

Trading Standards, Environmental Health and Licensing Service Standards.

Trading Standards, Environmental Health and Licensing services are a part of the Public Protection Division of Caerphilly County Borough Council. This document explains what businesses regulated by these services can expect from them. We are committed to providing you with an efficient, courteous and helpful service, but where necessary this will be coupled with appropriate enforcement action. This document tells you how we aim to do that and what standards we will meet.

How we deliver our services

Through legislation, local policies, education and enforcement, the above services deal with a wide range of functions that are necessary to help protect personal, environmental, economic and social well-being, to create a safe living and working environment for the communities and people we serve.

We determine our activities by assessing the needs of local people and our business community, and considering the risks that require addressing. We do this through various forms of engagement with local citizens and businesses (satisfaction surveys, feedback mechanisms, report a matter options on our web pages, household surveys etc) and through using data and other information available to us and our partners. In this way we ensure our resources are targeted appropriately, in the light of these local needs and of national priorities.

Details of our current Service Improvement Plan which includes reviews of previous years performance is available at (hyperlink PP SIP). Also attached is a link to the [Corporate Performance Report](#)

We carry out all our activities in a way that supports those we regulate to comply and grow:

- We ensure that information, guidance and advice is available to help you to meet legal requirements see [Helping you to get it right](#).
- We carry out inspections and other activities to check compliance with legal requirements, and we target these checks where we believe they are most needed see [Inspections and other compliance visits](#).
- We deal proportionately with breaches of the law as set out in our Enforcement Policy, including taking firm enforcement action when necessary see [Responding to non-compliance](#).
- We provide a range of services to businesses see [Requests for our service](#).

We aim to operate our services in accordance with the requirements of the [Regulators' Code](#).

Working with you

In all your dealings with us you can expect, and will receive, an efficient and professional service. Our officers will:

- Be courteous and polite
- Always identify themselves by name in dealings with you, and provide you with contact details
- Seek to gain an understanding of how your business operates
- Provide details of how to discuss any concerns you may have
- Agree timescales, expectations and preferred methods of communication with you
- Ensure that you are kept informed of progress on any outstanding issues.

We recognise that your business will receive advice and inspections from other organisations, and we will do our best to work with them to ensure that you receive the best service.

Helping you to get it right

We want to work with you to help your business to be compliant and successful and it is important to us that you feel able to come to us for advice when you need it. We won't take enforcement action just because you tell us that you have a problem unless there is an imminent safety or health risk.

Information and guidance on meeting legal requirements is available from the CCBC website at the following links;

[Trading Standards](#)

[Licensing](#)

[Environmental Health](#)

[Health & Safety](#)

Other information and guidance may also be provided on request or in conjunction with our dealings with you.

Where you need advice that is tailored to your particular needs and circumstances we will:

Discuss with you what is required to achieve compliance

Provide advice that supports compliance and that can be relied on

Provide clear advice that can be easily understood and implemented

Distinguish legal requirements from suggested good practice

Ensure that any verbal advice you receive is confirmed in writing if requested

Acknowledge good practice and compliance.

If a business wishes to enter into a formal Primary Authority Partnership arrangement with us under the Regulatory Enforcement and Sanctions Act 2008, or a more informal Home Authority arrangement, we will use our best efforts to achieve a satisfactory arrangement.

Inspections and other compliance visits

We monitor and support compliance in a number of different ways including through inspections, revisits, sampling visits, test purchases, advisory visits and complaint and accident investigations.

We will carry out inspections and other visits to check compliance in accordance with a risk assessment methodology, except in circumstances where we act on relevant intelligence or complaints or where visits are at the request of the business or to check that, following non-compliances, businesses are complying with our advice. We may also carry out a small proportion of random inspections in order to maintain a proper knowledge of business activity within the Council area. We will focus our greatest inspection efforts on businesses where our risk assessment shows that a compliance breach would pose a serious risk and there is a higher likelihood of non-compliance by businesses. Health and safety interventions are also project based and are determined on a regional basis in line with HSE's priorities. Certain categories of premises are inspected as they are included in the National Local Authority Enforcement Code activities/sectors for proactive inspection. When carrying out our visits we will have regard to any published inspection plans / assured advice for those businesses that are in a Primary Authority Partnership.

Some legislation requires the officer to give advance notice in writing two days before exercising a power to enter a business premises. However this requirement is subject to certain exemptions, including where the officer has cause to suspect that there has been a breach of legislation, where the officer reasonably considers that giving notice would defeat the purpose of the entry or the business indicates it does not require written notice. If this or similar legislation applies our officers will provide the necessary written advance notice unless a relevant exemption applies. If such legislation does not apply the officer will only give advance notice when it is appropriate to do so. When we visit you our officer's will:

- Explain the reason and purpose of the visit
- Carry their identification card at all times, and present it on request when visiting your premises
- Exercise discretion in front of your customers and staff
- Have regard to your approach to compliance, and use this information to inform future interactions with you
- Provide information, guidance and advice to support you in meeting your statutory obligations, if required
- Provide written feedback about the results of our visits where appropriate.

Risk assessment frameworks

We use a number of risk assessment frameworks that are devised and approved by relevant Government Departments to cover different aspects of our work. These risk assessment frameworks enable us to decide the frequency of inspections and visits to check compliance.

- [The Health And Safety Executive/Local Authorities Enforcement Liaison Committee \(HELA\) Health and Safety Inspection Rating System \(A rated businesses only\);](#)
- [The Trading Standards Risk Assessment Scheme](#)
- [The FSA Food Hygiene Intervention Rating Scheme](#)
- [The FSA Food Standards Intervention Rating Scheme](#)
- [The DEFRA Local Authority Integrated Pollution Prevention and Control \(LA-IPPC\)](#)
- [Local Authority Pollution Prevention and Control \(LAPPC\) Risk Method](#)
- [DEFRA Animal Health Risk Assessment Scheme](#)
- [The Feed Law Enforcement Code of Practice Animal Feed Law Inspection Rating Scheme](#)

As part of our use of these risk assessment frameworks, we will give consideration to the combined effect of the potential impact of non-compliance on regulatory outcomes and the likelihood of non-compliance. If the performance of a business is seen to represent a greater or lesser risk than other businesses of a similar type, we will make a change to their risk rating when this is allowed by the relevant risk assessment methodology.

Responding to non-compliance

Where we identify any failure to meet legal obligations, we will respond proportionately, taking account of the circumstances, in line with our Enforcement Policy ([hyperlink](#))

Where we require you to take action to remedy any failings we will:

- Explain the nature of the non-compliance
- Discuss what is required to achieve compliance, taking into account your circumstances
- Clearly explain any advice, actions required or decisions that we have taken
- Agree timescales that are acceptable to both you and us, in relation to any actions required
- Where appropriate provide in writing details of how to appeal against any advice provided, actions required or decisions taken, including any statutory rights to appeal
- Explain what will happen next
- Keep in touch with you, where required, until the matter is resolved

Requests for our services

We will respect any requests that are made to contact a business or individual by a particular method of communication and to work with them in the most appropriate way to meet their needs.

In responding to requests for our services, including requests for advice and complaints about breaches of the law, we will:

- Acknowledge your request within 5 working days
- Where a detailed response is required and will take time to complete tell you when you can expect a substantive response
- Seek to fully understand the nature of your request
- Explain what we may or may not be able to do, so that you know what to expect
- Keep you informed of progress throughout our involvement
- Inform you of the outcome as appropriate

A detailed breakdown of our response times and expected resolution times is available at [Customer Standards](#) however, please be aware that our officers will exercise their judgment to determine whether a more prompt response is required.

Fees and Charges

We charge for a number of services, which are detailed below:
[Trading Standards Verifications](#)

Caerphilly is part of the Cymru Group Notified Body, which undertakes verifications across the Gwent and Mid –Wales area. The fees are set by that group and are based upon fees, which were set nationally and are reviewed yearly.

[Approval of Feed Business Establishments](#)

These fees are specified in Schedule 3 of the Feed (Hygiene and Enforcement) (Wales) Regulations 2005 via regulation 14 of those regulations.

[Licensing Fees](#)

Locally set licensing fees are reviewed annually in order to recover reasonable costs of providing the service. Other fees are set centrally e.g. Licensing Act 2003 (alcohol & Entertainment), Explosives, and Petroleum Licenses. Whilst the Government sets maximum levels for Gambling fees, the Authority has the discretion to set fees at a level considered appropriate to cover costs.

[Pest Control Fees](#)

Fees are set on a cost recovery basis

[Environmental Permit Fees](#)

The Environmental Permitting (England and Wales) regulations 2010 (as amended) allow ministers to establish local schemes to revise fees and charges. The current schemes are: 'The Local Authority Permits for Part A2 installations and Small Waste Incineration Plant (Fees and Charges)(Wales) scheme 2014 and The Local Authority Permits for Part B installations and Mobile Plant and Solvent Emission Activities (Fees and Charges) (Wales) scheme 2014

Food Hygiene Re-Rating Inspection

If you wish to apply for a re-rating inspection then the charge is £160. Details on how to apply can be found here <http://www.caerphilly.gov.uk/Business/Food-hygiene-for-businesses/Food-hygiene-ratings-for-businesses>

How to contact us

You can contact us by:

Post:

Written correspondence addressed to Head of Public Protection or the relevant service area should be sent to: CCBC Social Services Directorate , Ty Penallta, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG.

At the above address, however appointments are required for a number of services e.g. Licensing, so please check with the service area before calling.

By email or telephone

Consumer Advice

If a consumer requires advice on a consumer law issue please contact Citizens Advice Consumer Service on 03454 04 05 06

They will provide the consumer with initial advice and they will refer the matter to us if there is a need for our involvement.

Trading Standards Businesses Advice

Telephone: 01443 811300 (Not for initial calls about consumer advice issues) or
E-mail: tradingstandards@caerphilly.gov.uk

Licensing

Telephone: 01443 866750 or E-mail: licensing@caerphilly.gov.uk

Environmental Health

Telephone: 01443 866544 or E-mail: environmentalhealth@caerphilly.gov.uk
Food and health and safety issues: - foodhealthsafety@caerphilly.gov.uk

We will seek to work with you in the most appropriate way to meet your individual needs. We can make information available in different formats, and have access to translation and interpretation services.

If you contact us we will ask you for your name and contact details to enable us to keep in touch with you as the matter progresses. We will respond to anonymous complaints and enquiries where we judge it appropriate to do so. Personal data will be managed in accordance with our policies of Data Protection and Freedom of Information. [Data Protection](#)

Our Teams

We have dedicated teams of officers who have the appropriate qualifications, skills and experience to deliver the services provided. We have arrangements in place to ensure the ongoing professional competency of all officers.

Where specialist knowledge is required in an area outside of our expertise we have arrangements in place, with both neighbouring authorities and other regulatory organisations, to call on additional resources as necessary.

Working with others

We work closely with other council services and our aim is to provide a streamlined service to you. We have good working relationships with other regulators and this enables us to deliver a more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, helping target regulatory resources. Our officers are familiar with the work of our partners and can signpost you to the advice and guidance you need.

Having your say

Complaints and Appeals

Where we take enforcement action, there is often a statutory right to appeal. We will always tell you about this at the appropriate time.

We are always willing to discuss the reasons why we have acted in a particular way or why we require certain actions to be taken. If you wish to discuss such matters or to appeal against a regulatory decision or a failure to act in accordance with the Regulators Code you can contact the Head of Public Protection as detailed in the contact information above. If after such contact you are still unhappy the matter will be referred to the corporate complaints procedure.

If you have a complaint regarding health and safety regulatory activity undertaken you should firstly follow the above route. If you are not satisfied with the response you receive you can contact the [Independent Regulatory Challenge Panel](#)

Complaints

It should be noted that an appeal against an action taken is quite distinct from making a complaint about the service generally or an officer's conduct, which would be covered by the Council's Corporate Complaints Policy. Details can be found at [Complaints](#) and complaints can be made on line by emailing complaints@caerphilly.gov.uk, or by telephone on 01443 864221.

Feedback

We value input from you to help us ensure our service is meeting your needs. We would like to hear from you whether your experience of us has been good or in need of improvement. This helps us to ensure we keep doing the right things and make changes where we need to. We use customer satisfaction surveys from time to time but we would welcome your feedback at any time. You can provide feedback by email, post or telephone via the contact information listed above. Any feedback that we receive will where appropriate be acknowledged, considered and responded to.

Performance against service standards

This is how we performed against our service standards during 2015/16

Business and consumer satisfaction surveys

100 % of businesses were fairly or very satisfied with the overall level of service provided by Trading Standards.

90 % of Consumers were fairly or very satisfied with the overall service provided by Trading Standards

100 % of customers were fairly or very satisfied with the overall service provided by the Licensing

100 % of customers were fairly or very satisfied with the overall service provided by the Food Safety Service

100% of customers were fairly or very satisfied with the overall service provided by with the Health and Safety Service.

Complaints against us

4 complaints were received about the services or officers conduct under the Corporate Complaints Policy in 2015/16, 1 was partially upheld.

There were no formal complaints about our regulatory decisions or compliance with our Enforcement Policy or the Regulator Code in 2015/16. One direct appeal against a Food Hygiene Rating was received and rejected.

No complaints against the above services were referred to the Ombudsman in 2015/16.