

South Ayrshire Council

**Report by Head of Legal, HR and Regulatory Services
to Leadership Panel
of 24 November 2020**

Subject: Trading Standards and Environmental Health Structure

1. Purpose

1.1 The purpose of this report is to seek approval for changes to the staffing structure within Trading Standards and Environmental Health (TSEH).

2. Recommendation

2.1 It is recommended that the Panel:

2.1.1 approves the proposed increase to staffing levels within TSEH; and

2.1.2 approves the proposed funding arrangement.

3. Background

3.1 The TSEH service has experienced significant capacity issues due to its front line regulatory role in addressing matters arising from the Covid 19 pandemic. It is expected that these pressures will continue throughout next year as Covid 19 restrictions continue.

3.2 The UK's departure from the European Union (EU) is also generating significant clerical and admin pressures, in particular with an increase in the need to issue Export Health Certificates to businesses exporting to the EU.

3.3 For these reasons the TSEH service requires not only to stabilise the existing workforce but also to increase the existing staffing complement. Failure to do so will affect the service's front line role and reduce its ability to take on the substantial extra duties expected of it in the foreseeable future.

4/

4. Proposals

4.1 Clerical Post

- 4.1.1 There is currently a temporary level 3 clerical post, the funding for which is partially obtained from a vacant 0.61 Admin Assistant (Level 5) post. . The funding shortfall is found from within the Pest Control Income budget and a vacant 0.18 Level 2 Clerical Assistant post.
- 4.1.2 The contract for the temporary Clerical Officer is due to expire on 8 December 2020.
- 4.1.3 A settled admin support team is essential if professional Environmental Health and Trading Standards Officers are to focus on the aspects of work which require to be undertaken by qualified employees.
- 4.1.4 Following approval of this change to the staffing establishment by the Executive Leadership Team under delegated authority, the temporary post will be made permanent at no additional cost and the current post holder confirmed in the post.

4.2 Admin Team

- 4.2.1 The admin team is being asked to undertake some of the more routine work, for which there is no qualification requirement, that would otherwise be picked up by trained professional staff. However, the existing admin staffing complement has struggled to absorb the additional workload and there is a current pressing need to identify additional admin resources.
- 4.2.2 An additional Clerical Assistant Level 3 post is required and, to provide an element of stability, this post should be permanent.
- 4.2.3 This cost will be £23,000 per annum.

4.3 Compliance Officers

- 4.3.1 Scottish Government temporary funding is being provided to the Council for 2 Compliance Officers. This is already in process (a report to the COSLA Leaders Group on Settlement and Distribution of these funds was heard on 30 October 2020). These officers will not be qualified enforcement officers but they will provide much needed support for Environmental Health Officers and Trading Standards Officers across Covid 19 and EU withdrawal duties.
- 4.3.2 To avoid unnecessary delay these posts should be advertised immediately, even if that means advertising in advance of funding confirmation.
- 4.3.3 There are no financial implications for the Council.

4.4 Professional Officers

- 4.4.1 For a number of years, and for a variety of reasons, there has been a national shortage of qualified Environmental Health and Trading

Standards Officers. The situation has been exacerbated by the additional demands arising from the pandemic and our exit from the EU.

4.4.2 There is a vacant Trainee Environmental Health Officer/ Environmental Health Officer post. The process for filling this post is underway. There is also a 0.5 Food Safety Officer (Level 9), which is filled by a partially qualified Environmental Health Officer.

4.4.3 There is also a 0.6 Trading Standards Officer post. The current post holder is willing to increase her hours to 0.8.

4.4.4 To provide maximum flexibility, additional resource and an element of stability:

(i) the 0.5 Food Safety Officer post will be converted to a full-time Trainee Environmental Health Officer/ Environmental Health Officer post. The present post holder will be transferred into this post and, once qualified, will automatically become an Environmental Health Officer (Level 10).

The immediate cost will be £23,400 per annum. In the long term – ie once the post holder is qualified - this will rise to £27,700 per annum.

(ii) The part-time Trading Standards Officer post will be increased from 0.6 to 0.8 FTE.

The cost will be £10,200 per annum.

5. Legal and Procurement Implications

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 In total, a budget of £56,600 is required to put the TSEH service in a reasonable position to meet the demands it faces. In 2020/21, this can be met from an over-recovery in staff turnover for the current year. Thereafter, the required finance can be built into the budget for future years.

7. Human Resources Implications

7.1 The staff concerned are all in agreement with the proposals. The Service Lead - HR Policy and Operations will ensure implementation in line with the relevant Council policy and procedures by 31 December 2020.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 There are no risks associated with adopting the recommendations.

8.2 **Risk Implications of Rejecting the Recommendations**

8.2.1 There are no risks associated with rejecting the recommendations.

9. **Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 1](#).

10. **Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. **Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. **Link to Council Plan**

12.1 The matters referred to in this report contribute to Commitment 1 of the Council Plan: Fair and Effective Leadership/ Leadership that promotes fairness.

13. **Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Philip Saxton, Portfolio Holder for Housing and Community Wellbeing, Councillor Brian McGinley, Portfolio Holder for Resources and Performance, and members of the External Risk Member/ Officer Working Group, and the contents of this report reflect any feedback provided.

13.3 Consultation has taken place with trade union representatives, and the contents of this report reflect any feedback provided.

14. **Next Steps for Decision Tracking Purposes**

14.1 If the recommendations above are approved by Members, the Head of Legal, HR and Regulatory Services will ensure that the following steps are taken within the stated timescales, with the completion status reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented.

Implementation	Due date	Managed by
Implement amended TSEH staffing structure	31 December 2020	Service Lead, HR Policy and Operations

Background Papers **None**

Person to Contact **Catriona Caves, Head of Legal, HR and Regulatory Services,
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612556
E-mail Catriona.Caves@south-ayrshire.gov.uk**

Date: **19 November 2020**

1. Proposal details

Title Trading Standards and Environmental Health Structure	Lead Officer Morton Houston
----------------------------------------------------------------------	---------------------------------------

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this proposal? Please indicate whether these would be positive or negative impacts

Community, Groups of People or Themes	Negative Impacts	Positive impacts
The whole community of South Ayrshire	-	-
People from different racial groups, ethnic or national origin.	-	-
Women and/ or men (boys and girls)	-	-
People with disabilities	-	-
People from particular age groups for example Older people, children and young people	-	-
Lesbian, gay, bisexual and heterosexual people	-	-
People who are proposing to undergo, are undergoing or have undergone a process to change sex	-	-
Pregnant women and new mothers	-	-
People who are married or in a civil partnership	-	-
People who share a particular religion or belief	-	-
Thematic Groups: Health, Human Rights, Rurality and Deprivation	-	-

3. Do you have evidence or reason to believe that the proposal will support the Council to:

General Duty and other Equality Themes	Level of Negative and/ or Positive Impact (high, medium or low)
Eliminate discrimination and harassment faced by particular communities or groups	Low impact
Promote equality of opportunity between particular communities or groups	Low impact
Foster good relations between particular communities or groups	Low impact
Promote positive attitudes towards different communities or groups	Low impact
Increase participation of particular communities or groups in public life	Low impact
Improve the health and wellbeing of particular communities or groups	Low impact
Promote the human rights of particular communities or groups	Low impact
Tackle deprivation faced by particular communities or groups	Low impact

4. Summary Assessment

<p>Is a full Equality Impact Assessment (EQIA) required? (A full EQIA must be carried out on all high and medium impact proposals)</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Rationale for decision: This report impacts on a small number of staff in a positive way. The requested decision on this has no specific equality implications.</p>	
<p>Signed: Catriona Caves, Head of Service</p>	
<p>Date: 15 November 2020</p>	<p>Copy to equalities@south-ayrshire.gov.uk</p>