

**Priority Regulatory Outcomes**  
**A New Approach to Refreshing the**  
**National Enforcement Priorities for**  
**Local Authority Regulatory Services**

**Final Report**

**Prepared by the**  
**Local Better Regulation Office**



November 2011

## Foreword

Each of us relies on local regulators in some way, shape or form every day; but most people think of them less than once every ten years. Local authority regulatory services are at the forefront of keeping citizens and workers safe from well known and newly emerging threats as diverse as slum housing, e-coli, foot and mouth disease and loan sharks. And by supporting businesses to comply in a cost and time efficient manner, regulators can deliver these crucial social, environmental and economic protections whilst making a significant contribution to local and national growth.

Creating the right conditions for private sector growth is the top priority of this Government. That is why the Government is committed to tackling the burden of red tape and why regulators and government must work together to identify how best to help businesses comply without creating unintended consequences or unnecessary burdens. Regulation must be a last resort and, as specified in the Regulators' Compliance Code, regulators should only adopt a particular approach if the benefits justify the costs and it entails the minimum burden compatible with achieving their objectives.

This set of priority regulatory outcomes sets out what government, both local and central, wants to achieve – regulation that both supports prosperity and delivers necessary protections. But these priorities offer much more than a set of outcomes, they represent a new approach in the context of decentralisation and localism.

Despite facing challenges, regulatory services remain an integral part of local government. This document places them firmly at the centre of the localism agenda. Their local presence makes local regulators sensitive to local issues and proportionate in their dealings with the local businesses that are the engines for regeneration. Yet local authority regulatory services also impact far beyond council boundaries with regulatory threats occurring locally, nationally and globally. Those impacted by regulation are not constrained to geographic boundaries and businesses who operate across the country can struggle to deal with the variation inherent in a system with hundreds of potential delivery points.

For this reason, the delivery of local authority regulatory services neatly reflects the challenges inherent in localism – the need for both national consistency and local presence, while crucially addressing the issue of constrained resources.

This new approach to setting priorities for local authority regulatory services seeks to address these challenges. Priority regulatory outcomes, replacing narrower national enforcement priorities, provide clarity about what the Government wants to achieve and ensure that regulatory activity is focused on delivering outcomes rather than 'ticking boxes' or meeting centrally driven targets. These outcomes, drafted through a collaborative approach between local and national partners, are a key part of the conditions needed to ensure effective local delivery.



Clive Grace  
Chair  
Local Better Regulation Office



Mark Prisk  
Minister of State for Business and Enterprise  
Department for Business, Innovation and Skills

## Acknowledgements

The Local Better Regulation Office wishes to thank the expert user group that advised the review process, and the government departments, agencies and national regulators that supplied evidence to support the review. We would particularly like to thank the businesses, individuals and representative groups that provided views and comments to inform this report.

### Members of the expert user group

Theo Lamptey, Association of Chief Trading Standards Officers  
Su Childerhouse, Central Bedfordshire Council  
Tim Everett, Chartered Institute of Environmental Health  
David Newsum, Chartered Institute of Environmental Health  
Neil Gibbins, Chief Fire Officers Association  
Brian Neat and Chris Blackburn, Chief Fire Officers Association  
Steve Jorden, Environmental Health Policy Forum  
Alan Tolley, Institute of Licensing  
Wendy Martin, Local Government Regulation  
Kathryn Preece, North West Leicestershire District Council  
Andy Foster, Trading Standards Institute  
Rob Taylour, Trading Standards Policy Forum  
Steve Clover and John Carter, Wiltshire Council

### Contributors

Animal Health  
Cambridgeshire Business Partnership  
Chartered Institute of Environmental Health  
Communities and Local Government  
DEFRA  
Department for Business, Innovation and Skills  
Environment Agency  
Food Standards Agency  
Gravesham Borough Council  
Health and Safety Executive  
Home Office  
Intellectual Property Office  
LBRO Business Reference Panel  
National Measurement Office  
North West Leicestershire District Council  
North East Lincolnshire Council  
Office of Fair Trading  
Stratford upon Avon District Council

### Consultation approach

The review adopted an evidence-based approach to refreshing the national enforcement priorities, working closely with a range of stakeholders and interested parties. The review was carried out in accordance with the requirements of the Regulatory Enforcement and Sanctions Act 2008, section 11.

To assist the LBRO team carrying out the review, an expert user group was formed, including representatives from local authorities, professional bodies, and representative groups. The membership of the expert user group is listed under acknowledgements at the front of this report. The role of the expert group was to provide professional expertise and judgment, support evidence gathering and advise on the approach taken to refreshing the national enforcement priorities.

To assist with the identification of evidence on regulatory risks and threats across England, LBRO also formed a policy working group with representatives from national regulators and central government departments that hold policy responsibilities that impact on local regulation or work collaboratively with local authority regulatory services.

The review carried out informal consultation with citizens and businesses to support the preparation of the draft priority regulatory outcomes. These discussion meetings were hosted by a number of local authorities across England, building on existing communication channels.

In February 2011, LBRO published a consultation paper on the new approach to national enforcement priorities and we are grateful to those who responded to the consultation and provided feedback to inform this final report. In line with the requirements of the Regulatory Enforcement and Sanctions Act, the final selection of priorities received Ministerial consent.

## **Use of data and evidence**

This process to refresh the national enforcement priorities for England has used an evidence-based approach and a summary of the evidence received is presented in this final report. Unless otherwise stated, data relates specifically to the activity and impact of local regulatory activity in England. Where information is unavailable specifically for England, appropriate UK figures are provided.

## **Technical note on the scope of this report**

The scope of priorities, and the duty on local authorities to have regard to the priorities when allocating their resources, is defined by the Regulatory Enforcement and Sanctions Act, Schedule 3. However, local authority regulatory services work in a collaborative manner both locally and nationally across a number of professional disciplines and so, throughout the document references are given to other regulatory services that help to deliver these outcomes.

## Contents

<b>Foreword</b>	<b>2</b>
<b>Acknowledgements</b>	<b>3</b>
<b>Introduction</b>	<b>6</b>
<b>Chapter 1: Prioritisation in regulatory services</b>	<b>9</b>
<b>Chapter 2: Regulating at the right level</b>	<b>19</b>
<b>Chapter 3: Effective interventions</b>	<b>22</b>
<b>Chapter 4: Performance management and reporting</b>	<b>26</b>
<b>References</b>	<b>32</b>

## Introduction

The purpose of this report is to publish a refreshed set of priorities for local authority regulatory services in accordance with LBRO's duties regarding national enforcement priorities. LBRO has a statutory duty under the Regulatory Enforcement and Sanctions Act 2008 to '*prepare and publish a list specifying those matters to which a local authority should give priority when allocating resources*'. Local authorities must have regard to the priorities in allocating resources to their regulatory services functions<sup>1</sup>. These priorities should be based on evidence and prepared in consultation with stakeholders, including local authorities, national regulators and government departments, and business and consumer representatives.

The Hampton<sup>2</sup> Review of inspection and enforcement identified the myriad of policy priorities and outcomes delivered by and through local authority regulatory services, the origins of national enforcement priorities in the UK.

National enforcement priorities for local authority regulatory services were first published by the Rogers Review<sup>3</sup> in March 2007. The Rogers Review used an evidence based methodology to prepare the priorities, working with an expert user group of local authorities and professional bodies, and gathering evidence from national regulators and central government departments. The scope of the review was limited to local authority environmental health and trading standards services and was carried out in a short space of time.

In 2008, LBRO worked with the Institute of Local Government Studies, University of Birmingham, and seven local authorities in England to assess the impact of the Rogers Review and explore how local authorities had responded to the priorities a year after publication. The research found that although national enforcement priorities had been useful in building reassurance about the importance of regulatory activities, the priorities did not take sufficient account of the importance of local priorities and the need for regulatory services to effectively demonstrate how they were contributing to locally important outcomes<sup>4</sup>.

In refreshing the national enforcement priorities, LBRO has worked with an expert user group of local authorities and professional and representative bodies, and a policy group comprising of central government departments and national regulators, to develop a new approach that better reflects both local delivery of regulation and the Government to decentralise power. This signals a move away from national enforcement priorities towards priority regulatory outcomes.

Priority regulatory outcomes establish the outcomes that Government, both local and central, wishes to see – mutually supporting prosperity and protection. They set a framework for local delivery that will support national economic growth and ensure the protection of citizens across the country. The priorities provide a focus for local regulatory activity and collaborative working with partner organisations, delivering national outcomes through local action. By setting outcome-focused priorities, local authorities are empowered to use local discretion and autonomy to select the most appropriate ways to meet the priority regulatory outcomes in their locality. This recognises that delivery options are subject to restrictions on public sector finance, which have impacted significantly on regulatory services<sup>5</sup>.

The priority regulatory outcomes for England are as follows:

- **Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment**
- **Protect the environment for future generations including tackling the threats and impacts of climate change**
- **Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods**
- **Help people to live healthier lives by preventing ill health and harm and promoting public health**
- **Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy**

In accordance with the Regulators' Compliance Code, when seeking to deliver these priorities, regulators must consider the impact that their interventions have on economic progress, by bearing mind the costs, effectiveness and perceptions of fairness of regulation.

These outcomes, drafted through a collaborative approach between local and national partners, form part of the necessary conditions for effective local delivery by providing an evidence base of regulatory risks and the views of citizens and businesses. The priorities also provide clarity about the outcomes that matter to Government and ensure that regulatory activity can be focused on delivering outcomes rather than 'ticking boxes'. The selected priority outcomes reflect the issues that local citizens and businesses are concerned about, including the quality and safety of the local environment, quality of life issues such as housing, noise and anti social behaviour, and the hygiene and safety of local retail outlets. By focusing on these outcomes, local authorities and their partners will help to achieve the priorities set out in the Programme for Government and supporting Structural Reform Plans, including a fair and responsible society, economic growth and improved quality of life for local people.

## **Consultation feedback**

In February 2011, LBRO published a consultation paper on the new approach to national enforcement priorities and we are grateful to those who responded to the consultation. Respondents to the consultation emphasised the importance of outcome-focused priorities to the decentralisation of power, allowing decisions to be made locally. An outcome focused approach is seen as an appropriate way to promote coherence between local discretion and needs with those of the nation.

Respondents also felt the new approach reflects the wider range of interventions that are now being used to replace the more traditional approaches to enforcement. The phrase 'priority regulatory outcomes' captures the shift in regulatory activity to one supporting economic growth, and having regard to public health, well being and protection.

Some concerns were raised regarding the broad nature of the PROs as they cover a wide breadth of enforcement activities. Some respondents also highlighted the need to be able to measure progress towards meeting priority regulatory outcomes.

A summary of the consultation feedback and LBRO's response can be found at [www.lbro.org.uk](http://www.lbro.org.uk). LBRO recognises the need to provide additional practical information and tools to assist local authorities in identifying the activities to prioritise locally to achieve these broad outcomes. This need is addressed in Chapter 4 that looks at developing performance indicators to measure outcomes

## **Structure of this document**

LBRO's statutory duty is to *prepare and publish a list specifying those matters to which a local authority in England should give priority when allocating its resources to its relevant functions*. In fulfilling this duty, LBRO believes that it is not sufficient to publish a set of priorities without reference to the wider determining factors in effective service planning, delivery and management of regulatory services.

This document analyses those wider factors that form the context to local authority regulatory services. It then discusses key considerations for effective service design and delivery of local authority regulatory services, including establishing a clear sense of the outcomes to be achieved, selecting the right tool in the right circumstances to achieve these outcomes in the most effective way and measuring progress against these outcomes. These considerations form the four chapters of this document:

- Prioritisation in regulatory services
- Regulating at the right level
- Effective interventions
- Performance management and reporting

The final set of priorities, and supporting evidence base for these outcomes, can be found in Chapter 1. A separate annex of evidence materials can be found at [www.lbro.org.uk](http://www.lbro.org.uk).

## Chapter 1:

### Prioritisation in regulatory services

Regulation serves a public good, both to protect from harm and to promote prosperity for businesses and communities alike. Yet regulation is a means to an end, it exists as a policy tool that can be used to influence certain behaviours – either of business, consumers or employees – to help achieve policy outcomes.

Independent research carried out by RAND Europe on behalf of LBRO demonstrated that local authority regulatory services contribute to over 48 different impacts, including positive economic impacts such as productivity increases in the local economy, reduced health care costs for the NHS and reduced costs from anti-social behaviour for the police authorities, in addition to wide reaching health, social and environmental impacts.

Outcomes are, by their very nature, broad and encompassing, and this means that outcome focused approaches can be prone to criticism. However, outcomes can clearly express the type of change that citizens and business, and public service providers, want to see. Outcomes focus on the things that matter, not processes, and measuring outcomes allows services to demonstrate the difference that they make to the lives of individuals.

Before being able to effectively prioritise regulatory activity and available resources, it is necessary to have a clear sense of purpose and the outcomes to be achieved. Identifying the economic, societal and environmental outcomes that will improve quality of life is a political process that occurs nationally through the Coalition Programme for Government and locally, through local authority elected members.

In identifying outcomes, elected members and policy makers will need to make an assessment of key regulatory risks. Often this assessment is a judgment based on political choices, public perceptions and public tolerances of risk, as well as considering objective evidence of risks. In exercising this judgment, politicians are accountable for these decisions.

#### **Identifying priority regulatory outcomes for regulatory services**

In developing a new approach to prioritisation for regulatory services that better reflects local delivery of regulation and the importance of localism, LBRO has worked with an expert user group of local authorities and professional and representative bodies, and a policy group comprising of central government departments and national regulators.

The review began by identifying the policy areas that local authority regulatory services in England are responsible for implementing. In line with LBRO's statutory responsibilities, local authority regulatory services were defined as trading standards, environmental health, licensing and fire safety. Other local regulatory functions, including planning and building control, were not considered (please see technical note on page 4).

## **Programme for Government: the potential for local regulation**

### ***Business***

The Government believes that business is the driver of economic growth and innovation, and that we need to take urgent action to boost enterprise, support green growth and build a new and more responsible economic model. We want to create a fairer and more balanced economy, where we are not so dependent on a narrow range of economic sectors, and where new businesses and economic opportunities are more evenly shared between regions and industries.

### ***Public health***

The Government believes that we need action to promote public health, and encourage behaviour change to help people live healthier lives. We need an ambitious strategy to prevent ill-health which harnesses innovative techniques to help people take responsibility for their own health.

### ***Environment, food and rural affairs***

The Government believes that we need to protect the environment for future generations, make our economy more environmentally sustainable, and improve our quality of life and wellbeing. We also believe that much more needs to be done to support the farming industry, protect biodiversity and encourage sustainable food production.

### ***Consumer protection***

The Government believes that action is needed to protect consumers, particularly the most vulnerable, and to promote greater competition across the economy. We need to promote more responsible corporate and consumer behaviour through greater transparency and by harnessing the insights from behavioural economics and social psychology.

### ***Energy and climate change***

The Government believes that climate change is one of the gravest threats we face, and that urgent action at home and abroad is required. We need to use a wide range of levers to cut carbon emissions, decarbonise the economy and support the creation of new green jobs and technologies. We will implement a full programme of measures to fulfil our joint ambitions for a low carbon and eco-friendly economy

### ***Crime and policing***

The Government believes that we need radical action to reform our criminal justice system. We need police forces that have greater freedom from Ministerial control and are better able to deal with the crime and anti-social behaviour that blights people's lives, but which are much more accountable to the public they serve.

### ***Communities and local government***

The Government believes that it is time for a fundamental shift of power from Westminster to people. We will promote decentralisation and democratic engagement, and we will end the era of top-down government by giving new powers to local councils, communities, neighbourhoods and individuals.

**Figure 1: Programme for Government themes**

The review focused on developing outcome-focused priorities, and the next stage involved identifying the primary impact of each listed policy area, namely economic, social or environmental impact. It was recognised that many policy areas delivered multiple impacts. National regulators, central government departments and partners provided supporting data and evidence to demonstrate the impact, scale and extent of regulatory risk and threats in these areas.

The evidence gathered and feedback received from citizens and business was assessed against a number of criteria to help form draft priority outcomes, considering:

- The level of threat or harm posed
- The importance of the outcome to citizens and business
- Whether the outcomes contribute to the national priorities of the Programme for Government and Structural Reform Plans

Earlier this year, LBRO published a consultation paper containing a draft set of priorities on and we are grateful to those who responded to the consultation. In response to feedback received, the final priority set has been amended and now reads as follows:

**Priority 1: Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment**

**Priority 2: Protect the environment for future generations including tackling the threats and impacts of climate change**

**Priority 3: Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods**

**Priority 4: Help people to live healthier lives by preventing ill health and harm and promoting public health**

**Priority 5: Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy**

Figure 2: the final Priority Regulatory Outcomes for England

### **Why these priorities matter: summary overview**

Table 1 (page 16 below) provides an overview of the priorities and key delivery mechanisms. An accompanying annex, available at [www.lbro.org.uk](http://www.lbro.org.uk) provides a more detailed analysis of evidence collected in support of the selected priorities.

### **Priority 1: Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment**

The Government is committed to creating a fair and responsible society. These values also underpin the trading environment where action is needed to protect consumers, particularly the most vulnerable, and to promote greater competition across the economy. The burden of regulation remains a significant concern for UK businesses and needs to be addressed at both national and local level. The regulatory system as a whole, and local regulators individually, should tailor their approaches to support businesses into compliance in a way that meets their needs<sup>6</sup>.

- There are 4.8 million small businesses in the UK and 95% of small businesses employ less than 5 people. Small businesses contribute more than 50% of the UK turnover and employ more than 59% of the private sector workforce<sup>7</sup>.
- Businesses want proportionate and consistent enforcement, which is targeted at non-compliant businesses, ensuring a fairer playing field for the businesses that do invest in compliance. Businesses welcome an approach that is focused on enabling enterprise by providing assured guidance and advice in the first instance<sup>8</sup>.
- The global recession has resulted in a significant change in consumer financial behaviour. Access to affordable credit is essential for struggling households to make ends meet. Without access to fair, affordable credit, vulnerable consumers will face high lending costs and unfair terms and conditions<sup>9</sup> and face exposure to scams and aggressive practices from unscrupulous businesses<sup>10</sup>.
- Criminal doorstep selling practices are a major cause of consumer detriment and there is often a disproportionate impact on vulnerable consumers, especially the elderly. More than £30 million is paid to illegal doorstep traders every year in the UK<sup>11</sup>.
- The scale of counterfeiting and piracy in the UK is considered to be significant, although no single figure of the scale of impact is available. It was estimated in 2006 that at least £1.3 billion criminal gain is generated by IP crime per annum and that approximately £900 million is estimated to flow back to organised crime<sup>12</sup>. Surveys of trading standards authorities show that 100% of responding authorities had investigated pirate or fake products at multiple locations, including shops, workplaces, factories and markets<sup>13</sup>.
- It is estimated that £188 million per worth of household goods are sold per annum on the basis of the measurement of their quantity. Goods bought and sold by measure are particularly important for poorer households in the UK, constituting nearly one third of their total weekly expenditure<sup>14</sup>. Lack of confidence in measurement can undermine market confidence.

## **Priority 2: Protect the environment for future generations including tackling the threats and impacts of climate change**

The Government believes that climate change is one of the gravest threats facing the country and that urgent action is required. England's historical and diverse natural environment needs to be protected and enhanced for future generations. The environment has a direct impact on economic prosperity, and the threats of climate change also have direct impact on the health and wellbeing of individuals. To meet the long-term challenge that climate change presents, a combination of mitigation and adaptation is needed<sup>15</sup>. Regulatory services have an important contributory role to play in reducing the impact through advising businesses and citizens, controlling risks of flooding, working with planning colleagues to promote appropriate land use and minimising public health risks.

- The UK's climate is already changing. Temperatures are 1°C higher on average than they were in the 1970s. This warming has been accompanied by more frequent heat waves, more intense rainfall events and rising sea levels.
- Insured losses from weather-related events currently cost the UK £1.5 billion each year on average. The 2007 central England summer floods cost the economy over £3 billion.

- The type of health risks posed by the impacts of climate change include infectious diseases, malnutrition and global food supply shortages due to crop failure, illness related to poor air quality and pollution, trauma and mental health problems caused by extreme weather, cancer caused by ozone depletion and death resulting from extremes of temperature<sup>16</sup>. If not addressed, climate change will impact negatively, countering the improvements in health and life expectancy achieved so far.
- Over 5 million people in England and Wales live and work in properties that are at risk of flooding from rivers or the sea<sup>17</sup>. The UK Climate Impact Programme<sup>18</sup> says the estimated number of homes at risk of flooding is likely to double to about 800,000 within 25 years because of rising sea levels.
- It is estimated that the risk of flooding from rivers and the sea will at least double by the 2080s, and could increase by up to 20 times, with the cost of flooding rising from the current £1 billion a year to up to £21 billion<sup>19</sup>.
- About four in five people want more education and action on climate change, with most people looking to the Government in each case. In particular, people want to know more about what they can do now to adapt for the challenges ahead<sup>20</sup>.

### **Priority 3: Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods**

Communities are an important component of people's physical and mental health and wellbeing<sup>21</sup>. Evidence shows the more deprived the neighbourhood, the more likely it is to have social and environmental characteristics presenting risks to wellbeing, including poor housing, higher rates of crime and poorer air quality<sup>22</sup>. Local authority regulatory services have a duty to maintain the local environment by keeping the streets and green spaces clean and free of litter, removing graffiti, dealing with abandoned vehicles and tackling anti-social behaviour, including disorder associated with underage consumption of alcohol and other age restricted products.

- Over 30 million tonnes of litter are collected from the streets every year and it costs £858 million a year to clean the streets of England<sup>23</sup>, an increase of almost £100 million in the last year.
- 37% of residents surveyed across England think that rubbish or litter lying around is a very big or fairly big problem in their local area and 33% of people think vandalism, graffiti and other deliberate damage is a very big or fairly big problem<sup>24</sup>. Cigarette litter is the biggest litter problem, with 54% of people surveyed by Keep Britain Tidy listing cigarette litter as a particular problem in their local area<sup>25</sup>.
- Air pollution is still expected to reduce life expectancy of every person in the UK by an average of 6 months, with estimated annual health cost of up to £317 billion. Susceptive groups include children, the elderly and those living in poorer conurbations – often due to the increased levels of industry in the area.<sup>26</sup>
- In a survey on the impact of anti social behaviour on quality of life, noisy neighbours resulted in the biggest impact on quality of life, with 40% of people surveyed experiencing a high impact<sup>27</sup>.

- Shelter has estimated that 1.4 million children in England live in poor housing as a result of overcrowding and unfit conditions. Research on the impact of poor housing on children found that housing conditions affected virtually all aspects of a child's health and wellbeing, including mental health, educational attainment and physical wellbeing.

#### **Priority 4: Help people to live healthier lives by preventing ill health and harm and promoting public health**

Preventing ill health requires an ambitious strategy and innovative techniques to help people take responsibility for their own health. The Marmot Review of health inequalities in England concluded that creating a fairer society is fundamental to improving the health of the whole population<sup>28</sup>. Reducing health inequalities requires a focus on the health behaviours of smoking, alcohol consumption, obesity and unhealthy nutrition<sup>29</sup>. Regulatory services have an important and unique contribution to make to preventing ill health and harm and reducing health inequalities. Fire and rescue authorities also have a wide duty to promote fire safety within their communities, through the provision of information, publicity and encouragement about fire prevention, allowing them to support active fire safety management and regulatory compliance in the commercial sector.

- In England today, over a fifth of the adult population smokes – 8.8 million people<sup>30</sup>. Smoking is one of the most significant factors underlying health inequalities and life expectancy and as such, a key focus of improving public health. Although smoking rates are in decline, tobacco remains the major preventable cause of premature death.
- The current level of tobacco use is estimated to cost the NHS around £2.7 billion every year. In 2007/08 in England there were approximately 440,000 hospital admissions of adults aged 35 and over with a primary diagnosis of a disease that was caused by smoking, equating to approximately 1,200 admissions per day on average<sup>31</sup>.
- It is estimated that the cost of alcohol related harm to the NHS in England is £2.7 billion. In 2007/08 there were 863,300 alcohol related admissions to hospital, representing an increase of 69% since 2002/03, and 6,541 deaths directly attributable to alcohol<sup>32</sup>.
- Counterfeit goods undermine government efforts to control the availability of alcohol and tobacco and can also pose significant risks to public health, including unsafe electrical equipment or fake toys that may present a choking hazard.
- In 2008-2009, there were 24.8 million working days lost overall in England, 20.6 million of these were due to work related ill health and 4.1 million due to workplace injury<sup>33</sup>. GPs are more likely to see people suffering from work related stress, musculoskeletal disorders, skin or respiratory disease than any other work-related reason<sup>34</sup>.
- In 2009/10, there were 13,420 primary fires in non-domestic buildings, resulting in 22 fatalities and 1,000 injuries<sup>35</sup>.
- Many common allergic reactions, notably asthma and eczema in children, may start as a result of exposure to pests such as cockroaches and house dust mites. It is estimated that 5.4 million people in the UK are currently receiving treatment for asthma, of which 1.1 million are children, and that the cost of asthma to the NHS each year is £1 billion<sup>36</sup>.

## **Priority 5: Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy**

Currently, about half of the food consumed in the UK is imported<sup>37</sup>. The Government believes that more needs to be done to support the farming industry and encourage sustainable food production here in the UK. To support the farming industry, it is important to ensure a safe, healthy and sustainable food chain that benefits consumers and the rural economy. Enforcement of food safety law ensures that food purchases are produced, transported and sold in line with requirements and ultimately, that food is safe to eat. Delivery of food safety and consumer protection across the food chain is shared by a number of agencies and delivery partners, including local authorities, the Food Standards Agency, DEFRA and Animal Health.

- Poor diet is recognised as one of the main causes of ill-health and premature death. It has been estimated that approximately one third of deaths from heart disease and a quarter of deaths from cancer can be attributed to poor diet. The public health implications of poor diets are becoming more significant<sup>38</sup>.
- The consumption of unsafe or unfit food can give rise to food borne disease. During 2008-9, approximately 80,000 food premises were rated as non-compliant with food safety legislation at a level that exposes consumers to risk.
- Food borne disease is a major cause of illness in the UK and imposes a significant burden on individuals, healthcare services and the economy. It is estimated that each year in the UK around 1 million people suffer a food related illness, which leads to 20,000 people receiving hospital treatment and 500 deaths each year from food borne disease.
- The cost to the economy of food borne disease is estimated to be in the order of £1.5 billion per annum, due to loss of production, health care costs and damage to business. This does not include the costs of major incidents and food scares.
- The BSE outbreak restricted UK exports for many years and continues to impose financial burdens on the industry. Disease outbreaks bring restrictions on the movement of animals and sale of animals at markets. Other impacts include the psychological impact on local farming communities, the threat to livelihoods and a dramatic reduction in tourism<sup>39</sup>.
- Food labels remain important to shoppers looking for a range of information such as 'best before' dates, allergy advice and additives in food. The amount of fat, saturated fat, salt and sugar in foods are still the top issues of concern among consumers and the quantity of fat and salt are the most commonly checked for nutritional information on labels.
- Approximately 17% of all intelligence submitted to the Food Standards Agency relates to counterfeit food, almost all of which concerns counterfeit vodka. Counterfeit alcohol can contain methanol or other chemicals harmful to health.

<b>Table 1: Overview of the priority regulatory outcomes</b>			
<b>Priority regulatory outcomes</b>	<b>Regulatory activity that will support delivery<sup>1</sup> of the outcomes</b>	<b>Link to the Programme for Government</b>	<b>Delivery mechanisms<sup>2</sup></b>
<p><b>Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment</b></p>	<ul style="list-style-type: none"> <li>- Promoting local prosperity by supporting businesses to achieve compliance</li> <li>- Protecting consumers and compliant businesses from fraudulent and illegal trading practices</li> <li>- Tackling the issues of intellectual property crime</li> </ul>	<p>Business Consumer Protection Culture, Olympics, Media and Sport</p>	<ul style="list-style-type: none"> <li>• Local enterprise partnerships provide an opportunity for businesses and local public services to focus on supporting enterprise in their localities. There is a clear role for regulatory services and local partners including planning enforcement to contribute to improved support for business, including new and start up businesses, and ensure a level playing field for business.</li> <li>• Primary Authority provides a robust mechanism for local authorities to deliver assured advice to business, reduce burdens and focus on supporting businesses to grow through a relationship of trust and openness.</li> <li>• Co-ordinated enforcement and intelligence sharing involving a range of enforcement bodies, including trading standards, specialist Scambusters, Illegal Money Lending and e-enforcement teams, Office of Fair Trading, Police, and UK Border Agency as well as sectoral regulators.</li> <li>• Promoting greater awareness and responsible consumer behaviour through provision of information, allowing consumers to make informed choices.</li> </ul>

<sup>1</sup> The activity prioritised at a local level is an issue for local authorities to decide, using their own intelligence, analysis of local need and the views of citizens and business. The activity prioritised should contribute to achieving the priority regulatory outcomes.

<sup>2</sup> The overarching rationale of the Government is that intervention should only occur when necessary, respecting the contribution of individuals.

<b>Table 1: Overview of the priority regulatory outcomes</b>			
<b>Priority regulatory outcomes</b>	<b>Regulatory activity that will support delivery<sup>1</sup> of the outcomes</b>	<b>Link to the Programme for Government</b>	<b>Delivery mechanisms<sup>2</sup></b>
<b>Protect the environment for future generations including tackling the threats and impacts of climate change</b>	<ul style="list-style-type: none"> <li>- Managing the risks and impacts of flooding</li> <li>- Improving energy efficiency in housing</li> </ul>	<p>Environment, Food and Rural Affairs</p> <p>Energy and Climate Change</p>	<ul style="list-style-type: none"> <li>• Increasing focus on the role of consumers in influencing the wider environmental behaviour of businesses and the markets. Consumer-driven campaigns are successful in raising the profile of environmental issues and driving changed behaviour.</li> <li>• Co-ordinated preventative and emergency response action, working with Environment Agency, DEFRA and professional bodies</li> <li>• Proactive work with local partners such as planning enforcement and building control</li> </ul>
<b>Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods</b>	<ul style="list-style-type: none"> <li>- Tackling waste and environmental crime</li> <li>- Reducing anti-social behaviour through appropriate alcohol licensing</li> <li>- Improving local housing conditions</li> <li>- Improving local air quality</li> </ul>	<p>Environment, Food and Rural Affairs</p> <p>Crime and Policing</p> <p>Communities</p>	<ul style="list-style-type: none"> <li>• Community action through the Big Society, working with Keep Britain Tidy, local businesses and other interest and action groups.</li> <li>• Encouraging individuals to take responsibility for their environment</li> <li>• Collaborative working between agencies, including local authorities, Environment Agency, National Environmental Crime Team, police and other local enforcement agencies.</li> </ul>

**Table 1: Overview of the priority regulatory outcomes**

Priority regulatory outcomes	Regulatory activity that will support delivery <sup>1</sup> of the outcomes	Link to the Programme for Government	Delivery mechanisms <sup>2</sup>
<p><b>Help people to live healthier lives by preventing ill health and harm and promoting public health</b></p>	<ul style="list-style-type: none"> <li>- Protecting employees from injury and ill health at work</li> <li>- Protecting public health through pest control</li> <li>- Reducing the risk and costs of fire in non-domestic premises through fire safety</li> <li>- Minimising health inequalities and negative economic impacts through tobacco control, including counterfeit tobacco</li> <li>- Protecting young people from the health issues related to excessive alcohol consumption through age restricted sales and removing counterfeit alcohol from the supply chain</li> </ul>	<p>Public Health Communities</p>	<ul style="list-style-type: none"> <li>• Providing information and employing innovative techniques to change behaviour, using a variety of means to influence and assist duty holders, businesses and consumers.</li> <li>• Co-ordinated information and enforcement campaigns by local authorities, that engage other local services and community groups and work with business and industry bodies to design solutions</li> <li>• Collaborative working with policy departments, national regulators and professional bodies, including the Health and Safety Executive, Home Office, Communities and Local Government.</li> </ul>
<p><b>Ensure a safe, healthy and sustainable food chain for the benefit of consumers and the rural economy</b></p>	<ul style="list-style-type: none"> <li>- Protecting against public health risks and damage to the farming industry through securing compliance with animal health and welfare legislation</li> <li>- Improving food standards</li> <li>- Preventing food borne disease through better food hygiene and safety</li> <li>- Removing potentially unsafe items from the food chain</li> </ul>	<p>Environment, Food and Rural Affairs  Public Health</p>	<ul style="list-style-type: none"> <li>• Providing information to change consumer behaviour regarding food and nutritional choices, using a variety of means to influence and assist consumers and businesses. This will include joint working with the Department of Health and Food Standards Agency.</li> <li>• Collaborative enforcement and disease control, including DEFRA, Animal Health and local authorities, and supporting better regulation for farming, working with farming industry representatives.</li> <li>• Proactive work with Food Standards Agency, HMRC and others to respond to threats posed by counterfeit food and alcohol</li> </ul>

## Chapter 2:

### Regulating at the right level

The complexity of the local regulatory system is well known. Regulatory services have a long and proud history within local government. 433 local authorities work alongside 11 national regulators and 12 central government departments to enforce a large amount of legislation which businesses have to comply with. Regulatory services usually make up a small proportion of the local authority's activity, and typically, regulatory services expenditure is around one per cent of total local government expenditure on services.<sup>40</sup>

The wider system in which local authorities deliver their regulatory functions has a strong influence on local delivery and the characteristics of this system should be considered in effective service planning and delivery.

Priority regulatory outcomes recognise that local authorities are best placed to understand and respond to issues facing local communities. However, regulatory threats are often not restrained by geographical boundaries, and regulatory issues can be local, sub-national, national or international in impact.

It is important that the system of regulation operates in a cohesive manner to effectively control risks that impact beyond the locality and prevent under regulation where the costs and benefits of regulatory activity are not aligned. This means that regulatory responses should be matched to the character of the risk and resourced at the right level in the system.

#### What do we mean by risk?

Risk includes the intrinsic **hazard** posed by the activity, the potential harm and scale of **impact** to individuals/ the environment/ society and the **intent** and the capacity of the business for compliance<sup>41</sup>. The fundamental principle is that the higher the risk, which may be high hazard, high impact or low intent for compliance, the more regulatory effort is required.

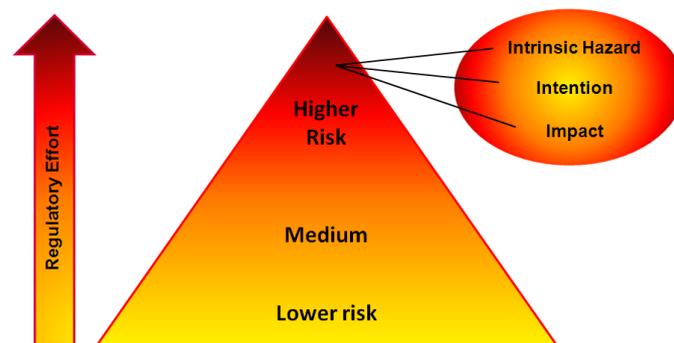


Figure 3: Risk and regulatory effort

Designing delivery systems (or deciding at which level to regulate) on the basis of risk means that the highest risk areas, which often need specialist skills or equipment or should be focused at specific locations in the supply chain, point towards a national or very coordinated sub-national delivery regime.

Right level regulation allows resources to be released for services that genuinely need to be delivered at the most local level. Matching responses and resources to risk in this way ensures a more efficient use of the funding that is allocated to local regulation; avoids ad hoc solutions that do not provide sustainable long term solutions and provides the potential to ensure local regulation contributes to creating better local places.

There are three levels of response which can be identified to match the character of differing regulatory risks. Choosing the right level will depend on the skills that are required, the most effective type of intervention (this is discussed in more detail in Chapter 2) and whether the risks impact nationally or locally.

### **Levels of regulatory response**

- **Primary (local place):** local responses that can positively contribute creating safer, stronger, cleaner and more prosperous local communities. This includes licensing decisions, maintaining a clean and green local environment, providing a one stop shop for advice for small businesses and clear and honest information for consumers to help them make informed choices.
- **Secondary (cross boundary):** addressing regulatory risks that cross boundaries and/or require specialist resources that it would be inefficient for every local service to provide. This includes the regulation of mobile rogue trading, illegal money lending, the control of flooding and provision of dedicated equipment such as anthrax burners and weighbridge test units.
- **Tertiary (national):** regulatory risks that present a high hazard level require very specialist intervention to regulate or are best regulated at source for national protection, may be best addressed through commissioning responses at the national level. Appropriate responses may be on a regional or cross boundary basis or a smaller number of local authorities regulating on behalf of the nation as a whole.

**Figure 4: Levels of regulatory response for right level regulation**

### **Creating the conditions for collaboration**

Government is committed to simplify and transform the way regulation is delivered and to carry out a systematic review of the regulatory landscape. The framework of right level regulation, considered by landscape reviews, provides the opportunity to simplify and ensure the most effective use of resources at the front line. Initial consultation on changes to delivery arrangements has already begun in relation to consumer protection<sup>42</sup> and reviews have been carried out of regulatory responsibilities in the farming sector<sup>43</sup>.

The risk based design of regulatory delivery to achieve simplification is dependent on establishing the right conditions in the system to allow local authorities and national regulators to effectively collaborate, including joint prioritisation, resource allocation and interventions. This is particularly important in relation to cross boundary risks and threats.

These necessary conditions to effectively address cross-boundary threats include:

- A shared approach to professional competency
- A shared approach to risk assessment
- Effective information sharing

These systems of common competency and risk assessment should be shared by state regulators (national and local), alongside those private sector counterparts advising businesses on compliance.

Common regulatory competence standards – underpinned by a robust development process and comprehensive learning materials – are currently being introduced. LBRO is working in partnership with the World Class Coalition, established by LBRO in 2008 to simplify the complex regulatory system.

The overall approach to competency is closely linked with the relevant qualifications frameworks provided by the professional bodies – including the Chartered Institute of Environmental Health and the Trading Standards Institute – and supported by the key players in the local and national regulatory landscape, giving transparency and confidence to all. The first competency frameworks were launched in November 2011 and continue to evolve, shaped by users and stakeholders. They embed the principles of good regulation<sup>1</sup> and their application will create better outcomes for businesses and citizens – the ultimate beneficiaries of good regulation.

## Chapter 3:

### Effective interventions

Effective service planning begins with a clear sense of the outcomes to be achieved, based on analysis of citizen and business needs. Yet this is only the beginning of the process, it is not sufficient in itself to effectively prioritise limited resources. Given the pressure on public finances, it is even more important to look for evidence of what works – which activities will deliver maximum impact and progress towards improved outcomes.

The shift away from the terminology of national *enforcement* priorities towards priority regulatory outcomes serves to reflect the breadth of activity local authority regulatory services and partner organisations carry out to support business compliance and prosperity and to protect citizens, workers and the environment. Delivering outcomes depends on the careful allocation of resources across a range of regulatory activities.

Regulators should select the most appropriate tool to drive better regulatory outcomes. Tools may include improved education, targeted enforcement or the provision of regulated information. such as advice and guidance, education and awareness campaigns, and intelligence sharing, not simply traditional enforcement.

This chapter explores how effective interventions can be designed on the basis of risk, taking into consideration differing customer needs and use of alternative approaches to regulation.

#### Designing interventions based on risk

A cornerstone of better regulation is the recognition that not all businesses require the same resource or the same approach from regulators: whilst a minority will require firm action, the majority require support to enable them to improve and maintain their regulatory compliance efficiently and cost-effectively.

Responding to a diverse range of business needs requires the ability and capacity of regulators to tailor their approaches. Responses should take both capacity barriers and the business' approach to compliance into account. Various elements can play a role in business approaches to compliance, ranging from age, structure and size of the business to the level of competition within the region or sector<sup>44</sup>. The level of compliance is another factor, with fully compliant businesses generally welcoming an approach that recognises and gives credit to their efforts.

A risk-based approach is embodied in the statutory principles of better regulation – regulation that is 'proportionate' and 'targeted'. Following the Hampton Review, both local and national regulators have been developing risk-based approaches to enforcement, primarily focused on the use of risk assessments to target inspection activity. However, Hampton highlighted the importance of a *comprehensive* approach to embedding the effective use of risk assessment across all aspects of regulatory activity:

*'Unless risk assessment is carried through into resource allocations and regulatory practice, it is wasted effort. Risk assessment needs to be comprehensive, and inform all aspects of the regulatory lifecycle from the selection and development of appropriate regulatory and policy instruments through to regulators' work including data collection, inspection and prosecution'<sup>45</sup>*

The principle of comprehensive risk assessment is developed in the Regulators' Compliance Code, which requires that regulators should '*ensure that risk assessment should precede and inform all aspects of their approaches to regulatory activity*'.

Often, higher risk activities require a greater degree of visible state control, if not actual delivery, to meet public perceptions of risk. Complex and high level hazards require specialist skills, experience or knowledge to regulate effectively. The specialist skills, knowledge and experience required are not broadly held amongst all regulators and so, it is most efficient for these skills to be sustained at a national level, for example, through a dedicated team or regulator.

There are generally fewer higher risk activities than medium or lower risk activities and generally, appropriate interventions for lower risk activities require more generic professional competencies. The skills required, including working effectively with business, advising and influencing, assessing risks and promoting compliance, are all held by local authority regulators and responses of this nature can be most efficiently delivered at a local level. Local delivery that is co-ordinated and arranged from a sector or customer perspective brings a number of benefits, including reducing the costs for regulators through economies of scale in delivery, reducing administrative costs for businesses, and improving protection opportunities through shared outcomes across sectors, for example, improving worker health can address health and safety, reduce worklessness, and improve public health.

When designing interventions based on risk, there are a number of areas to consider, including:

- the availability of good quality information to make accurate and informed decisions about priorities
- the wider desired outcomes and how regulatory services can contribute
- the local authority's role in contributing to the control of national threats or risks
- the use of intelligence to inform regular reviews of priorities, ensuring that they continue to reflect the risks posed; and
- whether senior leaders are prepared to deal with the consequences of establishing particular levels of risk tolerance? For example, where priorities mean that resource is withdrawn from activities that have been accepted and expected.

## **Alternative approaches**

As risk reduces, opportunities for co-regulation and non regulatory alternative solutions increase. Reducing regulatory burdens through the use of alternative approaches is central to the Government's aspirations and reflects the wider approach to public service reform. Government and public service providers, supported by the Behavioural Insights Team at the Cabinet Office are finding innovative ways to encourage, support and empower people to make better choices and drive longer term changes in citizen and business behaviour.

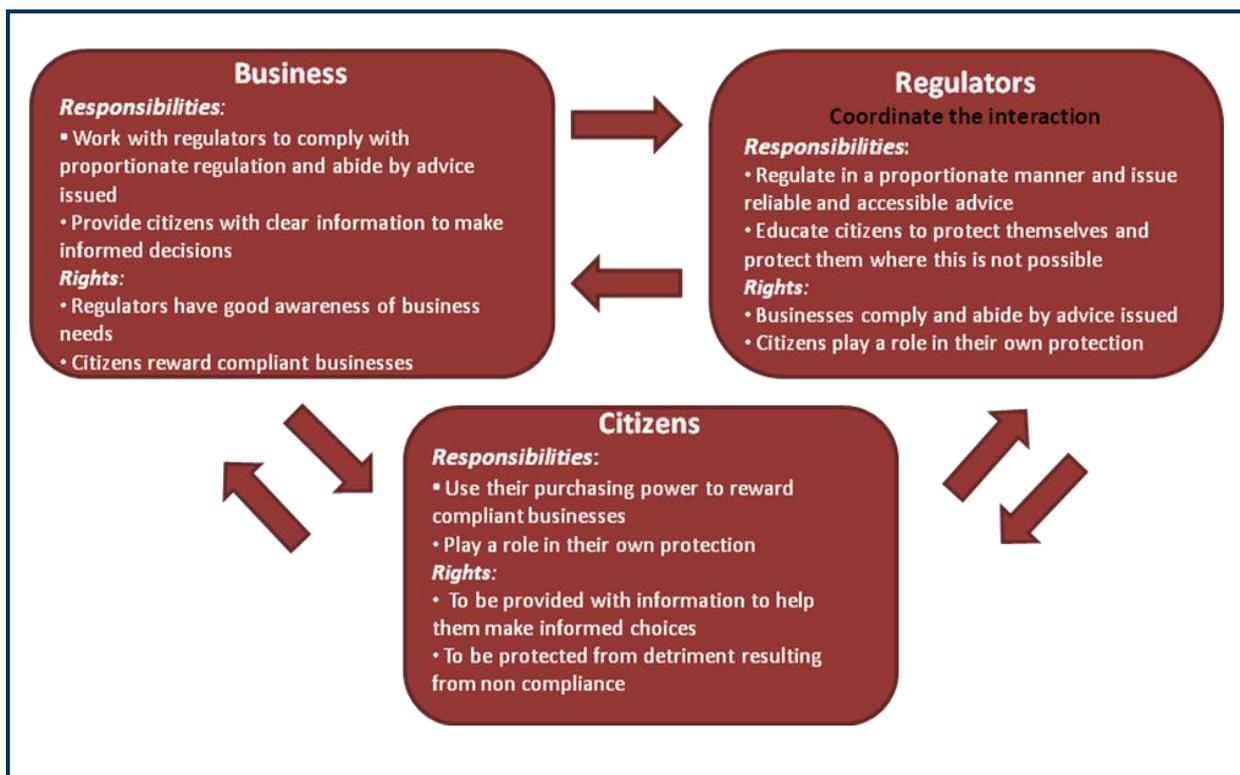
This involves recognising that whilst direct intervention by regulators at individual businesses may be the most appropriate tool in some circumstances to improve compliance; this will not always be the case. A wide variety of ‘tools’ or ‘interventions’ should be considered and where regulatory enforcement is needed to maintain protection, activity should be conducted in a way that supports business growth<sup>46</sup>.

Risk based interventions need to be designed based on a consideration of:

- citizens’ concerns and priorities,
- the business environment, its mode of operation and incentives, and
- wider market conditions, including the role that citizens and consumers play in driving business behaviour and compliance

Outcome-focused service delivery has to take into account the needs of end users at each stage. Whilst Hampton focused primarily on the interaction between regulators and individual businesses, there is increasing recognition of the influence of those that regulation is designed to protect and that there is a shared responsibility to realise the benefits of sensible and proportionate regulation. This involves recognition that each party – businesses, regulators and citizens – have responsibilities and expectations from the regulatory relationship.

This is shown in the diagram below:



**Figure 5: Model of co-responsibility between businesses, citizens and the state**

The most appropriate and cost-effective means of achieving sustainable improvements in compliance in a particular area may be found by looking at the responsibilities and motivations of each party and may differ in different sectors or different markets. Considering the wider context is important in identifying potential additional benefits (such as supporting wider desired outcomes) or unintended consequences (such as creating new burdens).

Appropriate tools may be education or information campaigns for consumers, use of professional standards or accreditation schemes, voluntary agreements with industry, increasing consumer access to data to make informed choices, targeted enforcement, or the provision of regulatory information to businesses. Certain circumstances may demand an approach which combines these and other tools.

For example, doorstep selling projects in many local authority areas have focused on empowering vulnerable consumers in order to reduce the impact of rogue traders, including providing details of traders that have signed up to an 'approved trader' scheme, and the Food Standards Agency Food Hygiene Rating Scheme to disclose food hygiene inspection scores to consumers is proving effective in raising compliance levels amongst local food businesses.

These examples demonstrate how the provision of information to citizens can be an effective means of changing consumer behaviour and influencing markets in a positive way. Information needs to be targeted at those citizens that regulation is seeking to protect, and must be easily accessible and clearly understood by them.

The provision of information to citizens and businesses to increase transparency and ensure that public services are focused on the needs of communities and businesses is addressed in the following chapter.

## Chapter 4:

### **Performance management and reporting**

Public service reform is focused on improving transparency and accountability, as seen in the Open Public Services White Paper. Part of this commitment includes reducing the burden of data collected centrally and reducing audit and inspection activity of local authority performance by central bodies and inspectorates. Central returns are being replaced by greater transparency and accountability at all levels of Government, enabling the public to hold politicians and public bodies to account. This not only delivers better value for money in public spending and frees up local authorities to play their key role in growth creation but also empowers individuals to become more involved in shaping their communities.

Local authorities are best placed to understand and respond to the needs of their local communities, including the needs of local businesses. Information gathered by regulatory services through local surveys and engagement, analysis of complaints and intelligence and the views of local elected members will inform the development of local priorities. This enables local authorities to shape their activity under the priority regulatory outcomes to reflect local needs and circumstances, whilst maintaining the important national framework of agreed outcomes that supports the interests of citizens and businesses nationally.

#### **Measuring outcomes and designing performance indicators**

In using the priority regulatory outcomes, local authorities can identify the most appropriate activities and interventions to deliver these outcomes and allocate resources accordingly. Embedding outcome-focused priorities requires public services to monitor their progress towards the desired outcomes. However, local authorities' progress towards achieving the priority regulatory outcomes will not be monitored through central bodies and statutory data returns. Government is committed to improving transparency and providing citizens and businesses with the information they need to hold public services to account. Developing local indicators to measure progress against the priority regulatory outcomes is not mandatory and this chapter aims to support regulatory services that are considering how to demonstrate their impact to local people.

To assist local authorities identify the activities that will best deliver the outcomes and meet the needs of their local communities and measure progress towards these outcomes, LBRO has updated its step by step guide<sup>47</sup> to the measuring the outcome and impacts of different regulatory activities. In addition, LBRO has hosted local authority workshops in conjunction with the expert user group to consider to how develop example 'dashboards' of performance indicators for outcome focused priorities.

#### **Using the Outcomes and Impact toolkit**

In summary, the LBRO Outcome and Impact Toolkit sets out a staged process to identifying the inputs, key activities and impacts of a particular regulatory approach – the pathway – and to identifying the key performance data that can be pulled together into a snapshot of progress in achieving an outcome – the dashboard.

The approach draws on performance management approaches used elsewhere in the public and private sectors and at its core, the dashboard is intended to be a tool that local authority public protection managers and service heads can use to demonstrate performance to senior management and elected members. The outcomes and impact guide also provides practical assistance on the development of meaningful indicators that can be used locally to monitor performance and inform local residents.

## Pathways

In considering the activity that may support delivery of the priority regulatory outcomes (as described in table 1), pathways can be developed to identify the linkages between allocating resources to a certain activity and delivering high level outcomes.

An example of the pathways used to identify the linkages between resources and outcomes is shown below.

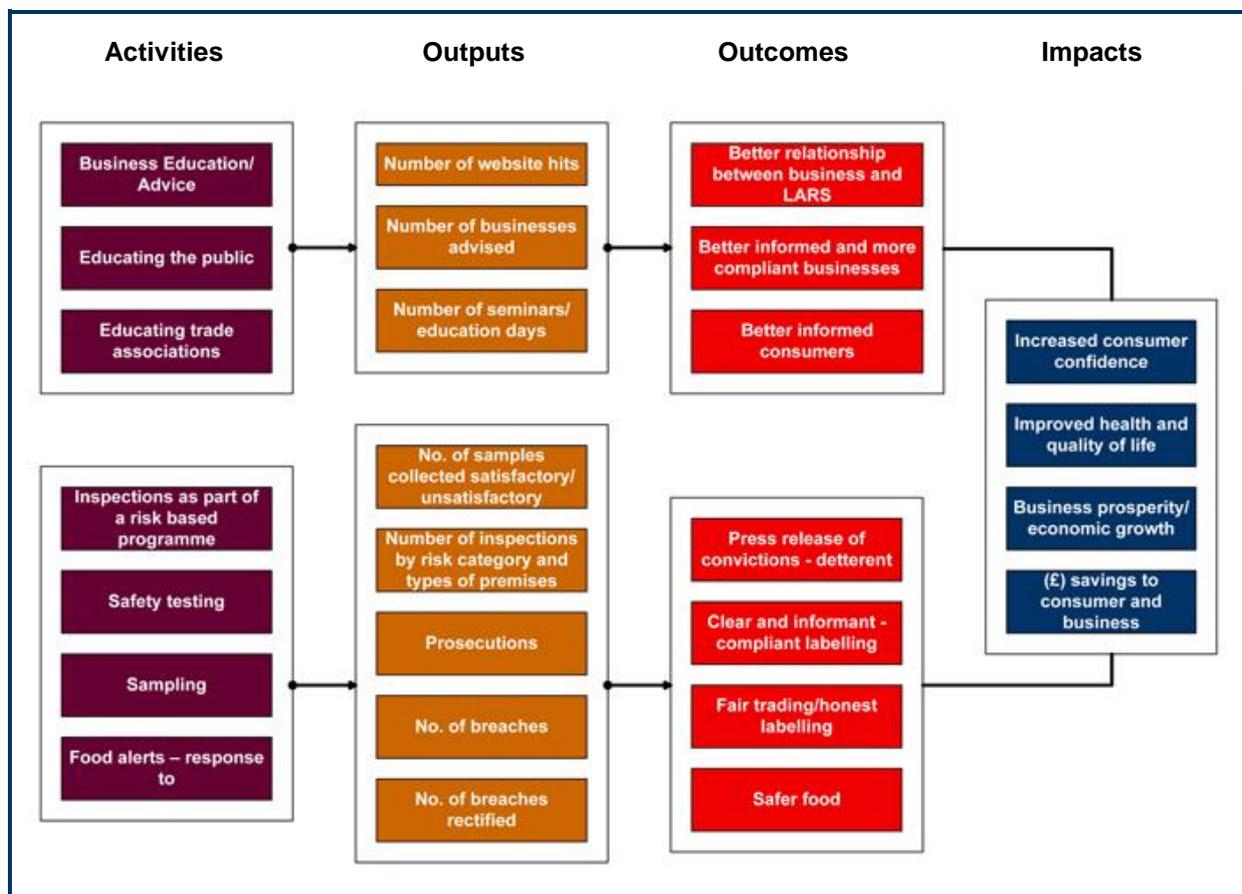


Figure 6: A simplified representation of the outcomes and impacts of regulatory activity concerning improving food standards and preventing food borne disease through better food hygiene and safety

## Indicators

The following example indicators have been prepared by local authorities through workshops hosted by RAND Europe and supported by LBRO to identify potential indicators for different areas of regulatory activity to support delivery of the priority regulatory outcomes.

The tables below represent one area of regulatory activity that could contribute to delivery of each of the priority regulatory outcomes. An example area of activity is shown for each outcome and these are for illustrative purposes. Indicators are identified by working through impact and outcome pathways to map out the inputs, activities, outputs, outcomes and impacts.

Input	Output	Outcome	Impact
<ul style="list-style-type: none"> <li>• Measurement of resources input – staff time/money</li> <li>• Number of complaints</li> </ul>	<ul style="list-style-type: none"> <li>• Number of training events held</li> <li>• Number of businesses attending training</li> <li>• Number of website hits</li> <li>• Number of new businesses visited and advised</li> <li>• Number of follow up visits/inspections</li> <li>• Number of press releases</li> <li>• Number of enforcement actions</li> </ul>	<ul style="list-style-type: none"> <li>• Number of requests for advice (new/existing/repeat)</li> <li>• Proportion of compliant businesses</li> <li>• Business satisfaction with service</li> <li>• Business confidence - quality of advice</li> <li>• Business confidence – economic wellbeing/survival/profit ability</li> </ul>	<ul style="list-style-type: none"> <li>• Employment data – Labour Force Survey</li> <li>• Consumer Confidence – Office of Fair Trading</li> </ul>

**Table 2: Support economic growth, especially in small businesses by ensuring a fair, responsible and competitive trading environment – Promoting local prosperity by supporting businesses to achieve compliance**

Input	Output	Outcome	Impact
<ul style="list-style-type: none"> <li>• Budget</li> <li>• FTEs</li> <li>• Expert skills and knowledge</li> <li>• Data and information such as flood defence plans</li> </ul>	<ul style="list-style-type: none"> <li>• Number of emergency responses made</li> <li>• Number of premises/businesses visited to support clean up operations</li> <li>• Number of education/awareness campaigns</li> <li>• Number of complaints/incidents responded to</li> <li>• Number of advice visits</li> </ul>	<ul style="list-style-type: none"> <li>• Greater awareness of flood risk by households and businesses</li> <li>• Greater understanding of flood defence approaches by households and businesses</li> <li>• Improved resilience of new buildings to flooding</li> </ul>	<ul style="list-style-type: none"> <li>• Reduction in flood related ill health such as gastrointestinal illness</li> <li>• Reduction in flood related cost to businesses and households</li> </ul>

**Table 3: Protect the environment for future generations including tackling the threats and impacts of climate change – Managing the risks and impacts of flooding**

Input	Output	Outcome	Impact
<ul style="list-style-type: none"> <li>• Number of complaints based on nuisance behavior</li> </ul>	<ul style="list-style-type: none"> <li>• Number of checks/test purchases done</li> <li>• Number of inspections</li> <li>• Number of diversionary activities (one-off/on-going)</li> <li>• Extent of joined-up working/collaboration</li> <li>• Number of Anti-Social Behaviour Orders issued</li> </ul>	<ul style="list-style-type: none"> <li>• Customer satisfaction (complainant satisfaction/resolution of problems/speed of response)</li> <li>• Communities – safety/happiness</li> <li>• Cleanliness of streets</li> <li>• Level of youth engagement – satisfaction/participation</li> </ul>	<ul style="list-style-type: none"> <li>• Level of improved health – regional/sub-regional</li> </ul>

**Table 4: Improve quality of life and wellbeing by ensuring clean and safe public spaces – Reducing anti-social behavior through appropriate alcohol licensing**

Input	Output	Outcome	Impact
<ul style="list-style-type: none"> <li>• Gross budget</li> <li>• FTEs</li> <li>• Number of premises by risk band</li> <li>• Complaint numbers</li> <li>• Satisfaction surveys of businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Complaints response times, completion and conclusion time</li> <li>• Number of website hits</li> <li>• Percentage of accidents investigated by type</li> <li>• Number of significant breaches detected</li> <li>• Number of inspections by risk category and types of premises</li> <li>• Contacts with new businesses</li> <li>• Percentage compliance (businesses)</li> <li>• Number of accidents per business</li> </ul>	<ul style="list-style-type: none"> <li>• Percentage of satisfied customers (customer survey)</li> <li>• Satisfaction surveys of consumers</li> <li>• Level of employee morale (both LA staff and business staff)</li> <li>• Number of significant breaches rectified</li> </ul>	<ul style="list-style-type: none"> <li>• Reductions in sickness absence</li> </ul>

**Table 5: Help people to live healthier lives by preventing ill health and harm and promoting public health – Protecting employees from injury and ill health at work**

Input	Output	Outcome	Impact
<ul style="list-style-type: none"> <li>• Gross budget</li> <li>• FTEs</li> <li>• Number of premises by risk band</li> <li>• Number of significant breaches rectified</li> </ul>	<ul style="list-style-type: none"> <li>• Number of website hits</li> <li>• Number of businesses advised</li> <li>• Number of seminars/ education days</li> <li>• Number of samples collected – satisfactory/unsatisfactory</li> <li>• Number of inspections by risk category and types of premise</li> <li>• Prosecutions</li> <li>• Number of breaches</li> <li>• Number of breaches rectified</li> </ul>	<ul style="list-style-type: none"> <li>• Percentage of satisfied customers (customer survey)</li> <li>• Percentage of rescues as improvement</li> <li>• Satisfaction surveys of businesses</li> <li>• Satisfaction surveys of consumers</li> <li>• Tourist views</li> </ul>	<ul style="list-style-type: none"> <li>• Improvements in tourist economies</li> <li>• Percentage of confident consumers</li> <li>• Improved perception of quality of life</li> <li>• % of economic growth per annum</li> </ul>

**Table 6: Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy – Improving food standards and preventing food borne diseases through better food hygiene and safety**

## Dashboards

The examples given below are indicative to illustrate ways in which these data could be presented. The intended audience will be key to selecting the most appropriate way of presenting data. More information on dashboards and further example dashboards can be found in the LBRO Impact and Outcomes toolkit and on the LBRO website.

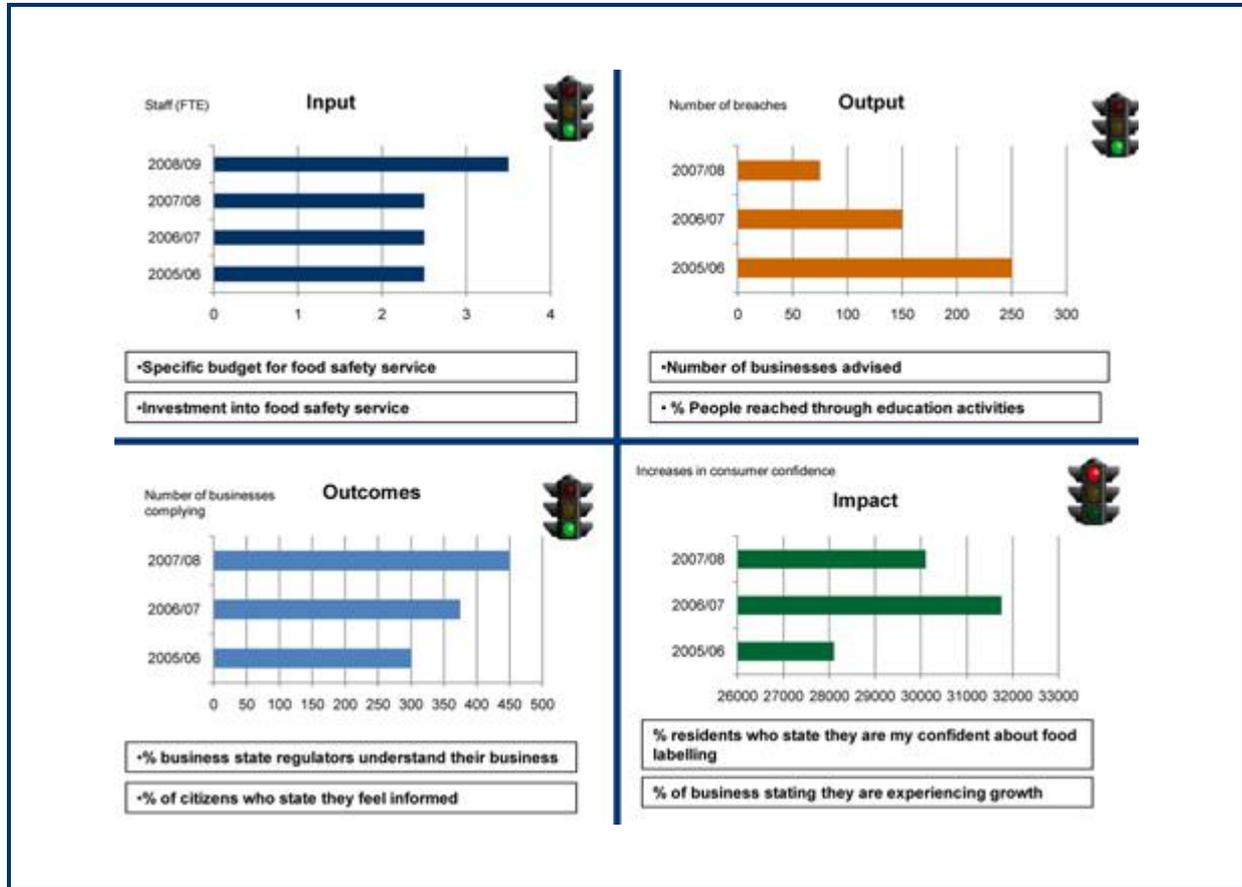


Figure 7: Example dashboard

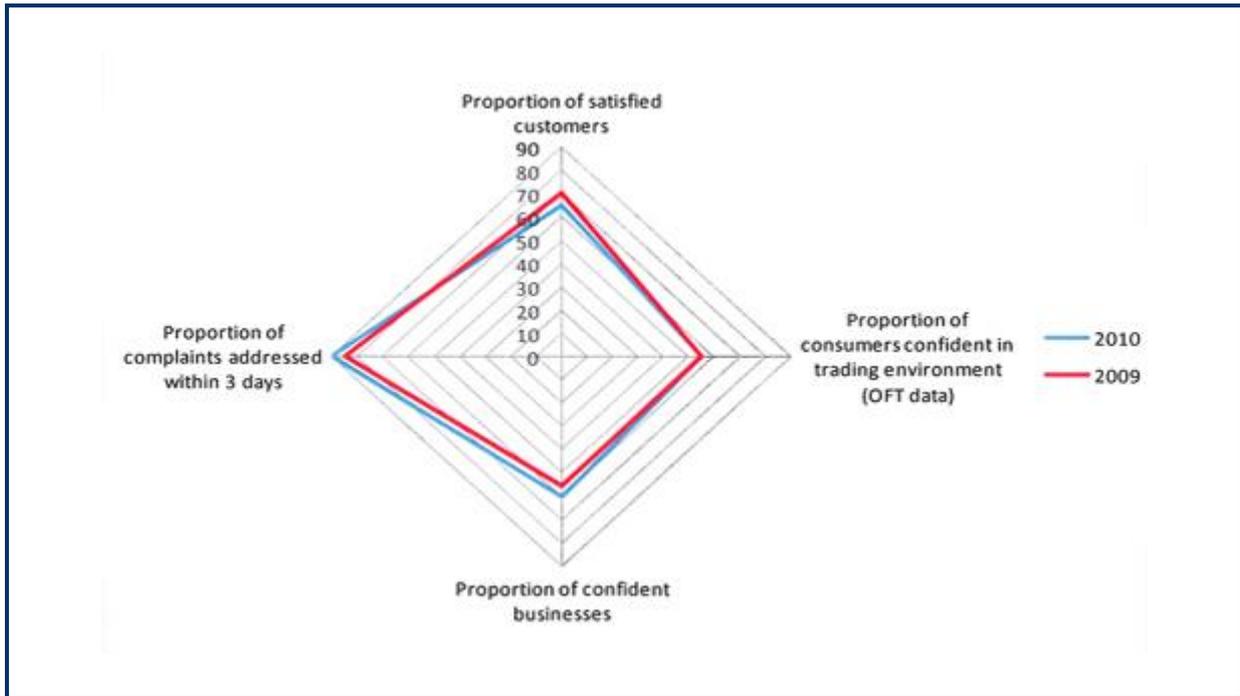


Figure 8: Example radar chart

## References

- 1 Regulatory Enforcement and Sanctions Act 2008, section 11
- 2 Hampton, P (2005) *The Hampton Review – Reducing Administrative Burdens: Effective Inspection and Enforcement*, HM Treasury
- 3 The priorities published by the Rogers Review were as follows:
- Air quality, including regulation of pollution from factories and homes
  - Alcohol, entertainment and late night refreshment licensing and its enforcement
  - Hygiene of businesses selling, distributing and manufacturing food and the safety and fitness of food in the premises
  - Improving health in the workplace
  - Fair trading (trade description, trade marking, mis-description, doorstep selling)
  - Animal and public health (animal and public health, animal movements and identification) – this was identified as a time limited priority by the review.
- HM Government/Peter Rogers, *National enforcement priorities for local authority regulatory services*, available at <http://webarchive.nationalarchives.gov.uk/+http://www.berr.gov.uk/bre/inspection-enforcement/implementing-principles/prioritising-areas/page44051.html>
- 4 INLOGOV, *Local Capacity Building for National Enforcement Priorities*, available at [www.lbro.org.uk/lbro-projects-national-enforcement-priorities.html](http://www.lbro.org.uk/lbro-projects-national-enforcement-priorities.html)
- 5 Local Better Regulation Office, *Local Authority Regulatory Services Budgets 2011-2012*, accessed at: <http://www.lbro.org.uk/resources/docs/lars-budgets-2011-12-overview.pdf>
- 6 Local Better Regulation Office, *From the Business End of the Telescope: Perspectives on Local Regulation and Enforcement*, October 2010
- 7 Figures from the Department for Business, Innovation and Skills, accessed via the Federation of Small Businesses
- 8 Local Better Regulation Office, *From the Business End of the Telescope: Perspectives on Local Regulation and Enforcement*, October 2010
- 9 Financial Inclusion Centre, *From Feast to Famine: the rationing of consumer credit in the financial crisis*, page 6
- 10 Financial Inclusion Centre, *From Feast to Famine: the rationing of consumer credit in the financial crisis*
- 11 Office of Fair Trading, *Doorstep Selling: a Report on the Market Study*, 2004
- 12 *IP Annual Crime Report 2009/2010*, available at [www.ipo.gov.uk/ipcreport09.pdf](http://www.ipo.gov.uk/ipcreport09.pdf)
- 13 Data provided by the Intellectual Property Office
- 14 R. Lambert (Department for Innovation, Universities and Skills) and P. Temple (University of Surrey, *The Economics of Weights and Measures in the UK*, accessed at: [www.nmo.bis.gov.uk/documents/economic\\_analysis\\_final\\_report.doc](http://www.nmo.bis.gov.uk/documents/economic_analysis_final_report.doc)
- 15 *The Pitt Review: Lessons learned from the 2007 flood*, available at <http://archive.cabinetoffice.gov.uk/pittreview/thepittreview.html>
- 16 Chartered Institute of Environmental Health, *Climate Change, Public Health and Health Inequalities*, page 6. The importance of climate change to health is also underlined in Department of Health guidance, *The Health Impact of Climate Change: Promoting Sustainable Communities*
- 17 Information provided by the Environment Agency
- 18 Accessed via [www.ukcip.org.uk/](http://www.ukcip.org.uk/)
- 19 Department of Trade and Industry, *Foresight Future Flooding report*, cited by Environment Agency
- 20 Survey results accessed at [www.metoffice.gov.uk/climatechange/news/latest/survey.html](http://www.metoffice.gov.uk/climatechange/news/latest/survey.html)
- 21 The Marmot Review, *Strategic Review of Health Inequalities in England post 2010*, page 30
- 22 The Marmot Review, *Strategic Review of Health Inequalities in England post 2010*, page 78
- 23 Data provided by Keep Britain Tidy
- 24 Communities and Local Government, *Place Survey: England – Headline Results 2008*, available at [www.communities.gov.uk/publications/corporate/statistics/placesurvey2008](http://www.communities.gov.uk/publications/corporate/statistics/placesurvey2008)
- 25 Data provided by Keep Britain Tidy
- 26 Data received from DEFRA / Environment Agency
- 27 Home Office, Perceptions and experience of antisocial behaviour: findings from the 2003/2004 British Crime Survey, available at <http://rds.homeoffice.gov.uk/rds/pdfs04/rdsolr4904.pdf>
- 28 The Marmot Review, *Strategic Review of Health Inequalities in England post 2010*, page 16
- 29 The Marmot Review, *Strategic Review of Health Inequalities in England post 2010*, page 32
- 30 Office for National Statistics, *General Household Survey 2008: Smoking and drinking among adults, 2008*
- 31 Action on Smoking and Health, *The cost of smoking to the NHS*
- 32 NHS Information Centre, *Statistics on Alcohol 2009*, available at [www.ic.nhs.uk/pubs/alcohol09](http://www.ic.nhs.uk/pubs/alcohol09)
- 33 Data provided by Health and Safety Executive

- <sup>34</sup> *Health and Safety Statistics 2005*, provided by the Health and Safety Executive
- <sup>35</sup> Fire Statistics Monitor: April 2009 – March 2010, available at [www.communities.gov.uk/publications/corporate/statistics/monitorq1q420091](http://www.communities.gov.uk/publications/corporate/statistics/monitorq1q420091)
- <sup>36</sup> Data from Asthma UK
- <sup>37</sup> Data from the Food Standards Agency
- <sup>38</sup> Information cited by the Food Standards Agency
- <sup>39</sup> Information provided by DEFRA and Animal Health
- <sup>40</sup> For a more comprehensive view of the local regulatory system see LBRO's mapping report, LBRO (2009), *Mapping the Local Authority Regulatory Services Landscape*, LBRO, November 2009
- <sup>41</sup> Definitions of the components of risk are discussed in more detail in LBRO's world class coalition work on a common approach to risk assessment. This common approach is enabling a more coherent approach to assessment of risk across the market.
- <sup>42</sup> Department for Business, Innovation and Skills, *Empowering and Protecting Consumers*, June 2011, available at <http://www.bis.gov.uk/assets/biscore/consumer-issues/docs/e/11-970-empowering-protecting-consumers-consultation-on-institutional-changes.pdf>
- <sup>43</sup> Farming Regulation Task Force, *Striking a balance: reducing burdens, increasing responsibility, earning recognition*, accessed at <http://www.defra.gov.uk/publications/files/pb13527-farm-reg-task-report.pdf>
- <sup>44</sup> 'The Anderson Review – The Good Guidance Guide: Taking the Uncertainty out of Regulation', Sarah Anderson, 2009
- <sup>45</sup> '[Reducing administrative burdens: effective inspection and enforcement](#)', Philip Hampton, March 2005
- <sup>46</sup> HM Government, *Local Growth – Realising Every Place's Potential*, October 2010
- <sup>47</sup> Further information on the LBRO outcomes and impacts tool can be found at [www.lbro.org.uk](http://www.lbro.org.uk)