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06 April 2016

Councillor Daniel De'Ath,  
Cabinet Member for Skills, Safety, Engagement & Democracy,  
County Hall,  
Atlantic Wharf,  
Cardiff,  
CF10 4UW.



Dear Councillor De'Ath,

**Joint Scrutiny – Community & Adult Services and Environmental  
Scrutiny Committee – 3 March 2016**

On behalf of the Community & Adult Services and Environmental Scrutiny Committee I would like to thank you, Councillor Parry and the officers for attending the meeting on Thursday 3 March 2016. As you are aware the meeting considered an item titled Shared Regulatory Service – Implementation & Future Proposals.

The meeting was structured in a collaborative spirit to include scrutiny by Members of Cardiff's Community & Adult Services and Environmental Scrutiny Committee along with questions from Members of Bridgend County Borough Council and the Vale of Glamorgan Council.

It is important to remember that this collaborative scrutiny approach is a 'pilot' and the success of the meeting will be reviewed in the next few months to identify a suitable way forward. We welcome the support that you have shown in this process and will keep you updated on the future direction of collaborative scrutiny for the Shared Regulatory Service.

This letter acts as a record of Member comments, observations and recommendations made at the meeting; it also documents the questions (and answers to those questions) submitted by Members from Bridgend County Borough Council and the Vale of Glamorgan Council. A copy of this letter will be sent to Members in our Shared Regulatory Service partner authorities.

## **Shared Regulatory Service - Bridgend County Borough Council and the Vale of Glamorgan Council Member Questions**

On the 26 February committee papers were sent to Members from Bridgend County Borough Council and the Vale of Glamorgan Council. The papers included an invitation to submit questions on the Shared Regulatory Service to the meeting with the options of having the nominated Chair ask the question on their behalf or to attend in person. Two submissions were provided, these along with the responses given are detailed below:

- **Councillor Chris Williams - Chairman –Scrutiny Committee Housing and Public Protection – Vale of Glamorgan Council submitted the following question:**

*'I understand from the Chairman of the SRS Board, the Vale Council's Director of Environment and Visible Services, that he is working on proposals for improved Scrutiny arrangement for the SRS between our three Authorities. He is enabled to do this under section 5.5 of the Joint Working Agreement (JWA) and he aims to table a report to the next Board meeting and Joint Committee for consideration. If new scrutiny arrangements are endorsed by the Joint Committee then I understand that they will have to be considered by our respective Executives and then by our full Councils, if changes to the JWA to reflect such new arrangements, are required. I recall that there were similar parallels to the early years of the Prosiect Gwyrdd project where Scrutiny was very much a late starter and I believe, as the Chair of that Scrutiny Panel, that the project did not run as smoothly as it could have.*

*For those officers and Members from Cardiff who were involved in that scheme, I believe that lessons learned from that project are applicable to our SRS.*

*I'm sure that we can overcome these 'teething troubles' and swiftly move on to a process which is satisfactory to all Members and officers and fits in with the requirement of us all to properly scrutinise the service. Can I ask*

*that officers come up with a workable solution involving Members from all Authorities as soon as is practically possible’.*

In response to this question you explained that you were keen to ensure that there was appropriate collaborative scrutiny of the Shared Regulatory Service, however, it was not your place to dictate to a scrutiny Committee how they should scrutinise the new service. Instead you committed to sharing with scrutiny colleagues any scrutiny proposals being developed by the Vale Council's Director of Environment and Visible Services in advance of their being considered by the Joint Committee. You felt that this approach would help inform the review of the collaborative scrutiny ‘pilot’ and allow sufficient time for feedback on a way forward for scrutiny proposals in advance of the Joint Committee on 12 May.

- **Councillor Norah Clarke – Chairperson - Community Safety & Governance Overview & Scrutiny Committee – Bridgend County Borough Council submitted the following questions:**
  - *‘With regards to food safety. Have all premises that are part of the Food Hygiene Rating Scheme been visited in a timely manner or are there some still to be visited?’*

In response to this question an officer explained that the Shared Regulatory Service was broadly compliant for inspections in Bridgend which resulted in a Green ‘RAG’ status; was achieving an Amber ‘RAG’ status in the Vale of Glamorgan and had struggled in Cardiff where the ‘RAG’ status against this measure was Red. Resources have been redistributed to address this imbalance, however, despite the best efforts of staff it is estimated that only 92% of the required visits would take place and that the target of 100% compliance will not be achieved in 2015/16. It is hoped that the recruitment of 10 new staff to the Food Safety Team would improve the performance of this measure in 2016/17.

- *‘I was pleased to see that a “Paid for advice” service is in operation for those who have a low number on the rating scheme. I note that 11*

*businesses have availed themselves of this service but it doesn't mention in which authority the businesses were. It would be good to know if any were from Bridgend'.*

In response to this question an officer explained that the 11 businesses which had used the "Paid for advice" service were from Cardiff. She was unsure of the interest that had been generated in Bridgend and the Vale of Glamorgan. Another officer emphasised that the Shared Regulatory Service is working hard to push this service as it could provide a good source of income, however, the South Wales economy is not as vibrant as areas like the South East of England and so building this type of business could prove challenging.

### **Shared Regulatory Service - Cardiff Community & Adult Services and Environmental Scrutiny Committee – Member comments, observations and recommendations**

During the way forward Members of the Community & Adult Services and Environmental Scrutiny Committee made the following comments, observations and recommendations on the Shared Regulatory Service:

- **Food Safety** – Members were concerned that the service is failing to meet two of the main the food safety performance indicators, these are:
  - **'PPN/001 (ii) - Percentage of high risk businesses that were liable to a programmed inspection that were inspected for food hygiene'** - This was risk rated as red and reported as 55.99% in February 2016. The service felt that performance against this indicator would improve in the remainder of 2015/16, however, that the 100% target would not be achieved.
  - **'PPN/008 (ii) - The percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year, for food hygiene'** - This was risk rated as amber and reported as 81.42% in February 2016. The service felt that performance against this indicator would improve in the remainder of 2015/16, however, that the 100% target would not be achieved.

The Committee understands that the transition to the Shared Regulatory Service has been difficult for the Food Safety Team. It is noted that the service is currently carrying 10 vacancies which should be filled in the coming weeks. Members hope that recruitment into these posts will increase capacity and, therefore, service performance. They will monitor the food safety performance indicators in the coming months and hope to see a significant improvement in the results.

- **Voluntary Severance Payments** – Members were concerned that during the creation of the Shared Regulatory Service some staff had been granted voluntary severance only for service demands to mean that the posts were re advertised later in the year. The Committee would like assurance that this has not been the case and that there have been no unnecessary voluntary severance payments.
- **Service Implementation Spending Profile** - There was some confusion around the amount of money spent in implementing the new service with particular concern directed at the new ICT systems. I would be grateful if you could provide a breakdown of all implementation costs for 2014/15, 2015/16, 2016/17 and 2017/18; this should include specific reference to the ICT spend and comment on the value added by the new systems.
- **Accommodation** - Members note the rationalisation of staff accommodation which has taken place since the start of the Shared Regulatory Service. They understand that this has been achieved through a combination of fewer staff and agile / home working. They will monitor the impact that this accommodation management approach has on staff and service delivery for the Shared Regulatory Service.
- **Single Point of Contact** - During the meeting it was suggested that a councillor single point of contact for reporting issues relating to the Shared Regulatory Service would be useful. I would be grateful if you could provide details of a suitable number which can be circulated to councillors in each of the three partner authorities.

- **Income Generation** - The generation of additional income from the Shared Regulatory Service to contribute to the 2016/17 budget savings was discussed at the meeting. Following on from issues raised during the budget scrutiny Members remain to be convinced of the achievability of the Shared Regulatory Service income generation plans. The Committee would like to receive a detailed plan from the Shared Regulatory Service which sets out exactly how it proposes to meet this challenging target across the three partner local authority areas. In particular they would be interested in finding out which new income generation opportunities have been created as a result of the new Shared Regulatory Service.
- **Accountancy Support** – It was noted during the meeting that the Shared Regulatory Service now uses fewer finance staff to deliver the required level of accountancy support; this has contributed in part to the savings required from the service. Members found it encouraging that an alternative delivery model which has been established by the Council is achieving efficiency savings and hope that this can be replicated in other alternative delivery models being developed by the Council.
- **Illegal Money Lending Unit** - Members note that the Illegal Money Lending Unit is run on a cost neutral basis, i.e. the Welsh Government provides the Council with 100% of the cost of running this all Wales service. They also note the national proposals to levy a fee against credit companies to cover the cost of running this and similar services across the United Kingdom.
- **Performance Management** - Members are supportive of the new outcome based performance indicators currently being developed by the Shared Regulatory Service. They stress the importance of the new performance measures being outcome focused and that they reflect the corporate priorities of each of the three partner authorities. They would like to be involved in reviewing the new indicators and are willing to provide feedback on the 'dashboard' approach currently being developed. I would appreciate it if you could arrange for scrutiny to be involved in the review

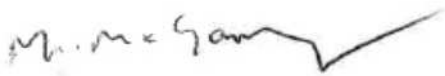
of the new performance management arrangements before they are finalised.

- **Court Cost Recovery** - Members note that the value of fines generated in areas covered by the Shared Regulatory Service were outside the control of the three partner local authorities. Fines for areas covered by the Shared Regulatory Service are decided through the court system and can vary from case to case. These fines are not returned to the Council and the level of costs recovered by the Council after a successful prosecution vary considerably. In some instances the Council has been significantly out of pocket after achieving a successful prosecution. Members do not feel that this is fair and would urge you to lobby the court system to raise the profile of this problem, i.e. that the Shared Regulatory Service cost recovery matches the actual cost of bringing forward a successful action.
- **Risk Register** - Appendix 3 of the Shared Regulatory Service Business Plan 2016/17 included a series of 17 risks facing the service in 2016/17. These were 'RAG' rated (all as Red) against 'Inherent Risk' and 'Residual Risk'; they included a risk description and had a paragraph highlighting 'current controls' being applied against the risk. Members were concerned that the scale and potential impact of the risks were not identified. They have asked that a risk hierarchy system is included in the risk section of the plan so that the most significant risks facing the Shared Regulatory Service are obvious and that the scale, context and potential impact of each of these is clear.
- **Local Authority Specific Service Plans** - The Committee felt that while the Shared Regulatory Service Business Plan 2016/17 provided an overview plan for the overall service it did not clearly identify what this specifically means for each of the three partner local authorities. Members would like the Shared Regulatory Service Business Plan 2016/17 to include appendices for each of the three partner local authorities indicating how the overarching plan relates specifically to each area.

- **Staff Welfare in the Business Plan** - Members felt that the Shared Regulatory Service Business Plan 2016/17 failed to include any detail on how the Shared Regulatory Service proposed to support the welfare of staff delivering services in the new model. This is particularly relevant as staff face work challenges from increased workloads and new practices such as agile / home working. The Committee believe that the greatest strength of the Shared Regulatory Service is its staff and, therefore, the plan should reflect how their welfare is supported.

I would be grateful if you would consider the above comments and provide a response to the requests made in this letter.

Regards,



Councillor Mary McGary  
Chairperson Community & Adult Services and Environmental Scrutiny  
Committee

Cc to:

Councillor Jacqueline Parry, Chair of Public Protection & Licensing  
Committee, City & County of Cardiff  
Councillor Charles Smith, Cabinet Member for Regeneration & Economic  
Development, Bridgend County Borough Council  
Councillor Richard Williams, Chairperson – Licensing Committee, Bridgend  
County Borough Council  
Councillor Bronwen Brooks, Cabinet Member for Housing, Building  
Maintenance and Community Safety, Vale of Glamorgan Council  
Councillor Anthony Powell, Chairman – Licensing Committee, Vale of  
Glamorgan Council  
David Holland, Head of Shared Regulatory Services, Shared Regulatory  
Service  
Andrew Gregory, Director for City Operations, City & County of Cardiff



Tara King, Assistant Director for City Operations, City & County of Cardiff  
Miles Punter, Director of Environment & Visible Services, Vale of Glamorgan  
Council

Lee Jones, Head of Regulatory, Partnership & Transformation, Bridgend  
County Borough Council

Will Lane, Operational Manager, Neighbourhood Services, Shared Regulatory  
Service

Helen Picton, Operational Manager, Enterprise & Specialist Services, Shared  
Regulatory Service

Christina Hill, Operational Manager, Commercial Services, Shared Regulatory  
Service

Paul Keeping, Operational Manager, Scrutiny Services, City & County of  
Cardiff

Gary Jones, Head of Democratic Services, Bridgend County Borough Council

Jeff Wyatt, Operational Manager, Democratic Services, Vale of Glamorgan  
Council

Jeff Rees, Principal Democratic & Scrutiny Services Officer, Vale of  
Glamorgan Council

Angela Holt, Principal Scrutiny Officer, City & County of Cardiff

Claire Deguara, Cabinet Business Manager, City & County of Cardiff

Members of the Community & Adult Services Scrutiny Committee, City &  
County of Cardiff

Members of the Environmental Scrutiny Committee, City & County of Cardiff

Members from Bridgend County Borough Council

Members from the City & County of Cardiff

Members from the Vale of Glamorgan Council