

## **CORPORATE AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL**

**18 JANUARY 2016**

### **TRADING STANDARDS AND ANIMAL HEALTH - UPDATE**

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#### **Summary**

1. The Head of Community and Environment is invited to provide an update on recent developments in relation to Trading Standards and Animal Health.

#### **Background**

2. The County Council as a commissioning council keeps its services under continuing review as necessary to ensure the best use of public money. The Worcestershire Shared Services Joint Committee (*'the Joint Committee'*) was established on 1 June 2010 by the County Council and the six district councils in Worcestershire as the vehicle to deliver regulatory services which include the county functions of:

- Food Standards
- Fair Trading
- Animal Health
- Weights and Measures
- Product Safety
- Petroleum and Explosives Licensing.

3. The delivery model for provision of the services has been through Worcestershire Regulatory Services (WRS) hosted by Bromsgrove District Council (BDC). This governance model was based upon established arrangements for shared service delivery operating within the county and was structured to allow for the addition of other shared services in the future.

4. In February 2015, the Joint Committee endorsed proposals to restructure the current partnership into a smaller partnership of the district councils, continuing to have closely aligned policies and service levels, and the County Council leaving the Joint Committee but entering into a service level agreement with BDC for the provision of trading standards services through WRS. The Joint Committee considered that this model would best maintain the strengths and benefits of the original business case whilst protecting individual partner councils from the pressures and risks of diverging financial positions.

5. However, [a report to Cabinet](#) in November 2015 outlined concern that the proposed arrangements would carry a series of risks meaning that the service may have struggled to deliver statutory duties in relation to county functions. Risks included:

- a) Judicial review

- b) Inability to reach agreement with the Joint Committee on delivery model – financial, reputational, operational impacts
- c) Reputational impacts of failing to delivery statutory duties
- d) Risks with capacity in a disease outbreak situation.

6. The future of the service was considered by Cabinet on 19 November 2015. Details of [Cabinet's decision](#) and an update on developments since the Cabinet Meeting are attached as Appendix 1.

### **Purpose of the meeting**

7. The Panel is asked to:

- a) consider and comment on developments in relation to Trading Standards and Animal Health.
- b) determine any issues it wishes to highlight or comments it wishes to make to the Cabinet Member with Responsibility.

### **Contact Points**

#### County Council Contact Points

Worcestershire County Council (01905) 763763

Worcestershire Hub (01905) 765765

Email: [Worcestershirehub@worcestershire.gov.uk](mailto:Worcestershirehub@worcestershire.gov.uk)

#### Specific Contact Points for this report

Alyson Grice/Samantha Morris, Overview and Scrutiny Officers, Commercial and Change Directorate Tel: 01905 766619

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

### **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

Agenda and Minutes of Cabinet on 19 November 2015

All Agendas and Minutes are available on the Council's website at

<http://www.worcestershire.gov.uk/cms/democratic-services/minutes-and-agendas.aspx>

### Trading Standards and Animal Health

Papers, presented by the Cabinet Member with Responsibility for Localism and Communities, were approved at full Council and Cabinet in November 2015 recommending that Cabinet:

- (a) agrees that Worcestershire County Council withdraws from the Worcestershire Shared Services Joint Committee on 31 March 2016;
- (b) agrees that the county regulatory functions currently discharged through Worcestershire Regulatory Services (WRS) including Trading Standards and Animal Health are brought back in-house to the County Council from 1 April 2016 or as soon thereafter as may be determined in accordance with (d);
- (c) agrees that should those county regulatory functions not be brought back in-house on 1 April 2016 then they may be delivered through WRS via a short-term Services Contract until they are; and
- (d) delegates authority to the Director of Business, Environment and Community, in consultation with the Cabinet Member for Localism and Communities, to negotiate with the Management Board of WRS and other member authorities of the Joint Committee and take all necessary steps to put recommendations (a), (b) and (c) into effect, including giving appropriate notice for withdrawal from the Joint Committee, determining the arrangements and timetable for termination of the current arrangements for delivery and the service being brought back in-house, and agreeing any interim arrangements under a short-term Services Contract and the use of Directorate reserves to support those interim arrangements.

Since the Council and Cabinet meetings we have agreed a transfer date of 1<sup>st</sup> June 2016 for staff to come back in-house to the Council. This allows sufficient time for HR and ICT processes to be completed. We are currently working with the WRS to draw up a short term services contract to cover the period from 1<sup>st</sup> April to 1<sup>st</sup> June to ensure consistency of service. We are also negotiating on various aspects such as accommodation and ICT infrastructure to ensure we deliver best value for the new service whilst honouring contractual commitments from the original joint services agreement. We are also preparing to advertise for a Service Manager position to lead the service once it is back in-house at the Council, following a recent restructure within WRS.