Towards a Healthier Environment: Managing Environmental Health Services
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In the light of growing pressures on the environmental health (EH) function the Commission decided in 1990 to carry out a study of the service in local authorities. The study initially concentrated on the implications for local authorities of the Food Safety Act, and particularly the national, strategic issues in food law enforcement. A report on these issues – Safer Food: Local Authorities and the Food Safety Act 1990 – was produced in December 1990 (ref.1). That report drew attention to the need for food law enforcement at the national level to be coordinated, particularly in the light of the changing structure and complexity of food production and distribution.

This latest report considers the broader implications of this and other legislation at the local level, and particularly examines the management and use of necessarily scarce resources in providing efficient, effective and economical services. The findings are based on fieldwork carried out in a sample of authorities, augmented by national data sources such as the statistics collated by the Chartered Institute of Public Finance and Accountancy (CIPFA). Additionally, detailed information was collected from over 300 authorities through a survey of departmental organisation and activities carried out by the Commission with the support of the Institution of Environmental Health Officers (IEHO). Finally, the Commission, also with the support of the IEHO, organised a national survey of more than 5000 food premises (ref.2). Environmental health officers in 287 local authorities in England and Wales assessed the state of health and safety in a sample of local food premises.

Evidence was gathered from other relevant professional bodies, representatives of industry, consumers’ organisations, government departments and other bodies. (See Appendix A for a full list of authorities and other bodies involved in the study.) Although outside the Commission’s area of responsibility, the study team looked at experience in Scotland and Northern Ireland, where the environmental health function is organised on a different basis from England and Wales. Consideration has also been given to environmental health activities, particularly food law enforcement, in the rest of Europe.

The Commission has been assisted throughout the study by an advisory group of local authority chief officers, nominated by the local authority associations and the IEHO. The Commission would like to record its thanks to this body and also for the cooperation received from the IEHO and all local authorities who contributed to the study.
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Environmental health departments in local authorities in England and Wales employ around 14,000 staff and spend £350m a year. They have a wide range of functions, including the promotion of food hygiene and safety, improvement of housing conditions, occupational health and safety, together with a number of environmental protection activities. Their responsibilities have grown recently through legislation, notably the Food Safety Act 1990 and the Environmental Protection Act 1990 which impose additional duties on local authorities. Environmental health departments are also affected by increased public concern about the environment. This is true, for example, of food safety, where reported cases of food poisoning have risen sharply, and of noise pollution, where the number of domestic complaints has risen by a factor of 10 in the last 12 years.

Faced with these growing demands, environmental health departments must prioritise their limited resources. There is considerable evidence that these priorities are uneven from place to place and that more could be done to make the environmental health effort more effective. Staffing levels seem set largely on an historical basis and there is no apparent relationship between staffing levels and the demands faced by different authorities. Disturbingly, not all the additional money intended by the Government to implement the Food Safety Act is finding its way to where chief EHOs feel it is most needed.

Many local authorities do not have the basic information they need on food premises, houses in multiple occupation and other premises to secure an appropriate distribution of the enforcement effort. Between individual authorities, there are significant variations in the deployment and supervision of front line staff. Some have a much lower proportion of effort devoted to on-the-ground inspection and enforcement than others.

Many do not assess risk in a systematic way and relate their inspection programme to it. Though there is a growing body of opinion that a tough line on enforcement and prosecution makes sense, many authorities bring no prosecutions from one year to the next. Audit Commission estimates, based on the judgement of professional environmental health officers in a national survey of food premises, suggest that over 15,000 premises could face prosecution. In practice, only around 3,000 are prosecuted each year.

To resolve these problems, the Commission recommends that authorities should develop corporate policies for delivery of environmental health services. These policies need to be translated into departmental objectives based on information about local environmental health needs so that resources can be targeted most effectively. The department must also determine its approach to enforcement and ensure that staff have clear task allocations consistent with it. There is a need for detailed information systems, premises records and risk assessment systems which should feed through to provide long and short term work schedules. Consistency of enforcement must be sustained through explicit procedures and protocols to ensure that service effectiveness can be properly monitored. There should be a performance review cycle to ensure the quality of service delivery through systematic evaluation of the authorities' activities.
1. Local authorities have a long-standing role in protecting the public from harmful aspects of the environment. Following outbreaks of cholera and other diseases in the middle of the nineteenth century it was recognised that bad environmental conditions were linked directly to poor health. Towns and cities grew rapidly during the Industrial Revolution, overwhelming existing sanitation systems. In 1838 the Secretary of the Poor Law Commission, Edwin Chadwick, advised the Home Secretary that prevention of disease would cost less than relieving the distress caused by disease.

2. Chadwick's Report on the Sanitary Conditions of the Labouring Population of Great Britain in 1842 concluded that public health could be improved by proper drainage, improved cleansing and better ventilation. A Royal Commission confirmed Chadwick's findings, and proposed that local authorities should have the powers and responsibility to enforce standards of sanitation. Those responsibilities were defined in a succession of Public Health Acts and Sanitary Acts. The Public Health Act 1872 required the appointment of local 'inspectors of nuisances' or 'sanitary inspectors', the forerunners of today's environmental health officers.

3. Throughout the twentieth century, the role of those responsible for public health has expanded enormously. Legislation on food hygiene and safety, housing, clean air, pest control, health and safety at work, pollution, animal welfare and public health have all imposed greater duties and provided additional powers. These increased responsibilities require greater expertise and more intensive training. In 1953 a working party set up by the Minister of Health reported on the recruitment, training and qualification of sanitary inspectors. It recommended raising the educational standards for entrants to the profession, and a change of name to 'public health inspectors' which more closely reflected the changing role. The Sanitary Inspectors (Change of Designation) Act 1956 effected this change.

4. Public health inspectors became 'environmental health officers' (EHOs) on local government reorganisation in 1974. Since then the environmental health function has been discharged in England and Wales by shire district councils, London boroughs and the metropolitan districts. EHOs in these authorities are responsible for enforcing a wide range of legislation, often supplemented or amended by regulations or codes of practice. (Appendix B lists the principal legislation currently in force).

5. The changes in title signal more than simply an updated image. They reflect an expanding understanding of the impact of the environment upon health, and the increasingly comprehensive role of EHOs in addressing environmental problems. Public and political interest in the environment has grown in the 1980s. And concern for the environment is likely to remain an important public policy issue throughout the 1990s.

6. At the national level, the government's White Paper: This Common Inheritance - Britain's Environmental Strategy (ref.3) published in September 1990, drew together current thinking
about environmental problems and ways of tackling them, covering everything from land use planning to pollution control. In a hierarchy of concerns, the White Paper considers international problems such as global warming, for which international solutions are required; transnational problems such as acid rain, where action by one country can affect the position in another; and national problems such as air and water pollution where environmental action benefits the residents of the country or locality concerned. The local authority contribution to environmental protection largely falls within this third group. Such external factors have an important influence on health care generally. The government has recognised in its recent consultation document *The Health of the Nation* (ref.4) the need "to monitor and, when necessary, to eliminate or minimise the threats to individuals from the external world which they cannot themselves control".

7. An increasing number of authorities are carrying out 'environmental auditing' to assess the impact on their areas of both their own policies and activities, and external influences. A good practice guide prepared by the local authority associations: *Environmental Practice in Local Government* (ref. 5), defines an environmental audit as a systematic and objective internal review of the environmental performance of an authority, looking at the impact of its policies and practices and the measures needed to reduce or eliminate any detrimental activity. This work is usually carried out in conjunction with a state of the environment study looking at the external influences upon the authority. Most county councils and metropolitan districts, and many shire districts, have either carried out such an audit or are actively considering the possibility.

8. The environmental health function in local authorities has therefore taken on increasing importance. From being a relative backwater, with limited interest from elected members, the function has seen its profile transformed. Increasingly the EH department is seen as the source of all information pertaining to environmental issues even when neither the department nor even the authority has any direct responsibility for them. Media attention keeps the activities of EHOs before the public. The image of old-fashioned council inspectors, often working as individuals, is gradually giving way to that of modern professional teams using specialised technical equipment with scientific backup when necessary.

9. The role of the EHO, which started with an emphasis on specific, detailed aspects of public services, e.g. the adequacy of sanitation and design of drainage systems as they affected individuals, has expanded to encompass the interaction between each component of a common environment. It is no longer appropriate to consider problems associated with food hygiene, housing conditions, air and noise pollution in isolation, although each has an increasing need for specialist expertise. The 'environment' in which people live is affected by all these influences, often in combination. Environmental health must be aware of the quality of the environment as a whole.

10. Thus the task has changed, and the service provided by local authorities must change in step. Most importantly, the organisation and management of the service must change. It is no longer enough to operate an environmental health department as a collection of motivated and qualified individuals responding to distinct needs: rather, the recognition of the comprehensive and integrated nature of the environment should be reflected in the coherent direction and integration of staff activities. Also, authorities must reconcile their desire to
respond to the comprehensive needs of the local environment and to new legislation, with the finite level of resources available to them. Authorities with limited resources will have to define sharp policy priorities, and be selective in their programmes.

* * *

11. The rest of this report consists of four parts:
— firstly, a discussion of the wide ranging activities of the environmental health function in local authorities;
— secondly, a consideration of the changes facing the profession, including the recent legislation;
— thirdly, an analysis of the problems facing the service and the ways they are being tackled, drawing on the experience of the study fieldwork and the questionnaire data;
— and finally, a summary of the Audit Commission's recommendations to help authorities deliver the service more effectively, more efficiently and more economically.
1. Who Does What?

WHAT IS ENVIRONMENTAL HEALTH?

12. Most of the activities undertaken by EH departments are the result of the progressive accumulation of legislative responsibilities over the last 150 years. Others are included purely for administrative or managerial convenience, particularly in the smaller shire districts: for example it is not uncommon to find cemeteries and crematoria included in an environmental services department; refuse collection sometimes forms part of a combined function with EH. (These other functions are excluded from the scope of this report and from the statistics quoted below). Sometimes the EH function is combined into larger departments or directorates such as Consumer Services, Health and Housing or Technical Services.

13. There are four major areas of EH activity (Exhibit 1):

**Exhibit 1**
TIME SPENT ON THE CORE ACTIVITIES

There are four major areas of activity

![chart](chart.png)

*Source: CIPFA, 1989-90*

— About a quarter of total time is spent on **food hygiene and safety** and meat inspection. This covers inspections of food and food premises of all types, from food manufacturers to restaurants and hospital kitchens, and meat inspection work in slaughterhouses and meat wholesalers.

— **Housing**, which accounts on average, for about one fifth of total time, is concerned with general housing conditions, the state of the private sector stock, renovation grants and the regulation of the private rented housing sector. A significant proportion of the workload relates to the enforcement of the Housing Acts particularly in relation to houses in multiple occupation (HMOs).
— A further significant proportion of work (12%) is in the general environmental protection field, including noise pollution (both industrial and domestic), air pollution (primarily industrial but also including for example, stubble burning, garden bonfires and domestic smoke control), and general problems of water quality and contamination.

— Occupational health and safety accounts for another 9% of the effort. Local authorities have responsibilities under the Health and Safety at Work Act for ensuring occupational health and safety in offices, shops, places of entertainment, etc.

14. The remaining 35% of EH time is spent on a number of relatively minor but still important activities such as infectious diseases control (Legionnaires' disease, epidemics, AIDS), and health education. These together account for only 7% of total time but are of growing importance. Finally, the rest of the 'other' category includes a wide range of activities including the traditional public health functions of pest control, nuisances and drainage problems. It also includes the port health function, which is very important in some authorities, and waste regulation in Wales.

15. Thus four main activities account for about two-thirds of all the time spent in environmental health departments, although in different authorities the proportion is as low as 21% or as high as 90%. The proportion of time spent on any one of the four main activities also varies widely – time on food-related activities (other than meat inspection) ranges from under 5% to over 30%, for example (Exhibit 2). This variation may reflect local political choice and local circumstances, but in some authorities does not seem capable of rational explanation, suggesting a failure to establish true needs and priorities.

Exhibit 2
ENVIRONMENTAL HEALTH TIME ON FOOD HYGIENE AND SAFETY WORK
The range is from under 5% to over 30%

*Note: excluding meat inspection
Source: CIPFA, 1989-90

EXPENDITURE AND STAFFING
16. Gross expenditure on environmental health was almost £350m in England and Wales in 1989-90. Less than 20% is recovered by fees and charges (giving net expenditure of about
Less than 20% of gross expenditure is recovered by fees and charges

£280m) (Exhibit 3). This represents under 1% of total local government expenditure, although in the shire districts, which have a narrower range of responsibilities, the environmental health function is relatively much more significant. In recent years gross expenditure has grown faster than inflation (Table 1). Average net expenditure overall is now in the region of £5.50 per head per annum but there is a range of perhaps 20 to 1 between the highest spending authority and the lowest. This variation in expenditure per head cannot be explained by differences between types of authority. For example, some London boroughs and metropolitan districts spend less per head than almost all shire districts. Such statistics must be used with care, particularly at the extreme ends of distribution, but the interquartile ranges still show a variation of perhaps two to one.

Table 1
GROWTH IN EXPENDITURE ON ENVIRONMENTAL HEALTH
(England and Wales)

<table>
<thead>
<tr>
<th>Year</th>
<th>Gross expenditure (£m (cash))</th>
<th>Index (allowing for inflation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1984-85</td>
<td>231.7</td>
<td>100</td>
</tr>
<tr>
<td>1985-86</td>
<td>248.8</td>
<td>102</td>
</tr>
<tr>
<td>1986-87</td>
<td>271.8</td>
<td>108</td>
</tr>
<tr>
<td>1987-88</td>
<td>282.8</td>
<td>108</td>
</tr>
<tr>
<td>1988-89</td>
<td>296.6</td>
<td>106</td>
</tr>
<tr>
<td>1989-90</td>
<td>346.4</td>
<td>115</td>
</tr>
</tbody>
</table>

17. There are in total about 14000 staff engaged in environmental health activities in England and Wales. Over a third of these are qualified EHOs and the remainder are scientific staff, technical assistants, clerical and administrative staff and others (Table 2, overleaf).
Table 2

BREAKDOWN OF ENVIRONMENTAL HEALTH STAFFING (England and Wales)

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>EHOs</td>
<td>5130</td>
<td>37</td>
</tr>
<tr>
<td>Scientific Officers</td>
<td>520</td>
<td>4</td>
</tr>
<tr>
<td>Technical assistants</td>
<td>2020</td>
<td>14</td>
</tr>
<tr>
<td>Authorised meat inspectors (and veterinarians)</td>
<td>1070</td>
<td>8</td>
</tr>
<tr>
<td>Student EHOs</td>
<td>630</td>
<td>4</td>
</tr>
<tr>
<td>Admin. &amp; Clerical</td>
<td>2760</td>
<td>20</td>
</tr>
<tr>
<td>Others*</td>
<td>1870</td>
<td>13</td>
</tr>
<tr>
<td>TOTAL</td>
<td>14000</td>
<td>100</td>
</tr>
</tbody>
</table>

*Note: Includes pest control operatives, dog wardens, other manual staff

Source: CIPFA 1989-90 (grossed up estimates)

18. About 14% of all staff are classified by CIPFA as technical assistants, with a smaller proportion (4%) classed as scientific officers, by implication with professional qualifications other than those of EHOs. The terms 'technical assistant' and 'technician' are used fairly loosely amongst authorities and can cover everything from those with relatively low grade technical qualifications to a graduate technical officer who may be at least as good as, or better than, a qualified EHO at carrying out particular tasks.

19. Staffing levels vary across the country, even when compared with the size of the local population (Exhibit 4) – actual numbers of staff also vary considerably. While the median size of an environmental health department is 22 (excluding authorised meat inspectors), a small number (less than 5%) have over 100 staff. An equally small proportion operate with 10 or fewer staff. Some authorities have only two or three qualified EHOs.

Exhibit 4

STAFFING OF ENVIRONMENTAL HEALTH DEPARTMENTS

Staffing levels vary across the country, even when compared to the size of the local population

Source: CIPFA, 1989-90
20. Variation is to be expected if only because of the different special demands that authorities have to meet (Exhibit 5). Crawley Borough council, as an extreme example, has responsibility for more than 50 million meals a year produced locally for flight catering on aircraft departing from Gatwick, as well as large quantities of imported exotic food. Over half of councils identify tourism, with its seasonal changes in the need for accommodation, catering and transport, as an extra aspect of their EH work. Hazardous waste is a problem in about a quarter of councils. Most authorities experience more than one special demand - one in eight experience none while nearly 50% have three or more demands in combination.

Exhibit 5
SPECIAL ENVIRONMENTAL DEMANDS
Authorities have to meet different special demands

Source: CIPFA, 1989-90

21. The variation in the size of EH departments cannot be explained by statistical analysis of the CIPFA data, relating staffing levels to population and the number of these special demands in combination (Exhibit 6, overleaf). This suggests that current staffing levels are perhaps more the products of historical circumstances, local priorities or financial constraints than the result of objective analysis of need.

THE CIRCLE OF PUBLIC PROTECTION

22. EH departments are not the only people concerned about the impact of the environment on the public (Exhibit 7, overleaf). Most local government services interface with the work of environmental health officers, forming part of the overall umbrella of consumer services and public protection. Within a district the EH department must operate closely with other services, such as planning and building control (e.g. in relation to new food premises or rented housing conversions). Planning departments also have a critical role in devising policies for the environment which the EH department will subsequently police. EH departments can contribute
**Exhibit 6**

**VARIATION IN STAFFING LEVELS**
Size of EH departments cannot be explained by population and the number of special demands in combination

![Graph showing variation in staffing levels](image)

*Source: Audit Commission analysis of CIPFA data, 1989-90*

**Exhibit 7**

**THE CIRCLE OF PUBLIC PROTECTION**
EH departments are not the only people concerned about the impact of the environment on the public

![Diagram of the circle of public protection](image)
to the formation of the policies which a local authority adopts towards the built environment but their principal role is in regulating the way in which that environment is used. Some EH departments routinely review lists of planning and building applications in order to ‘call in’ those where further advice would be beneficial.

23. This report concentrates primarily on the local authority environmental health function, although recognising the interface with other local authority departments. There is some overlap between the functions of the EH and trading standards professions, which was discussed in the Commission’s paper on food safety published in December 1990. In unitary authorities trading standards professionals often work in the same department as EH staff, operating in joint teams or as two sections of the same department. In the shire county areas, where trading standards is a county function, it is essential that the county and district professionals involved in public protection work together. Close co-operation is also needed with the local public analyst, whether a county council employee or a private firm. Further, the Food Safety Act has created a new role of ‘food examiner’ – a person qualified to provide an independent certificate of microbiological food quality, which could be used in legal proceedings under the Act. Authorities will need to consider how best to co-operate with them.

24. In addition to the various local authority functions, the environmental health departments in local authorities must work closely with other public bodies including the Public Health Laboratory Service, and with government agencies such as the Health and Safety Executive (HSE), Her Majesty's Inspectorate of Pollution (HMIP), the Health Education Authority (HEA) and the National Rivers Authority (NRA). The Acheson Report (ref. 6) in 1988 recommended the appointment of a Director of Public Health (DPH) in each health authority, charged with responsibility for assessing and advising on the health needs of the local population. Additionally, most health authorities have appointed a Consultant in Communicable Disease Control (CCDC) to be responsible for the operational aspects of infectious disease control. In the majority of instances the CCDC is also a 'proper officer' to the local authority and as such discharges the statutory functions formerly carried out by the Medical Officer of Environmental Health after 1974.

25. All of these agencies form a complex web of public protection. It is not within the Audit Commission's remit to examine the overall picture; this report focuses on the role of environmental health within the system.
26. It is not possible to define a level of regulatory activity which will guarantee a healthy, safe environment. Therefore the degree to which EH departments divide their attention between their varied responsibilities has always been a difficult decision. But it is now becoming even harder. The environmental health function has undergone significant change and development during the last decade. The driving force behind these changes has been the growing tide of public awareness about the environment, ranging from local concerns about litter and barking dogs, to worries about global warming and the ozone layer.

27. With increased public awareness has come increased expectations, manifesting themselves in complaints and demands for action. Domestic noise complaints, for example, rose tenfold in the 12 years to March 1988 (Exhibit 8) and now represent as much as a third of the

Exhibit 8
NOISE COMPLAINTS (England and Wales)
Domestic noise complaints rose tenfold in twelve years

*Note: Figures collected on financial year basis from 1983-84
Source: IEHO
complaint work of a typical authority. An increasing number of authorities have instituted out
of hours 'noisy party patrols' to respond to public concern. There has been an equally sharp rise
in reported cases of food poisoning. In many instances these demands and expectations have
provoked major reviews of service delivery, and new legislation. In a little over a year, three major
new Acts which impact directly on the EH function reached the statute book. The Local
Government and Housing Act 1989 (LGHA), the Food Safety Act 1990 (FSA) and the
Environmental Protection Act 1990 (EPA) all have a major effect upon EH departments and
their use of resources (Exhibit 9).

Exhibit 9
IMPACT OF NEW LEGISLATION
Three recent Acts have a major effect on EH departments and their use of resources

28. The Local Government and Housing Act has recast the whole system of private housing
improvement grants (now termed renovation grants). The new means tested grants and the
replacement of Housing Action Areas and General Improvement Areas by larger Renewal Areas
will require changes in approach and practice. EHOs have been provided with stronger
enforcement powers. (A forthcoming Audit Commission report on the EH role in housing will
discuss these changes.)

29. The Audit Commission's paper on the Food Safety Act recognised that the Act is the
first comprehensive review of food legislation for over a decade. The Act introduces registration
for all food premises and establishes requirements for food hygiene training for food handlers. It
imposes a duty to inspect food premises and increases the enforcement powers of local authorities,
by bringing in a formal improvement notice procedure and by making provision for the immediate
closure of unsafe food premises. Crown Immunity will largely be removed.

30. The Environmental Protection Act also has a significant impact. The Secretary of State
may, by regulation, prescribe ‘particular processes or substances’. Local authorities will thereby
take on responsibility for the authorisation of certain categories of processes, and enforcement of
air pollution controls on them. Under the ‘polluter pays’ principle the cost of this authorisation
should be met from fees. Local government enforcement powers for dealing with other
environmental problems have been streamlined. Similarly the designation of waste authorities
and the separation of regulatory and contracting responsibilities will affect some departments.

31. The Act also sets minimum standards for litter clearance and puts an additional
responsibility upon major land owners, including local authorities, to clear litter from their
property. An aggrieved local resident will be able to apply for a ‘litter abatement order’ against
the local authority. This could have serious cost implications for contracted out street cleansing
services. Councils will need to come to agreement with contractors to change the basis of
contracts from a ‘frequency of cleaning’ to a ‘state of cleanliness’.

32. Parliament is likely to supplement environmental legislation in the coming years. The
White Paper on the environment discusses the government's approach to environmental
problems, starting from first principles and objectives, and it sets out the government's approach
to pollution control, the area most relevant to the EH function. There are five principles:
— prevent pollution at source
— minimise the risk of harm to human health and the environment
— encourage and apply the best technical solutions in the context of the environment as a
  whole
— focus protection on the most vulnerable environments
— ensure that the polluter pays for the controls.

33. Many of these principles are already incorporated in the EPA 1990. New legislation
resulting directly from the White Paper will take several years to appear, since the government's
intention was to set the agenda into the next century rather than to detail specific legislative
proposals. Nevertheless, authorities will need to prepare for and possibly anticipate the White
Paper's eventual impact. In particular there is growing European Community (EC) influence in
the area of environmental protection. The EC has recently agreed a directive providing new
rights of public access to environmental information, and a draft directive is being prepared on
environmental auditing. The role of local government in relation to business and industry is one
of the principal areas of discussion.

34. In addition, new regulations under current legislation continue to be issued. The
Richmond reports on The Microbiological Safety of Food (ref.7) make several recommendations
that affect enforcement authorities. Many of these simply emphasise to EHOs the importance of
enforcing current and new legislation, but some propose additional responsibilities or the
provision of extra services (such as the need for risk assessment of food premises). In April 1990, new regulations under the Health and Safety at Work Act, transferred responsibility for 120,000 additional premises (such as some places of entertainment and churches) from the Health and Safety Executive to local authorities. This represents a 13% increase in the number of premises for which EHOs are responsible. Local authorities now cover about 7 million employees, about a third of the total. The resources to carry out the inspections did not follow the transfer.

35. Occupational health and safety is therefore of increasing concern to environmental health departments. In the year ending March 1990 there were 61 fatal accidents in premises covered by local authority enforcement. (By comparison, in 1989 there were 63 deaths from food poisoning). Over the same period there was a 14% increase in major injuries – now running at about 3600 a year. And, the long term effects of non-fatal accidents are far more severe than the effects of non-fatal food poisoning.

* * *

36. These additional responsibilities for EH departments come at a time of increasing financial constraint amongst local authorities, emphasising the need to be responsive, flexible and selective in their response. Client demand is changing over time and service provision must change in step. When resources are limited, increased demand in one area must be balanced either by reductions in others, or by greater efficiency and more effective use of the resources available. Local authorities must constantly reassess their service provision in relation to needs and resources.

37. The next chapter discusses how authorities are coping with the current situation, in the light of the changes.
3. Problems and Solutions

38. Changing perceptions and growing demands are bound to give rise to problems for the department concerned. Some departments have difficulty in assembling sufficient resources to meet needs. For others, the challenge is to adjust professional attitudes and practices to address the newly perceived complexity of environmental issues. Most need a strategy to help them cope with a potentially unlimited demand for attention.

39. Very little information exists on the productivity of the environmental health function in relation to its final output – improvements in public health. So it is hard to calculate the size of department necessary to provide a particular level of service. Without such a basis, departments are ill equipped to demonstrate that they lack adequate staffing levels.

40. Nevertheless, in the light of the fresh legislative obligations placed on environmental health departments, the government has recognised that some of these changes will require fresh resources. An additional £30m a year has been taken into account in the revenue settlements for local authorities in Britain for implementation of the Food Safety Act. The £30m is being added to the revenue support grant and is not in the form of a specific grant. It would represent an increase of about one third on the current level of local authority expenditure on food law enforcement – if it were all to be allocated to this function.

41. But the government's decision to distribute the £30m according to the standard spending assessments means that the money will not necessarily find its way into the EH departments with the greatest need. The FSA 1990 covers both food safety and consumer protection, so part of the money will be allocated to the shire counties for their trading standards work as well as to districts with EH responsibilities. Individual local authorities will need to determine how much of it reaches the EH department. Even within the EH department, departmental priorities will determine how much is applied to food safety enforcement and how much to other areas of activity. The Audit Commission's survey has established that chief EHOs believe an additional £25m will be required to implement the provisions of the FSA 1990, for the EH function alone. Less than half of the responding chief officers had received approval for extra expenditure by December 1990.

42. Whether or not departments are reinforced to cope with the new legislation, they necessarily are subject to resource limitations. The imperative is therefore to make best use of available resources. Four deficiencies in the way some EH departments currently operate must be addressed if limited resources are to be applied to best effect:

— there is a lack of clearly defined policy and direction;
— information about the task to be addressed is incomplete;
— operational management of resources is ineffective;
— measurement of effectiveness is inadequate.
These four problem areas are discussed in the next four sections, under a series of different headings (Exhibit 10).

Exhibit 10
THE PROBLEM AREAS
Four deficiencies must be addressed if limited resources are to be applied to best effect

POLICY AND DIRECTION
CORPORATE POLICY

43. Given that needs and political choice about priorities vary from council to council, and that relationships with other agencies are an important and variable influence, it is not surprising that environmental health functions vary in their emphasis and organisation. In order to formulate corporate policy, authorities should first devise their 'Strategic Vision' for the authority as a whole. Against that vision, members should establish the structure and the scope of responsibility of each function and they should define the relative priority of each activity and allocate appropriate resources to it. Detailed policies and activity targets should be derived from the defined corporate objectives (Box 1).

44. Informing any consideration of policy is the division of the EH role into two parts – a need to prevent the unacceptable, and a wish to promote the desirable. The first of these encompasses the regulatory role in relation to food hygiene, pollution, poor housing etc; the second includes the service and education role – responding to complaints, improving the quality of life etc. Policy must inform both dimensions. Only half of the authorities surveyed by the Commission have such a policy, formally approved by members.

45. Some authorities have adopted the World Health Organisation's *Health For All 2000* proposals and the Healthy Cities initiative, as the basis for a strategic vision which embraces environmental health. The definition of 'health' is very broad. While the adoption of such principles can provide useful guidelines, it cannot be a substitute for a comprehensive assessment of local needs in relation to available resources. This analysis of needs should identify the priorities for the application of resources. Decisions to concentrate on identified priorities automatically mean that the resources allocated to non-priority areas must be reduced or eliminated.
Corporate Objectives

- To create a clean, safe, and healthy city...
- healthy food and drink
- healthy housing
- healthy working environment
- etc.

Programme Objective

- To ensure that food and drink in Cambridge is clean, safe and healthy
- compliance with food hygiene law
- ensure food is fit for human consumption
- etc.

Policies

- to inspect and visit food business at least at such frequencies recommended in official codes of practice
- to sample food and drink in a planned way
- to take informal or statutory action including prosecution in accordance with approved codes of practice
- etc.

Activity targets for 1991-92

- Inspection of premises: estimated input 1816 hours (30% increase on 1990-91), 2100 visits

46. Corporate policy should determine the role of the EH service in the corporate management of the council. Members should decide on the council's overall structure and the relationships of functions to each other. Given the diversity of local authorities, there is no single appropriate structure. The only test is whether the structure is appropriate to its context. What is important is that inter-departmental processes are well coordinated. For example all proposals for major new developments such as new highways or industrial estates should be subject to a corporate impact analysis. This would identify potential problems and demands for services, including environmental health services. Even where problems cannot be eliminated by design changes, early information will facilitate resource planning.

DEPARTMENTAL POLICY

47. Within the context of the authority's policy and the available resources, an environmental health committee must develop its own policy and strategies and decide upon the limits of discretion to be given to the officers. It must decide upon its priorities in meeting the demands facing the authority and must clarify its approach to enforcement responsibilities. Progressive authorities have moved beyond general policies and have developed individual policies approved by members for each of the main EH functions (Table 3).

**Table 3**

<table>
<thead>
<tr>
<th>Policies Approved by Members</th>
<th>% of responding authorities with policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy for:</td>
<td>London boroughs</td>
</tr>
<tr>
<td>Food</td>
<td>41</td>
</tr>
<tr>
<td>Housing</td>
<td>73</td>
</tr>
<tr>
<td>Occupational Health</td>
<td>32</td>
</tr>
<tr>
<td>Pollution</td>
<td>36</td>
</tr>
</tbody>
</table>

Source: Audit Commission survey, 1991
48. The environmental health department has responsibility for a considerable number of the authority's statutory obligations and any policy must take full account of these responsibilities. But the legislation lends itself to a wide range of interpretation. As a result local authorities do not all adopt the same approach, the same priorities and the same practices. For example, one of the shire district authorities visited during the fieldwork considered enforcement of the Sunday trading laws to be a high priority. Another saw it as meriting a very limited resource allocation.

49. When resources are short, authorities need to think carefully about their core activities. They should question seriously whether essential duties are suffering because resources are being put into non-essential activities. One authority for example has attracted severe local criticism for spending time on healthy eating campaigns and encouraging restaurants to provide healthy menus, at the expense of carrying out inspections. Only where resources over and above those required to meet statutory demands are available can other desirable but non-statutory activities be funded. Promotion of a healthy diet is important, but local authorities must dovetail this sort of activity with those of other bodies such as the HEA.

50. There is considerable debate within the profession about the EH department's responsibility for food hygiene training. Training can improve food hygiene and safety: it is specifically provided for in the Food Safety Act (although regulations have yet to made). But training is only one of many weapons in the EHO's armoury. Should EHOs be spending a significant amount of time on training, at the expense of other activities, or should other agencies be carrying out these tasks?

51. It is difficult to quantify the effectiveness of different enforcement activities but EHOs need to look at the opportunity cost of their decisions. More than 85% of local authorities believe they have a responsibility to provide hygiene training for food handlers. But in view of the availability of commercial food hygiene courses and the constrained resources of departments, the role of EH departments in this respect bears review, particularly as many do not recover their full costs. Information and education aimed at the general public (food hygiene, safety in the home) can be a useful part of an EH department's service strategy. The view is widely held by experts that a significant proportion of food poisoning incidents arise from practices in the home.

52. In addition to the policy guidelines on the allocation of resources between statutory and discretionary activities, there are other areas where policies and guidelines are required. For example, what is the right balance between planned and responsive work? What is the best mix of enforcement and persuasion in promoting good practice? The balance of needs and resources must be managed to give the best answers in each local circumstance.

DEPARTMENTAL STRUCTURE

53. Many EH departments have too many levels of management and a very steep pyramidal structure. This has two consequences. Firstly, the professional EHOs in the front line can be smothered by bureaucracy in the office and inhibited from taking action by having to refer decisions up the line for confirmation. The Commission's survey shows an approximate 2:1 ratio of EHO field staff to managerial staff. Compared with other local government services this suggests an over managed service.
54. Secondly, the more levels of management the more likely it is that a greater proportion of staff will be desk bound, not carrying out their prime function of ensuring public health. Hierarchical structure effectively removes good EHOs, particularly the career minded ones, from the cutting edge of the business. These structures should be simplified to increase the proportion of fieldwork to office work and to improve the type and level of delegation. There are still many authorities where enforcement decisions are referred to a committee for approval and where even routine letters are passed up the officer chain for signature.

DEMAND MANAGEMENT

55. The management of escalating demand is one of the key tasks of departmental policy. The greatest increase in demand in environmental health work has arisen from the increase in complaints and enquiries. Response to complaints now consumes a large proportion of available staff time, usually at the expense of scheduled inspections or surveys to identify unrecorded premises. The increase in the proportion of environmental health resources devoted to responsive activities is likely to lead to a decrease in effectiveness. Indeed, diversion of resources to respond to complaints at the expense of scheduled inspections is likely to lead to further complaints as uninspected premises deteriorate. This view is supported directly by the evidence from the Audit Commission's food premises condition survey which demonstrated a correlation between the poor condition of food premises and increasing elapsed time since the last inspection. Redressing the balance is a problem for many authorities.

56. Many authorities define service standards for their main core functions (Table 4):

<table>
<thead>
<tr>
<th></th>
<th>Food</th>
<th>Housing</th>
<th>Occupational Health</th>
<th>Pollution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Response to complaints</td>
<td>79</td>
<td>73</td>
<td>76</td>
<td>78</td>
</tr>
<tr>
<td>Inspection frequency</td>
<td>83</td>
<td>37</td>
<td>76</td>
<td>33</td>
</tr>
</tbody>
</table>

Source: Audit Commission survey, 1991

But evidence from the fieldwork suggests that it is the inspection standards that slip when the pressure is on. The results of a survey carried out by the districts within the 'food study group' in one county area indicated that the achievement of scheduled inspections of food premises within one year was as low as 5% in one authority. The median was 60%; this despite the study group themselves recognising that "where a reduction in the number of planned inspections occurs, a corresponding reduction in food hygiene standards is liable to be found". Dealing with complaints is an important public service and there are benefits to the public in publishing clear standards of service, sometimes referred to as customer contracts. Councils will be mindful that publication of such standards setting out the authority's response is likely to increase public demand. And the performance response times adopted must reflect the resource requirements to achieve them and the implications for the planned work of the department. The urgent must not be allowed to overwhelm the important.
57. The level of demand must be managed in all aspects of environmental health service provision. Demand management is widely practised in the allocation of housing improvement grants, where the limitations on capital lead to strategies which limit the level of satisfied demand to the capital available. However, there seems to be less willingness to apply the same approach to the management of demands upon revenue resources.

58. External demands are difficult to forecast and emergencies, such as a food poisoning outbreak or a pollution incident, must take priority. But some external demands can be resisted and others regulated. Different authorities have developed strategies and techniques to deal with the rising tide of complaints and enquiries:

— the resource devoted to responsive work can be limited by dedicating a number of specialist staff to it, and protecting the rest of the staff;

— the various types of complaint and the results of departmental action can be analysed and used to identify the types most worth pursuing;

— printed advice leaflets can be prepared dealing with the most common, non-serious, enquiries, to be sent out by administrative staff, often without the involvement of environmental health professionals;

— complainants can be encouraged to seek satisfaction through other routes, such as returning unsatisfactory food products to the retailer or the manufacturer (provided, of course, that the cause of the complaint is not a symptom of a much wider problem likely to give rise to a general threat to health and safety);

— a charge can be made for advisory work for commercial organisations.

ENFORCEMENT POLICY

59. Local authorities have considerable latitude in the discharge of their enforcement responsibilities. The relative importance of persuasion, education, and prosecution in maintaining environmental health standards is vigorously debated. In the Audit Commission's survey, authorities were asked to show their attitude towards enforcement action on a scale of 1 (strongly favours informal persuasion) to 5 (strongly favours prosecution). Analysis shows that although authorities on average are equally in favour of persuasion and prosecution, metropolitan areas (including London) take a tougher line on enforcement (Exhibit 11) – average scores for each of the four main functions were significantly higher in these areas than in the shire areas.

60. There is a growing body of argument for the effectiveness of rigorous enforcement, often by prosecution at an early stage. Birmingham, for example, brought over 400 food prosecutions in 1989-90, more than any other authority. It is argued that owners and managers of food premises fail to meet the statutory minimum requirements because they attach a low priority to this responsibility, and that failure to achieve minimum standards is not caused by ignorance. A rigorous enforcement policy based on closure or prosecution helps to raise that priority. It is further argued that local authorities do not have the right to permit premises representing a significant risk to health, safety or the environment, to continue to operate. The attendant local publicity when prosecutions are made acts as encouragement to others to improve standards.

61. Analysis of the CIPFA statistics on prosecutions shows that in many authorities the number of prosecutions is minimal. Many authorities bring no food prosecutions at all, and most
Exhibit 11

ATTITUDES TO ENFORCEMENT

The metropolitan areas say they adopt a tougher line on enforcement

![Bar chart showing average score of perceived degree of severity on a scale of 1-5 for different categories: Food, Housing, Occupational health, Pollution, Metropolitan districts, London boroughs, Shire districts.]

Source: Audit Commission survey, 1991

of those that do prosecute, do so at a low level. The Audit Commission’s food premises survey showed that about 4% of the premises inspected should be prosecuted or closed down, in the opinion of the professional EHO doing the inspection. This suggests that over 15,000 food premises nationally could face prosecution, equivalent to more than 300 per million population. But fewer than 10% of authorities brought more than 100 prosecutions per million population in 1989-90 (Exhibit 12), and in total only about 3000 food premises are prosecuted each year.

Exhibit 12

FOOD PROSECUTION

Fewer than 10% of authorities brought more than 100 food prosecutions per million population

![Graph showing prosecutions per million population for London boroughs, Metropolitan districts, Shire districts.]

Source: CIPFA, 1989-90

62. A determined prosecution strategy also has considerable merit in management terms. It is clear-cut and easy to communicate; it directly addresses a significant enforcement issue – the operation of premises in an unacceptable condition – and its clarity of purpose attracts the support of staff. If authorities select a milder approach to prosecution, they should be able to demonstrate an equivalent level of effectiveness. The problems of an approach based on persuasion are
exemplified in one authority where 90% of informal notices relating to housing had subsequently to be followed up with formal notices. For reasons such as this some authorities now do not use the informal notice procedure.

63. Members should decide in general policy terms what attitude an authority should take to flagrant breaches of the law, whether in housing, food hygiene or pollution. But having determined the policy, members should not thereafter need to be involved in detailed consideration of individual cases (other than in very exceptional circumstances). A decision to prosecute, based on the available evidence and professional judgement, should be left to the officers responsible.

INFORMATION ABOUT NEEDS

64. Policy cannot be formulated in a vacuum. Information about the problems facing the authority and its inhabitants is needed for policy to address adequately those problems. When policy decisions have been taken it is necessary to identify the key tasks and objectives that flow from them. The development of these tasks and objectives must be an iterative process involving both members and officers.

65. There needs to be a cycle of decision and evaluation at both levels (Exhibit 13). The best authorities have an established system of consultation and reference involving members and officers.

Exhibit 13
THE ROLES OF MEMBERS AND OFFICERS

There needs to be a cycle of decision and evaluation at both levels

30
the management team of the environmental health department, which allows realistic tasks and objectives to be set in relation to knowledge about the needs to be satisfied. A key factor in ensuring that tasks and objectives are realistic is to make sure that they bear a reasonable relationship to the resources made available. If an authority wishes the tasks and objectives to be achieved, then it must will the means in the form of adequate resources to achieve them.

PREMISES RECORDS

66. Nearly all the activities carried out by EHOs require information on individual premises, be they food premises, houses in multiple occupation, factories or places of work. Knowledge about these premises is a prerequisite to effectiveness. Yet many authorities do not have satisfactory records. In planning for the Audit Commission's food premises survey a significant number of authorities could not generate a random sample of premises to be inspected because they did not have a complete record of food premises in their area. The registration of food premises under the Food Safety Act will do much to overcome this deficiency.

67. Similarly, many authorities have not carried out house condition surveys to establish the number of houses in multiple occupation in the authority's area. It will never be possible to ensure that records are always up to date; HMOs in particular come into and go out of use fairly rapidly. But without reasonably complete information it is not possible to be certain that the worst housing conditions are being overcome. One authority had 110 HMOs in its records but a survey subsequently revealed 4400. Simply responding to complaints will not necessarily find the properties in worst condition since their occupiers may be less vocal in their complaints for fear of losing their homes.

68. The Commission's survey of local authorities revealed that the majority of responding authorities had some sort of a premises record system for the four key areas (Table 5).

<table>
<thead>
<tr>
<th>Premises records for:</th>
<th>% of responding authorities with:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>record systems</td>
<td>records computerised</td>
</tr>
<tr>
<td>Food</td>
<td>98</td>
<td>65</td>
</tr>
<tr>
<td>Housing</td>
<td>73</td>
<td>44</td>
</tr>
<tr>
<td>Occupational Health</td>
<td>92</td>
<td>59</td>
</tr>
<tr>
<td>Pollution</td>
<td>63</td>
<td>36</td>
</tr>
</tbody>
</table>

Source: Audit Commission survey, 1991

69. Premises registers are least developed in the area of pollution control. Authorities must remedy this omission in order to take on their additional responsibilities for air pollution control under the Environmental Protection Act. Where registers are claimed to exist they may well be incomplete. Experience with the food premises survey showed this to be the case.

70. Registers should carry information relating to all the main environmental health functions. Each property should have a unique reference number and, if the local authority maintains other property registers, the reference number systems should be compatible. There are strong arguments for a premises register to be computerised. Computerisation makes it far
71. The introduction of a computerised record system to environmental health departments is a substantial undertaking. Successful implementation demands clear commitment, the allocation of significant resources to bring it about and a fundamental review of information flows. There are very few elements of the work of environmental health departments which cannot be improved by the application of modern information technology. Hand held data entry devices can be used during inspections, and the required responses can be triggered automatically when the data is read by a host computer. Expert systems can facilitate the work of officers, or enable more junior staff to deal with queries. A number of commercial software packages is available for purposes such as these, but EH departments should also evaluate systems already in use in other authorities.

RISK ASSESSMENT

72. A premises register needs to be more than a simple record that a premises exist. Not all premises pose the same risk to public health. Risk is a function of a number of components, the two most important being the intrinsic hazard represented by the type of premises and the nature of its operation, and the quality of management systems controlling its operation. Both need to be assessed by the EHO. But some authorities concentrate on the first, and confuse risk assessment with hazard assessment. If local authorities are to make the best use of limited resources they must target their attention on those premises where problems are likely to be greater i.e those with higher risk.

73. The intrinsic hazard rating takes account of factors such as the nature of the activities occurring on the premises, the number of people likely to be affected by a failure and the vulnerability of the people involved. A meat product factory is likely to be a greater hazard than a soft drink plant, and a large house in multiple occupation a greater hazard than a small modern house rented to a single occupier.

74. But assessment of intrinsic hazard is only a necessary first step. Different premises, carrying out similar operations with similar levels of intrinsic hazard, can differ widely in the overall risk that they represent. The risk is related to the knowledge and care with which the premises are operated. Good systems, good training and good management will reduce the risk, whatever the level of intrinsic hazard. The risk becomes unacceptable if the quality assurance system is not adequate for the intrinsic hazard: as hazard increases the need for better management control correspondingly increases (Exhibit 14).

75. Both these factors must be considered in arriving at the overall risk rating for entry onto the premises register. Some authorities have already established a successful system of this kind. Others still need convincing – one county food study group concluded that "... on balance it was felt that such a system involved too many variables, would be unnecessarily pessimistic, and would introduce too many grey areas which would be open to either intentional or unwitting abuse." Although understandable, this conclusion is unnecessarily negative. The Richmond Committee recommended the use of risk assessment as a basis for proper monitoring and enforcement of food...
The importance of risk analysis should be recognised in deciding the frequency and nature of inspections by EHOs, but only a few authorities have formal priority systems. The London Borough of Croydon uses a matrix of hazard factors against assessed management performance to determine the inspection interval. More frequent inspections are needed as the risk increases (Exhibit 15). Premises of very low hazard with excellent management control may receive a visit no more than once every few years. Those of high hazard and with evidence of poor management control may need inspection every 6 months, and closure if necessary improvements are not made.

**Exhibit 15**

**FREQUENCY OF PREMISES INSPECTIONS**

More frequent inspections are needed as the risk increases.

77. The government, advised by the Implementation Advisory Committee set up under the Food Safety Act, is producing a statutory code of practice on food hygiene inspections under section 40 of the Food Safety Act. The code, which is likely to come into effect later this year,
is based on a scoring system: for potential hazard, management control and a third component - level of compliance with statutory obligations and industry guidance and codes of practice. The frequency of inspections is then determined by the total score. The code of practice will not be binding on authorities, although authorities are required to have regard to it. For those authorities without a risk assessment system such as the one used in Croydon, Ministers will be able to give directions requiring specific action to comply with the code of practice.

78. There is a direct parallel between the risk assessment process described here and the approach adopted by the Commission's auditors in local authorities. Auditors need to target their resources where they are most concerned about potential control failures. Such an audit process, in whatever field, is often called Hazard Analysis Critical Control Point (HACCP) auditing – a technique increasingly adopted in the food industry to safeguard product and process hygiene.

OPERATIONAL MANAGEMENT

SKILLS MANAGEMENT

79. The level of risk which an EH department is able to address will depend on how it uses its resources. Having identified and quantified the local task, councils must ensure the resources can meet that task, or at least that the elements of the task are prioritised against a realistic assessment of resources available.

80. The major resource in all environmental health departments is people. The need to establish the right blend of skills, qualifications and experience and to use them effectively, is of great importance. The overall level of resource is established by national and local policies and decisions, but the staffing composition is often settled departmentally. EH departments employ staff from a very wide range of backgrounds but most of the senior people are qualified EHOs and about 30% of those are graduates. That proportion is likely to increase – nearly 90% of all EHOs now qualifying are graduates.

81. The balance between qualified professional EHOs and other staff in authorities varies widely. On average, slightly over a third of all staff in environmental health departments are qualified EHOs, but wide variations exist even when analysed by types of authority (Exhibit 16)

Exhibit 16
EHOS AS A PROPORTION OF TOTAL EH STAFF
Wide variations exist even when analysed by types of authority

Source: CIPFA, 1989-90
82. The Audit Commission's survey of EH departments established that most authorities with a specialist or mixed structure have special teams for food, housing (where appropriate) and environmental protection, or combinations of these. Many also have health promotion teams. On average each of these authorities has about four specialist teams. In some areas, such as environmental protection and food safety, it is appropriate to employ specialists from other disciplines: about one in eight non-EHO technical staff are graduates in other subjects. This need for specialists is likely to extend to other areas such as occupational health and safety, particularly in the light of the impact of EC legislation on UK practices after 1992.

83. As well as an increasing need for specialist expertise, the work itself is carried out using more specialised equipment such as pollution monitors and water quality testing equipment. At the other extreme, many routine tasks can be handled by assistants or technicians. The use of technicians and less qualified staff for carrying out clearly defined routine procedures should be explored.

84. Authorities admit to some difficulties in employing non-EHO graduates. Very few authorities offer the same promotion prospects for graduates in other disciplines, although with increasing pressure on resources this situation is gradually changing. In only one in ten authorities responding to the Commission's survey is there no promotion bar for non-EHO professionals. The use of technicians, specialists from other disciplines and EHOs to discharge specialist functions, all mean that additional training will be required to enable them to carry out their duties effectively.

85. Despite the increasing need for specialist skills it is vital to avoid a rigid approach to demarcation as this can lead to under-utilisation of staff. Where specialist skills are not required on a full time basis the use of outside consultants on short term contracts should be considered. Outside specialists could also be used in larger authorities to meet peaks of demand or to carry out special project work.

86. Smaller authorities with few qualified staff may find increasing specialisation difficult to accommodate. Greater specialisation can reduce management flexibility. Nonetheless an increasingly complex world demands increasingly specialised skills. Authorities should seek ways to overcome these problems. Sharing specialists on a local or national basis, and removal of career blocks for non-EHO specialists, as recommended in the Commission's report on the Food Safety Act, provide possible solutions.

87. Resource management is made more difficult by problems in recruiting staff with the appropriate skills. Nationally the overall shortage of professional EHO field staff is about 14% (although some of this represents 'frozen' posts), with a proportionally greater problem in London authorities. Similar vacancy rates occur for graduate technical staff. Overall staff shortages average about 10%.

88. Better management and task allocation to appropriate skill levels should help to alleviate this problem. But where there are genuine EHO shortages there are two principal options: to
train more EHOs within the UK or to recruit staff from outside. Although several other countries
have an appropriate environmental health qualification, the main source for outside recruitment
has been the Republic of Ireland. Clearly, the number of people available through this route is
limited. (Appendix C discusses further the training options to meet current shortages).

89. The Commission’s survey showed that more than 25% of EH department staff are
categorised as administrative and clerical. In addition, nearly a fifth of field staff time is spent on
office and administration work, so around a third of the total resource is spent in this way. Some
authorities are trying to reduce the proportion of administrative staff. This can be
counterproductive if it merely involves reducing the number of clerical staff without reducing
the amount of clerical work. In one authority field staff do all their own administration. In one
area some of the inspectors do their own typing. It is neither efficient nor effective if first rate
EHOs are forced to become clerical officers. Reductions in clerical support must be achieved
through streamlining, computerising or even eliminating administrative tasks, not merely by
reducing the numbers of clerical personnel. A study by the management services unit in one
authority indicated that such improvements would allow officers to 'hit the street' at least half
an hour earlier each morning. The overall impact in terms of completed work and service levels
was equivalent to providing a further six officers.

WORK PLANNING

90. The next level of concern is the day to day management of EHOs. During the course
of Audit Commission study, attention was frequently drawn to a 'lack of resources'. While it is
undoubtedly true that the potential workload of the environmental health function is expanding
year by year, the solution is not automatically to increase resources to cope. More attention to
the efficient use of available staff could bring immediate benefits. For example, in one authority
the follow-up action on informal enforcement notices was non-existent. It is a waste of time to
hand out enforcement notices, formal or informal, if there is no follow up to check whether they
have been actioned. There is other evidence to indicate poor work planning and an inability to
cope with unforeseen circumstances in some councils. There are wide variations in productivity;
for example in the housing improvement work of EHOs, the number of renovation grants made
per officer, on a comparable basis, varied by a factor of two or three.

91. More fundamentally, some authorities cannot produce productivity measures as there is
no accurate time recording or monitoring system in operation. Nearly two thirds of responding
authorities claim to have a time recording system of some sort but less than a quarter of them give
time per visit information.

92. Regular inspections, sampling and surveys, based on realistic risk assessment and
prioritisation, are the most effective ways of maintaining environmental health standards. The
balance between scheduled work and response work within environmental health departments
should be tilted in favour of scheduled work.

93. Work scheduling requires a comprehensive and up-to-date premises register. If such a
register is computerised, schedules of work can be routinely provided, sub-divided by officer, area,
or whatever classification suits departmental operations.
94. Environmental health officers must exercise their professional judgement during the course of their work, often operating without any immediate managerial supervision. This can be the best use of the resources available. But there is a difference between reliance on professional judgement and inadequate planning of the use of resources. Without a formal system of prioritisation, inspection programmes are often left to the individual concerned. It might be tempting to select premises for inspection on the basis of informal, ad hoc prioritisation: for example, those premises where results are more likely to be easily obtainable or those where follow up work may be kept to a minimum. These may not be the premises with the greatest need for attention.

95. Detailed scheduling is only possible in the relatively short term and allowance must be made for unforeseen events and emergency response work. It is not always possible to forecast with accuracy the actions resulting from an inspection. This can be a particular problem for houses in multiple occupation and is also frequently true for some food premises inspection work. For HMOs the EHO may need to collect additional evidence from the occupiers and several follow-up visits may be required. Over a period of time a system of average time allowances computed on a statistical basis should be developed, at least for overall planning. On average, the time spent by EHO field staff on programmed inspections, follow up work and reaction to complaints is roughly in the ratio 2:1:3.

96. Some authorities have adopted other scheduling strategies. One example is the use of task forces which concentrate on a particular type of premises, wherever they occur throughout the district. Another approach is to designate an Action Area within the district and inspect, say, every food premises or every house within that area. Task forces may well have a value in dealing with an exceptional situation, but inspecting all premises within an area regardless of their level of risk, while ignoring high risk premises elsewhere, can be counterproductive. Action areas and task forces have a place in addition to systematic scheduled inspection but neither is an adequate substitute.

97. Sampling is a significant activity of environmental health departments particularly in the fields of environmental protection and food safety. The survey showed that just over half of the reporting authorities regularly run sampling programmes with other local authorities. However, a survey by a county food group showed that while a large majority of the districts surveyed carried out regular, organised food sampling none of the authorities carried out the sampling on a comparable basis. If full value is to be obtained from extensive sampling carried out across the country more attention should be given to the methodology and the coordination of the results.

98. The Audit Commission's report on the Food Safety Act called for a national co-ordination mechanism. A review group of the ACC, ADC andAMA has recommended that LACOTS, under a new name of Local Authorities Coordinating Body on Food and Trading Standards (LACOFTS) should take on the role of coordination of food hygiene and safety matters. The HSE already performs a similar function for occupational health and safety matters.
CONSISTENCY OF APPROACH

99. Lack of consistency in enforcement is a charge often levelled against EH departments. There is general agreement that the problem is real. In the words of one authority: "This variance of approach reflects the training and background of professional staff, the difference in personal interests, priority needs of premises and the calibre of the officer". The suggestion that this inconsistency can be countered by the use of procedures, codes of practice and checklists is often dismissed as being inflexible, time-consuming and restrictive. That view is not justified - and codes of practice are increasingly being produced in many areas of EH activity. It is the essence of professionalism to develop, disseminate and implement optimal methods. Checklists do not replace professional judgement but rather specify criteria upon which that judgement should be based.

100. Procedures and protocols are essential for some types of activity. If particular activities are relatively rare it is important that internal systems within the department are in place to deal with them when they do occur. In one authority studied, where it was clear on inspection of a food premise that a prosecution or closure was required, officers did not know how to proceed. Reliance cannot be placed solely on the accumulated wisdom of experienced staff: problems can arise for less experienced EHOs particularly when senior staff leave the authority. Formal codification of this accumulated departmental wisdom is a sensible course to follow.

101. A lack of procedures can cause serious problems when tackling emergencies such as a food poisoning outbreak. Over a third of the authorities visited had no protocols or contingency plans for tackling such situations. One of the strengths of the holistic nature of EHO training is said to be the ability to turn 'all hands to the pumps' for a food poisoning outbreak or a Legionnaires' disease scare, but this can only be effective if there is a prepared contingency plan.

102. In some instances the procedure itself can be critical to success. This is particularly true for legal processes where the technicalities of form, order or timing can upset the most carefully developed cases. Well documented guidance is essential in those cases.

103. In the best authorities a dual approach has been adopted. Laid down procedures do exist for the most critical activities and actions, particularly those which have legal implications. For the rest, departmental norms are developed and maintained as part of the department's culture, by training, cross validation of inspection results, regular discussion, etc. This can be supplemented by peer group review. In its paper on the Food Safety Act, the Commission invited environmental health services to submit themselves to professional audit by health officers from similar neighbouring authorities.

MEASURING SERVICE EFFECTIVENESS

PERFORMANCE MONITORING

104. It is impossible to arrive at a single measure of the effectiveness of an environmental health department. Nor is it easy to measure the effectiveness of a single EH core function such as food hygiene and safety. EH departments need to find measures which both reflect performance and are susceptible to influence by the actions of environmental health staff. Many of the measures that authorities currently use fall down on one or both of these counts. Numbers of inspections or numbers of prosecutions are directly under the control of the EH function but do
not relate to final performance. On the other hand, measures such as the number of food poisoning cases do relate directly to matters of real concern but the factors affecting them are so widespread that variation cannot be closely related to the work of the EH service.

105. Performance monitoring is needed at four levels – needs measures, inputs, intermediate outputs and final outputs (Exhibit 17). Intermediate output measures such as the response time to complaints, the number of improvement notices served or prosecutions brought, are all widely used and in themselves provide useful information. But there is still a need to have at least a feel for the final outputs of the activities of the environmental health function. Authorities should guard against equating input activity measures with output measures. Performance targets should as far as possible be focused on final outputs, such as the number of properties improved, rather than intermediate outputs such as the number of notices.

106. In this situation surrogate measures are useful. The number of premises in a local authority area which are found to be ‘unsatisfactory’ is a powerful indication of effectiveness. This

Exhibit 17
ENVIRONMENTAL HEALTH PERFORMANCE MEASURES
Performance monitoring is needed at four levels
could relate to the condition of private rented property, particularly HMOs, the health and safety at work aspects of commercial premises, the condition of food premises (including staff and operating procedures) or, though probably less easily, the proportion of premises posing environmental problems. The change in this proportion from one year to the next would be a significant indicator.

QUALITY ASSURANCE

107. Environmental health is increasingly a front line function with direct contact with the public. It is vital that the quality of service delivery is adequate. Systems which preserve the quality of performance are needed. Many EHOs are now being trained in the application of BS 5750 and are using its principles in routine inspections. Managers should monitor the activities of staff by such means as validation inspections and exception reports. The Audit Commission survey has shown that there is little or no monitoring of the quality of EHOs' work in nearly 50 authorities.

108. Some authorities have gone further by separating responsibility within their organisation for assessing the quality of the EH service delivery from the service delivery itself. This approach is necessary when a service is contracted out but is equally applicable to services carried out internally. Some authorities are exploring the application of BS 5750 to their own activities. It does carry an initial resource penalty but this can be justified by better overall performance.

* * *

109. This chapter has identified a number of problems in the delivery of the environmental health service. Some arise from the nature of the service itself, where environmental health professionals must be allowed a degree of discretion. Others arise because the pressures on environmental health have grown steadily over the years and the management of the function has not kept pace. The chapter has also considered how the situation could be improved, in order that the public may have confidence in the service provided.

110. It will never be possible to guarantee absolute public safety. The challenge facing local authorities is to use their resources to cope with the demands of their areas. They can do so by establishing clear policies and priorities, by better use of resources, by better planning of the workload based on improved information, and by a concentration on more efficient procedures. All authorities can then learn from the experience of the best. Individual recommendations are summarised in the next chapter.
4. What Needs to be Done?

111. This report began by placing the environmental health service in a context of the global environment. This may be helpful in affording it a vision of its purpose but it is only through a cascade of management steps that the vision can be converted into actions which individual staff can take on a daily basis. Environmental health services can ride the wave of change on environmental issues or be submerged by it. Their willingness to adapt is what will make the difference. Clear policy, fresh managerial attitudes, greater team integration and more precise targeting of activity are required (Exhibit 18, overleaf). In particular, the Commission recommends that:

— the authority should develop a corporate policy for delivery of environmental health services;

— the EH department should:
  — translate the authority's policy into departmental objectives, consistent with available resources;
  — assemble information on local environmental health needs and target resources appropriately;
  — determine the style of its intervention, for example, a responsive or pro-active stance;
  — set out clear task allocations to staff;

— operational activity must be informed by accurate and detailed information systems, premises registers, risk assessment;

— consistency must be sustained through explicit procedures and protocols as well as cultural norms;

— service effectiveness must be monitored through staff management information systems and relevant output measures;

— authorities should assure the quality of their services through systematic evaluation of their activities, including a performance review cycle.

112. Authorities which implement these best practice recommendations will succeed in making optimal use of scarce resources. Authorities which neglect these recommendations will be unable to demonstrate value for money to local tax payers and will fail to provide protection for them and for the local environment.
WHAT NEEDS TO BE DONE
Clear policy, fresh managerial attitudes, greater team integration and more precise targeting of activity are required.

PROBLEMS
- Lack of policy and direction
- Incomplete information about needs
- Ineffective operational management
- Inadequate measurement of service effectiveness
- Failure to define overall policy
- Lack of clear priorities
- Poor demand management
- Inadequate information
- Inconsistent enforcement
- Failure to measure inputs
- Few agreed measures of output, effectiveness or quality

CAUSES

SOLUTIONS
- Define corporate policy at LA level
- Develop departmental policy and objectives
- Carry out needs analysis to clarify and quantify priorities
- Define policy for response/proactive work
- Define clear responsibilities
- Develop effective scheduling system
- Match structure and staffing to need
- Establish registers, risk assessment, etc.
- Codify departmental wisdom
- Set up a staff time recording system
- Seek national agreement on measures of output and effectiveness
- Apply BS 5750 principles to EH departments
References


5. Association of County Councils, Association of District Councils, Association of Metropolitan Authorities (1990) *Environmental Practice in Local Government*.


### LOCAL AUTHORITIES AND OTHER BODIES INVOLVED IN THE STUDY

#### 1. LOCAL AUTHORITIES

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### Appendix B

**ENVIRONMENTAL HEALTH LEGISLATION**

This appendix lists the main primary legislation currently in force but, in addition, there is a larger number of regulations and codes of practice made under the Acts. In many authorities there are also local Acts.

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Appendix C

TRAINING OF EHOs

1. For many years, the normal qualification for EHOs was by way of a 3-year diploma course, but this has now largely been superseded by a degree course in environmental health. There are only two diploma courses still running in England, one of which has already accepted its final students.

2. The degree course is a four year sandwich course, with one year spent as a student EHO with a local authority. There are eight universities and colleges (including the University of Ulster) currently offering this undergraduate training, with a further course starting in 1991. A tenth course is under active discussion.

3. A third method of qualification has recently been opened up with the introduction of a post graduate diploma in environmental health at Bristol Polytechnic. The addition of generalist environmental health skills to the specialist knowledge from a relevant first degree could well provide the ideal blend of qualifications to meet the challenges of the 1990s. A second post-graduate course of this kind is already scheduled to accept its first students in 1991, and others are under consideration.

4. The financial problem of increasing the number of EHO college places is compounded by the need to provide a corresponding number of training places in local authorities. Anecdotal evidence obtained during the study suggested that the number of training places had been reduced significantly in recent years but the more detailed information from the Audit Commission's survey disproved this. Some 86% of the 305 local authorities responding to the survey are supporting students today, compared with 70% five years ago, and on average the number of students per authority is higher.

5. Although the work of EH departments is very wide ranging, many staff work in only one area at a time. This suggests the desirability of providing a form of modular training which would allow a full qualification to be achieved by the completion of a number of modules. A new degree course due to start at Manchester Polytechnic in 1991 will be structured on a modular pattern, and other established courses are also considering this approach. This is a fruitful development although the courses will still require attendance at the college. With the developments in distance learning it may become possible to do some or all of the academic work at home. The academic modules could then be chosen to coincide with the candidate's departmental duties to provide a powerful reinforcement of theory with practice.