

CABINET OFFICE & HM TREASURY
Call for evidence on public service reform

Reply by the Chartered Institute of Environmental Health



January 2011.

The CIEH is a chartered professional membership body and a registered charity which exists to promote effective environmental health practice (www.cieh.org).

In this submission we restrict ourselves to the following public service activities where we have experience and knowledge. We gain knowledge from our heritage (127 years of representation) and from our members (over 10,000 members working in local government, public sector agencies, private sector businesses, voluntary and charitable organisations and in 22 other countries around the world).

The public service activities we refer to are:

- Public sector regulation ensuring public safety;
- Support for wealth creation through public sector contacts with businesses;
- Community leadership putting power in the hands of consumers.

Public sector regulation ensuring public safety

Environmental Health Practitioners (EHPs) working for local authorities and working in agencies such as the Food Standards Agency, the Health and Safety Executive and the Health Protection Agency carry out statutory duties designed to keep the public safe from serious risks. In practice, the range of activities is broad: air quality, contaminated land, food safety, health protection, housing conditions, noise, occupational health and safety, pollution, public health – these are all examples.

It is important to appreciate that the regulated communities (employers, food outlets, landlords, retailers and so on) also contribute to public safety. Many of these also employ EHPs and the vast majority behave responsibly, have safety assured systems of work and co-operate with regulators. Last year's reduction of workplace fatalities to an all-time low of 151 is a tribute to the collaboration by employers and regulators which secured high levels of effective compliance with health and safety legislation and good practice.

Lord Young's report *Common Sense, Common safety* has mapped out a number of reforms of regulatory public services in respect of food safety and occupational health and safety. The CIEH has been fully engaged in Lord Young's agenda and looks forward to continue working with the Government on the implementation of the report's recommendations.

The public service reform we therefore discuss here is the application of this report's approach in all areas of public service regulation, not just in those two areas.

The approach the CIEH takes incorporates the following principles:

* High standards can only be sustained by ensuring that organisations and individuals accept the need for them; convincing all participants that high standards add value so that they “buy in” to the “concept”, which can be any regulated activity (food, health and safety and so on);

* There is much work to do on changing perception of safety laws; not only in businesses but also amongst regulators, other professions and the public (not to mention the media);

* One size does not fit all and we can design safety systems that meet the needs of reducing the risks that are specific to the activity being regulated;

* Good practise examples are useful but must be completely relevant to the audience and in context;

* Meaningful engagement across the workforce and, in appropriate circumstances, relevant consumers (actively encouraging and facilitating involvement, for example as the Food Hygiene Rating Scheme aims to do in respect of food premises) can encourage positive behaviour and allows consumers (and business customers) to make informed choices;

* Regulators, professional organisations and researchers should also be “informed”, which calls for the timely sharing of relevant information.

* Accountability applies to everyone; businesses and individuals making personal decisions.

* The maintenance of high levels of professional behaviour, standards and ethics in specialist fields are essential pre-requisites for ensuring systemic change

Applying these principles, we can foresee how regulatory activity might develop so that it is defined less by a set number of inspections and more according to collaboration between regulators and the regulated communities, where those who can demonstrate appropriate regulatory compliance systems are in place could be left to self regulate, resulting in a significant saving to the public purse. In this scenario, businesses may be required to have explicit safety assurance schemes in place, audited by third parties (which may or not be public sector regulators) and the main role of the regulator will be more of a “relationship manager” than an external inspector. Obviously, a statutory public safety role nevertheless continues to apply with all the usual range of responses by regulators from education and encouragement through to enforcement and prosecution in appropriate cases.

However, this model is inadequate for encompassing the full breadth of economic activity and the vast range of business entities that exist. In particular, there is a long SME “tail” where some of the requirements referred to above might be more burdensome than the present system. To meet this situation, we have been developing our thinking on the role of regulators as supporters of business.

Support for wealth creation through public sector contacts with businesses

Governments have devised different methods of providing support for businesses with mixed success. It has proved particularly challenging for State-sponsored schemes to reach the bulk of SMEs.

Yet in every business community, the local authority regulator is a familiar face, be it inspections about health and safety in the workplace, food safety or in response to a specific concern about House condition, noise or particulate emissions. These controls are important for consumers and businesses alike as they provide the “level playing field” required by businesses to grow and to underpin public confidence in business practice.

The evidence that the CIEH has, in terms of survey responses and examples of good practice, is that on the whole businesses welcome these contacts and often take the opportunity to seek advice from the regulator on a wide range of issues, not just the ones that caused the inspection in the first place.

Examples of working with businesses to improve their businesses include:

1. Advice and guidance to food businesses on healthy cooking and healthy eating, for example healthy alternatives to frying and avoiding excessive use of salt and sugar.
Case study:
www.food.gov.uk/multimedia/pdfs/chipadvice.pdf
2. Award schemes to recognise and reward those businesses offering healthy meal options.
Case study:
www.foodvision.gov.uk/pages/wigan-healthy-business-award
3. Work with takeaway food businesses to help them produce biofuels from waste products.
Case study:
<http://www.thisisbristol.co.uk/news/article-358742-detail/article.html>
4. Help landlords to improve air quality in rented homes and improving the health of the tenants.
Source: Chartered Institute of Environmental Health (2008)

The Health and Safety Executive also acknowledges the value that employers put on the visits they receive from local government regulators.

Another example of our forward thinking is a proposition we are working up for EHPs and their regulatory colleagues in Trading Standards to work together to support small businesses by delivering advice and information on money skills, debt management and a range of options such as access to training to give them a better chance of keeping solvent in business.

We believe that regulators, their professional bodies and the regulated business communities could form powerful partnerships supporting positive business growth alongside the traditional regulation that is aimed at securing public safety.

Community leadership putting power in the hands of consumers

The CIEH enthusiastically supports the Government's proposals for a new public health service in England. We believe that EHPs form an essential part of the required public health workforce. They are trusted by local businesses and they are trusted by local people. They already work in roles relating to health protection and health promotion.

We think that the expanded roles set out above, linked to much greater degrees of openness and transparency, can be harnessed to help meet the Government's stated aim of the public health reforms, namely *to improve and protect the nation's health, and to improve the health of the poorest, fastest.*

We are concerned however that medical intervention models may overpower and restrict the growth of strategies and systems to enhance wellbeing which is achieved largely through economic and social health determinants. To address this potential imbalance and provide greater clarity around health risk, intervention and resource allocation the CIEH proposes that EHPs should be a key link in the formation of the new public health service and in the relationships that will determine its success, such as the "responsibility deals" with businesses and educators, the new Health and Wellbeing Boards, Health Watch, the centrality of the Joint Strategic Needs Assessment and the work by Directors of Public Health, their teams and local government (working in partnership with the NHS, other partner organisations and the local population).

In summary

The CIEH has a clear vision of the developments that will shape the public services of the 21st century as they relate to environmental health and the services provided by EHPs. With a membership that is representative of all sectors of the economy, we have a feel for what will work and how.

We put forward the above ideas for consideration by the Cabinet Office and HM Treasury. We are willing to be involved in specific or broader discussions to examine how these ideas might be adopted and how they would fit with the bigger picture of public services in the round. In addition we would be happy to support Government in the evaluation of ideas that stem from this consultation to ensure that a holistic approach is applied to maximise the benefits proposed to be achieved.

We would welcome feedback from the project team regarding the responses to the call for evidence.

Contact details:

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