

## Regionalising Regulatory Services - Questions and Answers

Ref	Workstream	Authority	Source	Question	Answer
11	Service	Bridgend	Staff Portal	Could you please provide more detail on the consultation process for local service users such as businesses, licensed individuals etc	There will need to be additional consultation as part of the development of the Equality Impact Assessment (EIA), but then as the project moves forward further engagement through citizen engagement panels, social media and stakeholder groups will be developed to ensure views are collated. In relation to licensing all existing avenues of consultation will be utilised.
30	Service	Bridgend	Letter	Instead of people losing their jobs through collaboration, hasn't reduced hours been considered? For example, 35 hours per week rather than 37 hours? Or asking whether there are any members of staff who would like to work 3 or 4 days a week?	Reduced hours has been considered but is a short term measure that is not sustainable and will not support a sustainable and resilient service. Staff can request reduced hours, but again this is unlikely to find the scale of savings currently required.
33	Service	Bridgend	Staff Portal	Why are the time frames different on the tables on pages 5-7 of Appendix B?	Depending on which option is pursued, there will be costs incurred in different financial years, both to ensure the regional collaboration funding is fully utilised, and to ensure that the project is not delayed. For example, if the collaborate and change option is pursued, there will be more work required up front to review and possibly commission a new ICT system to ensure it is harmonised across the 3 authorities in advance of the implementation date. The RCF funding is only available with a collaboration project, so if the option to "change only" is pursued, there would be no RCF funding.
34	Service	Bridgend	Staff Portal	Why in Appendix K of report has the same cost for project management of £140,000 been projected both for "Bridgend Change Only" and "Collaborate and Change" when there is an obvious difference in the scale of each project.	The project management costs include a project manager, project support and ICT support. In the Atkins report it was envisaged that the costs of "change only" for an authority would require a significant investment in terms of project management, similar to the support required for a full "collaborate and change" proposal. In reality, if the "change only" model was pursued, the total project support required would need to be determined by each individual authority, depending on the extent of the change required, so the costs could be different. No detailed work on what constituted "change only" has been undertaken at this stage to enable us to include more detailed costs.
35	Finance	Bridgend	Staff Portal	Why are travel costs included in cash inflow and not cash outflow?	Cash inflow identifies savings to be made from the option pursued. Travel costs are included as cash inflows as there is an expectation that there will be reduced travel costs as a result of a reduced number of staff, more agile working, and more flexible working.

36	HR	Bridgend	Staff Portal	The FTE savings have contributed to the largest proportion of the cash inflow but how have these been calculated as the salary comparison charts have been blacked out?	The appendix dealing with indicative salaries was redacted on the basis of concerns about data protection. It has been agreed that this decision will be reviewed and information shared where there are no remaining DPA concerns.
37	HR	Bridgend	Staff Portal	If the job descriptions have not even been finalised yet, how can the FTE savings be calculated?	The FTE savings in the Atkins report were based in indicative grades. Work will commence on drafting the detailed job descriptions and person specifications once a decision has been made about the project in September/October. The work will be done in consultation with staff.
38	Service	Bridgend	Staff Portal	It is understood that Cardiff has had an extension of time to respond to the report to 5th September 2014. Will this same extension be granted to Bridgend?	Yes this will be granted to all authorities.
39	HR	Bridgend	Staff Portal	I am currently contracted on reduced hours. How will this be taken into account when the new structure is populated to ensure that those on reduced hours are not discriminated?	All employees will be treated equitably regardless of whether they work on a full-time or part-time basis.
40	HR	Bridgend	Letter	Would ex-Bridgend staff not be subject to core hours? £5k saving to be made by doing away with deputising for Chief Officer?	A stock take of terms and conditions will be undertaken as part of the TUPE consultation process. Working arrangements in the proposed structure will need to be reviewed to meet service needs and will be subject to consultation. The need for Chief Officer deputising arrangements will need to be considered as part of the development of the new service.
98	Service	Bridgend	Trade Union Questions	Atkins Report. Page 12 point 19 On what basis should the proportion of enforcement work to be carried out by Technical Officers with appropriate levels of competence increased	On the basis is that TO already currently conduct a significant level of work, with only higher level more specialist work being the responsibility of EH or TS officers, as the model is worked though and service plans developed we will have a more detailed idea of the exact resources required to continue to deliver the service, there is already a significant amount of work that technical officers can carry out. Without pre-determining the structure once officers are in post we will also have to establish where there may or may not be gaps in skills or knowledge and look to address these appropriately.
99	Service	Bridgend	Trade Union Questions	Atkins Report. Page 21 refers to the staff workshops which were held last year however having spoken to staff there was no mention of EHOs and TSOs being replaced by Consumer Service Officers and Consumer Service Technical Officers	The officers would still remain EHOs or TSOs though in practice their titles will change. This happens now in some service areas where an EHO is called something else or is undertaking another role eg Licensing Officer. we are not saying the skills will be lost or the professional qualifications will be lost but we need to operate differently and in a new operating model and the teams and titles will have to reflect this, it can be seen as a challenge to old ways of working, but given the challenges we face this is not a bad thing, and over the years titles and job roles have changed before. Officers will know that the TS qualification for example has changes over the years and some 'Trading Standards Officers' do not have the same level of qualifications as a TSO whom qualified under the DTS as opposed to the more recent DCATS.

100	Service	Bridgend	Trade Union Questions	Atkins Report. Page 79 refers to the advantages of multi skilled teams and in some areas of Bridgend's Regulatory Service it has been and is working well however we are sceptical as to how well this approach would work in the area of Trading Standards	This is another part of the service that is still being considered. Final roles and responsibilities for posts within some teams may not be finalised until the service area responsibilities have been agreed and appropriate team managers appointed.
101	Service	Bridgend	Trade Union Questions	Atkins Report. Page 81 point 5.11.2 (2nd bullet) The Food Law Code of Practice which is a legal requirement states that certain establishments should be inspected only by EHO or Officers holding the Higher Certificate in Food Premises Inspection. Which exemplifies the fact that certain critical enforcement action can only be undertaken by EHOs. If the intention is to train non qualified staff up to Higher Certificate Level (which is expensive and time consuming) has this been costed?	That is any competent officer with an appropriate qualification. It may be however that certain high priority functions or roles may still only be delegated to EHO's TSO's. It is understood that the FSA are also looking at this nationally to ensure this staffing method is introduced appropriately.
102	Service	Bridgend	Trade Union Questions	Atkins Report. Pages 135 and 136 give examples of case studies in Buckinghamshire and Great Yarmouth but no examples of good practise with Bridgend, VoG or Cardiff.	The report is looking at lessons we could learn from other collaborative projects, good and bad. As part of the workshops staff were invited to provide examples of what they feel works well and doesn't work well, along with ideas on how they would like to improve current working practices. The good practices identified in other areas have been identified as best practice and for this collaboration preferred working methods. It is pleasing to see that individual services / teams within each of our council areas are not identified thus preventing staff comparisons, criticisms, jealousy which could result in bad feelings before collaboration takes place. It is acknowledged though that there is a good deal of best practice within each of the authorities and it is imperative that the new management team recognises them and introduces them for the new service where ever possible.
103	Service	Bridgend	Trade Union Questions	Appendix B. Page 21. EHO training for metrology. Trading Standards say this is an intense and expensive course that usually costs around £2000	It is not that an EHO will be expected to do the job of a TSO or vice versa, it is that it will be desirable within their teams to be more aware of each others disciplines, to be the eyes of ears on inspection, and to be more informed to pass matters onto their TS or EH colleagues or deal with small routine matters in a more efficient way.
126	HR	Bridgend	BCBC Change Champions	If they go ahead will there be a vacancy management control agreement between that point onwards?	Discussions are currently being progressed with the Trade Unions regarding the vacancy management process across the organisations.
127	HR	Bridgend	BCBC Change Champions	Think some people have thought that they would be able to take full time post between the 3 authorities, that there was a Memorandum of Understanding (MOU) between them that recruitment would be internal across the 3 authorities.	Discussions are currently being progressed with the Trade Unions regarding the vacancy management process across the organisations.

128	HR	Bridgend	BCBC Change Champions	2 x full time H&S posts were advertised in Cardiff, internally, just for Cardiff officers.	Discussions are currently being progressed with the Trade Unions regarding the vacancy management process across the organisations.
129	HR	Bridgend	BCBC Change Champions	Ring fencing of jobs, brought up in staff briefing; whatever you are in at the moment, you can only apply for that?	The proposed "change" process will be based on sound and transparent principles to be agreed in consultation with staff/ trade unions. For some employees this may include "job matching" i.e. appointment to a similar post and for others it may include a competitive selection process. All posts will be ring-fenced to existing staff. Staff will be supported through this process.
130	HR	Bridgend	Staff Briefing Questions	When the transfer takes place in April next year, there will be 3 authorities coming together and some officers will get paid different amounts or some more for doing the same job, is this right?.	Further to the answer provided at the initial staff briefing. When you transfer in situations such as this, your terms and conditions are protected under TUPE and will transfer with you to the host authority. This is the same for all staff who will transfer under this project so you will have a situation whereby some staff are paid differently. Following the transfer, the host authority will start a consultation period with you on the new proposed structure..
131	HR	Bridgend	Staff Briefing Questions	That means flexi as well, so we would have core time but our colleagues will be different?	The basic principle is that all contractual terms and conditions of employment will be protected as part of the transfer to the host employer (including continuity of continuous service).  This may not include organisational specific policies and procedures and discretionary terms. A complete stocktake of all terms and conditions will be undertaken as part of the pre-transfer consultation process.
132	HR	Bridgend	Staff Briefing Questions	There are various sections to the report but it is clear that there are not enough jobs for current staff numbers. How will it be decided who goes where? Will we get interviewed? Do we have to apply for several jobs to hopefully get one? How are you going to fit 'X' into 'Y'?	The proposed "change" process would be based on sound and transparent principles to be agreed in consultation with the trade unions. For some employees this may include "job matching" i.e. appointment to a similar post and for others it may include a competitive selection process. All posts will be ring-fenced to existing staff and there will be a cross authority representation during the appointment and selection process. Decisions will be based on merit and measured against set and transparent criteria. Supporting information will be available to ensure and demonstrate the transparency of decisions.

133	HR	Bridgend	Staff Briefing Questions	What about redundancies – how will that work?	Based on the current staffing numbers there will be potentially some 26 FTE filled posts fewer in the proposed new structure. The figure of 26 represents the proposed overall reduction in post numbers. An important part of the work with the trade unions over coming months will be to seek ways to reduce, avoid or mitigate the incidence of potential job losses. This will include a consistent approach to vacancy management across the three Councils. The trade unions and the project team are also looking to develop a process to consider the option of VR prior to a transfer. This is unusual as under normal TUPE transfer processes redundancy is not an option but we are looking at whether this can be considered and we will also need to develop a clear process to ensure sufficient staff transfer into the new structure.
134	HR	Bridgend	Staff Briefing Questions	What assurances are there for people who get compulsory redundancy that it is a fair share across the board. There is a large number of officers in Cardiff, Vale/Bridgend are about the same, what's to stop the host authority from laying people off from the other authorities? Once it's handed over to the host, your power is gone. Is it in proportion?	The proposed "change" process would be based on sound and transparent principles to be agreed in consultation with the trade unions. For some employees this may include "job matching" i.e. appointment to a similar post and for others it may include a competitive selection process. All posts will be ring-fenced to existing staff and there will be a cross authority representation during the appointment and selection process. Decisions will be based on merit and measured against set and transparent criteria. Supporting information will be available to ensure and demonstrate the transparency of decisions.
135	HR	Bridgend	Staff Briefing Questions	Once we are handed over to the host authority , what have we got in terms of protection? There are differences in pay – what's to stop them re-grading or downgrading such as JE?	The basic principle is that all contractual terms and conditions of employment will be protected as part of the transfer to the host employer in April 2015. This may not include organisational specific policies and procedures and discretionary terms. A complete stocktake of all terms and conditions will be undertaken as part of the pre-transfer consultation process. After the transfer process, consultation will begin in relation to the restructuring of the service to move to the new operating model. In some cases this will involve the appointment of staff to the same or similar roles (in which case TUPE protection will continue. Where staff are offered appointment to significantly different roles then the new terms and conditions will apply.
136	HR	Bridgend	Staff Briefing Questions	So is there anything stopping you from applying for a re-grading if you are in lower paid than a colleague, during the process. Whilst the process is ongoing, can we apply for a re-grading up to a higher pay that another colleague from another authority is on?	As indicated, contractual terms and conditions will transfer with you to the host authority. This may inevitably mean that some staff will be on different salaries and terms and conditions. This is part of the protection afforded by TUPE. A stocktake of such terms is currently ongoing. It is understood that Bridgend does not have a regrading policy.

137	HR	Bridgend	Staff Briefing Questions	I was part of a previous outsourcing exercise in Bridgend but when I came back to the authority I lost my continuous years' service. Will this be the same here?	If there is no break in service and as the transfer is to another local authority, your service will be classed as continuous.
138	HR	Bridgend	Staff Briefing Questions	What about fairness, politicians want it to be fair, while we have got that situation where one gets better pay and conditions, not good working conditions.	The TUPE process will be subject to a significant work programme leading up to 1st April 2015. It will involve clarifying who is in scope, ensuring there is clarity around the different terms and conditions and consulting staff and unions about any post transfer "measures" that will be progressed.
139	HR	Bridgend	Staff Briefing Questions	Will we have pay protection if some people are dropping down in grade?	A stock take of terms and conditions will be undertaken as part of the TUPE consultation process. Pay protection arrangements as part of the service re-modelling process will, for individuals reflect current arrangements in their respective authorities.
140	HR	Bridgend	Staff Briefing Questions	You are talking about transferring on their current T&C's, is there a potential for staff to then transfer onto the Vale's T&C's?	Staff will transfer with their current contractual terms and conditions. After the transfer process, consultation will begin in relation to the restructuring of the service to move to the new operating model. In some cases this will involve the appointment of staff to the same or similar roles (in which case TUPE protection will continue. Where staff are offered appointment to significantly different roles then the new terms and conditions will apply.
141	Service	Bridgend	Staff Briefing Questions	Given the real possibility that Bridgend joins with Neath Port Talbot (as indicated in the Williams report), what will happen to the staff that have transferred to the VOG, will the project be unpicked and staff return to Bridgend?	As you know, this has been discussed in a White Paper but realistically reorganisation is not likely to happen until 2020. . This project offers resilience and an opportunity to pool resources to ensure that we can still deliver a full service to our communities as opposed to doing nothing and having to cut posts and service in order to meet our budget savings. The solution should reorganisation happen, would not to be to unpick the work of this project but we could consider asking NPT to join the collaboration.
142	HR	Bridgend	Staff Briefing Questions	We know there are 26 job losses, will these be equally split across the 3 authorities? Will some be voluntary.	It is not possible to predict how staffing reduction will split across staff from the three authorities. This will be determined as the structure is populated. As previously indicated however there will be a process that will ensure that this is done in a fair way. There is no quota, it will be an open and fair process.
143	HR	Bridgend	Staff Briefing Questions	Are all the post transferring permanent posts? Lot of posts that are temporary or covered by temporary staff, what will happen to those posts?	The jobs in the proposed structure are permanent. We will need to review the details of all the temporary staff and confirm with them what will happen.
144	HR	Bridgend	Staff Briefing Questions	Will there be permanent people guaranteed to go into those posts?	A process will be developed to populate the structure and this will be shared in due course.

145	HR	Bridgend	Staff Briefing Questions	Are these proper temporary posts or are these proper permanent posts?	Work is ongoing to look at the contractual status of all employees on temporary contracts to ensure that their employment rights are considered and protected.
146	HR	Bridgend	Staff Briefing Questions	The figures appear to change there, so need to look at 244 to 178 against the 3 authorities.	Based on the current staffing numbers there will be potentially some 26 FTE filled posts fewer in the proposed new structure. The figure of 26 represents the proposed overall reduction in post numbers (from 204 to 178). The figure does exclude 40 FTE posts currently vacant or filled on a temporary basis. An important part of the work of the project team and trade unions is to pursue measures to reduce the need for potential job reductions over the next 14 months.
147	HR	Bridgend	Staff Briefing Questions	Are there any ideas on when job descriptions/roles will be available? It seems that professional titles have disappeared in the structure?	Work will commence on drafting the detailed job descriptions and person specifications once a decision has been made about the project in September/October. This work will be done in consultation with staff and the trade unions.
148	HR	Bridgend	Staff Briefing Questions	Until we have sight of those job descriptions, we can't comment?	Work will commence on drafting the detailed job descriptions and person specifications once a decision has been made about the project in September/October. This work will be done in consultation with staff and the trade unions.
149	Service	Bridgend	Staff Portal	Just a quick question from this morning. In your presentation you advised that 'Neighbourhood Services' would include 'Consumer Protection' and 'Safeguarding Issues' although these are not mentioned in the TOM as detailed in the Atkins report. I would be grateful if you could clarify if these functions would sit in the 'Neighbourhood Services Team' or the 'Licensing Team'.	<p>Yes you are right in pointing this out. There are some areas which sit more easily in one area or another, and the TOM has been revised slightly through the process especially following the delay and the requirement to revise the savings. Much of the detail will need to be developed and finalised by the new management team in 2015, as they work through the TOM and service demands, if the proposal is agreed.</p> <p>Neighbourhood services are those that relate to and impact most on the residential community. Much of the detail as you point out is in the Atkins pages 79-81, but on consideration it was felt at this stage that consumer protection might be best suited in this area as well as safeguarding as this relates to rogue trading, no cold calling zones etc. Of course any views on this negative or positive would be welcomed, as mentioned above there is of course this is still open for development with the management team, and of course the need to be flexible to the demands of the service, as well as supporting joint working where necessary.</p>

150	Project	Bridgend	BCBC Change Champions	My team wanted me to feed in that they have no queries, they feel there is such a vast amount of information that they are swamped and don't know what to look at. They are finding it difficult to break down into smaller chunks. They might find it easier if you show them which bits affect them and that they can comment on	Noted. Hopefully the second round of staff briefings has helped Officer better understand the proposals. We will continue to provide information as the process continues.
151	Project	Bridgend	BCBC Change Champions	I have had the same comments from my team members, I've passed this back to the service manager.	Noted. Hopefully the second round of staff briefings has helped Officer better understand the proposals. We will continue to provide information as the process continues.
152	Project	Bridgend	BCBC Change Champions	How much difference will it make if I respond?	The feedback from staff and Trade Unions is, and will continue to be important in progressing the proposals.
153	Project	Bridgend	BCBC Change Champions	When it comes to working groups, will there be officers from different levels? Will there be volunteers? Will they be conscripted? It might be worth actually putting people into groups.	Much of the detail around service provision will need to be developed and finalised by the new management team in 2015, as they work through the TOM and service demands, if the proposal is agreed. Officers from all levels will be encouraged to participate in that process.
154	Project	Bridgend	BCBC Change Champions	When will the FAQs be shared?	Answers to specific questions are being made to staff as quickly as possible. The second round of staff briefings answers some of the questions already raised. The responses to all questions will be made available to staff.
155	Project	Bridgend	BCBC Change Champions	If goes ahead, needs to make sure people's views are put forward.	Much of the detail around service provision will need to be developed and finalised by the new management team in 2015, as they work through the TOM and service demands, if the proposal is agreed. Officers from all levels will be encouraged to participate in that process.
156	Project	Bridgend	BCBC Change Champions	Cabinet/Scrutiny, if they approve the report / structure as it stands, will that be set in stone or will the views expressed be able to change anything? Will anything significant be able to be changed?	Much of the detail around service provision will need to be developed and finalised by the new management team in 2015, as they work through the TOM and service demands, if the proposal is agreed. Officers from all levels will be encouraged to participate in that process.
157	Project	Bridgend	BCBC Change Champions	Timeframes – roughly when will we know if we have got a job or not?	It is intended that the move towards the proposed new operating model will commence from May 2015 with the aim of completion by September 2015.
158	Service	Bridgend	BCBC Change Champions	If goes ahead, we have to make those cuts before April?	Individual authorities will continue to find financial savings, however it is intended that a move towards the proposed new operating model will commence from May 2015 with the aim of completion by September 2015.



159	Service	Bridgend	BCBC Change Champions	Set fees? Do we go ahead and set our fees for the year ahead as Bridgend or do we look to set them up with the other 2 authorities? Our fees are all different?	Yes we carry on as normal at the moment, this will have to be reviewed as the project progresses.
160	Service	Bridgend	BCBC Change Champions	Licensing – we have to keep our own committees but how about the database? I currently populate ours – will it be shared?	Initially we will keep our own licensing systems, but this may be subject to review in due course, if it is appropriate to do so.
161	Service	Bridgend	BCBC Change Champions	The title ‘Neighbourhood Services’ on the new structure – BCBC have just created a ‘Neighbourhood Services’ Directorate and have a new Head of Service – we feel this will cause confusion when members of the public wish to contact us, as it understood we will still use our existing contact centres.	This is a good point, and something for the project team to consider moving forward, such as developing in more detail the job descriptions and roles.
162	HR	Bridgend	Staff Briefing Questions	When the transfer takes place in April next year, there will be 3 authorities coming together and some officers will get paid different amounts or some more for doing the same job, is this right?.	Further to the answer provided at the initial staff briefing. When you transfer in situations such as this, your terms and conditions are protected under TUPE and will transfer with you to the host authority. This is the same for all staff who will transfer under this project so you will have a situation whereby some staff are paid differently. Following the transfer, the host authority will start a consultation period with you on the new proposed structure..
163	HR	Bridgend	Staff Briefing Questions	That means flexi as well, so we would have core time but our colleagues will be different?	The basic principle is that all contractual terms and conditions of employment will be protected as part of the transfer to the host employer (including continuity of continuous service).  This may not include organisational specific policies and procedures and discretionary terms. A complete stocktake of all terms and conditions will be undertaken as part of the pre-transfer consultation process.
164	HR	Bridgend	Staff Briefing Questions	There are various sections to the report but it is clear that there are not enough jobs for current staff numbers. How will it be decided who goes where? Will we get interviewed? Do we have to apply for several jobs to hopefully get one? How are you going to fit ‘X’ into ‘Y’?	My view is that we will follow a similar process to that which we use when we undertake a restructure. For example we use match a slot, ring fenced interviews when there are more people than posts and a competitive interview when there is a promotion. However, we will develop a clear process for this project and this will be agreed with your trade union representatives and then shared with you. .

165	HR	Bridgend	Staff Briefing Questions	What about redundancies – how will that work?	<p>As we've said there is clearly a reduction in the number of posts in the new proposed structure.</p> <p>I'm currently part of the HR Workstreams together with my colleagues from the VOG and CCC and we are looking to develop a process to consider the option of VR prior to a transfer. This is unusual as under normal TUPE transfer processes redundancy is not an option but we are looking at whether this can be considered and we will also need to develop a clear process to ensure sufficient staff transfer into the new structure. . ,</p>
166	HR	Bridgend	Staff Briefing Questions	What assurances are there for people who get compulsory redundancy that it is a fair share across the board. There is a large number of officers in Cardiff, Vale/Bridgend are about the same, what's to stop the host authority from laying people off from the other authorities? Once it's handed over to the host, your power is gone. Is it in proportion?	<p>Firstly, we would aim for voluntary redundancies where possible. This is what we do now.. If there was a need for compulsory redundancies, there is a process that will have to be followed which will be the completion of matrix,, based on each individuals skills set, qualifications relating to the job, employment record etc. These criteria would have to be agreed with your trade union representative. You would be entitled to see your score,. This would ensure that there is a fair process adopted across the 3 authorities.</p> <p>We have an interest in it being fair, politicians have interest in it being fair, in case they do anything like this again, we have a lot invested in you.</p>
167	HR	Bridgend	Staff Briefing Questions	Once we are handed over to the host authority , what have we got in terms of protection? There are differences in pay – what's to stop them re-grading or downgrading such as JE?	<p>Further to the answer provided at the initial staff briefing. The basic principle is that all contractual terms and conditions of employment will be protected as part of the transfer to the host employer (including continuity of continuous service).</p> <p>This may not include organisational specific policies and procedures and discretionary terms. A complete stocktake of all terms and conditions will be undertaken as part of the pre-transfer consultation process.</p>
168	HR	Bridgend	Staff Briefing Questions	So is there anything stopping you from applying for a re-grading if you are in lower paid than a colleague, during the process. Whilst the process is ongoing, can we apply for a re-grading up to a higher pay that another colleague from another authority is on?	<p>As I've explained, your terms and conditions will transfer with you to the host authority including the policies we have in place now. As you know, we don't have a re-grading policy. What will happen is that a further consultation period will commence in order to populate the new structure and a process will be developed to explain how this will happen.</p> <p>It's important to understand that whilst the project clearly identifies a reduction of posts by 13% if we don't collaborate we as an authority will have to reduce this service and posts by 25%</p>

169	HR	Bridgend	Staff Briefing Questions	I was part of Bridgend going to Valley 2 Coast as stock transfer but when I came back to the authority I lost my continuous years' service. Will this be the same here?	If there is no break in service and as the transfer is to another local authority, your service will be classed as continuous.
170	HR	Bridgend	Staff Briefing Questions	What about fairness, politicians want it to be fair, while we have got that situation where one gets better pay and conditions, not good working conditions.	The TUPE process will be subject to a significant work programme leading up to 1st April 2015. It will involve clarifying who is in scope, ensuring there is clarity around the different terms and conditions and consulting staff and unions about any post transfer "measures" that will be progressed.
171	HR	Bridgend	Staff Briefing Questions	Will be have pay protection if some people are dropping down in grade?	A stock take of terms and conditions will be undertaken as part of the TUPE consultation process. Working arrangements in the proposed structure will need to be reviewed to meet service needs and will be subject to consultation.
172	HR	Bridgend	Staff Briefing Questions	You are talking about transferring on their current T&C's, is there a potential for staff to then transfer onto the Vale's T&C's?	Staff will transfer with their current terms and conditions as as I've explained, the process for populating the structure will be shared in due course. If we can get some indication when you will know that, we need to look at getting a date [DM agreed to look into when date would be for knowing the structure in more detail].
173	HR	Bridgend	Staff Briefing Questions	Given the real possibility that Bridgend joins with Neath Port Talbot (as indicated in the Williams report), what will happen to the staff that have transferred to the VOG, will the project be unpicked and staff return to Bridgend?	As you know, this has been discussed in a White Paper but realistically reorganisation is not likely to happen until 2020. . This project offers resilience and an opportunity to pool resources to ensure that we can still deliver a full service to our communities as opposed to doing nothing and having to cut posts and service in order to meet our budget savings. The solution should reorganisation happen, would not to be to unpick the work of this project but we could consider asking NPT to join the collaboration. They were part of this consultation initially but they decided not to go forward.
174	HR	Bridgend	Staff Briefing Questions	We know there are 26 job losses, will these be equally split across the 3 authorities? Will some be voluntary.	We can't say where and how many losses will come from each authority, we will have to see what happens when the structure is populated. But as I've explained, there will be a process that will ensure that this is done in a fair way. There is no quota, it will be an open and fair process.
175	HR	Bridgend	Staff Briefing Questions	Are all the post transferring permanent posts? Lot of posts that are temporary or covered by temporary staff, what will happen to those posts?	The jobs in the proposed structure are permanent. We will need to review the details of all the temporary staff and confirm with them what will happen.,
176	HR	Bridgend	Staff Briefing Questions	Will there be permanent people guaranteed to go into those posts?	A process will be developed to populate the structure and this will be shared in due course.

177	HR	Bridgend	Staff Briefing Questions	Are these proper temporary posts or are these proper permanent posts?	I believe all are temporary covering permanent positions
178	HR	Bridgend	Staff Briefing Questions	The figures appear to change there, so need to look at 244 to 178 against the 3 authorities.	There are a lot of vacant posts and posts covered by temporary staff and these are not included in the figures that are quoted in the report. We will need to review the details of the temporary staff and come back to you.,
179	HR	Bridgend	Staff Briefing Questions	Are there any ideas on when job descriptions/roles will be available? It seems that professional titles have disappeared in the structure?	We will wait until we have Cabinet/Council approval before development job descriptions. The new job descriptions will be evaluated using the VOG's JE scheme and as soon as this information is available we will share with you.
180	HR	Bridgend	Staff Briefing Questions	Until we have sight of those job descriptions, we can't comment?	Once management structure agreed, I can't be party to that. Fine tuning this further, to carry out with doing the job it will require certain qualifications, we can't predetermine. We need to get authority for it to progress, that's part of the process and timeline to share.
181	Service	Bridgend	Staff Portal	Just a quick question from this morning. In your presentation you advised that 'Neighbourhood Services' would include 'Consumer Protection' and 'Safeguarding Issues' although these are not mentioned in the TOM as detailed in the Atkins report. I would be grateful if you could clarify if these functions would sit in the 'Neighbourhood Services Team' or the 'Licensing Team'.	Yes you are right in pointing this out. There are some areas which sit more easily in one area or another, and the TOM has been revised slightly through the process especially following the delay and the requirement to revise the savings. Much of the detail will need to be developed and finalised by the new management team in 2015, as they work through the TOM and service demands, if the proposal is agreed.  Neighbourhood services are those that relate to and impact most on the residential community. Much of the detail as you point out is in the Atkins pages 79-81, but on consideration it was felt at this stage that consumer protection might be best suited in this area as well as safeguarding as this relates to rogue trading, no cold calling zones etc. Of course any views on this negative or positive would be welcomed, as mentioned above there is of course this is still open for development with the management team, and of course the need to be flexible to the demands of the service, as well as supporting joint working where necessary.
182	Service	Bridgend	Staff Portal	How will staff relocation be decided?	This has yet to be determined, but not all staff will be relocated and it will also be more a case of developing alternative models of delivery including remote and home working as well as office based activity.
183	Service	Bridgend	Staff Portal	Where will officers be working from?	This is yet to be determined
184	Service	Bridgend	Staff Portal	If staff live within the Vale or Cardiff, will they be working from those areas or have the opportunity to do so?	As we move forward this will be something for the new management structure to consider.
185	Project	Bridgend	Staff Portal	What date is the report going to be Cabinet and then Council?	In Bridgend the Cabinet report is going on the 16 <sup>th</sup> September, with Council on the 15 <sup>th</sup> October.

186	Service	Bridgend	Staff Portal	What is the current number of EHO's and TO's working across the 3 authorities in the individual teams and how many posts in each team will there be?	The totals in each team remain to be finalised, we currently have indicative staff numbers within the structure charts provided.
187	Service	Bridgend	Staff Portal	Will posts within teams be ring fenced or can officers from other department apply e.g. will food officers be able to apply for housing and pollution jobs and vice versa?	There will be consultation with the Trade Union forum as to how the change management process will be progressed following the transfer of staff to the new service. Issues around ring fencing/matching will be discussed and a protocol will be agreed within this forum.
188	Service	Bridgend	Staff Portal	As the Vale of Glamorgan has a pay scale which will apply to staff when TUPE ends, can you provide us with a copy of the pay scale and indicate rates for technical officers and EHO's?	A decision about the host authority has not as yet been made. This will be determined by Cabinet and Council in each Council during September and October. The grades for the new posts will need to be determined as part of the job evaluation process applicable to whichever Council is the host and based on the development of job descriptions and person specifications. The indicative grades have to date been based on current grades for such posts in each authority. A full stock-take of terms and conditions will be undertake as part of the TUPE consultation process and will inform the consultation process
189	Service	Bridgend	Staff Portal	Also what travelling expenses do they get per mile?	A full stock-take of terms and conditions will be undertake as part of the TUPE consultation process and will inform the consultation process. Current national rates for mileage apply in the Vale of Glamorgan although they are under review.
237	HR	Bridgend	Staff Portal	Will those who take voluntary redundancy and those that are made compulsory redundant be offered statutory redundancy only, or will there be a redundancy package?	It is proposed that any severance arrangements that take place before the transfer will be subject to the terms of the employee's current local authority. Post transfer arrangements will be reviewed as part of the TUPE consultation process between November 2014 and March 2015.
238	Service	Bridgend	Trade Union	In our staff briefings at Bridgend it has been mentioned that if the collaboration didn't proceed there would be a 23 % cut in staffing levels, what would this equate to in FTE's, an indicative number will be sufficient.	At the moment that would equate to about 12-13 staff, but that will also require formal consultation on restructure proposals etc, so it can only be indicative at this moment in time. Public Protection would have to find its share of the LARS savings under the MTFS and the overall target for LARS is varying as we work through the process but it is currently close to £800K

					<p>These should be on the intranet for the formal minutes but I have been told the following (I was not in attendance I am afraid):</p> <p>Regionalising Regulatory Services Project</p> <p>The Committee considered the report and wished to make the following comments:</p> <ul style="list-style-type: none"> <li>• The Committee acknowledge the need for change in order to ensure the service is as resilient as possible and understand that change cannot be implemented without an element of risk. Therefore, Members endorse the implementation plan for the creation of a shared regulatory service based on the 'collaborate and change' model.</li> <li>• In light of the potential changes to services, Members emphasised the need for wider public engagement, in order to inform residents of what the likely impact of the changes would be, and to ensure that it can be seen that each of the local authority areas are being treated equally.</li> <li>• The Committee agreed in principle that joint scrutiny arrangements should be developed, but the specific format of any such arrangements should be subject to further political discussion between the Leaders of each of the participating local authorities.</li> </ul> <p>In addition to the above, it was noted the executive would provide a response to the specific points made by the Unison representative in due course.</p>
239	Project	Bridgend	Trade Union	When will the Scrutiny Committee's response, recommendations be made available.	
240	Service	Bridgend	Trade Union	There are no Senior EHO officers identified in the new structure, why?	The new model creates new posts as discussed so there are also no principal officers or denominations as such they will be neighbourhood services officers, commercial services officers etc as indicated on the TOM, the scale of JDs for these posts remain to be determined (some posts may be equivalent to a senior EHO in salary or responsibility but I cannot say for sure at this moment in time).
241	Service	Bridgend	Trade Union	Will the Senior EHO'S have to apply for the EHO'S position?	(please see above) The posts will be ring-fenced for those within the staff of the three authorities, the appointment process is being developed by the HR workstream.
242	Service	Bridgend	Trade Union	There are concerns with regards to the number of THO's to EHO's in the structure.	In what sense, could you expand on this please?

243	Service	Bridgend	Trade Union	Why are we reducing staff numbers when currently at least two of the authorities sub contract to outside agencies /consultants to meet legal requirements with regards to statutory inspections.	I don't think this is the case for Bridgend, but I assume money is being used from either grant or underspends for this current year, it is not a long term solution, and each authority has to make significant savings, and given the budgets for public protection is predominately staffing then staff reductions are likely to be inevitable, pending formal consultation of course. We are seeking to agree a vacancy management protocol with the Trade Union forum, which should address how we deal with staff numbers until the agreed transfer date.
244	Service	Bridgend	Trade Union	The Atkins Report talks of money generating projects such as consultancy to achieve extra revenue, how will this be achieved with the level of staffing going forward.	This will remain to be determined in detail, but there will be greater capacity to develop such work as Primary Authority with the greater resources available as a joint team than within the smaller individual teams where resources are likely to be far smaller and therefore there will not be the capacity to develop such work/relationships.
245	Service	Bridgend	Trade Union	Will EHO's be matched and slotted into THO's positions if unsuccessful in obtaining an EHO position, this has given a cause for concern amongst current THO's as they are likely to be displaced.	There may be some slot and matching as explained in the second staff briefing but it is unlikely to be the case in the scenario you describe. A clear process for dealing with this and recruitment to the model will be developed in consultation with the trade unions.
246	Service	Bridgend	Trade Union	If EHO's take a THO's position will they be expected to carry out the role of a EHO e.g. closures?	They will be expected to carry out the role of a THO (its equivalent in the new structure) in line with the JD of that post.
247	HR	Bridgend	Staff Portal	Collaboration will be the best way forward in relation to job cuts. However morale within the department is extremely low. With the move, collaboration, budget cuts, the prospect of staff facing the possibility of going through Job Evaluation again. Staff are finding everything extremely hard to take in. Is there any provision for counselling or some form of help to deal with this?	The three Councils recognise that this is a difficult time for staff and the intention is to support staff through briefing sessions through out the process. However, if additional support is needed through counselling, Cardiff and the Vale employees can contact the Cardiff and Vale Counselling Service on 02920788301; and Bridgend employees can contact the Bridgend Counselling service on 01656 643229
320	Project	Bridgend	Staff Portal	The report was supposed to be based on the engagement with staff and managers during their workshop and it was stressed that the resultant TOM would be tailored to suit the needs of the 3 authorities to provide an enhanced service and improve resilience, while delivering efficiencies. The consultants assured staff that their views would be considered and the TOM would not merely be a replica of the Worcester model. However, despite what both managers and staff said, a model almost identical to the Worcester TOM has been reproduced, with so few staff and EHO's that it is difficult to see how an effective service will be delivered	This is more a comment than question? I would suggest that it is not identical to the Worcester Model, as that was a combination of 6 authorities - district authorities with one County

321	Service	Bridgend	Staff Portal	The titles of 'Environmental Health' and 'Trading Standards' should remain. These are clear professions supported by specific qualifications and professional organisations. They are also terms that the public understand and connect with.	This is being considered during the process of drafting the job descriptions.
322	Service	Bridgend	Staff Portal	There are too few officers in some areas, particularly neighbourhood services, to deliver even minimum service delivery standards and the assumption that TO's, Trading standards and EHO's can all replicate each others work with a bit of additional training is an oversimplification of the professional roles and again demonstrates a complete lack of understanding of what we do. By downgrading EHO's to TO's there will also be a considerable loss of expertise as it cannot be expected that EHO's carry out the same work at a TO's grade.	Again a comment not a question, and will be considered by the project team, it does though make assumptions that are not necessarily accurate.
323	Service	Bridgend	Staff Portal	The report suggests that in neighbourhood services money can be saved by only investigating statutory noise nuisance complaints and not those covered by private or common law nuisance- this is already the status quo, we do not investigate complaints that are not necessary or fall outside the jurisdiction of the service in any event.	The report is making reference to all three authorities there may be additional non statutory work carried out currently in the other areas.
324	Service	Bridgend	Staff Portal	No appreciation seems to have been given for the actual roles and professional responsibilities carried out for each role eg In Bridgend, a Senior EHO has the equivalent responsibilities of a Team Leader in Cardiff and the Vale of Glamorgan (although the Team Leader in the Vale has not been replaced since leaving his job), whereas in Cardiff all the Senior EHO's carry out the equivalent responsibilities of what the District EHO's do in Bridgend. Whilst it is inevitable that some of the managers will be reduced, the Atkins report seems to annihilate the structure operationally, reducing the expertise and resilience, instead of increasing it.	This is a comment which will be considered by the project team, but moving forward the new model will attempt to address such discrepancies should they exist, via the new TOM.
325	Project	Bridgend	Staff Portal	The proposals do not fit in with those outlined in the Williams report.	Agreed, but in order to provide a sustainable and resilient service under such pressing financial pressure collaboration is proactive and robust response to those challenges.
365	Service	Bridgend	Trade Union	Enterprise and Specialist Services includes Legal Support despite the fact that it has been identified for the need of legal decisions to remain within the participating Councils (page 44 Atkins Report)?	That is correct the legal support is to help the processing and administrative processes, the decision mechanisms and specialist legal support (ie solicitors) will remain with each individual authority, it will be the conduit between the new service and legal services in each authority.



366	Service	Bridgend	Trade Unions	I am uncertain why there is a proposal to have 4 teams for inspections and how these will be divided across the area. Will it be in relation to number of premises to be inspected or based on geographical areas? Will they be based in one location or not?	As with answers to previous questions on the TOM, their needs to be some flexibility for the new management structure to decide on the resources required to deliver the key aims and objectives of the new operating model. At this stage the number of teams reflects current understanding of the demands on the service, based on current data. The exact location of each of f the teams remains to be determined, but as indicated within the proposals this will be a combination of local hubs and the development of remote working.
367	Project	Bridgend	Trade Unions	Lessons learned from the formation of Worcester Shared Regulatory Services should be considered in creating a single identity. These included issues with inaccessibility or knowledge of the service by its customer or client base. Has the cost of implementing a single identity been considered?	<ul style="list-style-type: none"> <li>Lessons learned from the formation of Worcester Shared Regulatory Services should be considered in creating a single identity. These included issues with inaccessibility or knowledge of the service by its customer or client base. Has the cost of implementing a single identity been considered? Start up costs including the costs of developing ign a new identity has been considered a new identity will be include a single identity, further consultation will be required.</li> </ul>
368	Project	Bridgend	Trade Unions	Cabinet Report (Sept 2016) advises that it will only provide a summary of staff views (para 9.7) – who will draft this?	It will be drated by the Project team.
369	Project	Bridgend	Trade Unions	We would also question what happens if the proposed structure and activities are being based around this cost, and training is then determined to be much higher (i.e. will more cuts made to accommodate it?)	Training is an important element of delivering the new service. We will ensure that all necessary training is delivered within the resources available.
370	Project	Bridgend	Trade Unions	The Atkins report accepts that it is against this footprint where it says Bridgend can't be the host authority – how is this going to work when council re-organisation goes through?	The exact detail of re-organisation is yet to be determined, it is envisaged that this would also take some time and the new operating model if implemented correctly could operate in line with re-organisation or be adapted to fit in with any new arrangements. To collaborate now enables us to develop a resilient and sustainable service.
371	Project	Bridgend	Trade Unions	What will the protocol be for each authority to present proposed cuts in relation to its contribution to the collaborative project going forward?	Interesting question – we don't have one, but it will be part of the governance arrangements?
372	Project	Bridgend	Trade Unions	Will a formula be developed to calculate the percentage of annual cuts each authority can make against its contribution to the joint service?	As above – we will need a collective view on this.

373	Service	Bridgend	Trade Union	<p>Concerns have been raised regarding how the Atkins report outlines how easy it would be to retrain someone to do a dual role and the cost and time it would take.</p>	<p>I think this is a misinterpretation of the report and a query that has been answered at the staff briefings, this is not about a 'dual' role, but about being more aware of the broader picture and supporting staff to be confident in identifying other issues to be able to report back to other officers or to make low risk decisions, this is not too dissimilar now to teams that currently exist ie housing and pollution officers in BCBC support each other, food officers support health and safety work or identify basic food standards issues (or vice versa).</p>
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## Regionalising Regulatory Services - Comments

Ref	Workstream	Authority	Source	Comment
10	Scrutiny	Bridgend	Scrutiny Recommendations	The Committee acknowledge the need for change in order to ensure the service is as resilient as possible and understand that change cannot be implemented without an element of risk. Therefore, Members endorse the implementation plan for the creation of a shared regulatory service based on the 'collaborate and change' model.
11	Scrutiny	Bridgend	Scrutiny Recommendations	In light of the potential changes to services, Members emphasised the need for wider public engagement, in order to inform residents of what the likely impact of the changes would be, and to ensure that it can be seen that each of the local authority areas are being treated equally
12	Scrutiny	Bridgend	Scrutiny Recommendations	The Committee agreed in principle that joint scrutiny arrangements should be developed, but the specific format of any such arrangements should be subject to further political discussion between the Leaders of each of the participating local authorities.
25	Service	Bridgend	Staff Portal	Fear that staff trained under this structure will suffer from poor morale, particularly those conducting inspections.
26	Service	Bridgend	Staff Portal	Concerns about TS moving into money-making activities. I believe any income should be on a cost recovery basis and that the service shouldn't be looking to make profits.
27	Service	Bridgend	Staff Portal	The Williams Report places Bridgend outside the footprint of the Collaboration project. Should the recommendations of the Williams' report be implemented this may result in further disruption for staff. This is referred to in the report as one of the reasons why Bridgend should not be considered as the Host Authority. My concern would be that staff had gone through a period of change and disruption and then be entering into a time where the delivery of the service was more settled, only to be affected by further change. Is there any indication by Welsh Government that the new Regulatory Service could be exempted from this further change should the service be seen as operating successfully.
28	Finance	Bridgend	Staff Portal	I have only briefly reviewed the financial information within the report in relation to the various options considered. The report indicates that some of the information is based on assumptions e.g. numbers in relation to voluntary early retirement and redundancy or is difficult to quantify accurately at this stage in relation to ICT costs. I therefore feel that caution should be applied when considering the financial savings of the project.
29	Service	Bridgend	Staff Portal	Despite my concerns above I am generally supportive of the Collaborate and Change option. I do however believe that its design and implementation need to be carefully developed to gain the support of staff. I am not fully in agreement with the model proposed by Atkins

30	Service	Bridgend	Staff Portal	I was pleased to note that the report identified multi-disciplinary teams with multi skilled officers delivering the service as this is the approach we have adopted in Bridgend as a response to reduced staff resources. This has allowed us to undertake a more flexible and economic approach to service delivery. Technical Officers are capable of dealing with a range of issues which may be identified in a single visit in line with their qualifications and experience. We have begun to adopt this approach also with Ehos, however they do still specialise in some matters such as HHSRS, Inspection of Hmos, Environmental Permitting and more detailed Planning Applications. This is because these areas require detailed training and in some cases additional qualifications. This is important in maintaining quality and consistency in relation to service delivery.
31	Service	Bridgend	Staff Portal	Officers within the team in Bridgend already are capable of contributing to an alert type approach identified in the report, as we are a small team based at a single office location, through joint meetings and general discussion we endeavour to ensure officers are suitably aware of issues across the disciplines.
32	Service	Bridgend	Staff Portal	The report places permitting, contaminated land, air quality and pest control in a separate specialist services section which seems to conflict with the aims of a multidisciplinary approach. This may also lead to reduced job satisfaction for officers working within Neighbourhood Services. The report goes on to recommend some degree of rotation within specialist services, again recognising the need for multi skilled officers increasing resilience. I believe that these "specialist services are best delivered within the Neighbourhood Services team.
33	Service	Bridgend	Staff Portal	With regard to Pest Control, as the service is contracted out in Bridgend it is important for close liaison between the contractor and the officers. Our current arrangement works well and is a cost effective method of delivering the service. I would prefer to see this service delivered from within the neighbourhood services team.
34	Service	Bridgend	Staff Portal	I agree with processes being put in place to allow signposting of clients who for example have issues with private nuisance, and have already had to adopt this approach due to diminishing resources. This will have to have support of the Council Members to avoid undue pressure on staff to assist directly where alternative avenues are available.

35	Service	Bridgend	Staff Portal	I am concerned with regard to the overall number of posts indicated in the new structure but accept until more detail is known with regard to the nature of the posts and the production of job descriptions that it is difficult to assess whether this is an appropriate number to deliver the proposed service. I would however like to highlight the introduction of new legislation as a factor which will need to be considered. In particular new Housing legislation relating to the Registration and Licensing of Landlords, recently discussed in an Expert Panel meeting, identifies Cardiff as the proposed Single Licensing Authority.
36	Service	Bridgend	Staff Portal	On a side note Bridgend has just appointed a new Head of Neighbourhood Services whose remit covers Highways, Waste and Recycling, Street Cleansing and Parks. This will lead to confusion should we proceed with the proposed designation of Neighbourhood Services Officer.
37	Service	Bridgend	Staff Portal	I do not believe that full time home/mobile working is suitable for Housing and Pollution Control Officers, although it can have a place on a more limited scale. The nature of the work is highly confrontational and I believe support is needed from colleagues in an office based environment. It will also be easier to ensure transference of knowledge and skills between disciplines. I would be concerned for welfare of staff if they felt isolated whilst already having to deal with the change process of collaboration. I do support proposals for more flexible work patterns.
38	Service	Bridgend	Staff Portal	We currently have within our team a Team Clerk who deals with initial queries, sends out routine correspondence, and coordinates responses for Licensing and provides responses to Land Search enquiries. They also act as a liaison between officers and the Call Centre. This frees up officers to carry out duties commensurate with their roles. In view of this I would be opposed to the complete centralisation of the administration support.
39	ICT	Bridgend	Staff Portal	I feel that it is important for ICT systems to develop in a timely manner to support the delivery of the service. In Bridgend we are moving toward paperless working and a considerable amount of data has been scanned and link to existing databases. Staffs have voiced concerns, including myself, of the impact this would have if this data was not readily accessible.
40	ICT	Bridgend	Staff Portal	The report acknowledges the need for additional training; my concern is how we will continue to deliver the service with reduced numbers whilst training is ongoing. Also there will be an increased demand on staff to mentor newly trained staff.
41	Training	Bridgend	Staff Portal	Clear information needs to be provided with regard to what is actually meant by a TUPE like transfer and what it means for Individual staff members.

42	HR	Bridgend	Staff Portal	The report makes reference to not only a reduction in staffing levels but also a change in role/working arrangements, and a net movement from professional and technical roles with implications for grading levels and terms and conditions. Obviously it is statements such as these which cause the greatest anxiety for staff and further detailed information provided in a timely manner would be desirable. However I do appreciate this may not be possible until we have entered formal consultation.
43	HR	Bridgend	Staff Portal	Information will be required with regard to what provision will be made for staff that are part time or work reduced hours.
44	HR	Bridgend	Staff Portal	Information will be needed with regard to the terms and conditions of the host authority and how this differs from existing terms and conditions for staff. For example details of flexi scheme, expenses payments and date staff are to be paid on
51	Service	Bridgend	Staff Portal	My view is that organising the structure in this way could potentially result in everything being lumped into Neighbourhood Services as it all impacts on the residential community – e.g. customers of food businesses. I have no real issues with Consumer Protection being in Neighbourhood Services but think that this, for a member of the public, would not seem a logical place to look for them. The traditional split between Neighbourhood/Domestic and Commercial Services has been made where the actual issue is which is easier to do than splitting it based on where you think it has the most impact (which will turn up lots of grey areas) and easier for the public to understand (consumer advice, dealing with a business, Commercial Services).
52	Service	Bridgend	Staff Portal	The other point that I hope is an error is that the presentation advised us that Neighbourhood Services now includes Consumer Protection/Safeguarding Issues. However, the indicative structure that appeared later in the presentation did not seem to take account of this with regards to the number of posts (which remained at 18 Neighbourhood Services Officers and 12 Technical Officers/ Licensing Officer 2 and Enforcement Officer 10).

53	Service	Bridgend	Staff Portal	<p>1. I accept that we are in difficult times and there is a need for change. In your own words ‘something has to be done’. However, I am not convinced we have adequately explored all options (particularly the ‘Change Only’ option).</p> <p>2. I do have concerns regarding service delivery across what are very different local authority areas. I feel that services are best delivered locally in a flexible manner and this principle should be considered when planning service delivery under the new structure.</p> <p>3. I have my doubts as to the quality and validity of the content of the Atkins Report. I am not going to dwell on this but feel I must raise my concerns. There are a lot of mistakes and much unnecessary information which does a good job of clouding the important stuff. The report was difficult for me to analyse even though I have a clear understanding of ‘what we do’. The report sometimes appears one sided, for example – It gives advantages of operating the service as a ‘multi-skilled team’ but does not make any references to the disadvantages.</p> <p>4. Although certain areas can be grouped within ‘generalist’ a lot of areas within both EH and TS require specialists. Something to consider further down the line is how we will maintain certain specialisms within ‘generalist’ teams e.g. possibly attaching a ‘lead role’ to each of the new Officers job descriptions to encourage officers to be both – a generalist AND a specialist (e.g. lead roles for Public health, Caravan Sites, HMO’s etc.). This will ensure that we can get the best of both worlds and that officers will know where they can go for specialist advice – this is even more important when you consider the removal of ‘Senior Officer’ posts. This will enable single people to represent the organisation at the various forums/meetings etc. and be responsible for disseminating information regarding the specialisms throughout the organisation.</p> <p>5. The Collaborate and Change Model seems to be recommended purely on financial savings. There is no mention of the quality of service. The structure appears to be based on what we can afford, not what we will need to deliver or what the Public/Councillors would like us to provide but maybe the built in flexibility will allow for this.</p>
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54	Service	Bridgend	Staff Portal	<p>6. I have reservations as to the investigation and use of new income streams – The report was produced by private contractors who often have the infrastructure, resources and skills to exploit new income streams. Local Authorities have never been very good at this and I am not sure that any form of work could be counted on to generate ‘income’ for the new service as we will still be working with the constraints/morals/obligations of a Local Authority.</p> <p>7. I am concerned that in the proposed model it is highly likely that members of the public will have to pay for all Pest Control including Rats. A service which I believe should be provided free of charge.</p> <p>8. Many of the recommendations within the Report are already in place within Bridgend as we have adapted over the years to provide a more efficient service.</p> <p>9. The only way the proposed model will work is if we have the infrastructure in place, particularly in relation to I.T. I know that this is something that is being closely looked at but Local Authorities rarely appear to get the IT ‘right’ for working in a modern/mobile way. If we are tied to LA (the Vale?) for IT support and provision this could dramatically hold the project back.</p>
96	HR	Bridgend	Trade Union	Unison is concerned at the current time frame being implemented in order to afford staff adequate time to digest, analyse and interrogate the huge amount of information provided. That’s to say that staff have had access to this information on 17th July and the same concern would apply to scrutiny. There is a mass of information here
97	Service	Bridgend	Trade Union	Page 14 point 50 of the first report points to an increase in income from an increase in harmonisation of charges, acquisition of external grant funding and other generating opportunities. However these have not currently been secured and will need actively pursuing and close monitoring.
98	Finance	Bridgend	Trade Union	Page 14 point 52 savings on indirect costs have not been quantified
99	HR	Bridgend	Trade Union	Page 15 point 55 ‘There will also be an element of TUPE protection going forward for staff and similarly on page 19 point 74 it refers to ‘TUPE like’ process. This causes considerable concern and I’m unable to identify anywhere in the report what process will be utilised to transfer to staff.
100	HR	Bridgend	Trade Union	Page 17 point 63 it refers to the fact that the Vale of Glamorgan Council will incur an estimated cost of £180k reflecting the policy to protect the salaries of adversely affected employees for 1 year which could lead to equal pay claims
101	Service	Bridgend	Trade Union	Page 20 point 83 states that ‘where possible the assimilation of staff into positions congruent with their existing status and grade’ but that does not sit well with the content of point 81 which refers ‘a net movement from professional to technical roles’
102	Service	Bridgend	Trade Union	Page 82 2nd para refers to Business Compliance Officers reducing the burden on business when the expectation would be for these to refer on matters to professionally qualified staff who would have the competency to deal with such matters.



103	Service	Bridgend	Trade Union	Page 130 details the proposed model for collaboration and change across the 3 local authorities you have listed 5 Commercial services Team Leaders, 24 Commercial Services Officers, 35 Commercial Services Technical Officers and 12 Business Compliance Officers however if you contrast this with appendix B page 40, the updated structure you have listed 4 Commercial Service Team Leaders, 18 Commercial Services Officers, 28 Commercial Services Technical Officers. A significant reduction from 71 to 50 staff in one essential team. The Business Compliance Officer are no longer listed.
104	Service	Bridgend	Trade Union	Page 171 and 176 App I details the job descriptions and personal specifications for the Chief Officer, Regulatory Services and for the Service Manager, both new posts but not for the Neighbourhood Services Officer, Neighbourhood Services Technical Officer, Commercial Services Officer, Commercial Services Technical Officer, Business Compliance Officer, Primary/Home Authority Officer etc
105	Project	Bridgend	Trade Union	Where would the William Commission sit alongside this for Bridgend. The White Paper recently published by WG is not helpful and it seems that a final determination on where Bridgend will sit won't be made until early 2015 prompting fears that this set of staff would be subject to 2 sets of reorganisation within a relatively short period of time. Staff are not wholeheartedly resistant to change and acknowledge that change is required but that there are significant differences between the original Atkins report and information contained with Appendix B and there is a dearth of information relating to due process as to how staffing matters will be addressed.
121	ICT	Bridgend	Staff Portal	One of the critical points most likely to fail, with widespread affects across Public Protection in Bridgend, are the reductions in the support resources for ICT and business support. They are already in poor shape with little or no extra resources for development. This position is unsustainable and likely to result in system failure with little capacity to manage the recovery.
122	Service	Bridgend	Staff Portal	If developed in the right way, using the expertise already present across all three authorities, can provide an alternative with the scope to maintain and improve service delivery, provide greater resilience, offer a better chance to retain employment than by standing alone and, the main thrust of the Atkins report, achieve the cost reductions expected of us. To stand alone and deal with the cuts in budget is seductive as we would be in control of the process and it would be over, or at least this round would be, quickly. With, in excess of 85% of the budget on staff salaries, there is little to be saved on non-staffing costs. In such a small department, a voluntary cut of some description, be it time or wages, across the board would not achieve the savings we are required to make. It would still result in service reductions, lack of administrative support and depends on the premise that all staff members are able, or willing to, sustain the financial loss.

123	Service	Bridgend	Staff Portal	However, the collaboration project is not without its problems not least the overwhelming devotion in the Atkins report to cost savings. This skewed focus is counter to the original aims we had set for collaboration. Cost is a major consideration but not at the expense of the benefits of service improvement, increased resilience and more efficient working. The emphasis on cost indicates a lack of understanding of the importance of the service terms of protecting the public from risk.
124	Service	Bridgend	Staff Portal	Whilst the detail of the Worcestershire project may not be directly comparable to the Cardiff, Bridgend and Vale's, if cost is the only consideration the service will decline, arguably as much if not more than that would be the case in a standalone situation. With all of our best intentions as managers, the financial future is largely out of our control and the Worcestershire project experienced a disconnection from member interest as the service was perceived as being more remote. That said, this is the opportunity for us to influence the way in which collaboration is implemented on the understanding that, whilst the general principles and structure form the basis of the final operational model, the detail will be resolved using the feedback from staff.
125	Service	Bridgend	Staff Portal	The Atkins report's failure to fully grasp the work and the culture of public protection can be understood, given the amount of time Atkins had to assimilate the information in an area of work unfamiliar to the Atkins team. It was, however, apparent throughout the staff engagement exercises in 2013 that that misunderstanding persisted and has found its way through into the report. This in itself is not an issue if the intention is, now that the report belongs to the collaboration group, to regain the balance of emphasis using the expertise of all tiers of management to form the final structure. It was unfortunate that the consultant EHO used by Atkins was somewhat out of touch with current EH service delivery generally and in particular with regard to the Welsh EH scene. Environmental Health delivery in Wales differs structurally and legislatively from that in England. The case study for Great Yarmouth (Appendix A, p.136) as an example is particularly unsuitable in a Welsh context. It was clearly underperforming in food safety as evidenced by a critical FSA audit
126	Service	Bridgend	Staff Portal	The use of case studies illustrating the experiences of other local authorities is useful and has been considered by the project team. The setting up of Worcestershire Regulatory Services (WRS) is of particular interest as it involves the creation of a joint regulatory service similar to that proposed for us.

127	ICT	Bridgend	Staff Portal	In the Scrutiny Report the primary concern was over “the considerable difficulties [...] encountered” with the setting up of a single ICT system. Having mentioned above the risks posed by reducing ICT/business support, were we to stay as we are, the risk posed by failing to provide sufficient resources for ICT could prove catastrophic. Particularly when considering the reliance on agile working and the need for ICT systems that work and do not get in the way. In the WRS case, the project involved the merging of the data from twenty different systems and would have been of a greater magnitude of difficulty than that confronting our three partner authorities who are at least using the same system (WRS STG p.15). That is in no way suggesting that the task of rationalising our ICT systems will not be difficult, it will need careful consideration, adequate resources, planning and implementation. In fact, it seems to me that the implementation of the collaboration project will be extremely difficult to achieve without additional support, and not just for ICT, in the transitional phase.
128	HR	Bridgend	Staff Portal	It would be helpful if, at some point during the first consultation phase, these could be explained together with an indication of the level of confidence placed in them.
129	Service	Bridgend	Staff Portal	The assumption that TS and EH officers can replicate each other’s work is an oversimplification of the professional roles and raises another issue which may outwardly seem trivial but strikes at the heart of the collective identities we have in regulatory services. If the intention is to take professional staff with us, on what is a challenging project by any standards, why propose the creation of a generic regulatory services officer without any professional identity. From a staff morale point of view, this is a big misstep, but of far greater importance is the loss of two ‘brand names’ that have been familiar to the public for decades and clearly attached to the respective roles. The professional titles must exist as all or part of individual job titles and must figure in the branding of the new service. To my mind this point is not negotiable and reflects the view of all of the EHOs I have spoken to, inside and outside of BCBC.
130	Service	Bridgend	Staff Portal	On an operational point, the roles and capabilities of officers are determined by their specific experience and qualifications, in some cases these are prescribed by external agencies. This is formulated in our authorisation of officers procedure which will only allow suitably qualified and experienced officers to carry out certain functions. This would prove an obstacle to the idea that all roles can be filled by generic officers. There are other areas where we already utilise the breadth of experience staff have acquired and, where we can, this already has shown to be of benefit.
131	Service	Bridgend	Staff Portal	Staff numbers have been presented in the structure and, whilst it is understood that the numbers presented are open to further consultation, it is felt that they may be too few in some areas to deliver even minimum service delivery standards.

132	HR	Bridgend	Staff Portal	There is further reliance placed on the number of staff members taking VS or VER on the assumption that these staff members will take the offer. These latter figures are very difficult to gauge and would have direct consequences on the number of compulsory redundancies. The likelihood of staff opting for redundancy is does not appear great as the demand for qualified public protection staff is diminishing elsewhere for the reasons mentioned above, the opportunities within the professions are just not there.
133	HR	Bridgend	Staff Portal	There is a great deal of confusion over the arrangements for TUPE protection where it applies. Granted that the situation is very complex and will depend on the circumstances at an individual level, it is, nonetheless, the cause of a great deal of staff concern
134	HR	Bridgend	Staff Portal	I am worried that, whilst we in Bridgend are, for the time being, excluded from the local round of budget cuts pending the outcome of the project, the urge to drive it through to avoid being penalised twice is reducing the amount of time needed for meaningful consultation with staff. My support for the project rests heavily on the expectation that not only will staff involvement have a real influence on the final model but that they will be given sufficient time not just for consultation but also for negotiation. The expertise to make this work is inbuilt, the staff have that expertise, but it depends on a level of staff engagement that could be undermined by the feeling that it is all cut and dried or that there is insufficient time for consideration of the options
135	Project	Bridgend	Staff Portal	It seems perverse that a project part funded by Welsh Government would, within a short period, be dismantled to satisfy the Williams recommendations. Any kind of assurance from a reputable government source would allay these fears.
137	Service	Bridgend	Trade Union	There are concerns with regards to the number of THO's to EHO's in the structure.
138	Service	Bridgend	Trade Union	Concerns have been raised regarding how the Atkins report outlines how easy it would be to retrain someone to do a dual role and the cost and time it would take.
139	Service	Bridgend	Staff Portal	Collaboration is a good step forward ad an Administration Team of some kind will be needed. Consideration needs to be made in keeping Team Clerks. They provide a first class front line service and support to all teams. They must be recognised as part of teams in this way forward. Their input is a vital addition to the department.



Bridgend County Borough Council Branch

This is a collective response from the GMB Union and its members from Bridgend County Borough Council to the recent report presented In July 2014 on the proposal to Regionalise Regulatory Services by way of collaboration between Bridgend County Borough Council, Cardiff City Council and the Vale of Glamorgan Council.

The response includes a general consensus from all GMB members affected by the proposal and some individual and Team comments and concerns which have been submitted and shared by individuals throughout the process, all supported by the GMB branch within Bridgend, which itself as a union has added further information in relation to another collaboration project currently running in England.

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**Collective response;**

“GMB members within Bridgend Public Protection Department support the concept of ‘collaboration’ but object to the current proposals as detailed within the Atkins Report.

The current proposals are based on a single report that is fundamentally flawed. The document is of poor quality and fails to look at all the alternatives to ensure a cost effective and efficient service. It contains numerous errors and is based on flawed assumptions exhibiting a lack of understanding regarding regulatory services and local authorities as a whole.

Responses from staff via the consultation process must be considered and acted upon to amend the proposals to ensure that when we arrive at the final organisation/structure, it is fit for purpose.

Further concerns include:

1. The proposals do not fit in with those outlined in the Williams Report.
2. The goalposts appear to have changed from the original proposals to enhance service provision and increase resilience to that of just saving money.

3. Concerns that there are different demands on the services of Public Protection within a city when compared to a rural/smaller urban authority and that the proposals may result in difficulties when trying to deliver services locally within Bridgend. The loss of identity for a local service may fail to meet customer and client demands.

4. Concerns that the staffing levels within the proposed structure may be insufficient to deliver an effective service. Any further future reductions in staffing levels will result in an inability to protect Public Health within Bridgend.

5. 'Environmental Health' and 'Trading Standards' are long standing professional services that are well known to the public and businesses (our client base). They are supported by specific qualifications and professional organisations and are titles that must remain within the proposed structure."



### **Individual Employee and Team Comments;**

#### **Employee Response No.1**

Whilst it is recognised that under current financial constraints there is a need to cut the costs of the Service, I am greatly concerned that this is the main focus of the report and that little consideration has been given to the maintenance of quality of service and customer satisfaction. It should be highlighted that the current Regulatory Services of Bridgend is not only held in high regard but demonstrating improved performance year on year, so it is not comparable to the examples of case studies presented.

The figures presented in the Economic Case appear to be flawed with inaccuracies and I would question “Collaborate and Change” being identified as the best option when it jeopardises the largest number of employees, requires the biggest investment that far outweighs the collaborative grant monies available, and completely alters the structure, with little consideration as to the needs of the Service. Due to this, there is no doubt that this option poses the greatest risk, exacerbated not only by the failure to provide detail on how the service will successfully operate, but also by it not following the footprint of the Williams Report.

It would appear that the most sensible option would be to initially commit to “Collaborate Only”. This would permit the identification of best practice to inform standardised services and potential restructure, maintaining the support of staff and ensuring a good service.

## **Points for Consideration**

### **4. Business Case**

- Tables on pages 5-7 of Appendix B are not comparable due to illustrating a different time frame ie. “Collaborate and Change” details figures from 2014-19 and “Change Only” and “Collaborate only” detail 2015-20.
- Costs for “Bridgend Change Only” have been over estimated eg. Costs of £140,000 for project management have been included which are the same costs that have been included for “Collaborate and Change” (Appendix K report).
- Why are travel costs included in cash inflow and not cash outflow?
- The FTE savings have contributed to the largest proportion of the cash inflow but there is no detail as to how these have been calculated?
- The descriptor for “Collaborate and Change” model highlights that the “total cash inflows significantly outweigh the total cash outflows. This is as a result of the reduced number of staff in the proposed structure compared to the current staffing levels”. Is this the best option when considering service provision?
- The “Collaborate Only” option provides the greatest return on investment over 5 years as detailed in the financial appraisal at 4.3.7. In this financial climate should the Local Authority be taking a riskier option?

### **5. Target Operating Plan**

#### **General Service Delivery**

- The formation of Neighbourhood Services and Commercial Services (5.8.1 Service Model Appendix A Atkins Report) is a logical move that reflects the disciplines currently in place. However, I am concerned that

the additional creation of Enterprise and Specialist Services will require the depletion of expertise from the other two services that would be better utilised within them and ensure that matters are more effectively dealt with for customer satisfaction. For example the investigation of contaminated land will undoubtedly impinge on Neighbourhood and its integration within this Service will ensure the quicker resolution to complaints received and the need to fulfil the role of Primary Authority will require expertise in food.

- It would be more appropriate for the performance management of each Service to sit within them rather than in Enterprise and Specialist Services (5.8.1 Service Model Appendix A Atkins Report). Performance management is the key to identification of needs for service. This important method of review permits each manager to ensure a continual drive to improve service and is best located close within their control.
- Enterprise and Specialist Services includes Legal Support despite the fact that it has been identified for the need of legal decisions to remain within the participating Councils (page 44 Atkins Report)?
- I would question the appropriateness of investing monies into a Business Development Team. I see no issue in identifying appropriate charges to be made, but I cannot see the expenditure of employing a team of people being popular with the electorate at the expense of other services.
- Licensing is inappropriately placed in Neighbourhood Services due to it relating in the main to commercial premises (5.8.1 Service Model Appendix A Atkins Report). I would also question the reasoning behind having only two teams of Licensing yet identifying the need to maintain individual licensing committees for each Authority.

- The report provides no detail as to where Services will be based or if indeed any accommodation is to be provided. However, in relation to the proposal to have a central administration unit, it should be noted that managers attending the workshops identified that administration linked to each Service was more productive. This appears to be as such, due to staff having a greater sense of purpose. It was also noted that administrative operatives linked to a team had better knowledge to be involved in additional tasks including initial contact with customers to ensure team targets were met.

### **Commercial Services**

- I am uncertain why there is a proposal to have 4 teams for inspections and how these will be divided across the area. Will it be in relation to number of premises to be inspected or based on geographical areas? Will they be based in one location or not?

In the original report a fifth team for “non-retail activity, consumer and business advice beyond routine work associated with visits and possibly Primary and Home Authority” is identified but this is not in the structure of Appendix B in the later supplement. The idea of the fifth team is at odds with the idea of multidisciplinary officers. If the proposal is to have teams based on geographical areas such staff would be better placed within them.

- I think it is a good idea to use multidisciplinary officers for Food Hygiene and Food Standards to ensure compliance with food law. The primary risk associated with the business will determine the officer used. This will permit the reduction of travel costs and reduce the burden on businesses and has been proven to work successfully in other areas. However, the competency requirements and cost of training should not be underestimated.

I do think that to expect food officers to also complete enforcement work in relation to consumer protection and licensing would be a step

too far and burdensome on businesses due to the length of time required to be at their premises.

In relation to health and safety it should be recognised that currently Bridgend and the Vale of Glamorgan only “hazard spot” whilst on a food inspection. It would not be feasible for Health and Safety work identified through consideration of the National Code to be completed at the same time as a food inspection, due to the detail of inspection required. A separate staff resource should be considered for this function.

- I would query where the role of investigation and control of infectious diseases is to sit. There is one Public Health Officer identified within the Enterprise and Specialist Services, but it is not known if this role is in relation to this work and if it is, would not be adequate or appropriately placed to meet service needs.
- I am concerned that the number of field officers within the Commercial Services Team has dropped from 71 to 48 from the original Atkins Report to the supplement with no explanation, validation or consideration to service.
- The proposed increase in the number of lower salaried technical officers and decrease in number of officers is detrimental to the success of the service for the following reasons:
  - a) The numbers of both officers and technical officers appear to be arbitrary with no justification behind them and in particular consideration of service needs.
  - b) The greatest resource of the current service is staff and to remove professional status and drastically downgrade posts will lower staff morale, support and ultimately productivity.
  - c) For the purpose of job evaluation Technical Officers cannot be expected to fulfil the same role as an officer. The potential productivity of technical officers is therefore questionable. There is no purposeful use of visits to complete compliance checks as these

are not a statutory function. Officers inspecting premises need to be capable of following up with appropriate enforcement where necessary to maximise the use of resources.

d) The increase in the number of Technical officers will not meet the reports expectation on page 69, “there will be an expectation that professionally qualified and experienced staff will manage their own workloads and will only call on the team leaders for support occasionally”.

- The elements of advice for businesses should be maintained within Commercial Services to ensure continuity and inform risk management.
- The report fails to recognise that lean principles are already being adopted with teams currently managed to ensure that businesses are addressed on a risk basis with appropriate use of alternative enforcement action and that those that are subject to a revisit have failed to meet minimum requirements. Whether service requests and accident investigations should be completed is also determined on a risk basis. Unlike the case studies exemplified within the report none of the services in any of the participating authorities are failing.
- Under the Food Hygiene (Wales) Rating Act 2013 it is a legal requirement for a business to pay a fee of £150 prior to the request being considered.
- Risk Matrix of principle Areas of Regulation at Appendix H of Report fails to identify the need to register and regulate tattooists, electrolysis, body piercing, cosmetic skin pigmentation and acupuncture.

### **Flexible and Mobile Working**

- Consideration of the introduction to more flexible and mobile working is welcomed to address service needs. However, it needs to be ensured that suitable safeguards are put in place to ensure that lines of communication are maintained, there is ease of access to administration and performance management is effective. As a manager I would be

concerned about the move to homeworking for all of the time due to the limited ability to meet the criteria detailed above.

### **Information and Systems**

- I feel that the cost to create a common ICT has been sorely underestimated as has the timeframe in which it can be completed. This was the greatest issue with the formation of the Worcestershire Regulatory Shared Services and after 4 years is still in progress. The need to divert officers to assist in its development resulted in the employment of consultants to cover their work.

### **Performance Management**

- It should be ensured that performance management has the ability to inform and update the service level agreement by providing information for each local authority area as well as across the shared service.

## **6. Implementation Plan**

- It is unclear whether the project team will consist of staff within or additional to the proposed structure. It is suggested that due to the additional work required to implement the plan, consideration should be given to the retention of staff until the implementation plan is complete to ensure service needs are met.
- Lessons learned from the formation of Worcester Shared Regulatory Services should be considered in creating a single identity. These included issues with inaccessibility or knowledge of the service by its customer or client base. Has the cost of implementing a single identity been considered?
- There is no evidence that consideration has been given to the service level agreement being flexible to permit changes in demands of service and available budgets for each local authority, or that a suitable get out clause is included.

### **Report to Cabinet September 2014**

- Fails to adequately present alternative options to “Collaboration and Change” for consideration.
- Fails to state assumptions built into business case when calculating savings (para 7.7).
- Advises will only provide a summary of staff views (para 9.7) – who will draft this?

### **Equality Impact Assessment**

- Engagement with staff has failed to provide detail on how posts will be decided.
- Fails to identify the following negative impacts on staff employed:
  - a) significant number of jobs that are to be downgraded
  - b) removal of professional status
  - c) need to relocate/ home work
  - d) change in terms and conditions
- Fails to consider the impact on employees working part time or reduced hours.

### **Employee Response N0.2**

We have to change. The financial pressures that are affecting all EH departments in Wales will not enable us to continue to work in the way we do currently. This has come about, not because regulatory services are poor, inefficient or unnecessary but because local authority finances are in freefall in an environment where political ideology sees regulation as a burden on business. Most Welsh EH departments, like us, are looking at 25% cuts going in



to 2015/16. A 25% cut in staff would mean for us a loss of 10 to 12 posts along with all of the personal difficulties for those involved. This in turn will cause a collapse of morale for those left to manage the gradual failure of the service, a service that has taken years to bring to its current excellent level of performance and of which, I and my colleagues are justifiably proud. This trend is going to continue through the next two financial years at least and, whether we like it or not, will force us to change radically, not least with the loss of valuable posts and a commensurate increase in risks to the public. The benefits of our work are hard to measure but put simplistically, you know when public protection is working, it is when nothing is going wrong.

For Bridgend, any cut in staffing levels (our primary cost) is detrimental to public protection. Such cuts can be managed by removing resources from lower risk areas of work and extending response times to service requests. These will, in the short term, secure some gains financially but in the longer term, will result in a reduction in our ability to protect the public and increase their dissatisfaction with our service. We will, all the while, be holding our breath waiting for the next incident that propels our work and our staff into the spotlight; a workplace related tragedy, a fire in a HMO, a pollution incident or a food borne outbreak. In addition, underpinning all of that, one of the critical points most likely to fail, with widespread affects across Public Protection in Bridgend, are the reductions in the support resources for ICT and business support. They are already in poor shape with little or no extra resources for development. This position is unsustainable and likely to result in system failure with little capacity to manage the recovery.

Faced with the above, collaboration, if developed in the right way, using the expertise already present across all three authorities, can provide an alternative with the scope to maintain and improve service delivery, provide greater resilience, offer a better chance to retain employment than by standing alone and, the main thrust of the Atkins report, achieve the cost reductions expected of us. To stand alone and deal with the cuts in budget is seductive as we would be in control of the process and it would be over, or at least this round would be, quickly. With, in excess of 85% of the budget on staff salaries, there is little to be saved on non-staffing costs. In such a small department, a voluntary cut of some description, be it time or wages, across

the board would not achieve the savings we are required to make. It would still result in service reductions, lack of administrative support and depends on the premise that all staff members are able, or willing to, sustain the financial loss.

Faced with the above, the Atkins report and its amendments broadly detail an operating model based on data gathered over the last ten months. The main superstructure of the model makes sense and addresses the need to change in order to deliver regulatory services locally together with the benefits mentioned above. However, the collaboration project is not without its problems not least the overwhelming devotion in the Atkins report to cost savings. This skewed focus is counter to the original aims we had set for collaboration. Cost is a major consideration but not at the expense of the benefits of service improvement, increased resilience and more efficient working. The emphasis on cost indicates a lack of understanding of the importance of the service terms of protecting the public from risk.

With reference to my concern regarding the main focus of the Atkins report, the joint Worcestershire Regulatory Services Scrutiny Task Group report said the following:

*“More generally and over the life of WRS to date, it appeared to the Task Group that the quest for cost reductions has tended to dominate debate within and between the partner authorities rather than issues of regulatory standards and public protection. Indeed, the Task Group considers finance has been the key driver both for the Management Board and the Joint Committee and has largely come to trump the other objectives that had underpinned the rationale for the shared service in the first place.” (p.20)*

Whilst the detail of the Worcestershire project may not be directly comparable to the Cardiff, Bridgend and Vale’s, if cost is the only consideration the service will decline, arguably as much if not more than that would be the case in a standalone situation. With all of our best intentions as managers, the financial future is largely out of our control and the Worcestershire project experienced a disconnection from member interest as the service was perceived as being more remote.

That said, this is the opportunity for us to influence the way in which collaboration is implemented on the understanding that, whilst the general

principles and structure form the basis of the final operational model, the detail will be resolved using the feedback from staff.

.....

In this response, I have concentrated on my broader aspects of concern as the operational detail will be addressed by others with closer understanding of the day to day delivery of the service.

The Atkins report's failure to fully grasp the work and the culture of public protection can be understood, given the amount of time Atkins had to assimilate the information in an area of work unfamiliar to the Atkins team. It was, however, apparent throughout the staff engagement exercises in 2013 that that misunderstanding persisted and has found its way through into the report. This in itself is not an issue if the intention is, now that the report belongs to the collaboration group, to regain the balance of emphasis using the expertise of all tiers of management to form the final structure. It was unfortunate that the consultant EHO used by Atkins was somewhat out of touch with current EH service delivery generally and in particular with regard to the Welsh EH scene. Environmental Health delivery in Wales differs structurally and legislatively from that in England. The case study for Great Yarmouth (Appendix A, p.136) as an example is particularly unsuitable in a Welsh context. It was clearly underperforming in food safety as evidenced by a critical FSA audit. The general principles of systems thinking are interesting but the specifics in the case study do not serve as a comparison to our food safety service in Bridgend which is not failing and is performing very well. On a broader point, whatever the outcome of the collaboration project we must, taking into account the inevitable cuts, take great care to minimise the detrimental effects on public protection. We are not as were some of the case study examples broken, yet.

The Great Yarmouth case study aside, the use of case studies illustrating the experiences of other local authorities is useful and has been considered by the project team. The setting up of Worcestershire Regulatory Services (WRS) is of

particular interest as it involves the creation of a joint regulatory service similar to that proposed for us. There are key differences. Firstly the authorities involved had not undergone LGA in 1996 so the imperative to merge was greater to realise the financial savings, by the reduction of duplicated costs, which we have already undergone. Secondly, the greater ICT challenge resulting from merging the multiple systems of seven organisations rather than three using the same software and, finally, WGS elected to go with a central location for the service base. We have avoided this latter situation with the recognition of the importance of local delivery. Nevertheless, the similarities resulting from the approach and implementation of the WRS project are extremely important as a guide for us. Two documents have been produced in recent months by WRS that raise stumbling blocks that we would do well to avoid, having the benefit of hindsight from their experience. These are The joint Worcestershire Regulatory Services Scrutiny Task Group report of June 2014 (WRS STG) and the Worcestershire Regulatory Task Group Annual report 2013 -2014 (WRS AR).

In the Scrutiny Report the primary concern was over “the considerable difficulties [...] encountered” with the setting up of a single ICT system. Having mentioned above the risks posed by reducing ICT/business support, were we to stay as we are, the risk posed by failing to provide sufficient resources for ICT could prove catastrophic. Particularly when considering the reliance on agile working and the need for ICT systems that work and do not get in the way. In the WRS case, the project involved the merging of the data from twenty different systems and would have been of a greater magnitude of difficulty than that confronting our three partner authorities who are at least using the same system (WRS STG p.15). That is in no way suggesting that the task of rationalising our ICT systems will not be difficult, it will need careful consideration, adequate resources, planning and implementation. In fact, it seems to me that the implementation of the collaboration project will be extremely difficult to achieve without additional support, and not just for ICT, in the transitional phase. The operating model is designed to provide a level of service delivery across all three authorities based on current and predicted demand and service level. It does not appear to include additional temporary resources to provide support during the inevitable disruption caused by the change process. It is unrealistic to expect this to be absorbed by the new

management team, whose main aim will be to continue service delivery with minimal impact on our clients and our performance whilst setting up completely new delivery system.

There is considerable numerical financial detail in the Atkins documents. In the first instance it is difficult to expect staff to understand the evidence put forward to support the recommended model but also a great deal of trust is being placed on the veracity of the numbers being used, given the profound decisions being made. It would be helpful if, at some point during the first consultation phase, these could be explained together with an indication of the level of confidence placed in them.

The assumption that TS and EH officers can replicate each other's work is an oversimplification of the professional roles and raises another issue which may outwardly seem trivial but strikes at the heart of the collective identities we have in regulatory services. If the intention is to take professional staff with us, on what is a challenging project by any standards, why propose the creation of a generic regulatory services officer without any professional identity. From a staff morale point of view, this is a big misstep, but of far greater importance is the loss of two 'brand names' that have been familiar to the public for decades and clearly attached to the respective roles. The professional titles must exist as all or part of individual job titles and must figure in the branding of the new service. To my mind this point is not negotiable and reflects the view of all of the EHOs I have spoken to, inside and outside of BCBC. On an operational point, the roles and capabilities of officers are determined by their specific experience and qualifications, in some cases these are prescribed by external agencies. This is formulated in our authorisation of officers procedure which will only allow suitably qualified and experienced officers to carry out certain functions. This would prove an obstacle to the idea that all roles can be filled by generic officers. There are other areas where we already utilise the breadth of experience staff have acquired and, where we can, this already has shown to be of benefit.

Staff numbers have been presented in the structure and, whilst it is understood that the numbers presented are open to further consultation, it is felt that they may be too few in some areas to deliver even minimum service delivery standards. Whilst there was consideration of the staff requirements

based on data from all three authorities (Appendix A) some of the data has been questioned and has a direct bearing on the proposed numbers of staff in each service area. In addition, the staff numbers arrived at also rely on the number of vacant posts and temporary staff that will be shed at transfer. There is further reliance placed on the number of staff members taking VS or VER on the assumption that these staff members will take the offer. These latter figures are very difficult to gauge and would have direct consequences on the number of compulsory redundancies. The likelihood of staff opting for redundancy is does not appear great as the demand for qualified public protection staff is diminishing elsewhere for the reasons mentioned above, the opportunities within the professions are just not there.

Member expectations and, as far as possible, public expectations will have to be managed based on the reality of the services capabilities. Regardless of collaboration, there will be changes in the ability to respond and the time taken to deal with service requests made by members and the public. Failure to do so will result in an increasing level of failure demand resulting in a downward spiral of service delivery as more and more time is taken up explaining why we no longer are able to work up to current expectations.

There is a great deal of confusion over the arrangements for TUPE protection where it applies. Granted that the situation is very complex and will depend on the circumstances at an individual level, it is, nonetheless, the cause of a great deal of staff concern.

I am worried that, whilst we in Bridgend are, for the time being, excluded from the local round of budget cuts pending the outcome of the project, the urge to drive it through to avoid being penalised twice is reducing the amount of time needed for meaningful consultation with staff. My support for the project rests heavily on the expectation that not only will staff involvement have a real influence on the final model but that they will be given sufficient time not just for consultation but also for negotiation. The expertise to make this work is inbuilt, the staff have that expertise, but it depends on a level of staff engagement that could be undermined by the feeling that it is all cut and dried or that there is insufficient time for consideration of the options.

The reduction of staff at management level is unavoidable but the corollary of this is the loss of expertise if those staff members leave the organisation or find themselves at a level that would be inappropriate to management roles and decisions above a certain level.

Local Government Reorganisation (LGR) is expected to be 2020 or thereabouts, although Welsh Government has provided little guidance, other than acknowledging the Williams Report which proposes LGR along different boundary lines to those in the collaboration project. There is, understandably, concern from staff that having gone through this process, they will a few years later be compelled to reorganise again. It seems perverse that a project part funded by Welsh Government would, within a short period, be dismantled to satisfy the Williams recommendations. Any kind of assurance from a reputable government source would allay these fears.

.....

To sum up, based on what we have to consider at this stage, the outcome, should the project continue, ranges from the unacceptable to a successful template for regulatory services across Wales. I am supportive of the project on the understanding that the collective aspirations of us all to put public protection first are realised. Also it must result in the creation of an organisation capable of improving on the excellent professional service we already provide, having greater resilience, excellent customer service and cost effectiveness. I believe the expertise to create this lies within our current collective workforce and that the outcome of the consultation process must help determine the final makeup of the service.

**Employee Response No.3**

1. The cost savings are grossly over exaggerated and misleading and are based on assumptions which show that Atkins clearly have a lack of understanding about our regulatory roles and the expertise needed by officers to implement these roles. For instance, much of the savings have been based on the fact that they are suggesting that most of the EHO posts be carried out by Technical Officers and with a bit of in- house training can be brought up to a similar standard- EHO's have had to

undergo 4 years training and also additional training within their own specialisms. They are also suggesting that officers replicate each others work to have a smaller district to save on petrol but who are able to do a bit of everything, again to be supplemented by a bit of in house or 'cheap' training. They have underestimated the cost of some of the essential training and not all the training identified as in-house training can be delivered that way, particularly some of the more complex technical work that is carried out by officers. What they are proposing is akin to the way that LA's used to be set up over 25 years ago, with an officer patrolling a small area who is responsible for everything. There is a very good reason why LA's restructured their department's to change that set-up as it was no longer sustainable to run that way due the expertise needed and to keep pace with the ever constant changing legislation and demands on the service.

2. The report has also fundamentally missed out some of the work that requires expertise which TO's perhaps wouldn't be able to deal with such as analysing acoustic noise reports, especially for planning purposes , attending planning committees to give advice to councillors.
3. There has been no appreciation of the actual responsibilities carried out by the various professional roles and the different way the authorities are structured eg, I am a Senior EHO in Bridgend, but my actual role is akin to a Team Leader in Cardiff where I manage and provide expertise relating to all the operational and technical issues for the Pollution Section and provide advice to Members, particularly in respect of complex and controversial planning issues where I have to attend committee to give them advice and answer any technical questions they may have. However, in Cardiff, all their Senior EHO's carry out the duties of a District EHO. Consequently, my post is not in the structure as they are looking to downgrade Senior EHO's to EHO's and some EHO posts to TO's

#### **Team Response-Response No 4.**

##### **Summary**

While not opposed to the collaboration in principal, we have serious concerns over the accuracy and validity of the report, and therefore its use as a basis for change.



☒ We are concerned that the cuts that are proposed may result in minimum service delivery requirements not being maintained.

☒ We are concerned inspections and complaint investigations will suffer, and staff will be put under excessive pressure.

☒ We are concerned that consistency of inspections and enforcement will be lost, leading to a failure to protect the public and putting businesses at a disadvantage.

☒ We are concerned that there will be a loss of local service delivery which will put the public at risk and could, potentially, jeopardise the personal safety of staff.

☒ Commissioned surveys by this department have identified that the public see Food Hygiene inspections as important and that the Food Hygiene Rating Scheme is seen as an important indicator of where they can eat. We are concerned the ability to do this work will be lost under collaboration and the public's expectations will be undermined.

The full reasons for these views are provided in more detail in the main body of the response.

We feel strongly that because of the inaccuracies in the report, it would be unfair for cabinet or council to use it as any basis for a decision.

Please note that these comments are from all team members instead of individual comments in relation to the collaboration report. Collectively the team has over 90 years of experience in dealing with Food Safety and Health & Safety matters and we would therefore ask that these views are considered.

## **1. Downgrading of Environmental Health Officers to Technical Officers**

**1.1** The structure in the report alludes to an overall reduction in professional Environmental Health Officers (EHO's) and Trading Standards Officers (TSO's), with a large increase in Technical Officer posts. It is presumed that EHO's and TSO's will be downgraded to Technical Officers, but at reduced pay.

Reducing qualified and competent EHO's to the role of Technical Officer (whose job description they will be over qualified for) will result in the loss of flexibility to deal with a range of situations that an EHO would normally address (i.e. serving Emergency Prohibition

Notices and closing premises that pose an imminent risk to the public). Instead they will have to rely on calling for assistance from an `in post` EHO or manager to carry out a function that they are competent and qualified to complete. There are cost and efficiency implications to this, as well as public health issues if a correctly authorised EHO is not available.

Downgrading positions will cause bad feeling and will make some people reluctant to do anything other than what they're paid for (it has been acknowledged for years by management that a lot of what staff do currently relies on good will and that will be lost). Conversely you will have conscientious officers who, because of their experience and ability, will take it upon themselves to do the work anyway. This will lead to unfairness in workloads.

**1.2** The proposal undermines the profession. In order to become an EHO you have to complete a degree course and complete professional qualifications in order to be competent to carry out the functions. This is supported by the need to comply with the Code of Practice (this requires an extra 2 years in post for closure of a food business) and is supported by structured training and annual peer review. The collaboration report, as it stands, expects people without the knowledge and qualifications to carry out the functions of the role of EHO's and TSO's.

**1.3** The report is grossly over-optimistic about how easy it will be to train officers up in new subjects. It dismisses the specialism that has become a key part of the profession and it seems to dismiss that this specialism has come out of necessity. The report clearly suggests that training people up for £300 (in something that actually takes a degree course to complete) is achievable, however this is grossly misleading and certainly couldn't be done in a comprehensive or meaningful way.

We would also question what happens if the proposed structure and activities are being based around this cost, and training is then determined to be much higher (i.e. will more cuts made to accommodate it?).

There are large resource implications involved with the training up of staff to cover new duties. The leanness of the proposed structure does not allow for this to be done at the same time as maintaining effective service delivery.

Services will start to fail if you have staff under pressure from being forced to deal with issues they have not been properly trained in.

**1.4** We would like it stressed that a reduction in the number of EHO's and TSO's will have an impact on the services provided to the local area. The report is geared too much towards cost rather than Public Health provision with an effective continuation of services. We acknowledge that these factors may be

intertwined, but parts of the report (detailed further on in these comments) and the consultation process as a whole, have not given us faith that these are being properly considered over cost savings.

## **2. Consistency and Overload**

**2.1** The number of functions the report expects officers to take on is not practical.

This department has fostered a robust inspection regime which has been proven to increase standards within businesses and has increased consumer protection. This has been actively demonstrated with the increase in high scoring premises under the Food Hygiene Rating scheme which has operated from 2010.

However this does mean that inspections dealing with food safety alone currently take around 1-2 hours, sometimes longer depending on the contraventions/issues found. If the expectation is for these to take less time, this will impact on the quality of the inspection being carried out and with the net effect of reduced public safety.

We would question if this has been accounted for in resource provision. The Atkins Report is misleading as it states we shouldn't carry out so many revisits, but that shows a complete lack of understanding of what we actually do. It is also misrepresenting why we conduct revisits and how we conduct them.

**2.2** The report is incorrect in saying we carry out joint Health and Safety and Food Safety visits. We trialled this some time ago and it was found to be too lengthy. It was too burdensome on the businesses and too onerous on the officers.

Gathering intelligence for other departments (and indeed, other agencies) as we perform our duties is a practice which already takes place. However hazard spotting (termed as `matters of evident concern`) is not a substitute for planned interventions because, by its nature, it is not a thorough assessment. There is potential for issues to be missed and public safety put at risk.

**2.3** The Atkins report talks a lot about targeting as a better use of resources. This already occurs as 90% of the work for the Food Safety and Health and Safety functions is intelligence based and risk driven.

The food hygiene and health and safety rating systems have existed for over a decade under the various Codes of Practice and these have enable officers to identify the high risk premises which require intervention, and those premises which pose less risk and do not require as much attention. The food service is also required to follow this Code of Practice and has been audited against this by the Food Standards Agency. However the way the Atkins report is written does not acknowledge this and in our view it is wholly misleading as to how we operate. To suggest collaboration will somehow improve this in Bridgend is therefore incorrect.

The department is currently a local service, but spreading officers over an area which includes Cardiff and the Vale means that will be lost, with a negative impact on service delivery. Despite food businesses having a legal duty to register with the department, we would estimate that annually around 30-40% of new premises or changes of ownership are picked up by officers having local knowledge of the area they are working. This will be lost, changes will go un-noticed and there will be an increased risk to the public as a result.

There are also instances where local knowledge within the team has contributed to officer safety when visiting a premises – for example, knowledge that a premises has had recent Police involvement, or of previous issues during a visit which requires more than one officer to visit.

While the department operates a rudimentary flagging system for these sorts of issues, this is not fit for purpose on a larger scale. We feel that there is potential for officers personal safety to be jeopardised if this matter is not comprehensively addressed.

**2.4** We have been advised during a recent meeting that people will be job matched into posts where ever possible, which means we will maintain our current terms and conditions. Therefore, someone in the same post will be employed on a different wage as a colleague with the same job description who has come from a neighbouring authority (but both people are now employed by the same organisation). This is potentially unfair and will lead to bad feeling that will affect service delivery.

### **3. Risks to Service Provision**

**3.1** In Appendix H of the main report, under the Risk Matrix, it states:

“The inspection of food premises has been a major factor in food safety for many years but there is limited evidence that it has any major impact on food poisoning”.

We would take great exception to this comment. There are national and international studies which has shown that the biggest single factor identified in improving the food safety in businesses is the Food Officer’s intervention. Therefore it is wrong to suggest the food function could be dropped with little effect.

Food poisoning outbreaks do occur from food businesses – removal of the function means it is sadly inevitable that another outbreak like the one of E.coli in 2005 will occur again. Recent reports have identified that reducing resources on the front line has resulted in the public being exposed to food safety issues and food fraud (the horsemeat scandal being the latest).

**3.2** Similarly the report says that the only risk from not doing the new Food Hygiene Rating Act is political and business pressure. This is dismissive and

does not take into account that it is now a statutory function that the authority is obliged to carry out.

Neither does it take into account public opinion. In March 2014 Bridgend's Citizen Panel surveyed residents of the Borough and found that 86% of residents felt the food hygiene rating of a premises was `quite` or `very important` to their decision on eating or buying food at a premises. Clearly food hygiene inspections are important to the people in Bridgend.

**3.3** The report does not mention the authority's roles in regard to tattooing / piercing / acupuncture registration etc. This is a huge oversight, not only because of the public health issues that it controls, but also because the registration regime brings revenue into the department. If this has not been taken into account then the figures being used for costings will be inaccurate and the level of staffing numbers insufficient.

**3.4** There is not enough information in the report as to how the structure will work in practice. We are being told that all this will fall into place once management are appointed. We feel that, for a project of this size, all this needs to be solidified **BEFORE** any decision, in order for staff to have any faith in the process.

Job names and the numbers of jobs have been put into the structure, however job descriptions have not been given for the various roles. Job descriptions should have been looked at prior to allocating the number of staff and job names in order to ensure adequate coverage of functions.

The report and workshops indicated that staff must "buy in" to collaboration for it to work – we would question how staff can be expected to buy into something where a lot of it is to be determined.

A project of this scale has got to be right first time because of the serious consequences of getting it wrong. At this late stage the lack of any finer detail on how it works is concerning and does not give faith that this project will work.

**3.5** The report is essentially suggesting a centralising of functions. It is our personal experience that, time and again, centralisation does not result in effective service delivery on a local level. Both Natural Resources Wales and the Health and Safety Executive are examples of this. Interaction with these agencies over the years has shown that they do not attach the same importance to issues happening within an area due to their remote nature (i.e. longer response times, less accountability and less impetus to deal with things thoroughly etc).

**3.6** The Atkins report talks about re-branding the service with a new name. This is at odds with other parts which maintain any project must not impact

local service provision. If the service is still locally driven, we would question why it needs to be rebranded at all.

The department has been Public Protection for over 13 years now, and the wider public still cannot tell you what that term means if you ask them (they do however understand what Environmental Health and Trading Standards are).



With that in mind how will the residents of Bridgend feel when they ring Bridgend Council only to be told it isn't being dealt with by this council, but whatever collaborative entity has been established. They will certainly see this as a non-localised service and anecdotal evidence from staff is that residents are reticent to engage with agencies who they perceive as being remote from the areas they live in i.e. when referring people to the HSE in Cardiff, many people state they don't wish to bother with this. If this trend continues, local people won't bother to contact the service with regards to complaints / issues. This then counteracts any intelligence driven goals put in place.

**3.7** The report talks about revenue streams. While we are aware this means pursuing opportunities in terms of grant funding, the earlier discussion was very much focused on how certain aspects of our work could be monetised and revenue generating. This is totally at odds with the main ethos of why Public Health functions exists.

#### **4. Cost and Staffing levels**

**4.1** Whilst BCBC has made job freezes and spending cuts, Cardiff were still taking on staff for full time EH posts in June 2014 (we do accept there was no moratorium on staff recruitment, however this is something that should have been anticipated given that collaboration was a known project and consultation was well under way at that point).

Conversely, as a department, we've frozen posts for the last few years from Technical Officer, through to Environmental Health Officer / Trading Standards Officer up to Senior Environmental Health Officer. Despite this we have managed to maintain a high level of service. While no one is contesting that times are difficult and that savings have to be made, we are far from a failing service at this point in time. In this context, the wholesale merging of work forces across three counties does not make sense based on the information contained in the report.

The report itself paints Bridgend (with its smaller percentage for the financial commitment for Collaboration) as being used to buffer the cuts to authorities who have more people to throw into the pot for redundancies. In the report BCBC's Public Protection department is recognised as the cheapest service for the efficiency it delivers. Accordingly it feels like we're being used as a third part to help prop up the funding of two other services.

**4.2** We would question how it is possible to save costs and increase efficiency by reducing management, but then having them try to manage a greater number of staff who are spread over a wider area.

It is widely accepted in other organisations (such as the NHS) that management ratios should not exceed one manager to eight members of staff in order to be effective. Placing the functions under one management structure does not work if they cannot keep tabs on a higher volume of staff.  
effective. Placing the functions under one management structure does not work if they cannot keep tabs on a higher volume of staff.

Consistency is a massive ongoing issue across Wales at this time (particularly in relation to Food Safety and Food Hygiene Ratings). We would disagree that the proposed structure would improve consistency since there will be less people heading up teams to ensure a level playing field (regardless of which area a business is based). With such a wide geographical spread, the potential for this to go wrong is substantial and will be especially damaging if the service is rebranded as one entity and then appears completely inconsistent in its approach.

**4.3** Expecting officers to work over a wider geographical area will significantly increase officer workload which is already very high when covering just the Bridgend area.

This, coupled with the drive towards remote working, gives cause for serious concern in consistency and resolving issues. Staff have spent considerable time discussing the recent changes in implementing national guidance and legislation (for example the E. Coli 0157 guidance and the national Food Hygiene Rating Act). This will be lost without an office base or adequate team structure with which to sound out contentious issues and reach a consensus. As the report is not really clear on overall staff numbers and responsibility, we have naturally assumed that there will be additional staff from Cardiff and The Vale to cover this greater range. However the report does not give any encouragement that there will be a sufficient level of staff or structural arrangements in place to still allow effective inspection.

The report is not being open and transparent as it has redacted salaries and it has not provided us with the job descriptions. Providing this information would have helped us gain an insight into where the cuts are intended to be made in order to comment fully.

**4.4** It has been said in our recent meetings with management that collaboration is not going to meet all the required financial savings and that more savings will have to be made by Legal and Regulatory Services as a whole. If it appears that collaboration costs a lot of money and does not meet the savings, then we would question why this option has been decided as the “only” option when there are others available.

Although it is saving the most money, the collaboration and change option is also costing the most money and is therefore a riskier option. Given the importance of the Public Health role the department fulfils (and which ties in the Council’s corporate plan 2013-2017 for healthy living for the residents of

Bridgend), we would maintain that the less risky options should be considered first, with a graduated approach.

**4.5** If there is still a shortfall in workload after collaboration, and the authority still has to maintain targets, then the only way to do this is to employ agency staff. This brings extra cost, as well as bad feeling if people have been downgraded / made redundant. The cost of agency staff is always considerably more than that used to employ permanent staff and is therefore of no financial benefit.

## **5. Lack of alternatives being explored**

**5.1** There are no real alternatives being explored in any real detail. Accordingly it feels as if the report has been written as a foregone conclusion and this is consistent with the tact taken during the workshops which directed staff to only think along the `collaboration and change` route only.

Given the risks involved to the service, it would be expected that there would be greater investigation of avenues such as cutting the working week or overall working hours before wholesale farming out of the function.

While it would not be a happy decision, there is evidence that people in the department would take a reduction in the working week and their pay if it meant that job cuts were reduced. However there has been no official assessment made as part of the change agenda and we are disappointed that, if this has been considered, it has not been presented to staff.

**5.2** Bridgend should be looking to cut its non-statutory duties to save money - Public Protection functions that are built around non-statutory work could be tackled first. While this is undesirable, the Risk Matrix in Appendix H of the Atkins report discusses dropping statutory functions **AND** non-statutory functions. The net result with collaboration has the potential to end up far worse for overall service provision.

**5.3** Other possible options for savings which have not been considered include:

- removing the Out of Hours service (since the cost vs benefit of the service needs to be reviewed).
- home working could be introduced to save on accommodation costs.
- merging of wider back office functions (IT, admin support) would produce substantial savings.

## **6. Conflict with external service delivery reviews and viewpoints**

**6.1** The reduction in management posts means you will have managers in charge of disciplines for TS / EH that they do not understand. There are several issues with this, but mainly in relation to the E. coli Inquiry following the 2005 outbreak.

In his report to the Welsh Government, Professor Hugh Pennington made it clear that in relation to Food Safety provision this should not be the case. It is the same with the current Code of Practice for food safety which requires that managers have a background in food safety in order to be able to understand how it works.

We feel the Atkins report rather glibly dismisses this as a barrier to change which will be thrown in the way for the sake of it. This is misrepresenting the reality of the situation. Local authorities are duty bound to follow the Codes of Practice and audited against this by the Food Standards Agency's auditing framework. Justifying non-compliance to externally auditing agencies and the public is easy to say on paper but will be very difficult in practice.

**6.2** Taking all the proceeding points into account we feel that we have still not been given a satisfactory answer to why the Welsh Government is funding a long term collaboration project that goes against the proposed layout of the Williams Report. The Atkins report accepts that it is against this footprint where it says Bridgend can't be the host authority – how is this going to work when council re-organisation goes through? Bridgend won't have a real EH department to merge and therefore Bridgend CBC is gradually being eroded and losing its identity.

While some way off, it is widely accepted that change is coming from an all-Wales reorganisation. This will entail further change in the future and, as collaboration is seen as a long term project, it will then tear apart any new structure that won't have had time to bed in and ended up costing a considerable sum of money.

## **7. Other issues**

**7.1** Agile working and home working has been cited as a possibility by the report. However there is a lack of detail in how this will work in terms of actual service delivery. It also does not seem to address the costs of extra travelling for staff, along with the costs that staff will have to bear from working from home (i.e. increased electricity and heating costs, provision of PC equipment etc.)

**7.2** As previously stated, we feel that the plans and reports do not provide enough information for decisions to be made in relation to collaboration. In order for this to go ahead, we would have expected to see exact figures of where the savings are to be made (at present these have been blanked out on the report). While Data Protection has been cited as the reason for this because it would allow individuals to be identified, the roles in the new structure have no one appointed to them yet (therefore no-one can be identified). This does little to aid staff “buy in” to the proposal. The collaboration report looks in depth at the cost cutting exercise, however it does not pay a great deal of consideration to the effect on the service and how the Bridgend Community will be affected. We feel the Impact Assessment does not give any real consideration to these matters and they appear to be pushed to one side and will be thought about later in lieu of cost savings.

flexibility to deal with a range of situations that an EHO would normally address (i.e. serving Emergency Prohibition intertwined, but parts of the report (detailed further on in these comments) and the consultation process as a whole, have not given us faith that these are being properly considered over cost savings.

### **GMB reference to Worcestershire Regulatory Services**

The Bridgend Branch of the GMB Union would like to make reference to the recent Worcestershire Regulatory Report (**Appendix A**) which has been a topic of discussion over recent weeks.

The report by Worcestershire Regulatory Service Task Group gives an insight into what has or hasn't worked and problems they have encountered on their collaborative journey which began in 2010, issues likely to be faced by the proposed collaboration should it go ahead, issues I believe need to be considered by all involved to ensure that the same problems are not encountered.

One area of the report which needs to be raised is around budgets and future cuts going forward, as each authority will be required to make budgetary savings which has the potential to impact on the collaborative service.

A Trading Standards Journal has recently run a piece raising concerns with regards to proposed budgetary cuts that The Worcestershire Regulatory Service are facing over the next three years, The Regulatory service are facing a predicted £1.250 million pound cut on a current £1.5 million budget.

This has given cause for concern with regards to implications for service provision and has forced them to consider the possibility of outsourcing the provision to the private sector.



I would therefore ask if consideration has or will be given to the following questions.

- What will the protocol be for each authority to present proposed cuts in relation to its contribution to the collaborative project going forward?
- Will a formula be developed to calculate the percentage of annual cuts each authority can make against its contribution to the joint service?

Appendix A

# JOINT WORCESTERSHIRE REGULATORY SERVICES SCRUTINY TASK GROUP

June 2014

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## MEMBERSHIP OF THE TASK GROUP

**(From left to right) Councillors Peter Tomlinson (Vice Chairman),  
Simon Cronin, Rod Laight (Chairman), Richard  
Udall, Alan Mason and John Raine.**

The Members in the photograph above regularly attended the meetings.

Lead Member Substitute Authority

Rod Laight

Pete Lammas

Bromsgrove DC

John Raine Mike Morgan Malvern Hills DC

Alan Mason Gay Hopkins Redditch BC

Simon Cronin Paul Denham Worcester City

Richard Udall Lynn Duffy Worcestershire CC

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## Foreword from the Chairman and Vice Chairman

This group came together for the first time in late September 2013. Since then we have met together on 14 further occasions. Our journey together has been taxing, concentrated, at times somewhat frustrating but, in the main, both fulfilling and stimulating. At no time have the divisions which separate us politically played any part whatsoever in our discussions, deliberations or our conclusions. Indeed it became clear from the outset that whatever views individual members of this Task Group may have held about Worcestershire Regulatory Services or whatever their own experiences may have been prior to the review, every single Member was prepared to wipe that individual slate clean and to approach the task with an open and enquiring mind. Working as a team on this Task Group has therefore proved to be very demanding though, for each of us, one of our most worthwhile experiences as Councillors to date.

And it has been some task! We have interviewed 16 people including regulatory professionals, senior Officers from the districts and elected Members representing all the partners in this complex organisation. We have asked for and been given evidence about the performance of WRS in all the areas it covers and we have circulated our own survey amongst elected Members. The overall success of this Joint Scrutiny has been achieved by a team working well together with trust and integrity.

It must be said that all those interviewed by the Task Group have been honest, open and forthright. In particular the Head of Regulatory Services, Steve Jordan, along with his team have been very open and transparent. We have had to listen to and digest a plethora of often divergent views from those sitting on the same Committee. But it would be fair to say that where contrary opinions were put to us they were expressed coherently and with passion. Without exception all those we spoke to believed in Worcestershire Regulatory Services and wanted it to succeed. As our knowledge of the workings of this organisation grew and as we took the pulse, as it were, of all those involved we became ever more certain that the challenge we had taken on was not only timely but vital to the survival of Worcestershire Regulatory Services.

The majority of members of the Task Group took their responsibilities very seriously, though unfortunately the representatives from Wyre Forest District Council were unable to attend the majority of meetings. Similarly in most cases those invited to attend our meetings to be interviewed by us came willingly and in a spirit of co-operation. There was, however, one exception, which again we found most disappointing and that was, when given ample notice, no senior Officer was able to attend from Worcestershire County Council. A written response to our questions was provided by the County

Council but this allowed no cross examination. Throughout our work, experience proved that whilst written answers were useful, the real meat then came from our probing of those answers.

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We think we speak for all of us on this Task Group when we say that our work though onerous and demanding has been both enlightening and fulfilling. Now that the end is in sight we hope that our recommendations will help underpin the future of WRS. It has achieved so much in such a short space of time it deserves to succeed.

On behalf of all the Task Group Members we would like to thank our two Democratic Services Officers Amanda Scarce and Jess Bayley who have kept us on the straight and narrow, prompted us when we stalled, found the evidence we knew we had heard but had forgotten, nudged us with both advice and insight and generally kept this unique group of disparate individuals good tempered, courteous and above all focused. Thank you both, we could not have done it without you.

Councillor Rod Laight (Bromsgrove District Council)

Chairman (pictured on the right)

Councillor Peter Tomlinson (Wychavon District Council)

Vice Chairman

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## Summary of Recommendations

After consideration of all the evidence available (both documentary and from the interviews and other consultations) the Task Group have proposed the following recommendations (with full details of the supporting evidence provided in the chapters following this summary):

### **CHAPTER 1 - WRS PERFORMANCE AND COMMUNICATIONS**

#### **Recommendation 1**

Performance Management Information should continue to be made available for Members' consideration at every meeting of the Joint Committee and be sufficiently high on the agenda to be discussed in detail.

#### **Financial Implications:**

There are no financial implications for WRS.

#### **Legal Implications:**

There are no legal implications to this recommendation.

#### **Resource Implications:**

Additional officer time may be required should extra meetings be introduced as suggested under recommendation 9.

#### **Recommendation 2**

Twelve months after the new contact centre arrangements for WRS have been introduced, replacing the use of the Worcestershire Hub, the Joint Committee should review the effectiveness of these arrangements for communicating with the public.

#### **Financial Implications:**

There are no financial implications.

#### **Legal Implications:**

There are no legal implications to this recommendation.

#### **Resource Implications:**

Additional officer time would be required in order to produce this additional report.

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**Recommendation 3**

The web-pages of each partner authority should be regularly monitored to ensure they are kept up to date, with the inclusion of a prominent and obvious link to the WRS website.

**Financial Implications:**

There are no financial implications to WRS.

**Legal Implications:**

There are no legal implications to this recommendation.

**Resource Implications:**

There would be additional Officers' time from within WRS for the monitoring to take place and to follow up on any extra actions necessary identified during the monitoring process.

**Recommendation 4**

The purpose, content and circulation of the WRS newsletter should be thoroughly reviewed, with a view to it providing a more systematic and comprehensive account of the work and performance of the shared service, and with the content and format being agreed by the Joint Committee.

**Financial Implications:**

There are no financial implications for WRS.

**Legal Implications:**

There are no legal implications to this recommendation.

**Resource Implications:**

A small amount of additional Officer time will be required to review the content of the newsletter and to present it to meetings of the Joint Committee. However, it is likely that the Officers from WRS who already attend meetings of the Joint Committee could present this item for the consideration of Members.

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**Recommendation 5**

That WRS have a designated member of staff to act as a Member Liaison Officer and as a single point of contact to signpost Member enquiries.

**Financial Implications:**

There are no financial implications as it should be possible for this work to be undertaken by an existing member of WRS staff.

**Legal Implications:**

There are no legal implications to this recommendation.

**Resource Implications:**

There would be additional Officer time required from the member of WRS staff designated to this role.

**CHAPTER 2 - FINANCING OF WRS****Recommendation 6**

In order to reduce the focus on financial considerations which currently play a major part in influencing partner participation, to the detriment of other equally important aspects of the service, the following should be addressed:

- (a) A new business model for WRS be developed through the Chief Executives' Panel, building on the proposals already being produced by the Panel.
- (b) Consideration be given to the option for partner authorities to purchase an "out of hours service".

**Financial Implications:**

Initially there would be no financial implications from carrying out this review. It is acknowledged, however, that the intention behind this recommendation is to identify a financial model that would stabilise the funding of WRS in the long term.

Should this financial model vary to the charging mechanism already in place there may be additional costs for certain partners (with reductions in costs for others). The impact of any variances would have to be considered by partner Councils.

Each local authority needs to be aware that the option to introduce an out of hours' regulatory service in their area has significant financial implications in term of the Council's financial contribution to the service. Out of hours services are not currently available anywhere in the county and so would require additional expenditure from partners.

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**Legal Implications:**

The existing legal agreement includes a Statement of Partner Requirements, which can be agreed with the Joint Committee. Should the charging model be revised the legal agreement would have to be amended to reflect this and it would have to be approved by the Joint Committee and the Partners.

**Resource Implications:**

Initially Officer time would be required to carry out the exploratory work although the group understand that the Chief Executives' Panel have already been investigating this matter.

**CHAPTER 3 - GOVERNANCE OF WRS****Recommendation 7**

A new strategic decision making board for WRS should replace the Joint Committee, comprising one elected member per partner authority and supported by senior officers. This should be called the WRS Board.

- (a) Meetings of this Board should take place at the base of WRS.
- (b) Responsibility for attendance at Board meetings should lie with each authority's representative, and the quorum for meetings proceeding should be set at 5 representatives in attendance.
- (c) Meetings of the Board should take place bi-monthly.
- (d) Elected members appointed to the Board should be provided with an induction programme and sufficient ongoing training to enable them to fulfil their role effectively.
- (e) Members appointed to the Board be expected to serve a minimum of two years to ensure continuity.
- (f) The Chair of the WRS Board should be elected annually by the members of the Board.

**Financial Implications:**

Initially there would be some financial implications for this proposal, but these are likely to be quite limited. In particular there would be financial implications in respect of additional meetings of the WRS Board and in relation to holding an induction programme and on-going training.

**Legal Implications:**

This proposal fundamentally affects the constitution of the Joint Committee under s101 of the Local Government Act 1972 and s20 of the Local Government Act 2000 as established by the founding legal agreement dated 1

June 2009 and would essentially require a re-negotiation of it by member authorities.

**Resource Implications:**

There would be resource implications in terms of Officer time in preparing additional agendas and minutes for the extra meetings and in planning and delivering suitable training. This could be offset by the fact that Democratic

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Services Officers would no longer need to spend time ensuring that the meetings are quorate.

There may also be some initial resource implications in relation to convening meetings at the base of WRS (currently Wyatt House in Worcester) as opposed to Bromsgrove Council House where meetings are currently held.

**Recommendation 8**

The Management Board be disbanded, with the WRS Management Team taking the lead responsibility for operational decision making under the leadership of the Head of Regulatory Services.

**Financial Implications:**

There would be a “one off” financial implication due to having to change the partnership’s legal agreement, although this is likely to be limited.

**Legal Implications:**

This recommendation would require changes to the current legal agreement for WRS and each partner would need to approve these changes.

**Resource Implications:**

The Officers currently serving on the Management Board would potentially have greater freedom to concentrate on the service needs within their remits of their own authorities.

There are no particular resource implications for WRS staff as operational considerations relating to regulatory services are already within their professional area of expertise.

**Recommendation 9**

(a) The Head of WRS should be fully accountable to the WRS Board (as the strategic decision making body).

(b) The Chief Executive of the host authority to act in a mentoring role as and when necessary.

**Financial Implications:**

There are no financial implications.

**Legal Implications:**

This will require an amendment to the existing legal agreement as the role of the Management Board and the Head of WRS are set out therein.

**Resource Implications:**

There are no resource implications. In fact if the Head of Regulatory Services was to report to a single body this might help to reduce both financial and resource implications for all partners.

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**CHAPTER 4 - LESSONS LEARNED**

**Recommendation 10**

(a) All decisions made by the WRS Board be formally reported back to all elected members of the partner authorities in a timely manner.

(b) Attention should be paid to communicating updates about any planned changes to WRS services to all elected members of partner

authorities..

(c) The agendas and minutes of all WRS Board meetings should also be uploaded on to the WRS website in a timely fashion.

**Financial Implications:**

There are no financial implications.

**Legal Implications:**

(a) Minutes of the meetings of the Joint Committee are referred to the participating Councils where further discussion is possible and in some cases agreement required.

**Resource Implications:**

This could potentially require Members appointed to the WRS Board to spend additional time formally reporting back to their Councils about the work of WRS and the Board. In addition, the Democratic Services Officers at each Council would need to spend a limited amount of time uploading the agendas and minutes on to their websites, together with a representative from WRS carrying out this work on the WRS website. This should be fairly easy to achieve as the host authority provides a prepared pack for uploading.

**Recommendation 11**

The lessons learned from the WRS shared service experience, particularly as detailed in this report, should be heeded by elected members and senior officers when considering any future proposals for shared service arrangements involving multiple partners.

**Financial Implications:**

There are no direct financial implications. However, by reviewing the lessons learned from the WRS Shared Service when considering future proposals for shared services elected members and senior Officers could potentially save partner organisations a significant amount of money.

**Legal Implications:**

There are no legal implications to this recommendation.

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**Resource Implications:**

Officer time would be required to consider these lessons, though the time required would vary dependent on the shared service being considered.

**Recommendation 12**

(a) The Joint Scrutiny Protocol should be reviewed in order to take on board the lessons learned during this review.

(b) Consideration should be given to the reinstatement of the Worcestershire Overview and Scrutiny Chairs Group as a means of feeding back the monitoring of recommendations from Joint Scrutiny exercises, as and when required.

**Financial Implications:**

There are no financial implications.

**Legal Implications:**

There are no legal implications to this recommendation.

**Resource Implications:**

Officer time would be required from representatives of all the Democratic Service teams at each authority in Worcestershire to review this document.

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## Introduction and Background Information

Background to the Joint Scrutiny



Wychavon District Council originally proposed that Worcestershire Regulatory Services (WRS) should be subject to a joint scrutiny (in July 2012). Each Council within Worcestershire was consulted about the proposal and all had agreed to participate by spring 2013. Draft terms of reference were drawn up by Wychavon District Council and in line with the agreed framework for joint scrutiny in Worcestershire, each Council's Overview and Scrutiny Committee had considered and approved these terms of reference by May 2013.

The potential role of Overview and Scrutiny in holding the Joint Committee and WRS officers to account had in fact been considered in the original partnership agreement for the shared service. However, whilst Overview and Scrutiny was clearly recognised as having a legitimate role to play in this regard, it had also been felt unreasonably onerous for the Head of Regulatory Services to have to report to seven different scrutiny committees across the County. Therefore, as part of the original legal agreement, partners had determined that scrutiny should not be undertaken by any one Overview and Scrutiny Committee but, rather, should be carried out jointly. This review has been conducted in accordance with that principle as a collective exercise. The terms of reference included the following main tasks (full details are provided at Appendix 1):

- To review the final business case for the shared service (as agreed by the participating Councils) against current operation.
- To compare the previous service levels of each participating Council compared with current levels and those outlined in the final business case.
- To establish the performance of the service for participating Councils prior to and since the establishment of the shared service.
- To review levels of customer satisfaction prior to and following establishment of the shared service and how feedback informs practice.
- To consider the governance arrangements between the shared service and the participating Councils to include how changes to the service requested by one or more Councils can be achieved.

It was agreed that the Scrutiny Task Group should comprise one representative from each of the Overview and Scrutiny Committees of the partner authorities and for there to be a named substitute for each. It was also agreed that each representative, or their substitute, should be either the Chair or Vice Chair of their Council's Overview and Scrutiny Committee.

At the first meeting of the Scrutiny Task Group the nominated members elected as their Chair, Councillor Rod Laight (being the representative for the

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WRS host authority, Bromsgrove District Council). Councillor Peter Tomlinson, from Wychavon District Council, was appointed as Vice Chair.

Evidence gathering

The Task Group gathered evidence through a range of means, including scrutiny of relevant documentation and interviews with various representatives of the Worcestershire Shared Services Joint Committee (the elected member decision making body for the shared service), the Management Board (comprising officer representatives from each partner authority who advise the Joint Committee), the WRS management team and officers of the host authority (Bromsgrove District Council). The Group also consulted with parish councillors and other elected members from across the County, who were neither on the Joint Committee nor on the Task Group, to find out about their

experiences of working with WRS. The feedback provided through this consultation process has been greatly valued and has helped to inform its conclusions. However, the Task Group would like it to be noted that, since only a very small number of councillors responded, the wider representativeness of the feedback received was difficult to gauge.

Consideration was given at an early stage to the potential for a questionnaire to be circulated to obtain feedback from members of the public and from local businesses about the services they had received from WRS. Whilst the Task Group would undoubtedly have benefited from such additional feedback it was concerned about the difficulties involved in obtaining a suitably large or representative sample of responses from across the County. For this reason it was agreed that it should rely instead on the already available 'complaints and compliments' data held by WRS as a basis for assessing the level of customer satisfaction with the services.

At various stages of the review, updates were provided both to Task Group members and to the Democratic Services teams at participating authorities for use when reporting back to partner Overview and Scrutiny Committees. The lead Member from each authority was also encouraged to inform colleagues about progress with the joint scrutiny review as and when appropriate.

#### Background to Worcestershire Regulatory Services (WRS)

The shared Worcestershire Regulatory Service (WRS) was initially conceived as part of the Worcestershire Enhanced Two Tier (WETT) programme in 2009. Each of the seven authorities in Worcestershire expressed an interest at this stage in participating in the shared service. Three key principles underpinned the design of the shared service as follows:

1. Achievement of service improvement and increased effectiveness.
2. Achievement of greater efficiency, cost savings and return on investment.
3. Achievement of a greater degree of sharing of resources for service delivery.

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These key principles underpinned thinking in the drafting of the partnership agreement for WRS where it was specifically stated that the shared service had been established "*for the purpose of achieving financial efficiencies, sharing resources and improving delivery of services*".

Wychavon, Worcestershire County and Redditch and Bromsgrove Councils each submitted a bid to host the shared regulatory service. Initially, the County Council was considered best placed to take on this role. However, at the request of the Worcestershire Chief Executives' Panel, an independent external evaluation was requested, from a private sector partner and in September 2009, this concluded that Bromsgrove District Council would be the most appropriate host authority.

The shared WRS service was subsequently launched in 2010. Each of the councils signed up to the current partnership agreement for the service in June of that year. This established the governance arrangements for the service, which included a Joint Committee (of elected members from each partner organisation), a Management Board (of officers from each authority) and a WRS management team (of senior practitioners from the new shared service). The agreement also established arrangements for withdrawal from the service, a scheme of delegated responsibilities and financial arrangements, as well as detailing the arrangements for transferring all

regulatory staff from their respective local authorities into the employment of the host authority.

Under the terms of the hosting arrangement, Bromsgrove District Council accepted responsibility for the following:

- Arranging suitable accommodation.
- Administration of the Joint Committee.
- Audit services.
- Data protection and information security.
- HR and personnel services.
- Financial services.
- ICT services (and licensing of ICT systems and equipment).
- Insurance.
- Legal services.
- Pensions and procurement.

(It should be noted that whilst Bromsgrove District Council is the host authority, each partner authority contributes to the overhead costs).

At an early stage partners agreed that the shared service needed to be based at a single location, even though staff would be required to work across the County as necessary. It was also agreed that the base should be a building already in the ownership of one of the partner authorities. A number of such buildings were assessed and Wyatt House in Worcester (owned by Worcester City Council) was eventually identified as offering the most suitable base. Accordingly, WRS entered into a 10 year lease for the premises.

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The Role of Worcestershire Regulatory Services (WRS)

WRS covers three key service areas

- Trading Standards
- Licensing
- Environmental Health

(A more detailed list of the constituent activities is provided at Appendix 4).

Key elements of Trading Standards are statutory responsibilities of County Councils in two tier authority areas (and remain so ultimately even under the shared service arrangement). However, WRS also undertakes a number of trading standards-related activities that are discretionary. The main trading standards functions are; fair trading/consumer protection, product safety, food standards, metrology and animal health and welfare.

Environmental Health functions, on the other hand, are primarily a responsibility of district councils, (again even under a shared service arrangement). These include responsibility for food safety/hygiene, nuisance complaints (e.g. noise), air quality and pollution, and health and safety, again with some statutory responsibilities and some discretionary activities.

There are certain licensing functions which, under the terms of the Licensing Acts 2003 and 2005, remain the responsibility of district councils in a shared service environment. Each district council must determine the fees for licenses in its area and each must have a Licencing Committee and Sub-Committee(s) which make (quasi-judicial) decisions about whether to grant licensing applications. Licenses can be provided for a range of services including taxis, alcohol and gambling establishments and a raft of other regimes. The role of WRS in this context is to provide expert advice to each

council and to deliver the services required.

On the whole the majority of trading standards, environmental health and licensing services are provided by WRS consistently across the County. However, there are a few services which certain local authorities within the partnership have chosen not to receive (for example Malvern Hills District Council does not receive a pest control service). All service choices are taken into account when calculating the financial contributions made by each local authority to the partnership.

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## Chapter 1

### WRS Performance and Communications

#### Performance

This particular joint scrutiny review was launched largely as a result of concerns raised by members from Overview and Scrutiny Committees about the limited information apparently available about the performance of WRS. Requests had been made for performance data to be provided alongside equivalent performance data for the services as provided previously under inhouse arrangements by each council.

The Task Group learned that, in the original business case, it had been agreed that WRS performance would be measured in accordance with the five relevant national indicators (NIs) set by the then government. However the launch of WRS coincided with a change in national government in 2010 and the scrapping of the national indicator framework. WRS took advantage of this change and of the new discretion on local authority performance measurement, choosing an outcomes-based model in preference to the largely output-based national performance indicators approach. This was agreed by both the Management Board and the Joint Committee.

The Task Group has thus found it difficult to assess performance and particularly to draw comparisons between the periods before and after the launch of WRS because of the absence of a consistent series of data. Indeed, it found there to be a very limited amount of relevant performance information available for the individual partner authorities prior to WRS with the result that it was difficult for the Task Group to address objective three of the terms of reference in any real depth.

The Task Group also learned of the considerable difficulties WRS had encountered in its first four years in putting in place an integrated ICT support system. Although the original business case for WRS had envisaged an early procurement process for an appropriate ICT system to support the new service, this proved a more protracted process than expected and the service has had to rely on at least 20 different legacy ICT systems for several years. Indeed, at the start of this scrutiny review in September 2013 six of those legacy systems still remained in place and were clearly a continuing source of inefficiency.

The Task Group was informed by the Head of Regulatory Services that the subject of how best to meet the ICT requirements of WRS had been extensively discussed within the Management Board and culminated in a decision to procure something bespoke for the new service rather than an “off the shelf” package, even though this was recognised as meaning further delay and greater cost. Four years on the specially tailored ICT system is finally in place and at last, there is the basis for provision of good quality management

and performance information.

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The Task Group is keen that such information should, from now on, be available at every meeting of the Joint Committee. Moreover, the Task Group think that such performance reports should be placed sufficiently high on the agendas to ensure that elected members have the opportunity to consider them in a diligent and constructive manner.

The Task Group therefore recommends the following:

### **Recommendation 1**

Performance Management Information should continue to be made available for Members' consideration at every meeting of the Joint Committee and be sufficiently high on the agenda to be discussed in detail.

#### **Communications with the Public**

It was proposed in the original business case that the Worcestershire Hub would play a key strategic role in the new service model for WRS by acting as the main communications centre for the public and other service users. This was justified on the basis that the Hub was well equipped to provide "...a more customer focused and streamlined delivery for the unified regulatory services..." and the Hub was "...nationally regarded as an exemplar of best practice..." in terms of customer access.

However, early in the scrutiny review concerns were raised about shortcomings in the Hub's responsiveness to the public and based on experiences by elected members across the County. Examples are reproduced below:

*"I have not been happy with recent experiences, primarily in relation to getting hold of WRS."*

*"Communication links with officers can be variable".*

*"The problem I have experienced with WRS is that I have been passed from pillar to post. I have been told "we have never heard of the WRS. We don't know what you mean?" I have been put through to another department... It took me about three hours to contact the person I wanted to speak to and then she had left the office so I had to start all over again the next day."*

The Task Group concluded that such comments were particularly indicative of shortcomings in communications between the Hub and WRS rather than any indictment of WRS itself. Moreover, an analysis of WRS 'complaints and compliments' data for the period June 2011 to September 2013 highlighted the extent to which customers' concerns related more to the manner in which their complaint was referred on for action than to the actions subsequently

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taken by WRS. In each of those three years the majority of issues related to a breakdown in communications.

The Task Group learned that WRS staff were aware that the contact arrangements with the Hub were not working satisfactorily enough and that discussions had been held with the Hub's senior management about the capacity to meet the needs of WRS customers. The issue had also been raised at the Joint Committee on 26th September 2013 when members discussed a letter from the Chairman of the Worcestershire Hub Shared Services Management Board in which it had been suggested that additional Customer Service Advisors would need to be recruited to handle regulatory

services enquiries and for which an increase in funding would be required. In response, the Head of Regulatory Services had advised the Joint Committee that he did not feel convinced about the additional need and cost and that the alternative would be to bring the customer enquiries work in-house within WRS – where it would be easier to refer matters more directly to the appropriate officer. This indeed is what the Joint Committee decided to do and it is understood that the new customer service arrangements were due to be implemented in May 2014.

Given the history of complaints concerning communications with WRS and the frustration that this has caused, the Task Group considers it important that the effectiveness of the new arrangements are closely monitored in the period ahead. The Task Group also suggest that a full report on the effectiveness of the change in customer contact arrangements should be presented to the Joint Committee in 12 months' time – when the change should have become embedded.

The Task Group therefore recommends the following:

### **Recommendation 2**

Twelve months after the new contact centre arrangements for WRS have been introduced, replacing the use of the Worcestershire Hub; the Joint Committee should review the effectiveness of these arrangements for communicating with the public.

The Task Group also noted that information on partner councils' websites regarding regulatory services was not always up to date or easily accessible. As part of the investigation, each Task Group member reviewed their own council's website to assess the quality of the information on regulatory services and the ease of linkage with the WRS website. In doing so, the Task Group recognised that most customers seeking information about such services online would be likely to visit their own council's website initially (probably being unaware of the existence of WRS). Whilst in some cases the websites were helpful and the links straight-forward, it was found that the available information was not always as comprehensive or as up-to-date as should be expected.

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The Task Group therefore recommends the following:

### **Recommendation 3**

The webpages of each partner authority should be regularly monitored to ensure they are up to date and with the inclusion of a prominent link to the WRS website.

#### **Internal Communications**

The Task Group also considered other mechanisms for communicating information about WRS to interested parties across the County and particularly focused on the WRS Newsletter (which is circulated to all members in Worcestershire on a quarterly basis). This is a potentially informative and valuable means of communication, but in its present format the document tends to be more selective and anecdotal than systematic and comprehensive in presentation of the work and performance of WRS.

The Task Group recognises the challenges involved in communicating effectively the diverse work of a multi-functional service in a manner that is satisfactory both to elected members and to a range of other potentially interested parties. However, the Task Group believe the current format and

content of the Newsletter could be much improved and that this would help to promote a better understanding of WRS and its work among the wider body of elected members and other stakeholders. The Task Group suggests that members of the Joint Committee should take a more active part in agreeing the style and content of a quarterly newsletter and that its members should be consulted about each edition before it is published.

The Task Group therefore recommends the following:

#### **Recommendation 4**

The purpose, content and circulation of the WRS newsletter should be thoroughly reviewed, with a view to it providing a more systematic and comprehensive account of the work and performance of the shared service and with the content and format being agreed by the Joint Committee.

Since one of the key concerns raised by elected members across Worcestershire was the difficulty experienced in contacting a representative of WRS directly (despite recent re-circulation to all members of the directory of WRS staff telephone and email contact details) the Task Group considers that it would be useful for a lead member of WRS staff to be specifically assigned the role of 'Member Liaison Officer' to provide a further first point of contact, e.g. for queries and issues where there is uncertainty about who might be best placed to assist. This arrangement is felt to work well for the County Council's Highways Department, where there is an area-based structure of Member Liaison Officers.

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The Task Group therefore recommends the following:

#### **Recommendation 5**

That WRS have a designated member of staff to act as a Member Liaison Officer and as a single point of contact to signpost Member enquiries.

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## **Chapter 2**

### **Financing of WRS**

As detailed in the background section of this report, one of the key drivers for the shared regulatory service was the potential for efficiencies and cost savings. From the Task Group's interviews with the Head of Regulatory Services, it was learned that WRS had already exceeded the originally anticipated financial savings (which had benefited all the partner councils) yet the overall budget had been further reduced significantly since 2010. For 2014/15, it had been proposed that the WRS budget be further cut (by an additional £646,000 from the 2013-14 figure of £5.626m). Members also learned that the Head of Regulatory Services had advised the Joint Committee of his view that this was the absolute minimum with which WRS could realistically operate if it were to continue to deliver services at current levels. Any further reductions would, in his judgement, impact on service delivery and quality.

More generally and over the life of WRS to date, it appeared to the Task Group that the quest for cost reductions has tended to dominate debate within and between the partner authorities rather than issues of regulatory standards and public protection. Indeed, the Task Group considers finance has been the key driver both for the Management Board and the Joint Committee and has largely come to trump the other objectives that had underpinned the rationale for the shared service in the first place.

In the original partnership agreement it was determined that the budget for WRS should be considered and approved by the Joint Committee by the end of November each year. This would ensure that the partner authorities would be clear about their financial contributions ahead of their own budget setting processes. The Task Group was advised that this arrangement had worked well in the early years of the partnership but that, because of the deterioration in the financial position of partners' budgets, it would probably not be so suitable for future years. Indeed, whilst this joint scrutiny review was taking place, Worcestershire County Council proposed significant reductions in its budget contribution – to be implemented incrementally over a three year period (and which would see the County Council's contribution to WRS decreasing from £1.5m in 2014/15 to £250,000 in 2016/17).

Such a reduction, the Task Group was informed, would have significant implications for the quality and level of services of WRS. Already since 2010, staff numbers have decreased from 154 to 117 (in 2013), and the Head of Regulatory Services indicated to the Task Group that, if implemented, the further proposed budget reductions would imply further shrinkage to an estimated 102 in 2014/15 and probably still smaller numbers in subsequent years.

The Task Group was also advised more specifically of the potential implications for trading standards staff. In this respect, the indication is that,

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by 2016/17, the level of funding might support just six trading standards officers for the whole of the County (compared with 25 in 2013/14). . Such a contraction clearly raises questions about resilience within WRS to respond to unforeseen challenges or emergencies such as the horse meat scandal of 2013. In this regard the Task Group was interested to learn that, nationally, the Trading Standards Institute has recently commissioned research on the impacts and cost-effectiveness of different trading standards activities to understand better the possible consequences of such funding and staff reductions.

Recognising the potential risks for all partner councils and their communities if funding is reduced to the point where capacity is unduly compromised, the Joint Committee recently agreed that the WRS budget should in future be planned on a three year rolling programme basis to facilitate longer-term planning. In the same context, a new budget matrix has been designed to assist decision-making as to the costs of different service options for partners. This matrix approach, which was also approved by the Joint Committee in September 2013, has been developed from a "zero based" budget exercise and indicates the minimum resources and budget required to meet existing levels of demand and statutory obligations in all relevant functional areas. The matrix also provides risk assessments in relation to key regulatory objectives of protecting vulnerable people, supporting the local economy and improving health and well being.

A further issue that has recently been pursued as a response to the difficult financial context for WRS and its partners is that of seeking a private sector strategic partner. Here the rationale is to look to grow WRS (either or both by acquiring more local authority partners and undertaking more work for others on a contractual basis) and for which, the argument goes, the commercial experience and marketing skills of the private sector would be especially



helpful. In November 2013, during the early months of this joint scrutiny, the Joint Committee approved initial 'soft marketing' ahead of a decision to commence a formal procurement process in 2014.

At this early stage, the Task Group has had little information by which to form a view as to the potential of such a private sector strategic partnership in helping WRS in relation to its financial challenges. Accordingly, the Task Group do not draw any conclusion or make recommendations on this issue. However, it is fair to say that the Task Group received mixed feedback on the proposal. Some officers and members on the Joint Committee regarded it as the only viable solution while others stated their concerns that the process was being brought forward too quickly and without sufficient consideration of other options. Concerns were also articulated that a private sector partner's interests might be selective in focusing largely on the more commercial of WRS's services and that if capacity was further reduced as a result of shrinking partner financial contributions, the organisation might likely become less attractive to the private sector in any case. The general view taken by the Task Group was that, whilst a strategic partnership might well help to achieve some early financial stability for WRS, a more fundamental reconsideration of the business model and rebuilding of partner commitment 22

were probably required if the partnership were to remain viable for the longer term.

In this context, a more significant concern of the Task Group was the possibility of members of the partnership losing confidence in the venture and for financial and other reasons, deciding to withdraw and instead once again provide their own regulatory services. The Task Group's clear view here is that any such development would not just be highly regrettable but at odds with the logic of more integrated public service provision that has been pioneered within Worcestershire.

It could also be quite costly as, under the current governance arrangements, the agreement specifically states that

*"... the Member Authority giving notice of termination (or if there is more than one such Member Authority then each of them in equal shares) shall bear all costs arising out of or in connection with such termination and shall indemnify the remaining Member Authorities against all costs and expenses incurred by them arising out of or in connection with that termination..."*

This would include costs such as those for redundancy or redeployment of staff, termination of any leases or licenses for use of premises or equipment, procurement of alternative accommodation, preparation and disaggregation of relevant data or records and reimbursing staff or administrative overhead costs. Feedback received by the Task Group from various witnesses during the review suggested that awareness of this clause within the original agreement was less widespread amongst partners than perhaps it should have been, since, in the current economic climate at least, most authorities would struggle to afford such costs.

Instead, the Task Group is keen to propose a more constructive option for the future. This would build on the work undertaken recently by the Worcestershire Chief Executives' Panel in developing a budget matrix that indicates costs for different activities and for different levels of provision. In this way, more tailored and costed packages of regulatory services might be

offered to partners to suit their local needs and budgets, which could be helpful in building partner confidence in WRS. Indeed, such a bespoke approach might well include enhanced as well as reduced services, for example, the possibility of an 'out of hours' service for partners with concerns about late night noise nuisance problems.

The Task Group therefore recommends the following:

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### **Recommendation 6**

In order to reduce the focus on financial considerations which currently play a major part in influencing partner participation, to the detriment of other equally important aspects of the service, the following should be addressed:

(a) A new business model for WRS be developed through the Chief Executives' Panel, building on the proposals already being produced by the Panel.

(b) Consideration be given to the option for partner authorities to purchase an "out of hours service"

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## **Chapter 3**

### **Governance of WRS**

The partnership agreement for WRS was drawn up by Legal Services Officers representing all seven partner councils in Worcestershire and is divided into two parts; the first section introduces the framework and the second provides details on regulatory services.

In that agreement the main elements of the governance structure for WRS are defined as follows:

- **Worcestershire Shared Services Joint Committee**, comprising two councillor representatives per authority, is designated as the key strategic decision-making body.
- **The Management Board**, comprising officer representatives from each partner authority is responsible for providing advice on both strategic and operational matters.
- **The WRS Management Team** is responsible for service delivery.

As WRS was the first and only shared regulatory service in a two-tier local government structure, there has been no exemplar framework agreement or constitution available to replicate or learn from. Accordingly, the above governance arrangements were proposed and approved without knowing for sure how well they might work in practice.

### **Governance Review**

Two years on, the Head of Regulatory Services requested that the Chief Executives' Panel conduct a review of those governance arrangements in light of concerns particularly about the Management Board. While the Task Group understand that assurances were given, no governance review had taken place ahead of this joint scrutiny Task Group. However, consultations with stakeholders have highlighted further recognition of the need for such a review and not least because of the possibility now of a private sector strategic partner also becoming involved. Indeed, several consultees alluded to the importance of getting the governance arrangements as effective and efficient as possible to ensure that WRS would be able to present itself as an attractive proposition to commercial organisations. The following comments

from representatives of both the Joint Committee and the Management Board underline this viewpoint:

*"... there will need to be a full governance review of both the Joint Committee and the Management Board and an alternative solution found. It would be a very different picture with much less Member involvement and would very much be at arm's length."*

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*"I think that if a strategic partnership with the private sector is pursued further all of the governance arrangements for WRS will need to be reviewed and a different structure put in place."*

*"The partnership agreement was very constrained and no one was aware at the time of how things would change. The partners now need to make changes to governance to make it more flexible."*

The Task Group has been surprised and concerned at the delay in undertaking such a governance review following the request by the Head of Service two years ago and particularly given the level of confusion encountered amongst some members of the Joint Committee about their own role and that of the Management Board (outlined in detail below). However, the Task Group's terms of reference for this scrutiny included (at point 5) an objective 'to consider the governance arrangements between the shared service and the participating councils' and accordingly the Task Group has paid particular attention to this issue and made a number of key recommendations which are designed to resolve some of the problems it identified.

### **Worcestershire Shared Services Joint Committee**

In first establishing WRS as a shared service, legal requirements had to be followed (notably, that, under Section 101 of the Local Government Act 1972, there would need to be an elected member decision-making body which resulted in the formation of the Joint Committee). At the time, it was agreed by the Executive Committees/Cabinets of each partner authority that delegated power should be granted to the Joint Committee to consider and make decisions on all the regulatory functions detailed in the agreement on their behalf, albeit that any additional changes to policy should be referred back to the respective Executive Committees/Cabinets.

The particular roles of the Joint Committee, as detailed within the agreement, were as follows:

- To make strategic decisions on behalf of the partnership.
- To oversee the development, implementation and operation of the shared service.
- To establish a framework for the operation of the shared service.
- To appoint sub-committees where necessary.

Under the terms of the agreement, each member authority was required to appoint two members to the Joint Committee each year. In the case of those authorities operating Leader/Cabinet arrangements, at least one of these members has to be a member of the Cabinet/Executive Committee. The agreement also permitted substitute members to attend in place of the lead member when necessary. Some councils have chosen to appoint named substitutes each year (although this is not a requirement).

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The agreement states that a minimum of one elected representative from

each authority should be present at meetings of the Joint Committee in order for those meetings to be quorate (although, as a Legal Services representative informed the Task Group, this is not a general legal requirement, purely something that the partners for this particular agreement insisted upon). The quorum for the Joint Committee was reviewed in 2013 when Members decided to continue with these same requirements. Attendance, however, is not without its problems and the Task Group learned that Democratic Services officers frequently have to spend significant amounts of time contacting and “chasing” Joint Committee representatives to ensure quorate meetings. To minimise the resources involved in this respect, the Task Group concluded that the onus should be on each partner authority, rather than the officers of the host authority, to ensure that their representatives would indeed be able to attend or to arrange substitutes. The Task Group was also concerned about the potential for conflicts of interest to arise between membership of the Joint Committee and membership of a particular authority’s Cabinet/Executive Committee in making budgetary decisions (i.e. if the financial pressures of their own local authorities were to influence their voting in relation to the WRS budget). Further potential conflicts of interest were identified in relation to those members of the Joint Committee who were both district and county councillors; and also for the Chair of the Joint Committee in relation to their particular own local authority.

Under current arrangements the Chair of the Joint Committee is appointed on an annual basis from the membership and on a rotating basis. Of concern to the Task Group here, however, was the possibility of a member assuming the chair (because it was ‘their turn’) but without necessarily having a sufficient understanding of the nature of regulatory services or sufficient time to devote to the responsibility. The Task Group considered the alternative of having an independent chair person – someone who specialised in regulatory functions. However, it was recognised that finding such a suitable and willing person could be difficult and also that this approach might seem inappropriate for an essentially democratic decision making body. Consequently, the Task Group concluded that probably the best approach to choice of chair would be for the Joint Committee membership to elect its chair based on merit rather than rotation.

The Task Group was keen to ensure that the Joint Committee as a whole was able to operate effectively as the key decision-making body for WRS and to this end, the Task Group discussed a range of pertinent issues including, duration of appointment for members, size of committee, frequency and location of meetings and training arrangements:

□ With regard to duration of appointment, the Task Group considers that members should be expected to serve a minimum term of two years (to develop the necessary understanding and experience of WRS). At present, as indicated, appointments are made on an annual basis and

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this has tended to result in frequent turnover of representatives from some authorities. The Task Group believes a minimum term of two years would also help to strengthen commitment and ensure greater continuity in the composition of the Joint Committee, so enabling the level of expertise and experience as a whole to grow.

□ Regarding the size of committee, the Task Group believes a committee of fourteen members (two per partner authority) to be unwieldy, especially so as there are usually at least four officers also in attendance in support roles). Indeed, when the Task Group observed a meeting of the Joint Committee, it witnessed how difficult it was for many members to engage fully in such a large ‘conference-like’ setting and for discussion to develop in any depth on the issues under consideration. Accordingly, the Task Group’s clear view is that it would be better to have just one member nominated from each council rather than two as now. This would help to ensure more inclusive debate, it would facilitate deeper discussion and it would facilitate more efficient and effective decision-making and provision of the clear strategic steer that the Head of Regulatory Services and his team look for from the Committee.

□ Rather than the current quarterly meetings, the Task Group considers that meetings every other month (i.e. six times per year) would also help to build expertise and commitment in relation to regulatory services. Additional meetings might also mean shorter agendas but create more opportunity to consider the important issues in more depth. Its own experiences as a Task Group illustrate, much time is needed together for rapport and understanding to build between representatives from different local authorities. The Task Group is sure that a leaner Joint Committee, with members meeting more frequently, will greatly help in making the Joint Committee a more effective decision-making body.

□ A smaller committee would more easily support the ideal – as the Task Group sees it - of Joint Committee meetings being held at WRS’s main office location where the professional staff and other supporting resources are on hand. While no doubt there are some advantages in the current arrangement of holding Joint Committee meetings at the base for the host authority, with just seven members (and supporting officers) the base of WRS would seem a more appropriate setting and one that would of course afford members with the opportunity to see more of the staff and some of the regulatory work first hand. It would also represent a suitably neutral location for all members.

□ The issue of training for members of the Joint Committee was also considered – this, too, being seen as vital to the building of a stronger and more competent governance body for WRS. Accordingly, the Task Group asked all the members it interviewed about the amount of training they had received both prior to and during their periods of service on the Committee. Some longer-serving members explained

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that in the first year of the shared service, a programme of training had been provided (prior to the first meeting) and that there had been follow-up half day sessions in subsequent months. However, it was understood that members appointed more recently had not received the equivalent induction or training opportunities (some having received little more than a half hour briefing from their authority’s representative on the Management Board).

Some relevant comments in this regard were as follows:

*“I have not received any specific training although I did receive a briefing from the Council’s representatives on the Management Board and I have not had a chance to visit Wyatt House.”*

*“I learnt by osmosis and I think it is up to members to be proactive and to find out what the role is themselves.”*

*“I received a briefing from my Council’s representative on the Management Board and I spoke with the other councillor from my authority on the Committee as he had served on it for a number of years. I also made a point of arranging to visit Wyatt House and met with the Head of Service and some of the other staff. I found the visit in particular really useful as it helped to explain the role of WRS.”*

*“I have an understanding of the workings of a Council and the Committee as I have been a councillor for seven years. Members should make time to educate themselves. Having said that I did receive a two hour briefing from my Council’s representative on the Management Board when I started.”*

From all such feedback the Task Group concluded that training provision was less than consistent and together with the policy permitting substitutes (who would typically be attending without any prior training at all), meant that levels of understanding and experience of regulatory services around the Committee table were likely to be, at best, variable and in many cases quite inadequate for the nature of responsibility being exercised.

The shared view of the Task Group is that something akin to the requirements for development control committees should be in place. There, members must undergo at least a basic training programme before they can play any part in development control decision-making. Whilst recognising that the decisions in relation to WRS are not quasi-judicial in the manner of those for development control, the Task Group believe that mandatory training for Joint Committee participation is similarly justified, particularly given the diverse and technical nature of the work and the importance of the governance role and the various decisions that members are entrusted to make here.

Despite the quite specific purposes and roles for the Joint Committee (as described in the original formal agreement and summarised above) the Task Group was also surprised to find some quite significant differences of

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understanding and viewpoint between members, particularly about the Committee’s relationship with the other key body – the Management Board. In the various interviews with members of the Joint Committee, the Task Group listened to a number of apparently conflicting accounts of the Joint Committee’s role. For example, while some understood their primary role as being to make strategic decisions on behalf of the partnership, others talked of it more in terms of providing a ‘critical friend’ role and holding the Management Board to account, as the following comments illustrate:

*“The Joint Committee is the democratic arm that considers the work of the Management Board and ensures that the delivery of services is efficient and equitable.”*

*“We could be seen as the critical friend of the senior management of the service, holding them to account for strategic decision making as well as monitoring the budget and performance of the service. We are appointed by our Councils with some powers of delegation as laid*

*down in the original partnership agreement.”*

*“The Joint Committee is the critical friend of the service as well as the ultimate decision maker for the service. We are also ultimately responsible for the setting of the budget and the management of the finances as well as agreeing to the strategic direction of the service.”*

*“The difference is that the Management Board is held in private and Joint Committee meetings are held in public.”*

*“The Joint Committee is ultimately in charge of decision making. However the Management Board generates reports and provides advice and therefore has influence over the decisions that are made in a similar manner to Officers influencing decisions at Cabinet.”*

*“The role of the Joint Committee is to act as a watching brief to see that the service is being provided and the money spent well”*

Moreover, the Task Group’s own doubts about the clarity of understanding among Joint Committee members as to their role were echoed by at least one of the members themselves, as follows:

*“I do not know if all present members fully understand the governance or the structure. It may be the case that even long-term members do not fully understand it.”*

The Task Group is in no doubt that the prevalence of such role ambiguities and uncertainties represents a serious weakness in the governance arrangements for WRS and one that needs to be addressed as a matter of high priority. Of particular concern to the Task Group was the perspective held by more than a few members that regarded their primary objective as being to ‘represent’ the needs of their own local authority in relation to WRS – with the needs of WRS being very much a secondary consideration. It was

30 also suggested that the listing on the front page of the agenda papers for Joint Committee meetings of the names of the local authorities with members’ names alongside only served to reinforce such a representational mind-set.

*“I believe that members need to strongly represent the interests of their district when attending meetings of the Joint Committee, though this should be tempered by the fact that WRS is a shared service. One local authority should not be allowed to dictate the direction of the service to all the other partners, regardless of its size and status.”*

*“... the primary role of members on the Joint Committee is to protect the interests of their council with the function of WRS being secondary”.*

To be fair, other members indicated feeling no conflict between the two roles and argued that they were able to represent the interests of both their Council and WRS equally.

*“At a Joint Committee meeting I feel I am representing the district’s needs and the needs, requirements and future of WRS across Worcestershire. I am very aware that each Council has its own individual needs and requirements but there are many things which we all share.”*

A number of the officers that were interviewed also commented on the tendency of some Joint Committee members to prioritise their own local authority considerations over the needs of the partnership and were similarly concerned that this risked undermining the partnership. One such interviewee

suggested that “*localism has no place in Regulatory Services*”. While recognising the contentious nature of such a statement, the Task Group is clear in the view that, unless and until the full membership of the Joint Committee can demonstrate its prioritisation of a shared interest in WRS over that of individual local authority interests, this will always be a weak and fragile partnership and one that will struggle to sustain itself, let alone grow and flourish.

One further small change that the Task Group feels could help make a significant difference in this respect would be a change of title from one that tends particularly to emphasise the ‘representational’ role of members in relation to their local authorities (i.e. ‘Joint Committee’), to one that more specifically focuses on the shared responsibility for WRS governance (i.e. ‘Board’). Accordingly, the Task Group considers that switching to a new title - ‘the WRS Board’ - could be an important step forward.

The Task Group therefore recommends the following:

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### **Recommendation 7**

A new strategic decision making board for WRS should replace the Joint Committee, comprising one elected member per partner authority and supported by relevant officers. This should be called the WRS Board.

(a) Meetings of this Board should take place at the base of WRS.

(b) Responsibility for attendance at Board meetings should lie with each authority’s representative and the quorum for meetings should be set at 5 representatives in attendance.

(c) Meetings of the Board should take place bi-monthly.

(d) Elected members appointed to the Board should be provided with an induction programme and sufficient ongoing training to enable them to fulfil their role effectively.

(e) Members appointed to the Board be expected to serve a minimum of two years to ensure continuity.

(f) The Chair of the WRS Board should be elected annually by the members of the Board.

### **Management Board**

The other key body in the governance structure for WRS - the Management Board - was similarly the subject of careful consideration by the Task Group. As with the Joint Committee, a set of roles for the Management Board were defined in the original partnership agreement, these being as follows:

- To oversee and guide the development of WRS, in particular in relation to operational matters.
- To help develop a shared vision and strategy for the partners that takes into account partners’ varying needs and priorities.
- To contribute to the transformation of service delivery.
- To resolve matters of concern to the partnership.
- To advise elected Members and to make recommendations to the Joint Committee (alongside the Head of Regulatory Services).
- To report back to their local authorities on the work of WRS and the decisions of the Joint Committee.

Membership of the Management Board comprises the Head of Regulatory Services together with one senior officer representative from each partner authority. Meetings of this Board are also attended by the lead Finance



Officer from the host authority and the two Business Managers from WRS, while chairing is undertaken in (annual) rotation by one of the partner authority representatives.

The Task Group heard various viewpoints on the Management Board but, above all, the good news that, in recent times at least, it was felt to have been working more effectively than in the past. Several members of the Joint

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Committee that were interviewed highlighted the value to them of the briefings they themselves had received from the representatives on the Management Board of their own authorities regarding the agendas of business and generally, the Management Board was considered to have contributed helpfully to recent discussions on key matters such as the possibility of a strategic link with a private sector partner. Joint Committee members also valued the corporate management expertise that officers appointed to the Management Board were able to add to deliberations and the useful links their representatives also had with other relevant services, such as the Hub shared service.

The Task Group also learned of several other aspects about the Management Board and its role that were concerning, including the following:

- Most of the officers on the Management Board, as representatives of partner authorities, are not from a regulatory services background and may not, therefore, necessarily have the specialist experience to appreciate fully the requirements of and expectations upon WRS.
- Engagement by the officer representatives tends to be variable and with a small core of officers being particularly influential in shaping thinking and conclusions.
- Some of the officers tend to prioritise their own Council's interests over and above those of the partnership.
- Differences of viewpoint between the Head of Regulatory Services and some of the other officers comprising the Management Board have frequently arisen and been quite difficult to resolve because only the Joint Committee has the authority to direct the Head of Service.
- Officers on the Management Board tend to be inconsistent in reporting back to their councils about developments in relation to WRS and do not always act as "advocates" for the shared service within their authorities.

The Task Group was also concerned about apparent differences of viewpoint as to the appropriate role of the Management Board amongst its officers. In particular, some such officers clearly regard their role legitimately as including the provision of advice on operational matters and the Task Group learned of a worrying tendency by the Board to attempt to micro-manage the Head of Regulatory Services.

The Task Group's clear view is that this is both unhelpful and inappropriate and that WRS itself – with its professionally qualified cadre of managers and staff - should be entrusted with full operational responsibility under the leadership of the Head of Regulatory Services. Two principal benefits here, as identified by the Task Group are as follows:

- WRS officers should be the source of advice to elected members about operational matters based on their professional expertise and experience (as, of course, is the case in most other specialist public service contexts – e.g. children's and adult services, highways and transport and planning).

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□ Officer leadership from WRS itself would be likely to result in a stronger focus on the needs of the partnership as a whole rather than on those of individual councils.

The Task Group's conclusions go further than this. For it does not see a sufficient case for retaining a Management Board as well as a Joint Committee (WRS Board) within the governance structure for WRS. Instead, the Task Group thinks that the disestablishment of this additional layer of management would greatly simplify, clarify and unify the governance structure. Instead, the Task Group considers a more appropriate role for officer representatives from the partner authorities to be in attendance at the WRS Board (Joint Committee) meetings as non-voting participants – sitting alongside and supporting their respective elected members, and providing additional advice (particularly from the perspective of the partner authorities). The Task Group therefore recommends the following:

#### **Recommendation 8**

The Management Board be disbanded, with the WRS Management Team taking the lead responsibility for operational decision making under the leadership of the Head of Regulatory Services.

The WRS Management Team

The Head of Regulatory Services leads the WRS team and should, the Task Group suggests, be formally accountable to the WRS Board (Joint Committee) as the corporate governing body. At present, line management and oversight of his role (including conduct of his annual performance development review) is provided by the Chief Executive of Bromsgrove District Council as head of paid service at the host authority. This arrangement generally works well; the Task Group learned and felt it to be entirely appropriate that the Head of Service should enjoy the benefits of chief officer support (from the host authority) and the additional accountability that this involves. The recommendation to disband the Management Board would, be further beneficial in protecting the Head of Service from feeling overmanaged and accountable to multiple senior officers.

The Task Group recommends the following:

#### **Recommendation 9**

(a) The Head of WRS should be fully accountable to the WRS Board (as the strategic decision making body).

(b) The Chief Executive of the host and with the host authority to act in a mentoring role as and when necessary.

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## **Chapter 4**

### **Lessons Learned**

The Task Group has undertaken a wide ranging and detailed review of a complex shared service and in the process, inevitably, a number of lessons have been learned of potential value to other shared service arrangements and indeed, for other joint scrutiny exercises. In this chapter the key such lessons are summarised.

#### **Communications between a Shared Service and Partner Authorities**

At the launch of the WRS shared service, consideration was given to the most appropriate methods by which the work of the new organisation and the decisions of its Joint Committee might be reported back to partner authorities.

A formal protocol was developed for the referral of decisions to partner authorities and this stipulated that the following arrangements should be in place:

- The committee clerk for each meeting should draft and circulate minutes from the meetings within ten working days to Joint Committee and Management Board members as well as to the Democratic Service teams from across the county.
- The minutes should be submitted to the next Executive Committee/Cabinet meetings at each authority for consideration, both in cases where decisions have been taken under delegated powers and where recommendations have been proposed.
- In cases where the minutes contain a recommendation, the supporting reports should be provided for the consideration of the Executive Committees/Cabinets at each authority.
- The Executive Committee/Cabinet at each authority should make a decision about any recommendations referred for their consideration, the result of which should be referred back to the Democratic Services Officer of the host authority who maintains appropriate records.
- In the event that any recommendations are not approved by all partners the Head of Regulatory Services is required to report this fact back to the next Joint Committee meeting.

Despite the specificity and clarity of these protocols, the Task Group investigation identified that partner authorities were not always complying with the expectations, particularly in relation to the handling of minutes of the meetings of the Joint Committee. While in some cases, minutes were consistently being presented for consideration by the Executive Committee/Cabinet, in others they were only circulated when there happened to be a particular recommendation within them requiring partner approval. In very few instances, the Task Group learned, was there much, if any, discussion at partner authorities of the issues presented in the minutes of WRS Joint Committee meetings.

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One consequence of such variable practices is that the majority of elected members in partner authorities have very limited awareness and understanding of the work of WRS, or of the decisions of its Joint Committee. In discussion with Joint Committee members the shortcomings of the communications process with the wider membership of partner authorities was recognised, as was their personal responsibility, as Joint Committee members, to report back to their respective councils. As one acknowledged: *“There is also a need for the Joint Committee member to promote the service back at their Council and ensure that members are kept informed of how the service is developing”*.

On the other hand, another member of the Joint Committee argued that it was the responsibility of every elected member in the County, not just those appointed to the Joint Committee, to familiarise themselves with the work of WRS:

*“There are few problems with internal communications. At some councils, the minutes of each Joint Committee meeting are considered at Executive meetings and copies are also published on every Council’s website. It is the responsibility of every member to read*

*these minutes and to familiarise themselves with the subject”.*

While some may well subscribe to such a point of view, Task Group members were concerned about the reality that, in practice, the wider body of elected members across the County (i.e. those who had not been involved with the Joint Committee) had very limited knowledge or understanding of WRS and its important public protection functions. Indeed, the Task Group was persuaded that this was a significant enough problem, which needed to be addressed by the following circumstances:

1. Concerns about performance data (e.g. the National Indicators) not being provided to Overview and Scrutiny Committees suggested that scrutiny members had not been aware of the decisions taken by WRS to change their performance monitoring arrangements. At some councils there was also surprise that the partnership agreement for WRS did not allow for scrutiny by local Overview and Scrutiny Committees.
2. When the Scrutiny Task Group consulted with other elected members across the County (and with parish council representatives) several of the responses referred to aspects outside the remit of WRS, demonstrating the level of misunderstanding.
3. Several months after the Joint Committee’s decision to explore the potential for a strategic partnership with a private sector partner for WRS, the Head of Regulatory Services presented a series of updating briefings on the subject to different partner authorities, but encountered at one, widespread ignorance of the decision (and dismay at not having been aware of, or consulted on, the matter).

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Such apparent failures in communication have underpinned the Task Group’s conclusion that more systematic processes need to be put in place to ensure that all decisions made by the Joint Committee (WRS Board) are indeed communicated back to all elected members of partner authorities and that regular updates of WRS and its work are provided to partner councils. The Task Group suggest that a common approach should be followed in all partner authorities, whether this takes the form of written reports to Executive Committees/Cabinets and/or to Overview and Scrutiny Committees and full Council meetings.

It would also help if Democratic Services officers in partner councils took responsibility for drawing their elected members’ attentions to the publication of both the agendas and minutes of each meeting of the WRS Board (Joint Committee) and by highlighting the web links to the relevant pages of the WRS website).

Although the website for WRS was updated and refreshed during the time that the scrutiny Task Group was underway, it noted that copies of agendas and minutes from meetings of the Joint Committee were not always uploaded promptly on to the WRS webpages and available for viewing via the websites of partner authorities. Not least for the purposes of transparency, the Task Group considers it important that such documents are indeed made accessible to all at the earliest opportunities (along with other relevant information about WRS and its operation and governance structures).

Such lessons about the importance of good communication and transparency are relevant of course to all shared services and it is to be hoped that the recommendations in this respect will promote like-minded actions in relation to

other such partnership arrangements.

The Task Group therefore recommends the following:

**Recommendation 10**

(a) All decisions made by the WRS Board be formally reported back to all elected members of the partner authorities in a timely manner.

(b) Attention should be paid to communicating updates about any planned changes to WRS services to all elected members of partner authorities.

(c) The agendas and minutes of all WRS Board meetings should also be uploaded on to the WRS website in a timely fashion.

**Sharing Services**

In conducting this scrutiny review the Task Group inevitably encountered and debated the many strengths and weaknesses that apply to any shared service arrangement, particularly those involving multiple partners. For example, the opportunity to share resources and skills across several councils and so have better overall capacity and capability was widely recognised as a positive outcome by members and officers alike. Similarly, the financial savings that

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could be achieved through this way of working were also universally welcomed, especially in the current climate of public sector austerity. The following comments illustrate such positive perspectives on multi-partner shared services arrangements:

*“In my experience smaller district councils often struggle to attract the good, qualified, professional staff needed to deliver regulatory services. Amalgamation with other local authorities has helped us to attract and retain these types of staff”.*

*“Because the countywide model inevitably involves working with a larger team and a bigger budget, you can attract the professional and skilled staff you need to deliver the services.”*

*“One of the benefits of sharing regulatory services, particularly for district councils, is that it enables those councils to access expertise and resources that might not otherwise have been available. For example, as a result of this shared service, Bromsgrove District Council has been able to directly access officers with expertise in the field of air quality, which has been useful because there are significant problems with air pollution in Bromsgrove district.”*

However, the scrutiny consultations also underscored some of the problems often associated with shared service arrangements, particularly where multiple partners are involved. Above all is the potential for shared service operations to seem remote and detached from the councils they serve, at least for most councillors and officers. Indeed, there is a tendency for bodies like WRS to seem to operate more like separate organisations, delivering services on behalf of the councils, akin to contract-based provision rather than as partnerships of the councils and in which there is a common interest and responsibility.

The following comments expressed to the Task Group epitomise such perspectives:

*“Sometimes we are all partners. Sometimes, usually when something goes wrong, there is a feeling that WRS is acting as a contractor providing services rather than being an integral part of the local government offering”.*

*“Some partners have tended to regard WRS as having been outsourced once the shared service was launched. For example, some of the early problems with ICT were exacerbated by the fact that partner organisations were not always willing to engage in discussions about how to resolve the problem”.*

Such a sense of distance and detachment between the councils and WRS probably also explains, in part at least, the determination of some partners to impose financial reductions on WRS that to regulatory service professionals at 38

least seem quite unreasonable and unrealistic, as illustrated in the following comment:

*“Very disappointingly some partners have come forward seeking very large reductions but without any clear idea of the necessary changes to their services to achieve this.”*

Compounding this distancing and detachment problem has been some widespread negativity about WRS arising early on in its life as a result of difficulties encountered by councillors (and the public) in contacting regulatory staff and in getting apparently small and simple problems resolved (e.g. complaints about barking dogs or odour problems). It is to be hoped that the new in-house customer contact arrangements now in place will help overcome such negativity and that WRS’s reputation for responsiveness will quickly improve. A key lesson is that, under shared service arrangements and particularly one where staff are located elsewhere from the local authority, contact and communication arrangements need to be especially well planned and managed for confidence in the venture to be sustained. In this context the Task Group was also intrigued as to why, after much initial interest in the Worcestershire initiative from other local authorities, WRS remains the only two-tier regulatory partnership in England. Probably part of the reason has been inertia and fear, particularly on the part of district councils, of surrendering more public service responsibility to their counties and so inadvertently bolstering arguments for unitary council status in the future. Perhaps also a reason has been concern among district councils at the prospect of losing control of some important protective services, notably environmental health and licensing and of councillors feeling that this would weaken their ability to directly address many of the problems routinely raised by local people and businesses. But once again, the key lesson here concerns the quality of the contact and communication arrangements that are put in place between councils and the shared service and the confidence that the partnership body is able to instil among councillors and the general public. The Task Group therefore recommends the following:

### **Recommendation 11**

The lessons learned from the WRS shared service experience, particularly as detailed in this report, should be heeded by elected members and senior officers when considering any future proposals for shared services arrangements involving multiple partners.

#### **Joint Scrutiny**

This scrutiny is not the first such joint scrutiny review to be undertaken in Worcestershire, although it is the first one involving all seven councils and hosted by one of the district councils. Perhaps because of the increasing number of shared service arrangements now being established within the

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County there will be more such joint exercises in the future. Assuming so, the Task Group considers the lessons that it has learned during the process of this joint scrutiny should be of considerable value for others to follow.

The Task Group's review was conducted in accordance with the Framework for Joint Overview and Scrutiny in Worcestershire (which was approved by all councils in 2011). That framework details the principles underlying joint working, processes to be followed and conduct to be expected during such work, resource requirements, meeting arrangements and other matters conducive to effective collaborative working. (A copy of the framework can be viewed at Appendix 2).

As in this case, joint scrutiny reviews are normally hosted by an individual council, usually the one that first proposed the review or the host authority if the subject is a shared service. However, the expectation with all joint scrutiny work is that there should be representation and participation from all the relevant authorities and full co-operation with the process by all parties, for example, in providing evidence and participating in proceedings.

During this joint scrutiny, members of the Task Group sought evidence from a wide range of parties – both elected members and officers from each of the seven partners and of course, from WRS as well. In most instances the Task Group encountered very positive co-operation and generous support, including willingness to travel some distances to attend interviews and preparedness to provide written, as well as verbal, responses to questions. The Task Group wishes to thank all the witnesses who gave evidence during the review for their time and their helpful contributions.

Unfortunately, the Task Group have to report that it did not encounter the same level of co-operation and support from every quarter. It struggled, in particular, to obtain the evidence needed from Worcestershire County Council, particularly regarding the authority's proposed budget reductions for the next three years. Initially, the Task Group sent a letter to the Leader of the Council and to a senior officer (in early February), prior to the authority's setting of its budget. The letter outlined the Task Group's concerns about the implications of budget reductions for the viability of WRS and requested that the Council consider postponing the decision on funding until this joint scrutiny review had been completed. It proved necessary to chase the County Council for a response to this letter and the Task Group subsequently invited a representative to attend one of its meetings (in early April) to respond to various questions. Although a written response was eventually received, the Task Group was disappointed that no-one from the County Council offered to attend the meeting and indeed, the written response itself was quite short and generally less helpful than those received from other witnesses.

The Task Group was also disappointed that not all partners played an equally active part in the joint scrutiny exercise. While most authorities were consistently represented at the meetings, one council, Wyre Forest, was represented at only 5 out of the Task Group's 15 meetings (and this despite the fact that this Council, as with all seven, had designated a substitute as

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well as a lead member). While recognising the extra time pressures that participation in such scrutiny exercises creates for members and the various legitimate reasons for absence, the Task Group was nevertheless surprised at

the persistent failure to submit apologies or to propose a change in the nomination to ensure due representation from Wyre Forest and the opportunity, with other partners, to shape the final recommendations. There are lessons here, for sure, for other joint scrutiny exercises and the Task Group considers that in future, particular care should be taken to minimise such missed opportunities for participation. To this end the Task Group suggests that some aspects of the formal framework should be revisited and perhaps amended. In particular, it would be useful to give more consideration to the barriers and constraints likely to affect participation in such Task Groups and to ways of ensuring the desired level of commitment on the part of all members and partner authorities. It would be good to give early priority to reviewing the framework for joint scrutiny and to giving thought to how engagement might be maximised since it is understood that another joint exercise – this on joint arrangements for waste collection and disposal - is about to commence.

The Task Group therefore recommends the following:

### **Recommendation 12**

(a) The Joint Scrutiny Protocol should be reviewed in order to take on board the lessons learned during this review.

(b) Consideration should be given to the reinstatement of the Worcestershire Overview and Scrutiny Chairs Group as a means of feeding back the monitoring of recommendations from Joint Scrutiny exercises, as and when required.

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## **Conclusion**

The perspectives of the membership of the Joint Scrutiny Task Group on WRS changed quite markedly during the course of this exercise as the evidence was gathered and as more of the realities of the situation became clear. At the start of the review there was some scepticism among Task Group members about the quality of service being provided by WRS, particularly based on anecdotal evidence from customer complaints and members own experiences of trying to get problems resolved. However, by the conclusion, the Task Group members had developed a much better understanding of the challenges and pressures being experienced by the shared service and of the difficulties and shortcomings in relation to governance. Indeed, the Task Group had developed greater empathy with the situation and this has inspired its desire to see the weaknesses and problems addressed and to ensure a better future for WRS.

Some of the proposals to this end may seem radical. But in the Task Group's analysis, significant changes are called for in a number of respects if WRS is to survive and flourish in the manner expected of it at the outset.

The Task Group recognises that, if the recommendations are accepted by partners, each council is likely to have to relinquish a further measure of control and place more trust in the practitioners in WRS to lead and manage the service in Worcestershire's best interests. The Task Group recognises and supports all the efforts currently being made to improve the viability and prospects for the shared service in difficult financial times, including consideration of the possibilities offered by a private sector partner. However, it also considers that a number of other changes – particularly to the governance framework and to the communication processes between WRS



and partner authorities – need to be made as well and with similar priority. Returning to the old (fragmented) way of providing regulatory services at both district and county levels is, the Task Group is sure, not a sensible or realistic option for Worcestershire - tempting though it might perhaps appear in present times when the challenges of partnership working and of coping with financial pressures seem so daunting. Instead, the Task Group concludes, the way ahead lies in building on the foundations that have already been laid; in learning the lessons of the first few years of WRS and in being prepared to adjust and adapt in light of those lessons. The way forward, the Task Group is sure, is to address the challenges as a partnership with renewed commitment and with confidence. Worcestershire's pioneering work in developing a more integrated regulatory service has indeed already been worthwhile and not just in achieving financial savings but also in ensuring higher quality protection for citizens and businesses across the county and beyond.

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## Appendix 1

### Joint Scrutiny of Worcestershire Regulatory Services

#### Terms of Reference

##### Objectives

1. To review the final business case for the Shared Service (as agreed by the participating Councils) against current operation, including:

- resilience in the model to cope with fluctuations in workload;
- efficiencies achieved;
- cash savings and how these have been used;
- its level of fitness for purpose;
- the impact of the model on service levels/quality.

2. To compare the previous service levels of each participating Council compared with current levels and those outlined in the final business case.

3. To establish the performance of the service to participating Councils prior to and since the establishment of the shared service.

4. To review levels of customer satisfaction prior to and following establishment of the shared service and how feedback informs practice.

5. To consider the governance arrangements between the shared service and the participating Councils to include how changes to the service requested by one or more Councils can be achieved.

##### Membership

6. The Team will be made up of one representative from each of the Overview and Scrutiny Committees from Bromsgrove, Malvern Hills, Redditch Borough, Wyre Forest, Worcester City, Worcestershire County Council and Wychavon District Councils.

7. Each authority will also appoint a named substitute, who will be sent details for each meeting and may attend meetings as an observer to keep up to date with the exercise.

8. That at least one of the appointed Members to the Team or their named substitute must comprise either the Chairman or Vice Chairman of the Authority's Overview and Scrutiny Committee.

##### Roles

9. Members of the Panel are expected to:

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- undertake appropriate reading and research, which may involve consultation, visits and evidence gathering between meetings;
- having agreed a programme of meetings of the Team, to attend as many of them as possible;
- to ask for support, training and development if/when they feel it is necessary;
- to contribute fully to the drafting of any reports.

10. Each member is responsible for reporting back to parent Overview & Scrutiny Committees as appropriate.

11. Officer support will be provided by Bromsgrove District Council as the host authority, for meeting arrangements and scrutiny support, as well as liaison with officers from each authority to provide evidence and practical help (provision of meeting rooms etc)

Arrangements for Meetings

12. The Team will make its own arrangements for meetings.

13. The meetings may be held in public or in private. In considering how it will meet, the Team will balance the desire for transparency and openness with making visitors feel welcome and comfortable, to encourage frank and open discussion.

14. It will not normally be the case that full notes will be made of each meeting. In most cases a short "action list" will be sufficient for the Team's use.

Deadline: April 2014.

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Appendix 2

## **FRAMEWORK FOR JOINT OVERVIEW AND SCRUTINY IN WORCESTERSHIRE**

### **Principles Underlying Joint Working**

Any joint scrutiny process needs to ensure:

- a) Good quality scrutiny – which adds value and properly investigates issues of concern to participating authorities.
- b) Efficiency – avoiding duplication and bureaucracy.
- c) Confidence in the outcomes of the joint scrutiny exercise by each participating authority's Overview and Scrutiny Committee, and clear communication of expectations from the outset.
- d) Clear working planning and co-ordination.
- e) A coherent approach to scrutiny for external partner organisations
- f) Clear arrangements for reporting and follow-up to ensure action on recommendations.
- g) Reporting arrangements should not create delay through over complexity, and should not create scope for other bodies to block recommendations.
- h) Flexibility in how to carry out joint scrutiny.
- i) It does not undermine each authority's O&S Committee's remit, or officer support available.

### **Deciding to Scrutinise Jointly**

It is for each authority's O&S Committee to decide if they wish to participate in a joint scrutiny but this needs to be done as efficiently and speedily as possible.

To initiate a joint scrutiny proposal a scoping form should be completed and circulated which will then be subject to agreement of each authority's O&S

Committee.

The Worcestershire Scrutiny Officers' Network, in consultation with their respective Chairmen should make proposals for joint scrutiny for considered by the scrutiny chairmen's network (possibly in between meetings) and subsequent recommendation to individual overview and scrutiny committees.

### **Carrying out Joint Scrutiny**

There are a number of ways that joint scrutiny can be carried out.

There may be times when an individual authority wishes to co-opt members from other authorities onto a particular scrutiny.

There may also be times when it is agreed by each O&S committee that one authority takes the lead in scrutinising an issue on behalf of all authorities.

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However, it is suggested that in Worcestershire joint scrutiny should usually be carried out by joint time-limited scrutiny task and finish groups, led by the authority from which the scrutiny originated.

### **Agreeing Membership of Joint Scrutiny Task Group**

After O&S Committees agree to participate in a joint scrutiny they then nominate members.

As the task group would not be an official council committee, political balance requirements do not apply.

The number of Members participating in a joint scrutiny will depend on how many authorities are involved but if all Worcestershire authorities take part it is suggested that one member be appointed from each authority.

### **Agreeing Chairmanship of a Joint Task Group**

Nominations for chairing the task group will be sought from all members of the task group.

Where one authority is leading the scrutiny it may be appropriate for the Chairman to be appointed from that authority.

### **Agreeing Terms of Reference/Scope of the Scrutiny**

Each participating authorities' Overview and Scrutiny Committee would be asked to agree terms of reference for the scrutiny as per the scoping and proposal form.

### **Conduct of the Scrutiny**

Meetings of the joint task group will be arranged by the supporting scrutiny officer(s).

The task group should strive to conduct their business in a consensual, open, responsible and transparent way across the political divides and seek to avoid expressing views based purely on political considerations.

### **Equal Participation**

It is important for all members to be equal participants in the process and for officer support to be available on an equal basis.

### **Meeting Venues**

To be decided by the Review Panel as appropriate to the particular review.

### **Approval of Report's Recommendations**

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The joint task group would agree their report and recommendations, normally by consensus. The Overview and Scrutiny Committee would then be asked to endorse the report, and could submit their own comments to their Executives.

Time constraints for recommendations need to be fully considered at the scoping stage.

### **Publicising Outcomes from Joint Scrutiny/Sharing Findings**

Once the scrutiny report is agreed by the overview and Scrutiny Committees it should be circulated to Executive members, witnesses and any others involved,

by the scrutiny officers supporting the scrutiny.  
It could also be put on the website of all the participating authorities.

### **Resourcing and Supporting Joint Scrutiny**

It is intended that joint scrutiny will be supported within the existing resources available to all seven authorities for scrutiny.

Scrutiny officer support for each joint scrutiny should be agreed at the outset. Whilst the authority leading the joint scrutiny would normally provide support for it, ways of sharing the workload should be explored at the scoping stage.

Any expenses for members of a joint scrutiny should be paid by that member's authority in line with that authority's allowance scheme.

### **Tracking the Outcomes of the Scrutiny**

The Review Panel will decide upon arrangements for tracking the implementation of recommendations.

Individual O&S Committees may wish to adopt their own methods for joint scrutiny recommendation tracking.

It is suggested that recommendation tracking for joint scrutinies should be part of the watching brief of the Joint Chairmen's meeting.

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## Appendix 3

### **SUMMARY OF MEETINGS AND ATTENDANCE**

#### **Meeting Date Summary**

26<sup>th</sup> September 2013

Appointment of Chair / Vice Chair, endorsement of terms of reference and work planning (including setting future meeting dates).

10<sup>th</sup> October 2013

The Task Group reviewed the content of the original business case for WRS and one of the WRS newsletters.

Members also provided some initial feedback on behalf of colleagues at participating local authorities about Members' experiences of working with WRS.

22<sup>nd</sup> October 2013

Interview with Steve Jorden, Head of Regulatory Services, and consideration of feedback on WRS experiences from other elected Members and Parish Councillors.

12<sup>th</sup> November 2013

Consideration of WRS Partnership Agreement and Shared Services Joint Committee Protocol and consideration of further feedback as detailed above.

21<sup>st</sup> November 2013

Observed Worcestershire Shared Services Joint Committee meeting prior to interview with the Chair and Vice Chair of this Committee.

4<sup>th</sup> December 2013

Consideration of written responses to questions put to the Chair of the Management Board together with work planning, including questions for future witnesses.

18<sup>th</sup> December 2013

Interview with Steve Jordan, Head of Regulatory Services, and WRS senior managers.

16<sup>th</sup> January 2014

Interview with a member of the Management Board – Ruth Mullen (Ivor Pumfrey was unable to attend).

29<sup>th</sup> January 2014

Interview with Kevin Dicks, Chief Executive of the Host Authority, and Jayne Pickering, Executive Director, Finance and Resources, Bromsgrove District Council.

6<sup>th</sup> February 2014

Visit to Wyatt House.

20<sup>th</sup> February 2014

Interview with Clare Flanagan, Principal Solicitor of the Host Authority, and Ivor Pumfrey, Chair of the Management Board.

19<sup>th</sup> March 2014

Complaints and compliments data analysed and review of the investigation so far.

26<sup>th</sup> March 2014

Interview with a number of Members of the Worcestershire Shared Services Joint Committee.

20<sup>th</sup> April 2014

Agree draft recommendations and report format.

28<sup>th</sup> May 2014 Agree the draft report.

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## **ATTENDANCE RECORD**

### **TOTAL**

### **ATTENDANCE**

Lead Sub

#### **Bromsgrove**

11 1

**Malvern Hills** 13 0

#### **Redditch**

7 4

**Worcester City** 12

0

#### **WCC**

10 0

#### **Wychavon**

13 3

#### **Wyre Forest**

0 5

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Appendix 4

## **LIST OF SERVICES PROVIDED BY WRS**

The following services are delivered by WRS:

- Air quality.
- Animal health and welfare (including dog warden service).

- Consumer and business advice.
- Contaminated land.
- Environmental packaging
- Environmental permitting (pollution control).
- Fair trading / anti rogue trader activities.
- Food safety.
- Food standards (labelling and composition).
- Health and safety.
- Health promotion.
- Infectious diseases.
- Licensing.
- Metrology.
- Nuisance investigations.
- Pest Control.
- Product safety.
- Public health (burials, drainage, water supplies etc.)
- Under age sales.

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#### Appendix 5

#### **ACKNOWLEDGEMENTS**

The Task Group would like to give particular thanks to Steve Jorden and members of the WRS team, especially Mark Kay and Simon Wilkes, who provided evidence, both in person and in writing, throughout the review.

Thanks also go to the following Officers:

Bromsgrove District and Redditch Borough Councils

Kevin Dicks Joint Chief Executive

Jayne Pickering Executive Director, Finance and Resources

Clare Flanagan Principal Solicitor

Pauline Ross Democratic Services Officer (responsible for clerking meetings of the Worcestershire Shared

Services Joint Committee)

Management Board

Ivor Pumfrey Malvern Hills District Council

Ruth Mullen Worcester City Council

Worcestershire Shared Services Joint Committee - Councillors

Lucy Hodgson Chair - Worcestershire County Council

Mark Bullivant Vice Chair - Bromsgrove District Council

Kit Taylor Bromsgrove District Council

Bronwen Behan Malvern Hills District Council

David Hughes Malvern Hills District Council

Brandon Clayton Redditch Borough Council

John Fisher Redditch Borough Council

Lynn Denham Worcester City Council

Roger Berry Worcester City Council

Anthony Blagg Worcestershire County Council

Ron Davis Wychavon District Council

Ken Jennings Wychavon District Council

Marcus Hart Wyre Forest District Council

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## Appendix 6

### **DECLARATIONS OF INTEREST**

At each meeting Members were asked to declare any interests. The following declarations were received:

*Councillor Cronin, Worcester City Council, declared an other disclosable interest as the publican at The Plough Inn, Broadheath, Worcester.*

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### **Legal, Equalities and Democratic Services**

Bromsgrove District Council, The Council House, Burcot Lane,

Bromsgrove, Worcestershire B60 1AA

Telephone: 901527) 881288

Email: [scrutiny@bromsgrove.gov.uk](mailto:scrutiny@bromsgrove.gov.uk)

Mr N. Birkin  
GMB  
Civic Offices  
Bridgend Council

15<sup>th</sup> September 2014

Dear Neil

**Regionalising Regulatory Services: Collaboration with Competency  
Response from Staff and UNISON – Vale of Glamorgan Council**

Thank you for your recent comments and questions in relation to the collaboration project on behalf of the GMB members within Bridgend. I am grateful to you for taking the time and trouble in collating the views of your colleagues.

The collation of the comments and questions within one document is really helpful and the submission along with all other staff questions will be attached as an appendix to the cabinet report. In addition, the broad themes that are coming out of the feedback will be summarised within the body of the report, along with a reference to the full responses in the appendices.

As you are aware answers have already been provided to direct questions, but we welcome the constructive manner in which you have made comments on the proposals, for example; we accept the need for caution and further detailed work around the ICT project and ensure that lessons are learnt from others.

We also accept there is a need to look at the denominations and identity of officers along with their professional roles. The strength of feeling in relation to this is recognised. It is an issue that will be considered as part of the ongoing implementation should the project move ahead and specifically at the stage where job descriptions and person specifications are being developed.

One of the main issues and key messages arising from the submission is that there are merits in the collaboration proposals, but there needs to be a degree of caution going forward and that the implementation process will need to rely on the engagement, involvement and expertise of staff across the three local authorities.



I certainly re-enforce the point that in September/October we will be seeking the approval of Cabinet and Council to the “collaborate and change” proposals based on the underpinning principle of the proposed operating model. The Atkins’ structure is however only an indicative structure based on proposed operating model. The post transfer remodelling consultation process will provide significant opportunities to refine and develop the new service structure based on the continuing views of staff and the trade unions. The process for consultation and engagement will incorporate some of the really useful suggestions as submitted over the last few weeks.

The risks and costs of ICT infrastructure development as properly highlighted in the GMB submission are recognised. As suggested, we do need to learn the lessons from other successful and less successful projects and build in the engagement and expertise from within the service. Such risks will, however be mitigated by a properly resourced development plan and project team. There is always an element of risk with any changes to an existing ICT regime, but the project is significantly less complex than the Worcestershire project. The project team have already been in direct communication with colleagues from Worcestershire and reviewed the documentation set out in the GMB submission. As indicated, there is a determination to learn the positive and negative lessons from all projects.

Some of the questions within the submission question the validity of the information contained in the original Atkins report. It is important to note that the Atkins report represents the position of the three Councils as at 1<sup>st</sup> April 2013. Much of the information contained in the report was provided by each Local Authority and represented the information available at that time. Whilst it is accepted that there are some errors in the Atkins report, it is felt that they are not materially significant and they do not unduly change the substance of the recommendations to Cabinet.

Thank you again for your helpful submission. I hope that the above responses are helpful and provide some reassurance to you and your GMB members. Whilst we may not agree on all points of detail, it is clear from your submission that we have a shared view on the need to ensure the resilience of the service in the light of the increasing financial pressures.

If you would like to discuss this response with me in more detail then please do not hesitate to contact me on 029 2087 1830

Yours sincerely,

A handwritten signature in blue ink that reads "Dave Holland". The signature is written in a cursive, slightly slanted style.

Dave Holland  
Project Manager  
Regionalising Regulatory Services Project