

26th April 2016**Agenda Item: 10****REPORT OF THE SERVICE DIRECTOR SOUTH NOTTINGHAMSHIRE AND
PUBLIC PROTECTION****CHANGES TO THE TRADING STANDARDS STAFFING STRUCTURE****Purpose of the Report**

1. To propose changes to the Trading Standards staffing structure.

Information and Advice

2. The Trading Standards & Community Safety Service has two separate budgets, one relating to Trading Standards and one to Community Safety. These proposed structure changes relate to the Trading Standards staffing budget and structure.
3. In February 2014, the County Council approved a total of £487k efficiency savings for the Trading Standards Service, to be achieved over the two year period 2014/15 to 2015/16. £154k of these efficiency savings related to extra income generation to be achieved each year to reduce the net budget of the Service by £154k.
4. A further £125k extra income generation was also proposed for Trading Standards in the "Commercialisation of Business Advice and Support" option for change proposal (ref A01) which was approved at the Full Council meeting in February 2016.
5. Moving forward the Service needs sufficient experienced Trading Standards Officer resource to meet the increasingly complex work required to generate this income, such as complex business advice and consultancy work and specialist food and feed enforcement for other authorities etc. Changing priorities for the Service over recent years has also resulted in the Service taking on more complex, challenging and higher risk investigations requiring experienced and highly qualified Trading Standards Officers to lead them.
6. For a number of years the Service has employed one full time Accredited Financial Investigator (AFI) to undertake financial investigations and asset recovery work under the Proceeds of Crime Act (POCA). POCA legislation means that Trading Standards Authorities and other law enforcement agencies are able to get back a proportion of assets confiscated from criminals. The post has achieved significant success in recovering the proceeds of crime from individuals prosecuted by the Service and by the regional Scambusters team for serious criminal offences such as fraud and product counterfeiting.

7. The Service is also in a position to provide financial investigation support to other authorities in the region who lack access to a financial investigation capability, subject to having available capacity. The AFI's expertise is charged out at £64 per hour or at £44 per hour when an agreement involves a proportion of the incentivisation from monies recovered, as agreed on a case by case basis. The income from other enforcement bodies using the AFI services brought in approximately £7,000 during 2015/2016.
8. Demand for the Accredited Financial Investigator's services has in recent years far exceeded the capacity of one officer. In recognition of this fact an additional AFI was recruited in December 2015 on a casual contract basis. The volume of POCA work has demonstrated a clear need for an additional permanent full time AFI within the Service.
9. Income from assets recovered under POCA during 2015/2016 was over £17,000 and is expected to be significantly higher in 2016/2017 due to the number of POCA cases currently in progress.
10. The Service currently has one vacant level 3 Trading Standards Officer post and two vacant level 2 Trading Standards Officer posts. We have also received expressions of interest from a few Trading Standards Officers to reduce their hours for personal reasons (0.6fte at level 4 Trading Standards Officer level and 0.6fte at level 1/2 Trading Standards Officers level), This situation provides the opportunity to review and amend the Trading Standards staffing structure to meet our future staffing needs going forward.
11. The proposed changes are to:
 - increase the number of level 4 Trading Standards Officers from 7.8 FTE to 9.2 FTE;
 - increase the number of level 3 Trading Standards Officers from 8 FTE to 9 FTE; and
 - reduce the number of level 1/2 Trading Standards Officers from 11 FTE to 6.4 FTE.
 - Increase the number of accredited financial investigators from 1 FTE to 2 FTE.
12. The table below outlines the proposed new Trading Standards staffing structure, which reflects the changes outlined above:

Role	Structure April 2015 (fte)	Cost £k (incl oncosts)	Structure April 2016* (fte)	Cost £k (incl oncosts)
Group Manager	1	72.2	1	72.2
Team Managers	4	207.3	4	204.9
Level 4 Trading Standards Officers	7.8	317.9	9.2	377.6
Level 3 Trading Standards Officers	8	273.1	9	310.6
Level 1/2 Trading Standards Officers	11	319.1	6.4	186.1
Accredited Financial Investigator	1	43.3	2	81.8
Intelligence Manager	1	37.7	1	37.7
Information Manager	1	29.1	1	29.1
Intelligence Support Officer	2	44.8	2	44.8
Technical Assistants	2	40.2	2	40.2
TOTAL	38.8	1,384.7	37.6	1,385

(*April 2016 figures include additional pay increments and incremental adjustments for new people in role. fte=Full Time Equivalent)

Other Options Considered

13. Recruiting to the vacant level 1/2 Trading Standards Officer roles would not provide the Service with the experienced officers required to meet the changing demands upon the Service. Inexperienced officers would also require mentoring and support from other experienced officers which would further deplete the officer resources available within the Service. We could retain the accredited financial investigator on a casual contract basis but this provides less certainty for both the Service and the job holder and could mean a higher turnover in the role which would impact on Service delivery.

Reason/s for Recommendation/s

14. The Service requires a greater balance of experienced highly qualified level 4 and level 3 Trading Standards Officers to fulfil future service needs, including income generation work and conducting complex investigations. The Service currently has insufficient permanent accredited financial investigator expertise to meet the current and predicted demand on the Service for Proceeds of Crime work.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken with HR and trade unions and advice sought on these issues as required.

Crime and Disorder Implications

16. The Service does make significant contributions to reducing crime and disorder, and the proposed structure makes the most effective use of the resource in tackling crime and disorder.

Service User Implications

17. The proposed structure supports the continued development of highly skilled officers able to tackle the serious and complex problems causing the most detriment to our communities.

Financial Implications

18. The small additional cost of the new structure, as set out in paragraph 12, can be met from the Trading Standards staffing budget.

Human Resources Implications

19. The Corporate enabling policy should be used for appointing to posts. There should be low risk of redundancy unless current employees AT Grade 1/2 are unable to meet the skill set requirements of the new posts. Should there be any vacancies arising then recruitment should be undertaken in accordance with the Vacancy Protocol. (JD – 7/4/16)

RECOMMENDATION/S

- 1) It is recommended that the Committee approve the proposed changes to the Trading Standards staffing structure, as set out at paragraphs 11 and 12.

PAUL MCKAY

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For any enquiries about this report please contact:

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Constitutional Comments (EP 4/4/16)

20. Community Safety Committee is the appropriate body to consider the content of this report and the recommendation falls within the remit of the Community Safety Committee by virtue of its terms of reference. In accordance with the Council's Employment Procedure Rules reports proposing changes to staffing structures should include HR comments and the recognised trade unions should be consulted.

Financial Comments

21. The financial implications are contained within paragraph 18 of the report.

Human Resources Comments (JD 7/4/16)

22. The Authority's vacancy protocol will be adopted for all recruitment contained within this report.

Background Papers

- None

Electoral Division(s) and Member(s) Affected

- All.