

Committee: Executive Committee

Date of meeting: **17th July 2019**

Report Subject: **PUBLIC PROTECTION SERVICES – DISCONTINUATION OF THE COLLABORATION WITH TORFAEN CBC**

Portfolio Holder: **CLLR GARTH COLLIER- ENVIRONMENT**

Report Submitted by: **RICHARD CROOK – CORPORATE DIRECTOR, REGENERATION & COMMUNITY SERVICES**

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Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
2/7/19	2/7/19					17/7/19		

1. Purpose of the Report

1.1 To seek approval to withdraw from the collaboration with Torfaen for Public Protection Services on 30th November 2019.

2. Scope and Background

2.1 In 2015, the Authority approved a report recommending the creation of joint Trading Standards & Licensing Services with Torfaen whilst giving permission for wider opportunities for Public Protection to be explored.

2.2 This collaboration emerged in 2014/15 as regional discussions on a joint Gwent Trading Standards service were unable to be taken forward. For both local authorities, it made strategic sense to collaborate on these services given Welsh Government local authority restructure proposals at the time and a strong drive to collaborate in the interim. It also made operational sense, given the backdrop of annual budget setting challenges for statutory non-protected service areas. Collaboration at this time also made operational sense due to the sudden passing of the Torfaen Team Manager in early 2015.

2.3 In 2016, the Authorities approved the extension of the collaboration to include Environmental Health Services – using the informal mechanisms that had been successful throughout the previous year (focussing on shared management and minimum disruption to front line services). For Torfaen, this enabled the voluntary redundancy of the then Head of Public Protection and the Team Leader Licensing and resulted in a new management structure.

- 2.4 As such, since October 2016, the collaboration has operated with the Head of Public Protection (Blaenau Gwent employed) and four Team Managers (3 Blaenau Gwent, 1 Torfaen employed) working across both areas with the teams underneath remaining employed by, and primarily working for, their host organisations. This informal approach (i.e. minimizing disruption to front-line services) also enabled considerable cross working and support and led to changes in operational practices to harmonise systems and regularise best practice between the two authorities.
- 2.5 The collaboration has now been in operation for almost 4 years. It was set-up as an informal arrangement against the backdrop of likely local government reorganisation and a strong local, regional and national drive for collaborative working. However, in Torfaen, it is clear that since the local government elections in 2017 (which led to a change in leadership, and, coincided with the appointment of a new Chief Officer/Director for the service area that includes Public Protection) there has been a significant change in approach to front-line service delivery – from collaboration to in-sourcing (in-house delivery).
- 2.6 At the same time, it has become clear that the collaboration is not now sustainable as currently set-up. Whilst managers have worked very hard to successfully deliver programmes of work (including new initiatives), deal with legacy issues and maintain timely and statutory responses to service requests/demand, they are still having to work across two systems, within two cultures and two political and performance/service planning regimes. This is leading to increased demands, heightened stress levels and discontent and has resulted in some staff sickness.
- 2.7 Further harmonization of services on the existing informal basis is complicated by the organisations now appearing to take different stances on key policy areas (such as in-house delivery of environmental and civil parking enforcement) and there is not the capacity within the collaboration's management structure to deliver areas of significant service growth/direct delivery whilst continuing to manage services across the two organisations in the current way. Also, the fact that terms and conditions for officers within the teams are different only allows the collaboration to be only taken so far before these become an issue.
- 2.8 Concerns over capacity and ability to respond to local service growth priorities has led to high level discussions between the two authorities in relation to the future of the collaboration. Senior managers from both authorities agree that the collaboration cannot continue in its current form for much longer with the only options available being to move away from the current arrangement or move to a single host.
- 2.9 The option of formal hosted service model has been given high level consideration i.e. moving to a lead authority model to help resolve the issues that have been raised rather than withdraw. From this Authority's perspective, Blaenau Gwent would have been keen to move towards a single service model. However, as stated, above, Torfaen has recently changed its approach to service delivery and is keen to in-source and increase capacity to enable

service growth in line with its own operational and strategic priorities. As such, it is apparent that the policy direction of travel in Torfaen does not now lend itself to successfully delivering a fully integrated collaborative service in relation to Public Protection.

- 2.10 Torfaen therefore wishes to move back to a Public Protection service that is fully managed in-house. This has been accepted and, to this end, it has been agreed that the collaboration would continue until 30th November 2019, with Blaenau Gwent managers providing appropriate support to Torfaen as it goes through this process of change.

3. **Options for Recommendation**

- 3.1 Option 1 – That this Authority withdraws from the collaboration with Torfaen CBC for Public Protection Services on 30th November 2019.
- 3.2 Option 2 – Not applicable.

4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

- 4.1 Whilst Public Protection is not directly a corporate priority its impact of protecting health, well-being and the vulnerable within our communities is recognized by members. The vast majority of services are statutory duties for the Authority.

5. **Implications Against Each Option**

5.1 *Impact on Budget*

For the remainder of 2019/20, given the extrication date of 30th November, the in-year budget pressure is estimated at £35,000. At present it is estimated that this pressure can be managed by way of vacancy and other in-year savings.

- 5.1.1 Going forward, the end of the collaboration creates an annual equivalent budget pressure of £106k for Public Protection. As such, a review will be undertaken to assess the effect of this pressure on service and staffing levels for 2020/21.

5.2 *Risk*

There is a national political context behind collaboration and, as such, a risk of reputational damage, not only to Blaenau Gwent and Torfaen from withdrawing from the collaboration, but local government in general. As a small local authority, Blaenau Gwent Public Protection has enjoyed an excellent record of collaborating with other Councils and private service providers throughout the years of austerity, to enable continued and resilient service delivery. The changes outlined in this report do not affect arrangements with other partners that have been in place for some time, i.e. Animal Health, Welfare & Licensing Services (with Powys, since 2012), Homelessness stand-by services (with Monmouthshire and Torfaen since 2016), Kingdom Environmental Enforcement (since 2011) and Mitie Pest Control (since 2017).

The service will also continue to participate regionally in relation to other services – e.g. Animal Feed inspections).

5.3 *Legal*

To date, the collaboration has operated on an informal basis. In consideration of the changes outlined in this report relevant senior officers from both Authorities have met and agreed the process of ending the collaboration on an amicable and professional basis. Where necessary, legal advice will be sought.

5.4 *Human Resources*

Blaenau Gwent is a fair, effective and supportive employer and will support all staff affected by the proposed changes. From 1st December 2019, all Blaenau Gwent employees affected directly by this change (Service Manager and 3 x Team Managers) will return to their substantive/agreed similar roles with this Authority. The 1 x Torfaen Team Manager will remain with that Authority. In the interim, a review of the impact of the proposed change will be undertaken to assess the effect on service and staffing levels in light of the ensuing budget pressures going forward. This process will be supported by Organisational Development colleagues.

5.4.1 It should be noted that the changes outlined in this report are not taking place as a result of service failure but recognition of the pressures of the nature of the collaboration and that the alternative of a full lead authority model of collaboration is not the preferred option by both Authorities. Thanks must be afforded to the Officers who have made a success of this collaboration. Significant hard work has gone in to maintaining and improving services across the two Councils often against the backdrop of competing priorities, staffing challenges and legacy issues. Blaenau Gwent managers will continue to represent this Authority with the utmost professionalism during this time of change.

6. **Supporting Evidence**

6.1 *Performance Information and Data*

As outlined above and in Appendix 1.

6.10 *Involvement (consultation, engagement, participation)*

To date, high level discussions have taken place relating to the future of the collaboration that has led to the matters outlined in this report. The Leader & Deputy Leader have been consulted and kept informed. All relevant staff will be consulted as the process of change is implemented.

6.11 *Thinking for the Long term (forward planning)*

A review of the impact of the proposed change will be undertaken to assess the effect on service and staffing levels in light of the ensuing budget pressures going forward. This process will be supported by Organisational Development colleagues.

6.12 *Preventative focus*

From engagement with staff it is evidenced that there are pressures within the current model and the Authority has a duty to act and this proposal seeks to address and resolve the issues caused by the current collaborative model.

6.13 *Collaboration / partnership working*

Whilst this proposal sets out to undo a collaboration, the changes outlined in this report does not affect arrangements with other partners that have been in place for some time.

6.14 *Integration (across service areas)*

The changes outlined in this report will not prevent Public Protection services from continuing to aspire to deliver integrated well-being benefits going forward.

6.15 *EqIA (screening and identifying if full impact assessment is needed)*

This proposal fundamentally changes the nature of a collaboration. Individuals who are in the current management model will be affected and will be managed properly through the change process. The actions proposed do not therefore have an impact on protected characteristics

7. **Monitoring Arrangements**

Following review, the impact of the proposed changes resulting from the end of the collaboration will be reported to Members for their consideration..

8. **Background Documents / Electronic Links**

TS Collab – item 11 22/7/15 - http://democracy.blaenau-gwent.gov.uk/aksblaenau_gwent/users/public/admin/kab12.pl?cmte=CAB&meet=49&arc=71

EH Collab – Item 13 27/4/16 - http://democracy.blaenau-gwent.gov.uk/aksblaenau_gwent/users/public/admin/kab12.pl?cmte=CAB&meet=65&arc=71