

Title of Report:	Proposed variation to the Trading Standards Shared Service Agreement
Report to be considered by:	Executive
Date of Meeting:	27 March 2014
Forward Plan Ref:	EX2816

Purpose of Report: To obtain approval from the Executive to vary and extend the current shared service agreement with Wokingham Council to align it with the Environmental Health and Licensing Shared Service agreement.

Recommended Action: That approval is granted to vary and extend the Trading Standards shared service agreement to expire in line with the Environmental Health & Licensing agreement on 19th January 2017.

Reason for decision to be taken: To bring into line with the Environmental Health and Licensing to allow us to consider the longer term issues and opportunities when the initial agreement periods ends in 2017.

Other options considered: The agreement could be allowed to expire on 7th June 2015 and both Councils would revert back to running their own TS services.
A longer extension could be entered into e.g. 5 or 10 years.

Key background documentation: Trading Standards Shared Service agreement.

The proposals will help achieve the following Council Strategy principles:	
<input checked="" type="checkbox"/>	CSP6 - Living within our means
<input checked="" type="checkbox"/>	CSP8 - Transforming our services to remain affordable and effective

Portfolio Member Details	
Name & Telephone No.:	Councillor Dominic Boeck
E-mail Address:	dboeck@westberks.gov.uk
Date Portfolio Member agreed report:	Report e-mailed to Councillor Boeck on 12 February 2014

Contact Officer Details	
Name:	Steve Broughton
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Implications

Policy:	None
Financial:	The shared service made a saving of 15% for both Councils which involved a restructuring including the loss of one of the team managers. Additional costs would be incurred to revert back to individual services at each Council
Personnel:	Staff from Wokingham Council were transferred under TUPE Regulations to West Berkshire Council as the host authority.
Legal/Procurement:	The current shared service agreement allows for the agreement to be varied (clause 35). The agreement can be varied to allow for an early extension as set out in this report as agreed between the parties.
Property:	None
Risk Management:	There could be a financial risk associated with terminating the shared service agreement and returning a service to Wokingham BC together with a loss of the benefits of resilience.

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input type="checkbox"/>	
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input type="checkbox"/>	
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input type="checkbox"/>	
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input type="checkbox"/>	
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia				<input type="checkbox"/>
Not relevant to equality				<input type="checkbox"/>
Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>		

Executive Summary

1. Introduction

- 1.1 The shared Trading Standards Agreement with Wokingham Borough Council has an initial period of 5 years. The agreement contains a clause that allows the arrangement to be extended for a period of up to ten years. This agreement began on 8th June 2010 and ends on 7th June 2015.
- 1.2 The shared Environmental Health/Licensing Agreement, also with Wokingham Borough Council, began on 10 January 2012 and ends on 9 January 2017. Both services are hosted by West Berkshire Council
- 1.3 The Trading Standards shared service has produced financial savings, increased resilience, access to a broader range of skills and expertise and access to external funding.

2. Proposals

- 2.1 It is proposed that the TS agreement is varied and extended with Wokingham borough Council, within the terms of the current agreement to expire in line with the EH&L agreement. At which point it would then be proposed to consider both agreements in tandem. This will enable more coordinated decisions to be made over both shared services

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

4. Conclusion

- 4.1 The Joint Service Review Panel has recommended an extension to the TS agreement for 18 months to align it with the EH&L agreement. Wokingham Council will be presenting a recommendation to their Executive in March 2014 to agree this extension
- 4.2 Should an extension of any length of time not be agreed an exit strategy would need to be developed to allow for the provision of independent Trading Standards Services at each Council.

Executive Report

1. Introduction

- 1.1 The shared Trading Standards Agreement with Wokingham Borough Council has an initial period of 5 years. The agreement contains a clause that allows the arrangement to be extended for a period of up to ten years. This agreement began on 8th June 2010 and ends on 7th June 2015.
- 1.2 The shared Environmental Health/Licensing Agreement, also with Wokingham Borough Council, began on 10 January 2012 and ends on 9 January 2017. Both services are hosted by West Berkshire Council
- 1.3 Both services are operating effectively and as a result of the arrangements annual savings of 15% have been realised for both Councils. The management and governance arrangements are common to both services and the Lead Member and client roles are common as well. The shared services are governed by a single Joint Service Review Panel (JSRP) that consists of Portfolio Member from each Council and the respective Heads of Service.
- 1.4 The Joint Service Review Panel has considered the existing dates and reached the view that it would be sensible to extend the current Trading Standards agreement to coincide with the Environmental Health/Licensing dates, i.e. extend the Trading Standards agreement by 18 months until 9 January 2017.
- 1.5 Wokingham Borough Council Member representative supports this proposal; a report will be submitted to their Executive on 27th March 2014

2. Benefits of the shared service

- 2.1 Achieving greater resilience and reduction in management costs has allowed resources to be focused on frontline delivery.
- 2.2 In the initial five year period the arrangement will have created a joint saving of £575K and enhanced cost effectiveness significantly
- 2.3 The resource level has also allowed access to funding to support operational work such as that for food, feed, public health, crime reduction and investigations. To acquire and use this funding a critical mass is needed which the joint service has been able to provide
- 2.4 Once aligned, extending both agreements to ten years offers greater options for efficiencies, stability and effectiveness.

3. Alternative Options

- 3.1 The current agreement could be allowed to terminate on 1st June 2015. An exit strategy would be prepared to return a Trading Standards service to Wokingham BC. There are likely to be cost implications e.g. a suitable staffing/management structure would need to be reinstated to operate two independent units.
- 3.2 Rather than extending the current agreement by 18 months, the alignment with the EH&L agreement could be ignored and an extension of the TS agreement alone could be considered for a longer period up to ten years. This however would lose

the advantages of reviewing the services for extension later in tandem and reduce the opportunity for co-ordinated decisions on both services

4. Conclusion

- 4.1 The Joint Service Review Panel has recommended an extension to the TS agreement for 18 months to align it with the EH&L agreement. Wokingham Council will be presenting a recommendation to their Executive in March 2014 to agree this extension.
- 4.2 The current agreement contains provision to extend up to ten years. However an extension of 18 months would align the Trading Standards and Environmental Licensing agreements allowing for harmonized consideration of future extensions and better coordinated decisions for both services.
- 4.3 By extending this agreement the debate about future extensions to both arrangements can consider both areas in tandem rather than having two debates 18 months apart. This will enable more coordinated decisions to be made over both shared services.

Appendices

There are no Appendices to this report.

Consultees

Local Stakeholders: None
Officers Consulted: Corporate Board
Trade Union: Not consulted