

Report

Report to:	Community and Enterprise Resources Committee
Date of Meeting:	24 November 2020
Report by:	Executive Director (Community and Enterprise Resources) Executive Director (Finance and Corporate Resources)

Subject:	Environmental Services – Recruitment of Technical Officers
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ seek approval to add 2 Full Time Equivalent (FTE) Technical Officers to the establishment for a period of 12 months to enforce legislation in relation to public health including undertaking formal enforcement duties

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the addition of 2 FTE Technical Officer posts on Grade 3, Level 2, SCP 63-65 (£32,994.19 to £33,943.14) to the Fleet and Environmental Services establishment, for a fixed term of 12 months, be approved.

3. Background

3.1 By way of background, Environmental Services, comprise of Environmental Health and Trading Standards. Environmental Health is a regulatory service whose main activities include:-

- ◆ Public Health Protection which includes checking private water supplies, the smoking ban and disease outbreak investigation
- ◆ Enforcement of Food Safety and Health and Safety at Work Legislation
- ◆ Private Sector Housing Improvement including tackling sub-standard housing
- ◆ Pollution Control which includes Noise Control, contaminated land and Air Quality
- ◆ Enforcement of licences issued by the Council
- ◆ Environmental crime including fly tipping, litter and dog fouling
- ◆ Pest Control

Trading Standards fulfils the Council's statutory duties under consumer protection and trading standards legislation. The main activities include:-

- ◆ Counterfeiting and other intellectual property breaches
- ◆ Door step crime\cold calling
- ◆ Product safety, pricing, credit, weights and measures
- ◆ Health and safety relating to supply and storage of petrol and fireworks
- ◆ Consumer advice in partnership with Citizens Advice
- ◆ Buy with confidence
- ◆ Animal Health and Welfare

- 3.2 The Coronavirus Act 2020 passed through the UK Parliament, gaining Royal Assent on 26 March 2020 following which The Health Protection (Coronavirus)(Restrictions)(Scotland) Regulations 2020 (the “Regulations”) came into force on 26 March 2020 and were laid in the Scottish Parliament on 27 March 2020.
- 3.3 Environmental Services have been given powers under these Regulations in relation to businesses. As such, the Service is enforcing these regulations which includes dealing with complaints, undertaking monitoring and observations of business to ensure compliance. The Service is also notified by NHS Lanarkshire contact tracing team on a regular basis following up at a business that are connected with a positive case.
- 3.4 The first 2 quarters of 2020/2021 have been extremely challenging in terms of undertaking the current workload within existing resources. For the period 1 April to 30 September 2020 the Service received 846 service requests from and about businesses in relation to Covid. In addition, there were 5,569 service requests in relation to noise, waste enforcement and smoke compared to 4,549 for the same period last year. The increase of 1,020 can be attributed to being as a consequence of Covid restrictions during the six month period.
- 3.5 Following on from the above, it is reasonable to conclude that it is not sustainable to continue to undertake the additional enforcement duties within existing resources and at the same time support activities in relation to the UK leaving the EU in December 2020.

4. Proposal

- 4.1 The Society of Chief Officers of Environmental Health in Scotland and the Society of Chief Officers of Trading Standards in Scotland recognised the need for a consistent approach to these new powers and adopted a proactive approach, following contact by COSLA. As a result, a national enforcement policy (Engage, Educate, Encourage and Enforce) and a Memorandum of Understanding with Police Scotland were implemented across all 32 local authorities.
- 4.2 Local authorities have met these new enforcement demands during the period 1 April to 30 September 2020. However, this work has only been possible through other statutory work being “paused due to lockdown”. Food Standards Scotland (FSS) took the approach that public health takes immediate priority and postponed the statutory food programmes. The majority of Food Safety Visits ceased in line with FSS’s authorisation to deviate from the Food Law Code of Practice, replaced by desktop assessments and visits to investigate food poisoning concerns.
- 4.3. Recognising these issues a business case was submitted, via COSLA, to the Scottish Government seeking additional resources and funding to support local authority COVID enforcement work.
- 4.4 Following on from the above, Scottish Government have advised that £2.9m has been allocated over 2020/2021 and 2021/2022 to provide for additional resources to assist in responding to the challenges of COVID and the visible and enhanced enforcement sought by the Scottish Government. It will also provide some additional capacity to cope with the additional pressures from the Test and Protect regime. To address this, it is proposed that two Technical Officer posts are created for a period of 12 months.

- 4.5 The successful candidates will be responsible for enforcing legislation in relation to public health and will include undertaking formal enforcement duties. The tasks will include giving advice on Covid-19 control measures, monitoring compliance of businesses and assessing the effectiveness of Covid-19 controls, all in relation to the Health Protection (Coronavirus)(Restrictions and Requirements) (Local Levels)(Scotland) Regulations 2020.

5. Employee Implications

- 5.1 The following posts should be added to the Community and Enterprise Resources establishment on a 12-month fixed term basis as detailed below:

Post	Number of Posts (FTE)	Grade	SCP Range	Hourly Rate	Annual Salary	Gross Cost (inc on costs)
Technical Officers	2.0	Grade 3	63 - 65	£18.08	£32,994.19	£42,992.15
		Level 2		- £18.60	- £33,943.14	- £44,227.91

These posts have been evaluated using the Council's grading scheme.

6. Financial Implications

- 6.1 South Lanarkshire Council has been allocated funding of £119,146 based on the distribution model used for the distribution of smoking prohibition funding.
- 6.2 In addition to the salary costs of the Technical Officers identified at 5.1; further employee costs to support shift patterns including evenings and weekend working will be funded from the total allocation.

7. Climate Change, Sustainability and Environmental Implications

- 7.1 There are no direct climate change implications as a result of this report. There are no implications for sustainability in terms of the information contained in this report.

8. Other Implications

- 8.1 There is a risk that without the creation of these posts the Council will fail to meet our legislative obligations within the new Health protection Regulations.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1 This report does not introduce a new policy, function or strategy or recommend a change to existing policy, function or strategy and therefore no impact assessment is required.
- 9.2 There was also no requirement to undertake any consultation in terms of the information contained in this report.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

Paul Manning

Executive Director (Finance and Corporate Resources)

7 October 2020

Link(s) to Council Values/Ambitions/Objectives

- ◆ Develop a sustainable Council and communities

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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