

**REPORT TO:** HOUSING, DUNDEE CONTRACT SERVICES & ENVIRONMENT SERVICES COMMITTEE- 23rd August 2010

**REPORT ON:** ENVIRONMENTAL HEALTH & TRADING STANDARDS SERVICE PLAN 2010 to 2012

**REPORT BY:** HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

**REPORT NO:** 396-2010

## **1.0 PURPOSE OF REPORT**

1.1 To seek the Committee's approval of the Environmental Health & Trading Standards Service Plan 2010 to 2012.

## **2.0 RECOMMENDATIONS**

2.1 That the Committee approves the Environmental Health & Trading Standards Service Plan 2010 to 2012.

## **3.0 FINANCIAL IMPLICATIONS**

3.1 Actions proposed in the Plan are provided in the Department's Revenue Budget and Capital Plan.

## **4.0 MAIN TEXT**

4.1 The Service Plan aims to ensure that the operations of the Environmental Health & Trading Standards Department will make a contribution to Dundee City Council's aims and objectives as described in the Council Plan 2010 to 2012.

## **5.0 POLICY IMPLICATIONS**

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

### **5.1 Sustainability**

5.1.1 Sustainability actions are contained in the plan.

### **5.2 Anti-Poverty**

5.2.1 The service plan describes actions which will address anti-poverty principles by:-

- providing services designed to protect the vulnerable from being exposed to infections such as food poisoning.
- tackling adverse living and local environmental conditions capable of undermining resilience and mental health.
- tackling unfair and illegal trading practices.
- supporting the Council's employability strategy

5.3 Equality Impact Assessment

5.3.1 Three equality impact assessments on the plan have been carried out. These are available on the Council's website:- <http://www.dundee.gov.uk/equanddiv/equimpact/>

5.4 Risk Management

5.4.1 Risk are identified and controls set within the body of the plan.

**6.0 CONSULTATIONS**

6.1 The Chief Executive, Depute Chief Executive (Support Services), Assistant Chief Executive and Director of Finance have been consulted on this Report.

**7.0 BACKGROUND PAPERS**

7.1 Equality Impact Assessment.

**Albert Oswald**  
**Head of Environmental Health & Trading Standards**

**Date: 19th July 2010**



## **Environmental Health and Trading Standards**

**Service Plan 2010-2012**

## **1. Strategic Statement by Director/Head of Department**

- 1.1 This service plan sets out how the Environmental Health and Trading Standards Department will meet the aims of the Council Plan to deliver the outcomes for the citizens of Dundee as expressed in the Single Outcome Agreement.

The department provides a wide range of integrated services to protect public health and the environment and to advance high standards of environmental health and consumer protection.

Much of the department's work can be described as Health Protection i.e. protecting people from environmental hazards, whether biological, chemical or physical exposures which are capable of damaging health.

Especially important is being able to respond effectively to the risk of imminent harm arising from a range of hazards is essential to protecting people in Dundee particularly the vulnerable such as children, the elderly and people whose health is already compromised.

- 1.2 As the flu pandemic demonstrated, infectious diseases are capable of spreading quickly through communities causing death, illness and injury. Preventing outbreaks and being able to respond when they do occur remains a priority. The ability to do so will be enhanced by the commitments contained in the Tayside Joint Health Protection Plan 2010 to 2012 drafted by Tayside NHS, Dundee City Council, Perth and Kinross Council and Angus Council. The plan has been approved by Tayside NHS and each Council is in the process of seeking committee approval of the plan.

The physical environment can also threaten living conditions particularly through severe weather, flooding etc. The department has an important role in the Council's Emergency Planning and civil contingencies arrangements. Consequently a continuing priority in the period 2010-2012 will be to strengthen our capacity and resilience for dealing with outbreaks, public health incidents and emergencies.

- 1.3 Capacity and resilience is equally important in our day to day protective role. This includes the protection provided by Trading Standards. Unsafe or contraband goods and unfair or illegal trading practices affect the deprived and vulnerable most.

Capacity is enhanced by staff flexibility and adaptability. Maintaining staffing levels capable of carrying out a range of tasks is therefore essential to meet current and future demands.

Our student Environmental Health Officer training programme is a vital contribution to this workforce planning. Equally important is creating opportunities internally for staff to advance their development and upgrade qualifications to ensure the Council is, and will continue to be, capable of protecting the public.

- 1.4 We have to protect the public against a background of financial constraints. We must therefore make best use of our people and strengthen our collaborations with other protection agencies including our counterparts in neighbouring Councils. Working across departmental boundaries is equally important.

Improving efficiency and effectiveness with staff support is a major challenge for the department's management team. To this end, with the support of Organisational Development, we have expanded our current programme of Whole Systems Thinking (WST) reviews. This will further embed the WST approach to the point when this becomes our normal working practice.

## **2. Our role in fulfilling the Council Plan**

### **Working City, Quality of Life, Healthier Safer Communities and protecting individuals**

The work of the Environmental Health and Trading Standards Department contributes to the Dundee Vision and the Council Plan in a wide range of linked ways.

- 2.1 The department makes an important contribution to reducing health inequalities. Improving the local environment, tackling unsatisfactory living and working conditions reduces the risks to physical and mental health whilst removing sources of environmental injustice.

Minimising pollution is another vital ingredient in Dundee's sustainable future. Improved air quality reduces health risks for current and future generations. As the city changes for the future it is essential that policies on air quality and city development are compatible. If necessary, the air quality strategy and contaminated land will be subject of a Strategic Environmental Assessment screening at the appropriate time.

We contribute to achieving a strong and sustainable economy by pursuing high standards of environmental health and trading standards. This supports the area's economy and provides support for local businesses.

- 2.2 Taking action to safeguard the health and safety of communities, workers and consumers. This helps reduce the costs to the local economy and the health service of ill health and injury.

As an enforcing authority under the Health and Safety at Work etc Act 1974 the Environmental Health and Trading Standards Department is committed to following the Health and Safety Commission's strategy for workplace health and safety in Great Britain to 2010 and beyond. We are also committed to working with the Food Standards Agency in our shared objective -safer, healthier food.

- 2.3 As a specialist department we provide professional advice and guidance internally to other departments over a wide range of environmental health subjects. Prominent amongst these is the department's Corporate Food Safety advisory service. The Council is a major food provider in the city with activities ranging from welfare and school meals to major events such as the annual Flower and Food Festival. Providing this advisory service has been held up as an example of good practice by the Food Standards Agency.

- 2.4 Dundee people also need to be protected in the trading environment. The enforcement of trading standards legislation protects consumers, communities and businesses. A particular priority is taking action to prevent harm to the most vulnerable citizens in our community who are often more susceptible to scams and serious crime.

- 2.5 Smoking and alcohol misuse presents significant challenges to public health in Dundee. The department has a range of integrated enforcement powers to support corporate projects to reduce the incidence and impact of these problems. The Environmental Compliance Team (ECT) enforces smoking prohibition. As Departmental Head I chair the multi-agency Tobacco Control Alliance, whose main aim is to reduce the general prevalence of smoking. Licensing Standards Officers are part of the ECT and they enforce licensing standards legislation to protect public safety and health, protect children from harm and restrict unlawful drinks promotions. Trading Standards takes action on the sale of under age goods and on the retailing of tobacco.

- 2.6 We support the Council's employability strategy by providing placements under the Barnardo's Youth Build scheme and working with the Discovery Opportunities team. We are the managing department for the Future Jobs Fund Environmental Improvement Team which employs Dundee people in the 18 to 24 age group. This team carries out work to improve the local environment in disadvantaged areas whilst enhancing their employability.

2.7 The department's staff makes thousands of contacts with the general public and businesses of all types every year. Providing for the diverse needs of the community is essential to the objective of creating an inclusive city. In the equality impact assessments of this plan (available on the Council web site) many examples of current good practice were identified. However, meeting the aims of the Dundee City Council Single Equality Scheme, 2009-2012 is an ongoing process and therefore the department will continue to identify how our services can tackle inequalities and help bring about cohesive and confident communities.

## **2.8 Single outcome agreement**

The Dundee Vision and Council Plan links with the Single Outcome Agreement (SOA) made between The Dundee Partnership and the Scottish Government. Our services link strongly with the following SOA themes.

- Our children will be safe, healthy, active, nurtured, achieving, respected, responsible and included
- Our people will experience fewer health inequalities
- Our communities will be safe and feel safe
- Our people will live in stable, popular and attractive communities
- Dundee will have a sustainable environment
- Dundee will be a regional centre with better job opportunities and increased employability for our people

## **3. Key challenges from the external environment**

3.1 The major challenge is the very nature of the external environment. Situations such as disease outbreaks and other emergency scenarios which threaten communities can quickly unfold and get out of control.

3.2 Dundee has an outstanding natural environment. It became the first Scottish city to be covered by a Smoke Control Area. This early attention to smoke control considerably reduced pollution. However more recent monitoring in Dundee of other less visible pollutants demonstrates that corporate action is required to reduce levels of NO<sub>2</sub> and PM<sub>10</sub>.

Improving air quality is but one strand of the department's services which contribute to the Council's sustainability agenda. Implementing the Contaminated Land Strategy and taking action to reduce exposures to environmental hazards and nuisances in deprived communities directly addresses the linked sustainability principles of health, environment and economy. During the currency of the plan the department will periodically assess its performance in advancing the Council's sustainability strategy.

3.3 Reducing the percentage of non compliant food premises is a major priority. This has the potential to be resource intensive if the formal enforcement route is pursued. Related to this challenge is the potential for micro-organisms such as E.coli 0157, to exploit vulnerable areas in food premises which otherwise appear to meet the broadly compliant definition.

3.4 Difficult economic circumstances are causing an increasing burden on enforcement due to an increase in scams against consumers, and in particular the increased susceptibility of vulnerable parts of our community to the scammers. Trading conditions in these difficult times leads to cost cutting and a consequent increase in non compliance with legislation aimed at protecting the health and safety of consumers, employees and the general public. This requires greater vigilance during enforcement and more time spent on corrective actions. Similarly, operators are less inclined to spend money on training and are therefore more reliant on our advice and guidance.

3.5 There has been an increase in contaminated land remedial actions by the Council through an increase in derelict land not being developed.

3.6 In recent years there has been an increase in the number and complexity of community and commercial events and markets. Assisting operators to ensure that their event is safe and legal has placed additional demands on a number of the department's services.

#### **4. Key department priorities**

4.1 The key department priorities are:-

Protecting the health and safety of Dundee's communities through a range of health protection activities and interventions.

Improving the quality of life in these communities and help make Dundee an attractive place to live, work, study and visit by aiming for best quality environmental health and trading standards.

Achieving a just and fair trading environment to protect the deprived and most vulnerable. A particular priority is taking action to prevent harm to children through accessing age restricted goods.

Building and maintaining a competent, flexible workforce to meet current and future demands including the capacity to deal with disease outbreaks, public health incidents and other emergencies. This includes implementing a workforce plan to retain key skills.

Improving efficiency and productivity.

Maintaining jobs, supporting the local economy and playing a full part in the Council's employability strategies.

#### **5. How to take the Department forward**

5.1 In order to build the Environmental Health and Trading Standards Department's capacity to improve and to meet the objectives set out in this plan, the department will:

- Embed the Whole Systems Thinking approach in the way we work.
- Determine whether we meet customer expectations by analysing internal data and carrying out periodic customer surveys
- Ensure that all members of staff have an annual development and appraisal meeting with their manager and are fully supported in their development plans
- Implement mobile flexible working policies to improve productivity
- Carry out a departmental assessment under the Public Sector Improvement Framework and apply the lessons learned to the development of our services
- Implement an action plan to improve staff survey results
- Carry out projects to compare our performance with other authorities and agencies to improve performance

## 6. Department Objectives

Department objectives fall into two categories. The first at 6.1 below is designed to enable and support the second category at 6.2 which contains the key processes for delivering services.

### 6.1 Overarching departmental objective

The department will achieve its results and achieve the desired outcomes by:-

Improving efficiency to meet the needs of all stakeholders.

### 6.2 Service delivery objectives

Using our resources efficiently will enhance our ability to deliver the key service objectives described in the table below. These objectives are designed to arrive at the outcomes outlined in the Single Outcome Agreement and Council Plan. The table below aligns service delivery objectives with a basket of the most appropriate Single Outcome Agreement measures.

#### Service Objectives link SOA

##### SOA Measures

Our communities will be safe and feel safe.

Our children will be safe, healthy, active, nurtured, achieving, respected, responsible and included.

Our people will experience fewer health inequalities.

Our people will live in popular and attractive communities.

Dundee will have a sustainable environment.

Dundee will be a regional centre with better job opportunities and increased employability for our people.

##### Service Objectives

Protect and improve public health and protect children from harm through partnership working.

Protect and enhance the environment to safeguard the safety and health of Dundee's communities especially children and young people.

Reduce public health nuisances and environmental health incivilities which endanger physical and mental health, undermine resilience and disadvantage individuals and communities

Provide a food and health and safety enforcement service to meet the highest of national standards.

Achieve a safe and just trading environment through protecting consumers, children, the vulnerable and businesses.

Provide advice and support to duty holders, employees and consumers on Trading Standards and Consumer Protection

Support the Council's employability strategy.



### 6.3 Objectives and action planning

The objectives described at 6.1 and 6.2 will be achieved by completing the following action plans. Performance in doing this will be tracked using the accompanying performance indicators. Section 6.3 is split into an overarching service objective and service or section specific objectives. In the latter the respective managers provide a preamble to their objectives in which they expand upon the general themes in the plan in relation to their own operational fields.

#### 6.3.1 Overarching service objective

- **Objective: Improve efficiency to meet the needs of all stakeholders**

Action Plan	Lead Officer	Completion Date
Ensure that the impetus is maintained on the whole systems reviews of all EHTS services.	Frank Feechan	March 2012
Improve business processes through CERDMS*.	Sharon Salmond	March 2012
Improve productivity. Encourage the flexibility of staff and the development of new skills to meet new service demands.	Frank Feechan	March 2012
Conduct experiments on greater mobile and flexible working with a view to increasing productivity.	Frank Feechan	March 2012
Carry out a departmental assessment under the Public Sector Improvement Framework and apply the lessons learned to the development of our services.	Frank Feechan	March 2012
Implement an action plan to improve staff survey results.	Albert Oswald	March 2012
Determine whether we meet customer expectations by analysing internal data and through periodic customer surveys.	Frank Feechan	March 2012
Ensure that all staff have an annual development and appraisal meeting with their manager and are fully supported in their development plans.	Albert Oswald	March 2012
Continuously review standards of health and safety at work for all staff	Lindsay Matthew	March 2012
Assist the current three student EHOs complete their academic and professional education.	Craig Somers	March 2012
Identify opportunities for existing staff to upgrade their skills and knowledge to higher qualified posts.	Albert Oswald	March 2012

<b>Performance Indicators for this objective</b>	<b>Baseline</b>	<b>Target</b>
Increased productivity over a range of services including:- a) Public Health Service requests expressed as the % of all requests handled per FTE b) Food Hygiene primary inspections expressed as % share of total programme carried out per FTE	1 FTE=15%  1 FTE=12.55%	1 FTE=20%  1 FTE=14%
PSIF assessment planned to commence September 2011 with subsequent two year action plan.	September 2011	December 2013
Existing staff survey action plan to be reviewed July 2010 and again after the results of the new staff survey are known.	Staff Survey at 2007	Improved results in areas where department is below the Council average
Proportion of staff development and appraisal reviews conducted using the new corporate scheme when available.	Scheme yet to be introduced corporately	100% by April 2011

\*Corporate Electronic Records Document Management System

<b>Project Description</b>	<b>Lead Officer</b>	<b>Start Date</b>	<b>End Date</b>
Benchmarking Project 1. Benchmark the % age of broadly compliant food premises with comparable local authorities	Lindsay Matthew	September 2010	September 2011
Benchmarking Project 2. Benchmark the number of enforcement actions taken on public health complaints with comparable local authorities	Alex Henderson	September 2010	September 2011
PSIF assessment planned to commence September 2011 with subsequent two year action plan	Frank Feechan	September 2011	September 2013
Advance the department's role in the Council's Single Equalities Scheme 2009 to 2012	Frank Feechan	Ongoing	March 2012

### 6.3.2 Service specific objectives

#### Objective: Support the Council's employability strategy

Action Plan	Lead Officer	Completion Date
Complete the FJF project	Brian Gilmour	April 2011

#### Objective: Protect and improve public health and protect children from harm through partnership working.

Action Plan	Lead Officer	Completion Date
Take opportunities when available to participate in emergency planning exercises and training.	Frank Feechan	March 2012
Work within our various liaison groups to increase the availability of training and exercises on incident handling including the sharing of lessons learned from actual incidents.	Frank Feechan	March 2012
Work in partnership with Tayside NHS, Angus Council Perth and Kinross Council to implement the Tayside Joint Health Protection Plan 2010 to 2012.	Frank Feechan	April 2012
Provide an effective Port Health Service at Dundee Port and Riverside Airport.	Craig Somers	March 2012
Develop the capacity to respond to the risk of imminent harm and a range of emergencies and serious incidents and support the Council's civil contingencies plans and arrangements.	Frank Feechan	March 2012
Improve the management of alcohol sales by monitoring compliance with licensing conditions. Take action on potentially unlawful drinks promotions and pricing variations.	Craig Somers Ken Daly	March 2012
Enforce smoking prohibition legislation and new laws on the presentation and sales of tobacco.	Craig Somers	March 2012

Project Description	Lead Officer	Start Date	End Date
Review with Tayside NHS and the other Council's in the Board area current on call arrangements within the local authorities.	Frank Feechan	September 2010	March 2011
Review current port and airport health plans in the light of recent international health regulations.	Craig Somers	April 2010	March 2011

### 6.3.3 Environment and Environmental Compliance Overview

#### Living and built environment

Both the Environment and Environmental Compliance teams have a key and integrated role in controlling and influencing the physical and living environments and how these affect those who live and work in the city. Early resolution gives respite to those affected, ensuring that the problem does not escalate or conditions deteriorate. The teams' interventions range from investigating public health nuisances, dealing with domestic and trade waste presentation and fly tipping, pest and animal control problems to tackling anti-social domestic noise complaints.

The work of these sections accounts for the largest volume of service requests from the public coming into the department. In addition proactive district inspections uncover matters which would otherwise remain undetected or be reported at an advanced stage. Many of these environmental problems have a common thread and lend themselves to a multi tasking approach within the teams. Early intervention backed up by speedy resolution avoids the costs of deterioration and escalation.

In the next two years advancing multi tasking and reducing end to end resolution times will be a major challenge for the Environment and Environmental Compliance teams.

#### Air Quality

Dundee has an outstanding natural environment. However as stated in Audit Scotland's Report, Protecting and Improving Scotland's Environment (January 2010) Dundee along with 12 other local authority areas have locations which have poor air quality. Unless checked poor air quality reduces life expectancy and affects human health. The Audit Scotland report recognised that road transport is the cause of local air quality problems. In the next two years a major challenge will be improving the integration locally between air quality and transport objectives.

**Objective: Protect and enhance the environment to safeguard the safety and health of Dundee's communities especially children and young people.**

Action Plan	Lead Officer	Completion Date
Improve air quality	Iris Coghill	March 2012
Develop and implement the Contaminated Land Strategy and carry out a Strategic Environmental Assessment screening on the strategy.	Iris Coghill	March 2012
Contribute to the corporate aim of advancing the Air Quality Strategy	Iris Coghill	March 2012
Identify and investigate where necessary potentially harmful contaminated sites	Iris Coghill	March 2012
Pursue remedial action in potentially harmful contaminated sites	Iris Coghill	March 2012

Project Description	Lead Officer	Start Date	End Date
Contribute to the corporate aim of advancing the Air Quality Strategy	Iris Coghill	Ongoing	March 2012

**Objective: Reduce public health nuisances and environmental health incivilities which endanger health, undermine resilience and disadvantages individuals and communities.**

Action Plan	Lead Officer	Completion Date
Respond to and resolve pest control complaints.	Iris Coghill	March 2012
Maintain and increase if possible income from Pest Control treatments	Iris Coghill	March 2012
Investigate and resolve domestic and non domestic noise complaints including night time noise complaints	Iris Coghill Craig Somers	March 2012
Investigate and resolve public health complaints	Iris Coghill	March 2012
Survey and inspect areas of Dundee to identify or prevent public health nuisances, incivilities, littering, fly tipping and inadequate waste presentation	Iris Coghill Craig Somers	March 2012
Advance a corporate strategy for resolving the problems associated with poor domestic waste presentation	Craig Somers	March 2012
Patrol the city and respond to complaints to tackle dog fouling and uncontrolled dog problems	Iris Coghill	March 2012
Improve productivity in the processing of public health service requests.	Iris Coghill	March 2012

Key:-n/a means not available

Performance Measure	Baseline 09/10	Target or Direction	External Comparison	Previous Years Trends		
				06/07	07/08	08/09
% increase in productivity in public health service requests.	1 FTE= 15% of all SRs handled	Increase ratio to 20%	n/a	n/a	n/a	n/a
% of pest control complaints receiving a response within 5 days	100%	Maintain	n/a	100%	100%	100%
% of public health complaints (general) receiving a response within 48 hours.	99.4%	Maintain (Target 95%)	n/a	96.5%	97.2%	99.5%
Number of public health complaints resolved as a % of those investigated	96%	Maintain (Target 95%)	n/a	n/a	n/a	n/a
% of stray dog complaints receiving a response within 48 hours	99%	Maintain (Target 97%)	n/a	98%	100%	100%
% of dog fouling complaints responded to within 72 hours	97%	Maintain (Target 97%)	n/a	100%	100%	100%

Performance Measure	Baseline 09/10	Target or Direction	External Comparison	Previous Years Trends		
				06/07	07/08	08/09
% of complaints about fly tipping, domestic and trade waste presentation receiving a response within 48 hours	No baseline	New measure	n/a	n/a	n/a	n/a
Number of domestic noise complaints received that were settled without need for attendance on site	394	not applicable	Dundee Aberdeen Edinburgh Glasgow	224 2839 4574 5672	171 1174 4010 6130	195 1062 3923 5091
Number of domestic noise complaints received requiring attendance on site	187	not applicable	Dundee Aberdeen Edinburgh Glasgow	166 148 33 n/a	173 156 36 n/a	207 235 152 0
Number of domestic noise complaints received that were dealt with under Part V of ASB Act 2004	2207	not applicable	Dundee Aberdeen Edinburgh Glasgow	2839 1007 5364 1858	3783 1011 5308 2230	2378 1284 4761 2600
Total domestic noise complaints	2788	not applicable	Dundee Aberdeen Edinburgh Glasgow	3229 2051 9971 8530	4127 2341 9354 8360	2780 2581 8836 7691
Average time (hours) between time of complaint and attendance on site, for those requiring attendance on site	9.8	Improving	Dundee Aberdeen Edinburgh Glasgow	24 60 71 n/a	15 73 35 n/a	10 27 26.6 n/a
Average time (hours) between time of complaint and attendance on site, for those dealt with under the ASB Act 2004	0.3	Maintain at no greater than 0.3 hours	Dundee Aberdeen Edinburgh Glasgow	0.3 1.0 2.00 3.2	0.3 0.6 1.0 2.9	0.3 0.4 0.7 2.6
Number of non-domestic noise complaints settled without need for formal action	104	Maintain	Dundee Aberdeen Edinburgh Glasgow	191 402 1823 1959	162 436 1945 2274	100 460 2254 2777
Number of non-domestic noise complaints requiring formal action.	0	Maintain	Dundee Aberdeen Edinburgh Glasgow	0 7 31 23	0 3 26 25	0 7 25 26
Total non-domestic noise complaints	104	Not applicable	Dundee Aberdeen Edinburgh Glasgow	191 409 1854 1982	162 439 1971 2299	200 467 2279 2803
Average time (calendar days) to institute formal action where required	Not applicable	Not applicable	Dundee Aberdeen Edinburgh Glasgow	n/a 54 19 60	n/a 19 13.0 3.0	n/a 38.1 7.2 2.5

## Trading Standards Overview

The role of Trading Standards is to promote a fair market in consumer goods and services by protecting consumers and honest traders by ensuring that trade is carried out lawfully, fairly and safely. Protecting the vulnerable and those who have little in the way of resources and resilience is a priority especially during difficult economic circumstances. This requires an approach in service delivery which focuses on deploying Trading Standards expertise into areas of greatest need.

The Trading Standards Service will therefore focus on 5 key areas working, fostering partnerships where necessary at corporate or city level to address the Council's priorities:

- Preventing and detecting serious crimes and taking action to prevent people being the victims of doorstep trading rogues.
- Taking action to prevent harm to children and nuisance caused by young people through gaining access to age restricted goods.
- Boosting the local economy by providing business advice and targeting rogue businesses to support a fair trading environment for compliant businesses.
- Supporting the health, well being and rights of Dundee residents particularly the vulnerable and people living in deprived areas, by providing advice and direct intervention when necessary.

**Objective: Achieve a safe and just trading environment through protecting consumers, children, the vulnerable and businesses**

Action Plan	Lead Officer	Completion Date
Carry out enforcement programmes to detect and investigate the under age sales of tobacco, games and fireworks.	Lynne Law	March 2011
Advise and educate consumers and businesses.	Raymond Lynch	March 2011
Investigate consumer complaints about services and goods sold or presented for sale	Ken Daly	March 2011
Monitor the licensing conditions in petroleum installations and check the calibration Liquefied Petroleum Gas dispensers.	Ken Daly	March 2011
Inspect high risk premises.	Ken Daly	March 2011
Carry out a risk rated enforcement programme to monitor compliance in Product Safety, Metrology and Fair Trading.	Ken Daly	March 2011
Operate the Dundee Trusted Trader Scheme.	Ken Daly	March 2011
Introduce measures to improve productivity.	Ken Daly	March 2011

Performance Measure	Baseline 09/10	Target or Direction	External Comparison	Previous Years Trends		
				06/07	07/08	08/09
Number of consumer complaints received	993		Dundee Aberdeen Edinburgh Glasgow	1120 1107 2738 2786	1107 1202 2959 2985	1215 1115 2398 2844
Number of consumer complaints dealt with within 14 days of receipt	802		Dundee Aberdeen Edinburgh Glasgow	925 904 2098 1914	925 930 2419 2101	970 836 1927 2241
Percentage of consumer complaints dealt with within 14 days of receipt	80.8%	Increase	Dundee Aberdeen Edinburgh Glasgow	82.6% 81.7% 76.6% 68.7%	83.6% 77.4% 81.8% 70.4%	79.8% 75.5% 80.4% 78.8%
Number of business advice requests received	227		Dundee Aberdeen Edinburgh Glasgow	177 178 426 1005	319 179 497 1056	258 203 298 1012
Number of business advice requests dealt with within 14 days of receipt.	225		Dundee Aberdeen Edinburgh Glasgow	171 166 399 972	311 168 471 1020	249 198 273 980
Percentage of business advice requests dealt with within 14 days of receipt	99%	Maintain	Dundee Aberdeen Edinburgh Glasgow	96.6% 93.5% 93.7% 96.7%	97.5% 93.9% 94.8% 96.6%	96.5% 97.5% 91.6% 96.8%
Number of premises liable to inspection in the high risk inspection category			Dundee Aberdeen Edinburgh Glasgow	26 39 32 211	23 59 10 213	30 76 9 169
Target number of visits to premises in the high risk inspection category			Dundee Aberdeen Edinburgh Glasgow	26 39 32 211	23 59 10 213	30 76 9 169
Number of visits to premises in the high risk inspection category achieved			Dundee Aberdeen Edinburgh Glasgow	24 25 32 202	22 37 10 212	30 74 9 168
Percentage of target visits to premises in the high risk inspection category achieved	94%	Maintain	Dundee Aberdeen Edinburgh Glasgow	92.3% 64.1% 100% 95.7%	95.7% 62.7% 100% 99.5%	100% 97.4% 100% 99.4%
Target number of premises visited regarding under age sales	New target	To be set	n/a	n/a		
Number of planned visits to premises regarding under age sales	New target	To be set	n/a	n/a	n/a	n/a
Number of visits to premises regarding under age sales achieved	New target	To be set	n/a	n/a	n/a	n/a
Percentage of target visits regarding under age sales achieved	New target	To be set	n/a	n/a	n/a	n/a

Project Description	Lead Officer	Start Date	End Date
Development of intelligence products and compliance with the National Intelligence Model	Ken Daly	1/9/2010	31/3/2012
Development of skills and capacity in e-crime and e-consumer protection	Ken Daly	1/9/2010	31/3/2012



### **6.3.5 Food/Health and Safety at Work - Overview**

#### **Food**

Dundee City Council is the Food Authority for the city and is responsible under UK and EU law for implementing official food controls. The department is subject to external scrutiny by the Food Standards Agency (FSA) in Scotland. In an audit of the Authority in May 2010 it was stated the Authority has ensured that service delivery is completed to a consistently high standard.

According to the FSA, food borne disease is a major cause of illness in the UK population and imposes a significant burden on patients and the economy. In 2008 there were 7625 cases of food poisoning notified in Scotland but this may not reflect the true incidence.

The FSA believe that reduction of food borne disease would provide significant benefits. For example, each 1% reduction in overall UK incidence would mean 10,000 fewer cases each year and the associated reduction in personal pain and inconvenience, workplace absence and reduced demand on healthcare services would represent an economic saving of around £15 million.

In Dundee there are 1305 food premises ranging from large warehouses to fast food outlets. The food sector is therefore vital to the economy as a source of income, employment and as an attraction to all those who visit, study or work in the city.

Driving up compliance with food law in line with the FSA's strategies will reduce the risks of food borne illness originating in Dundee's food sector. This is overriding objective of the Food Team. Thorough inspections will be the main form of intervention across all risk rated premises and officers will be mindful that organisms such as E.coli 0157 can exploit gaps in premises otherwise seemingly meeting the broadly compliant definition.

The FSA expects that consumers be informed about the food hygiene rating of food premises. In the autumn of 2010 we will launch a food hygiene rating scheme which will advise consumers if Dundee food premises have passed hygiene inspections. Premises will be able to display a 'Pass' sign if they meet the required standard and inspection results will be displayed on a Web portal hosted by the FSA.

#### **Workplace health and safety**

The Council is the Enforcing Authority for Health and Safety at Work legislation mainly in the private services sector. Each year In the UK over 1 million injuries and 2.3 million cases of ill-health are experienced by workers and around 40 million working days are lost to business.

Losing skilled workers, even for a few days, can have a big effect on the smaller organisation. A serious accident could put them out of business.

The department's visits are therefore designed to encourage compliance and offer help. In the next two years our officers will continue to promote the free advisory services offered to this sector by Healthy Working Lives and Working Health Services Dundee.

The department's interventions will be based on the Health and Safety Executive's strategies.

The Health and Safety Executive expect enforcing authorities to meet the standards contained in the 'Making a Difference Strategy' by March 2011. Achieving this will be a priority for the health and safety function.

**Objective: Provide a food and workplace health and safety enforcement service to meet the highest of national standards.**

Action Plan	Lead Officer	Completion Date
Carry out a risk based food hygiene and standards inspection strategy to increase food operator compliance.	Lindsay Matthew	March 2012
Investigate communicable disease cases and outbreaks brought to our attention.	Lindsay Matthew	March 2012
Investigate and resolve consumer food complaints and service requests.	Lindsay Matthew	March 2012
Participate in co-ordinated sampling programmes.	Lindsay Matthew	March 2012
Implement a rolling programme on the Scottish Food Hygiene Information Scheme.	Lindsay Matthew	March 2012
Provide corporate advice and support to Council related food operations.	Andy Petrie	March 2012
Assist food business operators to achieve high standards of food safety and food standards.	Lindsay Matthew	March 2012
Meet the standards laid down by the Food Standards Agency (FSA) in the Framework Agreement on Local Authority Enforcement.	Lindsay Matthew	March 2012
Take steps to improve productivity.	Lindsay Matthew	March 2012

Performance Indicators for this Objective						
Performance Measure	Baseline 09/10	Target or Direction	External Comparison	Previous Years Trends		
				08/09	06/07	07/08
% of inspections carried out within time - Category A premises	100%	Maintain	Dundee Aberdeen Edinburgh Glasgow	100% 100% n/a 99.3%	100%	100%
% of inspections carried out within time Category B.	100%	Maintain	Dundee Aberdeen Edinburgh Glasgow	100% 98.9% n/a 99.8%	100%	100%
% of inspections carried out within time Category C/D	100%	Maintain	Dundee Aberdeen Edinburgh Glasgow	97.1% 85.4% n/a 46.9%*	100%	100%
% of food premises deemed to be broadly compliant	79.8%	Increase to 90% by March 2012	Dundee Aberdeen Edinburgh Glasgow	79.8% 90.7% n/a 69.5%	n/a	n/a
% of food safety and food hygiene complaints and advice requests receiving a response within 48 hours.	95%	Maintain	n/a	n/a	96/9%	88.9%
% of food alerts receiving a response within 48 hours.	100%	Maintain	n/a	n/a	n/a	n/a
% age increase in productivity in food inspection programme	1 FTE = F12.55% of Pls**	Increase to 1FTE =14%	n/a	n/a	n/a	n/a

\*\* Primary Inspections

	<u>C Rated</u>	<u>D Rated</u>	<u>E Rated</u>
	93.4%	24.8%	22.5%

\*Glasgow breakdown C-E rated  
Note - Edinburgh - information not available from Food Standards Agency

Action Plan Workplace Health and Safety	Lead Officer	Completion Date
Carry out a risk based workplace health and safety inspection programme to protect employees and all those affected by work activities	Lindsay Matthew	March 2012
Carry out focussed enforcement interventions to support the inspection programme	Lindsay Matthew	March 2012
Investigate and resolve:- - complaints about workplace conditions - incident/accident notifications in a targeted way using the HSE's investigation criteria	Lindsay Matthew	March 2012
Promote to employers and employees the free services of Healthy Working Lives and Working Health Services Dundee	Lindsay Matthew	March 2012
Comply with the Health and Safety Executive's quality management framework 'Making a Difference' by the UK target date (March 2011)	Lindsay Matthew	March 2012
Take action to improve productivity	Lindsay Matthew	March 2012

Performance Indicators for this Objective						
Performance Measure	Baseline 09/10	Target or Direction	External Comparison	Previous Years Trends		
				06/07	07/08	08/09
Number of health and safety inspections carried out as a % of those planned.	83.6%	Increase	n/a	87%	62.45%	82%
Response within 48 hours to complaints about health and safety and incidents/accidents which match the HSE's criteria	Accidents 88% Complaints 97%	Maintain	n/a	91%	93%	98%
% increase in productivity in the health and safety inspection programme.	To be set	To be set	n/a			

Project Description	Lead Officer	Start Date	End Date
Developing and implementing policies, procedures and practices in line with the new quality standard for enforcing authorities	L Matthew	01/04/2008	31/03/2011 (presumed date for the introduction of the new standard)

## 7. Risk Register

The corporate risk register covers a number of corporate risks common to all services including the continued threat of another flu pandemic.

In this risk register the department has focused on the higher level strategic risks of interest to the Council and the public which are relevant to Environmental Health and Trading Standards services.

<b>Risk Register</b>					
<b>Service Objective</b>	<b>Nature of risk (1)</b>	<b>Overall Assessment of Probability and Severity (P * S) (2)</b>	<b>Risk Controls (3)</b>	<b>Business Continuity Implications (4)</b>	<b>Lead Officer for managing the risk (5)</b>
Protect and improve public health and protect children from harm through partnership working	Failure to respond effectively to a serious incident within our statutory jurisdiction resulting in injury or death. Consequential litigation and loss of reputation.	3x5=15	Prioritising & resourcing of critical statutory services	Yes	Albert Oswald
Protect the environment to safeguard the health of Dundee's communities	1) Declining air quality causing an increase in the risk of illness in sections of the population. 2) Failure in a statutory duty to identify and remediate contaminated land resulting in occupants being exposed to significant harm from a range of serious illnesses. 3) In both the above consequential litigation and loss of reputation. 4) Damage to Dundee's environmental reputation	2x4=8	1) Advancing corporately the Air Quality Strategy 2) Adequate resourcing to fulfil statutory duties	Yes	Iris Coghill

<b>Risk Register</b>					
<b>Service Objective</b>	<b>Nature of risk (1)</b>	<b>Overall Assessment of Probability and Severity (P * S) (2)</b>	<b>Risk Controls (3)</b>	<b>Business Continuity Implications (4)</b>	<b>Lead Officer for managing the risk (5)</b>
Reduce public health nuisances and environmental health incivilities which endanger physical and mental health, undermine resilience and disadvantage individuals and communities	1) Failure to respond to a range of situations resulting in health risks to vulnerable communities and a decline in quality of life. 2) Failure to control pests resulting in an increase in disease vectors. Economic damage caused by pests. 3) Failure to respond to reports of uncontrolled dogs and dog fouling leading to increased danger and a decline in quality of life. 4) Reduced service user satisfaction arising from the above	3x3=9	Prioritising resources and response times.  Developing multi tasking and advancing mobile and flexible working.	Yes	Iris Coghill and Craig Somers
Provide a food and health and safety enforcement service to meet the highest of national standards	Failure to respond effectively to identified serious risk  Ineffective response to a disease outbreak	2x5=10	Maintain effective management and adequate resources.  Maintain and improve capacity and resilience for outbreak handling  Maintain performance in complying with The Framework agreement.	Yes	Lindsay Matthew

<b>Risk Register</b>					
<b>Service Objective</b>	<b>Nature of risk (1)</b>	<b>Overall Assessment of Probability and Severity (P * S) (2)</b>	<b>Risk Controls (3)</b>	<b>Business Continuity Implications (4)</b>	<b>Lead Officer for managing the risk (5)</b>
Provide a Trading Standards enforcement service to meet the highest of national standards.	<p>Failure to prevent harm to children and young people from the sale of under age goods</p> <p>Failure to protect the vulnerable from unfair trading and rogue traders</p> <p>Failure to recruit Trading Standards Officers</p>	3x3=9	<p>Prioritisation of resources and projects</p> <p>Introduce a training and development plan</p>	Yes	Ken Daly
Improve efficiency to meet the needs of all stakeholders	Perceived failure to improve efficiency affecting the business case for the retention of posts and the filling of vacant posts	5x3=15	<p>Increase the use of management information.</p> <p>Prioritise the use of departmental and corporate efficiency strategies</p>	No	Frank Feechan

1. Nature = Description of the what the risk is
2. Probability of the risk occurring if the risk control isn't applied. Severity of the consequences to the public, Council or Department if the risk occurred. Both are out of ten with ten being the highest.
3. Risk controls is a description of the main management strategies to control the risk (reduce the probability and or severity) and if possible prevent it.
4. Business Continuity is a back up plan to continue to be able to deliver an essential service should the normal delivery route be interrupted or blocked by a risk occurring.
5. An officer needs to be responsible for ensuring the risk controls are in place and assessed to be effective

## 8. Department Service Plan Performance Review

### 8.1 Department Overview

The tables at Sections 6.3.3 to 6.3.5 contain data on performance including in many cases trends over a number of years and Benchmarking information where this is readily available.

On the Corporate Performance Monitoring data base 58 performance indicators are recorded and these include statutory indicators and others which were locally set in the original Environmental Health and Trading Standards Service Plan 2007 to 2011.

The breakdowns down below gives a broad indication of overall performance.

	<b>Long Term</b>	<b>Yearly</b>
Improving	5.08% (3)	10.53% (7)
Maintained	67.8% (40)	68.4% (40)
Deteriorating	16.95% (9)	21.5% (1)
Not Applicable	10.07% (6)	

### 8.2 Interpretation

A number of factors should be taken into account when considering this information:

- a) The 'Maintained' category contains a number of indicators where there is already high level of performance leaving little scope for improvement. In 28 indicators performance has been maintained at 100% compliance with targets over a number of years.
- b) The 'Deteriorating' contains one example where the measure has been set too precisely. The target time for responding to complaints about domestic anti-social noise is 0.3 hours. If the typical time to respond increases but remains within the 0.3 hours this is recorded as a deteriorating performance. This statistical problem is being rectified in this new Service Plan. A similar statistical problem exists in the average time taken to respond to other types of noise complaints. Current response times are well below the target time. However, if throughout a year there are variations in response times, a downward trend appears in the performance statistics as a deterioration, even if the actual response time is within tolerable margins.
- c) In Trading Standards 8 out of 14 performance indicators set are in the original Environmental Health and Trading Standards Service Plan 2007 to 2011.

Four of these are no longer relevant having been dropped by national scrutiny bodies. The decline in some of these indicators is due in part to professional staff leaving and difficulties in replacing them. Four other indicators relate to staff development and training. These formed parts of the now redundant Trading Standards National Performance Framework which was in place at the time the original plan was written. Staff development and flexibility is a priority for all sections in this Service Plan.

### 8.3 Indicators which are improving

Overall the department has made the following performance improvements in its priority indicators:

- a) The number of Health and Safety Workplace inspections carried out as a percentage of total planned has increased two years in a row. From a base of 62.54% in 2007/2008 to 82% in 2008/2009 and 83.6% in 2009/2010. It is anticipated that this upward trend will continue in the year ahead.
- b) The response within 48 hours to workplace health and safety complaints and accidents has shown a similar trend with 2007/2008 figure of 93% improving to 98% in 2008/2009 and being maintained at 97% in 2009/2010.
- c) The average time in hours taken to respond to domestic noise complaints which are not dealt with under Part V of the Antisocial Behaviour etc (Scotland) Act 2004 has improved. The time taken between time of complaint and attendance on site (for those requiring attendance on site) has improved from 15 hrs in 2007/2008 to 10 hrs on 2008/2009 and 9.8 in 2009/2010. These figures compare favourably with two other cities.

### 8.4 Indicators showing a decline

The following indicators have shown a declining trend and will be subject to a detailed review in the period ahead:

#### Key Performance Indicators

Definition	06/07	07/08	08/09	09/10	Current Target	Benchmark	Improvement Status
Percentage of Trading Standards consumer complaints dealt with within 14 days of receipt	82.6%	83.6%	79.8%	80.8%	85%	Dundee ahead of other cities	Maintained
Number of health and safety inspections carried out as a % of those planned	87%	62.5%	82%	83.6%	87%	None available	Slight % increase in an originally declining trend
Percentage of target visits to premises in the high risk inspection category achieved (Trading Standards)	92.3%	95.7%	100%	94%	95%	E/burgh 100%	Maintained

Status: ▲ = >5% improvement, ► = maintained, ▼ = >-5% deterioration



## 8.5 Highlights

### a) Food/Health and Safety

Two of the department's key achievements in the past year took place in the Food/Health and Safety at Work section. The food team continue to achieve a high performance in completing inspections on time across all risk bands (i.e. A to E). In addition, a very favourable report was received from the Food Standards Agency in Scotland auditors

### b) Future Jobs Fund Environmental Improvement Team

With the support of Discover Opportunities the department employed two groups of eight Dundee people under the Future Jobs Fund for 6 months in a project shared with three other departments. The team enhanced their employability by acquiring a range of skills and knowledge as they set about improving the local environment in disadvantaged areas. The project will run for a further 8 months.

## 8.6 Areas for improvement

The department has identified the following areas for improvement to be achieved over the year ahead:

- a) An overarching objective has been set at paragraph 6.3 to improve the departmental approach to efficiency across all service lines in order to meet the needs of stakeholders.
- b) The service lines identified at paragraph 8.4 (Indicators showing a decline) will be reviewed with a view to improving performance.
- c) The Food Standards Agency has introduced a new outcome measure for food hygiene. This requires that Councils as the Food Authority for their area report on the percentage of food premises which meet the definition of being broadly compliant. In Dundee approximately 80% of food premises are deemed broadly compliant and this is close to the Scottish average. Although this is 10% below the level of another Scottish city, Dundee performs better than this city on inspections carried out within time in the lower risk banded premises (i.e. C to D) by approximately 12 %.