

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**

DATE: **TUESDAY, 18 JUNE 2013**

REPORT BY: **DIRECTOR OF ENVIRONMENT**

SUBJECT: **CROSS WARRANTING OF OFFICERS IN PUBLIC PROTECTION**

1.00 PURPOSE OF REPORT

1.01 To update Members on the development of joint working arrangements between the Council and Wrexham County Borough Council.

2.00 BACKGROUND

2.01 The Public Protection Services in Wrexham and Flintshire deliver a range of enforcement, advice and education activities both proactively and reactively across clearly defined service areas which include Trading Standards, Animal Health and Welfare, Health and Safety, Food Safety, Environmental Enforcement, Public Health, Environmental Pollution, Contaminated Land and Licensing.

2.02 A report went to Members of the Environment Overview and Scrutiny Committee in both authorities in November 2011 seeking support for proposed collaborative work between the two authorities Public Protection Services. It was recognised that there was scope for collaboration between Wrexham and Flintshire which could lead to improved resilience for Public Protection Services.

2.03 The two authorities are currently undertaking some collaborative work where mutual benefits are considered achievable. There is potential for some joint working across Animal Health, Licensing, Environmental Health and Trading Standards with links to Community Safety, Public Safety and Health.

2.04 To enable officers to work across borders and provide assistance in delivering key initiatives there needs to be a robust framework agreement in place to ensure that officers can legally undertake duties in an authority other than their own. The areas where the work will be undertaken are enforcement in Environmental Health, Trading Standards and Licensing e.g. joint investigation of incidents of door step crime, investigating mobile food traders. Licensing enforcement and emergency situations where one authority has to address a major issue.

2.05 This project complements the broader regional collaboration work in Trading Standards which is being undertaken in accordance with the COMPACT agreement.

3.00 CONSIDERATIONS

3.01 Cross Warranting or Flexible warranting is one of a number of projects currently underway between Flintshire and Wrexham Flintshire Public Protection Services. The scope of the cross warranting project is:-

- To provide a robust authorisation system to allow officers in neighbouring local authorities to be authorised in another authority's area.
- To provide dual local authority cross warrants for staff in each local authority.
- To meet management expectation for this resource i.e. when the system can be utilised.
- To provide rules of engagement for using other local authority employees.

3.02 A legal framework document has been developed based on best practice from other collaborative projects. This document ensures that the relevant legal considerations are in place to enable officers to be authorised to work in both Flintshire and Wrexham. A copy of this agreement is attached to this report as Appendix 1. This agreement has been reviewed by the Council's Legal team.

3.03 Both Flintshire and Wrexham have recently adopted procedures for the authorisation of officers and to ensure that they meet the competency requirements for the following enforcement activities i.e. Trading Standards, Animal Health and Welfare, Health and Safety, Food Safety, Environmental Enforcement, Public Health, Environmental Pollution, Contaminated Land and Licensing. A joint procedure has been developed to ensure that both authorities can fully document the process for assessing competency and the authorisation of officers. A copy of this procedure is attached to this report as Appendix 2. This has been reviewed by the Council's Legal team.

3.04 The following outcomes are expected from this agreement:

- A Robust Framework for the delivery of enforcement activities across Flintshire and Wrexham.
- Uniform Competency and Authorisation Framework
- Joint projects which will enhance service delivery in both Counties
- Joint contingency plans for emergency events
- The development of a monitoring and review process to measure outcomes and the effectiveness of this project

- Ongoing review of the Human Resources issues linked to delivering this project across wider service areas

Projects currently under discussion include Doorstep Crime (Cold Calling), Night time Economy and Licensing, and Emergency events.

- 3.05 This proposal will support the Council's Improvement priorities and the collaboration and partnership working arrangements, under the Community Safety Partnership Plan and the Health, Social Care and Well-being Strategy.
- 3.06 This project will initially be undertaken for a twelve month pilot as further work is required with regard to the terms and conditions applicable to employees of the two authorities.
- 3.07 Further work is being undertaken with regard to opportunities for collaborative work in Public Protection across the six North Wales authorities. In the event that it is considered to be beneficial to the Council to extend the Cross Warranting arrangements with other North Wales authorities at some stage in the future, authority is being sought in recommendations 4.03 and 4.04 to do so.
- 3.08 This report is also being presented for consideration by Full Council on the 25th June 2013 as both groups of Members have responsibility for authorising Officers to carry out different elements of the Public Protection services.

4.00 RECOMMENDATIONS

That delegated authority be given to the Director of the Environment, following consultation with the Cabinet Member for Waste and Public Protection to:-

- 4.01 • Authorise officers from Wrexham's Public Protection Service to allow these officers to legally undertake duties in Flintshire County Council.
- 4.02 • Allow officers employed by Flintshire County Council to undertake work in Wrexham as and when required.
- 4.03 • Authorise officers from the Public Protection Services of other authorities in North Wales to allow those officers to legally undertake duties in Flintshire County Council when similar cross warranting arrangements have been agreed.
- 4.04 • Allow officers employed by Flintshire County Council to undertake work in other North Wales authorities as and when required when similar cross warranting arrangements have been agreed.

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5.00 FINANCIAL IMPLICATIONS

5.01 None, the proposals are cost neutral and will be met from existing budgets.

6.00 ANTI POVERTY IMPACT

6.01 The proposals provide the two authorities with greater resilience and capacity to target specific anti poverty issues in each authority.

7.00 ENVIRONMENTAL IMPACT

7.01 None.

8.00 EQUALITIES IMPACT

8.01 None.

9.00 PERSONNEL IMPLICATIONS

9.01 None.

10.00 CONSULTATION REQUIRED

10.01 Staff - further consultation will be undertaken with regard to each project undertaken.

11.00 CONSULTATION UNDERTAKEN

11.01 Legal
Human Resources.
Staff

12.00 APPENDICES

Appendix 1 Cross border agreement
Appendix 2 Cross authorisation competency framework.

These documents can be found on the website and in the Members Library.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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