

## Confidence and Consistency

**Case Study – Asda  
Primary Authority  
Partnership with Wakefield  
Metropolitan District Council**

*“If enforcing officers are freed to focus on high-risk businesses, persistent offenders and rogue traders this is a win-win situation for both local authorities and compliant businesses.”*



### Origin

Interaction with regulatory officers from local authorities is an everyday event for Asda, since they have over 370 stores and 23 depots across the UK, employing approximately 170,000 colleagues and with 18 million customers. It is also part of the Walmart Group, the largest retailer in the world. Prior to 2009, the company had liaised closely with Wakefield Metropolitan District Council in the Large Organisation Pilot Project, an initiative run by the Health and Safety Executive. By promoting a more uniform and consistent approach to local regulation, this set the scene for the introduction of Primary Authority, which was viewed as the chance to consolidate what had been accomplished.

### Conception

In the light of the previous arrangements, Asda considered a Primary Authority agreement with Wakefield to be a logical step forward, and one covering health and safety was signed in November 2009. The company's intention is to build partnerships with several local authorities, so as to make best use of available resources and expertise. Although its head office is in nearby Leeds, three of its stores and three depots are located in Wakefield, employing 2,500 colleagues in the local area. (The city is also home to the premises of International Produce Limited, another part of the Walmart Group, and the UK's biggest importer of fresh produce.)



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## Evolution

Existing health and safety policies and procedures are now being fine-tuned in tandem with Wakefield Council. Transparency is actively encouraged. Asda gives Wakefield Council a monthly summary report of the legal compliance of each of its stores, extending to aspects such as accidents, claims, fork lift truck / racking damage, age-related sales, pest control and the findings of self and independent audits. This keeps everyone fully in the picture. The company also makes its general strategies available for scrutiny and supports shared learning. Council officers have visited stores and depots under LBRO's Trading Places initiative to see how Asda manages compliance and runs a large business.

Asda Trading Law Manager Stuart Wiggans comments: "Due to our international nature, we know that the USA perceives the UK as an example of best practice in relation to legislative compliance. In this context, Primary Authority has implications for the global economy, since it changes the way businesses liaise with local regulators. At a national level, it also provides the cornerstone for the next phase: earned recognition. This is not self-regulation, nor the absence of enforcement, but rather smart compliance using a risk-based approach, underpinned by mutual trust. At the end of the day, we all have the same ultimate goal: to provide a safe place to shop and work. Reputable businesses are generally well-intended and well-informed, and if enforcing officers are freed to focus on high-risk business, persistent offenders and rogue traders then this is a win-win situation."

"Primary Authority partnerships need to be built on trust: trust between the Primary Authority and the business and between enforcing authorities and Primary Authorities. Once this trust has been established, then this will give more credibility to the scheme. Ideally, I would like the scope of Primary Authority to be extended to devolved matters in Scotland and Northern Ireland. In addition, alcohol and fire safety are currently outside the scope of Primary Authority, however our stores and colleagues manage them in exactly the same way as if it applied. Age-related sales are handled via our Challenge 25 process, while fire safety is a natural extension of our health and safety procedures."

## Project Summary

**Any company trading across council boundaries is entitled to robust and reliable advice about its regulatory responsibilities. This is provided through a legal partnership with a single primary authority, which liaises with other councils to ensure that any enforcement action proposed elsewhere in the UK reflects the advice given. A national inspection plan can also be produced, to avoid unnecessary checks and tests. Agreements can cover the full range of regulatory services or specific functions such as food safety. The question of resourcing is up to the participants: where necessary, cost recovery is permitted. LBRO registers new partnerships, provides guidance and helps resolve any disputes.**



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