

Notice of Meeting

Joint Public Protection Committee

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

Tuesday 19 September 2017 at 7.00pm

Venue: Wokingham Borough Council, Shute End, Wokingham, RG40 1BN

To: Councillors Nick Allen (Bracknell Forest Council), Michael Firmager (Wokingham Borough Council), Marcus Franks (West Berkshire Council), Norman Jorgensen (Wokingham Borough Council), Iain McCracken (Bracknell Forest Council) and Emma Webster (West Berkshire Council)

Part I

Page No.

1 **Apologies**

To receive apologies for inability to attend the meeting (if any).

2 **Minutes**

To approve as a correct record the Minutes of the meeting of this Committee held on 12 June 2017.

1 - 6

3 **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.

4 **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.

Public Protection Partnership Agenda - Tuesday, 19 September 2017 (continued)

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.

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|---|--|---------|
| 5 | Future Plan
To detail future items that the Committee will be considering. | 7 - 8 |
| 6 | Nominations to the Board of Directors of Trading Standards South East Ltd (PP3354)
To propose nominations to Board of Trading Standards South East Ltd and seek approval for those appointments. | 9 - 18 |
| 7 | Update on the Business Plan
To update the Committee on performance against the aims of the business plan agreed on 14 th March 2017. | 19 - 28 |
| 8 | Any other items the Chairman considers to be urgent | |

Contact Officer:

Moira Fraser, Strategic Support, West Berkshire Council, Council Offices, Market Street, Newbury RG14 5LD

Email: moira.fraser@westberks.gov.uk **Tel:** 01635 519045

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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

JOINT PUBLIC PROTECTION COMMITTEE

Minutes of the meeting held on Monday, 12 JUNE 2017

Wokingham BOROUGH COUNCIL, SHUTE END, WOKINGHAM, RG40 1BN

Present: Nick Allen, Michael Firmager, Marcus Franks and Norman Jorgensen

Also Present: Paul Anstey (Environmental Health & Licensing Manager), Moira Fraser (West Berkshire Council), Clare Lawrence (Wokingham Borough Council) and Steve Loudoun (Chief Officer Environment & Public Protection)

Apologies for absence: Steve Broughton, Iain McCracken, Sean Murphy and Councillor Emma Webster

Absent:

PART I

12 Election of Chairman

RESOLVED that: Councillor Norman Jorgensen be elected Chairman of the Joint Public Protection Committee for the 2017/18 Municipal Year.

13 Minutes of the Meeting on the 14 March 2017

The Minutes of the meeting held on 14 March 2017 were approved as a true and correct record by the Committee and signed by the Chairman.

14 Declarations of Interest

There were no declarations of interest received.

15 Notice of Public Speaking and Questions

No notice had been received that members of the public wished to address the Committee on any of the agenda items.

No public questions were submitted in relation to general issues concerned with the work of the Partnership or any items which were on the agenda for the meeting.

16 Public Protection Food and Feed Control Plan (PP3315)

Prior to introducing the report Steve Loudoun explained that as the current Chairman of the Joint Management Board it had been agreed that he would be responsible for presenting reports to the Board. Officers would be on hand to provide detailed explanation where appropriate.

The Committee considered a report (Agenda Item 6) which set out the draft plans for the enforcement of both the food and animal feed controls for Members to approve. Steve Loudoun explained that due to time constraints two separate reports had been presented this year but that it was anticipated that for 2018/19 they would be condensed into a single document. It was noted that the two reports differed in style and that the two sets of information would be presented in a single format the following year. A common

JOINT PUBLIC PROTECTION COMMITTEE - 12 JUNE 2017 - MINUTES

approach had been adopted across the three authorities. Councillor Marcus Franks commented that these reports illustrated the positive benefits of a joint working as each authority would have had to produce their own reports in the past.

Steve Loudon noted that the Inter Authority Agreement (IAA) set out the functions that were delegated to the Joint Committee. These included an array of functions that related to the enforcement of food hygiene, safety, quality, labelling and health nutrition claims. There were also a range of functions pertaining to safety, standards, labelling and hygiene of animal feed.

This area of work was controlled through a combination of EU and domestic implementing legislation. Statutory codes were issued under the Food safety Act 1990 that dealt with a range of issues. The controls referred to in the Act were subject to a range of reporting requirements as well as a Framework Agreement. One of the requirements of the Framework Agreement was that local authorities produced a plan in a prescribed format which needed to set out how they intended to discharge their statutory functions in relation to food and animal feed. The plans needed to set out priorities, inspection targets, areas for improvement and resource levels.

While it was proposed that in future years one plan would be produced for the 2017/18 year the functions were set out in two separate documents. The first plan had been produced by Environment Health and set out the activity in relation to food hygiene and safety. The second plan had been produced by Trading Standards and encompassed work on farms and in relation to food standards, quality, labelling and animal feed controls.

Public Protection Partnership Food safety Service Plan 2017-18

In relation to a query from Councillor Nick Allen, Paul Anstey explained that all new premises had to be inspected within 28 days. Councillor Allen queried if the regeneration of Bracknell Town Centre would create a spike in activity for the Team Paul Anstey confirmed that it would but that Officers did not anticipate that it would cause any operational difficulties. Paul Anstey explained that the production and submission of this document was a requirement of the Food Service Agency (FSA). The document essentially had to set out how the authority aimed to address the priorities, how it would mitigate risk as much as possible and how it would deal with problematic premises. The FSA tended also to focus on the competency of staff especially where unusual risks were identified by authorities. This approach was supported by the creation of the Public Protection Partnership (PPP) which provided resilience, flexibility and allowed the team to retain a greater range of competencies.

Clare Lawrence reassured Members that the content of the report did not vary a great deal from previous iterations produced by their authorities but merely provided better consistency.

Councillor Nick Allen noted that in the table associated with the Food Hygiene Rating Scheme (FHRS) on pages 31 and 32 the totals did not add up to 100% and he queried the reason for this. Officers agreed to provide an explanation outside of the meeting or if appropriate to correct the information. **(SM to ACTION)**.

Referring to the same table Councillor Allen noted that the vast majority of premises were in receipt of a very good or good rating and he asked if there was a reason behind this. Paul Anstey noted that a significant proportion of the premises were operated by contract

JOINT PUBLIC PROTECTION COMMITTEE - 12 JUNE 2017 - MINUTES

caterers (e.g. schools) who were very good at adhering to the relevant rules and regulations. The businesses rated as 0, 1 and 2 were understandably at more risk. They sometimes tended to 'cut corners' due to economic pressures. As a result they often went out of business and then re-opened as a different or rebranded business. Where a business failed an inspection there was usually a three month window before it was re-inspected.

Councillor Norman Jorgensen queried how the FSA audited the local authorities. Paul Anstey explained that local authorities were required to submit a lot of data on an annual basis and that the FSA tended to adopt a light touch approach to inspections. The FSA adopted a five year cycle. It was not anticipated that BREXIT would result in any significant changes to this approach. Their current focus was on food fraud largely as a result of the horse meat scandal. This meant that there was greater emphasis on ensuring the integrity of the food chain and less emphasis on food hygiene. The revised approach meant that different staff competencies were needed and there was greater emphasis on trading standards skill sets.

Councillor Jorgensen queried if the Team was adequately resourced to deal with the operational requirements arising from this plan. Officers confirmed that they had aligned the plan to the existing resources. A risk register had been developed which set out controls to deal with the effect of the loss of key staff members.

In relation to a query from Members about the number of food inspections Paul Anstey explained that high risk establishments were inspected every six months and that routine inspections took place every 18 months. The number of inspections that took place every year therefore varied. Clare Lawrence commented that varying workloads had been taken into account when the charging rates for each of the three authorities had been set to ensure that they were equitable.

RESOLVED that: the draft plan be approved, subject to the amendment of the table on pages 32 and 33 if appropriate and that the document would then be published and sent to the FSA.

Food Standards and Animal Feed Safety and Standards Delivery Plan

The focus of this plan was on the agricultural side and the focus tended to be on animal feed. Steve Loudon explained that the style of this report was different to that of the first report but that they would be harmonised in the future. Paul Anstey commented that there were 428 primary feed producers and 75 inland premises in the area.

It was noted that BREXIT might generate additional work in this area as there was likely to be more emphasis on border controls, movement of animals and live stock farms were more likely to be under the spot light.

In response to a query from Councillor Allen Paul Anstey explained that 383 food businesses were inspected, 74 complaints were dealt with and 2 food operators were prosecuted and 102 warnings or written notifications were issued. Food labelling and best before and use by dates were the main areas of concern. Recently the levels of fines for these transgressions had increased and the judiciary were making them relevant to the size of the company.

Councillor Allen queried if it was easy for members of the public to complain. Officers confirmed that it was. However, it was less easy to collate a case that would lead to a prosecution. A Response Team was being set up to expedite this process as educating

JOINT PUBLIC PROTECTION COMMITTEE - 12 JUNE 2017 - MINUTES

delays in following up on a complaint could help to increase the possibility of a prosecution.

RESOLVED that the plan be adopted.

17 Public Protection Community Fund (PP3316)

The Committee considered a report (Agenda Item 7) which explained how the Public Protection Partnership (PPP) would be implementing the Community Fund as agreed through the Asset Recovery Incentivisation Scheme (ARIS).

Steve Loudon explained that the fund was established by virtue of the Committee decision to implement the ARIS at the 14 March 2017 meeting. The Committee agreed at that time that they wished to determine all grant applications as part of their routine agenda. It was noted that the size of the fund has been capped at 20% of the total Proceeds of Crime Act POCA reserve held. The reserve currently stood at about £300k but it was acknowledged that this would vary year on year depending on cases that were successfully prosecuted. Once agreed the process would be published on all three authority's websites. It was noted that as part of the Communications Strategy adopted at the last meeting a person would be employed to undertake public relations activity. They would promote this activity.

A discussion ensued as to the maximum limit that could be applied for and it was agreed that it should be set at 'up to' £7.5k initially and that this could then be amended if necessary. Councillor Norman Jorgensen also requested that the form be amended so that applicants would need to state how many residents would be helped by their scheme. **(PA to ACTION)**. It was also agreed that all applications would be brought to the Committee on an ad hoc basis. In the event that this became overly onerous a sub-committee (comprising one councillor from each of the three authorities) would be set up and they would be tasked with making recommendations to the Full Committee. These sub-committee meetings could take place virtually.

Councillor Marcus Franks requested that the references to affiliations to a recognised sporting or children's group be removed from the key elements of an application (see page 77). **(PA to ACTION)**, Members also requested that the last line of the first paragraph of section 2 (Public Protection Community Fund) on page 85 be amended. **(PA to ACTION)** which made reference to an annual allocation of the POCA reserve.

Once the amendments had been made Paul Anstey would ask Moira Fraser to circulate the revised documentation to the Committee. **(PA/MF to ACTION)**

RESOLVED that:

1. the principles outlined in the Community Fund report be approved and it be adopted as policy;
2. individual grants be limited to £4,000 per application

18 Public Protection Performance Update (PP3317)

The Committee considered a report (Agenda Item 8) which asked Members to consider the proposed structure and content of the performance report they were due to receive

JOINT PUBLIC PROTECTION COMMITTEE - 12 JUNE 2017 - MINUTES

each year, as agreed by the business plan. The report also provided year end financial information from 2016/17.

Steve Loudoun explained that the Business Plan which was agreed at the 14 March 2017 meeting identified the headline priorities and the form of future performance reports.

During the 2016/17 financial year the Public Protection Partnership (PPP) had operated between 09 January 2017 31 March 2017. Performance monitoring during this time was based on legacy arrangements from each of the three Partner authorities. Financial monitoring was conducted by West Berkshire, with assistance from Bracknell Forest for the purposes of year end reconciliation. Bracknell Forest paid £284k for that period and the PPP spent £280.7k over the same period, resulting in an outturn of -£3.3k.

Wokingham and West Berkshire Councils, by virtue of legacy financial arrangements over the full year 2016/17 were £31.6k overspent. No specific Quarter Four budget analysis had been conducted to align with Bracknell Forest but this would be conducted in 2017/18.

Councillor Marcus Franks, given the earlier discussion on inspection of food premises, asked if it would be possible to include additional information pertaining to categories 0 and 1 and Cs and Ds in this report. Officers noted that this information was already presented in the Annual Plan. The purpose of this report was largely to inform budget discussions. It was agreed that officers would populate the documentation and then circulate it to Members which might it easier for them to see what information was being presented and therefore easier to identify any gaps.

Paul Anstey also drew Members' attention to the additional information pertaining to Primary Authority Partnerships set out in section 10 of the report. The team were providing advice and had set up trading relationships with some major organisations. It was hoped that the PPP could illustrate that it was developing economic activity and not just placing a burden on businesses.

Resolved that:

1. the format of the template and the subject headers identifying the nature of the performance information to be presented during 2017/18 be agreed.
2. any minor amendments required to the performance report be delegated to the Joint Management Board.

19 Future Plan

It was noted that the following issues would be included on the agenda for the September 2017 meeting:

- Accommodation
- Budget strategic assessment
- Any additional common policies that were identified in the interim

Business development would be included on the agenda for the December 2017 meeting.

Paul Anstey noted that the PPP were putting together a calendar of activities which could also be shared with Members.

Members also requested that they be informed about any media activity.

20 Any other items the Chairman considers to be urgent

JOINT PUBLIC PROTECTION COMMITTEE - 12 JUNE 2017 - MINUTES

The Chairman did not raise any further items.

21 Future Meeting Dates

- 25 July 2017 (Special)
- 19 September 2017
- 12 December 2017
- 19 March 2018

All meetings will start at 7.00pm and will be held at the Wokingham Borough Council Offices.

(The meeting commenced at 7.00 pm and closed at 9.03 pm)

CHAIRMAN

Date of Signature

Forward Plan for the Joint Public Protection Committee

12 December 2017 – 19 March 2018

Reference	Item	Purpose	Decision Body	Month/Year	Other	Officer and Contact No	Directorate	Lead Member	Part II	Call In
PP3352	Public Protection Partnership Scheme of Delegation	To consider the Scheme of Delegation.	pp	01 December 2017	JPPC 12/12/17	Steve Loudon (Bracknell)	Environment	Cllr Norman Jorgensen – Wokingham Borough Council	No	Yes
PP3320	Air Quality Action Plan	To agree the Air Quality Action Plan outlining measures for improving air quality within the Air Quality Management Areas declared for the Twyford and Wokingham Town Centres	PP	01 December 2017	12/12/17 JPPC	Sean Murphy	Environment	Cllr Norman Jorgensen – Wokingham Borough Council	No	No
PP3385	Public Protection Partnership Strategic Assessment	To consider the Draft Strategic Assessment and Approve the Service Priorities for 2018/19	PP	01 December 2017	JPPC 12/12/17	Paul Anstey 01635 519002	Economy and Environment	Cllr Norman Jorgensen – Wokingham Borough Council	No	Yes
PP3386	Public Protection Partnership Budget 2018/19	To consider the Draft Budget prior to submission to the Councils	PP	01 December 2017	JPPC 12/12/17	Sean Murphy 01635 519930	Economy and Environment	Cllr Norman Jorgensen – Wokingham Borough Council	No	Yes
PP3387	Public Protection Partnership Community Fund Applications	To consider applications for the Public Protection Community Fund and where appropriate approve for payment	PP	01 December 2017	JPPC 12/12/17	Paul Anstey 01635 519002	Economy and Environment	Cllr Norman Jorgensen – Wokingham Borough Council	No	Yes
PP3388	Public Protection Partnership Control Strategy	To consider draft Public Protection Partnership Control Strategy and amend and Approve	PP	01 March 2018	JPPC 19/03/17	Sean Murphy 01635 519930	Economy and Environment	Cllr Norman Jorgensen – Wokingham Borough Council	No	Yes
PP3389	Public Protection Partnership Performance Report	To consider Public Protection Partnership Performance Report	PP	01 March 2018	JPPC 19/03/17	Paul Anstey 01635 519002	Economy and Environment	Cllr Norman Jorgensen – Wokingham Borough Council	No	No

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Nominations to the Board of Directors of Trading Standards South East Ltd– Report

Committee considering report:	Joint Public Protection Committee
Date of Committee:	19 th September 2017
Date submission agreed Joint Management Board:	8 th September 2017
Report Author:	Sean Murphy

1. Purpose of the Report

- 1.1. To propose nominations to Board of Trading Standards South East Ltd and seek approval for those appointments.

2. Recommendation

- 2.1. That the Committee approve that: Sean Murphy be nominated as Director of Trading Standards South East Ltd to represent West Berkshire District Council, Bracknell Forest Borough Council and Wokingham Borough Council ('the Councils') and that John Nash be nominated to the role as Alternate Director to represent the Councils.

3. Implications

Financial:	<p>The PPP pays an annual fee to support the day to day operational costs for Trading Standards South East Ltd. In 2017/18 this fee was £12.3K. The operational costs include payments to the staff that deliver the programme set by the Board. This cost is met from existing revenue budgets.</p> <p>Over the last five years we have received some £200K in funding and operational support time for level 2 and 3 investigations and in the last two years around £45 in pass-ported grants for work around feed, food, intelligence etc. We continue to be supported with investigation work.</p>
Policy:	<p>All three authorities have previously determined to be Members of Trading Standards South East Ltd. These proposals amount to a proposal for re-alignment of representation on the Board of Directors</p>
Personnel:	<p>There are no personnel implications arising from this report.</p>
Legal:	<p>Trading Standards South East Ltd is a locally authority controlled company limited by guarantee. Membership of the company is open to all nineteen authorities with responsibility for trading standards in the south east region. Eighteen authorities are</p>

Members. These include Bracknell Forest, West Berkshire and Wokingham.

Each Member is entitled to nominate a Member Representative and a Director. They are also entitled to nominate one or more Alternate Directors. There is nothing in the Articles of Association that prevents an more than one authority from nominating the same person or same alternate to represent them on the Board of Directors. Membership of the Company remains at all times a matter for individual authorities.

Risk Management: There are no specific risk identified in this report,

Property: No implications.

Other: None

4. Other options considered

The alternative options are that each Council nominates an individual Director or no Director. In the case of the former this would mean all three needed to attend to ensure each authority is represented at Board Meetings. This would present unnecessary duplication given that that the Board is effectively interfacing with one shared service managed by a Joint Committee. The latter would mean no representation for that particular Member authority.

5. Background

- 5.1 Trading Standards South East Ltd was incorporated in October 2004 as private company limited by guarantee with no share capital. It is defined legally as a local authority controlled company.
- 5.2 The initial purpose of the company was to manage and deliver the contract with the government for the Consumer Direct Advice Line. Initially it ran in parallel with the Trading Standards South East Partnership which was an affiliation of member authorities who shared best practice and developed initiatives aimed at improving service improvements, cross border co-operation and value for money. In 2007 a decision was made to broaden the remit of TSSE Ltd to encompass all activity.
- 5.3 In the subsequent years the form Consumer Direct advice line passed to the Citizens Advice Service and TSSE Ltd took on a number of new roles. These have included holding the contract for the National Trading Standards Scam Team and the contract for the South East/London/East of England Trading Standards Regional Investigation Team, The South East Safety at Ports Team (monitoring the safety of products coming into the country) as well as the Regional Intelligence Team and oversight and regional co-ordination of the national animal feed enforcement programme.
- 5.4 At a local level the team manages a regional training facility to provide low-cost and no cost training to member LA's as well as various initiatives

around public health, crime prevention, service development and enforcement. Through the National Trading Standards Board and government departments it acts as an interface with the wider enforcement world and in particular other regions. Each of the authorities that form part of the PPP have received a range of grants administered by Trading Standards South East and benefited from the sharing of best practice, training and other initiatives it has developed. An infographic of some recent achievements is attached Appendix B to this report.

6.0 Current Position

- 6.1 As previously set out each authority is entitled within the terms of the articles to nominate one Director and a number of Alternate Directors. Currently West Berkshire Council has a Director namely, Sean Murphy, Public Protection Manager. Wokingham Borough Council currently have no formal representation on the Board. Bracknell Forest appointed Rob Sexton but he stood down on the formation of the PPP in the expectation that the PPP would then assume this role.
- 6.2 The West Berkshire Director is the longest serving Director on the Board having been appointed in August 2005. He has twice served as Chair of the Board, is a member of the Strategic Management Group and represented the South East on the National Trading Standards Board for nearly three years.

7.0 Proposed Way Forward

- 7.1 As each of the three Members of TSSE Ltd are now parties to the Public Protection Partnership of which the shared trading standards service is constituent it is proposed that it would make good sense to have common representation on the Board. This does not alter the individual status of each authority as a Member of the company.
- 7.2 It is therefore proposed that Sean Murphy be nominated as Director to represent the interests of all three Councils party to the PPP Inter-Authority Agreement and that John Nash be nominated as Alternate Director to represent the interests of said authorities.
- 7.3 Should the recommendations be approved the nominations will be put forward for consideration by TSSE Ltd.

Appendices:

Appendix A – Equalities Impact Assessment

Appendix B – Infographic of Trading Standards South East Ltd

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Appendix A

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 approve nominations for Director and Alternate Director for Trading Standards South East Ltd
Summary of relevant legislation:	Companies Act 2006
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Sean Murphy
Date of assessment:	08/09/2017

Is this a:		Is this:	
Policy	No	New or proposed	
Strategy	No	Already exists and is being reviewed	Yes
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 nominate Director and Alternate to represent the PPP authorities on the Board of Trading Standards South East Ltd
Objectives:	Extension of appt of existing Director to represent all three authorities and appt of a new Alternate Director to represent all three authorities.
Outcomes:	Appts as set out above
Benefits:	Co-operation and partnership with other south east trading standards authorities and rationalisation of representation on the Board of Directors

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
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Please provide an explanation for your answer: The premises are accessibility compliant

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: Possibly - this will need to be explored through staff consultation on the proposal; this has not yet been undertaken. The main impact will possibly be changes in travel time and distance to a new work base

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: Sean Murphy

Date: 08/09/2017

Our priority areas

Purchasing Power - Our collective buying power means Local Authorities continue to benefit from up to 30% discount on subscriptions as a result of operating as one single entity

Health & Wellbeing

Rogue Trading - Our Scambusters team provided £200,000 in investigative support for TSSE authorities to tackle 13 cross border enforcement cases focusing on Doorstep Crime, Intellectual Property and Online Scams

Training - 13 courses were provided for 209 Officers, of which 11 courses were free of charge and the average cost of the other 2 courses was £90

Cross Border Enforcement - Across London, the East and South East of England, our joint enforcement team sentenced a total of 22 defendants, issued fines amounting to £202,000, generated £150,000 in compensation, £423,000 in confiscation awards & disrupted rogue trading activity estimated at £8.1 million

Reducing Crime, Protecting the Vulnerable & Community Safety

Efficiency Savings - TSSEL's average annual turnover of £2.35 million delivers efficiencies of up to 30% to help improve front-line local delivery

Sharing Best Practice - Our network of Focus Group experts delivers a ratio of 1:3 in officer savings from working together

Economic Development & Support to Business

Unsafe Goods - For every £1 invested in prevention and surveillance activities at Southampton port, £65 in net economic benefits are generated as a result of reduced impact to consumers and businesses

Mass Marketing Scams - We are working with 171 local authorities nationally to reduce detriment equating to over £8 million. Total estimated consumer savings is £26 million. It is estimated that for every £1 of funding received, the team saved consumers £81.50

Service Improvement

Joint Officer Resource - We employed 1.5 officers, funded by the Food Standards Agency grant to support the delivery of our regional feeds programme



Trading Standards South East Ltd

TSSEL End of Year Achievements 2015-16

Who are we?

Trading Standards South East (TSSE) is a partnership of 19 local authority Trading Standards Services, operated through TSSE Ltd, a limited liability company.

What is our vision?

We work together to achieve maximum efficiency & effectiveness whilst retaining local and democratic accountability across Trading Standards South East Authorities.

What do we do?

We provide efficiencies and cost savings to local authorities as a result of adopting a coordinated joined up approach, by sharing best practice, avoiding duplication & contracting as one entity.

Coordination of effort offers huge benefits to local councils, central government, local consumers and businesses and the economy at a time when budget cuts continue to impact on local authorities.

There are a vast range of activities undertaken by the TSSE partnership team including:

- bargaining power resulting in cost savings
- consultation and policy development
- benchmarking and best practice improvements
- governance & financial monitoring
- building additional capacity
- partnership working, engagement with stakeholders
- central coordination & administration
- project management and delivery

TSSÉ funded approximately £70,000 worth of initiatives during 2015 -16 as outlined below

We supplemented national funding for our Regional Intelligence Officer in support of or commitment to regional tasking and Intel development

We provided officer authorisation updates

We funded market surveillance work at a Fulfilment House in Portsmouth

We funded the translation of an FSA produced allergen leaflet into 9 different languages for local businesses and shared with Trading Standards groups nationally

We provided bursaries for training

We produced a leaflet titled 'Stand Against Scams' in support of our commitment to Mass Marketing Fraud and our Protecting the Vulnerable Focus Group work

We worked in partnership with 'Action For People' to develop our Support With Confidence scheme and website

We produced a Tobacco Manual which was shared nationally via our Chartered Trading Standards Institute

We assisted and funded Local Authority requests for Intel and investigative support via our Regional Tasking process

We provided 206 PNC checks for TSSÉ authorities

For every £1 pound paid by authorities in TSSÉL membership fees they receive on average £4 worth of funding

We sponsored both TSI branches in support of our commitment to continued professional development

We supported Tobacco Enforcement activity including Operation Henry Dog Detection days and a project on Cheap Whites Illicit Tobacco

Funding drawn down by TSSÉL and reimbursed to member authorities in 2015-16 as detailed below totalled £1.75 million.

FSA Food Sampling	FSA Feed Sampling	FSA Food Traceability Project	Fulfilment House Project	NTSB Albacore	NTSB Safety at Ports	NTSB Tri Region Scam-busters (TRS)
£171,482	£324,703	£14,845	£26,520	£272,604	£235,544	£262,500

BEIS	NTSB Scams Hub	NTSB E-Crime stand alone PCs	NTSB Intel license	LA supplies a Chair for TSSÉL FG
£2,000	£418,479	£3,300	£9,600	£10,000

Key
 BEIS - Business, Energy, and Industrial Strategy
 FSA - Foods Standards Authority
 NTSB - National Trading Standards Board

Update on the Business Plan – Summary Report

Committee considering report: Joint Public Protection Committee
Date of Committee: 19th September 2017
Agreed by Joint Management Board:
Report Author: Paul Anstey

1. Purpose of the Report

To update the Committee on performance against the aims of the business plan agreed on 14th March 2017.

2. Recommendation

None at this time.

3. Implications

Financial:	n/a
Policy:	n/a
Personnel:	n/a
Legal:	n/a
Risk Management:	n/a
Property:	n/a
Other:	n/a

4. Other options considered

4.1. None.

5. Executive Summary

5.1. The vision of the Public Protection Partnership (PPP) is:

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

5.2. In addition the stated purpose of the PPP 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.

5.3. The Business Plan has 10 stated aims and each has been embedded into the day to day operation of the PPP.

5.4. Since 14th March 2017 the Joint Management Board have set out their expectations of the Joint Management Team and outlined a series of projects which have run simultaneously.

5.5. Some risks have been identified in the first 6 months which have required attention and the governance model does manage these risks appropriately. Of the 23 risk profiles listed, 1 red with accompanying action plan, 8 amber and 14 green.

5.6. A Workforce Plan has been drafted which highlights how the Joint Management Team will develop the skills of the service to help deliver the objectives.

5.7. Although progress has been satisfactory it has not been without frustration, particularly whilst the new operating model was coming into effect.

6. Conclusion

There has been satisfactory progress with the projects in the PPP and it has started the transition to the new operating model.

The Joint Management Board recognises the challenges that have been experienced to date and believe that overall the PPP is delivering well against its business plan.

Appendices

Appendix A – Supporting Information

Appendix A

Update on the Business Plan - Supporting Information

1. Introduction/Background

1.1. The Business Plan describes the vision, mission, values and aims of the Public Protection Partnership (PPP).

1.2. The vision of the PPP is:

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

1.3. In addition the stated purpose of the PPP 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.

1.4. The Business Plan has 10 stated aims and each has been embedded into the day to day operation of the PPP.

- a) The sharing of expertise and best practice.
- b) The creation of greater resilience and robustness to cope with unforeseen challenges such as disease outbreaks, large scale investigations or loss of key personnel.
- c) Sharing and developing resources to drive efficiency and effectiveness including systems and areas of specialist knowledge such as legal, finance and investigative skills.
- d) Eliminating duplication by needing to do things only once across all locations and elements of the service for example procedures and standard documentation.
- e) Building on the success and innovation of the partners to agreement and learning from each other and implementing that learning.
- f) The effective use of communication to protect communities and enhance the reputation of the Partnership and the Councils.
- g) Reduce costs by operating jointly.

- h) Making effective use of partnership funding, service specific grants and monies received from the Proceeds of Crime Incentivisation Scheme.
- i) Development of the Service in ways which drive further efficiencies and service improvements.
- j) Playing our role and enhancing our reputation on a regional and national level.

2. Joint Management Board (JMB) Projects

To fulfil its role the JMB identified 7 business areas to manage its workplan:

- Finance
- HR
- ICT
- Property
- Legal
- Performance and Service Development
- Business Development
- Risk (Emergency Planning and Business Continuity)

Each area has been allocated to a member of the PPP Board and PPP Manager.

2.1. Finance projects (aims c, d, g, h and i)

- Zero based budget – reviewed each area of operation and brought all expenditure and income targets together based on function, not partner boundaries.
- Review of assets, contracts and agreements to determine where opportunities to reduce costs exist and negotiate new deals with existing providers.

2.2. HR projects (aims b, c, h and j)

- Full management restructure, establishing new teams and hierarchy.
- Secondment, training and qualification of new Accredited Financial Investigator.
- Additional recruitment of a Case Manager (Solicitor).
- Creation of Technical Lead - Community Engagement post and subsequent recruitment process.
- Draft Workforce Plan – outline of how the service will recruit, manage learning and development and align skills to meet the objectives of the business plan.

2.3. ICT projects (aims a, c, d, e, g, h and i)

- Review of office access to systems and information – this incorporates remote access, WiFi, secure log-ins, multiple staff profiles, coding structures within case management systems, reporting tools.
- Procurement of Enterprise – management reporting tool for case management systems which aligns data extraction and presentation of data for managers to assess workloads and demand activity.

2.4. Property projects (aims d, g and h)

- Accommodation - Location of a central hub office at Theale – research and liaison with a number of organisations to identify appropriate opportunities, conducting on site assessments, contract tendering and negotiation with potential landlords. This is considered a priority for the development of the co-ordinated shared service due to the pressing need to define the identity of the new service and its operating model.

2.5. Legal projects (aims a, b, c, e, h, i and j)

- Development of the Case Management Team – providing specialist services for partners such as Royal Berkshire Fire and Rescue, Oxfordshire Fire and Rescue and Oxfordshire Trading Standards on a cost recovery basis.
- Centralisation of the enforcement management – bringing together all elements of enforcement to ensure consistency and best practice, this also allows for better overview of resource allocation for investigations.
- Defined SLA's with partner legal services – this states the relationships with in-house legal teams and the ability for the PPP to allocate resources more effectively and in a timely fashion to reduce the risks to investigations and subsequent proceedings.

2.6. Performance and Service Development Projects (aims a, b, c, d, e, g and i)

- Development of the operational model – training and development around the complexities of the national intelligence model and its implementation in the form of the Response Team. This has involved a series of staff consultations and workshops to create a sufficient level of understanding and a genuine shift in mindset from the previous systems. Specifically the multi-disciplinary nature of investigations and complaint workloads.
- Development of the strategic assessment and control strategy – this has required a complete re-examination of the professional research, local data and established practices to establish what the first set of stated priorities will be for the PPP.

2.7. Business Development

- Shortlisted to run the National Scambusters team – this was an invite from the National Trading Standards Board and narrowly lost to a County Council with existing shared service ties to the existing host.
- Discussions with other local authorities about potential partnership or future contracts.
- Several new Primary Authority Partnerships operating on cost recovery and negotiated retainers for business advice.

2.8. Risk (Emergency Planning and Business Continuity)

- Formation of strategic risk register – this has identified 23 risk profiles (1 red, 8 amber and 14 green). The red risk relates to staff numbers and an action plan has been drawn up to address the problem.

3. Options for Consideration

3.1. This report is for information only.

4. Proposals

4.1. This report is for information only.

5. Conclusion

5.1. The progress of the projects has been steady and allowed the PPP to start creating a more integrated set of systems and processes. Inevitably there has been some frustration experienced by staff and there has been some conflicts of priority to resolve.

5.2. The transition to the new operating model has required a considerable amount of staff consultation and role change for some, adopting roles which are still in their infancy and will become more defined over time due to the demands placed upon the PPP.

5.3. The Response Team is crucial to the success of the new operating model and will reflect the multi-disciplinary approach to service delivery that will be the signature of the PPP.

5.4. In the first 6 months the management team have had to experience a concentrated period of change whilst maintaining a service which over that time would have processed more than ten thousand service requests.

5.5. The Joint Management Board recognise these challenges and believe that overall the PPP is delivering well against its business plan.

Background Papers:

None.

Papers containing facts or material you have relied on to prepare your report. The public can access these background papers.

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: Paul Anstey

Job Title: Public Protection Manager

Tel No: 01635 519002

E-mail Address: Paul.Anstey@westberks.gov.uk

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:	N/A
Summary of relevant legislation:	N/A
Does the proposed decision conflict with any of the partnerships key objectives?	No
Name of assessor:	Paul Anstey
Date of assessment:	7/9/17

Is this a:		Is this:	
Policy	No	New or proposed	No
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:	
Objectives:	
Outcomes:	
Benefits:	

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?	
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	
Please provide an explanation for your answer:	

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: Paul Anstey

Date:7/9/17

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