

**9 January 2020****Agenda Item:7****REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES****TRADING STANDARDS: WORKFORCE STRATEGY AND CHANGES TO  
STAFFING STRUCTURE****Purpose of the Report**

1. To seek approval for the Trading Standards Workforce Strategy.
2. To seek approval for associated changes to the Trading Standards Staffing structure, arising from the Workforce Strategy.

**Information**

3. Nationally there is a recognised shortage of qualified Trading Standards Officers (TSOs). Nottinghamshire like many other authorities is struggling to both recruit and retain TSOs that have the comprehensive skills and qualifications mix required going forward.
4. As a result, the Trading Standards part of the Trading Standards and Communities Service is currently carrying numerous TSO vacancies with the associated impacts this has on effective service delivery, staff morale, and well-being.
5. A Trading Standards Workforce Strategy (Appendix A) has been developed to ensure the Service has the skilled and flexible workforce needed for future delivery of a high performing Trading Standards service.
6. An associated delivery action plan (to be implemented by managers) is needed to address the shortfall in qualified TSO resource in both the short term (next 2 years), and medium term (2 to 4 years).
7. The Strategy developed and attached sets out several high-level actions already identified. It also includes the TSO Career Grade scheme which sets out the differing requirements for the four different levels of TSO in the Service.
8. **Recent Changes to the structure** - Several recent changes have been already been made to the Trading Standards structure:
  - a) Number of Band D Team Managers increased from 4 to 5 FTE (C&P Committee, 4<sup>th</sup> July 2019), with a corresponding decrease in the number of Band A Level 3 Trading Standards Officers from 7 FTE to 6 FTE to fund the additional Team Manager role.
  - b) Creation of an Intelligence Analyst Apprenticeship role (by increasing a 0.5FTE vacant Intelligence Support Officer roles to a 1FTE role) (C&P Committee, 4<sup>th</sup> July 2019)

- c) Creation of 2 FTE fixed term (2 years) Grade 4 level 1 Trading Standards Officer roles to undertake the Regulatory Compliance Officer (RCO) Apprenticeship (C&P committee, 7<sup>th</sup> November 2019).

9. **Proposed Additional Structure Changes** - This report seeks approval for the following additional changes to the Trading Standards staffing structure, that flow from the Strategy:

- a) At Committee on 8th March 2018, approval was given to create 1 FTE temporary 2-year fixed term Accredited Financial Investigator (AFI) post using funding from a vacant level 3 TSO role. This report seeks approval to make this change permanent.

The AFI capability continues to achieve significant successes in recovering proceeds of crime from individuals prosecuted for serious criminal offences. This capability is also charged out. This income generated contributes to the overall strategy to generate income to offset the costs of service delivery.

- b) To increase the number of level 1/2 Trading Standards Officers from 6.6 FTE to 7.4 FTE. The change is the net combined effect of two flexible working requests to vary two level 2 TSOs' working hours, and the recent successful recruitment of an experienced Animal Health officer into a level 2 TSO role to address a pressing skills gap within the Service.
- c) To approve the creation of a 1 FTE 12 months fixed term Grade 5 Trading Standards Investigator role. The role could help provide a short-term partial where recruitment exercises fail to attract sufficient recruits to fill all TSO roles.

The role would be funded by underspends from one vacant level 4 TSO role. The level 4 TSO role would be retained as a substantive post on the structure to give the flexibility needed for the future advancement of officers through the career scheme. The situation would be reviewed at the end of the 12 months fixed term period.

Ex-police investigators are currently employed within the Service on an agency basis. They are employed on "Fair Trading" type investigations into rogue traders, car clocking etc, where their investigatory skills and ability to enforce legislation such as the Consumer Protection from Unfair Trading Regulations 2008 and Fraud Act 2006 are transferrable.

The Trading Standards Investigator job description and person specification would require substantial proven experience of working in an investigatory role and the associated knowledge of legal procedural legislation etc. It would enable the Service to recruit experienced investigators, from other law enforcement backgrounds, on a more permanent basis. The role will reduce reliance on agency workers to back fill vacant TSO roles.

10. The tables below provide a summary of the recent and proposed changes to the Trading Standards Staffing structure.

<b>FTE by role April 19 – Existing</b>	<b>FTE</b>
Level 1/2 TSO	<b>6.6</b>
Level 3 TSO	<b>8</b>
Level 4 TSO	<b>9.6</b>
Principal TSO (Commercial)	<b>1</b>
Team Managers	<b>4</b>
Group Manager	<b>1</b>
Accredited Financial Inv. (AFI)	<b>2</b>
Intelligence Manager	<b>1</b>
Information Manager	<b>1</b>
Intelligence Support Officer	<b>2</b>
Technical Assistants	<b>2</b>
<b>TOTAL FTE</b>	<b>38.2</b>
<b>TOTAL COST</b>	<b>£1,542.6K</b>

<b>FTE by role April 20 – Proposed</b>	<b>FTE</b>
Level 1/2 TSO	<b>7.4</b>
Level 3 TSO (2 vacant roles funding RCO apprentices for 2 years)	<b>6</b>
Level 4 TSO (1 vacant role funding TS Investigator role for 1 year)	<b>9.6</b>
Principal TSO (Commercial)	<b>1</b>
Team Managers	<b>5</b>
Group Managers	<b>1</b>
Accredited Financial Inv. (AFI)	<b>3</b>
Intelligence Manager	<b>1</b>
Information Manager	<b>1</b>
Intelligence Support Officer	<b>2.5</b>
Technical Assistants	<b>2</b>
<b>TOTAL FTE</b>	<b>39.5</b>
<b>TOTAL COST</b>	<b>£1,551K</b>
<b>NET ADDITIONAL COST</b>	<b>£8.4K</b>

### Other Options Considered

11. Another option considered regarding the 12 months fixed term Trading Standards Investigator post was to continue employing agency officers to back-fill vacant TSO roles. However, this proposed recommendation is in line with the NCC People Strategy’s aim to reduce reliance on agency workers.

### Reason/s for Recommendation/s

12. The making permanent of the third Accredited Financial Officer (AFI) within the Service provides more certainty in the Service’s ability to further develop our successful Proceeds of Crime capability to both combat crime and generate income by selling the services of our Accredited Financial Officers.

### Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

14. The proposed new structure involves a net additional cost of £8,400 which can be met from within the Trading Standards budget

## **Human Resources Implications**

15. To make a temporary 2-year fixed term 1 FTE Accredited Financial Officer (AFI) post permanent and to disestablish a level 3 Trading Standards Officer post 1 FTE. To increase the number of level 1/2 Trading Standards Officers from 6.6 FTE to 7.4 FTE. To create a temporary 12 months fixed term Grade 5 Trading Standards Investigator role 1 FTE.

## **RECOMMENDATION/S**

It is recommended that the Committee approve:

- 1) The Trading Standards Workforce Strategy, as the way forward to develop the workforce needed for future delivery of a high performing Trading Standards function;
- 2) The proposed changes to the Trading Standards staffing structure, as detailed in paragraph 9.

**Derek Higton**  
**Service Director, Place and Communities**

**For any enquiries about this report please contact:** Mark Walker, Group Manager Trading Standards & Communities x72173 or Sarah Houlton, Team Manager Trading Standards x 72460.

## **Constitutional Comments [KK 10/12/2019]**

16. The proposals in this report are within the remit of the Communities and Place Committee.

## **Financial Comments [RWK 04/12/2019]**

17. The proposed changes to the Trading Standards staffing structure detailed in the report will result in an additional estimated annual cost of £8,400. This cost can be met from within the existing budget allocation for the Trading Standards service which is £926,000 for 2019/20.

## **HR Comments [JP 4/12/2019]**

18. The proposal have been subject to consultation with staff and the recognised trade unions. The implementation of the recommendations will be undertaken in accordance with the County Councils agreed employment policies and procedures, including recruitment.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

## **Electoral Division(s) and Member(s) Affected**

- All