

Wrexham County Borough Council & Flintshire County Council  
Public Protection Service

Joint Competency Framework to enable Cross Authorisation of Officers/Inspectors to undertake specified regulatory work.

**1 Purpose**

- 1.2** To provide a common, agreed competency framework to enable the authorisation of officers/inspectors (employed by one Local Authority (LA)) to carry out specified regulatory work for another LA (who is not their employer) where the respective LAs have entered into a collaborative working agreement.

**2 Scope**

- 2.1** This document establishes a framework to assist managers and authorising officers of the Recipient authority to assess the appropriate level of competency of officers/inspectors from the Employing authority before authorising those individuals to carry out specified regulatory work.

**3 Definitions**

- 3.1** **Competent** means the ability to perform a given regulatory activity to the level of performance expected.

"**Competencies**" are a range of applied knowledge and skills

Competencies require the regulator to hold some specific knowledge and to have developed a range of key skills. Put simply, a competency framework is designed to match regulatory activity with practitioners whose overall "competence" is assessed against a defined benchmark.

**Cross authorisation** (joint or flexible warranting) – is when a local authority authorises an officer or inspector from another local authority to carry out regulatory work on their behalf

**Recipient Authority** – is the local authority (County Council) who receives resource in the form of an enforcement officer or inspector from another local authority (County Council)

**Employing Authority** - is the local authority (County Council) who provides resource in the form of an enforcement officer or inspector from their staff to another local authority (County Council)

The **Authorising Officer** is a person with the relevant delegated power to authorise officers/inspectors to carry out enforcement/regulatory work under specified legislation.

#### **4.0 Responsibility**

- 4.1** It is the responsibility of the relevant Principal/Service Manager(s) and Authorising Officer(s) in each Council to ensure that this framework is followed.

#### **5.0 Authorisation Procedure(s)**

- 5.1** Both Wrexham and Flintshire Councils have their own authorisation procedures which are influenced by the content of their respective Council Constitutions. (Appendix 1- Flintshire, Appendix 2-Wrexham). This framework does not seek to alter those procedures which are a matter for the respective local authorities.

**5.2** **Granting of authorisation to an officer/inspector employed by another LA.**

This is a decision for the 'Recipient' authority having regard to its own procedures. For both local authorities this will involve considering the officer's suitability for authorisation in relation to the following areas :

- 5.2.1**
1. Assessment of Qualifications
  2. Experience
  3. Development/Training Needs
  4. Supervision Required

- 5.3** Individuals should not receive the requisite authorisation unless this joint competency framework has been followed.

- 5.4** If an individual already holds certain authorisations with their employing LA then there is a presumption that it is likely to be appropriate to authorise them within this cross authorisation framework to the same level unless there are sound reasons for not doing so. However that presumption does not preclude the 'recipient' authority from seeking such further/additional assurances of competence as it deems appropriate for the nature and specifics of the work to be undertaken.

- 5.5** Every officer/inspector will undergo a baseline assessment of their professional and technical competency in relation to the enforcement/regulatory role proposed, in line with each Local Authority's authorisation procedure (Appendix 1- Flintshire, Appendix 2 - Wrexham). This will be undertaken by the line manager and recorded on the inter-authority authorisation request form (Appendix 3). Any supporting documentation can be appended, this will be submitted to the recipient Local Authority for approval.

- 5.6** Once authorisation of the officer(s) from the Employing LA has been approved by the recipient LA, warrant card(s) will be produced in the relevant format.

# APPENDIX 1

## Flintshire County Council

### Directorate of Environment

### Public Protection Division

### Authorisation of Officers

Reference PP/PRO1

Issue No 2 Issue Date September 2011

Approved

Review date (March 2012)

#### 1.0 Purpose

1.1 This document describes the authorisation process, which must be followed, and the criteria which officers must meet to receive authorisation. This procedure is necessary to ensure that there is proper delegation and authorisation to enable individual officers to exercise their legislative powers.

#### 2.0 Scope

2.1 This procedure applies to all officers within the Public Protection Division.

#### 3.0 Responsibility

3.1 The Head of Public Protection or Interim Public Protection Manager , all Service Managers and Team Leaders are responsible for familiarising themselves with and complying with this procedure.

3.2 The Head of Public Protection or interim Public Protection Manager together with the Service Managers are responsible for monitoring compliance with this procedure.

3.3 The Head of Public Protection or interim Public Protection Manager together with the Service Managers are responsible for reviewing this procedure.

#### 4 The Authorising Officer

4.1 The Head of Public Protection or interim Public Protection Manager and Director of Environment have been given the required delegated powers contained in the Constitution of Flintshire County Council.

4.2 This delegation includes the authority to appoint Inspectors and authorised officers under the legislation relevant to the functional areas of the post and also to appoint appropriate officers to exercise the powers contained in Section 19 and Sub-Section 2 of Section 20 and Sections 21, 22, 23, and 38 of the Health and Safety at Work, etc. Act 1974

### 5 THE AUTHORISATION PROCESS

5.1 The principal authorisation document will consist of laminated A5 cards on which there is a photograph of the Officer as well as a comprehensive list of the relevant legislation. The cards are designed to fit within the Officer's notebooks.

5.2 In addition to the A5 card a summary authorisation is issued .

- 5.3 Service Managers / Team Leaders must complete the applicable authorisation request forms (Appendix A) for officers within their sections. The request form will indicate the group(s) of authorisation relevant as defined in Appendix B. In determining the statutory powers for which the officer will receive authorisation, the Head of Public Protection or Interim Public Protection Manager and the relevant Service Manager / Team Leader must consider the following criteria: -
- (i) The qualifications of the officer,
  - (ii) The experience and competence of the officer, and
  - (iii) The principal accountabilities of the post as described in the officer's job description.
- 5.4 The "Authorising officer" will ensure that all staff have the relevant qualifications to carry out their duties. Copies of relevant qualification certificates, and records of any update training, will be kept by the Personal Assistant to the Head of Public Protection. Any further training needs will be identified and incorporated into the officers agreed training plan in accordance with the Council's Staff Appraisal programme.
- 5.5 If the Service Manager / Team Leader is satisfied, having regard to the criteria relating to each statutory function, including where relevant the criteria described in Appendix B – Competency standards, he/she will sign the applicable form (Appendix A), and forward it to the "Authorising Officer"
- 5.6 The "Authorising Officer" if satisfied that the relevant criteria for the authorisation of the officer have been met, will sign the authorisation. The wording of the authorisation will be as outlined in Appendix C. In addition a summary authorisation (Appendix D) will also be issued. It is the responsibility of the relevant Service Manager / Team Leader to ensure that the summary authorisation issued is relevant in relation to the full authorisation.
- 5.7 The authorisation will be placed on the officer's personal file together with the authorisation request form. An electronic version will also be placed on the public protection authorisation folder
- 5.8 The Head of Public Protection or Interim Public Protection Manager and Service Managers should ensure that each officer receives structured on-going training meeting any statutory requirements.
- 5.9 It will be the responsibility of all officers to carry their summary authorisation when on official council business and to carry the full authorisation when appropriate to do so.
- 5.10 All staff terminating their employment with the council must return their authorisation to their team leader or Service manager. The Documentation should then be destroyed and confirmation sent through to the personal assistant of the Head of Public Protection or Interim Public Protection Manager by e-mail that this has been carried out and a copy of the e-mail placed on the personal file.

## **6 Short term / Agency staff / Students / Experts**

- 6.1 Where short term or agency staff are employed, they must satisfy the criteria prescribed in this document.
- 6.2 In relation to Health and Safety authorisation, appointment of an expert to assist an officer must be by the Authorising Officer.

Deleted:

**7 Amendments and revision to the documentation**

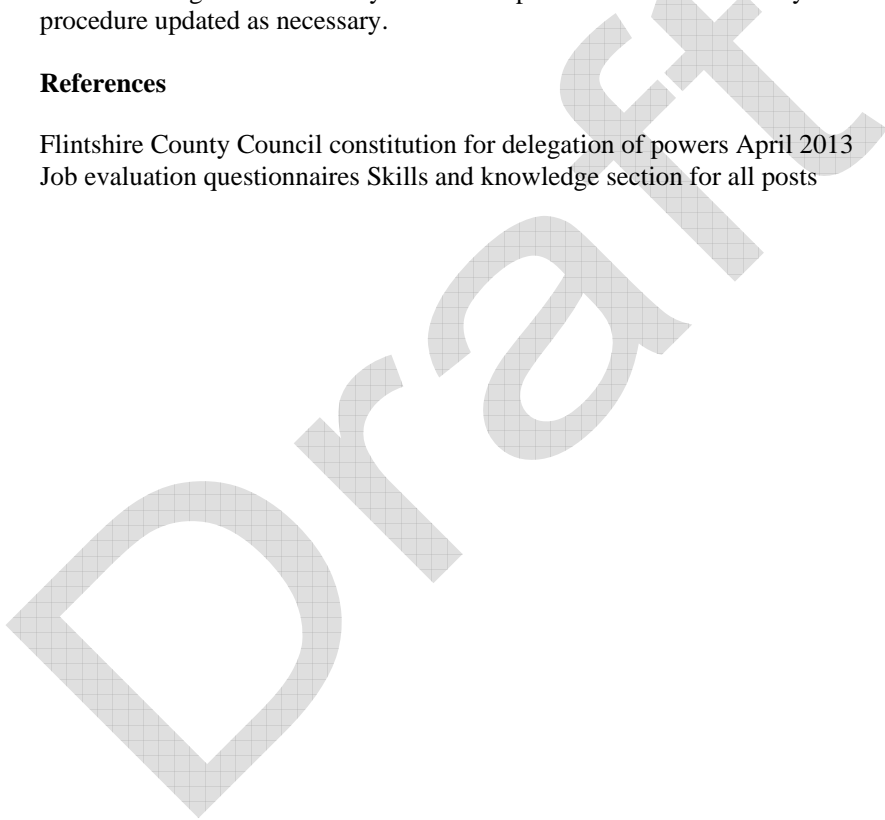
- 7.1 Where amendment to this documentation is required such as for new legislation, these revisions and the accompanying competency templates must be forwarded to the Authorising officer for approval. The legislation revisions will then be added to the authorisation templates. The Document will then be updated with a new revision number and new date.
- 7.2 All officers requiring authorisation under the new legislation will require An Appendix A form to be filled in.

**8 Annual Review**

- 8.1 The Head of Public Protection or Interim Public Protection Manager together with the Service Managers will annually review this procedure in March each year and have the procedure updated as necessary.

**8 References**

- 8.1 Flintshire County Council constitution for delegation of powers April 2013
- 8.2 Job evaluation questionnaires Skills and knowledge section for all posts



**1.1 APPENDIX A**  
**OFFICER AUTHORISATION REQUEST FORM**

<b>Full Name of Officer to be Authorised</b>	<b>Section</b>	<b>Team Leader Requesting</b>
Enter FULL Name	Enter Section	Enter Team Leader's Name

<b>Groups</b>	(See Appendix B)
	List groupings required

**State relevant qualifications and other relevant factors to demonstrate the minimum and statutory standards detailed in Appendix B**

Enter relevant information

**State evidence of the above relevant qualifications and other relevant factors and state where copies are held.**

i.e. copy of degree in \*\*\*\* copy held on personal file/ or held by person

**Recommendation to approve the authorisation requested.**  
 Having considered the evidence available in relation to this officer I am of the opinion the officer meets the relevant criteria to act in discharging the statutory functions relating to the authorisations requested

Service Manager sign	Date
<b>Service Manager</b>	<b>Date</b>

## APPENDIX B

### MINIMUM STANDARDS, STATUTORY COMPETENCIES, REQUIRED QUALIFICATIONS AND OTHER RELEVANT FACTORS FOR AUTHORISING OFFICERS.

<b>Group</b>	
<b>B1a</b>	<b>Building Control – General Level 1</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>B1b</b>	<b>Building Control – Level 2</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>E1</b>	<b>Environment Control – General Level 1</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>E2a</b>	<b>Animal and Pest Control Level 1</b>
	1. 3 or more GCSE's or equivalent . Knowledge of pest control treatment , coshh regulations, responsible dog ownership and health and safety matters e.g dog handling risk assessments
<b>E2b</b>	<b>Bereavement Services Level 1</b>
	Educated to ONC/OND or equivalent in an appropriate discipline and experience of working in a support/operational environment.
<b>E2c</b>	<b>Environmental Enforcement Level 1</b>
	Knowledge of requirements of PACE ,RIPA and Data Protection legislation in relation to interviewing , statements and preparation of case files Knowledge of relevant legislation such as EPA 1990 and CNEA 2005 and other environmental legislation Ability to interpret complex legislation relative to the post General education to GCSE standard or equivalent
<b>F1a</b>	<b>Food Safety Level 1</b>
	1. Possesses suitable qualifications and experience as defined in 1.2.9.1.4 of the Food Law Code of Practice (Wales) (September 2008). <b>(Statutory Requirement]</b> 2. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>F1b</b>	<b>Food Safety Level 2 .</b>
	1. Possesses suitable qualifications and experience as specifically defined in sections 1.2.9.1.5 and 1.2.9.1.6 of the Food Law Code of Practice (Wales) (September 2008) <b>(Statutory Requirement)</b> 2. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>F1c</b>	<b>Food Safety Level 3</b>
	1. Possesses suitable qualifications and experience as specifically defined in sections 1.2.9.1.7 and 1.2.9.1.8 of the Food Law Code of Practice (Wales) (September 2008) <b>(Statutory Requirement]</b> 2. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>H1a</b>	<b>Health &amp; Safety –Level 1</b>

	1 Possesses 'suitable qualifications' as required by section 19 of the Health and Safety at Work etc Act 1974 <b>[Statutory Requirement]</b>
	2. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>H1b</b>	<b>Health and Safety Level 2</b>
	1. Possesses 'suitable qualifications' as required by section 19 of the Health and Safety at Work etc Act 1974. <b>[Statutory Requirement]</b>
	2. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>H2a</b>	<b>Working Time Regulations –Level 1</b>
	1.Possesses 'suitable qualifications' as required by Paragraph 1 of Schedule 3 to the Working Time Regulations 1998 (as amended). <b>[Statutory Requirement]</b>
<b>H2b</b>	<b>Working Time Regulations –Level 2</b>
	1. Possesses 'suitable qualifications' as required by Paragraph 1 of Schedule 3 to the Working Time Regulations 1998 (as amended). <b>[Statutory Requirement]</b>
<b>H3</b>	<b>Health and Safety General Level 1A</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>L1</b>	<b>Licensing - General Level 1</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>L2</b>	<b>Licensing – Level 2</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>P1</b>	<b>Pollution Control – Level 1</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>P1A</b>	<b>Pollution Control -Vapour recovery Level 1a</b>
TRADING STANDARDS?	
<b>S1</b>	<b>Trading Standards – WhoTS – Scambusters Team Trading Standards</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>T1</b>	<b>Trading Standards General Level 1</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>T2</b>	<b>Trading Standards - Animal Health and Welfare Level 1</b>
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.
<b>T3a</b>	<b>Trading Standards - Food (full) Level 2</b>



	<p>1. Holds a formal qualification as specified in paragraph 1.2.9.2.2 of the Food Law Code of Practice (Wales) issued in 2008. <b>[Statutory Requirement]</b></p> <p>2. Has the relevant knowledge as detailed in paragraph 1.2.9.2.1 of the Food Law Code of Practice (Wales) issued in 2008. <b>[Statutory Requirement]</b></p> <p>3. Has received the minimum ongoing training of 10 hours per year based on the principles of continuing professional development. <b>[Statutory Requirement]</b></p> <p>4. Has been appropriately trained and able to demonstrate that they are competent to assess quality assurance systems. <b>[Statutory Requirement]</b></p>
<b>T3b</b>	<b>Trading Standards -Food (restricted to other than A Risk Premises) Level 1</b>
	<p>1. Holds a formal qualification as specified in paragraph 1.2.9.2.2 of the Food Law Code of Practice (Wales) issued in 2008. <b>[Statutory Requirement]</b></p> <p>2. Has the relevant knowledge as detailed in paragraph 1.2.9.2.1 of the Food Law Code of Practice (Wales) issued in 2008. <b>[Statutory Requirement]</b></p> <p>3. Has received the minimum ongoing training of 10 hours per year based on the principles of continuing professional development. <b>[Statutory Requirement]</b></p>
<b>T4a</b>	<b>Trading Standards - Feed Level 1</b>
	<p>1. Holds a formal qualification as specified in paragraph 1.2.9.1 of the Feed Law Enforcement Code of Practice (Great Britain) issued in 2006 or has been an existing Feed Law Enforcement Officer. <b>[Statutory Requirement]</b></p> <p>2. Has the relevant knowledge and experience as detailed in paragraph 1.2.10 of the Feed Law Enforcement Code of Practice (Great Britain) issued in 2006 <b>[Statutory Requirement]</b></p> <p>3. Has the relevant knowledge involving the inspection of hazard analysis and critical control point (HACCP) based safety management systems and basic components of quality control systems and auditing techniques to ensure effectiveness and operations of the simple systems as detailed in paragraph 1.2.9.1 of the Feed Law Enforcement Code of Practice (Great Britain) issued in 2006 <b>[Statutory Requirement]</b></p>
<b>T4b</b>	<b>Trading Standards - Feed Level 2</b>
	<p>1. Holds a formal qualification as specified in paragraph 1.2.9.1 of the Feed Law Enforcement Code of Practice (Great Britain) issued in 2006 or has been an existing Feed Law Enforcement Officer <b>[Statutory Requirement]</b></p> <p>2. Has the relevant knowledge and experience as detailed in paragraph 1.2.10 of the Feed Law Enforcement Code of Practice (Great Britain) issued in 2006 <b>[Statutory Requirement]</b></p> <p>3. Has the relevant knowledge involving the inspection of hazard analysis and critical control point (HACCP) based safety management systems as detailed in Annex 2 of the Feed Law Enforcement Code of Practice (Great Britain) issued in 2006 <b>[Statutory Requirement]</b></p>
<b>T5</b>	<b>Trading Standards - Weights and Measures Level 3</b>
	<p>1. Possesses the qualification prescribed by section 73 of the Weights and Measures Act 1985. <b>[Statutory Requirement]</b></p>
<b>T6a</b>	<b>Trading Standards - Health and Safety at Work etc Act 1974 Level 1</b>
	<p>1. Possesses 'suitable qualifications' as required by section 19 of the Health and Safety at Work etc Act 1974 <b>[Statutory Requirement]</b></p>
<b>T6b</b>	<b>Trading Standards - Health and Safety at Work etc Act 1974 Level 2</b>

	1. Possesses 'suitable qualifications' as required by section 19 of the Health and Safety at Work etc Act 1974 <b>[Statutory Requirement]</b>
<b>T7</b>	Trading Standards - General Level 3
	1. Possesses the minimum skills and knowledge as specified in the relevant job description.

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# APPENDIX C

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**Building Control (General) LEVEL 1**

(B1a)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Public Protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Building Act 1984 (in relation to carrying out inspections)
- and
- (b) any Orders, or Regulations or other instruments:-
- made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to Building Control;
- and
- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Building Control LEVEL 2**

(B1b)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Public Protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

As a Proper Officer for the provisions of the Building Act 1984 section 78

and

as an authorised officer for the following legislation:-

- (a) Building Act 1984 (in relation to all functions and duties of the local authority)  
Local Government (Miscellaneous Provisions) Act 1976 (section 16)  
Towns Improvement Clauses Act 1847 (section 64)

and

- (b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to Building Control;

and

- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**ENVIRONMENT CONTROL LEVEL 1**

(E1)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

(a)

Housing Act 2004  
Environmental Protection Act 1990  
Housing Act 1985  
Housing and Local Government Act 1989  
Housing, Grants, Construction and Regeneration Act 1996  
Public Health Acts 1936,1961  
Building Act 1984  
Prevention of Damage by Pests Act 1949  
Caravan Sites Act 1968  
Caravan Sites (Control of Development) Act 1960  
Local Government (Miscellaneous Provisions) Act 1982  
Local Government (Miscellaneous Provisions) Act 1976  
Water Industry Act 1991  
Burial Act 1857

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to environmental control;

and

(c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Animal and Pest Control LEVEL 1**

(E2a)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Dangerous Dogs Act 1991  
Environmental Protection Act 1990  
Dogs (fouling of land) Act 1996  
Health Act 1996  
Clean Neighbourhoods and Environment Act 2005  
Animal Welfare Act 2006
- (b) any Orders, or Regulations or other instruments:-
- made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to environmental control;
- and*
- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Bereavement Services Level 1**

(E2b)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

(a)

[Health and Safety at Work Act 1974](#)

Occupiers Liability Act 1957

The Local Authority Cemeteries Order 1977

Public Health (Control of Disease) Act, 1984 Section 46 (Appendix I).

The Births & Deaths Registration Act 1953

Coroners Act 1988

Welsh Church Act 1914

Cremation Regulations 1930

Burial Act 1857

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to environmental control;

and

(c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....



**Environmental Enforcement Level 1**

(E2c)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

(a)

Clean Neighbourhoods and Environment Act 2005  
Environmental Protection Act 1990  
Refuse Disposal Amenities Act 1990  
Highways act 1980  
Environment Act 1995  
Removal and Disposal of Vehicles Regulations Act 1986

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to environmental control;

and

(c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Food Safety Level 1**

(F1a)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Food Safety Act 1990
  - Section 32 – Power of Entry
  - Section 29 & 30 – Procurement & Analysis of Samples
  
- (b) Food Hygiene (Wales) Regulations 2006
  - Regulation 14 – Power of Entry
  - Regulation 12 & 13 – Procurement & Analysis of Samples
  - Regulation 28 – Service of Documents
  - Public Health (Control of Disease) Act 1984 as amended by the Health & Social Care Act 2008
  - Health Protection (Local Authority Powers) (Wales) Regulations 2010
  - Food and Environment Protection Act 1985
  - Local Government (Miscellaneous Provisions) Act 1976 & 1982
  - Game Act 1831 as amended

and

- (b) any Orders, or Regulations or other instruments:-
  - made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to Food Safety in particular the following:-

- The General Food Regulations 2004
- The Food Hygiene (Wales) Regulations 2006
- The Contaminants in Food (Wales) Regulations 2006
- The Official Feed & Food Controls (Wales) Regulations 2007
- The Products of Animal Origin (Third Country Imports)(Wales) (No.4) Regulations 2007
- The Products of Animal Origin (Import & Export) Regulations 1996
- The Animal By-Products (Wales) Regulations 2003

and

- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Food Safety Level 2**

(F1b)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Food Safety Act 1990
  - Section 32 – Power of Entry
  - Section 29 & 30 – Procurement & Analysis of Samples
  - Section 10 – Service of Improvement Notice
- (b) Food Hygiene (Wales) Regulations 2006
  - Regulation 6 – Service of Hygiene Improvement Notice
  - Regulation 14 – Power of Entry
  - Regulation 12 & 13 – Procurement & Analysis of Samples
  - Regulation 28 – Service of Documents
  - Public Health (Control of Disease) Act 1984 as amended by the Health & Social Care Act 2008
  - Health Protection (Local Authority Powers) (Wales) Regulations 2010
  - Food and Environment Protection Act 1985
  - Local Government (Miscellaneous Provisions) Act 1976 & 1982
  - Game Act 1831 as amended

and

- (b) any Orders, or Regulations or other instruments:-
  - made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to Food Safety in particular the following:-
    - The General Food Regulations 2004
    - The Food Hygiene (Wales) Regulations 2006
    - The Contaminants in Food (Wales) Regulations 2006
    - The Official Feed & Food Controls (Wales) Regulations 2007
    - The Products of Animal Origin (Third Country Imports)(Wales) (No.4) Regulations 2007
    - The Products of Animal Origin (Import & Export) Regulations 1996
    - The Animal By-Products (Wales) Regulations 2003

and

- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Food Safety Level 3**

(F1c)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council’s scheme of delegation to authorise officers for the purposes of the Council’s enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Food Safety Act 1990
  - Section 32 – Power of Entry
  - Sections 29 & 30 – Procurement & Analysis of Samples
  - Section 9 – Detention & Seizure of Food
  - Section 10 – Service of Improvement Notice
  - Section 12 - Service of Emergency Prohibition Notice
- Food Hygiene (Wales) Regulations 2006
  - Regulation 6 – Service of Hygiene Improvement Notice
  - Regulation 7 – Hygiene Prohibition Order
  - Regulation 8 - Service of Hygiene Emergency Prohibition Notice
  - Regulation 9 - Service of Remedial Action Notices & Detention Notices
  - Regulation 23 – Application of Section 9 of the Food Safety Act 1990
  - Regulation 27 – Food Not produced, processed or distributed in compliance with these regulations
  - Regulation 28 – Service of Documents
- Public Health (Control of Disease) Act 1984 as amended by the Health & Social Care Act 2008
- Health Protection (Local Authority Powers) (Wales) Regulations 2010
- Food and Environment Protection Act 1985
- Local Government (Miscellaneous Provisions) Act 1976 & 1982
- Game Act 1831 as amended

and

- (b) any Orders, or Regulations or other instruments:-
  - made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to Food Safety in particular the following:-
    - The General Food Regulations 2004
    - The Food Hygiene (Wales) Regulations 2006
    - The Contaminants in Food (Wales) Regulations 2006
    - The Official Feed & Food Controls (Wales) Regulations 2007
    - The Products of Animal Origin (Third Country Imports)(Wales) (No.4) Regulations 2007
    - The Products of Animal Origin (Import & Export) Regulations 1996
    - The Animal By-Products (Wales) Regulations 2003

and

- (c) any modification or re-enactment of the foregoing.

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

**Health & Safety – Level 1**

(H1a)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council’s scheme of delegation to authorise officers for the purposes of the Council’s enforcement functions in relation to Health and Safety at Work in exercise of the power conferred upon FLINTSHIRE COUNTY COUNCIL by Section 19(1) of the Health and Safety at Work etc. Act 1974 ("the 1974 Act") being satisfied that

**FULL NAME**

(whose photograph appears above)

has suitable qualifications - I HEREBY APPOINT him/her to be an Inspector for the purposes of that Act, entitled:-

to exercise the powers of an Inspector specified in:

- (i) Sections 20 (2)(a) to (m) inclusive and 25 of the 1974 Act;
- (ii) Any Health and Safety Regulations; and
- (iii) The provisions of the Acts mentioned in Schedule 1 to the 1974 Act, which are specified in the third column of that schedule and of the Regulations, Orders or other instruments of a Legislative Charter made, or having effect under any provision so specified or in force from time to time.

This appointment revokes any previous instrument of appointment of the said Inspector and shall remain in force until revoked in writing by the said Flintshire County Council

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Health & Safety – Level 2**

(H1b)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council’s scheme of delegation to authorise officers for the purposes of the Council’s enforcement functions in relation to Health and Safety at Work in exercise of the power conferred upon FLINTSHIRE COUNTY COUNCIL by Section 19(1) of the Health and Safety at Work etc. Act 1974 ("the 1974 Act") being satisfied that

**FULL NAME**

(whose photograph appears above)

has suitable qualifications - I HEREBY APPOINT him/her to be an Inspector for the purposes of that Act, entitled:-

to exercise the powers of an Inspector specified in:

- (a)
  - (i) Sections 20 (2)(a) to (m) inclusive, 21, 22, 25 and 39 of the 1974 Act;
  - (ii) Any Health and Safety Regulations; and
  - (iii) The provisions of the Acts mentioned in Schedule 1 to the 1974 Act, which are specified in the third column of that schedule and of the Regulations, Orders or other instruments of a Legislative Charter made, or having effect under any provision so specified or in force from time to time.
- (b) To institute proceedings pursuant to Section 38 of the 1974 Act.

This appointment revokes any previous instrument of appointment of the said Inspector and shall remain in force until revoked in writing by the said Flintshire County Council

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Working Time Regulations – Level 1**

(H2a)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council’s scheme of delegation to authorise officers for the purposes of the Council’s enforcement functions in relation to the Working Time Regulations in exercise of the power conferred upon FLINTSHIRE COUNTY COUNCIL by Regulation 28(7) and Schedule 3 of Working Time Regulations 1998 as amended (the Working Time Regulations) being satisfied that

**FULL NAME**

(whose photograph appears above)

has suitable qualifications - I HEREBY APPOINT him/her to be an Inspector for the purposes of the Working Time Regulations, entitled:-

to exercise all the powers of an Inspector specified in:

Paragraph 2 of Schedule 3 of the Working Time Regulations 1998

This appointment revokes any previous instrument of appointment of the said Inspector and shall remain in force until revoked in writing by the said Flintshire County Council

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

## Working Time Regulations – Level 2

(H2b)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to the Working Time Regulations in exercise of the power conferred upon FLINTSHIRE COUNTY COUNCIL by Regulation 28(7) and Schedule 3 of Working Time Regulations 1998 as amended (the Working Time Regulations) being satisfied that

### **FULL NAME**

(whose photograph appears above)

has suitable qualifications - I HEREBY APPOINT him/her to be an Inspector for the purposes of the Working Time Regulations, entitled:-

to exercise all the powers of an Inspector specified in:

Paragraph 2, 3 and 4 of Schedule 3 of the Working Time Regulations 1998

This appointment revokes any previous instrument of appointment of the said Inspector and shall remain in force until revoked in writing by the said Flintshire County Council

Signed: .....  
(Interim Public Protection Manager)

Dated: .....



**Health & Safety – General - Level 1a**

(H3)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council’s scheme of delegation to authorise officers for the purposes of the Council’s enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Food and Environment Protection Act 1985  
Health Act 2006  
Local Government (Miscellaneous Provisions) Acts 1976 & 1982  
Sunday Trading Act 1994

and

- (b) any Orders, or Regulations or other instruments:-
  - made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to the above functions;

and

- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**LICENSING LEVEL 1**

(L1)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

(a)

Animal Boarding Establishments Act 1963  
Animal Welfare Act 2006  
Breeding of Dogs Acts 1973 & 1991  
Breeding & Sale of Dogs (Welfare) Act 1999  
Dangerous Wild Animals Act 1976  
Gambling Act 2005  
Health Act 2006  
House to House Collections Act 1939  
Licensing Act 2003  
Local Government Act 1972  
Local Government (Miscellaneous Provisions) Acts 1976 & 1982  
Lotteries and Amusements Act 1976  
Performing Animals (Regulations) Acts 1925  
Pet Animals Act 1951  
Police, Factories etc. (Miscellaneous Provisions) Act 1916  
Riding Establishments Acts 1964 & 1970  
Scrap Metal Dealers Act 1964  
Town Police Clauses Acts 1847 and 1889  
Vehicles (Crime) Act 2001  
Zoo Licensing Act 1981  
and

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to licensing;

and

(c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Licensing Level 2**

(L2)

In accordance with the powers conferred on me by Flintshire County Council and in particular in accordance with Section C paragraph 3.1 of the Constitution of Flintshire County Council I hereby authorise

**Full Name**

to exercise the following functions delegated to me subject to the limits as specified below:-

1. To approve applications under the Licensing Act 2003 for:-
  - (a) a personal licence when no objection is made;
  - (b) a premises licence/club premises certificate where no relevant representation is made;
  - (c) a provisional statement where no relevant representation is made;
  - (d) a variation of a premises licence/club premises certificate where no relevant representation is made.
  - (e) for the variation of a designated premises supervisor;
  - (f) removal as a designated premises supervisor where there is no Police objection, or
  - (g) an application for a transfer of premises licence where no Police objection is received;
  - (h) an application for interim authorities where no Police objection is received.
  
2. To issue, renew and impose or vary conditions to any other licences, permits or registration that relates to the licensing function.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Pollution Control Level 1**

(P1)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Environmental Protection Act 1990
- Environment Act 1995
- Clean Air Act 1993
- Pollution Prevention & Control Act 1999
- Control of Pollution Act 1974
- Crime and Disorder Act 1998
- Noise Act 1996

and

- (b) any Orders, or Regulations or other instruments:-
  - made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to pollution control;

and

- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Pollution Control Level 1a**

(P1A)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation, specifically relating to Vapour recovery procedures and equipment at petrol filling stations:-

- (a) Pollution Prevention and Control Act 1999  
and
- (b) Any Orders, or Regulations or other instruments:-
  - made thereunder, or
  - relating thereto, or
  - having effect by virtue of The European Communities act 1972 and relating to pollution controland
- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

**Trading Standards (WHoTS Scam Busters Team)**

(S1)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Public Protection, hereby appoint

**FULL NAME**

as an authorised officer for the following legislation:-

- (a) Consumer Protection Act, 1987  
Copyright, Designs and Patents Act, 1988  
Enterprise Act 2002  
European Communities Act, 1972  
Property Misdescriptions Act, 1991  
Timeshare Act, 1992  
Trade Descriptions Act, 1968  
Trade Marks Act, 1994
  
- (b) any Orders, or Regulations or other instruments:-
  - made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to Trading Standards including the following:  
  
Business Protection from Misleading Marketing Regulations 2008  
Consumer Protection from Unfair Trading Regulations 2008  
Consumer Protection (Distance Selling) Regulations 2000  
Cancellation of Contracts made in a Consumer's Home or Place of Work etc. Regulations 2008  
Package Travel, Package Holidays and Package Tours Regulations 1992
  
- and
  
- (c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated: .....

## **Trading Standards (General) Level 1**

(T1)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Public Protection, hereby appoint

### **FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Administration of Justice Act, 1970
- Agricultural Produce (Grading and Marking) Act, 1928
- Anti Social Behaviour Act 2003
- Cancer Act, 1939
- Children and Young Persons (Protection from Tobacco) Act, 1991
- Children and Young Persons Act, 1933
- Clean Neighbourhoods and Environment Act 2005 – Part 2
- Companies Act, 1985
- Consumer Credit Act, 1974
- Consumer Credit Act, 2006
- Consumer Protection Act, 1987
- Copyright, Designs and Patents Act, 1988
- Criminal Attempts Act, 1981
- Criminal Justice Act 1988
- Development of Tourism Act, 1969
- Education Reform Act, 1988
- Enterprise Act 2002
- Estate Agents Act, 1979
- European Communities Act, 1972
- Fair Trading Act, 1973
- Farm and Garden Chemical Act, 1967
- Fireworks Act 2003
- Forgery and Counterfeiting Act, 1981
- Fraud Act, 2006
- Hallmarking Act, 1973
- Housing Act 2004
- Intoxicating Substances (Supply) Act 1985
- Licensing Act 2003
- Local Government (Miscellaneous Powers) Act 1976 (section 16)
- Magistrates Courts Act, 1980
- Medicines Act, 1968
- Motor Cycle Noises Act, 1987
- Motor Vehicles (Safety Equipment for Children) Act, 1991
- National Lottery etc Act 1993

(continued overleaf)

Opticians Act, 1989  
Poisons Act, 1972  
Police and Justice Act, 2006  
Prices Act, 1974  
Property Misdescriptions Act, 1991  
Road Traffic (Foreign Vehicles) Act, 1972  
Road Traffic Acts, 1988 and 1991  
Solicitors Act, 1974  
Theft Act, 1968/78  
Timeshare Act, 1992  
Tobacco Advertising and Promotion Act 2002  
Trade Descriptions Act, 1968  
Trade Marks Act, 1994  
Trading Representations (Disabled Persons) Act, 1958  
Unsolicited Goods and Services Act, 1971  
Video Recordings Act, 1984

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to Trading Standards including the following:

Business Protection from Misleading Marketing Regulations 2008  
Consumer Protection from Unfair Trading Regulations 2008  
Consumer Protection (Distance Selling) Regulations 2000  
Cancellation of Contracts made in a Consumer's Home or Place of Work etc. Regulations 2008  
Package Travel, Package Holidays and Package Tours Regulations 1992  
Packaging (Essential Requirements) Regulations 2003

and

(c) any modification or re-enactment of the foregoing.

Signed: .....  
(Interim Public Protection Manager)

Dated:.....



## Animal Health and Welfare Level 1

(T2)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Animal Health and Welfare, hereby appoint

### **FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

- (a) Animal Health Act 1981  
Animal Health and Welfare Act 1984  
Animal Welfare Act 2006  
Performing Animals (Regulation) Act 1928  
Food Safety Act 1990 (for the purposes of securing compliance with regulations relating to veterinary medical products)

and

- (b) any Orders, or Regulations or other instruments:-
- made thereunder, or
  - relating thereto, or
  - having effect by virtue of the European Communities Act 1972 and relating to animal health and welfare including the following:

Animal By-Products (Wales) Regulations 2006  
Animals and Animal Products (Import and Export) (Wales) Regulations 2006  
Avian Influenza (Preventative Measures) (Wales) Regulation 2006  
Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006  
Bovine Products (Restrictions on Placing on the Market) (Wales) (No 2) Regulations 2005  
BSE Monitoring (Wales) (Amendment) Regulations 2001  
Foot and Mouth Disease (Control of Vaccination) (Wales) Regulations 2006  
Horse Passports (Wales) Regulations 2005  
Products of Animal Origin (Import and Export) (Amendment) Regulations 1997  
Products of Animal Origin (Import and Export) Regulations 1996  
Registration of Establishments (Laying Hens) (Wales) Regulations 2004  
Salmonella in Broiler Flocks (Survey Powers) (Wales) Regulations 2006  
Salmonella in Laying Flocks (Survey Powers) (Wales) Regulations 2005  
Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007  
Cattle Identification (Wales) Regulations 2007  
Transmissible Spongiform Encephalopathies (Wales) Regulation 2008

and

- (c) any modification or re-enactment of the foregoing.

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

**Food (Trading Standards) Level 1**

(T3a)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Public Protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

(a) Food Safety Act 1990;

and

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to food safety or animal feedstuff ;

and

(c) any modification or re-enactment of the foregoing.

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

**Food (Trading Standards) Level 2**

(T3b)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to public protection, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

(a) Food Safety Act 1990;

and

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to food safety or animal feedstuff ;

and

(c) any modification or re-enactment of the foregoing.

This authorisation does not extend to premises risk rated A

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

**Feed Level 1**

(T4)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to feed control, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an authorised officer for the following legislation:-

(a) Agriculture Act 1970;

and

(b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to animal feedstuff ;
  - in particular the Feed (Hygiene and Enforcement) (Wales) Regulations 2005

and

(c) any modification or re-enactment of the foregoing.

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

**Weights and Measures Level 1**

(T5)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to weights and measures, hereby appoint

**FULL NAME**

(whose photograph appears above)

as an Inspector for the following legislation:-

- (a) Weights and Measures Act 1985  
Weights and Measures etc Act 1976

and

- (b) any Orders, or Regulations or other instruments:-

- made thereunder, or
- relating thereto, or
- having effect by virtue of the European Communities Act 1972 and relating to weights and measures ;

and

- (c) any modification or re-enactment of the foregoing.

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

## H & S SAFETY – Trading Standards Level 1

(T6a)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Health and Safety at Work in exercise of the power conferred upon FLINTSHIRE COUNTY COUNCIL by Section 19(1) of the Health and Safety at Work etc. Act 1974 ("the 1974 Act") being satisfied that

### FULL NAME

(whose photograph appears above)

has suitable qualifications I HEREBY APPOINT him/her to be an Inspector for the purposes of that Act, entitled:-

to exercise the powers of an Inspector specified in:

- Sections 20 of the 1974 Act;
- to exercise any such other power as may be necessary for the purpose of carrying into affect any of the relevant statutory provisions within the field of responsibility of the Trading Standards service of the County Council, including:-

The Explosives Act 1875  
The Public Health Act 1961  
The Petroleum (Consolidation) Act 1928

together with any Act amending or extending those Acts and any Regulation or Order, licence or Registration made under those Acts or under the Health and Safety at Work Etc.. Act 1974

This appointment revokes any previous instrument of appointment of the said Inspector and shall remain in force until revoked in writing by the said Flintshire County Council

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

## H & S SAFETY – Trading Standards Level 2

(T6b)

I, Ian Vaughan-Evans, being an officer of FLINTSHIRE COUNTY COUNCIL, and having the delegated authority under the Council's scheme of delegation to authorise officers for the purposes of the Council's enforcement functions in relation to Health and Safety at Work in exercise of the power conferred upon FLINTSHIRE COUNTY COUNCIL by Section 19(1) of the Health and Safety at Work etc. Act 1974 ("the 1974 Act") being satisfied that

### FULL NAME

(whose photograph appears above)

has suitable qualifications I HEREBY APPOINT him/her to be an Inspector for the purposes of that Act, entitled:-

to exercise the powers of an Inspector specified in:

- Sections 20, 21, 22, 25 and 39 of the 1974 Act;
- to exercise any such other power as may be necessary for the purpose of carrying into effect any of the relevant statutory provisions within the field of responsibility of the Trading Standards service of the County Council, including:-

The Explosives Act 1875  
The Public Health Act 1961  
The Petroleum (Consolidation) Act 1928

together with any Act amending or extending those Acts and any Regulation or Order, licence or Registration made under those Acts or under the Health and Safety at Work Etc.. Act 1974

- to institute proceedings in pursuant of Section 38 of the 1974 Act.

This appointment revokes any previous instrument of appointment of the said Inspector and shall remain in force until revoked in writing by the said Flintshire County Council

Signed: ..... Dated: .....  
(Interim Public Protection Manager)

**Trading Standards Level 3**

(T7)

In accordance with the powers conferred on me by Flintshire County Council and in particular in accordance with Section C paragraph 3.1 of the Constitution of Flintshire County Council I hereby authorise

**Full Name**

to exercise the following functions delegated to me subject to the limits as specified below:-

- To authorise the commencement or institution of legal proceedings in respect of any legislation or regulations for the time being enforceable by the Council and relating to the functions of the Trading Standards Service. This function should only be exercised following consultation and the approval of the Head of Trading Standards or Head of Public Protection or otherwise when such consultation is impracticable.
- To lay or authorise the laying of informations for the purpose of obtaining a warrant, whether of search entry or otherwise under any legislation relating to the functions of the Trading Standards Service.
- To issue, make and serve, suspend, revoke/vary and review the suspension of statutory and other notices relating to the functions of the Trading Standards Service including suspension notices under the provisions of the Consumer Protection Act 1987
- To issue, renew and impose or vary conditions to any licence or registration that relates to the Trading Standards Service.
- To appear and/or make applications on behalf of the Council in Magistrates Courts


Signed: ..... Dated: .....  
(Interim Public Protection Manager)



# APPENDIX D

(see attached document – summary authorisations)

## General Format of summary authorisation.

<p>I hereby certify that:</p> <p>has been appointed and authorised by FLINTSHIRE COUNTY COUNCIL to exercise powers and discharge duties and functions relevant to Public Protection in relation to various statutes and enactments extending or amending them and also the Regulations or Orders made thereunder. This authorisation includes where appropriate a power to enter premises, to inspect or sample goods, to require the production of books and documents and to seize goods, books and documents. The full list of legislation can be obtained on request and includes the following:-</p> <p>xxxxxx xxxxxx xxxxxx xxxxxx</p>	<p><b>FULL NAME</b></p>  <div style="border: 1px solid black; width: 50px; height: 50px; margin: 0 auto;"></div> <p>Signed ..... Dated .....</p> <p>Interim Public Protection Manager</p>
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Section	Summary List
<b>Building Control</b>	Building Act 1984
<b>Environmental Control</b>	Housing Act 2004 Building Act 1984 Environmental Protection Act 1990
<b>Animal and Pest Control</b>	Dangerous Dogs Act 1990 Environmental Protection Act 1990 Health Act 2006 Animal Welfare Act 2006 Clean Neighbourhoods and Environment Act 2005
<b>Bereavement</b>	
<b>Environmental Enforcement</b>	Clean Neighbourhoods and Environment Act 2005 Environmental Protection Act 1990 Refuse Disposal Amenties Act 1990 Highways Act 1980 Environment Act 1995 Removal and disposal of Vehicles Regulations Act 1986
<b>Food Safety</b>	Food Safety Act 1990 Food Hygiene (Wales) Regulations 2006
<b>Health and Safety Section</b>	Health and Safety at Work Etc Act 1974 Working Time Regulations 1998 Health Act 2006
<b>Licensing Section</b>	Licensing Act 2003 Health Act 2006 Animal Welfare Act 2006
<b>Pollution Control</b>	Environmental Protection Act 1990 Pollution Prevention & Control Act 1999 Environment Act 1995 Clean Air Act 1993 Noise Act 1996
<b>Trading Standards 1</b>	Consumer Protection from Unfair Trading Regulations 2008

	Consumer Protection Act 1987 Animal Health Act 1981
<b>Trading Standards 2</b>	Consumer Protection from Unfair Trading Regulations 2008 Consumer Protection Act 1987 Animal Health Act 1981 Food Safety Act 1990
<b>Trading Standards 3</b>	Consumer Protection from Unfair Trading Regulations 2008 Consumer Protection Act 1987 Animal Health Act 1981 Food Safety Act 1990 Weights And Measures Act 1985
<b>Trading Standards 4</b>	Consumer Protection from Unfair Trading Regulations 2008 Consumer Protection Act 1987 Animal Health Act 1981 Weights And Measures Act 1985

# APPENDIX 2

**Housing & Public Protection Department  
Wrexham County Borough Council**



**Procedure for Authorisation of Officers**



## Contents

- 1. Introduction**
- 2. Responsibilities and document control**
- 3. Authorisation requests**
- 4. New legislation**
- 5. Competence**
- 6. Authorisations Co-ordinator**
- 7. Questions not answered in this document**

**Appendix A Flow Diagram**

**Appendix B Principal Manager Request for Authorisation Form**

**Appendix C Competency framework – qualifications and Competence.**

## 1.0 Introduction

This procedure aims to provide a structured, robust framework for the authorisation of officers and inspectors. . The objective is to achieve and record an audit trail from our constitution, through an appropriate officer with delegated authority to the individually authorised officer or inspector. The scope of this document covers all officers and inspectors authorised or appointed by the Council's Housing & Public Protection Department to discharge the duties and other relevant functions of the Council (and includes third party officers/inspectors such as contractors and agency workers).

- 1.1 This document must be read in conjunction with the WCBC Constitution and scheme of delegation documentation (which can be found on our website [www.wrexham.gov.uk/english/council/documents/constitution.htm](http://www.wrexham.gov.uk/english/council/documents/constitution.htm) ) along with Departmental Enforcement Policies and Procedures. If the constitution has not been revised or updated recently then the relevant delegated authority and authorisation committee/executive board report and associated committee meeting minute may need to be referred to for documentary proof of delegated arrangements.

## 2.0 Responsibilities and Document Control

It is the responsibility of Principle Managers (PMs) to identify instances when it is appropriate to make a request to the Head of Housing and Public Protection (HHPP) for new authorisations or for additions or alterations to existing authorisations. The HHPP is generally the person with delegated authority for this purpose (unless stated otherwise in the WCBC Constitution). It is the responsibility of the Service Manager to ensure adherence to this procedure and to ensure that it is reviewed and updated through the DMT forum. In certain circumstances it may be appropriate for Head of Service (in consultation with DMT) to make the request e.g. if the request related to multiple staff in different sections. This document is a controlled document, and as such should not be revised or altered without the sanction of the Service Manager. The record table on page 2 should be completed to provide a record of amendments . A flow diagram that outlines the steps involved in the request to HHPP process is provided at Appendix A.

### 2.1 Requests for new authorisation(s) or changes to existing authorisation(s)

There are a number of reasons why requests to the HHPP may need to be made. For example:

- new legislation may be introduced or legislation may be amended to include additional provisions
- the competency of individual officers may improve/increase in certain key areas which makes the bestowing of additional powers appropriate

- additional persons may need to be authorised to carry out particular functions when key staff leave the organisation or if there is an increase in workload

It should also be remembered that paperwork may need to be amended if individuals change name (e.g. due to marriage)

### 3.0 New legislation

Ongoing horizon scanning to identify forthcoming new legislation (and consequential amendments to existing legislation) that will impact on enforcement work is important. Head of Service and HHPP need to be kept informed by managers and other staff about forthcoming changes to enable planning for resource and service delivery and to ensure that reports to Executive Board for delegated authority are made in a timely manner. DMT is the appropriate forum for raising and discussing implications in the first instance and a quarterly agenda item should be included in this regard. In instances where it is deemed appropriate to authorise multiple staff across different sections 'on block' to enforce a legislative provision, it may be appropriate for Head of Service to make a collective or blanket request to HHPP (See 2.0 above).

### 4.0 Competence

In making and sanctioning requests for authorisation (or changes to existing), regard needs to be had to any relevant competency criteria appropriate to the area of work to which the authorisation matter related. For example: RDNA, CIEH & TSI agreed competency frameworks, Section 18 of HASAWA, and FSA Food Safety Code of Practice criteria and associated guidance, and any corporate competency scheme elements that may be relevant, in addition to aspects pertaining to relevant training, qualifications and experience

- 5.1 The following framework for competency should be followed :
  1. Assessment of Qualifications.
  2. Experience
  3. Development/training needs
  4. Supervision Required
- 5.2 The first two parts of the framework applicable to selected specialist areas of Environmental Health and Trading Standards are at Appendix C.
- 5.3 The general principles of the competency framework are as follows:
- 5.4 **Qualifications** – Officers/Inspectors will be required to possess a recognised qualification in order to be eligible to hold authorisation under relevant legislation. Certificates serve as proof of qualification, and are an indication of attainment. A professional qualification alone does not confer competence, although it is often the beginning of a journey leading to competency.

**5.5 Experience** - A professional qualification does not of itself imply that the individual is competent (even when combined with elements of professional practice). Competency also requires experience and application of knowledge and skills.

5.5.1 In assessing whether an officer/inspector is to be authorised, detailed consideration must be given by the assessor to the individuals likely level of competence, taking into account a range of factors. The objective is to ensure that the Officer/Inspector to be authorised -

- is technically competent to carry out the tasks required
- is aware of the nature and specific hazards/risks associated with those activities required to be undertaken
- has knowledge and understanding of relevant legislation, Codes of Practice , relevant Guidance and their application
- has sufficient experience, underpinning knowledge and skills to undertake the tasks required to an agreed standard

**5.6 Training & Development** - training/development needs and review of training/development received is undertaken as part of the Personal Review and Development Process for each Council.

5.6.1 The Regulators Developmental Needs Analysis (RDNA) tool approach promoted by LBRO can be used by LAs to help gauge an officer's/inspector's level of competence and areas for development against a benchmarked standard.

5.6.2 This approach has become embedded for health and safety inspectors in recent years and additional modules specific to other areas of regulation are now available with further modules in development.

5.6.3 Where appropriate officers/inspectors are also encouraged to carry out training every year in accordance with the Continuous Professional Development (CPD) process/schemes of professional organisations.

**5.7 Supervision** - The powers, duties, functions and other specified activities an officer/inspector is authorised to carry out on behalf of another Council, will be restricted to those demonstrated to the satisfaction of a Principal Manager. An officer/inspector may only carry out functions and activities outside his/her "competence" under supervision of an authorised officer.

5.7.1 The level of supervision will depend on the training and experience of the individual concerned. There should always be a manager or other supervisor named/nominated as being responsible for overseeing the work of an officer/inspector.

5.7.2 The form the supervision takes will depend on the training and experience of the individual concerned and the area where



competency is identified for development. Adequate supervision may include some or all of the following:

- being accompanied by a competent colleague
- a competent colleague undertaking follow up visits
- a competent colleague checking reports of visit
- a competent colleague checking all or some correspondence post activity, de-briefing sessions

**5.8** Following consideration of the competency issues a request should be made to HHPP on the Request for Authorisation form (Appendix B) together with a draft of the wallet card authorisation information. This can be sent via email.

5.8.1 Where the request is for a new officer to be authorised, a photo ID should also be included.

## **6.0 Authorisations Co-ordinator**

**6.1** The role of these individuals is to assist the Principal Manager to draft the text and then to arrange for production of the printed plastic wallet cards to be issued to individuals. The Co-ordinator will also ensure that an electronic record of individual authorisations is filed for future reference.

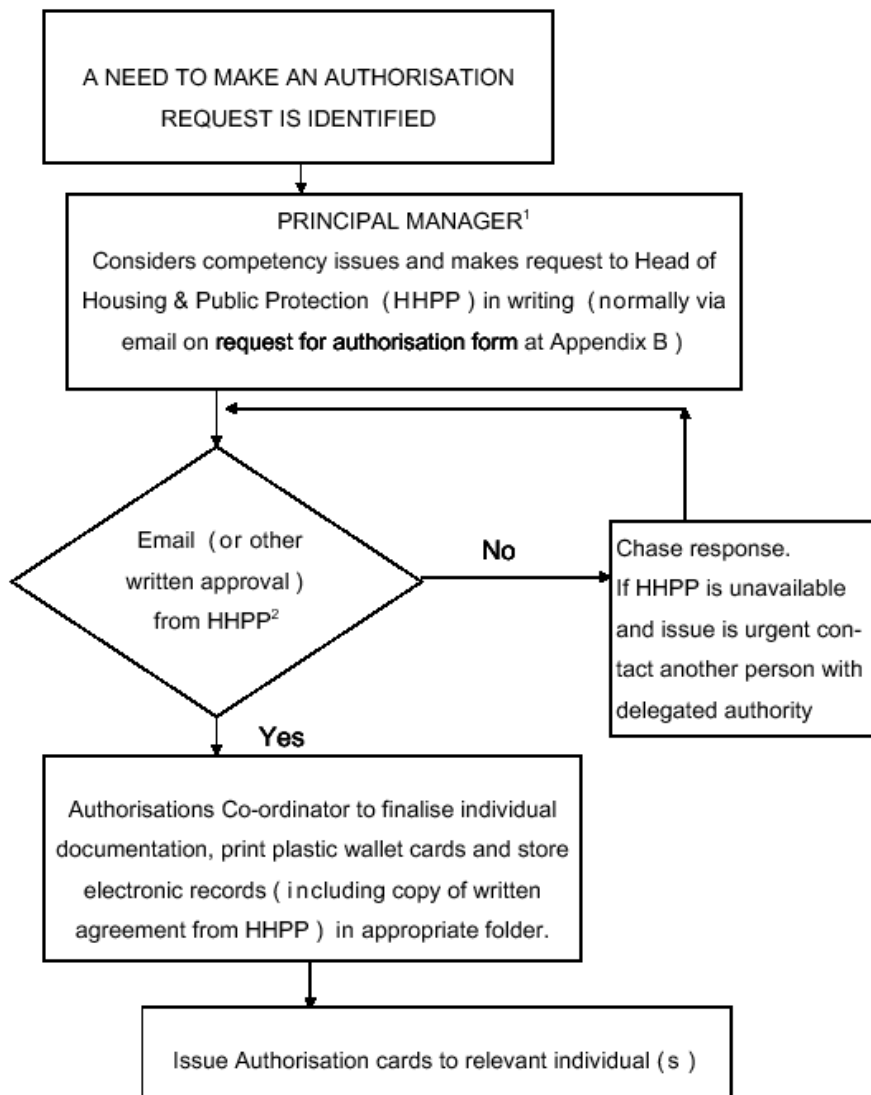
**6.2** At the time of writing, the Authorisation Co-ordinators for Public Protection were:

Sarah Andrew (Trading Standards)  
Paul Osborne (Environmental Health)

**6.3** Authorisation questions not covered in this document, or more detailed questions about legal issues, interpretations or implications in relation to authorisations, should be directed to the WCBC legal department for opinion.

# APPENDIX A

## Appendix A



<sup>1</sup> In liaison with a departmental 'Authorisation Co-ordinator' if appropriate. If PM unavailable then service manager, team leader or specialist EHO could make request

<sup>2</sup> If HHPP has issues with request then resolve them

**APPENDIX B  
PRINCIPAL MANAGER AUTHORISATION REQUEST FORM**

<b>Full Name of Officer to be Authorised</b>	<b>Team Leader Requesting</b>

<b>OFFICER TITLE</b>	<b>RELEVANT LEGISLATION</b>

**Relevant qualifications and other relevant factors to demonstrate the minimum and statutory standards detailed in this authorisation procedure**

**State evidence of the above relevant qualifications and other relevant factors and state where copies are held eg [copy held on personal file/](#) or held by person**

**Recommendation to approve the authorisation requested.**

Having considered the evidence available in relation to this officer I am of the opinion the officer meets the relevant criteria to act in discharging the statutory functions relating to the authorisations requested

<b>Service Manager</b>	<b>Date</b>
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## **APPENDIX C**

### **HEALTH & SAFETY ENFORCEMENT**

#### 1. Qualifications

For the purposes of this agreement, the recognised qualifications for Health & Safety Inspectors (regardless of job title) are:-

- Diploma in Environmental Health
- Degree in Environmental Health recognised by the Environmental Health Registration Board (EHRB) or (EHORB)
- Diploma in Health and Safety (NEBOSH)
- Post Graduate Diploma in Health and Safety (recognised by CIEH)
- Diploma in Health and Safety at Work Enforcement
- NVQ Level 4/5 in Health and Safety Enforcement
- NEBOSH Certificate in Health and Safety and extensive health and safety experience

#### 2. Experience

A minimum of 2 years post qualification relevant experience in a range of health and safety enforcement activities.

Additional factors:

Inspectors to be authorized should have completed a Regulators DNA and agreed any areas identified for improvement with their manager. It is a matter for the Recipient authority to consider if any of the 'areas identified for improvement' are significant enough to preclude or limit the level of authorization for cross authorization purposes.

The Recipient authority should have regard to the Competency element of the Section 18 mandatory enforcement standard when authorising any inspectors. In the majority of cases, meeting the national competency framework for health and safety regulators should be sufficient to enable authorisation.

### **FOOD SAFETY**

#### **1 & 2 Qualifications & Experience**

For the purposes of this agreement, the recognised qualifications & experience for Food Safety enforcement (regardless of job title) are:-

**3 levels** (as appropriate to work/tasks to be undertaken)

1. Possesses suitable qualifications and experience as defined in 1.2.9.1.4 of the Food Law Code of Practice (Wales) (September 2008)
2. Possesses suitable qualifications and experience as specifically defined in sections 1.2.9.1.5 and 1.2.9.1.6 of the Food Law Code of Practice (Wales) (September 2008)
3. Possesses suitable qualifications and experience as specifically defined in sections 1.2.9.1.7 and 1.2.9.1.8 of the Food Law Code of Practice (Wales) (September 2008)

e.g.

Diploma in Environmental Health or Degree in Environmental Health or  
The Higher Certificate in Food Premises Inspection (HCFPI)

AND

Registration with EHRB (or EHORB)

AND

A minimum of 2 years post qualification relevant experience in a range of food  
safety enforcement activities/functions

AND

Possesses the minimum skills and knowledge as specified in the relevant job  
description or joint working project description.

Additional factors:

Evidence of maintenance of food enforcement relevant CPD as per FSA CoP

DRAFT

# APPENDIX 3

## INTER –AUTHORITY OFFICER AUTHORISATION REQUEST FORM

Full Name of Officer to be Authorised	Local Authority	Team Leader Requesting

OFFICER TITLE	RELEVANT LEGISLATION

**State relevant qualifications and other relevant factors to demonstrate the minimum and statutory standards detailed in Appendix A(if Flintshire) and B(if Wrexham)of this framework**

*DRAFT*

**State evidence of the above relevant qualifications and other relevant factors and state where copies are held eg [copy held on personal file/](#) or [held by person](#)**

**Recommendation to approve the authorisation requested.**  
Having considered the evidence available in relation to this officer I am of the opinion the officer meets the relevant criteria to act in discharging the statutory functions relating to the authorisations requested

<b>Service Manager</b>	<b>Date</b>
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