

Joint Regulatory Business Support Policy – Oxfordshire County Council and Cherwell District Council

Purpose

This policy sets out the key shared principles that both Oxfordshire County Council and Cherwell District Council will adopt when providing support to businesses to aid their compliance with regulatory requirements.

Definitions

Primary Authority – This statutory scheme allows businesses to form a legally recognised partnership with one local authority - the 'Primary Authority' - in order to receive tailored support in relation to one or more specific areas of law. The business pays the 'Primary Authority' to help them with regulatory compliance support, such as the provision of assured advice, coordination of enforcement action across all locations used by the business, or the development of an inspection plan for the business as a whole.

Home Authority - Businesses will generally build up a relationship with, and receive free advice and information from, one particular local authority. This is usually the local authority where the business is based and that authority is referred to as the 'Home Authority'.

Scope

The services that are in scope include Trading Standards, Environmental Health, Licensing and Community Safety.

Background

Oxfordshire County Council and Cherwell District Council adopt a partnership approach to the delivery of regulatory services. Under this partnership the teams within scope of this policy will work together seamlessly to provide simple to access, comprehensive support to businesses.

All of the regulatory services in scope of this policy must have regard to the Regulators Code^[1] (April 2014) when developing policies and operational procedures that guide their regulatory activities. The Code states that 'Regulators should carry out their activities in a way that supports those they regulate to comply and grow'. It also states that 'Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply'.

This policy contributes to Cherwell's Business Plan objective to 'Promote Inward investment and Business Growth'. The following core public values, as stated in Cherwell's Business Plan, form the ethical basis of this policy: 'service at point of need', 'efficient and effective services' and 'customer service excellence'.

This policy contributes to Oxfordshire County Council's Corporate Plan objective to create a 'Thriving Community' in Oxfordshire. This includes supporting a strong and thriving economy - with small businesses starting, existing small businesses growing and large businesses choosing to locate here.

This policy sets out both councils' commitment to provide businesses with a trusted, easy to access and value for money choice of regulatory business support services to aid compliance and economic growth.

Policy Principles and Requirements

The underlying principle during our interactions with businesses is to carry out our activities in a way that supports those businesses to comply with legal requirements and to grow. This will be done through a combination of free and charged for advice, guidance and support services.

Where non-compliance with regulatory requirements is identified officers will have regard to the graduated approach to enforcement as laid out in the Enforcement Policies of each council.

Free Business Support

Support provided during statutory work instigated by the councils such as formal inspections, revisits and investigations will be provided without charge to the business. One-off signposting will also be provided without charge [\[WR-TS1\]](#).

Charged for Business Support

Off the shelf services – The councils offer a range of off the shelf services for a set price such as training, Strive for Five visits and licensing pre-application advice.

Bespoke Support – The councils offer bespoke regulatory support tailored to a business's requirements. This may involve visits to premises, advice on the legality of labels or products, systems or trading practices, specific food testing requests, documentation reviews, etc. These will be charged for based on an hourly rate plus any additional costs incurred.

Primary Authority – The councils offer business support through Primary Authority partnerships charged for at an hourly rate. The councils will not offer Home Authority services and will offer Primary Authority instead.

Primary Authority

Where appropriate, the councils will offer a single point of contact Primary Authority Partnership offer for Trading Standards and Environmental Health categories. That single point of contact could sit within Trading Standard or Environmental Health depending on which area the business is likely to require most support.

Charging Policy

Charged for business support, including Primary Authority, will be fully cost

recoverable based on an average hourly cost recovery rate for qualified officers and an average hourly cost recovery rate for support staff. These rates may differ between the 2 councils and will be reviewed annually.

Any additional costs incurred in providing business support services, such as travel and subsistence costs, will also be recoverable from the business.

The Regulators' Code, Department of Business Innovation & Skills, Better Regulation Delivery office, April 2014

[1] The Regulators' Code, Department of Business Innovation & Skills, Better Regulation Delivery office, April 2014 <https://www.gov.uk/government/publications/regulators-code>

[WR-TS1] I don't think we can include this. It suggests we provide advice free verbally when we would charge for it electronically (e.g. by email) which is contrary to the digital first approach being developed.