The RES Act and the Primary Authority Scheme. This means that if: you are a business or organisation registered with the Primary Authority Scheme, we are proposing to take action

against you, and that action is one of those listed then, unless one of the permitted exemptions applies, we will contact your Primary Authority to give notice of the enforcement action we propose to take against you. (See paragraph 9 below in relation to the Primary Authority Scheme.)

- 3.5 By this document the Council intends to enable Enforcement Officers to interpret and apply relevant legal requirements and enforcement policies fairly and consistently between like-regulated entities in similar situations. The Council also aims to ensure that its own Enforcement Officers interpret and apply their legal requirements and enforcement policies consistently and fairly.
- 3.6 In certain circumstances we will seek to raise awareness and increase compliance levels by publicising unlawful trade practices or criminal activity.

## **4. HOW TO OBTAIN A COPY OF THE POLICY**

### **4.1 Obtaining a copy of the Policy**

- 4.1.1 This Policy is available on the Slough Borough Council website at:  
[www.xxxxxxxxxxxxxx.gov.uk](http://www.xxxxxxxxxxxxxx.gov.uk)

If you would like a paper copy of the Policy, please contact us by:

- (a) e-mailing [Licensing@slough.gov.uk](mailto:Licensing@slough.gov.uk)
- (b) e-mailing [FoodandSafety@slough.gov.uk](mailto:FoodandSafety@slough.gov.uk)
- (c) emailing [TradingStandards@slough.gov.uk](mailto:TradingStandards@slough.gov.uk)
- (d) writing to the Head of Consumer Protection and Business Compliance, St Martins Place, 51 Bath Road, Slough, SL1 3UF.
- (e) telephoning 01753 875255.

On request, this Policy will be made available on tape, in Braille or large type.

### **4.2 How you can make a complaint about decisions made**

- 4.2.1 If you are unhappy with any decision that is made initially you should try and resolve the issue with the Enforcement Officer. However if this fails you should discuss the matter with their manager. If you feel that you are still not satisfied then the Council has a Corporate Complaints procedure, and full details how to make a formal complaint can be found on the Council website at:

<http://www.slough.gov.uk/council/complaints-and-feedback/customer-feedback-and-complaints.aspx>

- 4.2.2 Additionally, there will sometimes be a legal right to appeal an enforcement decision, such as the right to appeal certain licensing decisions to the Magistrates' Court. Where such a right exists it will have precedence over the Council's Corporate Complaints Procedure.

## 5. GENERAL PRINCIPLES

- 5.1 Our principles are informed by The Regulators' Code which took effect on 6<sup>th</sup> April 2014, the Enforcement Concordat and the Guidance of BDRO as to how to apply these documents.
- 5.2 The six principles of the Regulators Code are:
1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
  2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
  3. Regulators should base regulatory activities on risk.
  4. Regulators should share information about compliance and risk.
  5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
  6. Regulators should ensure that their approach to their regulatory activities is transparent.
- 5.3 Prevention is better than cure and our role, therefore, involves actively working with businesses to advise on, and assist with compliance. However, where it becomes necessary to take formal enforcement action against a business, or members of the public, we will do so.
- 5.4 Where we consider that formal enforcement action is necessary each case will be considered on its own merits.
- 5.5 However, there are general principles that apply to the way each case must be approached. These are set out in this Policy and in the Regulators' Code.
- 5.6 In accordance with the Regulators' Code, the approach of the CPBC to the sanctions and penalties available to it, will aim to:
- (a) change the behaviour of the offender;
  - (b) change attitudes in society to offences which may not be serious in themselves, but which are widespread;
  - (c) eliminate any financial gain or benefit from non-compliance;
  - (d) be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction;
  - (e) be proportionate to the nature of the offence and the harm caused;
  - (f) restore the harm caused by regulatory non-compliance, where appropriate; and

(g) deter future non-compliance.

For more information about the Regulators' Code visit:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/262915/13-1016-regulators-code.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/262915/13-1016-regulators-code.pdf)

- 5.7 All enforcement decisions will be fair, independent and objective. They will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source.
- 5.8 We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision to take formal action. This may include actual harm or loss or the impact on the well being of the individual or potential or actual harm to the environment.
- 5.9 Slough Borough Council is a public authority for the purposes of the Human Rights Act 1998. We will, therefore, apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
- 5.10 All enforcement activities, including investigations and formal actions, will always be conducted in compliance with the statutory powers of the officer and all other relevant legislation, including but not limited to the [Police and Criminal Evidence Act 1984](#), the [Criminal Procedure and Investigations Act 1996](#), the [Human Rights Act 1998](#), the [Regulation of Investigatory Powers Act 2000](#), [Criminal Justice and Police Act 2001](#), and the [Crime and Disorder Act 1998](#) and in accordance with any formal procedures and codes of practice made under this legislation in so far as they relate to the Council's enforcement powers and responsibilities.
- 5.11 This Policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. This is in accordance with the Regulator's Code. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

## **6. NOTIFYING ALLEGED OFFENDERS**

- 6.1 If we receive information, for example from a complainant, that may lead to formal enforcement action against a business or individual we will notify that business or individual as soon as is practicable of any intended enforcement action, unless this could impede an investigation or pose a safety risk to those concerned or the general public or where notification would defeat the purpose of the enforcement action.
- 6.2 During the progression of enforcement investigations or enforcement actions, business proprietors or individuals and witnesses will be kept informed of progress.

- 6.3 Confidentiality will be maintained and personal information about individuals will only be released to a Court when required and/or in accordance with the Data Protection Act 1998.

## **7. ENFORCEMENT ACTION**

### **7.1 An overview of the enforcement actions available**

7.1.1 There are a large number of potential enforcement options. The level of the action taken varies from no action through to proceedings in Court. Examples of the main types of action that may be considered are shown below:

- (a) No action.
- (b) Informal Action and Advice.
- (c) Fixed penalty Notices.
- (d) Penalty Charge Notices.
- (e) Formal Notice.
- (f) Forfeiture Proceedings.
- (g) Seizure of goods/equipment.
- (h) Injunctive Actions and other Civil Sanctions.
- (i) Refusal/Review/Revocation of a licence.
- (j) Simple Caution.
- (k) Prosecution.
- (l) Proceeds of Crime Applications.

7.1.2 The order in which the enforcement actions are listed above is not necessarily in absolute order of escalating seriousness relative to each other. The Council reserves the right to escalate its level of enforcement action, having regard to the criteria in paragraph 7.2 of this policy.

### **7.2 Deciding what level of action is appropriate**

7.2.1 In assessing what enforcement action is necessary and proportionate, consideration will be given to, amongst other things:

- (a) The seriousness of the compliance failure.
- (b) The past and current performance of any business and/or individual concerned.
- (c) Any obstruction on the part of the offender.
- (d) The risks being controlled.

- (e) Statutory guidance.
- (f) Codes of Practice.
- (g) Any legal advice.
- (h) Policies and priorities of the Government, the Council, CPBC services and related committees.
- (i) A person's age in relation to young people (termed 'juveniles') aged under 18.
- (k) The existence of a Primary Authority Agreement.

7.2.2 Certain enforcement action, such as the decision to Caution and/or the decision to prosecute, is further and specifically informed by those matters set out below at paragraphs 7.12 and 7.13.

### **7.3 An explanation of the enforcement action options**

#### **7.3.1 No Action**

7.3.2 In certain circumstances, contraventions of the law may not warrant any action. This can be where the cost of compliance to the offender outweighs the detrimental impact of the contravention, or the cost of the required enforcement action to the Council outweighs the detrimental impact of the contravention on the community. A decision of no action may also be taken where formal enforcement is inappropriate in the circumstances, such as where the offender is elderly and frail, is suffering from mental health issues or serious ill health, and formal action would seriously damage their wellbeing. In such cases we will advise the offender and the complainant of the reasons for taking no action.

#### **7.4 Informal Action and Advice**

7.4.1 For minor breaches of the law we may give verbal or written advice. We will clearly identify any contraventions of the law and give advice on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the non-compliance.

7.4.2 Sometimes we will advise offenders about 'good practice', but we will clearly distinguish between what they must do to comply with the law and what is advice only.

7.4.3 Failure to comply could result in an escalation of enforcement action.

#### **7.5 Fixed Penalty Notices**

7.5.1 Certain offences are subject to Fixed Penalty Notices (FPN)) where prescribed by legislation. They are recognised as a low-level enforcement tool and enable a defendant to avoid prosecution and a criminal record. Where legislation permits an offence to be dealt with by way of a FPN, we may choose to issue a FPN on a first occasion, without any prior warning.

## **7.6 Penalty Charge Notices**

- 7.6.1 Penalty Charge Notices (PCN) are a prescribed method of enforcement governed under Part 6 of the Traffic Management Act 2014 . The process for making representation and level of payment due is covered by the 2004 Act and statutory instruments. Failure to pay the PCN will result in the debt being registered with Northampton County Court (Traffic Enforcement Centre). A warrant will be issued and passed onto a bailiff company to recover the debt on behalf of the Local Authority. Slough Borough Council has a parking Enforcement Policy on place, for further details follow the below link:

<http://www.slough.gov.uk/council/strategies-plans-and-policies/parking.aspx>

## **7.7 Failure to accept a FPN and/or a PCN**

- 7.7.1 In circumstances where a person or body corporate fails to accept or pay a FPN, then in order to maintain the integrity of these legislative regimes, CPBC Services will consider an escalation of enforcement action. This will include consideration of a prosecution for the original offence under the primary legislation.
- 7.7.2 In circumstances where a person or body corporate fails to accept or pay a PCN, then in order to maintain the integrity of this legislative regime, CPBC Services will consider an escalation of enforcement action. This will include consideration of civil action to recover the debt incurred by the CPBC services.
- 7.7.3 A failure to pay a FPN or PCN may be a material consideration for the purposes of deciding whether a prosecution will be taken or civil debt recovery commenced.

## **7.8 Formal Notice**

- 7.8.1 Certain legislation allows notices to be served requiring offenders to take specific actions or cease certain activities. Notices may require activities to cease immediately or a premises to close, where the circumstances relating to food and safety, health and safety, environmental damage or nuisance demand. In other circumstances, the time allowed will be reasonable, take into account the seriousness of the contravention, the implications of the non-compliance and the appeal period for that notice.
- 7.8.2 All notices issued will include details of any applicable Appeals Procedures.
- 7.8.3 Certain types of notice allow works to be carried out in default. This means that if a notice is not complied with [a breach of the notice] the CPBC may carry out any necessary works to satisfy the requirements of the notice. Where the law allows, the CPBC may then charge the person/business served with the notice for any cost we incur in carrying out the work.

## **7.9 Seizure**

- 7.9.1 Certain legislation enables authorised Enforcement Officers to seize goods, equipment or documents for example unsafe food, sound equipment that is being used to cause a statutory noise nuisance, unsafe products or any goods

that may be required as evidence for possible future court proceedings. When we seize goods we will give the person from whom the goods are taken an appropriate receipt itemising the goods / equipment that have been seized and advise them of their statutory rights.

## **7.10 Injunctive Actions and other Civil Sanctions**

7.10.1 In certain circumstances, for example, where offenders are repeatedly found guilty of similar offences or where it is considered that injunctive action is the most appropriate course of enforcement, then injunctive actions may be used to deal with repeat offenders; dangerous circumstances; or consumer/ environmental/public health detriment.

7.10.2 Action under the Enterprise Act 2002; proceedings may be brought where an individual or organization has acted in breach of community or domestic legislation with the effect of harming the collective interests of consumers. In most circumstances action will be considered where there have been persistent breaches or where there is significant consumer detriment. Action can range from:

- (a) Informal undertakings.
- (b) Formal undertakings.
- (c) Interim Orders.
- (d) Court Orders.
- (e) Contempt Proceedings.

7.10.3 Anti Social Behaviour Orders and Criminal Anti Social Behaviour Orders: Where the non-compliance under investigation amounts to anti-social behaviour such as persistent targeting of an individual or a group of individuals in a particular area then, following liaison with the Community Safety Team where appropriate, an ASBO or CRASBO will be sought to stop the activity. *(ASBO's and CRASBO's are currently under review by the Government).*

## **7.11 Suspension and Revocation/Review/Revocation of a Licence**

7.11.1 Where there is a requirement for a business to be licensed by the local authority, the licence may be granted unless representations or objections are received against the application. In such cases the Licensing Committee will hear the case and decide to grant, grant with conditions, or refuse the licence application.

In addition to the above, in relation to the Gambling Act 2005, applications for premises Licence, the Licensing Committee can exclude a condition of licence.

7.11.2 Grounds for Refusal, Suspension or Revocation of a Hackney Carriage or Private Hire Drivers Licence



- Where application is for the GRANT of a licence, the Committee has to be satisfied that the applicant is a “fit and proper” person to hold a licence.
- The Committee’s current policy requires an applicant to have held a full DVLA driver’s licence for at least two years.
- All new applicants are required to pass a driving assessment and undergo a medical examination prior to becoming licensed.
- Applicants are also subject to a criminal record check.
- Where a new applicant for a Hackney Carriage or Private Hire drivers licence or where an existing licence holder has been convicted or is subsequently convicted of any offence of dishonesty, a licence will not be granted, will not be renewed and will be either suspended or revoked with immediate effect where it is deemed necessary in the interests of public safety to do so.
- Where a new applicant for a Hackney Carriage or Private Hire drivers licence has been convicted of any offence of indecency or violence or any other criminal offence of a serious nature, a licence will not be granted, until the applicant is free from conviction for at least a period of 10 years (the date when the conviction becomes spent being the start date for the calculation of the 10 year period)
- Where an existing Hackney Carriage or Private Hire drivers licence holder is convicted, during the period of the licence, of any offence of indecency or violence or any other criminal offence of a serious nature, the licence will be either suspended or revoked with immediate effect, and any new application will not be considered until the applicant is free from conviction for at least a period of 10 years (the date when the conviction becomes spent being the start date for the calculation of the 10 year period)

Whilst each case will be considered on its own merits, the protection of the public is paramount.

7.11.3 Under the Licensing Act 2003, where a Review of a Premises Licence is sought under Section 51 of the Act, the options available to the Licensing Committee are:-

- To modify the conditions of Licence
- To exclude a Licensable activity from the scope of the Licence
- To removed the Designated Premises Supervisor
- Suspend the Licence for a period not exceeding three months
- Revoke the Licence
- Issue a warning letter

- No action

7.11.4 Under the Gambling Act 2005, where a Review of a Premises Licence is sought under Section 202 of the Act, the options available to the Licensing Committee are:-

- Revocation of the Licence
- Suspend the Licence for a specified period not exceeding three months
- Exclude a condition attached to the Licence, under Section 168 or remove or amend exclusion
- Add, remove or amend a condition under Section 169

## **7.12 Simple Caution**

7.12.1 In appropriate circumstances, where a prosecution would otherwise be justified, a Simple Caution may be administered with the consent of the offender.

7.12.2A Simple Caution is an admission of guilt, but is not a form of sentence, nor is it a criminal conviction.

7.12.3 For a Simple Caution to be issued a number of criteria must be satisfied:

- (a) Sufficient evidence must be available to prove that the offence has been committed.
- (b) The offender must admit the offence.
- (c) It must be in the public interest to use a Simple Caution.
- (d) The offender must be 18 years or over.

For details on the Home Office guidance (Circular 16/2008) Cautioning of Offenders visit:

<http://www.homeoffice.gov.uk/>

7.12.4 We will also take into account whether the offender has received a simple caution within the last 2 years when determining whether a simple caution is appropriate for any subsequent offending.

7.12.5 If during the time the Simple Caution is in force the offender pleads guilty to, or is found guilty of, committing another offence anywhere in England and Wales, the Caution may be cited in court, and this may influence the severity of the sentence that the court imposes.

7.12.6 The refusal of an offender to be cautioned does not preclude the matter being passed for prosecution. In fact, any such failure will be a material consideration when deciding whether the offender should then be prosecuted for that offence.

### **7.13 Prosecution**

- 7.13.1 In circumstances where none of the other forms of enforcement action are considered appropriate a prosecution will be considered and may ensue.
- 7.13.2 When deciding whether to prosecute the Council applies The Code for Crown Prosecutors as issued by the Director of Public Prosecutions.
- 7.13.3 The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases.
- 7.13.4 The Code for Crown Prosecutors has two tests:

Is there enough evidence against the defendant?  
When deciding whether there is enough evidence to prosecute, the Council must consider what evidence can be used in court and whether it is reliable. The Council must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each defendant.

Is it in the public interest for the Council to bring the case to court?  
A prosecution will usually take place unless the public interest factors against prosecution clearly outweigh those in favour of prosecution.

For a copy of the Code for Crown Prosecutors visit:-  
[http://www.cps.gov.uk/publications/code\\_for\\_crown\\_prosecutors/index.html](http://www.cps.gov.uk/publications/code_for_crown_prosecutors/index.html)

### **7.14 Proceeds of Crime Applications**

- 7.14.1 The Council either through its own Enforcement Officers or in cooperation with the Police may make application under the Proceeds of Crime Act 2002 to restrain and/or confiscate the assets of an offender. The purpose of any such proceedings is to recover the financial benefit that the offender has obtained from his criminal conduct. Proceedings are conducted according to the civil standard of proof.

### **7.15 Deferred Prosecution Agreements (DPAs)**

- 7.15.1 DPAs have been introduced under the Crime and Courts Act 2013, adding an important new enforcement tool for certain prosecutors in tackling serious economic crime. Under a DPA a prosecutor charges a company with a criminal offence but proceedings are automatically suspended. The DPA may impose a number of requirements, including paying a financial penalty or agreeing to a compliance programme. At present only the Director of Public Prosecutions and the Director of the Serious Fraud Office can use DPAs, not local authorities. However when proceedings are suspended under a DPA no other person may prosecute the defendant for the alleged offence."

### **7.16 Press releases**

- 7.16.1 In cases where emergency prohibition procedures have been taken and where public health and safety has been put at risk, consideration will be given to issuing a press release as a deterrent message that the service will not tolerate conditions which present an imminent risk to public health.

## **8. DECISIONS ON ENFORCEMENT ACTION**

- 8.1 Decisions about the most appropriate enforcement action to be taken are based upon those matters set out in Section 7 above.
- 8.2 Where appropriate, decisions about what enforcement action to take may involve consultation between:
- (a) Investigating Officer(s).
  - (b) Senior managers from the Council.
  - (c) The Council's legal advisors.
- 8.3 The decision to prosecute a case will be taken by those with authority to do so in accordance with the Slough Borough Council Scheme of Delegation as contained in the Council's Constitution.

## **9. PRIMARY AUTHORITY PARTNERSHIP SCHEME AND ITS ENFORCEMENT PROVISIONS**

- 9.1 When a decision has been made to take enforcement action against a business and:
- (1) That business is operating in more than one Local Authority and has a registered Primary Authority Partnership under The RES Act; and
  - (2) The enforcement action we propose to take is covered by the definition of enforcement action for the purposes of Part 2 of The RES Act.

We will, where required to do so by that Act, comply with the agreement provisions for enforcement and notify your Primary Authority of the action we propose to take.

- 9.2 A Primary Authority has the right to object to our proposed action and in such circumstances either they or we may refer the matter to BRDO.

## **10. LIAISON WITH OTHER REGULATORY BODIES AND ENFORCEMENT AGENCIES**

- 10.1 In addition to the duties imposed upon us by The RES Act in respect of cooperating and working with Primary Authorities and the BRDO; we will, where appropriate, cooperate and coordinate with any relevant regulatory body and/or enforcement agency to maximise the effectiveness of any enforcement.
- 10.2 Where an enforcement matter affects a wide geographical area beyond the Council boundaries, or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.
- 10.3 The Council will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, including:

- (a) Government Agencies.
- (b) Police Forces.
- (c) Fire Authorities.
- (d) Statutory undertakers.
- (e) Other Local Authorities.

## **11. CONSIDERING THE VIEWS OF THOSE AFFECTED BY OFFENCES**

11.1 The Council undertakes enforcement on behalf of the public at large and not just in the interests of any particular individual or group. However, when considering the public interest test, the consequences for those affected by the offence, and any views expressed by those affected will, where appropriate, be taken into account when making enforcement decisions.

## **12. PROTECTION OF HUMAN RIGHTS**

12.1 This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

## **13. REVIEW OF THE ENFORCEMENT POLICY**

13.1 This Policy will be reviewed annually. A copy of this policy is available at:  
[www.xxxxxxxxxxx.gov.uk](http://www.xxxxxxxxxxx.gov.uk)

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**APPENDIX B2**

**ENFORCEMENT POLICY – CONSULTEES AND RESPONSES**

<b>Consultee</b>	<b>Responses</b>	<b>SBC Reply and Action</b>
Full Consultation SBC website		
Chief Exec – RBWM		
Chief Exec – South Bucks		
Chief Exec – Wokingham		
Chief Exec – West Berks		
Chief Exec – Bracknell Forest		
Chief Exec – Spelthorne		
Supt Simon Bowden – TVP Slough		
Chief Constable TVP		
RBFRS		
Slough Chamber of Commerce		
Slough Business Community Partnership	From what has been, it does seem to cover all the salient points and sets out any appropriate action quite clearly.	Noted and no action needed
Federation of Small Business		
SEGRO		
SBC Policy Unit		
All CP&BC Staff		
Legal Services		
All members of the SBC Corporate Enforcement Group	<p>SBC Financial Investigator observations with reference to fraud:</p> <ol style="list-style-type: none"> <li>1. Assisting other Council departments with POCA fits well with the role of financial investigators launching POCA enquiries to provide evidence to the investigation team or confiscation.</li> </ol>	Noted and no action needed

	<p>2. Benefit investigations</p> <p>a. At present the Council investigates and prosecutes benefit fraud. The sliding scale of enforcement action applies as does the DPP code.</p> <p>b. Procedures are governed by DWP practice, procedure and legislation. That being said I can see no specific conflict between this the Code and DWP practice.</p>	
Institute of Licensing		
NALEO (National Association of Licensing Enforcement Officers)		
Public Consultation - SBC website	<p>As part of this consultation I would like to point out that you have stated as part of the preamble to the consultation that</p> <p>'We wish to demonstrate that our enforcement activities are carried out in a fair, proportionate, transparent and consistent manner and in accordance with the Council's Enforcement Policy.'</p> <p>I would like to politely point out to you that your survey asks no questions regarding transparency of implementation at all, it merely implies that if your policies are published that somehow that makes your activities transparent ; it does not.</p> <p>If Slough council did wish to demonstrate its enforcement activities were fair and transparent it should publish detailed data on its activities on the <a href="http://slough.gov.uk">slough.gov.uk</a> website as <i>open data</i>. In this context open data refers to a specific meaning; if you are unaware of exactly what open data is please see <a href="http://www.theodi.org">www.theodi.org</a> for further details. (P.S.</p>	<p>Noted. The purpose of the amendments to the Policy is to reflect the changes introduced by the Regulators Code.</p> <p>The Code addresses issues around how regulators will carry out their activities.</p> <p>The Policy is designed to allow regulators to clearly explain to those being regulated, what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. The purpose is to allow regulators to provide an opportunity for dialogue with those being regulated in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate and consistent.</p> <p>The Code requires regulators to ensure that their approach to regulatory activities is transparent. As such regulators should publish a set of clear service standards,</p>



	<p>Neither excel or PDF files are open data). In fact these days it is expected that local government is <i>digital by default</i> ; clearly SBC has quite some way to go in this regard.</p> <p>Without publishing enough open data in a timely fashion it makes it virtually impossible for any member of the public or interest group to scrutinise the councils licensing activities in any meaningful way, and therefore it lays itself wide open to criticisms of obfuscation and worse, as it cannot be proven otherwise. Transparency is the heart of good governance; currently as a member of the public I do not believe the licensing department gives me any transparency at all.</p>	<p>setting out what those they regulate should expect from them. The adoption of the Policy achieves this. Transparency in this context is not about publishing enforcement data.</p>
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**SLOUGH BOROUGH COUNCIL**

REPORT TO: Council

DATE: 22<sup>nd</sup> July, 2014

**CONTACT OFFICER:** Teresa Clark  
**(For all enquiries)** Senior Democratic Services Officer  
 01753 875018

WARD(S): All

**PART I**  
**FOR DECISION****APPOINTMENT OF MEMBER TO THE SCHOOL INDEPENDENT ADMISSION APPEALS AND EXCLUSIONS PANEL****1. Purpose of Report**

To seek the approval of the Council for the appointment of an additional Member, to the Slough Independent School Appeals and Exclusions Panel.

**2. Recommendation**

The Council is requested to resolve that Mr Sanjeev Sharma be appointed to the Independent Appeals and Exclusions Panel as a Lay Member.

**3. Legal, Financial and Other Implications**

None arising from this administrative report. The recommendation set out meets the legal requirements of Code of Practice on School Admission Appeals and the Regulations governing the independence of Panel members.

**4. Supporting Information**

- 4.1 The Admission Authority and the Appeal Panel must act in accordance with the School Admissions (Appeal Arrangements) (England) Regulations 2012, and the School Admissions and Appeals Codes. The Appeals Panels hears and determines appeals from parents who have not been allocated a place at their preferred school.
- 4.2 Appeal Panels perform a judicial function and must be transparent, accessible, independent and impartial, and operate according to principles of natural justice.
- 4.3 Panel Members serve on a voluntary basis and are not paid for their services other than reimbursement for any mileage/ travel necessarily incurred in travelling to Appeal hearings or training sessions.
- 4.4 The Independent Appeals Panel of Slough Borough Council hears and determines appeals for a number of community schools and Academies who have bought in to the service. A Panel of three members is selected from a pool of members and each Panel must have at least one lay member and one education member.
- 4.5 An application has been received from Mr Sanjeev Sharma to serve on the Slough Independent School Admission Appeals and Exclusions Panel. This individual meets the necessary requirements to serve as a Lay Panel Member and will receive

the required training to fulfil his role in accordance with the School Admission Appeals Code.

4.6 The Council is asked to approve the appointment.

**5. Background Papers**

Appeal Panel Member Application Form - contact Democratic Services for information.

School Admissions (Appeal Arrangements) (England) Regulations 2012.

School Admissions and Appeal Codes (Feb 2012)

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Council **DATE:** 22<sup>nd</sup> July, 2014

**CONTACT OFFICER:** Shabana Kauser  
**(For all enquiries)** Senior Democratic Services Officer  
(01753) 787503

**WARD(S):** All

**PART I**  
**FOR DECISION**

**MOTION SUBMITTED TO COUNCIL UNDER PROCEDURE RULE 14**

The following motion has been received in accordance with Council Procedure Rule 14:-

**'A' Children's Centres**

(Moved by Councillor Smith, seconded by Councillor Wright)

"This Council resolves:

"Following Ofsted's grading of SBC's Children's Centres as "Inadequate" in all three categories - governance, monitoring and service delivery

a) that the Commissioner for Education and Children resign, due to the services areas she oversees being repeatedly and comprehensively judged as "inadequate" by Ofsted and

b) that the Education and Children's Services Scrutiny Panel examine how the £8,365,472 early intervention grant from Government was spent on our 13,000 child clients (about £650 per child) in the last financial year, as well as to examine what provisions there are in the Cambridge Education (signed last year) for target setting and performance monitoring, and require a six-monthly scrutiny review of this data beginning with a review of the Action Plan to recover the Children's Centre service"

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