

Transport and Environment Committee

10.00am, Tuesday, 19 March 2013

Review of Provision of Scientific Services in Scotland

Item number	7.13
Report number	
Wards	All

Links

Coalition pledges	None
Council outcomes	CO10, 15 and 26
Single Outcome Agreement	SO2

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Review of Provision of Scientific Services in Scotland

Summary

The Council's Scientific Services laboratory is one of four local authority laboratory services in Scotland, located in Aberdeen, Dundee, Edinburgh and Glasgow. The four laboratory services provide similar functions in support of local authorities' statutory duties and operational responsibilities; these are outlined in Appendix 1.

In addition to supporting the Council's statutory duties and operational responsibilities, the Council's Scientific Services is contracted to providing these services on a chargeable basis to eight other Scottish local authorities, as well as providing services to a number of commercial organisations and the public.

A number of reviews have taken place over the last 15 years to create a unified Scientific Service across Scotland. A further review is currently in progress with the aim of developing a sustainable scientific service in Scotland, capable of responding to sophisticated food frauds, food poisoning and other emergency outbreaks and maintaining a high level of surveillance of consumer products, the food and animal feed chain, and environmental and pollution testing requirements. The Scottish Environment Protection Agency (SEPA) is also participating in the review. The review aims to identify options and provide the business case, including financial and governance arrangements, for shared scientific services in Scotland.

A Memorandum of Understanding (MoU), addressed to all 32 Scottish local authorities inviting participation in the review process, has been signed by the Council's Chief Executive.

The Committee will have an opportunity to decide, after evaluation of the options, if it wishes to proceed and participate fully in creation of a Scottish Scientific Service or choose an alternative model of service delivery.

Recommendations

It is recommended that the Transport and Environment Committee:

- a) notes the contents of this report.
- b) notes that the Council is participating in the review programme, recognising that this does not commit the Council to joining a shared scientific service.

- c) agrees to receive a further report to update on progress following the review of options and publication of a business case; this is likely to be in late summer 2013.

Measures of success

An initial measure of success will be completion and publication of the options appraisal and business case for a shared Scottish Scientific Service.

Longer term success would be the establishment of a sustainable scientific service in Scotland, providing a cost-effective, efficient service able to meet future expectation and demands of local authorities, SEPA, Scottish Government, Food Standards Agency and other customers.

Financial impact

The Council is required to contribute £6550 as its share of the cost of engaging the Improvement Service to carry out the review.

Scientific Services provides a net income for the Council. This should be taken account of when the Council considers the proposals and business case for a shared Scottish Scientific Service.

Equalities impact

This report proposes no change to current policies or procedures and as such a full impact assessment is not required. The contents have no relevance to the public sector Equality Duty of the Equality Act 2010.

Sustainability impact

This report does not in itself produce any direct environmental impact.

Consultation and engagement

A wide ranging consultation will take place as part of the review with all 32 local authorities in Scotland, Scottish Government, Food Standards Agency and SEPA.

Background reading / external references

None

Review of Provision of Scientific Services in Scotland

1. Background

- 1.1 There are four local authority Scientific Services laboratories in Scotland, located in Aberdeen, Dundee, Edinburgh and Glasgow. The four laboratory services provide similar functions in support of Scottish local authorities' statutory duties and operational responsibilities. Services are also provided to commercial organisations and the public on a chargeable basis. A summary of the Council's Scientific Service is presented in Appendix 1.
- 1.2 Scientific services are utilised by Environmental Health and Trading Standards services for routine surveillance testing and when responding to emergency situations. Scientific services also provide support to other Council services, such as property, housing, health and safety, police and fire and rescue.
- 1.3 Scientific services undertake a range of sampling, chemical and microbiological testing relating to food safety and standards, agricultural materials (such as animal feeding stuffs and fertilisers), drinking water, recreational water, air pollution, environmental materials (such as soil, dusts), health and safety (such as asbestos) and consumer goods (such as toys, electrical goods, cosmetics).
- 1.4 In order to respond to regulatory demands to protect the health and safety of consumers there is an increasing requirement for sophisticated testing, which requires specialised equipment and staff with specialist knowledge and expertise to undertake the testing, operate the equipment and interpret complex test results.

Staff appointed to perform the statutory functions of Public Analyst, Agricultural Analyst and Food Examiner must hold the qualification of Mastership in Chemical Analysis.

- 1.5 Scientific services are also operated by other public bodies, such as the Scottish Environment Protection Agency (SEPA), Scottish Water, Scottish Forensic Science Service and NHS hospitals. Many of these bodies are in the process of reviewing and rationalising their scientific services to achieve more efficient, economic delivery of services.

- 1.6 In 2004, after detailed work by consultants, the Lowenberg Report was published under the auspices of CoSLA with a template for a joint Scottish Scientific Services involving all four scientific services laboratories. However, the report lacked a clear business case and financial clarity and, after discussions between the four Chief Executives of the city councils operating the laboratories, the proposals were not implemented.

2. Main report

- 2.1 Scientific services are required to provide increasingly sophisticated testing services and develop new test procedures to meet changing statutory requirements and the expectations of enforcement bodies. These developments are placing increasing financial pressures on scientific services from the need to purchase and maintain sophisticated scientific equipment, provide suitable laboratory facilities, retain skilled staff and maintain external accreditation. At a time of financial stringency, this is leading to a situation where the current arrangements for provision and funding of scientific services in Scotland may no longer be sustainable and alternative models of service delivery need to be evaluated.
- 2.2 In recognition of the pressures on local authority scientific services, CoSLA and the Society of Local Authority Chief Executives (SOLACE) agreed to support a review of scientific services in Scotland to identify the opportunities for creating a shared service available to all Scottish local authorities. It was considered that a shared service would be able to meet the increasingly complex requirements for testing, as well as deliver savings to councils and others procuring scientific services. It was agreed that the review would be carried out by the Improvement Service (IS). The review was initialled based on the four local authority laboratories, but was subsequently extended to include SEPA Scientific Services.
- 2.3 The review process is overseen by a Programme Board, comprising representatives from SOLACE, CoSLA, scientific services and SEPA. A Steering Group comprising SOLACE, SEPA, IS, Society of Chief Environmental Health Officers, the four local authorities scientific services and customer councils of the laboratories has been established to provide detailed support to the review.
- 2.4 The review will be undertaken in four phases:
- Phase 1: Winter to Spring 2013. SOLACE and the IS will engage with the 32 Scottish local authorities and SEPA to sign a Memorandum of Understanding to provide a legal framework for the review. Information on current service provision will be collected during this phase.
 - Phase 2: Early Summer 2013. Research, review and appraisal of governance options based on the information collected during Phase 1.

- Phase 3: Late Summer 2013. Business case and options presented to local authorities. Local authorities and SEPA decide whether to join a shared Scottish Scientific Service.
- Phase 4: Autumn 2013. Commence implementation programme, provided proposals supported by local authorities and SEPA.

2.5 Benefits of a shared scientific service include:

- a more efficient service from economies of scale , combining resources, organising workload on a Scotland-wide basis and reducing duplication
- creation of centres of analytical testing expertise
- reduction in unit cost of testing
- ability to meet future demands placed on the service
- sharing of equipment procurement costs
- attractive employment and career structure option to allow future Public Analysts to be recruited, trained and retained to fulfil statutory obligations

2.6 The Scottish Government has indicated that a unified Scientific Service accords with its policy to support and encourage provision of shared services. However, the Scottish Government acknowledges that it is for local authorities to make decisions affecting local authority services.

2.7 In view of the level of commitment required from all local authorities to the review programme and the complexities associated with moving to a shared service, the Programme Board agreed it was appropriate to ask all local authorities and SEPA to sign a Memorandum of Understanding (MOU) to ensure all parties have a sound understanding of the commitment being made to the project.

The MOU details the obligations of provider councils, customer councils and SEPA during the review process. The MOU also clearly states that if a local authority or SEPA does not find merit in the business case following completion of Phase 3 in late summer 2013, they will be free at that time to withdraw from the programme and the MOU.

2.8 The Council's Chief Executive has signed the MOU on behalf of the Council, on the basis that the Council is committing to participation in the development of options and preparation of a business case for a shared scientific service, but without a commitment to join a shared service. Following publication of an options appraisal and business case by the Programme Board, the Council will undertake an internal review and make recommendations in a further report to the Committee.

3. Recommendations

- 3.1 It is recommended that the Transport and Environment Committee:
- a) notes the contents of this report.
 - b) notes that the Council is participating in the review programme, recognising that this does not commit the Council to joining a shared scientific service.
 - c) agrees to receive a further report to update on progress following the review of options and publication of a business case; this is likely to be in late summer 2013.

Mark Turley

Director of Services for Communities

Links

Coalition pledges	None
Council outcomes	CO10 – Improved health and reduced inequalities CO15 – The public is protected CO26 – The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives
Single Outcome Agreement	SO2 – Edinburgh’s citizens experience improved health and wellbeing, with reduced inequalities in health.
Appendices	1: Edinburgh Scientific Services Organisation and Functions

Appendix 1

Edinburgh Scientific Services Organisation and Functions

- 1 The Council's Scientific Services is organised within the Environmental Health, Scientific and Registration Services Division of Community Safety.
- 2 The Service is based in a purpose-built building situated at Seafield. The Service has a full time establishment of 36 staff, the majority of whom are trained science graduates. Two staff are designated as Public Analysts, Food Examiners and Agricultural Analysts.
- 3 Scientific Services undertakes a range of sampling, chemical and microbiological testing relating to food safety and standards, agricultural materials (such as animal feeding stuffs, fertilisers), drinking water, recreational water, air pollution, environmental materials (such as soil, dusts), health and safety (such as asbestos, legionella, radiofrequency emissions) and consumer goods (such as toys, electrical goods, cosmetics). Testing is carried out in support of the Council's statutory duties and operational responsibilities.

The Service also provides scientific advice to the Council, Departments and Lothian and Borders Fire and Rescue Service.

- 4 The Scientific Services laboratory is designated an Official Food and Feed Control Laboratory by the Food Standards Agency in fulfilment of its role under EU Regulation 882/2004, which harmonises food and feed controls across Europe. The Service is recognised by Scottish Government as an approved laboratory for testing drinking water. The Service also fulfils the statutory requirements to undertake asbestos-related inspection and testing functions.
- 5 The Service is accredited to ISO17020 and 17025 international standards for laboratory quality and competence. To maintain accreditation, the Service operates within a strict internal quality system and undergoes an annual 18 person-day, onsite inspection and audit by the United Kingdom Accreditation Service (UKAS), which is a Government appointed third party auditor.
- 6 The Service provides:
 - The statutory functions of Public Analyst, Agricultural Analyst and Food Examiner and other scientific services on a cost recovery basis to eight other Scottish local authorities: East Lothian, Midlothian, Scottish Borders, Highland, Orkney, Shetland, South Lanarkshire and West Lothian.
 - The Service participates in partnership with other local authorities with food and animal feeding stuffs surveillance programmes organised and supported by the Food Standards Agency, providing testing services for the programmes.

- The service provides a sampling, testing and consultancy service to local and national businesses and private individuals. Several of these are contract won by competitive tender.
 - An auditing and testing service to the Corporate Property and Housing functions of the Council to ensure that water supplied in 300+ council properties and rented accommodation complies with Health and Safety legislation and does not pose a legionella risk.
 - An asbestos surveying and air testing service to the Corporate Property function to ensure that council properties comply with Health and Safety legislation and do not pose an asbestos risk to users. The Service does similar work for Housing Property Services to ensure that the housing stock is safe for tenants and to protect workers engaged in refurbishment works, such as kitchen and bathroom upgrades.
 - A 24/7 scientific advisory service to assist Lothian and Borders Fire and Rescue Service in dealing with chemical incidents and suspected CBRN (chemical, biological, radiological and nuclear) incidents, as part of the National Government resilience programme.
- 7 Scientific Services utilises a range of specialised scientific equipment, with values up to £150K per item, which requires access to capital to fund and commitment from customers to pay the revenue cost of its use and upkeep.
- 8 Specific issues to which Scientific Services has contributed include:
- dealing with accidental releases of asbestos in corporate properties
 - detection of Salmonella bareilly in bean sprouts to solve a UK national outbreak
 - a key partner in the NHS Lothian Incident Management Team which dealt with the legionella outbreak in June 2012
 - support to the Food Standards Agency's investigation into adulteration of meat products with horse DNA
 - advice on the possible health implications from mobile phones and wi-fi
 - advice on proposals to dismantle nuclear submarines