

Organisation and Arrangement of the Two-Site

Shared Environmental Health Service

1. Introduction

- 1.1. The Tri-Cabinet recommendations from 12 June 2013 meeting were that approval be given in principle for the creation of a shared Environmental Health Service between Maidstone, Swale and Tunbridge Wells Borough Councils. The two site model, located at Swale and Tunbridge Wells, with a single shared Environmental Health Manager would be developed as the preferred model.
- 1.2. The interim manager for the project was requested to review the proposed model and consider the stipulation that Maidstone be treated as a single territory for the delivery of its food and commercial premises inspections. This was to explore whether this request impacted on the financial implications of the model. And further to review the service delivery arrangements for food premises inspections and environmental permitting for the partnership as a whole to achieve consistency across the three authorities.
- 1.3. Furthermore, Overview and Scrutiny would be invited to comment on the proposed operational model for the shared service before final approval. Delegated authority for this decision was made to the respective portfolio holders for Environmental Health at each authority.
- 1.4. The sponsoring Director, Jonathan MacDonald, Director of Development and Environment, and the Interim Shared Service Environmental Health Manager have held individual and joint meetings with the Portfolio Holders at Maidstone, Swale and Tunbridge Wells to brief them about the outcomes of the Project Board findings.

2. Summary

- 2.1. Financial modelling and a review of the organisational arrangements for the shared service have concluded that the proposed two site delivery model is able to provide the improved resilience and quality of service within the current budget, as required by the Cabinet decision in June. The culture of the proposed service will be developed once the service is established and will be based on the principles of good regulation outlined in the Regulators Code¹.
- 2.2. The proposed organisation does reduce the overall staffing level by 1.0FTE at management level. Resilience is provided through increasing the number of frontline posts to enable less experienced but professionally qualified officer's opportunities in the Shared Service while retaining the existing officers. This will provide a greater range of experience, flexibility and ensure that there is a continuation of local knowledge shared between staff. The outline staff structure is provided in Appendix 3.
- 2.3. Consistency of service delivery will be achieved through implementing standard procedures for work functions across environmental health and effective management. Individual authorities will still be able to vary policy and strategy to meet local needs where

¹ Regulators Code Dept. for Business Innovation & Skills July 2013

appropriate and members maintain contact with officers in relation to issues relevant to their residents.

- 2.4. Flexible working is at the core of the Shared Service, to maximise efficiencies in time and resources. Officers will be able to work across the Mid Kent area utilising remote working technology and hot desking from the two main sites as well as Maidstone House for meetings and service delivery needs. The management and administrative support will be based at Swale and Tunbridge Wells sites.
- 2.5. A review of the Environmental Permitting arrangements has proposed that low and medium risk permits across the three authority areas are delivered by officers, whilst the complex processes are contracted out. Soft market testing suggests that this will present economy of scale for the service. Quotes of 80 - 85% of DEFRA fees have been provided for a three authority rather than the current 85-87% of fees currently charged for the individual contracts. The recommended option ensures that the service controls the risks associated with this regulatory function rather than de-skilling its professional staff while utilising the services of a specialist contractor to deliver the more complex or sensitive permits.
- 2.6. A Food inspections review has shown that collectively the three authorities would have in the region of 2,000 B,C and D risk rated premises per year that could be out sourced to a contractor on the same basis as the Swale contract, this would cost between £87,000 and £90,000. This would have to be off set against establishment posts in Maidstone and Tunbridge Wells. As resilience and quality are the critical success criteria for this shared service the Project Board recommendation is to bring the service back in house for Swale subject to the funding of the post being covered by the cost of the existing contract.

3. Recommendation of Project Board on the Pollution Prevention Contract

- 3.1. A review of the delivery options available to the Shared Service are contained in a summary report at Appendix 1. The preferred option chosen is to adopt Option 3 delivery model which retains some service delivery in house and the use of a contractor across all three districts. It is proposed that the shared service officers will permit processes in the lower risk and less complex premises gradually taking on the more complex processes in a graduated approach. This allows officers to build up their expertise and skills in more complex and higher risk processes over a two to three year period.
- 3.2. The contractor will be used to permit businesses where there are potential conflicts of interest (Crematoria) or where the complexity of the processes does not make the level of required training in the team viable. Contractors who have a wider scope of experience and service provision could in these circumstances provide businesses with a more informed expertise which would be beneficial to specialist businesses. The financial model proposed would enable this work to be self funding.
- 3.3. This option enables staff to develop a broader skills base and supports staff retention. It should be noted that if the service were completely contract out it would still be necessary to retain a high level of specialist knowledge to support 'Smart Clienting' arrangements. In such a situation the Shared Service would require at least two officers to maintain such skills to provide resilience.
- 3.4. The recommendation of the Project Board is to adopt Option 3.

4. Programmed Food Inspections

- 4.1. The review of the food inspections contract has considered the benefits provided to the authorities of delivering the service through its own officers compared to out sourcing over 2,000 medium risk business inspections a year across the three local authorities of inspections to contractors. Details of the food service delivery options is provided in Appendix 2.
- 4.2. The current contractor Red Snapper provides Swale with an effective service using two experienced EHOs to deliver the work. Swale officers carry out a significant amount of food inspection work in addition to the contract inspection work.
- 4.3. Maidstone and Tunbridge Wells deliver food inspections only within their Food & Commercial services absorbing the impact of staff vacancies and absences through managing resources flexibly.
- 4.4. Resilience in the Shared Service is increased through maintaining a competent and professional number of officers able to provide flexibility and adapt to the challenges of the changing regulatory agenda.
- 4.5. The Project Board consider that in house service delivery will provide resilience, flexibility and quality for the authorities in this regulatory area compared to the use of contractors. Resilience is necessary not only for the programmed work and specific emergency events such as food poisoning outbreaks, but also of use for wider corporate needs to assist with flooded communities. If there are adequate numbers of officers the resilience can be sustained for longer term emergency responses. As one shared service this will be a resource that each individual organisation can call on.

5. Two Site Model Critical Success Factors

5.1. Resilience

The delivery of the Maidstone food and safety function from the Sittingbourne site meets the recommendation of the tri Cabinet meeting on 12 June there will be a critical number of officers working from this site to ensure that the delivery of the service is maintained and improved across both districts. Particularly if the establishment is increased to bring all food inspections back in house. Peer training and consistency monitoring between the Tunbridge Wells and Sittingbourne sites will provide close professional links and develop consistent standards across the whole service.

Drawing the current food and environmental permitting contracts back into a Shared Service will provide the critical mass of professional talent that can be called on across the three districts within these functional areas. The new structure improves the number of frontline staff able to respond to service demands. Resilience will be improved through standardised procedures to enable officers and administration staff an understanding of how to process service needs where ever they originate.

A flexible working model will also support resilience in providing officers with the ability to organise their working day to suite the demands of their work rather than a need to appear in the office. They will be expected to use time efficiently, utilise remote working, IT and communications systems and take responsibility for meeting service needs.

The model will require careful management to ensure that our organisational obligations are met in full and that we also balance this with the need to develop a new organisational culture for the service.

5.2. Culture

The service culture will aim to protect public health through the regulatory powers and to assist businesses to comply with the law.

The objective will be to:

- Develop one culture across the service through strong leadership and management
- encourage officers to develop areas of specialisms, with more than one specialist for a functional area
- provide mutual peer support and learning to all officers
- achieve consistency of approach and quality standards across the whole service

It is suggested that the proposed service will be called Mid Kent Environmental Health and letter heads will carry the logos of all three local authorities.

The service will establish standard operating procedures for all functions across the Shared Service. Exceptions will exist where local policy and member requirements influence expectations of service deliver, for example, contaminated land and air quality.

5.3. Quality

The quality of the service will be reflected in the professional standard of the services' officers. The service will follow the principles outlined in the Regulators Code to ensure that the service;

- Supports businesses to comply and grow
- Engage with regulated activities in a clear and straight forward way
- Activities will be based risk based
- Ensure our information is accurate and shared with other regulators
- Provide clear information, guidance and advice
- Conduct regulatory activities in a transparent manner

5.4. Cost of the Two site

The costs of the two site model are within the current budgets for the three authorities. This is taking into consideration possible additional travel costs, potential impact on team organisational arrangements and the delivery of service.

The relocating the Maidstone Food & Safety Officers to the Sittingbourne offices and flexible working will enable the professional staff to retain most of their operational practices without impacting on the service costs. Locating both the Maidstone administration officers to the Sittingbourne site has been considered the least disruptive option bearing in mind the

relative distances of the Maidstone and Sittingbourne offices and the nature of their work activities. There will be additional travel costs for the administration staff relocated to Sittingbourne which will be in line with Maidstone's terms and conditions.

Additional travel costs are associated with the relocation of three Maidstone Environmental Pollution officers to the Tunbridge Wells site. This will be mitigated through remote working and organising work to reduce the need to work from the Tunbridge Wells office, to ensure that the officers are able to benefit from the support of the management at the site and the benefit of a larger team and the associated professional benefits this will bring. The nature of the roles in this function is peripatetic involving site visits, off site meetings as well as office base activities.

6. Communication

Maintaining strong communication links with members across each local authority will be essential to the operation of the shared service. Once the proposed structure is operational there will be member briefing/training sessions on the operational model of the service. Structure charts and contact details will be provided. Current arrangements for officers to attend Portfolio Holder briefings will continue as appropriate at each authority. Update briefings on significant changes will be arranged.

7. Office Accommodation

- 7.1. New office accommodation within the two sites at Sittingbourne and Tunbridge Wells is being sort to enable Environmental Protection, Food & Safety and admin support to be in one room. The principles of hot desks will be adopted; with the exception the Admin Officers who will have dedicated desks as they are office based.
- 7.2. During the working day officers covering the Maidstone area may need to access services such as photocopying and IT or to arrange meetings with other services located within Maidstone Council for specific issues. Resources will be available to all staff through the proposed shared service including hot-desking.

8. Structural Arrangements across Two Sites

- 8.1. There will be four team leaders in the service, reducing the current number of posts by two. The two teams at each site will be managed by a Team Leader for Food & Safety and the Environmental Protection teams. Team leaders will work across sites providing resilience to management and assistance to officers within the same functional area at all sites during sickness or annual leave absences. All Team Leaders will be authorised for financial and HR purposes (i.e. signing mileage or training claim forms) across all three authorities.
- 8.2. There will be two administration teams one at each site to support the delivery of the service and provide a support to officers working remotely.
- 8.3. One of the two vacant Senior EHO posts currently in the Maidstone structure will be become an EHO post. This will provide career opportunity for a newly qualified EHO to develop experience as an enforcement officer, strengthen resilience through widening the range of experience levels within the professional posts in the service. This post will be based at the Sittingbourne site.

- 8.4. The Tunbridge Wells Team will have a new 0.5FTE Food & Safety Officer post created to compensate for the reduction in operational delivery by the Team Leader posts being reduced from six posts to four.
- 8.5. A new post of Senior Scientific Officer will be created within the Tunbridge Wells Environmental Protection Team. This post will lead on Air Quality at a strategic level, liaising with statutory agencies, planning services and other agencies that influence air quality across Maidstone and Tunbridge Wells in terms of public health, economic development and infrastructure. The post will also have other environmental protection responsibilities including monitoring of the Environmental Permitting System across Maidstone and Tunbridge Wells and retain the lead for contaminated land for Maidstone. The post will work closely with the other professional staff to develop resilience and knowledge across the two districts.
- 8.6. A new 0.5 FTE post of Scientific Officer that could support a possible student EHO placement. This post will be on a fixed term basis for 2 years, which allows the post holder to develop their professional portfolio. Any training courses associated with their qualification will not be funded through the local authorities. They will also be expected to perform certain Scientific Officer tasks whilst with the teams, commensurate with their experience and supervision provided by other team members. The post holder will gain experience at Swale, Maidstone and Tunbridge Wells. Provision of additional capacity in this team will support the transfer of the Private Water Supply (PWS) function from the Swale Food & Safety team to Environmental Protection, providing consistency of delivery across the Shared Service.
- 8.7. Adopting Option 3 for the Environmental Permitting Process will provide additional finance from the permit fees to fund extra hours for officers within the service. Currently the additional time required is estimated at no more than 0.5FTE across the three districts. This will provide further resilience for the service making it less reliant on contractors and provide professional development for existing officers.
- 8.8. With the food contract for Swale brought into the Service an increase in posts is possible at the Sittingbourne site to cover for the additional food interventions.

9. Functional Arrangements and Service Delivery

9.1. Management

The Environmental Health Manager will be based at both sites, with two Team Leaders based at each site with functional responsibility for a Food & Safety or Environmental Protection team.

The management team will be responsible for developing strategy, policy and procedures, monitoring performance and delivery of the service.

9.2. Administration Support Staff

9.2.1. Administration Officers will be based at both sites, provide cross service support to both Environmental Protection and Food & Safety. Training and support for new team needs will be supplied in a phased approach during the formation of the service. IT and database standardisation will enable the admin staff to support officers across the whole service, there by providing increased resilience at this level.

- 9.2.2. Tunbridge Wells Admin will retain the first point of contact for Service Request and Complaints. Swale and Maidstone contacts will continue through respective Contact Centres. The delivery costs have been proportioned accordingly.
- 9.2.3. The Senior Admin Officer role will have supervision responsibilities for the 4.5 FTE administration officer posts. This role will ensure the operational running of the two admin teams, liaising with both teams on a regular basis and ensuring that absence cover (sickness and annual leave) is provided at both sites, either within or across the sites by electronic functional cover. This post will need to be re-graded to reflect the supervisory nature of the role and potential impact of occasional between site visits to the teams.

9.3. Food and Safety

- 9.3.1. Revising the number of senior posts within the Food & Safety team will improve the long term resilience of the staff and provide development opportunities for new or recently trained officers currently in the existing staff structure. This does not impact on the number of senior officers currently in post across the service. The opportunity has arisen through the vacant posts in the current establishment. In addition, bringing the Swale food inspections in house for delivery will mean that there will be additional funds for 1.0FTE at a professional entry level.
- 9.3.2. At present qualified staff at Swale and Tunbridge Wells have a generic remit whereas Maidstone officers currently specialise in either food safety or health & safety. By combining both disciplines across the whole service this will provide additional resilience for the teams and professional development for the officers concerned. A programme of training and work shadowing will be implemented to ensure that national codes of practice or regulatory compliance requirements are met.
- 9.3.3. The current arrangement for Private Water Supply (PWS) delivered within Swale's Food & Safety team will transfer to the Swale Environmental Protection team. Knowledge and skill for this functional transfer will be provided from within the service and appropriate training to officers, it will benefit from having this function delivered consistently across the whole service. The transfer of PWS allows an experienced EHO to focus this time on food law enforcement.
- 9.3.4. For Tunbridge Wells the current animal welfare service delivery will remain within the Food & Safety team. This is funded by Tunbridge Wells and does not form part of the shared service costs.
- 9.3.5. It is anticipated that officers will continue to inspect premises within their current local authority areas during the early phase of transition to the shared service. However to enable and nurture resilience officers will commence working in other districts to facilitate knowledge building, capacity and consistency.
- 9.3.6. If sickness absence impacts on the inspection of high risk premises or the interventions programme for the teams, officers will be required to inspect these higher risk businesses over lower risk issues within their current local authority area. Where complaints and service requests indicate a high risk to public health, these matters will take priority over other programmed work, to provide flexibility of resources and resilience to the whole team. For example, emergency planning responses that requires professional assistance or Incident Liaison Officers to act within a community

or food poisoning outbreak investigations. The decision to prioritise will be made by the Team Leaders or Environmental Health Manager who will also assess the impact on individual officer's workloads. Any impact on service delivery will be raised at the appropriate joint Management meetings. Over all staff will be provided with a greater opportunity to inspect a wider range of establishments, expanding their experience and competence within the Shared Service area.

- 9.3.7. Project working will also occur across boundaries for both food and health and safety. It is envisaged that this will operate in line with the same principles as the HSE's projects under flexible warranting. This can be used to deliver projects identified under the Regulator's National Enforcement Code and LAC 67/2 (rev 4) Targeting Local Authority Interventions. Projects will be focused on improving business understanding of compliance with legislation, risk based and proportionate.
- 9.3.8. Infectious Disease investigations will be carried out by officers in the Food & Safety team, as their work involves not only investigating individual cases referred to the service by Public Health England but outbreaks of food poisoning associated with food businesses. To ensure resilience and experience an officer will be the lead for the function, for each authority, providing guidance and advice to the teams during absences or vacancies. This will provide resilience across the service and mutual support for outbreak investigations. Other officers will be provided with opportunities to investigate cases to ensure professional development and business continuity.
- 9.3.9. Special beauty treatments and tattooing registration procedures and interventions will be standardised across the service to enable officers to provide a consistent approach to standards of enforcement. This will also enable officers to support the work in other district areas providing resilience to the Shared Service. The fees and charges for registrations will be standardised and reflect the amount of officer time spent dealing with the process.
- 9.3.10. Regular training events will be planned and provided through cascading external training to peers and research and updates on specialist areas, these events will be held at both sites for all officers, focusing on key issues to the service of; consistency, quality and performance.

9.4. Maidstone Safety Advisory Group Responsibilities

The current arrangements for the delivery of this corporate function supported and coordinated by EH admin officers will continue. SAG meetings will continue to be held at Maidstone House when required and coordinated by the Chairman. This work is not funded by the shared service.

9.5. Environmental Protection

9.5.1. Private Water Supplies

Private water supply (PWS) will be delivered by both Environmental Protection teams at Sittingbourne and Tunbridge Wells. The officers with knowledge PWS within the original teams will provide guidance to those taking on this specialism and work towards integrating policy and implementation of the legislation (sampling, risk assessing and monitoring the supplies). The increase in Scientific Officer post (0.5FTE) will provide capacity to deliver this work for Swale. Working as one service together will ensure a consistent adoption of policy, sampling, risk assessment and monitoring

to provide greater resilience within the service, knowledge between officers and opportunities to assist in each district.

9.5.2. Contaminated Land

9.5.2.1. Contaminated land will continue to reflect the individual needs of each local area. The sovereignty of local authority strategies will still be determined and approved by their members. However the approach taken to each situation will benefit from increased professional knowledge and experience being applied to specific sites. As well as continuing to participate in the Kent wide forum relating to contaminated land, there will be a process of mutual exchange of technical knowledge crossing between teams and learning opportunities driven by the team leaders to enhance resilience and professional expertise. Shared access to professional knowledge and equipment will benefit both teams.

9.5.2.2. The fees and charges for the service will be standardised in collaboration with Mid Kent Legal Partnership and in line with the Environmental Information Regulation and reported to respective Finance Committees at the appropriate times over the 2014-15 financial cycle.

9.5.3. Planning Applications, Licensing Reviews and Commercial Noise Complaints

Current service standards will not be impacted by the shared service. There will be an expectation that with a pool of more professional officer's resilience will be provided through standardising processes, the new single database and management of capacity and the prioritisation of work across the whole service.

9.5.4. Domestic Noise and Nuisance Requests

This service will only relate to Tunbridge Wells. The service although delivered within the Shared Service will not be funded by the Shared Service.

9.5.5. Air Quality

9.5.5.1. Air Quality is delivered at two levels, strategically and through the monitoring work of the air quality stations. The strategic and policy delivery involves working with partner agencies to improve the Air Quality in our districts, each having their own unique features. But the ability to engage and work with government agencies and internal services in each local authority requires leadership and communication to make an impact on the situation. The Shared Service will provide a pool of highly skilled expertise that will combine to drive improvements for all districts. The skills of officers in engaging in the public health agenda, working with transport agencies, businesses and policy makers can be coordinated to provide a more cohesive approach to air quality across a wider geographical area. There will be benefits to coordinating funding bids and working with partners to deliver improvements to transport. There will be a greater pool of specialist expertise to advise on planning consultations and major developments.

9.5.5.2. Drawing this function into the Shared Service also provides professional development opportunities for skilled officers to work across the districts.

- 9.5.5.3. There are efficiencies of scale in providing a larger pool of competent officers to support the air quality monitoring stations in terms of the routine tasks like the monthly tube collections, responding to system failure alerts. There will be more resilience across the whole service to ensure these regular and important sites are checked and all officers working in this functional area will be able to support each other across the Shared Service.
- 9.5.5.4. Delivery of the air quality functions for Maidstone and Tunbridge Wells from one site will provide for improved efficiencies and opportunities for efficiencies.

Appendix 1 – Shared Service Environmental Permitting Scheme

Appendix 2 – Shared Service Food Inspections

Appendix 3 – Staff Structure and Organisation

Appendix 4 – Financial Summary of the Two Site Model