

REPORT TO: HOUSING, DUNDEE CONTRACT SERVICES AND ENVIRONMENT SERVICES (27th APRIL 2009)

REPORT ON: ENVIRONMENTAL HEALTH AND TRADING STANDARDS DEPARTMENT SERVICE PLAN 2007-2011 UPDATE

REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

REPORT NO: 220-2009

1.0 PURPOSE OF REPORT

1.1 To seek Committee approval of the Environmental Health and Trading Standards Service Plan update.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee approves the Environmental Health and Trading Standards update.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report. Projects and actions proposed in the Plan are provided for in the Department's Revenue Budget and Capital Plan.

4.0 MAIN TEXT

4.1 The report updates the Department's service plan 2007-2011 which was approved by Committee on 14th January 2008, Report No. 633-2007.

The aim is to update the projects set out under the Department's objectives. The opportunity has also been taken to check that the department's objectives are aligned to the Dundee Single Outcome Agreement. The Department's performance indicators are regularly scrutinised by the Improvement and Efficiency Board and the Council's annual performance report as well by the Department's Management Team.

4.2 Links to the Single Outcome Agreement.

The Council approved the Single Outcome Agreement (SOA) between our Dundee partners and the Scottish Government. The Department's objectives contribute to those outcomes. The following table shows where each service objective links to a particular Dundee SOA outcome. Since it is possible that an objective may link to one or more of the SOAs only the SOA with the strongest link is shown. It should also be noted that a number of these objectives also advance the Dundee SOA outcome that Dundee will have a sustainable environment (e.g. Contaminated Land Strategy)

Dundee SOA Outcome	Department Service Plan Objective
Our people will experience fewer health inequalities	Provide a food enforcement service that meets the highest of national standards.
	Provide advice to Council departments on food safety, best practice and compliance with food safety statutory requirements.
	Tackle public health and environmental nuisances and concerns affecting people and communities and generally advance well being.
	Improve air quality.

Dundee SOA Outcome	Department Service Plan Objective
Our people will have improved physical and mental well being.	Develop the Licensing Standards service to supervise compliance by licence holders of their duties under the Licensing (Scotland) Act 2005.
Our communities will be safe and feel safe.	Provide an occupational Health and Safety enforcement service to meet the highest of national standards.
	Develop and implement the contaminated land strategy.
	Support a Scambusters team based in Dundee to investigate rogue traders and unfair trading.
Our people will have high quality and accessible local services and facilities.	Provide a trading standards enforcement service to meet the highest of national standards.

4.3 Project and Initiatives

Appendix one sets out the projects and reviews being carried out under each of the department's objectives. This includes the latest update on ongoing projects.

- 4.4 To address new challenges and areas for new projects and improving services, initiatives have been added to the service plan. The table below highlights some of the key new projects or reviews added to the plan. A new service plan objective has been added for the new licensing standards function. These new projects will be added to the list of current projects listed in Appendix 1.

Service Plan Objective	New Project Description
Provide a food enforcement service to meet the highest of national standards.	<p>Subject to receiving support from the Food Standards Agency Scotland, introduce a voluntary food hygiene information scheme informing consumers whether a food business in Dundee has received a "Pass" or "Improvement Required" at a recent food hygiene inspection. Food business operators would be expected to display a notice in their window describing their status. A Committee report will be produced seeking approval for implementation of the scheme. It is likely the scheme would be piloted in a chosen area before considering wider application throughout the city.</p> <p>Target date for committee report: January 2010</p>
Provide an occupational health and safety enforcement service meeting the highest of national standards.	<p>The department intends to enter a Primary Authority partnership agreement with Tesco Stores Ltd covering occupational health and safety.</p> <p>The Primary Authority Scheme has statutory backing and the partnership will build on the department's long standing links with the Company on health and safety.</p> <p>Under the Primary Authority Scheme the partners agree an inspection plan to be used by enforcing local authorities covering all Tesco's UK stores and distribution centres.</p>

Service Plan Objective	New Project Description
	<p>As the proposed Primary Authority the department will provide advice to the company on matters of national significance. Local Authority enforcing officers throughout the UK will be obliged by law to consult the department before taking formal enforcement action against the Company. (There will be no obligation to consult where urgent action is required to remove the risk of serious personal injury).</p> <p>Under the scheme the department will be able to charge Tesco Stores Ltd for services provided.</p> <p>If a Primary Authority agreement is made with Tesco in early May 2009 the scheme could begin in early June 2009</p>
<p>Develop the Licensing Standards Enforcement Service (Alcohol Licensing)</p>	<p>The Licensing (Scotland) Act 2005 was introduced to raise standards in the licensed trade with five objectives in mind:-</p> <ul style="list-style-type: none"> - preventing crime and disorder - securing public safety - preventing public nuisance - protecting and improving public health - protecting children from harm. <p>To supervise compliance by licence holders to the conditions of their licence and other requirements of the Act the department has developed an enforcement unit. The unit is working with the trade in the lead up to the main requirements coming into force in September 2009.</p>
<p>Co-ordinate action targeted at specific rogue trading practices affecting consumer across the region.</p>	<p>The Scambusters project aims to work across local authority boundaries to co-ordinate action against rogue traders and alert consumers who are being targeted by a particular trader's dishonest activity as it happens.</p> <p>Sharing intelligence helps to target enforcement on common issues across a region. Partnership working ensures that action is taken by the most appropriate agency.</p> <p>In the joint project between Dundee City and North Lanarkshire Council's the department provides a base for a team which covers north and east of Scotland.</p> <p>The project began in February 2009 and the current funding ends in March 2011</p>

Service Plan Objective	New Project Description
Tackle public health and environmental nuisances and concerns affecting people and communities and generally advance well being.	<p>The new Public Health (Scotland) Act 2008 revised and enhanced powers for dealing with nuisances.</p> <p>Additional powers for dealing with insect and artificial light nuisance and nuisance associated with water bodies commenced in January 2009.</p> <p>Enforcement powers have also been enhanced with a new Fixed Penalty Notice option.</p> <p>These new nuisance measures were introduced on 26/01/09 and it is expected that an opportunity to apply the fixed penalty notice powers will arise by the middle of 2009. Fixed penalty notices can be issued after a failure to comply with a statutory notice. The minimum term for a public health nuisance notice is 28 days</p>

4.5 **Projects Completed**

There have been 5 projects completed since the service plan was approved.

Sustainable Environment

Promoting the use of the mini Recycling Centre at the department's premises. The use by staff of this facility is now well established.

Brown Street Kennels

Rebuild Brown Street Kennels - The new kennels opened to the public on 14 July 2008 and the normal service was resumed.

Port Health

The new statutory power to issue after inspection Ship Sanitisation certificates has been successfully implemented.

Student EHO Training

Provision of practical training to Environmental Health Officer trainees. Three student EHOs completed their practical training and passed professional exams. Further options for future recruitment of student Environmental Health Officer are being considered.

Doorstop Cold Calling

A project to reduce the incidence of doorstep calling by traders was completed in late 2008. The initiative aimed to increase residents confidence about dealing with cold calling in the pilot area (a section of Douglas). The department worked with Tayside Police in the project which began in October 2007.

An evaluation study of residents showed that 98% of respondents considered the scheme generally worthwhile.

No other agencies have shown an interest in extending or expanding the scheme.

4.6 **Projects Abandoned**

Equalities and Diversity

A joint application by the department and Dundee College was made to the Food Standards Agency (FSA) for funding a food hygiene training programme for women in the Chinese Community. Unfortunately the project was not selected by the FSA.

A planned review of departmental literature to identify opportunities for meeting a range of language and communication needs was abandoned owing to the cost of translating such materials into various languages. However all leaflets, letters and inspection reports contain the Council's standard phrases in the main languages about the help available from the translation service.

Contaminated Land

The Scottish Government removed last year a performance indicator requiring the annual submission of data on the implementation of the contaminated land regime. This information will now be included in the State of Contaminated Land Report to be published every three years by the Scottish Environment Protection Agency.

4.7 **Projects behind Schedule**

4.7.1 Air Quality

In July 2006 the whole local authority area was declared an Air Quality Management Area for the pollutant nitrogen dioxide (NO₂). This status was confirmed in a Progress Report in 2007 which identified further sites where the annual mean objective for NO₂ is being exceeded.

Further assessments are required to define the precise cause of these NO₂ levels and this information will be used to construct scenarios for reducing this pollutant. In consultation with other departments and stakeholder an Action Plan will be developed and implemented with the aim of meeting the UK National Air Standards and Objective for NO₂. Specialist consultants have been appointed to assist the Council in making the detailed assessment and it had been anticipated that this would have been completed by March 2009.

The project is behind schedule because of the resources required to service a range of other priorities. Also, the project had to be adjusted to incorporate new policy and technical guidance on local air quality management issued by the Scottish Government in February 2009.

Tasks have been re-allocated within the department to release more time for officers to advance the air quality project. A new target date for the Action Plan has been set as March 2010.

- 4.7.2 The consultants will also assist with assessments on whether an Air Quality Management Area needs to be declared for the pollutant PM₁₀ (particles less than 10 micro metres or less in diameter).

4.8 **Performance Management**

The service plan lies at the core of the department's performance management system and is systematically monitored and reviewed by the management team. All the projects and performance measures are scrutinised in a corporate system and reported to the Improvement & Efficiency Board and exception reports are produced on performance falling behind targets or project milestones. The projects included in the attached appendix are all contained in the council's online planning and monitoring database for ongoing updating on progress. The Service Plan update will be added to the plans and performance page of the Council's website.

5.0 **POLICY IMPLICATIONS**

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

No major issues were identified.

- 5.2 The Equality Impact Assessment for the new project added to the Service Plan has been attached.

6.0 RISK MANAGEMENT STATEMENT

6.1 The department's risk register as approved originally in the EHTS Service Plan 2007 to 2011 remains unchanged by this update.

6.2 Most of the department's services are focused on protecting people from hazards in all aspects of the environment. Risk management procedures are therefore extensively used in day to day work.

6.3 The department acts in a large number of ways to reduce the major risks identified in the risk register as shown in the following examples;-

a) Pandemic flu.

Staff are represented on the Council's Civil Contingencies Working group and Tayside NHS Multi Agency Pandemic Flu Committee. Within the later group the department is the lead in a project looking at workplace precautions.

b) Front line services

The department has two Whole Systems Thinking projects underway (Food Safety and Public Health). Improving efficiency allows the release of more resources into priority areas and helps balance departmental capacity with service demands. It is intended that whole systems approach will become embedded across the whole department in due course.

c) Emergency response

A number of projects are underway to advance overall preparedness.

- Staff have taken part in a range of emergency planning training events and workshops
- A multi agency working group is chaired by the department in a project supported by Health Protection Scotland. This examines how to build capacity in the health protection workforce for incident handling.
- The department participates fully in a wide range of regional and national liaison groups. These groups discuss good practice, co-ordinate activity and share experiences across councils and agencies.
- Major incidents in food safety are reviewed and lessons learned discussed. For example the Food Team reviewed the recently published Public Enquiry into the September 2005 Outbreak of E.coli in South Wales

7.0 CONSULTATIONS

7.1 The Chief Executive
Depute Chief Executive (Support Services)
Depute Chief Executive (Finance)
Head of Finance

8.0 BACKGROUND PAPERS

None.

Albert Oswald
Head of Environmental Health & Trading Standards

10th April 2009

Appendix 1

Project Description	Current Status	Latest Assessment	Lead Officer	Start Date	End Date	Financial Allocation	Strategic Theme
Identify improved methods of working and service delivery.	On Schedule	Two projects are in place covering Food and Public Health. A number of experiments are planned or underway. Some ideas for wider application in EHTS are being identified. Efficiency champion to be trained by Finance division on calculating efficiencies in monetary value. Process for the latter to be established under the guidance of department's Accountant	Albert Oswald	Jan-08	31-Mar-11		Efficient Public Service
Ensure all staff are given a minimum of 10 hours professional development per annum.	On Schedule	Accurate training records are being kept to ensure that all members of staff receive a minimum of 10 hours professional development. This is an ongoing process in the professional development of all staff.	Sharon Salmond	Jan-08	31-Mar-11		People
Consumer Education	On Schedule	08-09 programme completed. Participation of Harris Academy in Young Consumer of the Year Competition effected by pupil illness.	Raymond Lynch	Apr-09	31-Mar-11		Involving Communities
With the support of Organisational Development, carry out a whole systems review of all services and functions.	On Schedule	Two projects underway: 1) Food; 2) Public Health	Albert Oswald	Jan-08	31-Mar-11		Efficient Public Service
Conduct a minimum of 3 EFQM Assessments.	On Schedule	First assessment completed and second to be carried out. Timetable for the introduction of PSIF will influence timing of second assessment	Frank Feechan	Jan-08	31-Mar-11		Modern Customer Service
Address gaps in current health and safety risk assessments and procedures.	On Schedule	The process of identifying gaps and undertaking a complete set of risk assessments based on the 30 point template from Corporate Health & Safety has begun.	Lindsay Matthew	Jan-08	May-09		Health & Safety

Appendix 1

Project Description	Current Status	Latest Assessment	Lead Officer	Start Date	End Date	Financial Allocation	Strategic Theme
Improve our use of the Council's website to provide more information and advice.	On Schedule	Lead officer has been identified after completion of recent team restructure and a project plan is being drafted.	Albert Oswald	Jan-08	Dec-09		Modern Customer Service
Develop the skills and knowledge of staff on emergency procedures.	On Schedule	Senior Officers attended training. Proposals for DCC training being considered by Emergency Planning Officer	Frank Feechan	Jan-08	31-Mar-11		Health & Care
Ensure that documented emergency policies and procedures are developed and reviewed regularly.	On Schedule	Rabies outbreak considered unlikely therefore review has low priority	Frank Feechan	Jan-08	31-Mar-11		Health & Care
Identify the recruitment and training needs to match the department's demographic profile.	On Schedule	Recruitment of next student EHO post being discussed with Education and careers advisors	Albert Oswald	Jan-08	31-Mar-11		People
Develop and implement policies, procedures and practices in line with the new quality standard for health and safety at work enforcing authorities.	On Schedule	Work has begun. There is a statement of commitment by the Convener in the Preface of the 2007/2011 Service Plan. Partnership Working with Dundee College.	Lindsay Matthew	Jan-08	31-Mar-11		Health & Care
Provision of support packages to assist smaller organisations in complying with food and health and safety standards	On Schedule	Partnership event held at Dundee College in September 2008. There was a good turnout from local businesses followed by the offer of health & safety training and participation in learning networks.	Lindsay Matthew	Jan-08	31-Mar-11		Health & Care

Appendix 1

Project Description	Current Status	Latest Assessment	Lead Officer	Start Date	End Date	Financial Allocation	Strategic Theme
Transfer Pest Control service request handling to Council's Contact Centre.	On Schedule	Performance indicator stats programmed, discussion held on GIS requirements, record created in GIS when job logged, work started on showing incidents for various pest types in GIS, survey and treatment job tickets amended, authorisation screen for invoicing created, user manual started, removed diary, started to program weekend working requirements, started to look at interface with Authority Financials.	Iris Coghill	To be determined			Health & Care
Trusted Trader	On Schedule	Scheme is now well established. Proposal being prepared with CLE [Construction Licensing Executive] for submission to Scottish Government, to roll out scheme to other LAs in Scotland under Housing Scotland Act provisions. Norfolk and Suffolk councils agreed to license use of TT in their area. Satisfaction survey of scheme users completed with excellent results.	Ken Daly	01-Apr-05	Ongoing		Community Safety
Under Age Sales	On Schedule	Underage test purchasing of cigarettes took place in April and May 2008. Underage test purchasing of fireworks also took place in October 2008. This is an on going project and test purchasing exercises will take place at different times over 2008 and 2009.	Lynne Law	Jan-08	Ongoing		Health & Care
Project based enforcement - range of monthly project based work	On Schedule	Monthly project work completed until 31/3/09. New programme starts 1/4/09.	Raymond Lynch	01-Apr-09	21-Mar-10		Community Safety

Appendix 1

Project Description	Current Status	Latest Assessment	Lead Officer	Start Date	End Date	Financial Allocation	Strategic Theme
Review existing customer surveys and develop improved methods.	On Schedule	Improvement Service are to establish a national "bank" of service specific survey questions. Whole system reviews in Food and Public Health functions are designed to meet customer expectation more efficiently. In the Public Health project steps have been introduced to reduce the need for service users checking on progress with their enquiry.	Frank Feechan	Jan-08	Mar-10		Involving Communities
<u>Air Quality</u>							
Undertake further monitoring and assessment of PM10 to determine whether a further AQMA is required. TARGET: Establish the need for an additional AQMA and thereafter implement corporate action plan measures to address the issue as appropriate. Monitoring of population exposure to PM10 is required by the Scottish Government.	On Schedule	The Progress Report 2007 indicates that PM10 concentrations are predicted to exceed levels at the target date of 2010 at four sites (Victoria Road/Hilltown, Seagate, Logie Street & Lochee Road). The level at Union Street is also close to exceeding the annual mean objective in 2010. Consequently a detailed assessment of PM10 is to be undertaken to determine if an AQMA should be declared for this pollutant. Specialist Consultants have been appointed to assist the council with this assessment and the necessary information has been collated to facilitate this work. The specialist consultants expected. However the project was adjusted to incorporate new policy and technical guidance on local air quality management issued by the Scottish Government in February 2009. A revised target has been set as May 2009 to complete the Detailed Assessment by the end of March 2009	Iris Coghill	Jun-08	May-09		Sustainable Environment

Appendix 2

Service Planning - EQIA Screening

Department:

Policy/Function	Equality Group								Evidence	Equality Indicator	Decision	Lead Officer	Target Date
	AGE	DEP	DIS	GEN	LGBT	OFF	REL	RACE					
Food Hygiene Information Scheme									This will be screened when firm proposal are drafted				
Tesco Primary Authority	L	L	L	L	L	L	L	L	There is no evidence that efficient enforcement impacts negatively	Meeting needs	No further action	FF	2009/2011
Licensing Standards Enforcement	L	L	L	L	L	L	L	L	There is no evidence that efficient enforcement impacts negatively	Meeting Needs	No further action	CS	2009/2011
Scambusters	L	L	L	L	L	L	L	L	The project has the potential to make a positive impact on equality groups.	Meeting needs	No further action	KD	2009/2011

Explanation of Terms:	Possible Decisions
DEP: People with dependents DIS: People with disabilities GEN: Gender LGBT: People who are lesbian, gay, bisexual or transgender OFF: People with an offending past REL: People with differing religious beliefs	L: Low M: Medium H: High Impact SP: Place as an equality action in service plan* FIA: Complete a full Impact Assessment ER: Complete an equality screening at next review * This may include formal service plans, team plans or individual job plans