

# South Derbyshire District Council

## Regulatory Service Standards

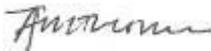
What you can expect from regulatory services  
in South Derbyshire

Date: 1<sup>st</sup> November 2019

## Version Control

Version	Description of version	Effective Date
1	First version	10 <sup>th</sup> January 2017
2	2018 version	15 <sup>th</sup> January 2018
3	2019/20 version	1 <sup>st</sup> November 2019

## Approvals

Approved by	Date
Allison Thomas, Strategic Director Service Delivery	13 Nov 2019
	

## 1.0 Introduction

This document explains what you can expect of Regulatory Services in South Derbyshire. Whether you run a business, are an employee of a South Derbyshire business or a member of the public, we are committed to providing you with an efficient, courteous and helpful service and this document tells you how we aim to do that and what standards we will meet.

Section 6 of the [National Regulators' Code](#) sets out Government's expectation that local authorities will ensure that their approach to their regulatory activities is transparent. This includes an expectation that local authorities will publish a clear set of service standards, setting out what those they regulate should expect from them.

These service standards are intended to provide a relatively simple description of how regulatory services in South Derbyshire meets the requirements of the Regulators Code and, by extension, the duties of the Council under Section 21, Legislative and Regulatory Reform Act 2006,

## 2.0 Areas we Regulate

The Council provide services covering a number of areas of regulation;

- Pollution & environmental protection
- Public health
- Licensing
- Health and safety
- Food safety
- Private sector housing standards
- Waste
- Planning enforcement

### How services are delivered

The way in which the Council apply the law makes a fundamental contribution to the maintenance and improvement of public health, quality of life and wellbeing. Our aims are to:

- Protect the public, businesses and the environment from harm;
- Support the local economy to grow and prosper.

The Council determines what to do and how to do it by assessing the needs of local people and the business community, and considering the risks that require addressing. This is done through meeting with the Local Enterprise Partnership, the East Midlands Chamber of Commerce, surveys of businesses and residents and through using data and other information available to the Council and its partners. In this way resources are targeted appropriately, in the light of these local needs and of national priorities.

Details of current work programmes are published in the annual [Service Plans](#) published by each Council department. The Council is also required by the Food Standards Agency to publish a detailed [Food Law service plan](#) about how it will regulate food safety which is also published online.

The Council is committed to being transparent in its activities. Historical performance is available in the [Service Plans](#) and performance monitoring reports go every quarter to the various [Council Committees](#) but in particular to the Environment and Development Services Committee.

The Council carries out all activities in a way that supports those it regulates to comply and grow:

- Ensure that information, guidance and advice is available to help you to meet legal requirements (see [Helping you to get it right](#)).
- Carry out inspections and other activities to check compliance with legal requirements and target these checks where it is believed they are most needed (see [Inspections and other compliance visits](#)).
- Deal proportionately with breaches of the law as set out in the Enforcement Policy, including taking firm enforcement action when necessary (see [Responding to non-compliance](#)).
- Provide a range of services to businesses, including providing food export certificates, free advice, various forms of operating licenses and permits (see [Requests for our service](#)).

Services will be delivered in accordance with the requirements of the [Regulators' Code](#).

### 3.0 Working with you

In all your dealings with the Council you can expect, and will receive, an efficient and professional service. 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.

The Council recognises that your business will receive advice and inspections from other organisations, and it will do its best to work with them to ensure that you receive the best service.

#### ***Helping you to get it right***

This Council wants to work with you to help your business to be compliant and successful and it is important that you feel able to come to our staff for advice when you need it. **The Council has given a public promise that it will not take enforcement action just because you tell us that you have a problem.**

The Council makes information and guidance on meeting legal requirements available. It tries to provide as much information as possible on its [website](#) and through the [D2N2 Growth Hub](#).

Websites can sometimes be a bit overwhelming. So where you need advice that is tailored to your particular needs and circumstances the Council 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.

### ***Inspections and other compliance visits***

The Council monitors and supports compliance in a number of different ways including through inspections, sampling visits, test purchases, advisory visits and complaint investigations. These visits will always be based on an assessment of risk – we will not visit without a reason.

Council officers will give you notice that they intend to visit unless we have specific reason to believe that an unannounced visit is more appropriate.

When officers visit you, our officers 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 a written record of the visit.

Council officers inspect **food hygiene** in local food businesses anywhere between every six months and three years. The frequency of these visits depends on how well the business has performed against eight different criteria set out in [detailed guidance by the food standards agency](#). We may also need to revisit to check that problems have been sorted out.

The frequency with which the Council carries out **health and safety** inspections in local non-food businesses depends on the risk of the business. This risk rating of a business is based on national guidance produced by the [Health and Safety Executive](#) along with relevant local intelligence.

Some businesses have the potential to **pollute the environment** and so we inspect them anywhere between every six months and three years. The frequency of inspection depends on how the business performs against seven risk criteria set out in [national guidance issued by DEFRA](#). Each business must also pay an annual fee which is dependent on the environmental risk of the business. The fees are set by government.

All of the rest of the Council's services are reactive. In other words it will only visit a business if it is investigating claims of some form of possible non-compliance or if it is responding to an application from the business – such as a planning application or application for a premises license.

### ***Responding to non-compliance***

Where any failure to meet legal obligations is identified, Council officers will respond proportionately, taking account of the circumstances, in line with the Council's [Enforcement Policy](#). The Enforcement Policy is a legally binding document and all Council appointed officers are expected to act in a way which meets the Policy. The Council has one Policy which covers all of the services mentioned in section 2.0.

Where you are required to take action to remedy any failings the Council 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 it has taken;
- Agree timescales that are mutually acceptable , in relation to any actions required;
- 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.

## **4.0 Requests for our services**

The Council will clearly explain the services that it offers, including details of any [fees and charges](#) that apply:

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

- Acknowledge your request;
- Tell you when you can expect a substantive response;
- Seek to fully understand the nature of your request;
- Explain what it 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 summary of response times and expected resolution times is shown below. Please be aware that Council officers will exercise their judgment to determine whether a more prompt response is required.

- To respond to respond to complaints within three working days. Urgent problems such as food poisoning outbreaks, serious accidents at work or major pollution incidents will be responded to on the same day.
- To have found a solution to the majority of complaints within two months
- To respond to requests for information within 10 working days

### How to contact us

You can contact us by:

Telephone: **01283 595795**

Email: [environmental.health@southderbyshire.gov.uk](mailto:environmental.health@southderbyshire.gov.uk)

[licensing@southderbyshire.gov.uk](mailto:licensing@southderbyshire.gov.uk)

[planning@southderbyshire.gov.uk](mailto:planning@southderbyshire.gov.uk)

Web: <http://www.southderbyshire.gov.uk/>

By post: South Derbyshire District Council  
Civic Offices  
Civic Way  
Swadlincote  
Derbyshire  
DE11 0AH

Or in person at our Civic Offices :

- 8.45am to 5pm Monday, Tuesday Thursday
- 9.30am to 5pm Wednesday
- 8.45am to 4.30pm Friday

The Council will seek to work with you in the most appropriate way to meet your individual needs. It can make information available in different formats and has access to translation and interpretation services.

If you contact the Council, you will be asked for your name and contact details to enable the Council to keep in touch with you as the matter progresses. It treats all contact with the service in confidence unless you have given permission to share your details with others as part of the matter it is dealing with on your behalf or there is an operational reason why it needs to do so. The Council will respond to anonymous complaints and enquiries where it is judged appropriate to do so.

Personal data will be managed in accordance with South Derbyshire District Council's Data Protection Policy.

## **Our Team**

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

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

## **Working with others**

Officers with regulatory responsibilities work closely with other council services such as Economic Development; Refuse and Cleansing; Housing and Public Health. The Council's aim is to provide a streamlined service to you.

This Council is part of a much wider regulatory system across Derbyshire and Nottinghamshire. It has good working relationships with other regulators such as the Police, Derbyshire County Council Trading Standards, the Health and Safety Executive and the Environment Agency. This enables the delivery of a more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, to help target regulatory resources.

Council officers are familiar with the work of partners and can signpost you to the advice and guidance you need. The Council is a member of the D2N2 Local Enterprise Partnership and if you have any comments or concerns regarding the way in which the local regulatory system is operating you can contact the partnership through the [D2N2 Growth Hub](http://www.d2n2growthhub.co.uk/) at <http://www.d2n2growthhub.co.uk/>

## **Having your say**

### ***Complaints and appeals***

When the Council takes enforcement action, there is very often a statutory right to appeal. It will always tell you about this at the appropriate time.

Council officers are always willing to discuss with you the reasons why the Council has acted in a particular way, or asked you to act in a particular way. You can contact Matthew Holford, Head of Environmental Services to raise any concerns at [matthew.holford@southderbyshire.gov.uk](mailto:matthew.holford@southderbyshire.gov.uk) or 01283 595856.

The Council manages complaints about its services, or about the conduct of its officers, through South Derbyshire District Council's Corporate Complaints Policy. Details can be found at [http://www.south-derbys.gov.uk/council\\_and\\_democracy/complaints/default.asp](http://www.south-derbys.gov.uk/council_and_democracy/complaints/default.asp) or 01283 595795.

### ***Feedback***

The Council values input from you to help ensure its service is meeting your needs. The Council would like to hear from you whether your experience of it has been good or in need of improvement.

This helps us to ensure it keeps doing the right things and make changes where needed. The Council uses customer satisfaction surveys from time to time but it would welcome your feedback at any time. You can provide feedback in the following ways:

Telephone: 01283 595856

Email: [matthew.holford@southderbyshire.gov.uk](mailto:matthew.holford@southderbyshire.gov.uk)

Web: <http://www.south-derbys.gov.uk/>

Any feedback that is received will be acknowledged, considered and responded to.

### ***Developing our services with you***

The Council has a number of groups that it consults with to ensure that it is delivering its services to meet your needs. The Council is always happy to welcome new members to these groups. It currently works with the following:

Swadlincote Town Team; D2N2 Better Business Regulation Partnership; 6 South Derbyshire Area Forums

If you are interested in finding out more about the work of these groups, or participating in one, please using the contact details above.

**Dated:** *1<sup>st</sup> November 2019*

**Name:** **Matthew Holford**

**Job title:** **Head of Environmental Services**

**Review Due:** *31<sup>st</sup> July 2021*