

## SLOUGH BOROUGH COUNCIL

**REPORT TO:** Cabinet **DATE:** 18<sup>th</sup> June 2018

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**WARD(S):** All

**PORTFOLIO:** Cllr Pavitar Mann– Lead Member for Regulation and 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 –

###### ***Protecting Vulnerable Children***

- *Underage sales education and enforcement; projects in partnership with other stakeholders to reduce the incidence of violence in retail and licensed premises*
- *Adopting professional curiosity in all that we do to ensure we are competent to recognise and identify child safeguarding issues.*
- *Maintaining professional curiosity among staff and keeping their awareness up to date on issues such as, Modern Slavery and Child Sexual Exploitation.*

### ***Increasing life expectancy by focussing on inequalities***

- *Supporting and encouraging all the food outlets in Slough to provide safe food through inspections and interventions and the Food Hygiene Rating Scheme (FHRS)*
- *Reducing risks in the work place with investigations, interventions and specific projects based upon Slough's needs and those based on national priorities*
- *Increasing awareness of food labelling, allergens and healthy eating, and in doing so contribute to reducing obesity rates in Slough.*
- *Actively support the Prevention Strategy within our front line work*

### ***Improving mental health and wellbeing***

- *Staff being trained on the Care Act and their responsibility under that legislation to be aware of safeguarding issues and reporting lines.*
- *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.*
- *To promote schemes which help the community to help themselves, such as Friends against Scams, Mail Marshals, the Banking Protocol and Adopt a Post Office.*
- *Safeguarding migrant and other vulnerable workers, including Modern Slavery issues and CSE awareness.*

### ***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*

## **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:

- *Slough Children will grow up to be happy, healthy and successful*
- *Our people will become healthier and manage their own care needs*
- *Slough will be an attractive place where people choose to live, work and stay*
- *Slough will attract, retain and grow businesses and investment to provide opportunities for our residents*

The statutory plans also focus on developing entrepreneurial skills in the teams and commercialisation skills as a tool to maximise income. They also support the council's digital transformation 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

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
<p>Statutory Service Plans in relation to the Food Safety, Health &amp; Safety and Trading Standards work undertaken by the Council be endorsed.</p>	<p>Risk from complex criminal investigations or disease outbreaks that demand considerable officer time resulting in pressure upon resources to complete statutory work. National enforcement bodies may intervene and ultimately direct us to complete statutory work or take over the service. This creates reputational risk.</p> <p>Costs from legal fees not recovered (court permitting) or only partly awarded.</p>	<p>Mitigated by the re-prioritisation of resources where possible.</p> <p>The income from Primary Authority work and further commercialisation of services can be used to offset cost of service delivery</p>	<p>3 (probability: Low x severity: Negligible)</p>	<p>Serious failures to complete statutory duties and serious deviations from the service plans will be highlighted to cabinet.</p>

(c) Human Rights Act and Other Legal 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

(d) 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 currently have about 40 partnerships 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 continue to enhance the entrepreneurial skills of the teams and further develop commercialisation of the services over the next year.

5.5 The 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.

## 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. This is being achieved whilst at the same time off-setting the cost of delivery by further developing the commercialisation of services where appropriate

It is clearly illustrated within the Plans how our work contributes significantly towards supporting the outcomes of the 5 Year Plan and the Slough Joint Wellbeing Strategy.

## 8 **Appendices Attached**

- a. Food Safety & Standards Service Delivery Plan 2018/19
- b. Health & Safety Service Delivery Plan 2018/19
- c. Trading Standards Service Delivery Plan 2018/19

## 9 **Background Papers**

- '1' Food Standards Agency Code of Practice (March 2017)  
<https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice>
- '2' National Local Authority Code, Health & Safety at Work. (2013)  
<http://www.hse.gov.uk/lau/la-enforcement-code.htm>
- '3' Primary Authority Statutory Guidance. Regulatory Delivery, Oct 2017  
[https://www.gov.uk/government/publications/primary-authority-](https://www.gov.uk/government/publications/primary-authority-statutory-guidance)

[statutory-guidance](#)

- '4' The Consumer Protection & Business Compliance Enforcement Policy  
<http://www.slough.gov.uk/council/strategies-plans-and-policies/regulatory-and-enforcement-services-enforcement-policy.aspx>