

Policy, Performance and Review Team



Devon & Somerset Better Business for All Consultation Report April 2015

Method	Number of questionnaires
Total on-line	198

This survey was open between 26 January 2015 and 29 March 2015



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1. Introduction

Local regulators across Devon and Somerset are committed to supporting businesses by providing advice and guidance that helps them understand and meet their responsibilities. To help do this 15 Local Authorities collaborated on a survey to gather feedback from business operators. For the purposes of this survey, 'regulation' and 'regulators' means services like Food Safety, Health & Safety, Licensing, Trading Standards and Fire & Rescue but not Traffic Wardens or Planning.

Regulation can be difficult to navigate, the aim is to simplify the process and develop better relationships between businesses and regulators. Feedback will be used to develop Better Business for All, a more focused way of working together that aims to support businesses by making regulations easier to access and understand.

2. Methodology

This survey was open between 26 January 2015 and 29 March 2015. The questions were developed by representatives from the different Local Authorities. An on-line survey was published on the Torbay Council and other Local Authority websites, and in addition was promoted in the local media for each area. A telemarketing company was employed to call businesses and complete the questionnaire with them over the phone. Some questions allowed respondents to make written comments. These comments have been categorised into popular themes for this report. The numbers in brackets within the tables indicate the number of responses in that theme. Individual comments may be classified under more than one theme. All comments from respondents have been passed on to relevant colleagues in the Community Safety Department.

3. Summary of results

- Torbay and North Devon had the most responses out of all the 15 Local Authorities, each with 15.7% of the total. Teignbridge and South Hams followed with 13.1% and 12.1% of the total responses respectively.
- Most respondents felt confident and comfortable seeking advice and assistance from regulators at 77.8% of respondents.
- Only a third of respondents would be willing to pay for specific business advice, support or training on regulatory matters (33.3%) compared to nearly two thirds that would not (64.6%).
- 81.3% of respondents would find a single point of contact for regulatory matters either very or fairly helpful.

4. Results

1. Which Local Authority is your business located in?

	Number	Percent
Torbay Council	31	15.7%
North Devon District Council	30	15.7%
Teignbridge District Council	26	13.1%
South Hams District Council	24	12.1%
Mendip District Council	13	6.6%
Plymouth City Council	13	6.6%
East Devon District Council	11	5.6%
Mid Devon District Council	10	5.1%
West Somerset Council	9	4.5%
Exeter City Council	7	3.5%
West Devon Borough Council	6	3.0%
South Somerset District Council	5	2.5%
Taunton Deane Borough Council	5	2.5%
Sedgemoor District Council	3	1.5%
Torridge District Council	2	1.0%
No response	3	1.0%
Total	198	100%

2. How many employees do you have?

	Number	Percent
None	37	18.7%
1-10	101	51.0%
11-50	43	21.7%
51-250	14	7.1%
251-1000	2	1.0%
More than 1000	1	0.5%
No response	0	0.0%
Total	198	100%

3. How long has your business been trading?

	Number	Percent
Less than 1 year	14	7.1%
1-3 years	33	16.7%
4-5 years	24	12.1%
6-20 years	56	28.3%
More than 20 years	68	34.3%
No response	3	1.5%
Total	198	100%

4. What sector does your business mainly operate in?

	Number	Percent
Hospitality (including food service)	99	50.0%
No response	36	18.2%
Retail	28	14.1%
Manufacturing	13	6.6%
Construction	7	3.5%
Motor	6	3.0%
Wholesale	5	2.5%
Transport and storage	2	1.0%
Agriculture	2	1.0%
Finance	0	0.0%
Total	198	100%

Respondents were asked to select one answer from the list above or comment in the box provided for other answers. Some respondents made a choice from both the list and wrote a comment in the “other” box.

Other

This question allowed respondents to make written comments. These comments have been categorised into popular themes. The numbers in brackets indicate the number of responses in that theme. Individual comments may be classified under more than one theme.

Category	Comments made by respondents
Other (11)	<i>“Arts”</i> <i>“Business Improvement Consultancy”</i> <i>“Jewellery Repair”</i>
Education (8)	<i>“Early Years Education”</i> <i>“Day nursery and pre-school”</i>
Care (6)	<i>“Day centre for learning disabilities and the elderly”</i> <i>“Charitable elderly support”</i>
Food (6)	<i>“Delivery of frozen meals to customers homes”</i> <i>“Jams, chutneys and garden produce”</i>
Leisure and Tourism (5)	<i>“Salon spa & Christian retreat”</i>
Property (4)	<i>“Holiday apartments”</i>

5. In your view what is the current role of a regulator?

	Frequency	Percent
To enforce rules and regulations and provide advice	157	79.3%
To enforce rules and regulations	38	19.2%
No response	3	1.5%
Total	198	100%

Respondents were asked to select one answer from the list above or comment in the box provided for other answers. Some respondents made a choice from both the list and wrote a comment in the “other” box.

Other

Category	Comments made by respondents
All (5)	<p><i>"Mix depending on regulator."</i></p> <p><i>"On the fence"</i></p> <p><i>"Positive Environmental visit"</i></p> <p><i>"To help and encourage businesses to achieve the highest standards"</i></p> <p><i>"Training also"</i></p>

6. In your view what SHOULD the role of the regulator be?

	Number*	Percent
Provide advice	183	92.4%
Assist businesses to understand their responsibilities	183	92.4%
Protect consumers, public health and wellbeing	180	90.9%
Enforce rules and regulations	171	86.4%
Enable businesses to comply	170	85.9%
Provide access to other sources of information	154	77.8%

**Please Note: Respondents were able to select more than one option*

Other

Category	Comments made by respondents
All (2)	<p><i>"Provide the documentation in an easy format to be completed"</i></p> <p><i>"Understand the business sector they are supposed to regulate....."</i></p>

7. Do you think that regulators get the right balance between encouragement, education and enforcement?

	Number	Percent
Yes	113	57.1%
No	59	29.8%
Don't know	24	12.1%
No response	2	1.0%
Total	198	100%

Please provide justification for your answer to question 7

This question allowed respondents to make written comments. These comments have been grouped according to the respondents answer to question 7, and categorised into popular themes. The numbers in brackets indicate the number of responses in that theme. Individual comments may be classified under more than one theme.

Category	Comments made by respondents who answered "Yes" to Q7
Varies (8)	<i>"Depends on the regulator." "I have an MSc in Environmental Health and have experience of working in LA so I appreciate the work that is done and always find that if dealt with in the right way, regulators get the balance right, although there is sometimes inconsistency between officers."</i>
Helpful (7)	<i>"The regulators with whom I have had contact have been informative and helpful." "Educational seminars are offered and inspections have always been informative and encouraging"</i>
No issues (6)	<i>"Never had an issue." "No negatives issues to think otherwise."</i>
Other (5)	<i>"I believe if a business is not performing correctly advice is given for improvement."</i>
No additional comments (4)	<i>"No additional comments".</i>

Category	Comments made by respondents who answered "No" to Q7
More advice / guidance (19)	<i>"Poor experiences where regulators have come in and not provided guidance just criticised." "Would be helpful to have more interaction by way of training and advice to impart and update knowledge through learning." "They do not receive a great deal of input."</i>
Too much enforcement (13)	<i>"Too much enforcement (which may be needed at times). More helpful approach is needed." "Too heavy handed health & safety look for problems that don't exist to justify their existence. Even when they comply perfectly they will keep searching so they can criticise at least area." "Focus seems to be more on enforcement than providing advice."</i>

Support / encouragement (9)	<p><i>"Never had any encouragement or education at all. Just been pure criticism."</i></p> <p><i>"Increasingly the regulators are just there to enforce legislation, and not to advise or enable."</i></p>
Other (8)	<p><i>"Full of public sector workers who don't understand the real world."</i></p> <p><i>"Rules are made without enough consultation."</i></p>
Varies (6)	<p><i>"Right know I believe they are restricted to enforcement. However, we recently had the opportunity to attend an allergen free awareness session, and we have had a local health and safety officer provide advice to use following an incident, providing a great resource of information."</i></p> <p><i>"Depends on the regulator. Some individuals have better attitudes than others."</i></p>
Not enough enforcement (3)	<p><i>"Although I understand the need for advice I feel there are times when stronger enforcement should be taken especially when it is not a genuine business but purely set up to commit crime and rip people off."</i></p>
Under funded (3)	<p><i>"There's no money to do any part of the job properly - the availability of budget determines what is done - the tail is wagging the dog."</i></p>

Category	Comments made by respondents who answered "Don't know" to Q7
Varies (4)	<p><i>"Seem very heavy handed on some issues and let others off with no action. And they seem desperate for cash."</i></p>
Other (4)	<p><i>"Maybe a little more education when new regulations come in. Or even notice that they have. There is quite a lot of responsibility on us to know it is there and we are a very small business that can miss important changes."</i></p>

8. When thinking about the actions of regulators, how much do you agree with the following statements?

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	No response
Encourage me to seek advice on how to comply	23.2%	56.6%	12.1%	1.5%	6.1%	0.5%
Always explain the reason for their visits to my business	34.3%	51.0%	4.0%	2.0%	7.1%	1.5%
Enforce the law in a way that is fair and proportionate	22.2%	55.1%	7.6%	2.0%	12.6%	0.5%
Are consistent in the advice they provide me and the way they enforce the law	20.2%	47.0%	13.1%	5.6%	13.6%	0.5%
Coordinate services to minimise unnecessary overlaps & duplication	12.1%	44.4%	15.7%	3.5%	22.2%	2.0%
Consult with me when developing policies, plans, procedures and service standards	9.6%	32.3%	31.8%	14.1%	10.6%	1.5%
Provide timely advice and guidance	19.2%	53.0%	11.1%	5.1%	11.1%	0.5%

9. When thinking about the role of regulators, how much do you agree with the following statements?

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	No response
Regulators should pre-book an appointment before they visit	24.2%	33.8%	29.8%	6.6%	4.5%	1.0%
Regulators should inform the business how they intend to conduct an inspection/visit	39.4%	50.0%	6.1%	2.0%	0.5%	2.0%
Regulators should provide full feedback after a visit	64.6%	33.3%	0.0%	0.5%	0.5%	1.0%
Feedback should always be given to businesses whether positive or negative	67.7%	29.8%	0.0%	0.5%	0.5%	1.5%
Businesses should be encouraged to provide feedback on the regulators' performance	35.9%	52.0%	5.6%	0.5%	5.1%	1.0%
Regulators should provide advice to new and existing businesses	49.0%	48.0%	0.0%	1.0%	1.0%	1.0%
Regulators should take enforcement action where appropriate	41.4%	54.0%	1.0%	0.0%	2.0%	1.5%

10. When thinking about regulation and its impact on economic growth, do you agree or disagree with the following statements?

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	No response
If my business was found to be non-compliant I would be concerned that this would affect our reputation with customers	58.1%	37.4%	2.5%	1.0%	1.0%	0.0%
Regulation helps to ensure a level playing field for business and consumers	34.3%	54.5%	5.1%	3.5%	2.5%	0.0%
It matters to my business that our customers know that we invest in compliance	45.5%	40.9%	6.6%	3.0%	3.5%	0.5%

11. What level of understanding do you think regulatory officers have of the pressures faced by business?

	Number	Percent
Very good understanding	23	11.6%
Good understanding	84	42.4%
Limited understanding	71	35.9%
No understanding	14	7.1%
No response	6	3.0%
Total	198	100%

Please provide justification for your answer to question 11

This question allowed respondents to make written comments. These comments have been grouped according to the respondents answer to question 11, and categorised into popular themes. The numbers in brackets indicate the number of responses in that theme. Individual comments may be classified under more than one theme.

Category	Comments made by respondents who answered "Very good understanding" to Q11
Tailored (6)	<i>"Our environmental health inspector, will look at us as an individual setting and our level of service/food preparation and hygiene routines"</i>
Other (6)	<i>"The current economic climate means that everyone is under pressure, and the regulators don't want to see businesses fail if they can help it."</i>
Knowledge (4)	<i>"Based on our experience with the local environmental health visitor who exhibited excellent knowledge and understanding of our needs and demands"</i>

Category	Comments made by respondents who answered "Good understanding" to Q11
Knowledge / awareness (19)	<p><i>"Reasonable knowledge although he appreciates it is hard to be an expert in every industry."</i></p> <p><i>"I believe anyone with half a brain would understand the financial constraints that businesses have been under. They would also appreciate that we have many other factors as I am sure they do within their jobs that put us under pressure."</i></p> <p><i>"He has attended several seminars and feels regulators have a good understanding."</i></p>
Other (9)	<p><i>"I haven't met enough regulators to judge one way or another, but I don't think it matters much whether they do understand business pressures. It's for the business owner to cope with business pressures; not the regulator."</i></p> <p><i>"People can become complacent when in a job for too long and can make assumptions about a business and the operator without taking the time to try and understand."</i></p>
Varies (8)	<p><i>"Although I have ticked good understanding it can depend on the officer you have."</i></p> <p><i>"They need to be reminded of the pressures from time to time."</i></p>
No issues (7)	<p><i>"in our experience this is so"</i></p> <p><i>"Not had any previous issues to think otherwise."</i></p>
Regulation (7)	<p><i>"I believe they have a reasonable understanding dependant on the business. Some managers are restricted with certain aspects of a business in order to comply because the business is rented and therefore have to deal with the owner / landlord which can put you in a difficult position."</i></p> <p><i>"Regular visits, and a good history of the business concerned allows the officers to understand how quickly new regulations can be integrated into the daily operations of that premises."</i></p>

Category	Comments made by respondents who answered "Limited understanding" to Q11
Industry experience / knowledge (15)	<p><i>"Because they have never done the job of the businesses they are visiting."</i></p> <p><i>"I personally feel that unless you have run a business you will be unaware of all the pressures and regulations you have to comply with, which are also ever changing and not always notified to businesses."</i></p> <p><i>"Haven't spent enough time with the business."</i></p>

<p>Varies (14)</p>	<p><i>“Has felt officers have not always had consistent level of knowledge.”</i></p> <p><i>“It really depends on the individual officer. Some seem to have a much better grasp of this than others. Possibly it depends on what their background prior to their current job i.e. -did they work in industry beforehand or have they always worked within local or national government.”</i></p> <p><i>“Varies from regulator to regulator. Often they are not aware of financial constraints (disability act is a good example of changes which can be costly).”</i></p>
<p>Finance (12)</p>	<p><i>“As a small business it is tough and finances are limited and the finance is not always there to change things immediately but you are expected to whether it bankrupts you or not. Legislation changes so much it is difficult to keep up and being informed about changes to legislation is limited.”</i></p> <p><i>“They get paid at the end of each pay period whether they do their job well or not. A business only gets paid on results. They have no understanding of how revenues are within the businesses or the stress involved.”</i></p> <p><i>“Varies from regulator to regulator. Often they are not aware of financial constraints (disability act is a good example of changes which can be costly).”</i></p>
<p>Regulation (12)</p>	<p><i>“The new regulation from 2012 requiring a declaration on wine labels as to whether egg whites have been used to fine the wine, does not allow a 'may contain' type statement. But the cost of a post bottling test could add at least 50p to the cost of a bottle. The Wine Standards Inspector admitted that they had no idea of analysis costs.”</i></p> <p><i>“As a small business, the cost implication and time constraints to maintain and keep up with all regulations and know and be aware of any legislative changes is huge. As legislation changes we are required to know when and how without any real guidance apart from a handbook.”</i></p> <p><i>“On occasions officers do not appreciate the amount time that paperwork/practical time it takes to comply.”</i></p>
<p>Other (5)</p>	<p><i>“Few people understand just how difficult it is for small businesses to conform to regulation and keep up with them, provide service to customers, make a profit and deal with the 1001 things that assail you every day.”</i></p> <p><i>“I think they should judge premises on visible standard of cleanliness and practices NOT just on whether paper work is up to date! Up to date paperwork does not make somewhere clean!”</i></p>
<p>Not able to understand (5)</p>	<p><i>“Different sized businesses have different pressures, and regulatory officers cannot possibly understand ALL these. Can be quite frustrating!”</i></p>

Category	Comments made by respondents who answered “Very good understanding” to Q11
Approach (4)	<i>“The nature of the officers employed is to be "rigid" and "uncompromising". As a business we have to look after our customers and we do not understand why our regulators can not consider us as their customers.”</i>
Business experience (3)	<i>“The public sector generally has little understanding of businesses”</i>
Regulation (2)	<i>“Regulators forget that some hotel proprietors live on site and this should be taken into account when inspections are carried out. I.e. the kitchen could have two fridges (one for personal and one for guests) personal fridges should not succumb to the same levels of scrutiny as the hotel fridge (food safety).”</i>
Other (2)	<i>“Don’t understand we have limited money available.”</i>

12. Following on from question 11, how do you think regulatory officer’s knowledge, of the pressures faced by business, could be improved?

Some of the comments appear to show the question may have been misread as “do you think regulatory officer’s knowledge, of the pressures faced by business, could be improved?”

Category	Comments made by respondents
Spend time with businesses (35)	<i>“Perhaps have meetings with business owners occasionally to get a grasp on all the pressures that we are under.”</i> <i>“They need to have enough time available during inspections / appointments to get to know the business and its issues. The same officer should always visit the same businesses where possible.”</i> <i>“Keep on doing what they are doing, spending time with business and listening.”</i>
Knowledge of industry (32)	<i>“Could conduct more research into the industries they regulate.”</i> <i>“It is not possible for all regulatory officers to obtain an in-depth knowledge of something they have never experienced.”</i> <i>“Up to date and relevant training is always essential to further enhance the regulator’s knowledge.”</i>

Work experience (28)	<p><i>"Perhaps through experience of working with businesses or speaking to them about their experience?"</i></p> <p><i>"Take staff from industry."</i></p> <p><i>"Possibly gaining experience in that particular field. Not every officer will have done every trade."</i></p>
Communication (21)	<p><i>"Open discussion of current pressures could be encouraged as part of education events/courses."</i></p> <p><i>"I think better and more formalised consultation with businesses would be very useful."</i></p> <p><i>"More meeting forums between business and regulators."</i></p>
Other (18)	<p><i>"Only insofar as The Food Safety Act (as amended) is open to liberal interpretation in some areas. This results in some operations being significantly more compliant than others."</i></p> <p><i>"They completely understand the pressures we are under, they just have an extremely bad personal attitude."</i></p> <p><i>"We have no problem with ours."</i></p>
No (16)	<p><i>"None comes to mind."</i></p> <p><i>"I don't think that the officer's knowledge could be improved. On all dealings that I have had with them, e.g. spot checks, training days, it has been evident that officers are fully aware of the pressures I face."</i></p>
Don't know (7)	<i>"Not sure."</i>
Yes (5)	<i>"Yes 100%."</i>

13. In the main how would you describe your current relationship with regulators?

	Food Safety	Health & Safety	Trading Standards	Licensing	Fire & Rescue
Very good	39.9%	25.8%	18.7%	18.2%	25.8%
Good	27.8%	31.3%	30.8%	22.7%	26.3%
Neither good nor bad	10.6%	20.2%	21.7%	18.2%	16.2%
Poor	1.0%	1.0%	1.5%	0.5%	2.5%
Very poor	2.0%	1.0%	1.0%	0.5%	1.5%
No relationship	16.7%	19.7%	23.2%	33.8%	24.7%
No response	2.0%	1.0%	3.0%	6.1%	3.0%

14. Do you feel confident and comfortable to seek advice and assistance from regulators on all regulatory matters?

	Number	Percent
Yes	154	77.8%
No	25	12.6%
Don't know	9	4.5%
No response	10	5.1%
Total	198	100%

15. How satisfied or dissatisfied are you with the courteousness and professionalism of regulators?

	Number	Percent
Very satisfied	96	48.5%
Fairly satisfied	52	26.3%
Neither satisfied nor dissatisfied	27	13.6%
Fairly dissatisfied	4	2.0%
Very dissatisfied	4	2.0%
Don't know	9	4.5%
No response	6	3.0%
Total	198	100%

16. How much do you value the service provided by regulatory services?

	Food Safety	Health & Safety	Trading Standards	Licensing	Fire & Rescue
Highly valued	54.0%	37.9%	26.8%	24.2%	43.4%
Valued	22.7%	26.8%	34.8%	26.3%	23.2%
Indifferent	12.6%	22.7%	26.8%	29.3%	19.7%
Poorly valued	2.5%	3.5%	1.5%	1.5%	2.5%
Not valued at all	3.5%	2.5%	1.5%	6.6%	4.0%
No response	4.5%	6.6%	8.6%	12.1%	7.1%

17. Can you tell us of a good experience you have had when dealing with a regulatory service? (Food Safety, Health & Safety, Trading Standards, Licensing, Fire Safety)

Category	Comments made by respondents
<p>No (53)</p>	<p><i>"No experience."</i></p> <p><i>"No specific issues although in general very happy with the regular contact from food standards agency."</i></p> <p><i>"I haven't had a good experience yet."</i></p>
<p>Food safety (48)</p>	<p><i>"Food safety inspection carried out at the beginning of the year was helpful and instructive."</i></p> <p><i>"Food Safety inspection was very open and direct, the officer was keen to interact and gain necessary information in a professional pleasant manner."</i></p> <p><i>"Assistance with the introduction of the new allergen regulations. Advice on setting up our kitchen to comply with regulation and to be cost effective when we started the business 11 years ago, which meant we did not spend money on equipment that did not comply or we did not need."</i></p>
<p>Fire Safety (22)</p>	<p><i>"Fire Safety officer giving advice and support re fire risk assessments before and after refurbishment"</i></p> <p><i>"... Fire & Rescue - advice sought as to regulations to be met in a Grade II* listed building; clear advice given."</i></p> <p><i>"Had a fire on site which prompted a fire safety inspection. She was nervous about the inspection although was extremely impressed with the inspector and the advice and guidance he gave. Very approachable, friendly and made her feel that he was there to help and not judge."</i></p>
<p>Generally Positive (21)</p>	<p><i>"A willingness to explore all the possibilities on offer."</i></p> <p><i>"Following an anonymous complaint about my business, the regulator came to see me during a particularly busy lunchtime. The complaint was dealt with thoroughly, but discreetly, & with the minimum of fuss."</i></p>
<p>Trading Standards (12)</p>	<p><i>"Trading standards spend a good deal of time with us when they visit. The officer is very helpful and consults with colleagues as necessary. Last time we had a particularly unusual issue and he brought a colleague along for a second opinion."</i></p> <p><i>"Trading Standards has been brilliant with their support."</i></p>
<p>Environmental Health (9)</p>	<p><i>"When we took on the hotel we requested the EHO to visit to provide an independent view of our current starting plans & how we were intending to proceed, we found this very helpful."</i></p> <p><i>"The Environmental Officer was very helpful to me when I started my business, full of information and guidance."</i></p>

Licensing (7)	<p><i>"Licensing were very helpful when advising and helping us submit our application for changes to premises license."</i></p> <p><i>".....our Licensing Authority has always treated us fairly and our concerns and opinions seem to be taken seriously. We have a really good working relationship"</i></p>
Health and Safety (6)	<p><i>"At our last Health & Safety Inspection I felt comfortable enough with the inspector to ask advice from her and was given it in a respectful manner and not made to feel incompetent."</i></p> <p><i>"Health & Safety have visited and they have a great relationship, she cares about her job and spends time to go through every detail."</i></p>
Other (5)	<p><i>"We were once sent a colourful "NOW WASH YOUR HANDS POSTER"."</i></p> <p><i>"Yes but did not wish to give examples."</i></p>

18. If you have had a bad experience when dealing with a regulatory service, can you tell us more? (Food Safety, Health & Safety, Trading Standards, Licensing, Fire Safety)

Category	Comments made by respondents
N/A or None (75)	<p><i>"No bad experiences"</i></p> <p><i>"No notable experiences."</i></p> <p><i>"I have not had a bad experience."</i></p>
Communication (12)	<p><i>"Not booking appointment, coming to a seasonal place when previously saying they would not come that season, and then being particularly harsh, and not understanding a person with excellent English but not native English."</i></p> <p><i>"Regulators in general rarely returns call and there is a lack of accountability. Main issues are with the councils and not regulators".</i></p>
Fire Safety (12)	<p><i>"Fire safety inspectors are always so negative and unsympathetic to the realities of old buildings and being a small business with limited capacity to fund expensive alterations."</i></p> <p><i>"A Fire Service rep apologised that he was unable to visit a premises to provide advice 'because they were now the regulator and so they couldn't do both'."</i></p>

<p>Food Safety (10)</p>	<p><i>“Just turning up at the worst moment and looking at snapshots of a business in the middle of August. All jobs are undertaken every day just not at 2am or 6am before work. We clean the fridges out at 11am not before breakfast. We should not be judged at 09:15. We work 17.5 to 18 hour days for 7 days a week. Our schedule is to suit us not you and we are not in the habit of poisoning guests”</i></p> <p><i>“Only that when we registered as a food related business with the council it wasn't automatic that the food safety agency was informed. I had to phone them up much later to ask why they hadn't been and they knew nothing about us! The two things should go hand in hand or we should have been told otherwise at the time.”</i></p>
<p>Trading Standards (9)</p>	<p><i>“Trading Standards - She was visited about 7-8 years ago by trading standards and felt the person was cold and impersonal.”</i></p> <p><i>“Trading Standards can be heavy handed, though this has improved recently. There is very little understanding of a really small business and the pressures that we face.”</i></p>
<p>Other (8)</p>	<p><i>“No single thing. Just the general impression that the authorities look for problems that don't exist and perpetuate and support an ever growing system which is not rooted in common sense. Every year regulation becomes more obtuse and involved leaving people in business ever more frustrated and confused. Personally I am looking forward to the day I can raise two fingers to all the little people with clipboards and leave their foolishness behind.”</i></p>
<p>Health and Safety (4)</p>	<p><i>“Health and safety regulators suffer from over-zealous application of legislation to the point it can make a business un-viable. They have mostly forgotten that H&S is supposed to aid a business operate, not hinder it, and have certainly forgotten the most important phrase 'take reasonable precautions' in the elimination of risks identified.”</i></p>
<p>Licensing (3)</p>	<p><i>“Licensing - They didn't know that they were not allowed to play music above a certain level. The lady from licensing who came to speak to them was abrupt and rude and not courteous.”</i></p>

19. Please state which of the following areas of regulation you find MOST difficult to implement in your business.

	Number	Percent
Health and Safety	66	33.3%
No response	47	23.7%
Food Safety	27	13.6%
Consumer Protection e.g. in relation to fair trading, consumer credit or product safety	26	13.1%
Fire Safety	24	12.1%
Licensing of alcohol, taxis, gambling, entertainment or security personnel	8	4.0%
Total	198	100%

Respondents were asked to select one answer from the list above or comment in the box provided for other answers. Some respondents made a choice from both the list and wrote a comment in the “other” box.

Other

Category	Comments made by respondents
None of these (20)	<p><i>“None are difficult.”</i></p> <p><i>“None of the above - we have numerous external audits for compliance - fairly easy to attain now.”</i></p> <p><i>“I do not have difficulty with any of the above.”</i></p>
Other (12)	<p><i>“All the same”</i></p> <p><i>“Confusing rules and very arbitrary”</i></p>
Fire Safety (3)	<p><i>“Due to age of property, however advice from Fire Safety helped enormously on what we can/cannot do.”</i></p>
Food safety (2)	<p><i>“Understanding food labelling legislation”</i></p>
All (2)	<p><i>“New regulations regardless of regulator. They are all as difficult as each other.”</i></p>

20. Which area of regulation do you feel is the MOST important to you and your business?

	Number	Percent
Food Safety	91	46.0%
Health and Safety	39	19.7%
Fire Safety	28	14.1%
No response	17	8.6%
Consumer Protection e.g. in relation to fair trading, consumer credit or product safety	15	7.6%
Licensing of alcohol, taxis, gambling, entertainment or security personnel	8	4.0%
Total	198	100%

Respondents were asked to select one answer from the list above or comment in the box provided for other answers. Some respondents made a choice from both the list and wrote a comment in the “other” box.

Other

Category	Comments made by respondents
All equal (9)	<i>“All of these are equally important to protect both customers and staff” “It’s not possible to rank these they are all equally important”</i>
Combination (5)	<i>“Food & fire equally important” “As a school obviously health & safety and fire safety is also paramount”</i>
None (2)	<i>“None in particular”</i>

21. When thinking about complying with regulations how much of a burden do you find the following activities?

	No burden at all	A small burden	A big burden	Don't know	No response
Finding Information about which regulations apply to my business	25.8%	41.4%	26.3%	4.0%	2.5%
Finding guidance and advice explaining what I have to do to comply with a given regulation	26.8%	42.4%	26.3%	2.0%	2.5%
Completing paperwork, including filling out forms and keeping records	20.2%	35.4%	38.4%	2.5%	3.5%
Being ready for and dealing with inspections	43.9%	37.9%	11.6%	4.5%	2.0%
Having to keep up to date with the introduction of new regulations	17.2%	45.5%	33.3%	2.0%	2.0%
Updating policies for my business when regulations change or new ones are introduced	19.2%	47.5%	28.8%	2.5%	2.0%
Having to find the right organisation to contact about regulatory matters	32.3%	40.9%	21.2%	3.5%	2.0%

22. How easy is it to get advice on regulatory matters?

	Number	Percent
Very easy	33	16.7%
Fairly easy	103	52.0%
Not very easy	21	10.6%
Not easy at all	21	10.6%
Don't know	14	7.1%
No response	6	3.0%
Total	198	100%

23. Where do you go for advice and support on regulatory matters?

	Number*	Percent
Government departments' website e.g. Health and Safety Executive, Food Standards Agency	143	72.2%
Directly to the regulator e.g. Fire Officer, Council Officer	123	62.1%
Council Website	114	57.6%
Fire & Rescue Service Website	70	35.4%
Trade association or similar e.g. chamber of commerce, Federation of Small Business	70	35.4%
External specialist consultant	53	26.8%
Private legal advice	31	15.7%
Don't know	2	1.0%

*Please Note: Respondents were able to select more than one option

Other

Category	Comments made by respondents
Internet (3)	<i>"Does not look for support other than google searches on non-government websites."</i>
Other businesses (4)	<i>"Colleagues in the same business"</i>
Organisations (2)	<i>"Council Departments"</i>

24. Which of the options do you use MOST OFTEN for advice and support?

	Number*	Percent
Directly to the regulator e.g. Fire Officer, Council Officer	51	25.8%
Fire & Rescue Service Website	12	6.1%
Council Website	44	22.2%
Government departments' website e.g. Health and Safety Executive, Food Standards Agency	89	44.9%
Private legal advice	4	2.0%
Trade association or similar e.g. chamber of commerce, Federation of Small Business	25	12.6%
External specialist consultant	29	14.6%
Don't know	2	1.0%
No response	0	0.0%

*Respondents were asked to select one answer from the list above or comment in the box provided for other answers. 49 respondents have made more than one selection from the list.

Other

Category	Comments made by respondents
All (9)	<p><i>"Council Departments"</i></p> <p><i>"Google Searches"</i></p> <p><i>"Internal H&S department"</i></p> <p><i>"Internet"</i></p> <p><i>"Phone another publican or the council."</i></p> <p><i>"...I generally contact the council for advice."</i></p> <p><i>"Random Websites not necessary .gov"</i></p> <p><i>"Visit Brittan Website, visits and emails."</i></p> <p><i>"Website - Other Councils not Torbay."</i></p>

25. What is the MAIN way you contact regulatory officers for advice?

	Number	Percent
Telephone	76	38.4%
Email	32	16.2%
Through the website	31	15.7%
During an inspection	30	15.2%
I don't	24	12.1%
No response	4	2.0%
Through social media i.e. Twitter, Facebook	1	0.5%
Total	198	100%

Respondents were asked to select one answer from the list above or comment in the box provided for other answers. Some respondents made a choice from both the list and wrote a comment in the "other" box.

Other

Category	Comments made by respondents
All (4)	<p><i>"An inspection of my premises (home) would be a waste of everyone's time - especially if risk based"</i></p> <p><i>"Council by phone, Government by email."</i></p> <p><i>"Other Publicans"</i></p> <p><i>"Post"</i></p>

26. How would you prefer to receive information and/or advice about complying with regulation?

	Number	Percent
Email	90	45.5%
A tailored visit purely to give advice	53	26.8%
During an inspection	18	9.1%
Telephone	13	6.6%
No response	14	7.1%
Through the website	9	4.5%
Through social media i.e. Twitter, Facebook	1	0.5%
Total	198	100%

Other

Category	Comments made by respondents
Post (10)	<i>"Post"</i> <i>"Email or post"</i>
Other (2)	<i>"Through ONE crystal clear, authoritative and consolidated website download document."</i>
No preference (2)	<i>"No preference"</i>

27. Would you be willing to pay for specific business advice, support or training on regulatory matters?

	Number	Percent
Yes	66	33.3%
No	128	64.6%
No response	4	2.0%
Total	198	100%

28. Is there any other information or advice on regulation you would like that you are not currently receiving?

Category	Comments made by respondents
No (70)	<p><i>"No. Regulators should provide information prior to visits by post."</i></p> <p><i>"Not at this time."</i></p> <p><i>"No"</i></p>
Other (13)	<p><i>"The main issue is that we don't know what we are not receiving"</i></p> <p><i>"When will we reach a stage when you ask relevant businesses whether/how to change/increase legislation based on some failing we/you have identified? If there is no new failing don't change things for the sake of it."</i></p>
Information (13)	<p><i>"I think that every time legislation changes an information pack of what the new legislation means and how businesses need to adapt to comply."</i></p> <p><i>"It would be really helpful to have a business log in to be able to access council information and or updates. It would also be very beneficial to have access to online training as provided through the food standards website on allergens, this again was free and accessible."</i></p>
Training (4)	<p><i>"....Payment for business advice, support or training on regulatory matters would be considered if there were an identified, tangible payback."</i></p>
Health & Safety (3)	<p><i>"Health & Safety Advice."</i></p>
Fire Safety (2)	<p><i>"Clearer advice on fire safety."</i></p>

29. How helpful would you find having a single contact point for all regulatory matters?

	Number	Percent
Very helpful	120	60.6%
Fairly helpful	41	20.7%
Neither helpful nor unhelpful	22	11.1%
Fairly unhelpful	7	3.5%
Very unhelpful	5	2.5%
No response	3	1.5%
Total	198	100%

30. Do you have any other comments you wish to make in relation to regulation in Devon and Somerset?

Category	Comments made by respondents
<p>No (58)</p>	<p><i>“No additional Comments.”</i> <i>“No, all covered previously although would be happy to be contacted to discuss it more.”</i></p>
<p>Regulation (12)</p>	<p><i>“The biggest gripe I have is about inconsistent application of the rules. We are totally committed to conforming to regulation but repeatedly see other businesses flouting rules or being subject to such less stringent rules. This inevitably has financial implications and allows them to trade at an unfair competitive advantage.”</i></p> <p><i>“Just be mindful that we are small businesses working high number of hours under enormous pressure with few staff and making less than minimum wage. Stop piling on rule changes, paperwork changes etc. You would be on strike if you worked under the pressures we do.”</i></p>
<p>Other (12)</p>	<p><i>“Mine is such a small business that I'm not sure that my very limited experience is of much consequence.”</i></p> <p><i>“Regulators do a difficult job. They need time, proper support and resources to do their job successfully and for the good of both businesses and the public.”</i></p>
<p>Information (10)</p>	<p><i>“A start up pack to each new business with the contacts for each specific area such as fire, health and safety food etc would be a very good start. Specific web addresses for legislation paperwork would also be of help.”</i></p> <p><i>“Didn't get a great deal of advice on Allergens and would have preferred more concise information to be sent rather than having to scour the web for answers.”</i></p>
<p>Availability (8)</p>	<p><i>“I like having local regulatory officers, as any problems or questions I have can be dealt with quickly by people who are aware of the local community, and the problems faced therein.”</i></p> <p><i>“Would like more contact as has only seen a regulator once in 12 years.”</i></p>
<p>Single point of contact (7)</p>	<p><i>“A single point of contact for all services seems a bit too ambitious. It would be perfect if we had one person for each service, and that person stays as your business' point of contact and advice in the long term.”</i></p> <p><i>“Would prefer regulators to be one body rather than individual regulators.”</i></p>

Communication (7)	<p><i>“A bit more common sense from regulators as some advice is far too petty.”</i></p> <p><i>“Regulators could be more aware of the peak periods in the hotel trade as often visits take place during periods where staff do not have enough time to give to sit down and have lengthy discussions.”</i></p>
Training (6)	<p><i>“You need to train regulators to treat businesses as people/customers, they are not the enemy and they are not intent on deliberately breaking regulations to kill people.”</i></p> <p><i>“Looking at the model that some other borough councils have, where by they DO provide free online training tools for businesses that sign up would be great. Although as a small business a charge for everything would not be within our remit, a nominal yearly charge would be great if we then had access to free information and training, such as food safety, manual handling etc”.</i></p>

31. If you would be interested in being involved in future consultations in order to continue to improve the way we work, please provide your contact details.

Any contact details submitted by respondents have been passed to the relevant council department. Respondents were informed that if they chose to submit personal information e.g. contact information it will be shared with the Regulatory Consortium Members.

5. Respondent Profile

32. Are you?

	Number	Percent
Male	105	53.0%
Female	84	42.4%
No response	9	4.5%
Total	198	100%

33. Which of the following age groups applies to you?

	Number	Percent
0 – 15	0	0.0%
16 – 24	0	0.0%
25 – 34	12	6.1%
35 – 44	37	18.7%
45 – 54	79	39.9%
55 – 64	47	23.7%
65 –74	8	4.0%
75+	1	0.5%
No response	14	7.1%
Total	198	100%

34. Do you consider yourself to be disabled in any way?

	Number	Percent
Yes	7	3.5%
No	175	88.4%
No response	16	8.1%
Total	198	100%

35. If yes please tell us how it affects you.

	Number*
It affects my mobility	3
It affects my vision	0
It affects my hearing	1
It affects me in another way	4

**Please Note: Respondents were able to select more than one option*

6. Conclusion

Around half (51%) of all businesses that responded to this survey employ between 1 and 10 people also half have been trading 20 years or less. Half of the total number of respondents told us their business operates in the hospitality industry. This could explain why 46.0% of respondents selected Food Safety as the area of regulation they felt is the most important to them and their business.

The vast majority (79.3%) feel the current role of the regulator is to enforce rules and regulations *and* provide advice. Respondents were asked: What *should* the role of the regulator be? They were given the options: Enforce rules and regulations, provide advice, enable businesses to comply, protect consumers, public health and wellbeing, provide access to other sources of information, and assist businesses to understand their responsibilities. Respondents were able to select more than one option so the percentages are calculated by how many times each option was selected by the total number of respondents.

The result was a similar selection across all the options with a 14.6% difference between the joint most popular and least popular selection. All these aspects of the role of regulator are valued by businesses.

When thinking about the actions of regulators, most respondents either strongly agreed or agreed that regulators: Encourage them to seek advice on how to comply, always explain the reason for visits to their business, enforce the law in a way that is fair and proportionate, are consistent in the advice they provide them and the way they enforce the law, coordinate services to minimise unnecessary overlaps & duplication and provide timely advice and guidance. However when asked if they agreed that regulators should consult with them when developing policies, plans, procedures and service standards, the majority of respondents (by a small margin) either disagreed or strongly disagreed.

The vast majority of respondents either agreed or strongly agreed that regulators should: pre-book an appointment before they visit, inform the business how they intend to conduct an inspection/visit, provide full feedback after a visit, always give feedback to businesses whether positive or negative, encourage businesses to provide feedback on the regulators' performance, provide advice to new and existing businesses, and take enforcement action where appropriate.

More than 85% of respondents agree or strongly agree that: If their business was found to be non-compliant they would be concerned that this would affect their reputation with customers, regulation helps to ensure a level playing field for business and consumers and It matters to their business that their customers know that they invest in compliance.

Over half of respondents thought that regulatory officers have a good or very good understanding of the pressures faced by business', however over a third consider regulatory officers' understanding to be limited.

All the regulatory services were either highly valued or valued by the majority of respondents and most have not had a bad experience with any of them. Over half think regulators get the right balance between encouragement, education and enforcement and the vast majority are either very satisfied or satisfied with the courteousness and professionalism of regulators, have a good relationship with them, and feel confident and comfortable to seek advice and assistance on regulatory matters.

Health and safety was felt to be the most difficult area of regulation respondents had to implement into their businesses.

Completing paperwork when complying with regulations was felt to be the biggest burden for businesses (by a small margin). Finding information, guidance, keeping up to date with regulations, updating policies and having to find the right organisation to contact were all deemed small burdens by the majority of respondents. The only activity that was not chosen by the majority as a burden was: Being ready and dealing with inspections.

When answering question 24: Which of the options do you use *most often* for advice and support? Respondents were asked to select one answer from the list. 49 respondents chose more than one answer. However the top 4 ranked choices are the same when comparing the one answer only responses with the total responses (multiple or not). These are (most popular choice first): Government departments' website, directly to the regulator, Council website and external specialist consultant.

Most people would not be willing to pay for specific business advice, support or training on regulatory matters but the majority of them would find a single contact point for all regulatory matters helpful. Currently most of them contact regulatory services via the telephone and most go to government department websites for advice and support on regulatory matters. The majority of respondents would prefer to receive information about complying with regulation via email.

The majority of respondents feel it is either very easy or easy to get advice on regulatory matters and most respondents feel there is no other information or advice on regulation they would like that they are not currently receiving.

The gender split between respondents is close to even with 53.0% male and 42.4% female (4.5% did not answer this question).

For further information please contact the Policy Performance and Review team on 01803 207227 or email consultation@torbay.gov.uk

The information used to collate this report has been collected and processed in accordance with the Data Protection Act, 1998.