

Notice of Meeting

Joint Public Protection Committee

A shared service provided by Bracknell Forest Council,
West Berkshire Council and Wokingham Borough Council

Tuesday 14 March 2017 at 7.00pm

Venue: Wokingham Borough Council, Shute End, Wokingham,
Berkshire, RG41 1BN

To: Councillors Nick Allen (Bracknell Forest Council), Marcus Franks (West Berkshire Council), Pauline Jorgensen (Wokingham Borough Council), Iain McCracken (Bracknell Forest Council), Alison Swaddle (Wokingham Borough Council) and Emma Webster (West Berkshire Council)

Part I

Page No.

1 **Election of Chairman**

2 **Appointment of Vice-Chairman**

3 **Apologies**

4 **Declarations of Interest**

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration, and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members' Interests, the Monitoring Officer must be notified of the interest within 28 days.

5 **Notice of Public Speaking and Questions**

To note those agenda items which have received an application for public speaking.

A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice.

The Partnership welcomes questions from members of the public about their work.

Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Partnership or an item which is on the agenda for this meeting. For full details of the procedure for submitting questions please contact Democratic Services.

Public Protection Partnership Agenda - Tuesday, 14 March 2017 (continued)

- 6 **Public Protection Partnership Business Plan** 1 - 36
To identify the relevant details of the Inter Authority Agreement (IAA) and sets out how the Public Protection Partnership intends to operate through the delivery of the Business Plan.
- 7 **Public Protection Partnership Use of the Asset Recovery Incentivisation Scheme (ARIS)** 37 - 52
To explain how the PPP will be implementing the Asset Recovery Incentivisation Scheme (ARIS).
- 8 **Public Protection Partnership Fees and Charges** 53 - 68
To agree the cost recovery process for the Public Protection Partnership and explain how it will affect fees and charges in the future.
- 9 **Future Meeting Dates**
- 10 **Exclusion of the Press and Public**
RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following items as it is likely that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item.
[Rule 8.10.4 of the Constitution refers.](#)

Part II

- 11 **Public Protection Partnership Accommodation Options** 69 - 80
To outline the possible accommodation options available to the Public Protection Partnership.

Contact Officer:

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Public Protection Partnership Business Plan – Summary Report

Committee considering report:	Joint Public Protection Committee
Date of Committee:	14 th March 2017
Date to be considered by Joint Management Board:	8 th March 2017
Report Author:	Steve Broughton

1. Purpose of the Report

- 1.1. Identify the relevant details of the Inter Authority Agreement (IAA) and sets out how the PPP intends to operate through the delivery of the Business Plan.

2. Recommendation

- 2.1. Approve the Business Plan and the policies attached therein.

3. Implications

Financial: If approved the Business Plan will set out a framework for effective use of the revenue budget allocated to PPP by the partner authorities in delivering the functions.

Policy: If approved the Business Plan and associated policies would set out the over-arching delivery model for the service. It includes key policy principles, establishes how decisions will be made on service priorities, performance monitoring and enforcement. Where specific legislation requires, policy have been attached to the business plan.

Personnel: The delivery of the business plan will require some changes to reporting lines and team changes. Officers will be consulted fully in line with change management policies prior to any changes that affect their roles. An indicative structure has already been consulted on and the results of that consultation are currently being considered.

Legal: The IAA that set up the Public Protection Partnership effectively delegates responsibility for the strategic direction of the joint service to the Public Protection Joint Committee. The responsibilities of the committee are set out in Schedule 1 to the agreement.

It is a legal requirement that Councils consider their approach to tackling illegal sales of tobacco and aerosol spray paints to those under the age set out in law for lawful purchase.

Risk Management: The report considers the merits of risk management and identifies the methods by which the Joint Management Team will monitor risks that may arise.

Property: No implications at this stage.

Other:

4. Other options considered

Not applicable.

5. Executive Summary

5.1. The IAA at Schedule 5 (Appendix B) sets out the initial priorities identified by the three Councils along with the strategic aims of the service. This Business Plan sets out how the service will be delivered to ensure the priorities are addressed.

5.2. The initial key priority areas identified for the service are community protection; protection and improving health; protection of the environment; supporting prosperity and economic growth and the delivery of effective and improving service. There is a strong emphasis on prioritisation of those areas with the highest detriment and protection of our most vulnerable residents.

5.3. At the heart of delivering effective and improving services is the implementation of the National Intelligence Model. This model is designed to identify the key areas of delivery against identified priorities. This is developed through a control strategy that considers how each priority area can be tackled using three areas of intervention namely prevention, intelligence and enforcement. It is often the case that all three will be deployed to tackle a specific area of detriment e.g. doorstep crime, licensing matters etc.

5.4. Another key area of delivery is through partnership working. The Business Plan sets out a range of partners we intend to work with. These include internal partners such as Adult Social Care and Public Health as well as external partners such as the police, fire and rescue service and other local authorities. This links back to the sharing of information and intelligence which is crucial to the effective and efficient delivery of the service. It is also important to work closely with partners to ensure that further efficiencies can be derived and to ensure that those in need of support and assistance get the support and assistance they need.

5.5. Additionally Schedule 5 sets out the key strategic aims of the service. These include the development and sharing of expertise across the service and beyond. They also concentrate on areas of quality management such as

standardised documentation, effective use of resources and avoiding duplication.

5.6. One key area that the service is required to seek approval on is the approach to age restricted products and specifically tobacco and aerosol spray paints. In line with the national intelligence model this is also tackled through a combination of prevention (advice and training for retailers, work in schools etc.), intelligence (working with partners and the public to generate reports) and enforcement which includes test purchasing. The draft policy relates to all age restricted products and can be found at Appendix A in the business plan.

6. Conclusion

6.1. The Joint Management Board considers the Business Plan to be the most effective way to progress the PPP and deliver against the objectives as stated in the IAA.

Appendices

Appendix A - Supporting Information

Appendix B - Schedule 5 to the Inter Authority Agreement

Appendix C - Draft Business Plan

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Appendix A

Public Protection Partnership Business Plan– Supporting Information

1. Introduction/Background

1.1. The Public Protection Partnership (PPP) is a shared service between Bracknell Forest, Wokingham and West Berkshire Councils which commenced on 9th January 2017 for a period of ten years. This followed a previous 5 year arrangement between West Berkshire and Wokingham. West Berkshire Council is the host authority.

1.2. The PPP governance arrangements require that strategic direction and key decisions are taken by the Joint Committee. The key decision in this case is the confirmation of the Business Plan and the policies therein.

2. Supporting Information

2.1. The Business Plan is a wide ranging document which addresses all the key areas the PPP needs to explain what it is and what it is trying to do.

2.2. The Business Plan exists alongside the Inter Authority Agreement (IAA) and aides in the interpretation of the legal documents which created the PPP.

2.3. In delivering the PPP there are some pieces of legislation which require publicly stated policies and the Business Plan collates them into one location and they apply to each of the partner authorities.

2.4. Specifically the business plan introduces the Communication Strategy and the Policy on Age Restricted Products.

3. Options for Consideration

None

4. Proposals

4.1. To approve the Business Plan and the policies attached therein.

5. Conclusion

5.1. The Joint Management Board considers the Business Plan to be the most effective way to progress the PPP and deliver against the objectives as stated in the IAA.

6. Consultation and Engagement

- 6.1. The nature of the report does not merit external consultation at this stage.
- 6.2. There has been significant internal consultation as part of the process to draft the IAA and subsequently with the management teams likely to be involved.
- 6.3. Where there are direct staffing implications consultation has been conducted and reflected in the approach of the Business Plan.
-

PPP Strategic Aims and Priorities Supported:

The proposals will help achieve the following Public Protection Partnership aims as stated in the Inter Authority Agreement:

- 1 – **Community Protection**
 - 2 – **Protecting and Improving Health**
 - 3 – **Protection of the Environment**
 - 4 – **Supporting Prosperity and Economic Growth**
 - 5 – **Effective and Improving Service Delivery**
-

Officer details:

Name: Steve Broughton

Job Title: Head of Public Protection and Culture

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Equality Impact Assessment – Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

“(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:

(i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.

(2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(3) Compliance with the duties in this section may involve treating some persons more favourably than others.”

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Committee to	Approve the Business Plan and the policies attached therein.
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make:	
Summary of relevant legislation:	N/A
Does the proposed decision conflict with any of the partnerships key objectives?	No
Name of assessor:	Steve Broughton
Date of assessment:	

Is this a:		Is this:	
Policy	Yes	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	No
Service	No		

1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To identify how the PPP will operate.
Objectives:	Identify the vision, mission, values and aims of the PPP.
Outcomes:	Enable to PPP to deliver against the priorities.
Benefits:	Deliver an effective and efficient service.

2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	None	
Disability	None	
Gender Reassignment	None	
Marriage and Civil Partnership	none	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		

3. Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No

Please provide an explanation for your answer: The Business Plan sets out how the PPP will approach its work and makes no mention of how it will treat individuals. Such matters are dealt with in more specific process based documents such as the enforcement policy.

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
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Please provide an explanation for your answer: There are no direct consequences of the report in relation to the lives of people, employees or service users.

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4. Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Steve Broughton

Date: 3/3/17

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SCHEDULE 5 – SERVICE SPECIFICATION

Priorities: In addition to enforcing the legislation set out in Schedule 2 (the Relevant Functions) the PPP will support the corporate priorities of the Councils and align its work to those priorities.

At the time of the Agreement, the agreed priorities are:

1. Community Protection

- Contribute to the effective tackling of crime and disorder
- Tackling the issues that cause the greatest harm to individuals and communities
- Protection of the most vulnerable residents
- To act as champion for the local area
- Providing safeguards to the community through an effective licensing service

2. Protecting and Improving Health

- Protecting people from harmful products and services (including food)
- Allowing residents to make informed choices on matters that impact their health
- Developing and delivering initiatives designed to improve and enhance the health and wellbeing of individuals
- Supporting relevant priorities identified by local Strategic Joint Needs Assessments
- Tackling the causes of health inequalities

3. Protection of the Environment

- Protecting the environment from harm
- Tackling those that chose to harm the environment

4. Supporting Prosperity and Economic Growth

- Supporting compliant local businesses to thrive through the provision of advice and guidance
- Protecting businesses from illegal activities that damage their economic interests
- Supporting the rural economy

5. Effective and improving service delivery

- Implementation of the national intelligence model to identify and effectively tackle priority areas
- Building effective working relationship with key partners within the Councils to deliver the key objectives of the Service and the Councils
- Building effective relationships with key external partners including Thames Valley Police, Royal Berkshire Fire and Rescue Service, housing providers, other local authorities, national and regional delivery bodies and community based groups and organizations.
- Improvement and enhancement of the service through effective evaluation and quality management
- Communicating well with local people and businesses

Aims: The key Strategic Aims of that build the case for the Partnership are:

- The sharing of expertise and best practice
- The creation of greater resilience and robustness to cope with unforeseen challenges such as disease outbreaks, large scale investigations or loss of key personnel
- Sharing and developing resources to drive efficiency and effectiveness including systems and areas of specialist knowledge such as legal, finance and investigative skills
- Eliminating duplication by needing to do things only once across all locations and elements of the service for example procedures and standard documentation
- Building on the success and innovation of the partners to the Agreement and learning from each other and implementing that learning.

- The effective use of communication to protect communities and enhance the reputation of the Partnership and the Councils
- Reduce costs by operating jointly
- Making effective use of partnership funding, service specific grants and monies received from the Proceeds of Crime Incentivisation Scheme
- Development of the service in ways which drive further efficiencies, reinvestment and service improvements
- Playing our role and enhancing our reputation on a regional and national level

Enforcement Policy: The following Enforcement Policy will apply:

- (1) the Regulators Code will form the basis for the general approach to delivery of the Service; and
- (2) the Code for Crown Prosecutors (as amended from time to time) will be the policy basis for decisions on institution or otherwise of legal proceedings

Key Performance Indicators for 2017/18

- Decreasing the level of detriment suffered by residents
- Increasing levels of compliance in critical areas
- Effective budget management and use of resources
- Preventing residents from harm through expanding the use of social media and key communication channels
- Maintain high levels of customer and business satisfaction

A shared service provided by Bracknell Forest Council, West Berkshire District Council and Wokingham Borough Council.

BUSINESS PLAN

An outline of the arrangements designed to guide service delivery.

2017

Contents

1. BACKGROUND AND INTRODUCTION.....	4
2. VISION.....	4
3. MISSION.....	4
4. VALUES.....	5
5. AIMS.....	5
6. SCOPE OF THE SERVICE.....	5
6.1 Relevant Functions.....	6
7. GOVERNANCE.....	6
7.1 Joint Committee ('The Committee').....	6
7.2 Joint Management Board ('The JMB').....	6
7.3 Joint Management Team ('The JMT').....	7
7.4 Licensing Committee.....	7
8. APPROACH TO GENERAL POLICY AND DECISION MAKING.....	8
8.1 Public Protection Operating Model - Application of the National Intelligence Model.....	8
8.2 Content and Approval of the Strategic Assessment.....	9
8.3 Public Protection Control Strategy.....	9
8.4 Evaluation of Information and Intelligence to Inform the Strategic Assessment.....	10
8.5 Risk Profiles.....	10
9. STRATEGIC PRIORITIES.....	11
9.1.1 Year 1 Priorities (in no particular order).....	11
9.1.2 Conclusions.....	11
10. Effective Internal Systems.....	11
10.1.1 Case Management.....	12
11. Enforcement.....	12
11.1 Enforcement Policy.....	12
11.2 Age Restricted Products - Enforcement Approach.....	12
12. PERFORMANCE MONITORING.....	12
13. WORKFORCE PLANNING.....	13
14. PROFESSIONAL WORKING GROUPS.....	13
15. SERVICE LEVEL AGREEMENTS - INTERNAL SUPPORT SERVICES.....	14
15.1 Legal.....	14
15.2 Finance.....	14
15.2.1 Advising Members.....	14
15.2.2 Advising the Lead Officer.....	14
15.3 Information, Communication and Technology (ICT).....	14
15.4 Property.....	15
15.4.1 Car Parking.....	15
15.4.2 Security Passes.....	15

15.5	Media Liaison	15
15.6	Customer Services	15
15.6.1	Corporate Complaints	16
15.6.2	Data Protection.....	16
15.6.3	Freedom of Information	16
16.	EXTERNAL CONTRACTS.....	16
17.	FUTURE OPPORTUNITIES	16
APPENDICES.....		17
A.	AGE RESTRICTED PRODUCTS – ENFORCEMENT APPROACH	17
B.	COMMUNICATIONS STRATEGY	17

DRAFT

1. BACKGROUND AND INTRODUCTION

Since 2010 Wokingham and West Berkshire Councils have been working together in delivering joint services and they have been considered to be successful, both in terms of financial savings and protecting valuable frontline public protection services (Trading Standards, Environmental Health and Licensing). This arrangement expired in January 2017.

Following discussions between Bracknell Forest, West Berkshire and Wokingham Councils there was general agreement between officers and members that a new joint service could be formed which assimilated best practise from a range of other successful joint services and help deliver further efficiencies and provide professional resilience.

During 2016 a business case) was developed to evaluate the need for an expanded joint Public Protection Service ('the Service'). A Project Board was set up consisting of senior officers from Bracknell Forest, West Berkshire and Wokingham Councils ('the Partners') and a series of meetings led to the production of this business plan which is designed to give direction to the new service.

The legal mechanism which binds the Partners is referred to as the 'Inter Authority Agreement' (the Agreement) and this business plan expands on the details required to ensure a healthy working relationship – it is the primary schedule attached to the Agreement and any changes to it requires approval from all the Partners.

The complex nature of the various statutory responsibilities this new service will be required to undertake does require a great deal of explanation. Given the challenges facing local government resources, it is vital that the Partners understand how the new service will meet these requirements and appreciate how the various priorities are balanced against the resources that are available. These priorities will be established through the evaluation of evidence, information and professional judgement. This business plan will communicate how decisions will be made, why they are made and how the risks attached to those decisions will be managed.

The governance arrangements of the new service, which will be discussed in more detail later on in this document, aim to provide fairness, equity and transparency to the Partners through a Joint Committee and to the public these organisations serve. There should be no loss of local input and community needs will be a vital part of any decision making.

2. VISION

To protect and support residents and legitimate business through the successful use of information and intelligence, delivering safe and healthy neighbourhoods.

3. MISSION

The purpose of the service is to: -

- Provide people information to enable them to make informed decisions and understand their rights and responsibilities.
- Create an atmosphere where legitimate and compliant businesses can thrive and not have their interests undermined by those who choose not to comply.

- Preserve the health, wellbeing and safety of the communities we serve.

4. VALUES

Our values have a major influence on the way we want to be seen:

- Objectivity in decision making.
- The desire to meet the needs of the community.
- An approach to service delivery which is professional on every level.

5. AIMS

Schedule 5 of the IAA outlines the strategic aims:

- The sharing of expertise and best practice.
- The creation of greater resilience and robustness to cope with unforeseen challenges such as disease outbreaks, large scale investigations or loss of key personnel.
- Sharing and developing resources to drive efficiency and effectiveness including systems and areas of specialist knowledge such as legal, finance and investigative skills.
- Eliminating duplication by needing to do things only once across all locations and elements of the service for example procedures and standard documentation.
- Building on the success and innovation of the partners to agreement and learning from each other and implementing that learning.
- The effective use of communication to protect communities and enhance the reputation of the Partnership and the Councils.
- Reduce costs by operating jointly.
- Making effective use of partnership funding, service specific grants and monies received from the Proceeds of Crime Incentivisation Scheme.
- Development of the Service in ways which drive further efficiencies and service improvements.
- Playing our role and enhancing our reputation on a regional and national level.

6. SCOPE OF THE SERVICE

Each area of work carried out by the Service originates from a legal requirement placed on local authorities. It is stated in the Constitution of each local authority Partner how these functions can be

delegated, and the Agreement sets out the mechanism by which this delegation of powers has been achieved.

6.1 Relevant Functions

Below is a list which provides a general guide to the regulatory and public protection functions which will be delivered by the Service (definitive list is at Schedule 2 of the Agreement):

- Air quality management
- Animal warden
- Animal welfare
- Contaminated land
- Communicable diseases
- Community education
- Community mediation
- Consumer advice
- Environmental nuisance protection
- Fair trading
- Financial investigations
- Fraud and counterfeiting
- Food and Feed safety, standards and hygiene
- Gambling
- Health and safety at work
- Health promotion
- Industrial pollution
- Licensing
- Metrology
- Overloaded vehicles
- Pest control
- Petroleum and explosives
- Primary Authority
- Private sector housing
- Product safety
- Public health
- Rogue trading
- Scams
- Taxi licensing
- Underage sales
- Water supplies

7. GOVERNANCE

A defining feature of the Service will be the open and transparent way for each of the Partners to come together and make decisions, understand the complexities of the functions being delivered and appreciate the rationale for service priorities. There will be 3 distinct layers of governance (see below), allowing for a good balance between flexibility and oversight, encouraging discussions between officers and members and keeping a firm set of priorities at the heart of everything the Service does.

7.1 Joint Committee ('The Committee')

This is the top tier of governance consisting of each Partners Executive Member covering the full range of Environmental Health, Licensing and Trading Standards. In addition each Partner nominates a second Member and a substitute Member

The purpose of the Committee is primarily to determine on matters of policy and strategic direction for the partnership, including considering and determining applications to be part of the Partnership or the services provided by it. Additionally the Committee will have financial oversight to ensure that budgets are being well managed, to understand any risks that may arise during the term of the agreement, keep under review the agreed percentages and proposing a fee structure for the three Councils.

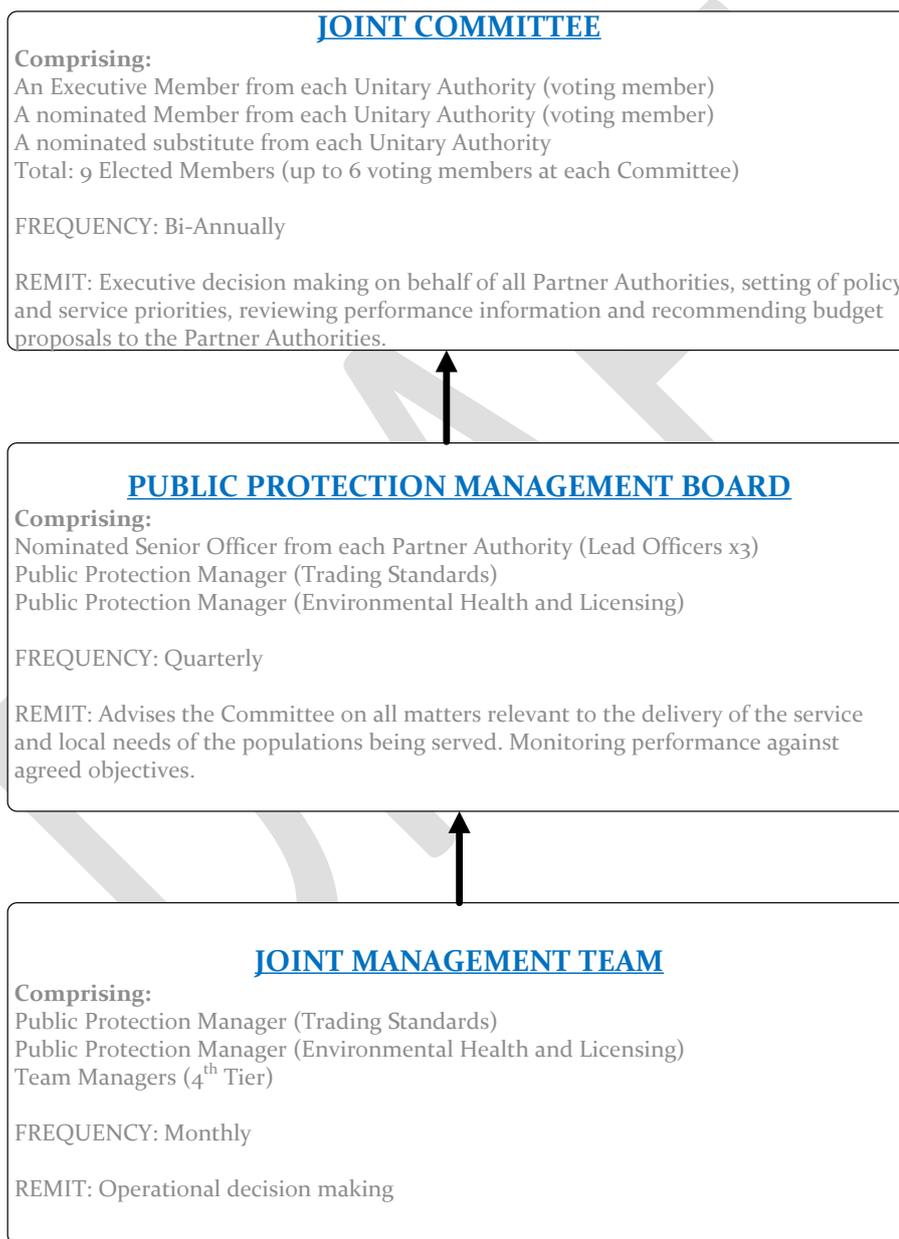
7.2 Joint Management Board ('The JMB')

The JMB advises the Committee and consists of nominated Lead Officers (LO) from each of the Partners.

Each Partner must have a LO on the Management Board, which assesses a variety of criteria to ensure the good health of the Service, monitors its performance against agreed objectives and chooses the items considered most relevant to update the Committee every 6 months.

7.3 Joint Management Team ('The JMT')

This team will consist of the Public Protection Managers (Third Tier) and Operational Team Managers (Fourth Tier). This team will consider the application of the operating model (see section 8.3) and ensure that the appropriate level of information and intelligence is provided to the JMB.



7.4 Licensing Committee

Each Partner will continue to have a distinct Committee for the purposes of licensing decisions and the setting of the following policies:

- Licensing Policy – for the purposes of the Licensing Act 2003.

- Gambling Policy – for the purposes of the Gambling Act 2005.
- All Taxi and Private Hire Matters.
- All other policy matters which are delegated to each of the Partners' Licensing Committees as part of their Constitution.

Constitutional and procedural advice to the Licensing Committee will remain the responsibility of each Partner's legal and associated democratic services. This is to maintain the in-house knowledge and consistency that members expect and that is appropriate for local accountability. This is also the case for any associated meetings in the delivery of the Licensing Committee.

For Sub-Committees, local members will have full control of their delegated functions. The Service will ensure that each and every case referred to the appropriate Sub-Committee is properly made and in accordance with the requirements of the relevant legislation.

Appeals and challenges to Licensing Committee decisions will be managed and defended by each Partner in line with their own policies. Any technical licensing advice required in the process will be provided by the Service. This is to ensure that Members who make decisions are held to account by their own legal and financial services and it does not become a matter for the Board. For example, an appeal to the Magistrates against a decision by a Partners licensing sub-Committee will be represented by the Partners own legal team and any costs incurred will be met by the Partner outside of the Service's legal agreement.

8. APPROACH TO GENERAL POLICY AND DECISION MAKING

In line with the legal agreement and the appropriate delegations, the Service will develop its own distinct set of general policies. In the early stages of the agreement, the Service will aim to adhere to the Partners existing policy, which may be different across the different administrative boundaries but over time it will be a primary aim to reduce these local variations.

The Committee will set any policy for the Service, ensuring each Partner can contribute to the way the Service interacts with the community.

8.1 Public Protection Operating Model - Application of the National Intelligence Model¹

The Service will be managed by the JMT using an approach which firmly links the development of local knowledge, professional risk management and the gathering of information to generate intelligence. This operating model is considered very effective in explaining why, on a daily basis, officers follow a particular course of action. This is vital in the current financial climate and ensures that Members are well briefed on the service priorities, staff receive better tasking and direction and that public protection matters are more clearly defined.

There are specific products that are generated as a result of this operating model:

- **Strategic Assessment** – The Committee will be briefed annually (or more frequently if appropriate) on the status of the assessment which provides Members the best

¹ Referencing the Practice Advice produced on behalf of the Chief Police Officers by the National Centre for Policing Excellence (2007)

overview of current, emerging and long-term issues and leads to setting service priorities.

- **Tactical Assessment** – The JMT will focus on the more immediate issues being dealt with and review their priorities and resource allocation on a monthly basis.
- **Problem profile** – Under the guidance and direction of the assessments, Team Managers (4th Tier) will set up projects to deal with a specific type of problem (i.e. under-age sales or noise nuisance) and which may be defined to a particular geographical area. This may be prevention, intelligence gathering or enforcement.
- **Subject profile** - Under the guidance and direction of the assessments, Team Managers (4th Tier) will set up projects to deal with specific individual or groups of people. This may be prevention, intelligence gathering or enforcement.
- **Tasking** – This is the process where Team Managers (4th Tier) will agree how to use resources to deliver the projects. This will always relate to the priorities and the availability of resources at the specific point in time.

The Service will take some time to evaluate the information it has available to settle on some common strategic priorities. Within the first year of operation, the service will produce a strategic assessment for the Committee to decide the priorities. The service will be guided by the JMB on Partner service levels until the first assessment is produced; this will maintain a 'business as usual' experience for residents and businesses.

8.2 Content and Approval of the Strategic Assessment

The production of a Strategic Assessment is the responsibility of the JMT and submitted to the JMB for first review. Once the JMB is satisfied that the product is ready for publication and submission to the Committee it is raised as an agenda item for it to consider at a meeting to be held in the first month of the financial year e.g. April.

The Strategic Assessment should include²:

- Executive Summary
- Introduction
- Performance Review
- Complaints and Intelligence Summary
- Current Control Priorities Analysis
- Emerging Issues
- Organisation Issues
- Cross Cutting Issues
- Future Control Priorities Recommendations
- Intelligence, Prevention and Enforcement Recommendations

8.3 Public Protection Control Strategy

This strategy is owned by the Committee and is a publically available document. It is the culmination of the various intelligence based assessments and published annually to communicate the service priorities. To view examples of how other authorities use these [click here](#).

² National Trading Standards Board – TS Intelligence Operating Model Reference Material Appendix 6

8.4 Evaluation of Information and Intelligence to Inform the Strategic Assessment

'Information' is data of any description and in the context of the Service might be:

- Details of businesses operating in the area.
- Residents' details.
- Previous interactions with businesses.
- Open access data from the internet.
- Data passed to the service from partner agencies.

'Intelligence' is the gathering of information and processing it, this could include:

- Evaluation of information to identify links between people and places.
- Analysis of enquiries (includes service requests and complaints) made by residents to target hotspots of criminal behaviour.
- Review of complaints about businesses to generate a list of inspections and audits.
- Conduct a 3 year historical survey of all noise investigations to identify communities at risk from noise.
- Produce risk profiles for individuals who may be targeted by criminals e.g. rogue trading.
- Organising data collected into ward level profiles to engage with local members, town and parish councils etc.

8.5 Risk Profiles

In addition to the production of the assessments and the control strategy, the JMT will ensure that each function (see 6.1) of the Service, and any other relevant issues such as management capacity or availability of technical expertise will be evaluated for the following risks:

- Public Safety
- Public Health
- Finance (internal/public)
- Reputation
- Political

The evaluation will be a professional judgement based on accumulated knowledge, current data and predicted trends from a wide variety of sources (including the Partners Lead Officer, Members, Residents and Businesses). The JMT will employ a matrix system to monitor service controls and regularly review control measures. Where 'red' risks are identified i.e. where one is considered significant and requires management intervention, an action plan will be issued to guide the Service back towards a more tolerable level of risk. This usually identifies a change in resource allocation, work pattern/methodology or an injection of new resource based on successful bidding.

Scores are ranked 1-4 in both impact and likelihood, with gross and net ratings stated (before and after controls are implemented). Each functional team is then monitored for progress and trends, based on the demands on the service and any change in local situation.

Extreme Impact - Rarely 4	Extreme Impact - Moderate 8	Extreme Impact – Likely 12	Extreme Impact - Almost certain 16
High Impact - Rarely 3	High Impact - Moderate 6	High Impact - Likely 9	High Impact - Almost certain 12
Medium Impact - Rarely 2	Medium Impact - Moderate 4	Medium Impact – Likely 6	Medium Impact - Almost certain 8
Low Impact - Rarely 1	Low Impact - Moderate 2	Low Impact - Likely 3	Low Impact - Almost certain 4

The JMT will update the JMB on the risk profiles of the Service at each of their meetings.

9. STRATEGIC PRIORITIES

In advance of the first Public Protection Partnership Control Strategy (to be published April 2018), officers have produced an initial list of priorities to maintain a ‘business as usual’ approach for residents, businesses and Members.

9.1.1 Year 1 Priorities (in no particular order)

Schedule 5 of the IAA outlines the initial priorities under the following headings:

- Community Protection
- Protecting and Improving Health
- Protection of the Environment
- Supporting Prosperity and Economic Growth
- Effective and Improving Service Delivery

9.1.2 Conclusions

These strategic priorities for year 1 do not change the overall nature of the Service or the relevant functions it is expected to deliver – see section 6.1. There will always be a level of risk to the Partners when resources do not allow for all statutory services to be delivered at any one time. However, it is the intention that the operating model together with the publication of a control strategy, should maximise transparency of why certain areas of work have been prioritised; thus helping to ensure that any work carried out has the most beneficial outcome for the community.

10. Effective Internal Systems

In addition to the Service delivering a quality operating model for its relevant functions, there are a number of areas where development should take place to ensure that staff are well managed, the Service runs smoothly and has a healthy, positive relationship with each of the Partners. Over the term of the agreement the JMT will develop the following themes:

- Ensure service management is consistent and good quality across all functions.
- Deliver quality financial information to managers and members.

- Develop online services to improve engagement with residents and business.
- Use clear professional decision making to target enforcement action against those who demonstrate a disregard for the law and the consequences of their actions.
- Regularly review operating procedures to reduce duplication.
- Protect the selection of services available to residents and businesses by charging for them.
- Develop a service specific ICT Strategy which focuses on reducing duplication, integration and cost reduction.

10.1.1 Case Management

The Service will manage the case management process to ensure that investigations and legal proceedings ‘relevant functions’ identified within the agreement comply with law and good practice. In general terms this would be:

- Evidence collection and preparation.
- Witness management.
- Disclosure.
- Case review.
- Production of case files
- Conduct and management of Proceeds of Crime investigation and proceedings

11. Enforcement

11.1 Enforcement Policy

In line with the Agreement the Service will operate in accordance with the enforcement Policy as follows:

- The Regulators Code will form the basis for the general approach to the delivery of the service.
- The Code for Crown Prosecutors (as amended from time to time) will be the policy basis for decisions on institution or otherwise of legal proceedings.

11.2 Age Restricted Products - Enforcement Approach

There is a legal requirement for the Councils to consider their approach to the enforcement of the age restriction requirements relating tobacco, tobacco products and aerosol spray paints. The Policy set out at **Appendix A** will apply to all age restricted product enforcement.

12. PERFORMANCE MONITORING

The Committee will set any performance targets for the Service to meet. It is intended that the performance monitoring will be presented in the following way:

- Monthly report to the JMB which includes:
 - Team news; this outlines personnel matters, complicated or high profile cases, specific political or media issues.

- Agreed measures of volume; this is a collection of relevant total numbers to demonstrate scale and demands placed upon the service.
 - Risk profiles.
 - Structure charts – to identify the teams and how they are resourced.
- Quarterly performance data which reflects the service priorities. These are currently in Schedule 5 of IAA under the Service Specification.
 - Annual report to the Committee, which includes year on year comparison data to identify trends throughout the term of the agreement between the Partners.

13. WORKFORCE PLANNING

The service will report annually to the Committee summarising the following issues:

- Recruitment and retention.
- Quality and quantity of applicants.
- Unfilled vacancies.
- Results of employee attitude surveys.
- Turnover rate.
- Feedback from exit interviews.
- Organisational development.
- Flexible working.
- Structure.
- Skills development.
- Learning and development.
- Skills resilience.
- Leadership and management development.
- Pay and reward.
- Regional benchmarking.
- Agency, Casual and Contractor use.
- Overtime.
- Use of the job evaluation process.

14. PROFESSIONAL WORKING GROUPS

The Service will support officers to participate across the wide range of professional working groups required to provide an effective service. The terms of reference and evaluation of benefits received from such participation will be assessed by the JMT, these include (but not exclusively):

- Safety Advisory Groups
- Regional specialist groups – e.g. Berkshire EH Managers, LGA Focus Groups
- Trading Standards South East Ltd
- National Groups – e.g. NTSB / NEHB, FSA Focus Groups
- Thames Valley Police Licensing Liaison
- Thames Valley Police LPA Tasking
- Corporate ICT focus groups
- Data Security
- Emergency Planning and Business Continuity
- Corporate Health and Safety
- Equalities and Diversity

Where there are concerns over the resources required to meet expectations from professional working groups this will be escalated through the governance model.

15. SERVICE LEVEL AGREEMENTS - INTERNAL SUPPORT SERVICES

15.1 Legal

Each Partner will provide legal support to the Service as instructed by the Service. In general terms this would be:

- Constitutional advice, including attendance at any relevant Committees e.g. Licensing
- Criminal and civil litigation
- Defend claims, liabilities and costs applications which may arise during the delivery of the service.
- Assist with legal interpretation matters arising from elected members.
- Attend working groups to determine enforcement policy and procedures.
- Liaise on matters relating to data protection, corporate complaint and Freedom of Information requests.

Instructions to the Partnership legal teams will be at the carried out by the Head of Service, Public Protection Managers or Case Manager. We will seek to draw upon the expertise of the various teams and instruct accordingly.

15.2 Finance

The Host manages day to day financial matters, as stated in the agreement, but it is considered necessary for each Partner to retain a degree of support for both the Client Officer and their Members.

15.2.1 Advising Members

In order to ensure that each Partner has the ability to advise its own Members on financial matters that may arise over the term of the agreement the following activities should be considered from time to time:

- Availability to attend Committee meetings.

15.2.2 Advising the Lead Officer

In order to ensure that each Partner has the ability to advise its own Lead Officers (or 'Client') on financial matters that may arise whilst operating the service the following activities should be considered from time to time:

- Facilitate the transfer of money processed by any cash office hosted by a Partner authority.
- Liaise with the relevant service manager on the calculations required to understand inflationary changes to transactions between Partners.
- Information on the service cost centres to inform decision making process at the Committee and the JMB.

15.3 Information, Communication and Technology (ICT)

Each Partner will provide suitable and sufficient ICT services and equipment in line with current agreements and standards. Areas to be included, but not exclusively are:

- Laptop's, PC's and telephones.
- Connections and network support to all hardware utilised at local sites.

- Advice on development opportunities.
- Maintenance of all hardware and software.
- IT Helpdesk facilities.
- Data security advice (this will include a policy review to align practices where possible and agreed through the JMB).

15.4 Property

Each Partner will provide suitable and sufficient accommodation, maintenance and repair for all staff located within the local offices. All existing standards should be maintained and any proposed changes to the accommodation allocated to the Service should be notified to the JMT by the Lead Officer as soon as is reasonably practicable.

This should include:

- Storage for evidence.
- Filing space.
- Equipment cupboards.
- Personal storage lockers for staff equipment and belongings.

15.4.1 Car Parking

Each Partner will provide facilities for staff to park their cars in close proximity to the local offices and any proposed changes to the parking allocated to the Service should be notified to the JMB as soon as is reasonably practicable.

15.4.2 Security Passes

Each Partner will provide facilities for staff to access the local offices and any proposed changes to the passes allocated to the Service should be notified to the JMB as soon as is reasonably practicable. Once in place, the Service will assume responsibility for the management of these issues and liaise with the appropriate Lead Officer.

15.5 Media Liaison

Each Partner will provide the Service with access to resources to process media enquiries relevant to the Service. This will include:

- Logging all media enquiries relevant to their area.
- Liaising with relevant elected members.
- Provision of advice to the service when requested.
- Assistance in promotional campaigns.

The Client Officer will advise the Service of any local procedures and facilitate where appropriate.

The Communications Strategy for the PPP is set out at **Appendix B** to this Business Plan.

15.6 Customer Services

Each Partner will provide the following:

- Local reception facilities for customers of the Service.
- Main switchboard facilities to direct calls to the Service.

- Web support for hosted pages relevant to local services.

15.6.1 Corporate Complaints

The Service deal with any direct Stage 1 complaints (defined as complaints directly relating to the delivery of the service and/or its staff) and then each Partner authority will remain responsible for Stage 2 complaints (defined as the Stage 1 complaint review process) in liaison with the Service. This also includes liaison with the Ombudsman and any MP involvement.

15.6.2 Data Protection

The Service will keep records of any DPA requests and provide them to any Partner authority who requests them.

15.6.3 Freedom of Information

The Service will keep records of any FOI requests and provide them to any Partner authority who requests them. Where multiple FOI requests are made to each Partner authority, a protocol will be agreed.

16. EXTERNAL CONTRACTS

In line with the Agreement, the Committee will consider any new external contracts on behalf of the Service or delegate to an appropriate officer. Existing contracts will be monitored by the JMT as part of normal business activity.

17. FUTURE OPPORTUNITIES

Whilst this business plan outlines the way the initial Partners will operate together, it should be noted that there will be an embedded aspiration to grow the Service to improve economies of scale, reduce duplication and generally look for opportunities to save money.

Given the highly technical and specialist areas of intelligence, investigation and case management and the relative scarcity of this expertise in the public sector, the Service will look to encourage other public bodies to consider using them to deliver these functions.

It is not the intention of the Service to produce extensive marketing to seek out commercial opportunities but, as part of ongoing service delivery, if there are enquiries as to the availability of services it is intended that such enquiries will be followed up.

The Committee will be kept informed of all enquiries that progress to viable business opportunities to grow the Service.

APPENDICES

A. AGE RESTRICTED PRODUCTS – ENFORCEMENT APPROACH

B. COMMUNICATIONS STRATEGY

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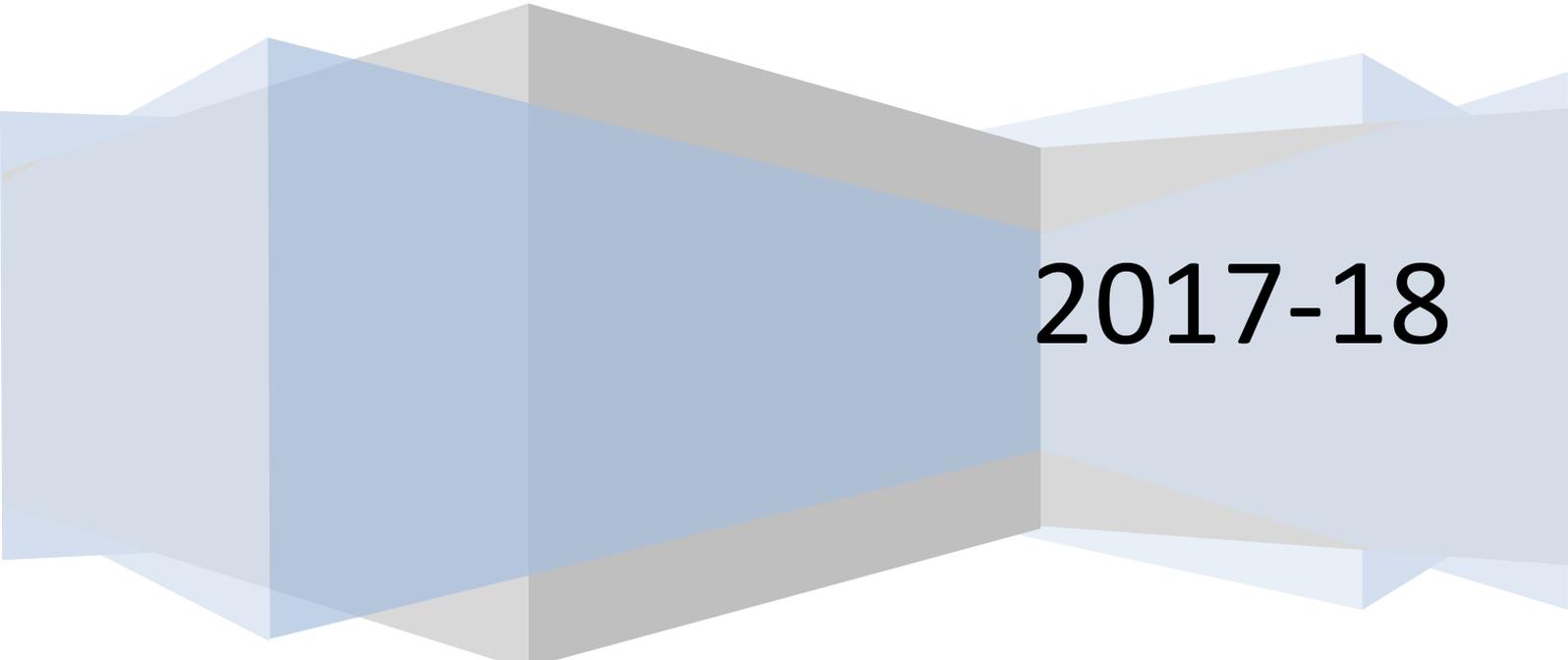
**ENFORCEMENT APPROACH TO THE SALE OF
AGE RESTRICTED PRODUCTS**

1. The illegal sale of age restricted products has a detrimental impact on our communities. The Public Protection Partnership (PPP) acknowledges the role responsible retailing plays in ensuring the sale of such products is conducted in a manner which limits that impact and the harmful effects on the safety and health of individuals. To this end the PPP proposes to continue to raise awareness in the wider community of the issues relating to the misuse of age restricted products by young people and to seek the support of the community in driving out illegal sales
2. The PPP recognises the role that the wider community plays in supporting young people to make informed choices. Through tobacco and alcohol harm reduction initiatives we will continue to engage with young people and the education community in order to close the circle between education and regulation in relation to harmful products such as tobacco and alcohol.
3. The PPP will continue to support, host and deliver the Berkshire West Tobacco Control Alliance's strategic objectives insofar as they relate to young people and smoking.
4. The PPP will continue to encourage and support responsible retailing by offering advice and support on how to best achieve compliance with the legislation relating to the sale of age restricted products.
5. The PPP in conducting our enforcement work will continue to develop and have regard to intelligence, whether from partner agencies or the wider community.
6. The PPP will use powers such as the instigation of licence reviews or temporary closure orders to secure ongoing compliance with the law.
7. While acknowledging the national guidance on the conduct of test purchase operations, it is the view of the PPP that wider geographical operations support legitimate businesses. By challenging their procedures we help maintain a high level of vigilance and provide visible reassurance of our efforts to secure a level playing field. These operations develop the intelligence picture and further inform the broader enforcement programme.
8. We believe that our operations should recreate a real life scenario. Where a young volunteer working with us is inappropriately challenged as to their age, and they have prior parental consent, they will be able to be untruthful about their age; thus ensuring the businesses procedures are robustly challenged
9. In carrying out test purchasing steps to provide safeguards for both the young person and the trader are taken including having regard to national guidelines in respect of ensuring the safety of young people. Where appropriate we will take legal or other action against traders and individuals in accordance with the PPP's adopted Enforcement Policy.
10. In delivering this important policy area the PPP will work closely with key partners including schools, public health, Thames Valley Police and others identified in the relevant control strategy.

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COMMUNICATION STRATEGY

Making sure we have a clear message



2017-18

Contents

1. The Overall Goal of Communication.....	3
2. Communication Objectives.....	3
3. Target Audiences	3
4. Key Messages.....	3
Understanding the most important local issues	3
Strong collaboration between the partners.....	3
Support compliant business	3
Looking for business growth opportunities	3
Close relationships with stakeholders.....	3
5. Channels and Tools	3
6. Coordination, Collaboration and Partnerships	4
7. Emergency Arrangements	4
8. Judging Success.....	4

1. The Overall Goal of Communication

The most prominent challenges for the Public Protection Partnership (PPP) will be to get local people and businesses to understand why it exists, what it does for them and how they should engage with it.

There are clear objectives set out in the PPP Business Plan;

- Community Protection
- Protecting and Improving Health
- Protection of the Environment
- Supporting Prosperity and Economic Growth
- Effective and Improving Service Delivery

To achieve these objectives the PPP must find the right level of community awareness and engender a belief that it is working on issues which will improve local lives.

2. Communication Objectives

- 2.1. Promote work that shows how PPP is meeting its strategic priorities.
- 2.2. Increase awareness of relevant local issues.
- 2.3. Engage the members of the Joint Committee and the wider political community.
- 2.4. Motivate staff to be ambassadors of the PPP.
- 2.5. Generate business opportunities.

3. Target Audiences

- 3.1. Local residents.
- 3.2. Local businesses.
- 3.3. Elected Members from across the PPP area.
- 3.4. Future business partners.
- 3.5. Future customers.

4. Key Messages

Understanding the most important local issues

Strong collaboration between the partners

Support compliant business

Looking for business growth opportunities

Close relationships with stakeholders

5. Channels and Tools

- 5.1. Channels
 - 5.1.1. Website.

- 5.1.2. Social Media.
- 5.1.3. Members/Staff newsletters.
- 5.1.4. Seminars/conferences/events.
- 5.1.5. Local media.
- 5.1.6. Surveys.
- 5.1.7. Regional media.
- 5.1.8. Promotional materials.
- 5.1.9. Local competitions.

5.2. Tools

- 5.2.1. Speak to communities about health, environment, business etc..
- 5.2.2. Promote success stories, direct positive feedback to customers (regulated businesses)
- 5.2.3. Use accessible language and get people's attention
- 5.2.4. Speak to members, committees, town/parish councils etc...
- 5.2.5. Distribute positive feedback, networking across business communities, develop effective marketing

5.3.

6. Coordination, Collaboration and Partnerships

- 6.1. Partner media teams (internal) (NBY, WOK, BFC).
- 6.2. Partner media teams (external) (TVP, RBFRS, SCAS, PHE).
- 6.3. Local organizations with complimentary objectives.
- 6.4. Local education establishments.

7. Emergency Arrangements

Establishing a PPP approach for dealing with civil emergencies or business continuity issues.

8. Judging Success

Find a system of feedback from the target audience to ensure that the right things are being done or to learn from things that went wrong.

Public Protection Partnership use of the Asset Recovery Incentivisation Scheme (ARIS) – Summary Report

Committee considering report:	Joint Public Protection Committee
Date of Committee:	14 th March 2017
Date to be considered by Joint Management Board:	8 th March 2017
Report Author:	Paul Anstey

1. Purpose of the Report

To explain how the PPP will be implementing the Asset Recovery Incentivisation Scheme (ARIS).

2. Recommendation

2.1. To agree the principles outlined in the ARIS report and adopt it as policy.

3. Implications

Financial: The PPP conduct criminal investigations as part of its broader enforcement remit. These are funded from the services revenue budget. Where the criteria are met i.e. where financial benefit has been derived from criminal activity the Crown Court may confiscate assets from the guilty party. As investigating and prosecuting authority the PPP receives a proportion of any recovered asset in the form of a specific grant. This cannot and does not form part of the services base revenue budget. The current balance is £355K.

Policy: The inter-authority agreement that set up the PPP requires that the PPP makes effective use of money received under ARIS. In this respect it is desirable that the PPP consider and adopt a robust policy for the use of grant received under the terms of the Scheme. This serves two purposes. In the first instance it addresses the duty placed on the PPP by the inter-authority agreement and secondly it assists in defending any challenge on the decision to pursue confiscation or on the way any grant is spent.

Personnel: All staff employed using money from ARIS will be appointed under the terms of existing HR policies and specifically those that relate to the use of fixed term appointments.

Legal: The framework for financial investigations and any

subsequent confiscation proceedings is set out in the Proceeds of Crime Act 2002 and associated statutory codes. The provisions of the Human Rights Act 1998 apply to the actions of investigator, prosecutor and the Court. There are significant checks and balances in the system. For instance all staff involved in this process are required to be trained and maintain their CPD. There is an independent oversight of accreditation maintained by the National Crime Agency and staff have to be authorised by the Agency. This includes both investigators and officers reviewing procedural applications under the Act. Ultimately all applications are subject to review and authorisation by a Crown Court Judge. Clear case management processes will be followed to ensure that any ARIS related investigations have clear and transparent decision making, minimising the risk of challenge in the courts i.e. there will be separation between investigation and the decision to prosecute the substantive criminal matter.

Risk Management: Each case which has the potential to involve the ARIS policy will be managed through the existing governance arrangements and case management processes. Some investigations lead to costs incurred which do not get recovered and the allocation of ARIS will reduce the risk to revenue budgets.

Property: No implications at this stage.

Other: None

4. Other options considered

4.1. Not implementing policy on use of ARIS:

- Failure to clearly identify the way in which the PPP will operate on ARIS matters could undermine the case management process i.e. defendants and their representatives could argue that there was a financial motivation to take the case.
- Failure to give clarity on how monies recovered are to be allocated could cause the PPP problems in the future, specifically around investment priorities and meeting home office rules.
- Lack of clarity around covering disbursements could result in unnecessary budget pressures at some point in the future.

5. Executive Summary

- 5.1. The report on ARIS is necessary to inform members of the Joint Committee about the nature of how the PPP operates. The ability to recover criminal asset and put it to good use in reducing criminal activity and benefitting the community also sends out an important message that crime does not pay.
- 5.2. The Home Office expect investigating authorities such as the PPP to be clear and transparent about their application of ARIS.
- 5.3. Legal costs associated with investigating criminal activity are not always recovered – for a variety of reasons – and ARIS monies are a way of reducing the financial risks for the PPP.

6. Conclusion

- 6.1. It is important that the PPP is clear on how it applies ARIS.
- 6.2. The positive use of ARIS monies to prevent crime and benefit local communities is central to the overall PPP objectives.

Appendices

- Appendix A – Supporting Information
- Appendix B – ARIS Report

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Appendix A

Public Protection Partnership use of the Asset Recovery Incentivisation Scheme (ARIS) – Supporting Information

1. Introduction/Background

- 1.1. The PPP governance arrangements require that strategic direction and key decisions are taken by the Joint Committee. The key decision in this case is the adoption of a policy to address the use of the Asset Recovery Incentivisation Scheme (ARIS).
- 1.2. ARIS applies in 2 circumstances; where there are 4 indictable offences and the benefit of the crime is over £5k or where someone is engaged in an activity where they are considered to have a criminal lifestyle e.g. the sale of counterfeit goods or committing serious offences over a sustained period of time.
- 1.3. The Home Office recommend that investigating authorities have a robust management process in place to ensure that prosecuting authority's decisions to prosecute are not motivated by financial gain. This includes having a robust basis for decision making. In the case of prosecuting authorities acting on behalf of the PPP they are required to apply the tests set out in the Code for Crown Prosecutors i.e. the evidential and public interest tests.
- 1.4. ARIS can be used in a number of ways e.g. additional financial investigators, surveillance equipment and other crime prevention measures.
- 1.5. It is clear that ARIS cannot be used for any other purpose e.g. supporting existing revenue costs.
- 1.6. Partner authorities have already been successful in using ARIS to achieve improved crime prevention through additional resources in supporting vulnerable people.

2. Supporting Information

- 2.1. The Home Office produces a range of guidance on how to implement ARIS and the report is designed to link in the guidance to the PPP operating model.
- 2.2. The ARIS report at Appendix B details the specific requirements laid out by Home Office in respect of accounting for ARIS monies. Effectively all money is treated as a grant, held in a reserve and an annual return is submitted to the Home Office.

3. Options for Consideration

3.1. Not implementing policy on use of ARIS:

- Failure to clearly identify the way in which the PPP will operate on ARIS matters could undermine the case management process i.e. defendants and their representatives could argue that there was a financial motivation to take the case.
- Failure to give clarity on how monies recovered are to be allocated could cause the PPP problems in the future, specifically around investment priorities and meeting home office rules.
- Lack of clarity around covering disbursements could result in unnecessary budget pressures at some point in the future.

4. Proposals

4.1. To agree the principles outlined in the ARIS report and adopt it as policy.

5. Conclusion

5.1. It is important that the PPP is clear on how it applies ARIS.

5.2. The positive use of ARIS monies to prevent crime and benefit local communities is central to the overall PPP objectives.

6. Consultation and Engagement

6.1. The nature of the report does not merit external consultation at this stage however it may be beneficial to engage with local organisations who have links to crime prevention to discuss the merits of the Public Protection Community Fund should the report be agreed by the Committee.

PPP Strategic Aims and Priorities Supported:

The proposals will help achieve the following Public Protection Partnership aims as stated in the Inter Authority Agreement:

- 1 – **Community Protection**
- 2 – **Protecting and Improving Health**
- 3 – **Protection of the Environment**
- 4 – **Supporting Prosperity and Economic Growth**
- 5 – **Effective and Improving Service Delivery**

Officer details:

Name: Steve Broughton

Job Title: Head of Public Protection and Culture

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Equality Impact Assessment – Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

“(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:

(i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.

(2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(3) Compliance with the duties in this section may involve treating some persons more favourably than others.”

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?

- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Committee to make:	To agree a policy on ARIS.
Summary of relevant legislation:	N/A
Does the proposed decision conflict with any of the partnerships key objectives?	No
Name of assessor:	Steve Broughton
Date of assessment:	10/02/17

Is this a:		Is this:	
Policy	Yes	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	No
Service	No		

1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To identify how the PPP will use any monies recovered as part of investigating and prosecuting criminal activity.
Objectives:	Open and transparent priorities around ARIS.
Outcomes:	Enable to PPP to reduce crime and benefit the community.
Benefits:	Deliver additional projects and enhance staff capacity for crime prevention activity.

<p>2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race,</p>

Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	None	
Disability	None	
Gender Reassignment	None	
Marriage and Civil Partnership	none	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		

3. Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: Any assessment of how to spend monies recovered would be based around crime prevention.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: Use of ARIS is designed to make a positive contribution to local communities.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4. Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

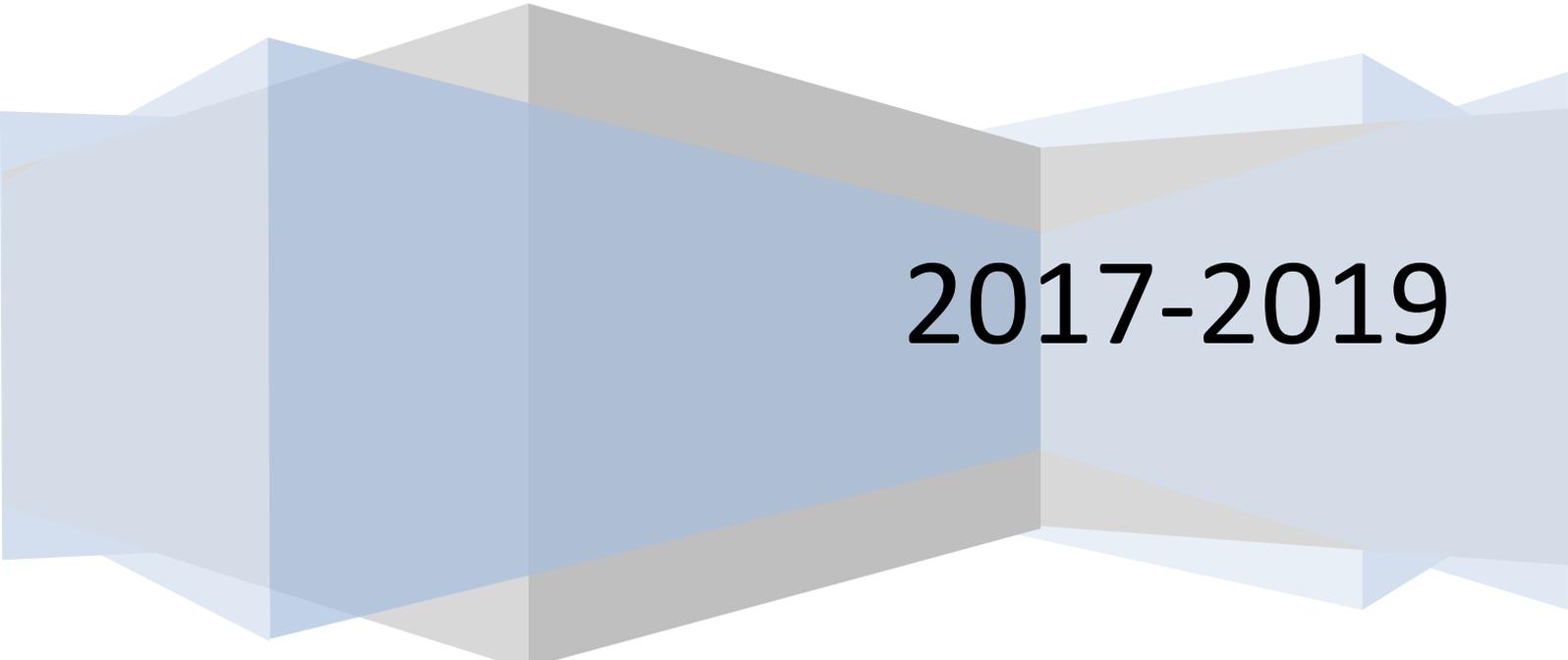
Name: Steve Broughton

Date: 3 March 2017

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Financial Investigations, Asset Recovery and Improving Public Protection

Use of the asset recovery incentivisation scheme



2017-2019

Contents

1. Background	3
2. Allocation under the Scheme.....	3
3. Home Office Requirements	4
4. Disbursements	4
5. Public Protection Investment Priorities	4
6. Public Protection Community Fund	5
7. Communications	5
REFERENCES	6

1. Background

The primary function of the Proceeds of Crime Act (POCA) is to reduce crime and to ensure that those that operate outside of the law by committing criminal offences do not benefit from their criminal activity.

The Public Protection Partnership start from the principal that crime should not and will not be allowed to pay.

Those that do not commit crimes from which financial benefit is gained have nothing to fear from the legal framework around asset recovery.

Every effort is made by the Public Protection Partnership (PPP) to work effectively, identify criminal activity and carry out enforcement activity in an appropriate manner.

Some investigations identify that those committing the crimes may have benefited from their criminal activity and some are deemed to indicate a criminal lifestyle within the terms of the law. This can be as a result of particular actions such as:

- A building fraud perpetrated on a householder; or
- Selling clocked cars over a sustained period; or
- Selling counterfeit goods.

In each of these cases it is right that the PPP consider whether asset recovery proceedings are appropriate within the legal framework set out under the Proceeds of Crime Act 2002. This is exactly what the law was designed to achieve. Where appropriate any confiscation proceedings will be conducted with a view to achieving compensation for the identified victims of the crimes that the defendant was convicted of.

Where assets are recovered through confiscation the investigating body and the prosecutor receive a proportion of those assets under the terms of the Asset Recovery Incentivisation Scheme (ARIS). This is a scheme set up and promoted by the Home Office to encourage agencies to take the benefit out of crime by allowing some of the money recovered back to the agency to be allocated for specific purposes. The purpose of this policy is to agree how monies received are to be allocated.

2. Allocation under the Scheme

The Home Office retains 50% of all seized assets, the other 50% is divided as follows:

Investigation – 18.75%

Prosecution – 18.75% and

Enforcement (through the courts) – 12.5%.

The PPP operates within established financial rules and has set up a separate cost centre to hold all monies received from the Home Office. There are no income targets on the cost centre protecting its integrity for the purpose intended – preventing, reducing and tackling crime. It is expected that the PPP can account for their use of incentive payments on an

annual basis and the service is required to provide a return to the Home Office setting out in detail how the money is spent and making declarations to that effect.

3. Home Office Requirements

Based on published guidance from the Home Office Organised and Financial Crime Unit about ARIS, the clear intention is to use incentive payments to be used to ‘further drive up performance on asset recovery and, where appropriate, to fund local crime fighting priorities for the benefit of the community’.

It is also important to note that the operational management of Public Protection is set up to sufficiently divide investigation and the decision to prosecute, there should be no ability to select cases based on possible financial investigations. Distinct strategic and tactical assessments determining local priorities will be the key driver for the types of criminal activity being investigated.

4. Disbursements

The nature of the service will inevitably lead to costs being incurred to investigate primarily criminal activity. These costs range from barrister fees, expert witnesses through to sampling and product testing. In the concluding stages of an investigation it is normal practice for the service to advise legal services of their costs. In court solicitors request recovery of these costs from the defendant and they are referred to as ‘Disbursements’.

On occasion it is not possible to recover the full amount and it is intended that initially £100k of the existing POCA reserve shall be allocated as a reserve to pay disbursements where costs are not recovered fully as a result of prosecution activity. This is in addition to funding already identified in existing revenue budgets and money recovered through regional and national grant funding. The mechanisms for dealing with exceptional costs set out in the Inter Authority Agreement apply should this matter need to be revisited.

The existence or not of any reserve shall have no bearing on the decision to prosecute. Each case will be treated on its merits and considered against the enforcement policy.

5. Public Protection Investment Priorities

The service has developed a specific skill set over time and now employs professional and technical staff to maintain an ability to investigate, enforce and prosecute criminal activity. These officers are supported by non operational case management officers. This helps ensure competent and compliant investigations that are conducted within the prevailing legal framework.

If and once the disbursement reserve has been identified and set aside it is proposed that any money is allocated to the following priority areas:

- Additional Accredited Financial Investigator resource;
- Communications to reduce crime through prevention and increased reporting;

- Trading Standards or Environmental Health professionals who are deployed on specific crime related matters e.g. the current Fraud Victim Support Officer posts assisting victims identified through Operation Lockram.

Any posts funded from POCA will only be done so from existing POCA funds. After the disbursements reserve has been identified it is anticipated that no more than 80% of total POCA reserves are spent on this area of the service.

6. Public Protection Community Fund

It is important that there is a positive community perception of the work that Public Protection does. This can be enhanced by ensuring that there are well publicised opportunities for local crime prevention schemes to seek grant funding from the POCA reserve. Through the Joint Committee there will be an annual allocation of the post disbursement POCA reserve totaling no more than 20% of the balance in any one year.

An online application process will enable community groups, not-for-profit organisations and ward members to submit information explaining why they feel their project should be funded from the POCA reserve. Key elements that should be featured in the application include:

- Intended group or area intended to benefit from the grant
- Details of any existing overheads intended to be covered by the grant
- Charity details if applicable
- The year the organisation/group was founded
- Does the organisation/group have any links/affiliated to a recognised sporting or children's group?
- Are the applicants applying for funding elsewhere?
- Detailed explanation of what the grant would be for?
- How will the grant improve crime prevention for the local community?
- Details of an independent reference for the applicant.

Full grant selection criteria will be on the Partnerships website to ensure the aims and objectives of the Public Protection Community Fund are clearly stated and well understood to avoid inappropriate bids. Decisions on the allocation of the reserve will be made by a panel of 3 members of the Committee, 1 member from each partner authority.

The allocation will be based purely on the merits of the application received and in the spirit of the partnership arrangements there will be no geographical/authority boundary considerations i.e. there will be no direct link between the source of the reserve and the area within which it is allocated.

7. Communications

Any work conducted by the Service which is linked to the Community Fund will be managed through the process outlined in the Communication Strategy and the 'key messages' being sent out to target audiences including the message that crime does not pay.

REFERENCES

1. House of Commons Home Affairs Committee – Proceeds of Crime 5th Report of Session 2016-17
<http://www.publications.parliament.uk/pa/cm201617/cmselect/cmhaff/25/25.pdf>
2. Home Office POCA Guidance
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488531/POCA_2002_v2.0EXT_clean.pdf
3. CPS – Arrangements for Implementation and Payment
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4. Public Accounts Committee 49th Report – Confiscation Orders
<http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpubacc/942/94202.htm>
5. ‘The Home Affairs Select Committee proposes radical reforms to the proceeds of crime regime’ Thompson Reuters – Practical Law, Business Crime Blog
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Public Protection Partnership Fees and Charges – Summary Report

Committee considering report:	Joint Public Protection Committee
Date of Committee:	14 th March 2017
Date to be considered by Joint Management Board:	8 th March 2017
Report Author:	Steve Broughton

1. Purpose of the Report

To agree the cost recovery process for the PPP and explain how it will affect fees and charges in the future.

2. Recommendations

- 2.1. To agree the principles outlined in the Cost Recovery report.
- 2.2. To delegate the ability to vary the hourly rate to the Joint Management Board.
- 2.3. To agree the amount of free advice to be provided to small businesses employing 5 or less people.

3. Implications

Financial: Subject to agreeing the recommendations, the PPP will be able to generate income, dependent on demand, which should help meet the business plan objectives.

In terms of expected income the Joint Management Team believe the policy would generate between £5-£6k. This equates to 2hrs of advice per week over a year. This anticipates a significant drop in advice requests e.g. 5% conversion of estimated current time spent dealing with advice. This reduction should enable resources to be redeployed into priority areas in line with the business plan objectives.

Policy: By agreeing the recommendations the Committee would be establishing a policy which allows the PPP to charge for a range of activities including business advice and pre-application advice, both of which are currently offered at no charge.

Personnel: There are no personnel implications.

Legal: Charges will only be applied where it is legally permissible.

Risk Management: There is a recognised risk of charging businesses for advice. This could lead to businesses conducting themselves in a way that breached legal frameworks because they chose not to seek advice. The operating model of the PPP will enable some degree of investigation to ensure compliance and the options around businesses with 5 or less employees should reduce this risk. There

will also be improvements in the way PPP communicates via websites and access to information on a self service basis will be a central feature of the operating model.

Property: There are no property implications.

Other:

4. Other options considered

4.1. Keep free business advice for all.

- No ability to increase service income to meet PPP objectives.
- Local businesses and residents will have free access to a range of expertise when considering any regulatory matter.
- The overall demand for advice requires a significant amount of officer time.
- There is no restriction placed on business advice, leading to the possibility of using valuable officer resource helping companies who could resource it themselves.

4.2. Create a customised charging scheme based around type of business, scale of business, location of business etc.

- This enables better targeting of financial assistance to businesses.
- This creates more time consuming administrative processes and decision making around criteria and customer handling.
- Requires further evaluation of business need.

5. Executive Summary

5.1. The report at Appendix B outlines the relationship between the Committee and Partner Authorities on the subject of fees and charges and how they link to the budget setting process.

5.2. The hourly rate is an essential element of determining the appropriate PPP fees and charges and should be agreed initially by the Committee, then delegated to the Joint Management Board to monitor.

5.3. The nature of providing general business advice requires a balance between the PPP's need to manage demand and the objective to encourage economic growth. The Committee needs to decide what balance to strike between these 2 factors.

5.4. As stated in the report at Appendix B, relationships with bigger companies, operating across administrative boundaries should be encouraged to enter into Primary Authority Partnerships. This is a government supported scheme which formalises commercial advisory relationships with private companies and trade associations to deliver good quality advice for an agreed cost.

- 5.5. People or businesses looking to apply for a licence, permit, consent or registration should be able to find the right level of information from the PPP website to complete an application, or if they feel they need extra help can pay for application assistance.
- 5.6. By charging for advice the PPP will either reduce demand on officers, enabling them to work on other priority areas OR generate income.
- 5.7. Based on the information in Appendix A, at this stage the anticipated income is £5.5k based on the provision of 2hrs of advice per week over the course of a year. This is a rough estimate and systems will be put in place over 2017-18 to better monitor the time spent on advisory services.

6. Conclusion

- 6.1. Operating the PPP on a cost recovery basis is the most sustainable way to maintain the option for residents and businesses to receive advisory services.
- 6.2. Putting cost recovery at the heart of all future decisions on fees and charges will ensure that the PPP concentrates on effective time management, enable it to interact with the private sector in a transparent way and deliver services/activities that residents and businesses demand.

Appendices

Appendix A – Supporting Information

Appendix B – Cost Recovery Report

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Appendix A

Public Protection Partnership Fees and Charges – Supporting Information

1. Introduction/Background

- 1.1. The Public Protection Partnership (PPP) is a shared service between Bracknell Forest, Wokingham and West Berkshire Councils which commenced on 9th January 2017 for a period of ten years. This followed a previous 5 year arrangement between West Berkshire and Wokingham. West Berkshire Council is the host authority.
- 1.2. The PPP governance arrangements require that strategic direction and key decisions are taken by the Joint Committee. The key decision in this case is the adoption of a policy which allows for the PPP to charge for a range of business and pre-application advice.

2. Supporting Information

- 2.1. The report at Appendix B outlines the importance of incorporating cost recovery principles into the operation of the PPP.
- 2.2. The establishment of an hourly rate, in consultation with finance departments, provides an ability to produce a schedule of fees and charges for each partner authority to consider in line with their financial reporting cycles. This will be influential information in the budget setting process as it will impact on income generation.
- 2.3. The report at Appendix B establishes the principal of charging businesses for advice and those seeking to trade on the basis of a licence, consent or registration. This is an important measure in the PPP's approach towards demand management and income generation.
- 2.4. The PPP estimate that there are over 13,000 businesses operating in their administrative area, 3,500 of which are food businesses.
- 2.5. The PPP have over 2000 licensed premises, process over 3000 non premises based licenses and over 1000 taxi or private hire related licences in operation.
- 2.6. The PPP estimate that they receive over 21,000 requests for service and complaints.
- 2.7. These broad statistics indicate that there is a sizeable market which may require advice at some stage. This market is currently paying for a variety of services either directly to the council through existing fees and charges, or to private sector companies to assist them in some way.

2.8. Whilst no specific analysis has been carried out, the Joint Management Team believe that it is realistic to estimate that 5% of all contact to the PPP is asking for advice relevant to business start ups, existing business queries or assistance with applications for licences of some sort.

2.9. This equates to approximately 1000 potential enquiries per year or 20 per week. If the PPP was able to convert 10% of this business into a 1hr chargeable service, income of £5.3k should be possible.

3. Options for Consideration

3.1. Keep free business advice for all.

- No ability to increase service income to meet PPP objectives.
- Local businesses and residents will have free access to a range of expertise when considering any regulatory matter.
- The overall demand for advice requires a significant amount of officer time.
- There is no restriction placed on business advice, leading to the possibility of using valuable officer resource helping companies who could resource it themselves.

3.2. Create a customised charging scheme based around type of business, scale of business, location of business etc.

- This enables better targeting of financial assistance to businesses.
- This creates more time consuming administrative processes and decision making around criteria and customer handling.
- Requires further evaluation of business need.

4. Proposals

4.1. To agree the principles outlined in the Cost Recovery report.

4.2. To delegate the ability to vary the hourly rate to the Joint Management Board.

4.3. To agree the amount of free advice to be provided to small businesses employing 5 or less people.

5. Conclusion

5.1. Operating the PPP on a cost recovery basis is the most sustainable way to maintain the option for residents and businesses to receive advisory services.

5.2. Putting cost recovery at the heart of all future decisions on fees and charges will ensure that the PPP concentrates on effective time management, enable it to interact with the private sector in a transparent way and deliver services/activities that residents and businesses demand.

6. Consultation and Engagement

6.1. The nature of the report does not merit external consultation at this stage however it may be beneficial to engage with local businesses over 2017-18 to evaluate the effects of charging different rates for advice.

PPP Strategic Aims and Priorities Supported:

The proposals will help achieve the following Public Protection Partnership aims as stated in the Inter Authority Agreement:

- 1 – Community Protection
- 2 – Protecting and Improving Health
- 3 – Protection of the Environment
- 4 – Supporting Prosperity and Economic Growth
- 5 – Effective and Improving Service Delivery

Officer details:

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Job Title: Head of Public Protection and Culture

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Equality Impact Assessment – Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

“(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:

(i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.

(2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(3) *Compliance with the duties in this section may involve treating some persons more favourably than others.”*

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Committee to make:	To agree a cost recovery process and explain how it will affect fees and charges in the future.
Summary of relevant legislation:	N/A
Does the proposed decision conflict with any of the partnerships key objectives?	No
Name of assessor:	Steve Broughton
Date of assessment:	23/2/17

Is this a:		Is this:	
Policy	Yes	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	No
Service	No		

1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To provide clear and transparent charges for residents and businesses who may wish to use PPP services.
Objectives:	Ensure the PPP achieves cost recovery wherever legally able to do so.
Outcomes:	Enable to PPP focus resources on its priorities whilst maintaining capacity to offer advice.
Benefits:	Improve the PPP’s ability to generate income or reduce

	demand, allowing it to focus on priorities.
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<p>2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)</p>		
Group Affected	What might be the effect?	Information to support this
Age	None	
Disability	None	
Gender Reassignment	None	
Marriage and Civil Partnership	none	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		

3. Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
<p>Please provide an explanation for your answer: This report does not target individuals in their personal lives, it is focussed on people and businesses looking to engage in business practices of some sort. The inclusion of specific exemptions for provision of free advice to small businesses is designed to reduce barriers to success and support economic growth.</p>	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
<p>Please provide an explanation for your answer: Business and pre-application advice is a marketplace which both the PPP and the private sector can operate. There is a wide choice for potential customers and anyone looking to find out about such matters can access a wide base of information to guide their decisions.</p>	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4. Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Steve Broughton

Date: 3/3/17

COST RECOVERY

**Outline policy for establishing hourly rates and
business advice protocols.**

2017-18

Contents

1. BACKGROUND AND INTRODUCTION	3
2. ROLE OF THE COMMITTEE IN RECOMMENDING FEES AND CHARGES	3
3. COST RECOVERY PROCESS	3
4. HOURLY RATE	3
5. GENERAL INFORMATION REQUESTS	4
6. GENERAL BUSINESS ADVICE.....	4
7. PRIMARY AUTHORITY PARTNERSHIPS (PAPs).....	5
8. PRE-APPLICATION ADVICE	5
9. STATUTORY FEES.....	5
10. ANY OTHER PPP FUNCTION OR SERVICE.....	5

1. BACKGROUND AND INTRODUCTION

In the early phases of the Public Protection Partnership (PPP) it is accepted that there will be some variation in fees and charges set across the administrative boundaries. This document is seeking to identify a common understanding of how 'cost recovery' can be embedded into all aspects of the service and ensure that consistency is achieved as soon as possible.

The nature of fee setting in local authority financial cycles does mean that there will be a variety of decision making bodies to consult and/or notify. This document will complement the schedule of fees and charges which are published annually by each local authority and will be reviewed by the Joint Committee to inform the annual budget setting process.

2. ROLE OF THE COMMITTEE IN RECOMMENDING FEES AND CHARGES

As part of the budget setting process each partner authority has retained the responsibility of deciding fees and charges for the services they provide. The Committee has been tasked at Schedule 4 of Inter Authority Agreement (IAA) to specifically consider:

- The previous expenditure of the PPP and levels of service achieved;
- Any proposals for the development of the PPP of the services it offers;
- Development/impact of efficiencies that could lead to reduced costs and to consider any investment necessary to realize these efficiencies.

To fulfill this, in the context of fees and charges, it is important that the Committee understand what activities are chargeable, how much time is spent on these activities and the hourly rate which applies. With these factors established it is possible for the Committee to recommend a schedule of fees and charges which will ultimately influence the net budget of the PPP each year.

3. COST RECOVERY PROCESS

The PPP operates all of its functions and services on the understanding that it will recharge for costs incurred where legally permissible. The Joint Committee sets out the general scope of how the cost recovery process should be applied.

Each year there will be an evaluation of service activity to ensure that costs are properly identified and that any fees and charges passed onto residents and businesses are reasonable, accurate and up to date.

This process is dependent on accurate records being kept, specifically any time spent by officers in delivering the activities outlined in this guidance. Separate guidance is available to officers on time recording.

4. HOURLY RATE

Based on a series of calculations, using data from finance to assess internal recharges, officer salaries, administrative support and management overheads the following hourly rate has been established for the service:

£53 per hour

Unless specifically stated, this rate applies to all service activities. The Joint Management Board will consult with the relevant departments from time to time to establish internal support costs and ensure that the hourly rate is an accurate reflection of the cost incurred to deliver PPP activities. The Joint Committee delegates the responsibility of setting the hourly rate to the Joint Management Board.

5. GENERAL INFORMATION REQUESTS

There are a variety of reasons for residents and businesses to contact the PPP, this report outlines the functions and issues that will only be considered when a fee is paid. Any request for information which is not specifically listed in this guidance document will be considered by the Joint Management Team through the routine operating model process. This includes a large amount of information being published on the website and requests being automatically diverted to enable more self service.

6. GENERAL BUSINESS ADVICE

It is very important to support local businesses and the service will ensure that every request for advice from a local business is responded to, ensuring that they have access to the best available information about relevant legislation.

Option 1

Each local business with less than 5 employees will be limited to 30 minutes of free advice and, where appropriate, businesses will be encouraged to consider the primary authority partnership arrangements. The hourly rate will apply to all advice given beyond the first hour and payment will be taken in advance.

Option 2

Each local business with less than 5 employees will be limited to 1hr of free advice and, where appropriate, businesses will be encouraged to consider the primary authority partnership arrangements. The hourly rate will apply to all advice given beyond the first hour and payment will be taken in advance.

Option 3

Each local business with less than 5 employees will be limited to 2 hrs of free advice and, where appropriate, businesses will be encouraged to consider the primary authority partnership arrangements. The hourly rate will apply to all advice given beyond the first hour and payment will be taken in advance.

Each time a local business requires advice, information will be logged and the history of each business should be reviewed to determine whether the limit has been reached.

7. PRIMARY AUTHORITY PARTNERSHIPS (PAPs)

Any local business which operates within the areas covered by the PPP should be considered for their suitability under the primary authority scheme. This scheme formally recognises a commercial relationship and is approved by the relevant Secretary of State. All pricing matters relevant to PAPs are determined by a memorandum of understanding and

are approved by the Public Protection Managers. Any enquiries from new businesses should be directed to the Public Protection Managers and enquiries from existing PA businesses should be directed to their lead officer.

8. PRE-APPLICATION ADVICE

All advice requested by residents and businesses to assist them in applying for any type of licence (includes registrations, permits and/or consents) incurs a fee. All pre-application advice will be offered to customers in 1 hour blocks, minimum of 1 hour charge and will be provided by the most appropriate team to ensure the best quality advice is given.

9. STATUTORY FEES

Where the PPP delivers a function or service which has a specified statutory fee this will be identified within a separate schedule of fees and charges which will be published in line with the specific requirements of each partner authority.

10. ANY OTHER PPP FUNCTION OR SERVICE

The hourly rate will apply to any other function or service provided by the PPP. The Joint Committee delegates the decision to vary the nature of the functions and services provided by the PPP to the Joint Management Board. A separate schedule of applicable fees and charges will be published in line with the specific requirements of each partner authority.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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