



Enforcement Concordat Scottish Lead Officers

3rd Meeting 20th March, Meridian Court, Glasgow

With Scottish Local Authorities and Scottish Executive Agencies having adopted the Enforcement Concordat and its principles, this meeting offered another opportunity for Lead Officers to get together to discuss their experiences and ideas. This was the 3rd of the meetings that bring together all Lead Officers in Scotland and focussed on “*Consultation with business*”.

Chairman for the day was Alisdair Meldrum of the Improving Regulation unit within The Scottish Executive. The day began with an introduction from Alisdair Meldrum, presentations from Simon Walker of DTI and Elinor Jayne of the Scottish Retail Consortium followed by discussion time.

Introduction

Introducing the day, Alisdair highlighted the aim of the Enforcement Concordat was to build a supportive relationship between enforcers and business and that communication was the key to a successful relationship being developed. He mentioned that DTI had stimulated us into calling this meeting by informing us of what they were doing south of the border and that the Scottish Retail Consortium had long been engaged with us on the Concordat.

Presentations

There were two presentations to start the day, these were:

Simon Walker of the Department of Trade & Industry (DTI) whose presentation covered “*Consultation with Business: Good Practice*”.

Simon began by explaining that the DTI were in the process of re-launching the Enforcement Concordat. He stated three main reasons for re-launch as a) Voluntary compliance is good – deeper drivers. b) Discussion with stakeholders – raises the profile of the concordat. c) Enforcers discussions – there’s good practice out there. The overall aim of DTI re-launch was to promote consistent enforcement practice throughout all enforcement bodies, to promote the partnership approach between business and enforcement bodies, to avoid the development of a statutory legal code and of course to increase awareness of the Enforcement Concordat. Some discussion took place and it was suggested that we should raise awareness of the concordat by holding Scottish Roadshows.

Elinor Jayne of Scottish Retail Consortium (SRC) whose presentation covered “*Consultation with Business: A Business Perspective*”.

Elinor began her presentation by explaining SRC’s role, how they worked and how crucial the area of enforcement is for retailers. The SRC aims to promote effective enforcement by providing quality

advice to business on regulatory compliance. They believe that regular monitoring and assessment, with perhaps the adoption of some sort of standard performance indicator would provide greater national consistency.

Consultation with business

Within the principles of the Enforcement Concordat establishing an effective relationship with businesses locally is extremely important, yet there are problems to overcome. A persistent theme from all three meetings has been that despite willingness from local authorities to consult the business community there remains a lack of resources within the local authorities to carry this out. It was felt that it is difficult to get one voice for business and particularly difficult to reach small businesses. It was also suggested that more interdepartmental co-ordination within Local Authorities would help ensure the most efficient and effective consultation with businesses.

Potential solutions were identified in working with trade associations and others to access businesses, building an agency authority database containing details of those consulted, how often, which sector and so on to facilitate better and more effective communication. It was suggested that sector specific training, bringing businesses into authorities may develop understanding and co-operation. Internal local Authority Enforcement Concordat working groups offer an opportunity for co-ordination between services and for taking any chance to eliminate duplication.

Enforcement Officers exchanging experience

As at both previous meetings it was suggested that with a key aspect of the Enforcement Concordat being consistency, while allowing flexibility, and another aim being to encourage best practice, it was clearly important that the exchange of information and best practice be encouraged. Consequently a great deal of discussion on the day surrounded these matters. Due to the fragmentation within Local Authorities, it has proven difficult for some departments within Local Authorities to be aware of the Enforcement Concordat. At the previous two meetings it was suggested that more sharing of information between Local Authorities would prove useful and to that effect the Scottish Executive established an electronic discussion group for Lead Officers. This electronic discussion group to date had been used very rarely and it was suggested that more frequent Lead Officers meetings may be a more effective way of sharing information.

Performance Indicators

Some discussion also took place on whether a performance indicator based on the Enforcement Concordat would prove useful. The general consensus was that although performance indicators would be a good idea, getting common PIs would prove too difficult. Comments were made that an Enforcement Concordat Good Practice Guide as being produced by DTI would prove a more useful tool.

There were several other suggestions made during this session. These included:

- The Enforcement Concordat to be re-launched/re-branded to try and make enforcement seem a more positive process – most often seen as a very negative experience.
- More co-operation between Local Authorities and Trade Organisations required.
- Improve access to information about Enforcement Concordat for business by utilising Local Authority web sites.

Summary

Bringing the day to a close, Alisdair thanked everyone for their attendance and involvement. The meeting had provided a valuable opportunity for exchange of views but continuing discussion between regulators and business was vital if the concordat was to be successful. The aim would be to convene again in six months.