

Supporting Information and Impact Assessment

Service / Policy:		Trading Standards Transfer	
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Section 1: Background Information

1.	<p>What is the proposal / issue?</p> <p>To transfer Torbay Trading Standards to Devon County Council, to join the existing Devon and Somerset Trading Standards Partnership, managed by Devon CC.</p>
2.	<p>What is the current situation?</p> <p>Currently 4.4 FTE Senior Trading Standards Officers are employed by Torbay Council to carry out the statutory duties required. The main services provided are to ensure fair trading, which is to protect the consumer against fraudulent, dangerous and misleading sales; to prevent door step and scam crimes, which particularly target the most vulnerable members of society; to target premises that sale illicit food, tobacco and alcohol or try to sell to those underage; to protect the public against animal health matters and to give business advice.</p> <p>The current services have been reduced significantly over the past ten years and are increasingly under pressure to further budget reductions. The team already lacks any resilience and if further reductions in staffing were implemented, this would mean that Torbay Council could no longer meet its required statutory obligations. Furthermore, with a reduced management structure the current service manager now has 8 service leads, which is not sustainable. There is an opportunity for the small team to join the current Devon and Somerset Trading Standards Partnership, which will give the people of Torbay and the service much greater resilience. It will give dedicated Trading Standards management and allow for greater consistency on the delivery of service across the sub region. The partnership, due to its size is also able to target income raising opportunities in a way that Torbay cannot. It current raises 12% of its budget through income, compared to Torbay which remains less than 1%. Although there are no savings to Torbay, there are equally no significant costs, and Torbay will be in receipt of pro-rata savings as they are realised from the partnership, from 2018-19 onwards. There is also a small management benefit as the current manager could allocate the saved time to other equally pressing challenges.</p>
3.	<p>What options have been considered?</p> <p>There are only two realistic options, those are to continue to manage the service</p>

	<p>at Torbay, or for it to join the partnership. These two options are covered in section 2 above.</p>
<p>4.</p>	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</p> <p>This proposal meets all three of the principles covered in the Corporate Plan. Combining the services meets a need for consistency across Devon, Somerset and Torbay, and reduces Torbay Councils management responsibility. The new service will be an integrated service, with significant resources compared to Torbay along, so allowing an approach to reduce demand through prevention and innovation. An example of this is Buy with Confidence, which allows members of the public, particularly those more vulnerable, to pick contractors from a unique database of Trading Standards approved contractors. It will also allow the expansion of No Cold Calling Homes to prevent door step crime.</p> <p>All the targeted actions fall within this remit of Trading Standards work, by protecting children against alcohol, tobacco and unsafe products; working with businesses and the LEP to make Torbay more prosperous through business advice and support; targeting underage sales promotes a healthy lifestyle; protecting the public against the worse excesses of business by preventing unsafe products and prosecuting where these are sold. i.e. unroadworthy cars and finally as described above protecting and supporting vulnerable adults.</p> <p>All of these can be achieved more effectively as a combined partnership with the increased resources and consistency this will bring, as this will allow resources to be used to best effect, as laid out in the Corporate Plan.</p>
<p>5.</p>	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>The staff and the three authorities are affected by this proposal, so consultation will take place with the staff, Unions, Somerset and Devon County Councils. Although officers may well see both positive and negative impacts, overall they will not lose their current terms and conditions unless they wish to do so and being part of a larger organisation arguably give them many positive opportunities if they are minded to work for those.</p> <p>The stakeholders are mostly national organisations that work currently with Trading Standards services i.e. Business, Energy and Industrial Strategy (BEIS), Food Standards Agency (FSA), Citizen Advice Bureau (CAB).</p> <p>There is no intention to consult with the public as the service won't obviously change.</p>
<p>6.</p>	<p>How will you propose to consult?</p> <p>Staff will be consulted through the Human Resources Change paper mechanism and TUPE, as required by statute. Devon and Somerset County Councils are being consulted through the Joint Service Review Panel that Torbay will join, should this transfer be agreed. Other stakeholders will be consulted by letter.</p>

Section 2: Implications and Impact Assessment

7. What are the financial and legal implications?

There are no significant financial implications annually, though there may be a one off set up cost of up to £30K, this has been secured as part of the transformation projects. The current budget will be transferred to Devon County Council. Torbay will be responsible for pay rises, and redundancy costs on a pro-rata basis, about 6.5% of total costs but will equally benefit from savings on a prorata basis. There will be anticipated annual savings from 2018-19.

Devon will appoint the statutory appointment of Chief Inspector of Weights and Measures.

There are no significant legal implications, though Torbay Council will remain the client authority.

8. What are the risks?

There are risks associated with both options. If the service stays with Torbay Council, its resources will no doubt decline further and without resilience Torbay is likely to fail to meet its statutory duty.

If the service is transferred, those risks are mitigated, but there is a risk, all be a small one, that the partnership might fail and the services be returned to each of the three authorities. To counter this, the Joint Service Review Panel represents each authority and it is incumbent on them to agree service plans, receive reports and agree savings collectively. The current partnership already has a track record of doing this over the past 4 years.

9. Public Services Value (Social Value) Act 2012

There is no procurement process as the Local Government legislations allows a direct transfer of services between Local Authorities.

10. What evidence / data / research have you gathered in relation to this proposal?

Torbay Council already works in partnership with Devon, and through SWERCOTs the other 14 West Country Trading Standards Authorities. This already gives Torbay added value. Devon already provides Torbay with the metrology lab, animal health expertise and delivers Buy with Confidence on our behalf, most this has continued since Unitary status in 1998. Devon has a proven track record to providing the current partnership and has the capacity to build a future based in part upon income generation. They already raise 12% of their budget needs from income compared to Torbay's less than 1%.

11.	What are key findings from the consultation you have carried out? Consultation not completed undertaken.
12.	Amendments to Proposal / Mitigating Actions Consultation not completed so no proposed changes currently.

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	X		
	People with caring Responsibilities			X
	People with a disability			X
	Women or men			X
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			X
	Religion or belief (including lack of belief)			X
	People who are lesbian, gay or bisexual			X
	People who are transgendered			X
	People who are in a marriage or civil partnership			X
	Women who are pregnant / on maternity leave			X

	Socio-economic impacts (Including impact on child poverty issues and deprivation)		X
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		X
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	N/A	
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	N/A	