



Chartered
Institute of
Environmental
Health

Priority Regulatory Outcomes

A new approach to refreshing the
national enforcement priorities for
local authority regulatory services

Response by the
Chartered Institute of Environmental Health
to the LBRO Consultation Paper

May 2011

The Chartered Institute of Environmental Health

As a **professional body**, we set standards and accredit courses and qualifications for the education of our professional members and other environmental health practitioners.

As a **knowledge centre**, we provide information, evidence and policy advice to local and national government, environmental and public health practitioners, industry and other stakeholders. We publish books and magazines, run educational events and commission research.

As an **awarding body**, we provide qualifications, events, and trainer and candidate support materials on topics relevant to health, wellbeing and safety to develop workplace skills and best practice in volunteers, employees, business managers and business owners.

As a **campaigning organisation**, we work to push environmental health further up the public agenda and to promote improvements in environmental and public health policy.

We are a **registered charity** with over 10,500 members in the UK and increasingly in countries outside the UK.

The CIEH was originally established in 1883 and was at the forefront of the drive to improve public health in the 19th century through the control of the spread of disease. The role and philosophy of the CIEH remains the same today despite vast changes in technology and social conditions which have brought new challenges.

Any enquiries about this response should be directed in the first instance to:

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1. Introduction

- 1.1. The CIEH was actively engaged in contributing to the review and in the expert user group.
- 1.2. The CIEH is broadly supportive of the aims of the review and the conclusions drawn but has reservations about some of the detail and the likely effect on local authority regulatory services.
- 1.3. The priorities identified in the consultation are more comprehensive than the original Rogers' priorities and the incorporation of issues missing from the original report (notably housing) is welcomed.
- 1.4. Questions posed on the consultation paper are addressed below.

2. Do the draft regulatory outcomes accurately address the regulatory issues and risks facing England?

- 2.1. The five general priorities cover a wide range of regulatory issues and risks and the key environmental health issues are covered.

3. Are they suitable focused on emerging issues and future threats?

- 3.1. Yes

4. Are outcome-focused priorities the most effective way to promote local discretion and meet the needs of local people, whilst providing a framework to meet national needs such as support for economic growth and the protection of vulnerable citizens?

- 4.1. The CIEH believes that the priorities are collectively so wide as to have very limited value in priority-setting. The mitigation of, and adaptation to climate change are clearly important societal goals and local government has a significant role in meeting them but regulatory services do not have a large part to play, in contrast in particular to the role of planning authorities.
- 4.2. Tackling the threats and impacts of climate change is clearly an important activity but it has only a limited role in protecting the environment.

5. Should the term 'priority regulatory outcomes' replace 'national enforcement priorities' to denote the list for English local authorities referred to in section 11(1) of the Regulatory Enforcement and Sanctions Act 2008?

- 5.1. The proposals in the consultation paper are all outcome based so, if adopted, the proposed title would clearly be appropriate.

6. Summary

- 6.1. The CIEH supports the proposed regulatory outcomes identified in the consultation paper but believes that the general nature of the outcomes is such that they will have little impact or effect on local priorities and will not assist authorities in local priority planning.
- 6.2. The original (Rogers) priorities, which were more specific in nature, did not significantly affect local authorities priority planning processes. Making the priorities more general is unlikely to improve that situation.
- 6.3. Ultimately, if no benefits accrue to local authorities for observing the proposed priority regulatory outcomes and no detriment flows from ignoring them, there will be little incentive for authorities to heed the proposals.
- 6.4. However, notwithstanding the concerns and reservations that the CIEH has, the consultation paper and the proposals contained within it represent a significant step forward in assessing the priorities for regulatory services and the CIEH is ready and willing to assist in activities to help towards their attainment.