

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 18th July 2016

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WARD(S): All

PORTFOLIO: Cllr Paul Sohal – Commissioner for Regulation & Consumer Protection

PART I **KEY DECISION**

STATUTORY SERVICE PLANS

1 Purpose of Report

To seek Cabinet endorsement for Statutory Service Plans (the Plans) in relation to:

- Food Safety Service
- Health and Safety Service
- Trading Standards Service

in accordance with the requirements laid down by The Food Standards Agency (FSA) The Health & Safety Executive (HSE), the Department of Business Skills and Innovation (BIS) and other external agencies.

2 Recommendation(s)/Proposed Action

The Cabinet is requested to recommend 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 Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

3a. Slough Joint 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 activity 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 5 Year Plan Outcomes.

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

- **Economy and Skills**

- Supporting & enabling local businesses in meeting their legal requirements ' through low cost training; intelligence lead enforcement; 'Assured Trader Scheme(s)' 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 and Slough as a brand.
- Developing with other Council teams an '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, allergens and healthy eating, and in doing so contribute to reducing obesity rates in Slough.
- Forthcoming partnership with Support with Confidence to help SBC meet its obligations under the Care Act with regards to direct payments and signposting users to appropriate care and service providers in particular areas.

- **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 in partnership with other stakeholders to reduce the incidence of violence in retail and licensed premises eg, Community Alcohol Partnership (CAP) and supporting outcomes from the Local Alcohol Action Area (LAAA).
- Safeguarding migrant and other vulnerable workers, including Modern Slavery issues and CSE awareness.
- Working in conjunction and in support of Adult Social Care when our Services come across vulnerable people, particularly where they are victims of rogue traders, scams and financial fraud. e.g. Loan Shark project and Operation Rogue Trader/Liberal.

- **Housing**

- Enforcing the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc)(England) Order 2014 which requires all lettings agents and property managers in England to belong to a Government approved redress scheme from 1 October 2014

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 enabling and graduated enforcement approach commencing with advice and sign posting to detailed information. A proposed new Assured Trader Scheme and the Food Hygiene Rating Scheme recognise and reward businesses that do well; encouraging residents to use their local services and shops and giving them an informed choice.

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 39 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 proactively reduce the regulatory burden for businesses, encouraging growth.

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.
- **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. Working in partnership to reduce the negative impact of alcohol

3b **Five Year Plan Outcomes**

These statutory service plans identify positive impacts towards all the 5 year Plan Outcomes, which is detailed in the individual action plans, and in particular:

Outcome 1 - Slough will be the premier location in the south east for businesses of all sizes to locate, start, grow, and stay. For example, supporting businesses with regulatory advice and ensuring a level playing field for business growth.

Outcome 2 - The centre of Slough will be vibrant, providing business, living, and cultural opportunities. For example, promoting businesses through the Food Hygiene Rating Scheme

Outcome 4 - Slough will be one of the safest places in the Thames Valley. For example, investigating scams and other fraud

The statutory plans also focus on developing entrepreneurial skills in the teams and commercialisation as a tool to maximise income whilst also support the council's digital development by promoting agile front line working and channel shift to encourage better use of the council's website.

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 and other chargeable 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

Risk	Mitigating action	Opportunities
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 sometimes undertake interviews on local Radio stations
Community Safety	None	Underage sales, rogue traders, loan sharks activities support the Safer Slough Partnership priorities.
Financial	Risk from complex criminal investigations or disease 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 and further commercialisation of services can be used to offset cost of service delivery
Timetable for delivery	Risk from complex criminal investigations or disease 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.	

(c) 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

(i) 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, fair and 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; they will be reported to and scrutinised by the national agencies. 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 Commercialisation of the services has allowed for increased cost recovery activities which have helped to off set the cost of service delivery particularly with Primary Authority (PA) work. PA is a statutory scheme which enables contractual 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. We have now secured 39 successful contracts with national and international businesses such as; Reckitt Benkiser, Mars, Telefonica (o2), Superdrug, Wyvale Garden Centres, Furniture Village and Burger King. It is our intention to enhance

the entrepreneurial skills of the teams and further develop commercialisation of the services over the next year.

5.5 For the future 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, whilst supporting business growth.

5.6 However at the beginning of 2015/16 the team had a significant proportion of lower risk food hygiene interventions outstanding. During an external audit by the FSA in December 2015 this shortfall in lower risk inspections was identified as a non-compliance with the national standard. As a result, an action plan was drawn up and a business case was put forward for a temporary injection of additional resources to ensure that the identified shortfall was dealt with promptly. The action plan was completed in Spring 2016. Last year the team completed approximately 91% of interventions, including those which were overdue from previous years. Again resources were focussed on the highest risk areas the majority of the remaining 9% of interventions due are in relation to low risk premises such as newsagents that sell wrapped food only. This year the team are on target to complete all due interventions.

6 Comments of Other Committees

Not applicable.

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 by enabling businesses to access information & advice more effectively, enhance consumer protection and promote, with our partners, safety and wellbeing in the workplace and our communities, whilst off-setting the cost of delivery by developing further the commercialisation of services where appropriate

It is clearly illustrated within the Plans how our work contributes significantly towards supporting all of the outcomes of the 5 Year Plan and the Slough Joint Wellbeing Strategy and the Council's operating model

8 Appendices Attached (if any)

- A. Food Safety & Standards Service Delivery Plan 2016/17
- B. Health & Safety Service Delivery Plan 2016/17
- C. Trading Standards Service Delivery Plan 2016/17

9 Background Papers

- '1' Food Standards Agency Code of Practice (Revised April 2015)
- '2' National Local Authority Code, Health & Safety at Work. (2013)
- '3' Primary Authority Handbook. Local Better Regulation Office (2016)
- '4' The Consumer Protection & Business Compliance Enforcement Policy