COMMITTEE: EXECUTIVE  REF NO: E/13/23
DATE: 16 JULY 2013
SUBJECT: PORT HEALTH SERVICE – PROVISION BY SUFFOLK COASTAL DISTRICT COUNCIL
PORTFOLIO HOLDER: COUNCILLOR NEIL MACDONALD
HEAD OF SERVICE: MATTHEW LING

**Short description of report content and the decision requested:**
The Port Health service for Ipswich Port has been provided under agreement with Suffolk Coastal District Council for a period of three years, extended from the 1st April 2013. It is proposed that Ipswich Borough Council enters into a further agreement with Suffolk Coastal District Council to enable them to continue to deliver this service on an on-going basis.

**Ward(s) affected:**

**List of Appendices included in this report:**

- a) Appendix 1 – Draft Proposed Agreement
- b) Appendix 2 – Existing Agreement with Variation

*This report has been prepared by Jo-Anne Batho, Tel: 01473 433048, Email: jo-anne.batho@ipswich.gov.uk*

*This report was prepared after consultation with:*

**Internal consultees**
- Donna Baldwin (Operations Manager Environmental Health)
- Matthew Ling (Head of Development & Public Protection)
- Tim Hunt (Lead Lawyer PPP)
- Councillor Neil Macdonald

**External consultees**
- Suffolk Coastal District Council

*The following policies form a context to this report:*

(all relevant policies must also be referred to in the body of the report)
- Building a Better Ipswich
LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW
(papers relied on to write the report but which are not published and do not contain exempt information)

OTHER HELPFUL PAPERS
(papers which the report author considers might be helpful – this might include published material)

1. Executive Committee Report Ref No: E/09/33
1. **Introduction**

1.1 Provision of the port health service at the Port of Ipswich is a function of Ipswich Borough Council (Environmental Health). These functions are delivered under Regulation (EC) No 882/2004, the Food Safety Act 1990 and regulations made under it including the Public Health (Ships) Regulations 1979 (as amended), the Official Feed and Food controls (England) Regulations 2009 in relation to products of non-animal origin and the Trade in Animals & Related Products Regulations 2011 in relation to products of animal origin.

1.2 Suffolk Coastal District Council has delivered this port health service for the past three years under an agreement made on 7th April 2010.

1.3 This report recommends that a further agreement be made with Suffolk Coastal District Council to continue to deliver this service on a going basis unless terminated by either party.

1.4 The original agreement was made for a period of three years but due to the excellent service delivered by Suffolk Coastal District Council it is felt that a rolling contract would be more efficient than a fixed term contract.

2. **Background**

2.1 Provision of the Port Health Services to Ipswich Port is a required regulatory function of Ipswich Borough Council.

2.2 The original agreement was made following a report presented to Executive on 22nd September 2009 ref: E/09/33.

2.3 The agreement was varied on 7th April 2010 to include dealing with infectious diseases aboard vessels.

2.4 Due to the specialist nature of the work there will still be a need to retain a level of Port Health expertise in the officer responsible for contract management to enable effective monitoring and management of the contract.

2.5 The draft agreement is provided in Appendix 1.

3. **Relevant Policies**

3.1 Building a Better Ipswich’s theme for

1. A safer and healthier Ipswich states:
   “We will work to reduce crime, the fear of crime, substance misuse and anti-social behaviour. We will work to improve the health and well-being of people in Ipswich”
2. A stronger Ipswich economy states:
“We will work with business to encourage new investment, innovation, learning and sustainable growth and employment”

4. **Options Considered / Under Consideration**

4.1 Option 1. To enter into a new agreement with Suffolk Coastal District Council for them to continue to deliver our port health service on an ongoing basis with a rolling contract.

4.2 Option 2. To enter into a new agreement with Suffolk Coastal District Council for them to continue to deliver our port health service on a fixed term contract.

4.3 Suffolk Coastal District Council currently carries out Port Health Services for Felixstowe and Harwich Ports, together making up one of the largest port health services in the country. Their level of skills and knowledge is therefore significant and offers Ipswich the opportunity to utilise that expertise.

4.4 Suffolk Coastal has successfully delivered the Port Health Services to Ipswich Port for the past three years. Regular monitoring of the delivery of the contract by a member of staff from the food safety team has shown that the service is well delivered within the terms of the agreement and there are no issues of concern. There have been no complaints about the delivery of the service.

4.5 Option 3. To provide the port health service in-house.

4.6 Staff are experiencing increasing workloads in other inland based food businesses. Bringing the port health service back in house will put significant pressure on the delivery of both services. Staffing levels have been reduced since the port health service was delivered in house.

4.7 Delivering the service in house would result in staff having to undertake refresher training to update and maintain their port health competencies. Officers in the food safety team now have a knowledge gap in this area having not carried out this function for some time. The cost and time to train staff and the relatively small amount of port health work in comparison with other work would suggest that it is not efficient to deliver the service in house.

4.8 Delivering the service in house has the benefit of contributing to an officer’s varied workload and increases their skill base.

4.9 Option 4 – open tender for Port Health Service provision

Nationally there are few service providers for this type of specialist work. Additionally, any tender process to provide this service would
have resource implications for the food safety team which could reduce its effectiveness in other areas.

Suffolk Coastal District Council has significant port health experience operating two of the largest port health services in the country at the Ports of Felixstowe and Harwich. This means that they are able to provide the full range of services at Ipswich port ensuring we are resilient against different and sudden changes in service delivery – e.g. major port incident. This reduces our risks regarding business continuity management and resultant risk to human health. Their proximity to Ipswich Port also ensures that they are able to respond quickly to service requests. Their staff are already familiar with the working procedures to ensure service requests are carried out efficiently and to a high standard. The working procedures and arrangements to implement them are already in place ensuring a smooth transition into a new contract.

5. Consultations

5.1 A meeting with Suffolk Coastal District Council on 6th March 2013 indicated that they would like to continue to provide the port health service for Ipswich Port and are happy with the current arrangements.

6. Risk Management

<table>
<thead>
<tr>
<th>Risk Description</th>
<th>Consequence of risk</th>
<th>Risk Controls</th>
<th>Probability of risk occurring taking account of controls (scale A-F)</th>
<th>Impact of risk, if it occurred taking account of actions (scale 1 – catastrophic; 4 – negligible)</th>
<th>Actions to mitigate risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Inability to carry out inspections of vessels and imported food to meet regulatory responsibility could lead to (a) food safety, health and safety risk to the crew of port vessels (b) food safety risk to general public if illegally imported food is allowed to enter the port and be distributed inland</td>
<td>Inability to carry out Statutory Function</td>
<td>E</td>
<td>2</td>
<td>Contracting SCDC to carry out the inspections will enable IBC to meet its statutory responsibilities</td>
<td></td>
</tr>
</tbody>
</table>
2. Inability to deal with infectious disease aboard vessels could lead to
   (a) health risks to crew
   (b) transmission of infectious disease inland resulting in risk to general public

3. Unable to employ suitably qualified and experienced staff to carry out service

<table>
<thead>
<tr>
<th>Inability to carry out Statutory Function</th>
<th>C</th>
<th>2</th>
<th>Using SCDC enables IBC to draw upon a larger workforce of suitable staff.</th>
</tr>
</thead>
</table>

7. Environmental Impact Assessment

7.1 No adverse direct or Indirect Environmental impacts have been identified therefore no formal assessment is required.

8. Equalities and Diversity Implications

8.1 There is no adverse impact expected and a full impact assessment is not necessary.

9. Financial Considerations

9.1 Finance Table

<table>
<thead>
<tr>
<th>External Service</th>
<th>2013/14</th>
<th>2014/15</th>
<th>2015/16</th>
<th>2016/17</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Suffolk Coastal DC – Provision of Port Health Service</strong></td>
<td>£17,400</td>
<td>£17,400</td>
<td>£17,400</td>
<td>£17,400</td>
</tr>
<tr>
<td>Council Tax Band B Equivalent</td>
<td>0.40</td>
<td>0.40</td>
<td>0.40</td>
<td>0.40</td>
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</tbody>
</table>

9.2 ** Additional work charged at an hourly rate

9.3 The service will be funded from existing resources and as such there are no financial implications in terms of either growth or savings. A Budget is in place in the Port Health budgets for this area of work for £20,820 which allows for additional work to be purchased over and
above the minimum provision agreed.

10. Legal Considerations

10.1 Ipswich Borough Council must ensure that a port health service provision is in place for the Port of Ipswich to ensure our statutory obligations are met.
10.2 Failure to meet our statutory obligations may result in action being taken by central government.

11. Performance Monitoring

11.1 A nominated member of the food safety team would monitor the work undertaken by SCDC against the services and charges set out in the draft agreement attached in Appendix 1.
11.2 An annual audit of the work undertaken by SCDC will be carried out by the nominated monitoring officer.
11.3 The nominated monitoring officer will meet with their operations manager on an annual basis to discuss the delivery of the contract and its renewal for the following year.
11.4 Returns regarding SCDC’s level of activity at the port and advice on any relevant legislation changes will be sent to the nominated monitoring officer on a quarterly basis.

12. Conclusions

12.1 SCDC have delivered an excellent port health service during the last three years fulfilling IBC’s statutory obligations whilst allowing existing food safety staff to focus on maintaining and improving food hygiene standards at inland food businesses.
12.2 Food safety staff have not had to maintain their port health competencies to ensure the service can be delivered reducing training costs and enabling resource to be used in the other, land based, areas of food safety. The nominated IBC monitoring officer has maintained a sufficient level of competency to enable her to manage the contract.
12.3 Ipswich Port has benefitted from the presence of port health staff with extensive skills and knowledge in the port health field.

13. Recommendations

13.1 That Executive instructs the Head of Environmental Services in conjunction with the Head of Legal and Democratic Services to enter into an agreement with SCDC to provide Port Health services to IBC for a rolling period with an annual performance
review (Option 1). Please note there is no financial impact in terms of growth or savings. A Port Health budget is already in place for this area of work.

Reason: This will enable IBC to fulfil its statutory obligations and provide extra capacity to deliver this service without the need to continually consult on the contract which takes up valuable time and resources from the service.