

Notice of Meeting

Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee

**Date & time**

Thursday, 28
September 2017 at
11.30 am

Place

Mezzanine 2, County
Hall, Aylesbury,
Buckinghamshire,
HP20 1UA

Contact

Joss Butler
Room 122, County Hall
Tel 020 8541 9702

joss.butler@surreycc.gov.uk

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Joss Butler on 020 8541 9702.

Members of the Committee

Ms Denise Turner-Stewart (Cabinet Member for Communities, Surrey County Council) (Co-Chairman) and Noel Brown (Cabinet Member for Community Engagement and Public Health, Buckinghamshire County Council) (Co-Chairman)

Advisory Members:

Mr Richard Walsh (Surrey County Council) and Anne Wight (Buckinghamshire County Council)

AGENDA

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence and substitutions.

2 MINUTES OF THE PREVIOUS MEETING, 29 MARCH 2017

(Pages 1
- 8)

To agree the minutes of the previous meeting, held on 29 March 2017.

3 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

4 PROCEDURAL ITEMS

MEMBERS' QUESTIONS

The deadline for Member's questions is 12pm, four working days before the meeting (Friday 22 September 2017).

PUBLIC QUESTIONS

The deadline for public questions is seven days before the meeting (Thursday 21 September 2017).

5 PETITIONS

The deadline for petitions was 14 days before the meeting and none have been received.

6 FORWARD WORK PROGRAMME

(Pages 9
- 12)

To review and agree the Committee's Forward Work Programme

- 7 ACTION REVIEW** (Pages 13 - 16)
To review and agree the Committee's action tracker.
- 8 ENFORCEMENT POLICY** (Pages 17 - 28)
The Trading Standards Joint Committee is asked to review and endorse an updated Enforcement Policy for use by the Buckinghamshire and Surrey Trading Standards Service (the Trading Standards Service).
- 9 PERFORMANCE AND JOINT SERVICE BUDGET REVIEW** (Pages 29 - 58)
The Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the service for financial year from April 2016 to March 2017.
- 10 TRADING STANDARDS TOBACCO WORK** (Pages 59 - 66)
This report considers the Service's work in relation to tobacco and is not restricted only to its sale to children and young people.
- 11 SERVICES TO BUSINESSES** (Pages 67 - 104)
The purpose of this document is to inform and update the Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee in relation to the current services offered to businesses.
- 12 TRADING STANDARDS SCAMS WORK** (Pages 105 - 122)
This report summarises the wide range of approaches, interventions, and partnerships through which we aim to both protect victims, prevent crime, and bring perpetrators to justice.
- 13 DATE OF THE NEXT MEETING**
The next meeting of the Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee will be held on 29 March 2018.

David McNulty
Chief Executive

Published: Wednesday 20 September 2017

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

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Thank you for your co-operation

MINUTES of the meeting of the BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE held at 11.30 am on 29 March 2017 at Committee Room C, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 28 September 2017.

Elected Members:

- * Mr Richard Walsh
- * Councillor Margaret Aston
- Councillor Kay Hammond (non-voting)

*= in attendance

In attendance

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Assistant Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Phil Dart, Service Director of Communities, Buckinghamshire County Council

Andy Tink, Senior Principal Accountant, Surrey County Council

1/17 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Cllr Kay Hammond.

2/17 MINUTES OF THE PREVIOUS MEETING [Item 2]

The minutes were agreed as a true record of the meeting.

3/17 DECLARATIONS OF INTEREST [Item 3]

There were none.

4/17 PROCEDURAL ITEMS [Item 4]

5/17 MEMBERS' QUESTIONS [Item 4a]

None received.

6/17 PUBLIC QUESTIONS [Item 4b]

None received.

7/17 PETITIONS [Item 5]

There were none.

8/17 FORWARD PLAN [Item 6]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service
Phil Dart, Service Director for Communities, Buckinghamshire County Council

Key points from the discussion:

1. The Head of Trading Standards introduced the item and informed Members that the Forward Plan would be a new standing item published with each agenda to track items for future meetings. The Officer highlighted that a Tackling Scams item and a Primary Authority and Business Partnerships item would be added to the Committee's Forward Plan for September 2017.
2. The Service Director for Communities suggested to Members that an item on the impact of Brexit be considered at a future meeting as it would be a relevant topic worth discussing. It was also suggested that an item regarding the unitary debate on the integration of regulatory services at Buckinghamshire County Council be discussed. Members agreed that this would be better discussed at a future private Trading Standards Board meeting.

Actions/ further information to be provided:

1. **A1/17** - To add Tackling Scams and Primary Authority and Business Partnerships to the Forward Plan for September 2017.

RESOLVED;

that the Buckinghamshire County Council and Surrey County Joint Trading Standards Service Committee review and agree the Committee's Forward Work Programme

9/17 ACTION REVIEW [Item 7]

Declarations of interest:

None

Witnesses:

Joss Butler, Committee Assistant, Surrey County Council

Key points from the discussion:

1. The Committee Assistant introduced the item and informed Members that the actions tracker was a new standing item which aim was to follow up and track any future actions that arise from meetings.

Actions/ further information to be provided:

None.

RESOLVED:

that the Buckinghamshire County Council and Surrey County Joint Trading Standards Service Committee review and agree the Committee's Action Tracker

10/17 PERFORMANCE AND JOINT SERVICE BUDGET [Item 8]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service
Amanda Poole, Assistant Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service
Phil Dart, Service Director for Communities, Buckinghamshire County Council
Andy Tink, Senior Principal Accountant, Surrey County Council

Key points from the discussion:

1. Officers introduced the item and summarised for Members the performances relating to each Key Performance Indicator (KPI) from Annex 1 of the report. Relating to KTP 1, an updated annex was tabled at the meeting and attached to these minutes which updated the compensation and savings figures. A further £250,000 had been secured in compensation for victims and a further £160,000 in direct savings for residents had been achieved to date in the 4th quarter. Members stressed their appreciation to officers as these savings would not have been achieved without the work of the Trading Standards team. In particular in one Financial Investigation in excess of £100,000 had been recouped from the perpetrator and repaid to the Adult Social Care service which had been the victim of the scam, in addition to compensation paid to both DWP and to Reigate and Banstead Borough Council. Officers went on to make clear that the service would always prioritise compensation back to the victims. Members noted that the vast majority of compensation had been obtained under the Proceeds of Crime Act 2002.
2. Members discussed KPI 3 in the report and noted that the Trading Standards Twitter account had received over 300,000 impressions during a 91 day period. Members made clear that it was excellent to see that the Twitter account was having an impact on residents by raising awareness of scams, rogue traders and unsafe products. A Member of the Committee sought clarification on the number of volunteers that had signed up to assist with Trading Standards

projects. Officers confirmed that the number of volunteers had increased but could not give the exact figure. It was agreed for details to be circulated after the meeting.

3. Officers asked the Committee to note that the figure showing the year to date total income linked to Primary Authority Partnerships in KPI 4 was now over £140,000.
4. A discussion took place around the WorkPlace Wellbeing Charter (WWC) which officers described as a scheme to encourage organisations to publicise health and wellbeing in the workplace. Members stressed that it was very important for Surrey and Buckinghamshire County Council to have a coordinated approach when supporting this scheme as each County Council would need to have a positive internal environment before promoting it to other organisations. It was agreed that the WWC for Surrey and Buckinghamshire County Council be circulated to the Committee.
5. Members highlighted that it was important to present information clearly in the report as it was a public facing document and asked that officers considered this further in the future.
6. Members had a discussion on the mitigation techniques for preventing illegal and unsafe products from entering the County. Officers explained that Trading Standards had various methods which included working closely with the Border Force and Customs to monitor and detect these illegal items and confiscate if necessary. Members also noted that Trading Standards worked with various importing organisations by providing advice and expertise on identifying unsafe products.
7. Members stressed the importance of having a strong relationship with the Police and the joint benefits of working together. After discussion it was asked that once the Q4 figures are available, a report be sent to the Office of the Police and Crime Commissioner highlighting work being done by Trading Standards to prevent crime and disorder.
8. Members were provided with a brief financial update which confirmed that Trading Standards had achieved a £100,000 under spend for the current year. Members noted that in terms of savings that the partnership between Buckinghamshire County Council and Surrey County Council was in a healthy place with a positive outlook.

Actions/ further information to be provided:

1. **A2/17** - For details of the number of volunteers in Trading Standards to be circulated to the Joint Committee
2. **A3/17** - For an update on progress with the the Workplace Wellbeing Charter to be circulated to the Joint Committee.
3. **A4/17** – When the Q4 performance figures were available for a report to be sent to the Office of the Police and Crime Commissioner highlighting work being done to prevent crime and disorder.

RESOLVED;

that the Buckinghamshire County Council and Surrey County Joint Trading Standards Service Committee agree to:

- I. note the Service's performance.

- II. agree the Performance Indicators for 2017/18.
- III. agree the revised joint service budget to include additional savings over and above those previously agreed

**11/17 OFFICIAL FOOD STANDARDS AND FEED CONTROLS PLAN 2017-2018
[Item 9]**

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service
Amanda Poole, Assistant Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service
Phil Dart, Service Director for Communities, Buckinghamshire County Council

Key points from the discussion:

1. Officers provided Members with a summary of the 2017/18 Official Food Standards and Feed Controls Service Plan (FSA Plan) and highlighted its key points. It was noted that a further document would be published which concentrated on ensuring a more user friendly theme to allow for easier understanding by the public. It was also noted that significant work had been done with the Food Standards Agency (FSA) to improve how food regulation would work and how food services would be regulated in the future.
2. Members discussed the importance of labelling allergens on food products and the consequences of mislabelling. Members questioned how this was monitored which lead to officers providing details of a project with district and boroughs to ensure compliance with allergen labelling.
3. Members sought clarification of the fees set by Trading Standards and how it compared to other County Councils. Officers confirmed that many fees were set statutory so could not currently be changed but others did have the opportunity to be put under review in the future.

Actions/ further information to be provided:

None.

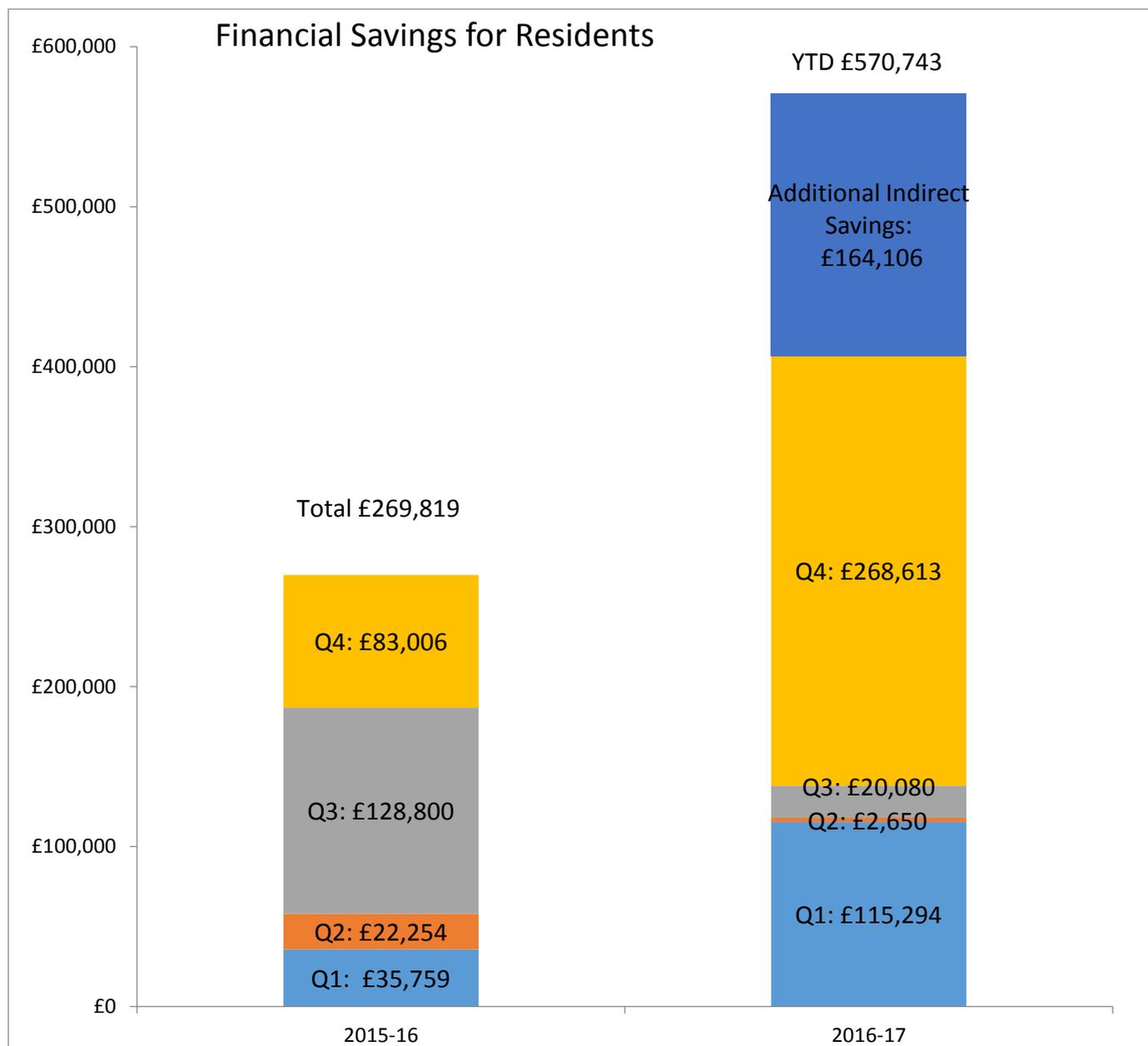
RESOLVED:

that the Buckinghamshire County Council and Surrey County Joint Trading Standards Service Committee approves the 2017/18 Official Food Standards and Feed Controls Service Plan (the FSA Plan).

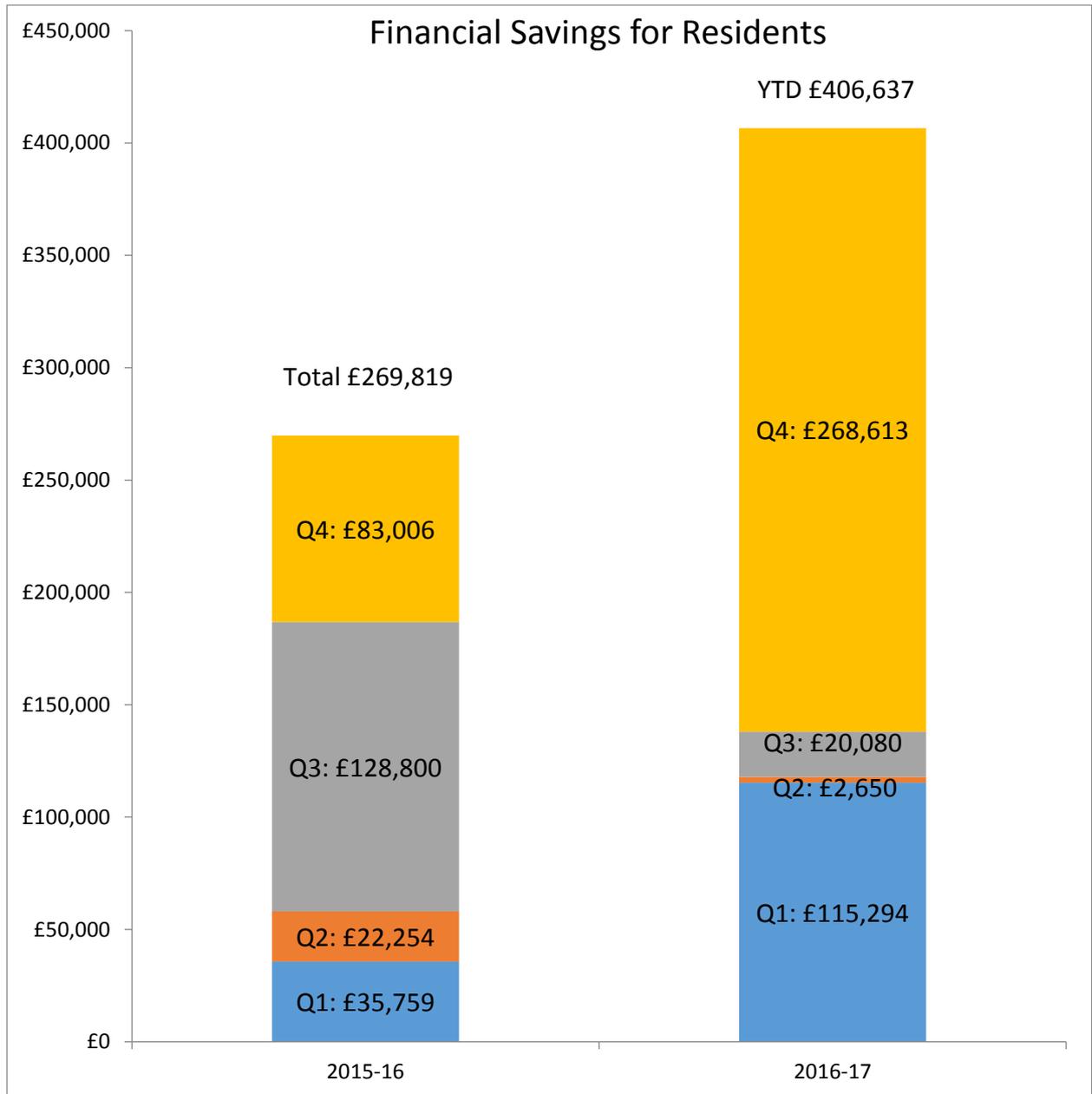
Meeting ended at: 1.35 pm

Chairman

KPI 1 – Increase the financial savings for residents as the result of our interventions and investigations



KPI 1 – Increase the financial savings for residents as the result of our interventions and investigations



Buckinghamshire CC and Surrey CC Trading Standards Joint
Committee
28 September 2017

Trading Standards Joint Committee Forward Plan

Purpose of the report:

For Members to consider and comment on the Committee's Forward Plan.

Introduction:

A Forward Plan recording agenda items for consideration at future Trading Standards Joint Committee meetings is attached as **Annex 1**, and the Committee is asked to review progress on the items listed.

Recommendations:

The Committee is asked to review and agree the forward work programme (Annex 1) for the Trading Standards Joint Committee

Report contact: Joss Butler, Committee Assistant

Contact details: 020 8541 9702, joss.butler@surreycc.gov.uk

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This forward plan is subject to ongoing review and may be amended depending on external events and Government policy

Forward Work Plan



March 2018 – Formal public meeting

Item title:	Budget Setting
The Committee will be asked to:	The Trading Standards Joint Committee to agree the joint service budget.

Item title:	Performance Update
The Committee will be asked to:	The Trading Standards Joint Committee to note the Service's performance.

Item title:	Official Food standards and Feed controls plan 2018-2019
The Committee will be asked to:	For the Trading Standards Joint Committee to approve the 2018-2019 Official Food Standards and Feed Controls Service Plan (the FSA Plan).

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Buckinghamshire CC and Surrey CC Trading Standards Joint
Committee
28 September 2017

Trading Standards Joint Committee Action Review

Purpose of the report:

For Members to consider and comment on the Committee's actions tracker.

Introduction:

An actions tracker recording actions and recommendations from previous meetings is attached as **Annex A**, and the Committee is asked to review progress on the items listed.

Recommendations:

The Committee is asked to monitor progress on the implementation of actions from previous meetings (Annex A).

Report contact: Joss Butler, Committee Assistant

Contact details: 020 8541 9702, joss.butler@surreycc.gov.uk

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Buckinghamshire CC and Surrey CC Joint Trading Standards Committee Actions and Recommendations Tracker

The recommendations tracker allows Joint Committee Members to monitor responses, actions and outcomes against their recommendations or requests for further actions. The tracker is updated following each Joint Committee meeting. Once an action has been completed and reported to the Joint Committee, it will be removed from the tracker.

Actions

Reference	Date of Meeting	Recommendations/ Actions	Responsible Officer/ Member	Response	Status
A2/17	29/03/2017	For details of the number of volunteers in Trading Standards to be circulated to the Joint Committee	Head of Trading Standards		Ongoing
A3/17	29/03/2017	For an update on progress with the Workplace Wellbeing Charter to be circulated to the Joint Committee.	Head of Trading Standards		Ongoing
A4/17	29/03/2017	When the Q4 performance figures were available, a report should be sent to the Office of the Police and Crime Commissioner highlighting work being done to prevent crime and disorder.	Head of Trading Standards	A verbal update to be provided at the September meeting.	Ongoing

Completed

Reference	Date of Meeting	Recommendations/ Actions	Responsible Officer/ Member	Response	Status
A1/17	29/03/2017	To add Tackling Scams and Primary Authority and Business Partnerships to the Forward Plan for September 2017.	Committee Assistant	Items added to the Forward Plan	Completed

**BUCKINGHAMSHIRE COUNTY COUNCIL AND
SURREY COUNTY COUNCIL**

TRADING STANDARDS JOINT COMMITTEE

DATE: 28 SEPTEMBER 2017

LEAD OFFICER: STEVE RUDDY

SUBJECT: JOINT SERVICE ENFORCEMENT POLICY

SUMMARY OF ISSUE:

The Service regularly reviews its Enforcement Policy to reflect changes in the regulatory landscape.

The Trading Standards Joint Committee is asked to review and endorse an updated Enforcement Policy for use by the Buckinghamshire and Surrey Trading Standards Service (the Trading Standards Service).

The proposed policy provides an updated framework to ensure that the Trading Standards Service promotes efficient and effective approaches to regulatory inspection and enforcement without imposing unnecessary regulatory burdens.

The Government is increasingly introducing alternative methods for Local Authorities to deal with non-compliance with legislation. Financial penalties are one such example. The proposed amendment allows the Service to use the full extent of existing legislation, including the use of financial penalties in appropriate circumstances.

RECOMMENDATIONS:

It is recommended that:

The Trading Standards Joint Committee endorses the amended Enforcement Policy attached as Annex 1.

REASON FOR RECOMMENDATIONS:

1. It is a statutory requirement for the Service to have, and actively use, an Enforcement Policy. To ensure that it remains relevant, this Policy must be periodically reviewed and agreed by Members, through this Joint Committee.
2. The amendment of the Enforcement Policy will provide an updated framework to ensure that the Trading Standards Service can protect the residents and legitimate businesses of Buckinghamshire and Surrey; and helps to promote and enable local and national economic growth.

DETAILS:

3. The Policy has been amended to incorporate financial penalties as a possible option. This amendment is being suggested because this is not currently a form of action included in the Policy but is an enforcement option in some regulatory legislation available to the Service, such as The Consumer Rights Act 2015.
4. Chapter 3 within the Consumer Rights Act 2015 places a duty on letting agents to publish certain information including their fees and which Redress Scheme they are a member of. This Chapter is enforced by Weights and Measures Authorities and failure to publish this information could result in financial penalties imposed by the Authorities of up to £5,000.
5. We have noticed a significant increase in complaints about letting agents over the year. Many residents will not be aware what information letting agents are legally obliged to publish. By including financial penalties into the possible disposals contained within the Enforcement Policy allows trading standards to enforce the CRA 2015 to its full extent and it also future proofs the service for enforcement of any other legislation that may be created with such penalties.
6. The specific amendments are an additional bullet point at the end of paragraph 2.5 and a new paragraph 5.17
7. No other amendments are being suggested to the Enforcement Policy at this time.

CONSULTATION:

8. Comments on the Enforcement Policy are invited through the Enforcement Policy web page but none have been received.

RISK MANAGEMENT AND IMPLICATIONS:

9. If the policy is not periodically reviewed it could open the Service up to challenge as to the basis of any prosecutions. This would introduce additional legal costs in arguing the point and may risk prosecutions failing prior to evidence being heard.
10. If the policy was not amended it may restrict our ability to effectively regulate a sector of the marketplace and as such would reduce the protection of consumers and legitimate businesses who are complying with the relevant legislation.

Financial and Value for Money Implications

11. There may be some small additional financial resource coming into the Service if financial penalties should be considered the most appropriate option for disposal of an issue identified. At this stage we do not have an estimate of how much this might be due to our lack of experience in using such financial penalties, but bearing in mind the legislation they are currently linked to we do not anticipate this becoming a significant income stream.

Legal Implications

12. If the Enforcement Policy is not updated to include this option, the Service would not be able to use the financial penalty provision and as such may not be able to enforce the legislation effectively.

Equalities and Diversity

13. A specific concern of the Service at the moment is the rise in complaints about letting agents. Financial penalties are one of the ways in which it may be appropriate for the Service to seek compliance with the legislative requirements on letting agents. Private sector rent is, on average, 19% of households' spend¹ so problems in this area can have a very significant impact on tenants. It should also be noted that renters tend to include a greater proportion of younger people² and lower income households who have been priced out of owning their own (mortgaged) homes, so may be

¹ This excludes any amount which is paid for by housing benefits the household may receive. According to the Office of National Statistics "Family spending in the UK: financial year ending March 2016"

<https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/expenditure/bulletins/familyspendingintheuk/financialyearendingmarch2016>

² <http://visual.ons.gov.uk/uk-perspectives-2016-housing-and-home-ownership-in-the-uk/>

disproportionately affected if, for example, they do not receive their deposit back through no fault of their own.

WHAT HAPPENS NEXT:

14. We will continue to use the Service's Enforcement Policy and will use the financial penalty in appropriate circumstances.

Contact Officer:

Steve Ruddy 01372 371730

Consulted:

Food Standards Agency

Annexes:

Annex 1 Amended Enforcement Policy

Annex 1

Enforcement Policy

1.0 Introduction

1.1 Buckinghamshire County Council and Surrey County Council operate a joint trading standards service (The Trading Standards Service). This policy sets out what businesses and others being regulated can expect from Buckinghamshire & Surrey Trading Standards enforcement officers

1.2 The Trading Standards Service aims to create an environment of **confident consumers and trusted traders** by providing advice and guidance to consumers and businesses. However there will be occasions when a range of different actions may be necessary to deal with cases where trading standards laws have been breached by businesses or others.

1.3 This enforcement policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary regulatory burdens including consideration for social, environmental and economic outcomes.

1.4 The Trading Standards Service recognises that the vast majority of businesses that operate within Buckinghamshire and Surrey are honest, legitimate enterprises. The Trading Standards Service will work with those businesses, helping and encouraging them to understand and comply with their regulatory obligations.

1.5 The main purpose of the Trading Standards Service enforcement activities is to protect the public and legitimate businesses. To achieve this aim we will undertake to regulate businesses and others in a fair, practical and consistent manner helping to support or enable local and national economic growth for compliant businesses and other regulated entities.

1.6 The Trading Standards Service subscribes to the principles and objectives of the statutory Code of Practice for Regulators (the Code) made under the Legislative and Regulatory Reform Act 2006. We believe that all enforcement should be risk based and proportionate.

1.7 In certain instances we may conclude that a provision in the code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the code is properly reasoned, evidence based and documented.

1.8 Included in the term enforcement are the ways we deal with businesses and others in an advisory capacity in addition to licensing and formal enforcement action.

1.9 The Trading Standards Service aims to apply the law in a proportionate and transparent manner and in all our choices of enforcement actions we will comply with the principles of the regulators code.

2.0 Enforcement Policy

2.1 The Trading Standards Service has adopted the principles of the National Intelligence Model and operates an intelligence led approach to enforcement activities.

2.2 Following the National Trading Standards Board (NTSB) Intelligence Operating Model (IOM) Service demand is managed through a tactical tasking process designed to target resources effectively and focus activity on those businesses who cause the greatest harm to consumers and legitimate business. Regular tasking meetings ensure a timely response to emerging issues and efficient monitoring of actions taken to deal with rogue traders and businesses causing the most consumer and business detriment.

2.3 Where an issue is identified and investigated, consideration will be given to the most appropriate and proportionate intervention for dealing with the case.

2.4 A range of sanctions will be considered according to the associated risk and seriousness and of the matter.

2.5 Options include:

- Securing an undertaking from the business that they will comply with their legal obligations
- Commencing action in the civil courts under the Enterprise Act 2002 to seek an enforcement order
- Issuing cautions and warnings
- Prosecuting offenders in the criminal courts

- Restraint, Confiscation and Forfeiture of assets under the Proceeds of Crime Act 2002
- Seizing goods, documents or other items that may be required as evidence, for testing or for other lawful purposes
- Issuing Suspension Notices, Improvement Notices or other such statutory documents
- Issuing of Penalty Charge Notices
- Instituting a license review (e.g. alcohol sales)
- Instituting a product recall
- Issuing financial penalties

2.6 The aim of any intervention is to:

- Change the behaviour of the offender;
- Eliminate any financial gain or benefit from non-compliance;
- Be responsive and consider what is appropriate for the particular offender and regulatory issues which can include punishment and the public stigma that could be associated with a criminal conviction;
- Be proportionate to the nature of the offence and the harm caused;
- Address the harm caused by regulatory non-compliance where appropriate; and
- To deter future non-compliance

2.7 Consideration will be given to matters which aggravate or mitigate the seriousness of the case so that the most appropriate and proportionate method of disposal is chosen.

3.0 Aggravating factors

- The impact, or potential impact, of the offence is so serious that prosecution is the only suitable method for disposal
- Whether the offence continued over a long period of time or involved a series of offences against the same or different victims
- Degree of pre planning
- Age and/or vulnerability of the victim(s)
- Amount of gain for the offender or the amount of loss to the victim relative to the victim's status
- Impact of the crime on the victim
- Prevalence of the offence and its impact on the community
- Where there is any evidence of the crime being motivated by hate (hate crimes) i.e. racial hatred

- Any attempt by the offender to conceal his identity, whether directly or indirectly, such that the victim and/or investigating agencies, cannot easily identify or trace the person.
- Lack of remorse
- The offender's antecedents including previous advice, warnings, cautions and convictions
- There is evidence of significant and/or continuing consumer or public detriment
- There is significant risk to public health and safety or to the environment
- The offender has acted fraudulently, or is reckless or negligent in their activities.
- The offender deliberately obstructs an officer.
- The offender disregards the needs for animal health and welfare or disease control legislation.

4.0 Mitigating factors

- Prompt acknowledgement of guilt
- Making timely and appropriate compensation to the victim(s)
- Previous good character
- Age of the defendant
- Degree of culpability
- Any other factor which, considered objectively in relation to the offence, tends to extenuate the gravity of the crime even though it does not provide a defence to it.

5.0 Forms of actions

Prosecution

5.1 The Trading Standards Service recognises that a prosecution has serious implications for all involved and have developed this policy so that we can make fair and consistent decisions in all cases.

5.2 We will have regard for this policy and the Code for Crown Prosecutors. Consideration will also be given to the Compliance Code made under the Legislative and Regulatory Reform Act 2006, in particular:

- whether there is sufficient evidence that a criminal offence has been committed and there is a realistic prospect of conviction; and
- whether the prosecution is in the public interest.

5.3 In some cases prosecutions may be taken concurrently with civil proceedings e.g. prosecution in the criminal court may be reinforced and supported by action in the civil courts under the provisions of the Enterprise Act 2002.

Simple caution

5.4 Where a prosecution could succeed and the offender admits their guilt consideration will be given to dealing with the case by way of a caution.

Fixed penalty notice or a penalty notice for disorder

5.5 Where a prosecution could succeed and or the offender admits their guilt, if available, the offender may be offered a fixed penalty notice or penalty notice for disorder.

Financial investigations under the Proceeds of Crime Act 2002

5.6 The Trading Standards Service will consider and if appropriate utilise powers under the Proceeds of Crime Act 2002 (POCA), to ensure the recovery of criminal benefit or financial gain following conviction. Where investigations identify money laundering offences, we will consider prosecuting for those offences.

5.7 The Trading Standards Service will consider using restraint powers under POCA to prevent the dissipation of assets from satisfying a confiscation order and to compensate victim(s).

Undertaking

5.8 The Trading Standards Service takes a staged approach to civil redress.

5.9 Where the matters complained of are not so serious as to justify immediate civil or criminal proceedings and the offender is willing to enter into an undertaking within the meaning of the Enterprise Act 2002 not to do or continue to do the matters complained of, a formal undertaking may be sought from the offender in these terms. A breach of the undertaking will normally result in proceedings being issued.

Injunctive relief

5.10 Where an individual or business operates in such a way that it harms consumers generally, application may be made to the civil courts for an injunction to stop the detrimental activities.

Written warnings

5.11 Where consideration of the case and this enforcement policy suggests that future compliance can be achieved without resorting to

legal proceedings The Trading Standards Service will consider issuing a written warning or specific instructions as appropriate.

Suspending goods from sale

5.12 Where it is necessary to protect the public, unsafe goods will be suspended from sale using existing legislative powers.

Refusal, termination or variation of a licence/registration

5.13 The refusal, termination or variation of a licence or registration will be considered where the conditions attached to a licence or registration have not been met.

Dealing with age restricted sales

5.14 In the case of the illegal sale of alcohol to a person aged under 18 years consideration will be given to instituting a review of the premises licence.

5.15 In the case of persistent sales of alcohol from a single premises (two sales within three months) consideration will be given to the issue of a closure notice.

5.16 In the case of persistent sales of tobacco (three sales in two years) consideration will be given to either a restricted premises order and/or a restricted sale order.

Issuing financial penalties

5.17 When legislation allows, we, as the enforcement authority, may issue financial penalties to offenders.

6.0 Partnership working

6.1 Wherever practicable we will endeavour to liaise with other relevant agencies that have a joint or complementary enforcement role to ensure a consistent and coordinated approach.

6.2 Before instigating formal action, the Trading Standards Service will liaise with all relevant agencies where a joint or complementary enforcement role is identified. We subscribe to the principles of the Department for Business Innovation and Skills (BIS) Primary Authority Principle.

6.3 We will share intelligence with other enforcement agencies where this is practicable, beneficial and cost effective (subject to restrictions under the Data Protection Act, and other Trading Standards legislation)

6.4 Data sharing will be conducted through appropriate information gateways.

7.0 Complaints procedure

7.1 The Trading Standards Service operates a two stage complaints procedure, administered by the Customer Relations Team for Buckinghamshire County Council and the Customer Relations Team for Surrey County Council.

7.2 Details of the Buckinghamshire procedure can be found at:
<http://www.buckscc.gov.uk/about-your-council/contact-us/feedback-andcomplaints/>

7.3 Details of the Surrey procedure can be found at:
<http://new.surreycc.gov.uk/your-council/complaints-comments-andcompliments/how-to-make-a-complaint>

8.0 Comments

If you have any comments concerning this policy, please write to the Head of Trading Standards at:

Buckinghamshire & Surrey Trading Standards
Consort House
5-7 Queensway
Redhill
Surrey
RH1 1YB

Or email: trading.standards@bucksandsurreytradingstandards.gov.uk

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BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 28TH SEPTEMBER 2017

**LEAD OFFICER: AMANDA POOLE
ASSISTANT HEAD OF TRADING STANDARDS**

SUBJECT: PERFORMANCE AND JOINT SERVICE BUDGET

1.0 SUMMARY OF ISSUE:

- 1.1 The Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the service for financial year from April 2016 to March 2017. The information provided covers performance against the seven high level indicators agreed by this Joint Committee and in relation to the service budget.
- 1.2 The information provided shows that:
- a) Overall the Service is performing well and delivered excellent results against key performance indicators in 2016-17.
 - b) The Joint Service budget was slightly underspent at the end of 2016-17 (by £31,000 which equated to 1% of the planned budget)

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that:
- 2.1.1 The Trading Standards Joint Committee note the Service's performance.
 - 2.1.2 The Trading Standards Joint Committee notes the Service's current financial position.

3.0 REASON FOR RECOMMENDATIONS:

- 3.1 The Joint Committee is required by the Inter Authority Agreement which underpins the service to:



- a) Ensure effective performance of the Service. This includes formally reviewing performance annually by considering performance against the agreed measures and agreeing performance measures for the Service in advance of the start of each financial year.
- b) Maintain financial oversight of the Service and ensure sound financial management.

4.0 <u>PERFORMANCE DETAILS:</u>
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- 4.1 The performance of the joint service is measured through seven key performance indicators which are detailed in the attached full year performance report.
- 4.2 There are no statutory performance indicators for Trading Standards and there is no performance benchmarking data available for comparison. Following the National Audit Office report on “Protecting consumers from scams, unfair trading and unsafe goods” published in December 2016 the Association of Chief Trading Standards Officers (ACTSO) are in the process of developing a new national performance framework for Trading Standards. The joint service has is helping to lead the development of this new national performance framework.
- 4.3 The Joint Committee are invited to note the volatility of the performance outcomes, particularly in relation to KPI’s 1, 2 & 7. This volatility is illustrated in the quarterly breakdowns of the first KPI but is relevant across each of these measures. Individual case outcomes, which often have been preceded by months or years of work, significantly affect the overall performance. For example, over half the savings achieved in KPI 1 related to a single case, and in the second KPI 86% of the proceeds of crime confiscated in the previous financial year related to a single case.
- 4.4 All the Key performance Indicators with numerical targets were met. These include:
 - KPI 1 – increasing the financial savings for residents as a result of our interventions and investigations, which moved from £269,829 in 2015-16 to £426,713 in 2016-17, showing a 58% increase.
 - KPI 4 – increasing the number of Primary Authority Partnerships, which moved from 78 at the end of 2015-16 to 88 at the end of 2016-17, showing a 13% increase.
 - KPI 5 – increasing the number of trader approval schemes which moved from 1665 at the end of March 2016, to 3062 at the end of March 2017 – an 84% increase.
- 4.5 A key priority for the Service is protecting the most vulnerable, increasing the financial savings for residents and stopping rogue traders operating in Buckinghamshire and Surrey. KPI 2 relates to stopping rogue traders operating and is a combination of indicators which may help the committee to understand the level of work being undertaken in this area. This indicator shows that there has been a drop in 2016-17 compared to the previous year in areas such as prison sentences awarded, fines and rogue traders

convicted. It should be noted however that 2015 – 2016 was an exceptional year in which a relatively high number of serious cases reached conclusion and hence should not be seen as a typical year. There was a drop in proceeds of crime confiscated in 2016-17 but one of the reasons for this was a significant increase in compensation awarded from the Proceeds of Crime, where victims had been identified and therefore were able to receive compensation (£336,000 in 16-17 compared to £114,000 in 2015-16). Both of these figures show a marked improvement compared to Proceeds of Crime compensation awarded prior to the creation of the joint Service in 2015, showing the Service's determination to ensure that criminals do not benefit from their conduct. KPI's 1, 5 & 7, which are positive, also relate to this priority area.

- 4.6 Our second key priority is to helping businesses to thrive and supporting economic growth. Our Primary Authority Partnerships continue to grow (up 13%) with the focus in 2016-17 on developing our relationships to increase the impact of each partnership, which saw the income from these partnerships growing strongly (a 44% increase on the previous year).
- 4.7 Improving the health and wellbeing of communities is the third key priority for the Service, and KPI 6 discusses some of the work that the Service does to support this.

5.0 BUDGET 17/18:

- 5.1 The budget for the joint service was set out in the original joint service business case and set out planned savings of 12% over the first 4 years of the new shared service. This and was adjusted by the Joint Committee in March 2016 to include an additional 1.5% 'marginal efficiency savings' each year from 16/17 for four years.
- 5.2.1 To date the Service has delivered all the savings and additional income targets set out in the original business case.
- 5.3 In March 2017 the Joint Committee agreed a revised budget for the Service, to include new additional income generation targets of 3.8% (£109,000) in 2017/18; 3.5% (£96,000) in 2018/19; and 1.1% (£31,000) in 2019/20. The detail of this budget is set out in Annex A for information. Overall this results in overall savings targets for the shared service of approximately 27%.
- 5.4 It is currently projected that the budget will be slightly (2.5%) underspent at outturn this year. The savings projected in the joint service business plan for 2017/18 will be achieved. In 2017/18 the main saving (other than continued income growth) includes bringing back into the Service the delivery of a contract which had been outsourced to Oxfordshire CC to undertake petroleum and explosives enforcement.
- 5.5 In the Trading Standards budget there are a number of factors which introduce volatility to the budget. It is challenging to accurately predict income and its timing especially where costs are recovered from prosecutions. Some cases go through the legal process in a matter of weeks and others can run into years. Conversely the timing and amount spent on prosecutions varies

depending what approach is taken by the defence, what arguments are made and whether the defendant pleads guilty at an early opportunity.

- 5.6 The Service manages its' budget closely to even out the most volatile factors where it is possible. Future income growth targets have some associated risk. A separate report for the Joint Committee covers income generation work in more detail.

6.0 CONSULTATION:

- 6.1 No external consultation has taken place.

7.0 RISK MANAGEMENT AND IMPLICATIONS:

- 7.1 All significant risks affecting the service (which include items beyond budget and performance) are considered by the management team each quarter.

8.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

- 8.1 The Service is delivering all elements of the business case and is anticipating to break even in 17/18.
- 8.2 The strong foundation created by the shared service will enable it to achieve the additional income without damaging service delivery.

9.0 LEGAL IMPLICATIONS

- 9.1 The Inter-Authority Agreement provides the legal framework within which the Service operates. As set out in paragraph 3.1 of the report, the Joint Committee is responsible for ensuring the effective management of the Service and maintaining financial oversight. The Service's performance is then subject to scrutiny in the participating authorities in the normal way.
- 9.2 The report makes a number of references to relevant legal processes and proceedings that the Service has been involved in over the last year. There are no other specific legal issues that need to be drawn to the attention of the Committee.

10.0 EQUALITIES & DIVERSITY

- 10.1 The performance being reported will not impact on residents or staff with different protected characteristics, as such an Equality Impact Assessment has not been included.

11.0 WHAT HAPPENS NEXT:

- 11.1 Performance continues to be reviewed by the Service Management team and by the Joint Service Board.

REPORT DETAILS

Contact Officer(s):

Mrs Amanda Poole, Assistant Head of Trading Standards 07984 458 679
Mr Steve Ruddy, Head of Trading Standards 01372 371730

Consulted:

Annexes:

Annex 1: Key Performance Indicators Full Year Report 2016/17

Annex 2: Trading Standards Budget 2017/18 onwards:

<https://mycouncil.surreycc.gov.uk/documents/s36930/Item%20%20-%20Annex%20%20-%20Budget%20information.pdf>

Sources/background papers:

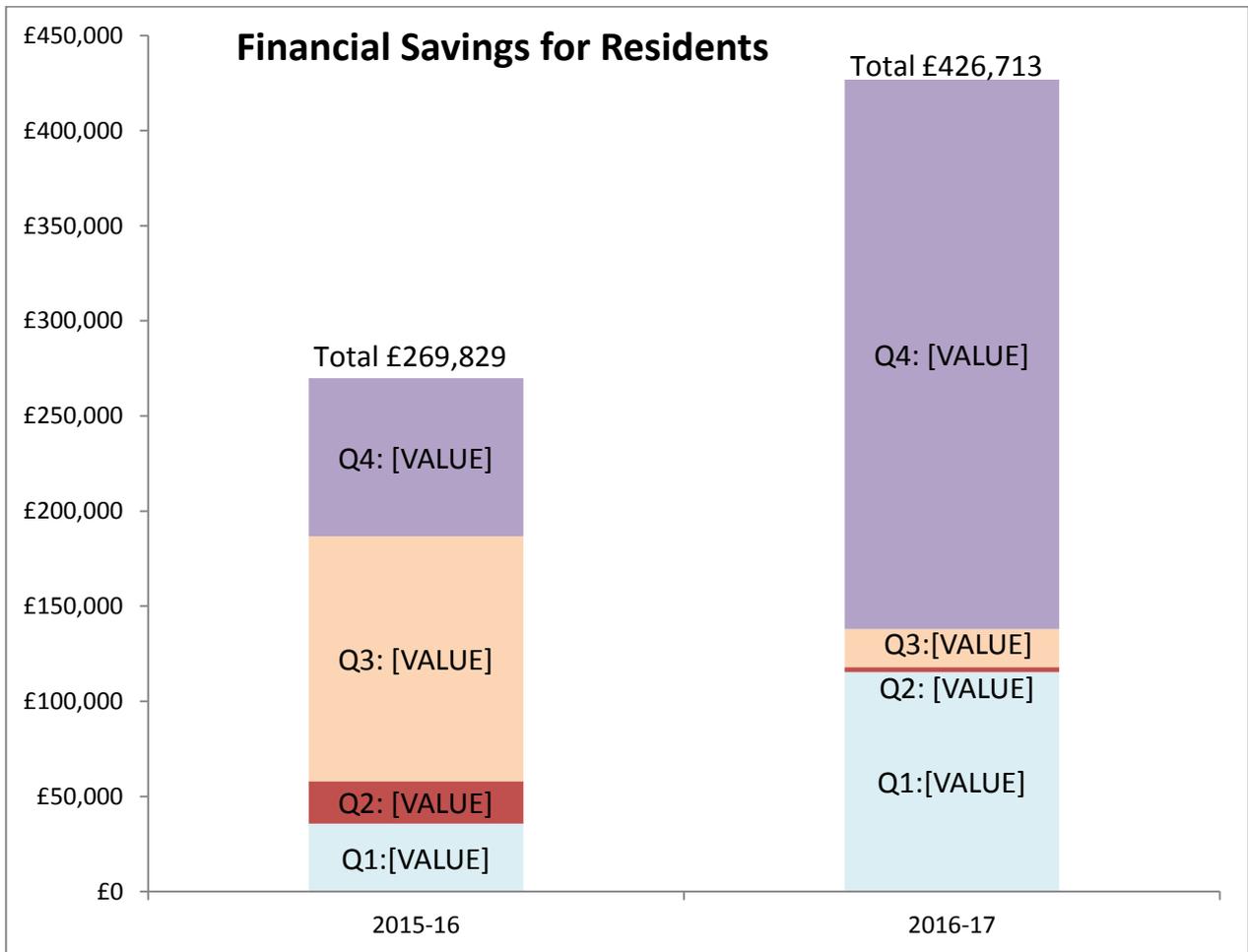
ENDS

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KEY PERFORMANCE INDICATORS
FULL YEAR REPORT
2016/17



KPI -1 Increase the financial savings for residents as a result of our interventions and investigations.



Financial savings for residents consists of compensation awarded by the Courts to victims of crimes where the Service has prosecuted; compensation awarded as part of Proceeds of Crime Act confiscation proceedings; redress which the Service has obtained for customers when intervening in trading disputes; compensation which has been agreed under the new 'enhanced measures' provisions of the Enterprise Act; and money which the Service has stopped reaching a potential criminal through its intervention.

In this financial year, KPI 7 records additional savings from other scam interventions and are not included here in KPI 1. This is because the Service started recording KPI 7 savings in this way from April 2016. Combining KPI 1 and KPI 7 gives a more complete picture of overall savings achieved for residents in 2016/17.

In the course of last year several cases led to substantial sums being awarded to victims in Proceeds of Crime compensation hearings. In the biggest example of this in February 2017 £222,000¹ was awarded to the victims; in May 2016 £97,650 was awarded to the victims and in January 2017 £15,000 was awarded to victims. Elderly and vulnerable victims were targeted in all three cases which related to home improvement fraud and money laundering.

¹ Nb This amount was originally set at £241,000 but was varied by a court order in July 2017.

In 2016-17 the Service obtained £2,000 compensation for a resident of a park home by making our first use of the new Enhanced Measures under The Enterprise Act. Enhanced measures, which were brought in by The Consumer Rights Act 2015 aim to ensure that consumers who suffer loss as a result of breaches of consumer law are able to receive redress (in particular compensation, but also the right to terminate a contract). In addition to signing a voluntary undertaking to comply with relevant legislation in future, the trader in this situation also compensated the victim for the cost of their work. Whilst this approach won't always be appropriate, it does add a new tool which will at times be fitting to the circumstances.

Where the Service receives information that a doorstep crime is in progress or a trader is due back to a site we work with the Police to ensure a rapid response. In addition to this sometimes being the start of a criminal investigation, where it is appropriate and possible the team will attempt to stop any further money reaching the trader. This may be stopping a cheque or being present with the victim to give them confidence that they do not have to hand over cash and explaining to the 'trader' why. At times this will include the victim signing over authority to us to act on their behalf in relation to the transaction, taking the potential stress away from them.

Urgent assistance request

During the year the Service has seen two urgent assistance requests. Quarter three saw an intervention at a doorstep crime incident involving a vulnerable Surrey resident with social and mental health problems. Subsequent investigations identified the resident had been targeted on more than occasion, being scammed by two separate rogue trader gangs out of £64,000 and £59,000 respectively and leaving the property in a severe state of disrepair.

In addition to referring the resident to partners within the Multi Agency Safeguarding Hub (MASH) it was identified during the course of our enquiries that the property required urgent remedial work.

The resident had been defrauded out of the entirety of their life savings. However, recognising the seriousness of the situation and following careful consideration it was agreed to use the proceeds of crime to fund emergency repairs, much to the relief and gratitude of the resident.

Commissioning Buckinghamshire and Surrey Trading Standards approved CheckaTrade traders, the urgent repairs were completed efficiently and effectively. An example of some of necessary work undertaken can be seen below.



Before

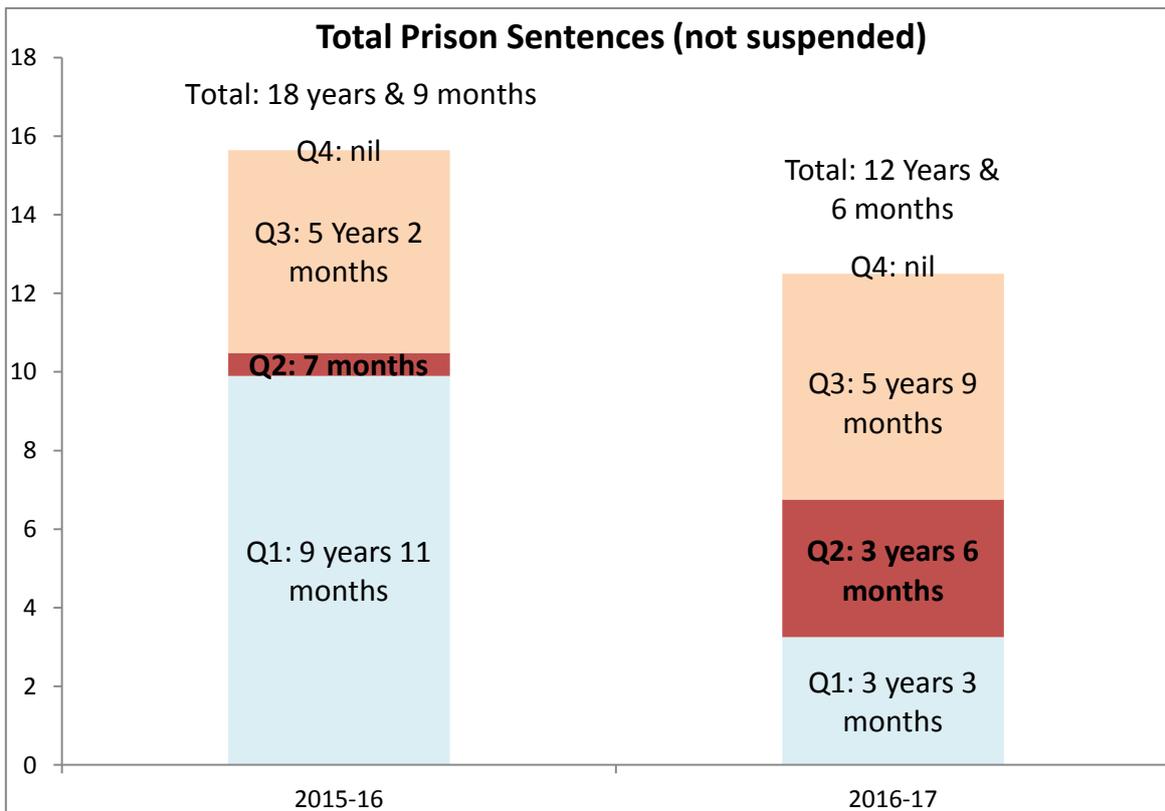
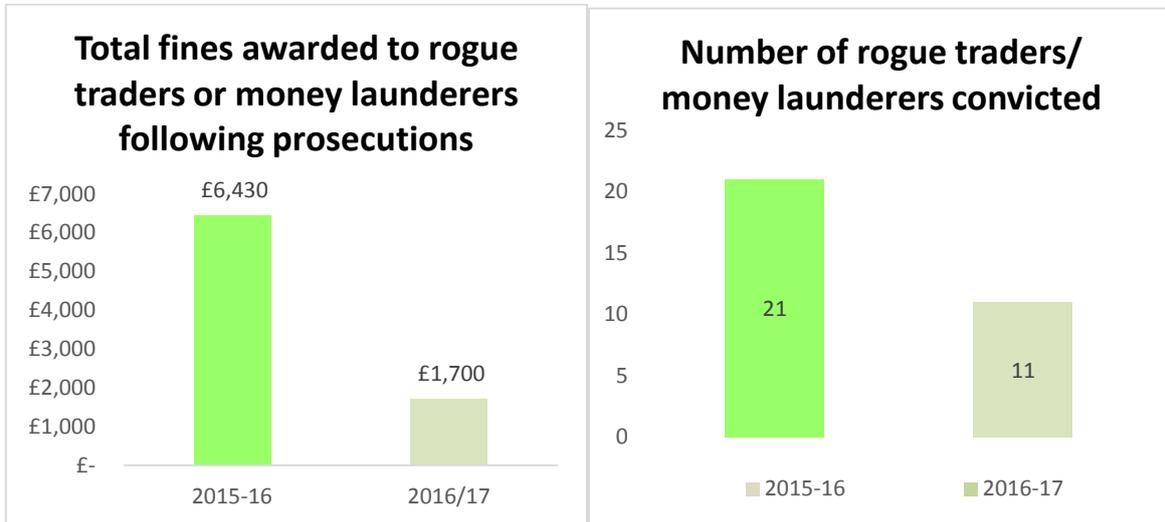


After

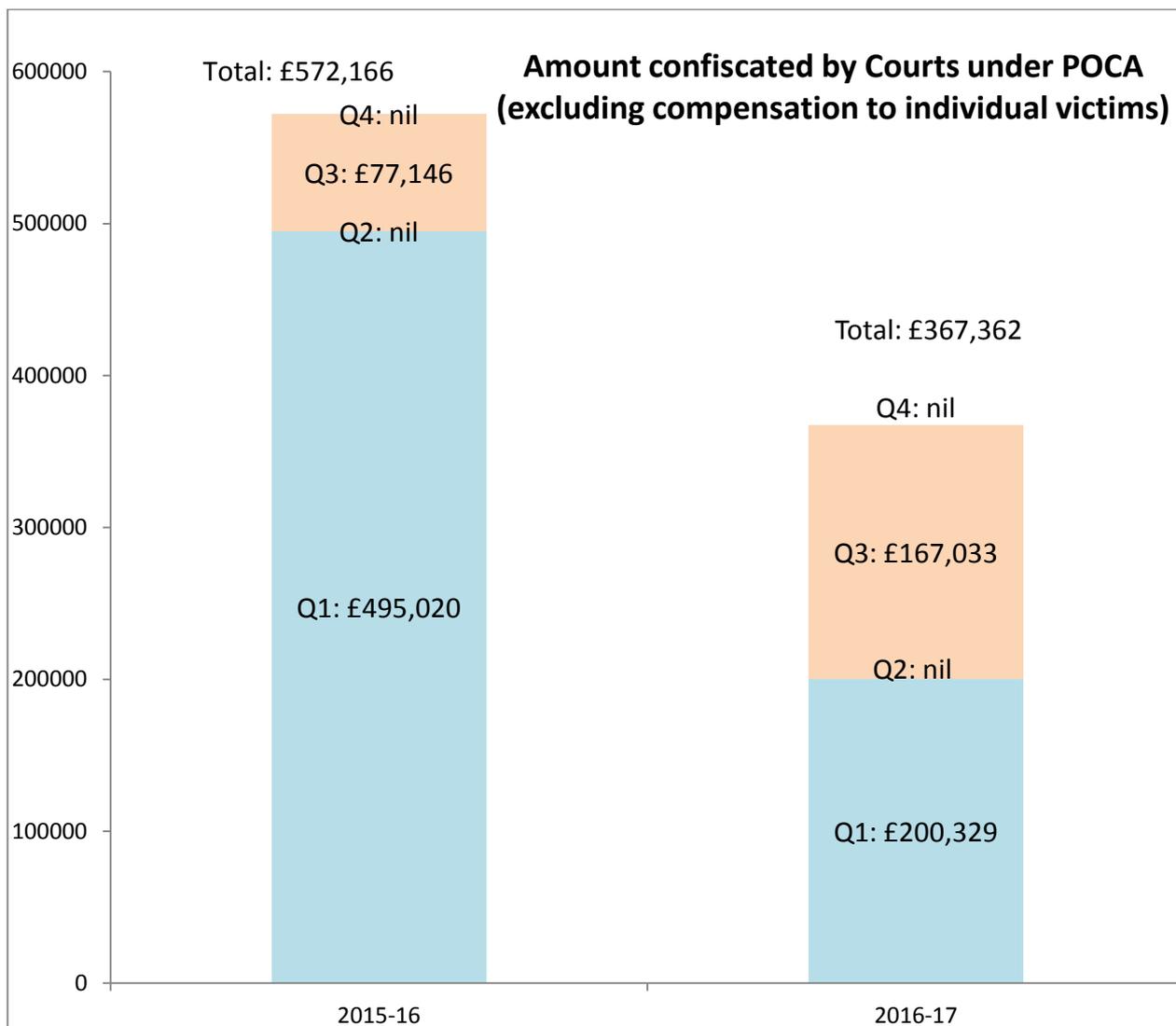
The victim said: "... Trading Standards organised remedial work at my property following a bad experience I had with a previous trader, repairing my roof to a high standard and I am now confident that I will no longer experience damp problems on the first floor of my property."

KPI -2 Protect residents by stopping rogue traders operating in Buckinghamshire and Surrey.

Note: These are indicators only. There are no targets set in relation to these as it is for the courts to decide convictions and the appropriate penalties. We expect the figures to fluctuate, and there may be considerable variations, but they provide useful context as to the extent of offending that the Service is dealing with. In some graphs the quarters have been separately highlighted to show the variation in amounts. 2015 – 16 was an exceptional year, seeing the highest ever number of cases leading to custodial sentences in any one year. The results for 2016 – 2017 remain higher than for years prior to 2015-16.



Numbers of doorstep stickers/packs distributed = **21,891**



Convictions during the year largely related to money laundering and fraud linked to doorstep crimes, consumer protection offences and illicit tobacco.

Quarter One saw the successful prosecution of three rogue traders for doorstep crime offences. All three targeted vulnerable residents with cold calls, persuading them to undertake overpriced, unnecessary and poorly executed works. In one instance the trader used threatening behaviour to control the victim. Following our intervention and investigation, trader one was sentenced to a 12 month community and supervision order with an unpaid work requirement, trader two received a custodial sentence of 3 years 3 months, and trader three was sentenced to three years six months. Trader three was also subject to proceeds of crime proceedings. It was established that he had benefitted from his criminal conduct to the figure of £549,313.41, with available assets identified as £297,979.43. The court ordered £97,650 to be paid to the victims within three months or risk an additional two years being added to his sentence.

During Quarter Two, the Service obtained 6 Enterprise Act undertakings from directors and salespeople involved in unacceptable commercial practices relating to the sale of double glazing products. Undertakings are a formal way to bind people's future conduct to comply with relevant legislation. The Company pleaded guilty to 10 offences under the Consumer Protection from Unfair Trading Regulations but these are not included in the above figures as sentencing did not

occur until June 2017 (The financial penalty imposed of £80,000, and costs awarded of £250,000 will appear in the performance summary for 17 -18).

Quarter Three saw the sentencing in a long running case for the Service where 3 defendants were found guilty of a variety of charges including money laundering, fraud and participating in a fraudulent business. In one instance a victim paid £83,850 for work to their property which was later valued at £14,000. The 3 defendants were awarded prison sentences of 4 years, 21 months and 8 months, the latter of these being suspended and combined with a 180 hours unpaid work order. The first hearing with regard to confiscation proceedings under proceeds of crime legislation was been set for April 2017 with proceedings ongoing at the time of report writing.

In quarter three, there was an additional compensation amount of **£164,106** relating to a proceeds of crime investigation undertaken by the Service's financial investigators which has not been included in the above figures. The proceeds of crime case followed the defendants' conviction of 14 offences of fraud relating to benefit claims, including the Disabled Living Allowance, and direct payments for social care. The compensation has not been included in the above figure because it did not go directly to residents, however it will indirectly benefit residents as it is being split between Surrey County Council (£109k), the Department of Work and Pensions (£45,553) and Reigate and Banstead Borough Council (£7,371).

The fines during the year related to the supply and labelling of illicit tobacco. These offences were discovered with the assistance of a sniffer dog as part of a proactive, intelligence led operation. In addition to the fines, forfeiture orders were issued for the destruction of the contraband material.

Modern slavery

In response to the Modern Slavery Act 2015, Trading Standards has been asked to join the Buckinghamshire Anti-Slavery Network and by extension this includes membership of the wider Thames Valley Network. The service's work on doorstep crime has increasingly over the last few years brought us into contact with both the perpetrators and victims of forced labour. The victims, generally vulnerable and homeless men, have been befriended by members of the organised crime gangs seeking workers for their home improvement frauds. They offer them a roof over their head, food and clothing and friendship. The reality however is beatings, squalid living accomodation and sometimes virtual starvation without wages, which was the case in the high profile case of the Connors family based on the Buckinghamshire/Bedfordshire border back in 2011.

Trading Standards is now part of the network of organisations in both the public sector and 3rd sector who are charged with the early identification of potential cases of forced servitude and the implementing the statutory referral mechanisms. Of course forced labour also operates in the context of other business models and in our interactions with business, officers are mindful of any activity that might be construed as modern slavery.

Quarter three saw the Investigations Team assist Surrey Police to execute a warrant on an itinerant site in relation to offences under the Modern Slavery Act 2015. The target is subject to a simultaneous investigation by Trading Standards for fraud relating to doorstep crime offences. As a result of this operation three slaves (Romanian, Bulgarian and Polish) were identified and

taken to a place of safety. The suspect has pleaded not guilty to holding a person in slavery with a trial set for July 2017. The Trading Standards investigation is ongoing.

The Bucks Herald

Man jailed after fleecing elderly couple



Court

By
EMILY HEARNE

Published: 15:42
Thursday 14 July 2016



An elderly Buckinghamshire couple were fleeced by cowboy roofers of around £300,000 for work that was valued at £577 in 2013. Although, they thought their luck had changed when Trading Standards officers turned up to say they had recovered the money, only to ask for £600,000 in 'up front fees' to get the money back. Yet it turned out these officers were part of the same cowboy roofers company.

It didn't take long for the Buckinghamshire and Surrey Trading Standards who were working alongside the Thames Valley police, to uncover a trail that linked £435,000 of the Amersham couple's payment to a company called Construction Connected.



getSURREY NEWS IN YOUR AREA WHAT'S ON

'Puppet master' of rogue roofing work jailed for four years

Dozens of householders across the Home Counties were approached over a three-year period, a c



John Green Snr (Image: Hertfordshire Police)

A roofing contractor who masterminded a scam that left elderly and vulnerable householders across Surrey out of pocket was jailed for four years on Tuesday (October 18).

John Green Snr, 49, and an accomplice would call unannounced at victims' homes to tell them their roofs needed repairs, Guildford Crown Court heard.

"The work was often unnecessary, poorly performed and grossly over-priced," said Ethu Crie, prosecuting.

"Consumers were not always provided with written notification of their cancellation rights."

Following complaints from many residents, Buckinghamshire and Surrey county councils' trading standards teams launched an investigation.

Bucks Free Press

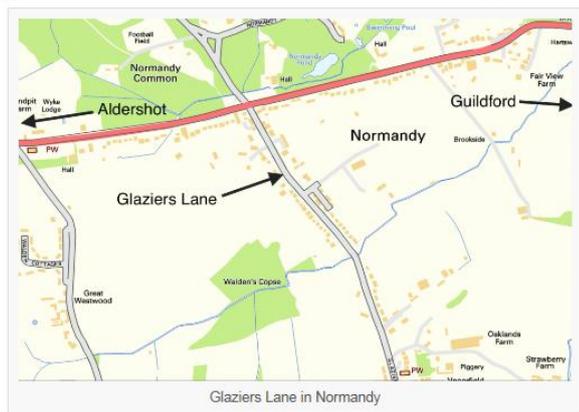
18th October 2016

Illegal cigarette and tobacco haul costs Micklefield Superstore shopkeeper, Surja Singh Sethi, nearly £2,000

Jasmine Rapson @Jasmine_BFP
Reporter



Normandy Man Pleads Not Guilty to Slavery Charge



A Normandy man, charged with slavery offences, pleaded not guilty at Guildford Crown Court yesterday (January 12).

Following a multi-agency operation, Patrick Cash, 38, of Glaziers Lane, Normandy, was charged on December, 20 (2016) with holding a person in slavery.

Mr Cash is believed to have connections with the traveller community in Normandy and is understood to work in the building and horticulture trade.

A trial date has been set for July 10, 2017 at Guildford Crown Court.

A shopkeeper has been fined hundreds of pounds after haul of illegal cigarettes and tobacco were discovered in a filing cabinet at his High Wycombe shop.

Surja Singh Sethi was fined £600 and ordered to pay £1,230 in costs by Wycombe Magistrates on Wednesday, October 12 after 100 packs of 20 cigarettes and 3kg of rolling tobacco were uncovered at his shop, Micklefield Superstore, in Gayhurst Road in February.

They were found in a filing cabinet in the storage room by Buster – a Trading Standards sniffer dog, provided by specialist company Wagtail.

KPI -3 Prevent residents becoming victims through expanding the use and reach of social media alerts, TS Alert! Volunteers, and other preventative initiatives to raise awareness of scams, rogue traders and unsafe products.

The Service has a strong social media presence, making frequent use of Twitter (with 3751 followers and total impressions regularly reaching over 300,000 throughout the year); Facebook (with 766 followers and the most popular post during the year reaching 11,814 people) and Linked In (with over 500 connections). During the year the Service started to use Instagram to widen its social media audience and has been steadily growing its followers, standing at 114 at the end of the year.

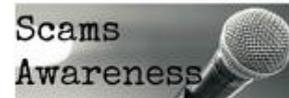
The Service also has a weekly email newsletter (TS Alert!) which has been regularly sent to over 2,500 subscribers throughout the year and updates subscribers on the latest work of the service, scams and product recalls to keep themselves safe.

Would you like to hear about scams?

We currently have volunteers working with us to provide presentations to community groups on scams.

Some of these are generic talks through the [Friends Against Scams](#) initiative, although we do also have a more specific talk regarding online scams.

Buckinghamshire & Surrey trading standards



f Facebook

Top Post
 Fraudsters are targeting people completing their tax returns, sending fake emails asking them to create a "government gateway account", which then requests their personal banking details
<http://www.mirror.co.uk/money/never-hmrc-scam-email-thats-9611469>
 Top post reach 4082

t Twitter

When reporting doorstep crime, try to remember key details about the trader such as their appearance, name & car reg
[#scamaware](#)
pic.twitter.com/381brg9oYz
 6278 IMPRESSIONS

f Facebook

Top Post
 Consumers are being warned to question written correspondence from their banks following a new and sophisticated scam targeting Lloyds customers:
<http://www.telegraph.co.uk/personal-banking/savings/would-fall-latest-ingenious-bank-scam/>
 Top post reach 3834

Volunteers

The Service has around 70 volunteers, from a wide range of ages and backgrounds who supported the Service with over 900 hours of their time during the year.

Following the respective corporate approaches to the use of volunteers, volunteers in Surrey usually join the Service for a single piece of work at a time, whereas those in Bucks join as volunteers and are called in when the required work matches their skill sets which may be for a short period of time but is often on a more regular basis over a longer period of time.

Work continues to develop our volunteer capacity. Due to social isolation being a significant risk factor in people targeted by scammers, our Scams work offers a variety of opportunities to involve volunteers for the benefit of residents, for example: by becoming mail marshals; by speaking at our scam conferences (more information on these is detailed in KPI 7) or by connecting isolated people with their local communities. More detail of one way volunteers help is given in the case study below.

In March we spoke at a “Victim Support” Conference held for their volunteers. This was well received and has led to a stronger working relationship.

People have a variety of reasons to volunteer, and the impact volunteering can have on those who volunteer themselves should not be underestimated as the quote from one of our Volunteers shows:

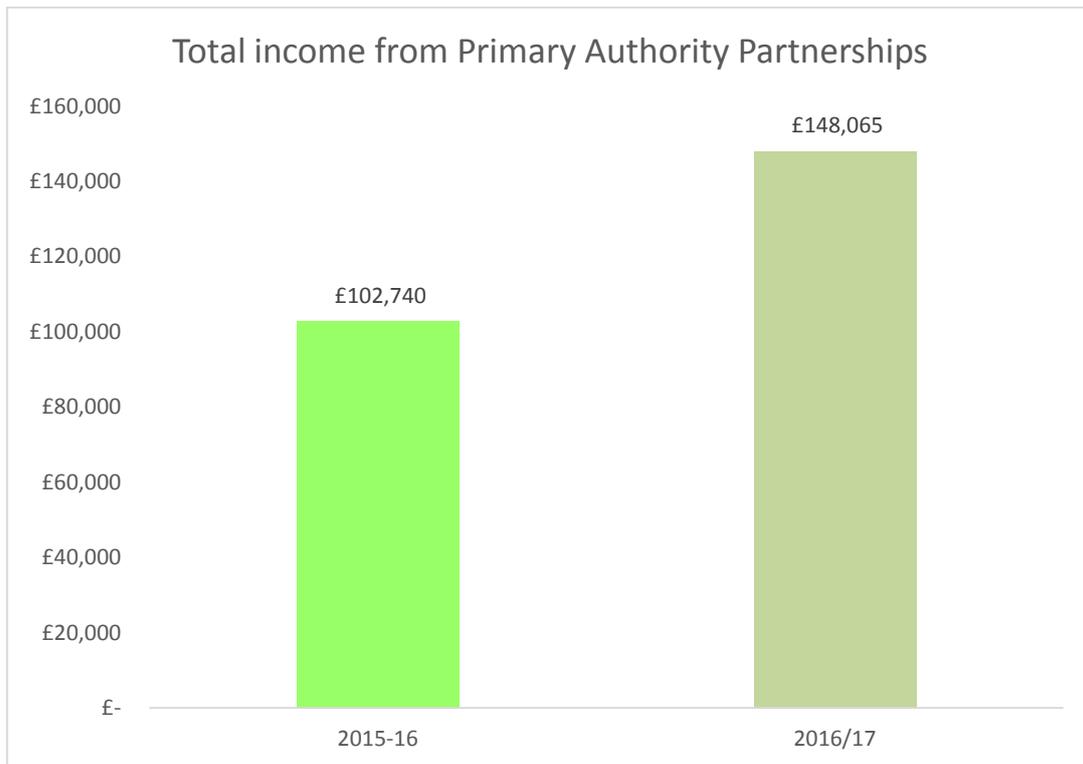
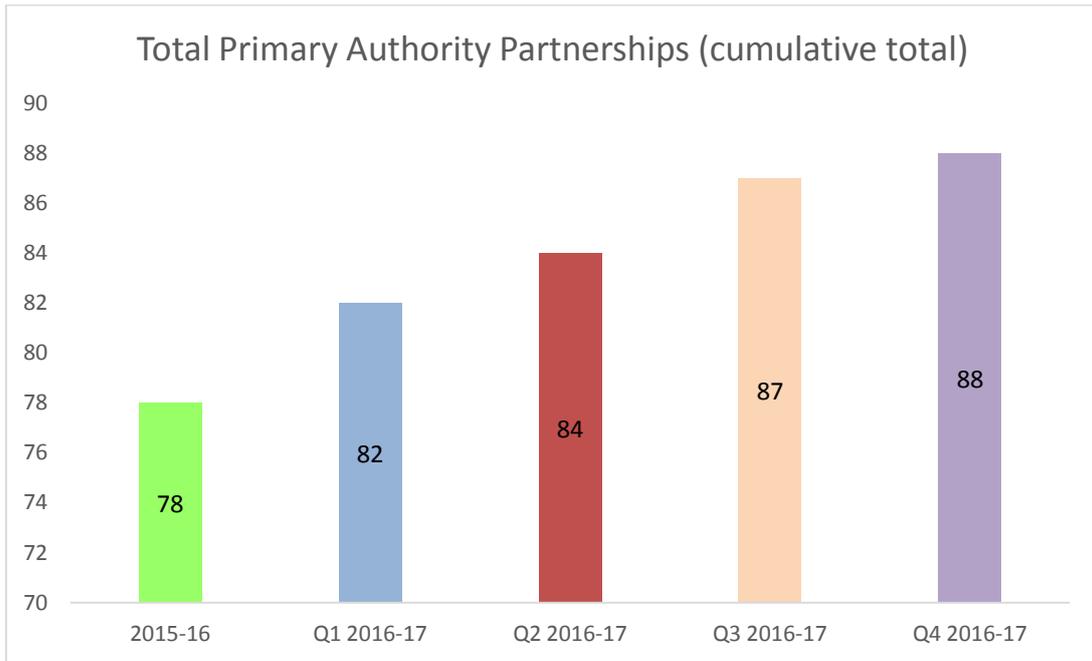
“I just wanted to email to let you know that I've been offered a place at Hertford College [Oxford] for law next year and to say thank you for all of your hard work teaching me about Trading Standards, it definitely made me much more confident for my interviews.”

- **Volunteer Case Study**

Community engagement, involvement and inclusion are key outcomes that the Buckinghamshire based ‘Ageing Population Task and Finish Group’ is keen to develop, with the aim of improving and sustaining the wellbeing of the post-retirement residents of Chilterns & South Bucks. One of the programmes currently being piloted involves the Trading Standards and Prevention Matters services creating additional welfare provision through the use of older volunteers working with the vulnerable victims of crime.

In Gerrards Cross a Trading Standards volunteer, recruited from the local Movers and Shakers Group, is working with three elderly victims of doorstep crime and scams in the vicinity. Aged 86 the volunteer, has worked with Trading Standards, Thames Valley Police and the Community Practice Worker to help target harden and reduce the isolation, through visiting (and indeed taking one of the vulnerable victims to Movers and Shakers) that has been a major contributory factor in their victimhood. The volunteer has been trained to look at the holistic situation of the victims, for example he assisted the victims with their typically chaotic financial affairs, advocated on their behalf, and acts as a speedy conduit when professional support has been needed.

KPI -4 To increase the number of Primary Authority Partnerships



The Service continues to provide excellent and varied support to businesses through our 88 Primary Authority Partnerships. Growth has been consistent although slower than anticipated with our focus being on maximising the benefits of each partnership.

Primary Authority is subject to significant change in the year ahead (2017-18) with new legislation scheduled for an October implementation. The service has actively engaged in the consultations and development of these changes – often being invited to speak at events hosted by the relevant Government Department – Business Enterprise and Industrial Strategy (BEIS).

The previously established partnership with TrustMark, the only government endorsed trader approval scheme, went live in December with a trading standards approval offer for its membership. It now offers Trading Standards Approved membership (at the end of the financial year there were 45 Trading Standards Approved TrustMark members) and work has been completed to produce a handbook of guidance and assured advice for these scheme members. We expect this to be a growth area for the future.

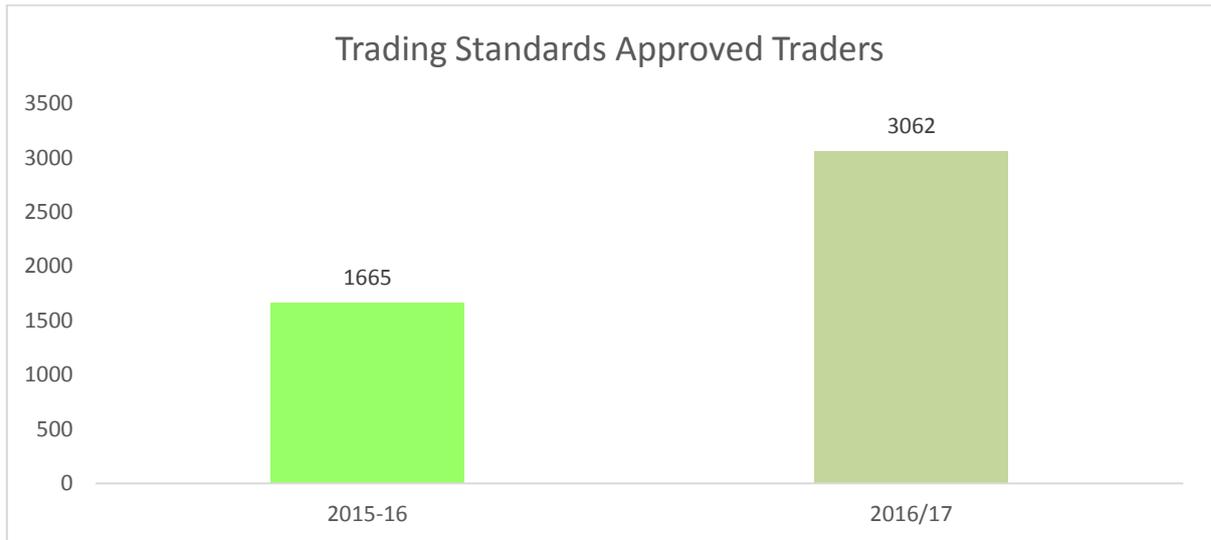
As a step towards a future Primary Authority Partnership we entered into a significant business consultancy service with a company importing a wide range of products from China. This is assisting the business in ensuring it is fully compliant with legal requirements, helping them grow and ensuring the compliance and safety of imported products.

Recognised for our innovative approach, the service finalised protocols for original new activities during the year. With increasing pressures on trading standards services across the country and intellectual property related issues falling to lower priority, two companies joined PA Partnerships with us to enable us to support their brand protection and product safety activities whilst helping to secure their continued economic success. Both submitted their first referral cases and they began to be investigated during the year.

New Partnerships we have welcomed during the year 2016-17 were:

- Delphic HSE Solutions Ltd
- Gift Universe Group Ltd (Menkind)
- Manning Impex
- Resource Experience Ltd
- The Health Foods Manufacturers Association
- Merisant UK
- Canon Europe Ltd
- James Finlay Ltd
- Green Motion Car & Van Rental Ltd
- Hills Pet Nutrition Ltd
- Lacka Foods
- Brand Enforcement UK Ltd
- Haier

KPI -5 Increase membership of trader approval schemes.



TS Approved members of Checkatrade continue to increase as the scheme maintains a robust presence, not only within Buckinghamshire and Surrey, but also across a wider geographical area.

As mentioned above, in December we launched a pilot scheme with TrustMark. Following a successful pilot the scheme has been offered more widely and by the end of the financial year we had 45 Trading Standards Approved Trust Mark members.

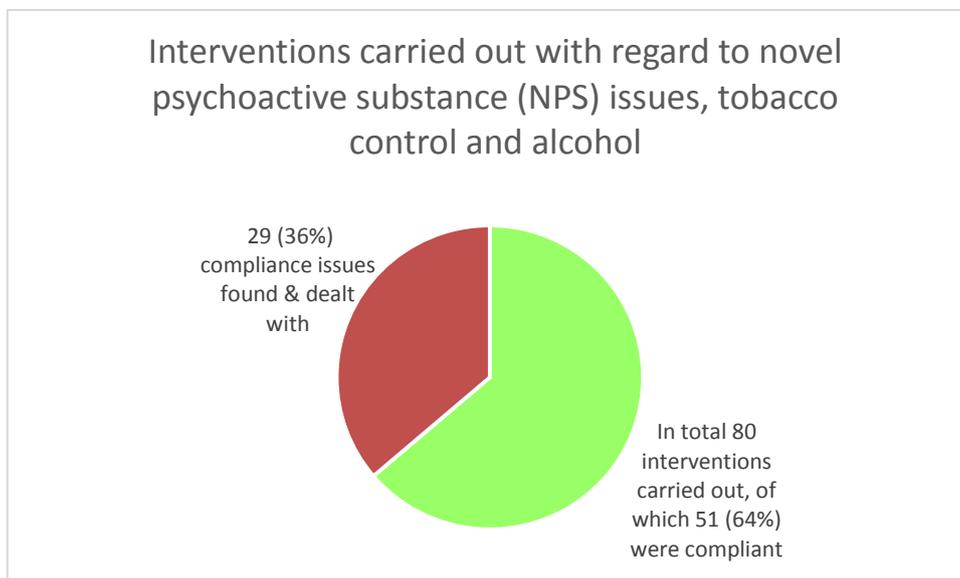


As both schemes grow numbers, so the choice and reassurance for consumers when seeking a trader also grows.

The expansion of the Eat Out Eat Well healthy eating award scheme has slowed down as the scheme has been reviewed by Public Health England in partnership with us. The scheme has a new highest award (platinum) and incorporates requirements that enable businesses to meet government buying standards. This is supportive for businesses and gives the scheme increased kudos. Surrey Public Health are working with us to expand the scheme into nurseries and early years settings, and other local authorities continue to buy into the scheme. There are currently 20 authorities operating the scheme. Bucks Public Health are currently reviewing their funding and operation of the scheme after the dedicated EOEW officer left the service.



KPI -6 Work with partners to tackle illegal sales of age restricted products; to explore new ways to reduce harm from the use and consumption of unsafe products; and to tackle poor food quality and nutrition.



Compliance issues found include incorrectly foreign language labelled food, incorrectly displayed tobacco products and issues about under age sales. These were dealt with by advice and where appropriate improvement notices.

We continue to develop our partnership work with Public Health and other partners with regard to alcohol issues. We are also continuing projects on foreign labelling of food; dinitrophenol (DNP) issues; traceability of the disposal of surplus food and farm waste food; National Trading Standards (NTS) funded feed sampling; E-cigarette availability to under 18's; and tobacco control.

Risk based work relevant to this indicator is carried out under the Food and Feed Enforcement Plan and is covered in detail in that report (last considered at the November 2016 Joint Committee). As part of this in 2016-17 we submitted 224 samples to the Public Analyst for testing and had contact with more than 150 animal feed businesses to ensure that feed for livestock was safe. A summary of our Food and Feed Plan related work carried out in 2016-17 is on our website: https://www.surreycc.gov.uk/_data/assets/pdf_file/0006/100221/Food-2016-2107.pdf

In addition to the work outlined above we also carried out work relating to:

Animal Health / Animal Disease Preparedness

Avian Flu has been an ongoing concern during the year and we have worked with our Resilience / Emergency Planning colleagues to raise awareness with poultry keepers to help deal with the avian flu issues that several isolated outbreaks have created.

During the year we have reviewed and updated our animal disease contingency plans in partnership with both Emergency Planning teams.

Fireworks and Explosives

The main firework season included the registration of new and previous premises to store and sell fireworks. Pre and post registration work was carried out to ensure businesses had adequate procedures in place and were storing their fireworks in a safe manner. Partnership work with Surrey Fire and Rescue was once again a valuable resource. Businesses were reminded of their responsibility to ensure explosives were not sold to persons under the age of 18.

Food Allergens

During the year we have built on the work in the previous year to ensure allergens in catering establishments are dealt with appropriately. The project now targets establishments most likely to endanger consumers by not declaring relevant allergens. The death of a person from anaphylactic shock when eating a curry in Yorkshire (and the subsequent conviction of the restaurateur for manslaughter) continues to highlight the need for this work. A range of food sampling projects has also been carried out looking at undeclared allergens in pre packed food and the presence of dangerous contaminants such as aflatoxins

Ports Project & Safety Issues

The Service works closely with the National Trading Standards Ports and Borders Team to prevent unsafe and non-complaint items arriving via Heathrow from being placed on the UK market. In 2016-17 the Service assessed 31,553 higher risk products at the point of entry, finding 2245 unsafe items and a further 1537 which were non-compliant in another way, for example with incorrect labelling or lack of instructions. Detaining unsafe goods at that point saves considerable additional work once the goods are spread across multiple wholesalers or retailers nationwide, and is an efficient and effective way to protect consumers from potentially harmful products.

Some examples of products detained and destroyed during the year were:

Skin-lightening products containing an ingredient linked to cancer. The products were seized because they contained the skin-bleaching ingredient hydroquinone which is banned in Britain and across the European Union. Cosmetics made with the chemical are thought to increase the risk of skin cancer by exposing the skin to more of the sun's rays and are also linked to thinning and discoloration of the skin as well as liver and nerve damage. The two consignments of cosmetics contained a total of 385 creams.

Foam 'Food' Keyrings – Too easy to tear into small parts, presenting choking hazard to child under 36 months. Could be mistaken for imitation food and therefore presented additional choking risk. Tested positive for Phthalates (a banned chemical) and failed labelling requirements.



Items presenting a choking hazard:

Baby Play Gyms – Nose and eye components of this product detached at low forces, presenting choking hazard. The soft toy parts also split apart revealing small rattle that could also be choked on, presenting serious risk to a child under 36 months.



Childs Drawing Mats – Lid of pen presenting choking hazard to a child under 36 months. Also failed labelling requirements.



Nappy Sacks & Baby Slings - The Service led on a research project funded by central government considering the labelling of nappy sacks and pouch style baby slings. Nappy bags made of light plastic can be dangerous because they are easy for babies to grasp and bring to their mouths. The products have been linked to at least 16 deaths from suffocation in England and Wales. The checks showed one in 10 packs of nappy bags carried no safety warnings and the findings have recommended that nappy bags are sold in rolls or in packets with clips to make it harder for babies to grab them.

The slings looked at as part of the investigation were those which cradle the baby's whole body in a fabric pouch, with no arm or leg holes. Care must be taken to ensure babies do not slip into a chin-to-chest position restricting their ability to breathe and that fabric does not become pressed against their nose and mouth. The research showed that 3 in 10 had no safety warnings. The report recommends that it should be mandatory for these type of baby slings and nappy sacks to carry warnings.

Sunglasses without safety markings – the Service prevented 6,000 pairs of sunglasses with no CE mark from being imported into the UK from Thailand. The CE symbol can only be used on sunglasses which pass safety tests. Sunglasses which do not pass safety tests may do more

damage to the eyes than not wearing sunglasses at all because the dark lenses encourage the pupils to dilate more, letting in more UV rays. Long term exposure to the sun's UV rays can increase the risk of cataracts and macular degeneration.

Illegal Oral Tobacco – the Service stopped 500kg of oral snuff which has been illegal in the UK since 1992 due to its links to oral cancer.

Items presenting a suffocation risk – The Service prevented 200 toy playsets which had packaging which would present a suffocation risk because it was too flimsy (and were incorrectly labelled) from reaching the UK market. The batch was made up of mini play kitchens, dressing tables and projector sets.

Illicit Tobacco

In addition to tobacco detained and destroyed at the border, the Service prosecuted two traders for illicit tobacco in their retail premises. Both had been identified by using a specialist sniffer dog, targeting premises about which intelligence had been received. In addition to the fine, an alcohol license review following conviction saw one of the traders have more stringent conditions imposed

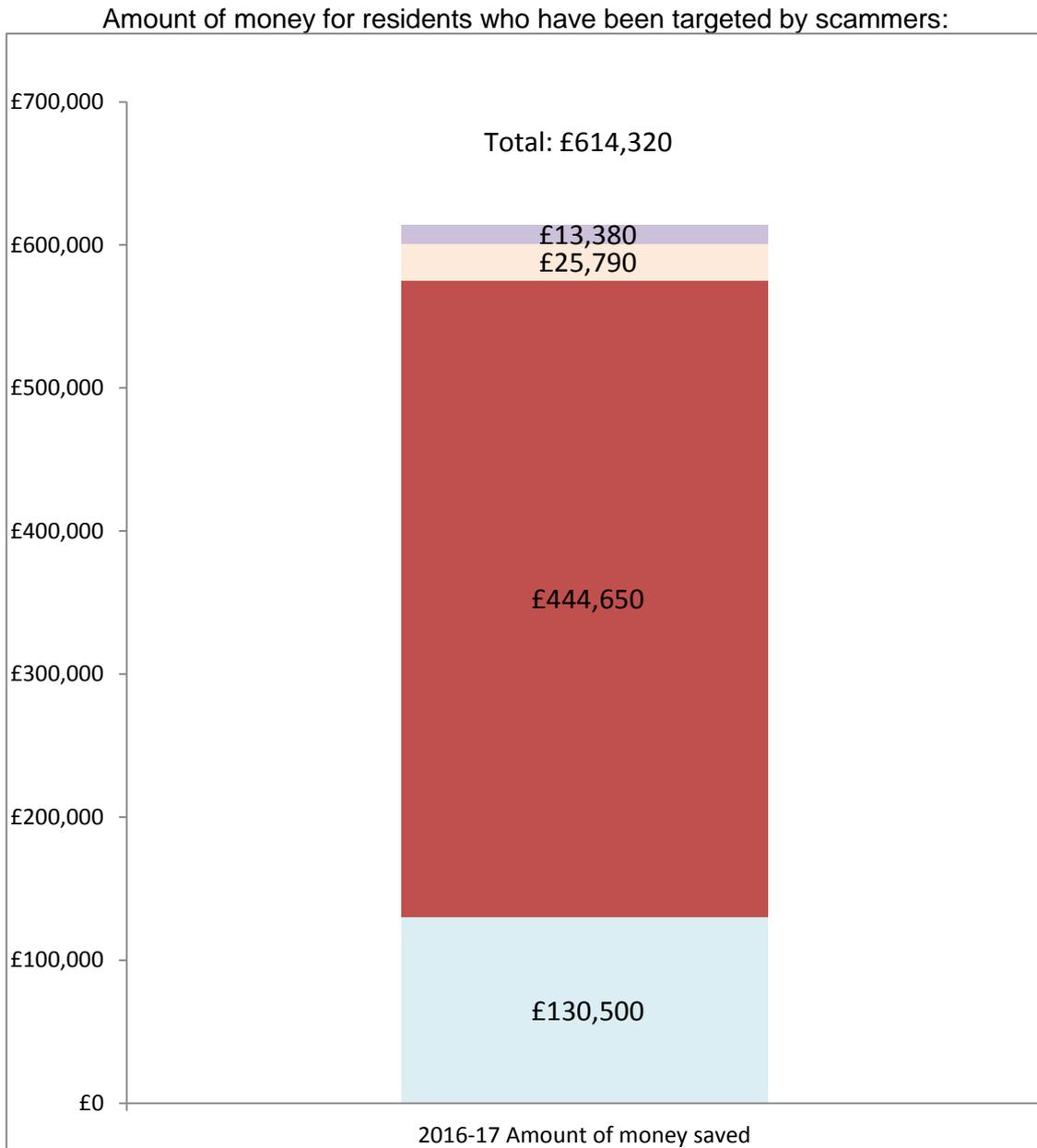
Food Standards Agency (FSA) Audit

The FSA audited the Surrey area of the Services' work in relation to Feeding Stuffs in July. We have carried out almost all of the actions agreed in the Action Plan (outstanding actions relate to the information on our databases). We met with the FSA lead for Feed issues to discuss how we could best ensure our database is fit for purpose and following this we worked with the FSA to produce guidance notes for other authorities on this topic.

Explosives (Fireworks) and Petroleum work

As planned in the Business Case the Service made the decision during the year to undertake all petroleum and explosives work from within the Service as of April 2017 leading to the delivery of a £20,000 saving. Consequently notice was given on a contract for the provision of this work by another local authority.

KPI -7 Scams (including activities carried out by volunteers)

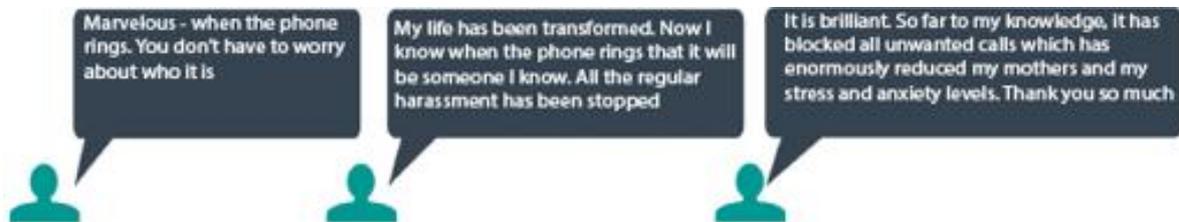


In 2016-17 the Service considered referrals about 389 people known to have been targeted by scammers, most of whom were referred to the Service from the National Trading Standards Scams Team; working closely with the most high risk, saving them **£614,320**. This data only began to be collected during the 2016-17 year and therefore there is no comparison data available for previous years. It is also for this reason that this saving for residents is currently kept separate to the savings recorded as part of KPI 1. More detail on this work is contained in the separate Joint Committee report on Scams.

In the second quarter the Service successfully worked with a particularly prolific and chronic responder to scams who had, for many years, been losing around £40,000 each year by responding to scams. Case studies are given below.

One of the ways in which the Service can support people not to respond to scams is by the installation of telephone call blocking devices, which prevent calls from those who are not willing

to identify themselves or from any number which isn't pre-registered. Installation of the units continued at a steady pace throughout the year with around 60 (seeking a more precise figure) installed during 2016-17 and 86 active units in place at the end of the year; with 47,376 nuisance calls known to have been blocked and the work having been shortlisted for the Excellence in Fraud Prevention category of the Government Counter Fraud Awards.



Scams Conferences in Buckinghamshire and Surrey

In November and January the Service worked with the National Scams Team to run Scams Conferences in Bucks and Surrey respectively, aimed at engaging partners and raising awareness of the extent of the problem of scams. These conferences were funded from the Proceeds of Crime Asset Recovery Incentivisation Scheme (ARIS). Over 80 delegates attended each event, and feedback was that participants found them informative and engaging and they have led to a raised awareness of the work being carried out in this area amongst other services and those in the charity sectors. This led to two key relationships being formed one within the Housing Sector and one within the Charity Community sector which has led to more awareness of Scams and recruitment of "Scam Champions" and "Friends against Scams" going forward. Having victims of scams and their families talk about their experiences was particularly hard hitting.



In early March the Service delivered its first "Scam Champion" training of the Volunteers willing to disseminate the "Friends against Scams" messages. As a direct result of this single training approximately 700 people have been spoken to about Scams and already we are aware of one Champion who called the Police during a doorstep fraud being carried out in Buckinghamshire.

Partnership Working: 'Hughenden Street Association'



Following a successful bid for funding from the Safer Bucks Partnership Board during the year a Project Support Officer was appointed to coordinate and drive the work to finalise the creation of the first "Street Association" to cover an entire parish in the UK leading which was launched in February. The project was aimed at creating a community-wide culture of neighbourliness across the seven villages that make up the Hughenden Parish. From the perspective of the partners in local government, public health and the police, the main focus is improving community care and protection for the most vulnerable in the Parish of some 9000 people and where 29 per cent of the population is over the age of 65 years. For the community, led by the various Residents Associations and the Parish Council, an improvement in levels of engagement, inclusion and cohesion is anticipated.

Examples of working with victims of scams include:

- **Courier Fraud Victim Support – Gerrards Cross and Beaconsfield Banking Protocol**

The victims of courier fraud, mainly elderly people, are hit especially hard both financially and psychologically when the realisation of their situation dawns upon them. The most common of the so-called 'courier frauds' is where the victim is phoned by someone purporting to be either their bank or indeed a police officer claiming that their account has been hacked or some suspicious activity has been noted. The fraudsters convince the victim that they will have to immediately change their card and that the bank/police will send a courier around to collect their current card. First, however, they must confirm their account details including existing card pin numbers. An accomplice then arrives at the door to collect the card and sometimes hand over a fake replacement. Once the card is in the criminals' hands they then go on a spending spree until the money runs out.

There has been a wave of these types of crimes, notably in and around Gerrards Cross and Beaconsfield, and some victims have lost many thousands of pounds. Therefore, in partnership with Thames Valley Police, Adult Social Care and local banks, Bucks and Surrey Trading Standards has been working not only to spread greater awareness in the district about these crimes, but has also implemented a number of target hardening actions, such as installing CCTV and call blocking technology to prevent re-victimisation. Furthermore, a local banking protocol has been established whereby bank staff are trained in dealing with and quickly reporting suspicious activity, to the police and Trading Standards, relating to vulnerable clients.

In November the partnership held an informal coffee morning in Beaconsfield and invited ten victims and family members to come along to help improve their sense of wellbeing and tell them what the partners were doing. The victims and family members seemed to find it cathartic to share their stories and also seek reassurance from the partnership professionals in attendance.

- **Case Study – chronic scam victim - Woking**

A 91 year old male in Woking is a chronic scam victim and has been responding to scam mail, including lotteries and clairvoyants. He is also a hoarder and likes to order all sorts of goods from catalogues. We visited him on a couple of occasions to try and dissuade him from responding to scam mail.

Trading Standards and Adult Social Care carried out a joint visit and took away 2 bags of scam mail with his consent. We have worked with him to let him know which mail that he is responding to is fraudulent and that, by responding, he is helping to fund criminal activity and he has become a Mail Marshal. We will be visiting him again over the coming months to see how that is progressing and considering befriending options.

- **Case Study – chronic scam victim - Caterham**

Another chronic scam victim is a lady living in Caterham. She was originally visited by us last year and the officer who visited returned some money to her which she had sent to Scammers. The Officer also wrote on her behalf to known Scammers asking them to stop sending her mail. She had agreed to this being carried out. In the last couple of weeks we visited with the local PCSO who had been advised by the local postman that she was still getting a lot of mail on a daily basis. We discussed known Scams and the PCSO arranged for her to make contact with a local day centre. She also agreed to become a mail marshal. As we were leaving the house 15 Scam letters were being delivered by the postal worker. The resident agreed to having them put in the first Mail Marshal freepost envelope.

- **Case Study – chronic scam victim - Guildford**

A n elderly Guildford resident, a retired Lecturer, responded to large numbers of prize draw letters, usually demanding an advanced fee (£20 -£40 each time), plus catalogue scams for overpriced vitamins. He was also plagued by scam telephone calls. A photograph of his home is shown below illustrating the sheer volume of scam materials he was being bombarded with. We removed several sacks of scam material. He had spent at least £10,000 responding to scams and was continuing to spend over £100 a week. Our intervention helped him understand that these were scams and he stopped responding. However a subsequent support visit found that he had again begun to respond. Finding the victims is sometimes just the start, ongoing support is needed and it is vital to engage other partners in that.

- **Case Study: Fake Clairvoyants - Aylesbury**

It is never easy to stop a victim of scam mail continuing to send off money when they sincerely believe they are going to receive a fortune in return. It is even harder when the victim has dementia and harder still when the fraud is aligned with the victim's inner beliefs, value systems and spirituality. Such is the case with the especially pernicious fake clairvoyant or medium scams. We are currently working with a 94 year old widow in Aylesbury, living with dementia who is entirely in thrall of three or four fake clairvoyants with whom she corresponds and sends off either cash or details of her debit card. To date we think the scammers have defrauded her

of over £21,000. She has stopped paying the lease on her small flat and is being pursued for £11,000 by solicitors acting on behalf of the landlord. Utility and other bills also remain unpaid.

Trading Standards is not only working on a one-to-one basis with the lady, trying to build her trust in us, rather than the criminals, but also in conjunction with other health and social care professionals, notably the district nursing team, who are very concerned about the lack of food and heat in the flat. Volunteers are working closely with the victim and Trading Standards Officers are seeking to intercede with the lady's creditors to help manage her indebtedness and maintain her in her own home.



91 year old Woking Scam victim

Retired Guildford Lecturer – scam mail retrieved

Annex 2: Trading Standards Budget 2017/18 onwards

	2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	
Trading Standards	3,039	2,850	2,724	2,696	
Net budget²	3,039	2,850	2,724	2,696	
<u>Funding:</u>					
Fees & Charges	-290	-488	-626	-665	
Reimbursements and recoveries of costs	-346	-349	-354	-358	
Total funding	-636	-837	-980	-1,023	
<u>Expenditure:</u>					
Staffing	3,320	3,371	3,426	3,479	
Non Staffing	355	316	278	240	
Total expenditure	3,675	3,687	3,704	3,719	
Net budget²	3,039	2,850	2,724	2,696	
SCC Contribution	2,006	1,881	1,798	1,779	
Buckinghamshire County Council Contribution	1,033	969	926	917	
Joint Budget	3,039	2,850	2,724	2,696	
Summary budget movement					
		2017/18 £000	2018/19 £000	2019/20 £000	RAG
Prior year budget		3,039	2,850	2,724	
<u>Pressures and changes</u>					
General Inflation		59	60	60	
Income Inflation		-7	-9	-11	
<u>Efficiency / service transformation</u>					
Further savings (marginal gains)		-46	-44	-44	G
Buckinghamshire Partnership		-86	-37	-2	G
Additional income generation		-109	-96	-31	G
Movements		-189	-126	-28	
Revised budget		2,850	2,724	2,696	

Trading Standards is run in partnership with Buckinghamshire County Council (BCC) and managed by a joint committee. SCC and BCC contribute towards the net costs of the service, in the proportion 66% and 34% respectively

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**BUCKINGHAMSHIRE COUNTY COUNCIL AND
SURREY COUNTY COUNCIL**

TRADING STANDARDS JOINT COMMITTEE

DATE: 28 SEPTEMBER 2017

LEAD OFFICER: STEVE RUDDY

SUBJECT: TRADING STANDARDS TOBACCO WORK

SUMMARY OF ISSUE:

The Children and Young Person's (Protection from Tobacco) Act 1991 requires Local Authorities to consider, at least once in every period of twelve months, the extent to which it is appropriate to carry out enforcement action to ensure that the provisions of the Children and Young Persons Act 1933, are effected. This seeks to prohibit the sale of cigarettes and associated items, such as nicotine delivery systems, to persons under the age of 18. This duty relates to tobacco enforcement only.

The Service undertakes work in this area supporting the delivery of the Public Health improvement outcomes and responsibilities that relate to the use of tobacco in order to help people to live healthy lifestyles; make healthy choices and reduce health inequalities.

This report considers the Service's work in relation to tobacco and is not restricted only to its sale to children and young people.

RECOMMENDATIONS:

It is recommended that:

The Joint Committee consider the report as a reflection of activity over the financial year 2016 – 2017 and consider enforcement activities which may be undertaken in 2017– 2018.

REASON FOR RECOMMENDATION:

1. The Children and Young Person's (Protection from Tobacco) Act 1991 requires Local Authorities to consider, at least once in every period of twelve months, the extent to which it is appropriate to carry out enforcement action to ensure that the provisions of the Children and Young Persons 1933 Act, are effected.

DETAILS:

2. To ensure coherence and to maximise the impact of our work, Trading Standards link closely to Public Health led strategies to reduce tobacco consumption. The Trading Standards role is mainly in relation to tackling supply. The Service has also enabled links to be made between Surrey and Bucks Public Health teams to share information and good practice.
3. In Surrey, Trading Standards chair the Tobacco Alliance. This group of partners oversee the delivery of the Public Health Tobacco Control Strategy for Surrey and reports back to the Health & Wellbeing Board. With the ambition for Surrey to have the lowest smoking prevalence in England, the Priorities include, among others; "helping young people to be tobacco free"; "tackling illicit tobacco" and "raising the profile of tobacco control". The Strategy can be found at:
<https://www.healthysurrey.org.uk/your-health/smoking/smokefree-surrey/tobacco-control-strategy-for-surrey>
4. The Trading Standards Service in contributing to the development of the Bucks Strategy. When it is agreed the Service will support it where appropriate and we anticipate this work to be similarly overseen by the Bucks Health & Wellbeing Board.
5. The continued rise in retail sale and use of nicotine inhaling devices resulted in the Children and Family Act 2014 being amended to include two new important provisions (brought in by regulations): The Nicotine Inhaling Products (Age of Sales and Proxy Purchasing) Regulations 2015 make it a criminal offence for an adult to buy these items on behalf of a minor and also for a retailer to sell these items to a minor. A maximum fine of £2500 is available to the courts and Trading Standards are responsible for enforcement. The Service has advised relevant businesses of the requirements. There were no complaints relating to proxy sales in 16/17 and no formal action has been taken under these Regulations to date.
6. Other regulations to protect children against the harmful effects of tobacco include "plain packaging". The Standardised Packaging of Tobacco Products Regulations 2015 came into force on 20th May 2016 with a transition period lasting until May 2017. Research shows that younger people are now more likely to start smoking than older people and that it

is harder for them to stop the earlier the habit is begun. Currently, the smoking habit begins around the age of 14 (with girls in the majority.) As the tobacco industry is known to use enticing packaging as a life style type choice to encourage this early habit, these forthcoming plain packaging regulations are hoped to prove a powerful remedy for this insidious commercial tactic.

7. The Trading Standards service has been active in forging stronger links with local communities through a variety of routes including local authority fora, neighbourhood policing units and volunteers. The Service has been developing a training programme for local young volunteers to help us help their communities. This assistance to us includes information on levels of peer group smoking, any known rogue retailers and levels of proxy purchasing. We hope that such links will also prove useful in gathering intelligence to respond effectively to local issues and in the case of the Trading Standards volunteers to participate in the services response to the demands of new legislation.
8. The combination of young persons' specific tobacco-use education and (albeit resource-limited) effective enforcement continues as Trading Standards main approach to help reduce the number of young people who start smoking. The proposed activities contained in this report aim to support this goal.
9. Tobacco use among young people is considered as risk-taking behaviour (by themselves as much as anyone else) and may be seen therefore as gateway-behaviour for other risk taking activities. These would include experimenting with alcohol and new psychoactive substances (NPS), when this is combined with carrying offensive weapons and misuse of fireworks the resulting anti-social behaviour adversely affects how safe people feel in their own communities.
10. The programme for the financial year 2016/2017 was as follows:-

10.1 Use all complaints to provide intelligence to target resources correctly.

Following guidance contained in 'challenge 25 training pack' combined with in-shop training, retail premises continue to improve their own precautionary procedures. This increasing diligence has seen the level of complaints received by this service concerning underage sale of cigarettes (including sales of illegal tobacco products) fall to be less than 2 per month on average. Such intelligence (if deemed reliable) is added to our database for intelligence led work.

Information received about illicit tobacco was used to target premises for visiting with a tobacco sniffer dog leading to two prosecutions in 16-17 in relation to illicit tobacco. The retailers were fined and one had the

conditions of their alcohol licence varied during the subsequent licence review.

One prosecution was of a convenience store in Laleham where 600 counterfeit Benson & Hedges cigarettes and 26 pouches of duty evaded tobacco was seized. All of the tobacco products were found without the required statutory health warnings. The value of the items, if legitimate, was around £775-£800. The total fine including costs was £2301.

The other prosecution was against a shop in High Wycombe where 50 pouches of tobacco and 200 packs of cigarettes were seized. All were labelled in a foreign language or were duty free and so were illicit. The total fine including costs was £1830. This business was also subsequently subject to a licence review and additional conditions were placed on the licence to stop this happening again.

The Trading Standards service is building up a relationship with Border Force at Heathrow. The intelligence they provide includes details about consignments of oral tobacco coming into the country. Oral snuff tobacco cannot be supplied in the UK. In 16/17 a consignment of 500kg of oral snuff tobacco was stopped at the border and forfeited over to Trading Standards for destruction.

10.2 Ensuring statutory warning notices are displayed in premises where tobacco is sold and advising traders about the legislation

Compliance with this legislation is generally good. The Service continues to provide advice to relevant Primary Authority Partner companies and associations on all aspects of tobacco legislation.

Trading Standards doesn't tend to get complaints specifically that such a notice is not being displayed, however it would be one of the things officers would look for when carrying out a visit to a premises for any reason. 5 visits carried out in 16/17 found that no such notice was on display, retailers were provided with a notice to display and advised of the offences under the legislation. No further enforcement action was required.

10.3 Ensuring tobacco packaging is compliant

All tobacco sold after May 2017 should be compliant with the new labelling/packaging requirements. We will respond to complaints received about premises selling non-compliant tobacco. With compliance in the legal tobacco sector generally good, it is expected that it will mainly be illicit tobacco that is not complying with these new requirements.

10.4 Where appropriate, issue to trader's Challenge 25 Training Pack to help avoid age restricted sales.

Retail premises rely on accurate up to date information and subsequent training/experience to be compliant with laws. Accordingly Trading Standards continues to provide the above training pack wherever a need is identified or a request is made.

During 16 -17, 27 underage sales advice packs were distributed to retailers, either during a visit to a premises or sent to them by post.

10.5 Explore alternative means of detecting sales other than by test purchases, particularly where it is apparent sellers know the purchasers concerned.

Surveillance exercises with police and police community support officers at premises thought to be selling to local underage persons are an available strategy. However, as these exercises are highly resource intensive, and the restrictions of RIPA 2000 bear heavily, these are increasingly considered a 'last resort'. The police do have a duty to confiscate tobacco from under age persons which in combination with other activities might well contribute in the drive to reduce underage tobacco use.

11. For 2017-18 we will:

11.1 Continue to participate in those new projects and initiatives that fit within our enforcement activities outlined above together with our own initiatives where they are felt necessary.

These will include, in relation to e-cigarettes, new labelling requirements and stipulations on the size of the containers have also recently come into force. In 17/18 we are carrying out a project looking at the level of compliance with these new requirements for e-cigarettes. We will also be using tobacco sniffer dogs to target potential suppliers.

11.2 Promote the education message about the harm illicit tobacco causes and the smoking cessation message and gather any intelligence about sales of illicit tobacco to identify sources.

This will include by running a series of four illicit tobacco roadshows across Surrey, being jointly funded between Trading Standards and SCC Public Health.

Using intelligence gathered from the roadshows and other intelligence that has come into the service, Trading Standards plans to carry out operations in both Bucks and Surrey using the tobacco sniffer dogs to inspect identified premises for illicit tobacco.

11.3 Promote the smoke free homes and playgrounds initiatives in Surrey.

This promotion will largely be through our social media channels, re-tweeting messages from Public Health to support and extend the reach of their messages.

11.4 Support the development of the tobacco reduction strategy with Public Health in Buckinghamshire by providing input around tackling supply routes.

11.5 Continue to use local, regional and national intelligence to ensure we target our interventions and resources appropriately by: exploring ways to improve intelligence sharing between relevant partners; upgrading intelligence from all viable sources; and exploring alternative means of detecting sales (other than by test purchases).

11.6 Seek licence reviews through the relevant District Council when appropriate.

Prosecutions for illicit tobacco can be used to add additional conditions onto the premises licence including the installation of CCTV at the premises, price labels on the alcohol to include the name of the shop, or the imposition of clear and stringent stock control measures.

11.7 Continue to support retailers by promoting the use of the Challenge 25 Training Pack and advising traders about legislative requirements in this area.

This would be done in response to requests for advice on underage sales legislation and also will be promoted proactively during visits to traders for other reasons.

11.8 Continue to ensure that the restrictions of both price marking and visual display requirements of tobacco products in retail premises are adhered to.

12. Should we discover persistent sales of tobacco to under 18's (2 or more occasions within a two year period) we will consider using powers contained in Section 143 of the Criminal Justice and Immigration Act 2008 to make a complaint to a Magistrate for an order either to prohibit tobacco sales from the premises or prohibit a specific person from selling tobacco products. This order is for a period of up to 12 months.

CONSULTATION:

13. No external consultation has occurred.

RISK MANAGEMENT AND IMPLICATIONS:

14. We are supporting an important strand of tobacco reduction strategies by seeking to reduce the supply of tobacco products. If we are unable to carry out this work the effectiveness of this will be reduced and it is more likely that such products will be available to children and young people.

Financial and Value for Money Implications

15. The work in this area is carried out by a number of officers as a small part of their wider role. At times work in this area, such as advice to businesses, is combined with other visits that officers are carrying out to the same premises or area to maximise efficiency. Overall less than 1 FTE per year is usually spent on this work in total. This report is suggesting that the Service broadly maintains its approach to this work and therefore there is no additional financial implication beyond that which is already committed.

Legal Implications

16. None.

Equalities and Diversity

17. Tobacco consumption is disproportionately prevalent in particular socio economic groups; tackling tobacco consumption is likely to have a positive impact in helping tackle health inequalities. There is no likely negative disproportionate impact arising from the work described in this report on people with protected characteristics.

WHAT HAPPENS NEXT:

Contact Officer:

Steve Ruddy 01372 371730

Consulted:

Annexes: None

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BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 28 SEPTEMBER 2017

**LEAD OFFICER: MICHELE MANSON
TRADING STANDARDS MANAGER**

SUBJECT: SERVICES TO BUSINESS

1.0 SUMMARY OF ISSUE:

1.1 The purpose of this document is to inform and update the Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee in relation to the current services offered to businesses.

1.2 The information provided shows:

1.2.1 The range of services provided to businesses by Buckinghamshire and Surrey Trading Standards and how they combine to form the overall service provision

1.2.2 The Primary Authority service is performing well, working in partnership with other local regulators and delivering services to local and national businesses thus generating income on a cost recovery basis.

1.2.3 The National Primary Authority regime is subject to significant change for the 1st October 2017 and this will be reflected locally in a need for significant transitional activity.

1.2.4 The services available to business include a wide variety of options enabling businesses to select services which suit their needs. Changes to those options include the addition of Easy123 a Primary Authority option for small businesses and the recommendation to cease Home Authority in order to simplify the choices.

2.1 RECOMMENDATIONS:

2.1 The joint committee agrees to cease offering the Home Authority service to new customers.

2.2 The Joint Committee endorses the range of business services currently offered by the Service.



3.0 REASON FOR RECOMMENDATIONS:

- 3.1 The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
- a) Ensure effective performance of the Service. This includes formally reviewing performance annually.
 - b) Maintain financial oversight of the Service and ensure sound financial management.
 - c) Provide strategic and policy steer thereby inputting into and approving significant changes to the operation and policies of the joint service.

4.0 PERFORMANCE DETAILS:

- 4.1 One of the key priorities for the service is to help businesses to thrive. All of the services we offer to businesses are implemented with this target in mind. A fuller explanation of the range of services offered is contained in the Annex 1 - A Refreshing Approach to Business Advice
- 4.2 A review of current performance and challenges can be found in Annex 2 - Business services update. Key points included are:
- Information includes the range of self-service options now including e-learning for 2017-18
 - The business advice service and plans to simplify and streamline access for customers.
 - Primary Authority performance data, new partnerships, new Easy 123 option and other future developments
 - The requirement to transition Primary Authority partnerships by 1st October as a result of legislative changes.
- 4.2 The number of and individual scope of our Primary Authority Partnerships continues to grow. The focus this year is on developing our existing relationships to increase the impact of each partnership and on managing transitions to the new framework. The development of existing partnerships is evidenced by a 36% increase in the average income per partnership during the period 2015 – 2017.
- 4.3 Annex 2 – Business service update provided to increase the awareness of new members of the board in relation to services offered to businesses and to highlight the continuous development of these services.

5.0 BUDGET 16/17:

- 5.1 The Primary Authority growth in both numbers of partnerships and income are illustrated in the graphs contained in Annex 2- Business services update. Income generation is a significant contributor to achieving the planned and in-year budget savings required of the joint service. The current levels of performance provide a positive indication of the services continued ability to achieve the planned income levels contained in the joint service business case.

6.0 CONSULTATION:

- 6.1 No external consultation has occurred.
- 6.2 The Surrey County Council finance team annually review the calculations and agree the cost recovery rate utilised by the service.
- 6.3 Surrey County Council legal team have been consulted on the contents of this report.
- 6.4 Surrey County Council finance team have been consulted on the contents of this report.

7.0 RISK MANAGEMENT AND IMPLICATIONS:

7.1 General risk management

All significant risks affecting the service (which include items beyond budget and performance) are considered by the management team each quarter. The most frequently highlighted risk is reputational from partners' actions, the nature of their business or the service providing incorrect advice.

Reputational risks have the potential to affect our existing relationships and our success rates in recruiting new partners. Such risks are identified and managed through staff training, a control procedure for issuing "Assured Advice" and individual control measures which may be implemented for specific partnerships. For example limiting the scope, completing activities prior to forming the partnership, or refusing a request for partnership.

- 7.2 The changing political and legal environment present real challenges to the operation of the trading standards service. There are significant risks to income generation which are being monitored and we are actively inputting into all consultations; however, at this time the following uncertainties and challenges should be noted:

7.21 Changes to Primary Authority

Changes to the national framework and legislation for Primary Authority require all existing Primary Authority Partnerships to be transitioned to new agreements during August and September. It is likely that during this process we will lose a number who do not complete the transition or elect to cancel. At the time of writing three have already made this decision, one closed his business, the second concluded their internal structure does not enable them to benefit from the scheme, the third has been taken over by another business. Further detail about these changes is in Annex 4.

Potential impact: Financial

7.22 Changes to Data Protection legislation

Changes to data protection legislation scheduled for implementation in March 2018 may significantly curtail the services ability to provide intelligence checking services to trader approval schemes.

Potential impact: Financial

7.23 Regulating Our Future review

An ongoing review of food enforcement by the Food Standards Agency has proposed a model for enforcement which has the potential for food standards and food hygiene to be merged and provided by Environmental Health Services. This presents a risk to Primary Authority, chargeable advice and the Eat Our Eat Well Scheme which is outlined in Annex 3 – Business services update.

Potential impact: Financial

7.24 **Case law**

New case law established in 2017 focussed on local authority jurisdiction for investigations where offences are committed out of county. This case law is being explored to understand whether it affects the implementation and operation of proposed chargeable brand protection services. It may require the service to engage with other local authorities to complete enforcement activities instead of completing those activities ourselves, thereby incurring 3rd party costs.

Potential impact: Financial

7.3 **Types of Primary Authority partnerships**

The portfolio of Primary Authority Partnerships is currently operated as a “balanced portfolio of risk”, meaning that no single partner is large enough in income to present an overall risk to the service should it cease. Growing individual partnerships to maximise the benefits may, in the future, affect this balance whereby a whole fte may be funded by a single partner presenting different risks. Consideration will be given to any risks presented during business planning and when the proposals become more fully developed.

7.4 **Operational capacity**

The business development team has been operating with two vacancies and one member of staff on maternity leave for the year to date. Attempts to recruit to the vacancies have been unsuccessful to date. Capacity is fully employed and our success means partnerships continue to grow in both size and number. There is therefore a risk of the service not achieving partners’ expectations and potentially of losing partners in the future. Employee recruitment attempts continue and growth and workloads are kept under constant review.

7.5 **Brexit**

Uncertainties around BREXIT can have both a positive and negative effect on services designed to support businesses. We have already seen one Primary Authority relocate to their alternate base within Europe and businesses asking for proactive updates on legislative changes. We are managing this risk by explaining to our partner businesses what we can do and what we know; and by adapting the current TS Alert newsletter to include a business information page where we will include legislative updates.

8.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

- 8.1 All services to business are fully costed and charged on a cost recovery basis except where new contacts based within the counties are offered a free half hour of advice as a tool for building relationships with business.
- 8.2. The cost recovery figure used includes all overheads and charges associated with the provision of that service. Third party services are recharged at cost. On advice from HMRC, all services are subject to the addition of VAT.
- 8.3. As outlined above Primary Authority, training and business consultancy are competitive markets which have been seen to be price sensitive, information is included above in relation to the competitiveness of the services.
- 8.2 With the assistance of legal counsel, the potential of forming a trading entity and the opportunities it would offer for increasing income have been explored during this year and found to provide insufficient additional financial benefit and present a risk of confusion to customers at this time.

9.0 LEGAL IMPLICATIONS

- 9.1 The Regulatory Enforcement Sanctions Act 2008 (as amended by the Enterprise Act 2016 with effect from 1 October 2017) provides the legal framework for Primary Authority arrangements.
- 9.2 Cost recovery and charging activities must comply with the provisions of section 93 of the Local Government Act 2003, section 3 of the Localism Act 2011 and any HM Treasury or other statutory guidance on cost recovery. The Service, aided by finance and legal services as necessary, will keep this under review.
- 9.3 All other legal implications are as set out in the body of this report.

10.0 EQUALITIES & DIVERSITY

- 10.1 The activities being reported will not impact on residents or staff with different protected characteristics, as such an Equality Impact Assessment has not been included.

11.0 WHAT HAPPENS NEXT:

- 11.1 Performance continues to be reviewed by the Service Management team and by the Joint Service Board.

REPORT DETAILS

Contact Officer(s):

Mrs Amanda Poole, Assistant Head of Trading Standards 01296 388770
Mr Steve Ruddy, Head of Trading Standards 01372 371730

Consulted:

- Surrey County Council Legal team
 - Surrey County Council Finance Team
-

Annexes:

Annex 1 refreshing approach to business advice brochure
Annex 2 Services to Business update
Annex 3 Home Authority
Annex 4 Primary Authority Changes 2017 - Unlocking the Potential

Sources/background papers:

ENDS

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A refreshing approach to business advice

Buckinghamshire & Surrey Trading Standards
Supporting your business needs



Chartered Trading
Standards Institute
corporate affiliate member



SURREY



Buckinghamshire & Surrey Trading Standards

Buckinghamshire & Surrey's Trading Standards team have extensive experience of advising a variety of businesses from small family companies to international blue-chip corporations. Whether your business trades locally, nationally or internationally, we can help you maximize profits.

Consumer protection law means businesses have to meet certain standards, which include protecting your customers. Looking after your customers not only makes good business sense, but usually means that you will also be complying with the law and therefore not at risk of substantial financial penalties.

Our Trading Standards Officers can help make compliance even easier for you, by ensuring your business is fair, competitive and legal. Our services are available through a flexible modular approach enabling you to choose the elements you need to provide the right level of support for your business.



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Information Services

We want all of our local businesses to prosper, therefore Trading Standards provide a variety of free sources of information which are available on request. Contact our business advice line to find out more:

Tel: 0300 123 2329

Email: Business.advice@bucksandsurreytradingstandards.gov.uk

- Signposting to other sources of information
- Website
- Twitter
- Mailshots alerts
- Business scam alerts
- Online information leaflets
- Dedicated helpline
- Dedicated email
- Facebook
- TS Alert!
- Education projects
- LinkedIn



Apprenticeships

Courses to help support people completing apprenticeships

Consumer law

Courses to help you understand consumer law

Skills for work

Courses to help you when seeing employment

Business

Courses to help you improve your business skills

Food industry

Courses for people working in food and hospitality

Health and safety

A range of courses relating to health and safety



E-learning

Our E-learning packages are designed to help you develop current 'skills for work' and support you to achieve your future aspirations. Available via our website, "Skills for work" provides a jargon free, easy to use online learning resource. Each course is accredited through virtual college, providing you with a certificate to download on completion.

E-learning can help deliver:

- Improved skills for job applications
- Extra in-work learning for apprenticeships or specialist roles
- Targeted development of business or management skills
- Your statutory requirements for training staff

The benefits of online learning

- Reduced training delivery costs
- Learn at a pace, place and time that suits you
- Engaging material, assessments and challenges to enhance your understanding
- Easy to track and evidence staff learning

For more information visit <http://skillsforwork.bucksandsurreytradingstandards.gov.uk/>

These resources are brought to you through a partnership of Buckinghamshire and Surrey Trading Standards, the Chartered Trading Standards Institute (CTSI) and online learning specialist, Virtual College.

Business advice

Business advice and education is a vital part of Buckinghamshire & Surrey's Trading Standards service. The first time you use our business support you will be asked some questions about your business¹ and it is free² for the first half hour, thereafter it will be charged in quarter hour units with a minimum of half an hour charge³.

Tel: 0300 123 2329

Email: Business.advice@bucksandsurreytradingstandards.gov.uk

The options available include:

- A business advice telephone and email help line.
- Face to face meetings to talk you through consumer protection legislation, statutory defences for criminal law, etc.
- Information on changes to legislation which might affect your business
- Start-up advice for new businesses.
- Signposting to other essential sources of information.
- Detailed advice about printed and online marketing materials including labels to ensure you aren't misleading your customers and breaking the law.
- Analysis of food or cosmetics and packaging by our Public Analyst.
- Compliance assessments to identify potential areas for improvement or ways to strengthen your business procedures.
- Access to advice from Environmental Health and Fire Safety through a single point of contact.
- Tailored training for your business on consumer protection legislation is available at competitive half day or daily rates.
- Advice and information relating to Animal health matters remain free of charge

¹ Full details about our business services are set out in our terms and conditions, available on our website

² To qualify for the free half hour your business must be located in the counties of Buckinghamshire or Surrey. Requests for advice from a third party acting on behalf of your business for example discussions with lawyers or consultants will be chargeable.

³ Please see our current fees and charges information on our website for details



Stephen Cheesman of Loseley Bakery finds the choices available from us give him the confidence to focus on the profession he loves. He believes paying us to make sure his labels are compliant allows him to go back to baking.

Barry Kearley of Seasons Cleaning found the dedicated telephone line very helpful. He particularly liked being able to speak to someone who took responsibility for his request and quickly gave the practical help he needed.



Homestead Foods wanted to continue their traditional Home Authority relationship. To ensure access to quick, timely advice and a single point of contact when they need it they have also registered for chargeable advice.

Home authority

For businesses that trade beyond the counties of Buckinghamshire or Surrey, and are based in either county, we can offer a Home Authority partnership. This enables you to seek advice from just one council. The Home Authority Principle encourages all local authorities to effectively liaise and communicate with a business's Home Authority before undertaking enforcement action. We have many successful Home Authority partnerships with Buckinghamshire and Surrey-based companies who trade nationally and internationally.

Tel: 0300 123 2329

Email: Business.advice@bucksandsurreytradingstandards.gov.uk

This Service includes all of the previously listed support plus:

If required, an annual meeting to discuss:

- Business development needs
- Issues or concerns
- Basic guidance on new and current legislation.
- Details of complaints or referrals from colleagues around the country⁴

Other chargeable options Home Authority businesses have chosen to add include:

- Eat Out Eat Well accreditation for staff catering facilities located outside Buckinghamshire and Surrey
- Detailed evaluation of product packaging
- Immediate referral of matters highlighted by other authorities or consumers
- Extra meetings during the year

⁴ Please see our current fees and charges information on our website for details

Primary Authority

Primary Authority allows businesses to be involved in their own regulation. It enables them to form a statutory partnership with one local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or addressing non-compliance.

Being in a Primary Authority partnership will help you manage relationships with local authorities across the UK, simplify regulatory processes and reduce the cost of compliance. As well as significant financial savings, a PA can also help reduce the risk to your business and ultimately ensure it is both profitable and productive.

The scheme is a common sense Government initiative to cut red tape and support economic growth through better local regulation. It is one of the most effective ways for local regulators to improve protection and support their business communities.

Our award winning team have extensive experience in offering both 'direct' and 'co-ordinated' PA partnerships and will help you to choose the arrangement that best suits your needs. Buckinghamshire and Surrey offer a range of PA partnership options to suit your needs including:

- Pay As You Go
- Fixed fee, or
- Bespoke

Primary Authority is available to individual businesses trade associations and franchises.

**2014 Primary Authority Award winners Innovation category,
2015 & 2016 Primary Authority Award finalists
Regulatory Delivery (BEIS)**

A Primary authority will provide robust, bespoke assured advice that must be respected by all local regulators. This enables businesses to invest with confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent.

We can also work with your business to prepare a national inspection plan. This would give guidelines to other councils regarding the way your business should be inspected to minimize unnecessary checks.

The agreement will be formally registered with Regulatory Delivery (RD)⁴ who also specify the standards which apply for this agreement. As part of this service we can provide all of the previously listed support plus the following:

- Single point of contact for Environmental Health, Fire Safety and Trading Standards.
- Primary Authority advice and liaison with other authorities.
- A national inspection plan if required.
- Detailed analysis of statutory defences.
- Auditing of your procedures and processes as required.
- Site visits in and out of Buckinghamshire & Surrey.
- Access to a reliable source of information.

Buckinghamshire & Surrey Trading Standards are a well resourced service who have highly trained and competent officers. All of our advisors meet the Chartered Trading Standards Institute's standards for Continuous Personal and Professional Development (CPPD) and the service actively supports all qualified staff to achieve Trading Standards Practitioner status.

As part of our 'single point of contact' for Environmental Health, Fire Safety, and Trading Standards we can provide you with advice on various subjects including:

- Food labelling
- Food safety & hygiene
- Pricing
- Description of goods and services
- Age restricted products
- Noise control
- Fire safety
- Licensing
- Petrol storage
- Weights & measures
- Product safety
- Health, safety and welfare

⁴ www.primaryauthorityregister.info

There are many advantages of a PA, including:

- Financial savings - RD provide many examples of advice resulting in significant financial savings for businesses
- Reduced compliance costs.
- Reduced risk.
- Improved standards.
- Fewer inspections, information requests and checks on your business nationally.
- A guaranteed level of service and support.
- Access to other sources of helpful information.

Partnerships are specific to your business and the services you need, therefore the charges will vary. The cost will include a basic annual fee plus fees related to the cost of additional activity or officers' time. Please see the fees and charges information on our website for a guide to how we calculate this.

"Buckinghamshire and Surrey Trading Standards led us through the primary authority process from the very first discussions about how a scheme could work for our organisation, through establishing a scheme, and finally travelling the country with us to explain and market the benefits to our members. The result is a best in class primary authority partnership bringing benefits to the whole convenience store industry, and with a growing number of businesses actively signing up to be part of the assured advice scheme."

James Lowman – Chief Executive,
Association of Convenience Stores

"The Primary Authority agreement gives us consistency in complying with various regulatory requirements. This consistency allows us to make long term savings by reaching practical solutions to any issues raised by other regulators."

Graham Timbers, General Manager,
MRH Retail Support

"Buckinghamshire and Surrey Trading Standards provided Robert Dyas (Holdings) Ltd with the confidence and ability to develop online trading of age restricted products, which was an area that we had never ventured into previously. They helped us to implement processes to protect our young customers and our colleagues, and ensure that the Company continues to comply with legislation. The Company now sells a much wider range of products online as a result of this support - this is a significant part of our business"

Peter Sargent – Director, Robert Dyas
(Holdings) Ltd





“Our Primary Authority agreement with Woking Borough Council’s Environmental Health has provided significant benefits to our business, particularly in the form of consistent enforcement of food hygiene and health and safety legislation on a national level. We have been able to consult them when new legislation is introduced and when we need to review our procedures. As a business which operates also operates a number of franchise restaurants we have been able to include our franchise partners in the coordinated partnership with Woking BC to deliver a consistent approach to safety management across the brand.”

Janet Cox, Head of Risk and Compliance,
Kentucky Fried Chicken (Great Britain) Limited

Environmental Health

Available through Primary Authority single point of contact (SPOC) we can offer assistance from a selection of local Environmental Health services. Specialists in food hygiene, health and safety, pollution control, and environmental protection, these officers can help guide you through their regulatory areas.

Utilising operational enforcement officers’ knowledge and experience, we can help you to understand what existing and new legislation means in practice for your business. “Assured advice” can be applied to deliver robust health and safety risk assessments or assured food safety procedures and plans which can contribute towards your food hygiene score and keep your employees and customers safe. We can also develop inspection plans with you that direct enforcement officers from other local authorities which areas they must focus on during routine inspections.

Surrey Fire & Rescue

A business with premises in different counties (and therefore different fire authority areas) can request a primary authority partnership with a single fire authority in relation to regulatory compliance. Available through Primary Authority single point of contact (SPOC), we can offer a partnership with Surrey Fire and Rescue Service who are specialists in fire safety and can guide you through their regulatory area of expertise.

Businesses that participate in this area of Primary Authority benefit from a better working relationship with a local regulator and are able to invest in fire safety measures, systems and policies in a manner consistent with their business model whilst being confident of their compliance with fire safety law.

The provision of robust and reliable fire safety advice from a fire and rescue service through primary authority ensures consistency of regulation and a secure basis for investment and operational decision making thus:

- Reducing the costs of regulatory compliance
- Reducing the burdens of regulatory compliance
- Increasing confidence in regulatory compliance
- Providing clarity regarding responsibilities

Fire damage can often be costly to a business even in very small incidents; few people consider how much damage can be caused just by smoke. Do you have a fire prevention plan or do you need help preparing a disaster recovery plan?

It has been assessed that around half of all businesses experiencing a disaster and which have no effective plans for recovery fail within the following 12 months.

The smaller shop holder will have a plan which can be written on one piece of paper, whereas major enterprises will have comprehensive arrangements.
The London Chamber of Commerce



How else can we help?



Eat Out Eat Well

Could your business be recognized for its healthy food options? The 'Eat Out Eat Well' Award rewards caterers who offer healthy choices on their menus. With four levels, award winners can be restaurants, pubs, cafes, staff restaurants or schools. To find out how you can join this scheme for FREE today visit www.bucksandsurreytradingstandards.gov.uk

Trading Standards Approved traders

When a trader scheme offers a trading standards approved accreditation it means they are working closely with one or more trading standards teams to ensure that their vetting criteria and operation of the scheme meet minimum standards set by trading standards. We have found that each scheme actually exceeds these standards in different ways depending on their priorities.

In addition, trading standards will have ongoing involvement in the operation of the scheme to input into the vetting process and ensure it remains robust with members operating in a legal, honest and fair way.

Buckinghamshire & Surrey Trading Standards provide you with a choice of approved traders through partnerships with:

Checkatrade.com email: info@checkatrade.com phone: 0845 408 4866
Trustmark.org.uk email: info@trustmark.org.uk phone: 0333 555 1234

We can provide training for your business at very reasonable rates.

Recent training includes: Toyota's customer service team on the 'Consumer Rights' legislation; a series of workshops for caterers on the 'Food Information Regulations'; and lectures on food labelling at the University of Surrey and Leatherhead Food.

We also work with other organisations such as local Economic Development Teams, Environmental Health, Chambers of Commerce, Local Enterprise Partnerships (LEPs) and Better Business for All (BBfA) to help promote business growth and better regulation.

"We are proud to have six cafes that have achieved this prestigious award and will continue to develop and promote a range of healthier cooking methods and food for our customers."
Chris Cregg, Places for People Leisure talking about Eat Out Eat Well

"The training was excellent, the team is much more confident in handling aggressive and difficult calls. The trainer was very responsive, tailoring delivery to current issues and experiences, even identifying ways he could help from overhearing a difficult call."
Rachel Rollason, Toyota GB PLC



Contacts and further information

To find out more about how we can help your business, contact us today:

**Trading Standards, Consort House,
5 – 7 Queensway, Redhill, Surrey, RH1 1YB**

**Trading Standards, County Hall, Aylesbury,
Buckinghamshire, HP20 1UP**

Email:

business.advice@bucksandsurreytradingstandards.gov.uk

Tel: 0300 123 2329

Fax: 01372 371704

Web: www.bucksandsurreytradingstandards.gov.uk

 facebook.com/BucksSurreyTS

 [@Bucks_SurreyTS](https://twitter.com/@Bucks_SurreyTS)

 [buckssurreyts](https://instagram.com/buckssurreyts)

 [buckssurreyts](https://in.linkedin.com/company/buckssurreyts)

 [scc.newsweaver.co.uk/
trading-standards](http://scc.newsweaver.co.uk/trading-standards)



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Business services update

Buckinghamshire & Surrey's trading standards team have extensive experience of advising a variety of businesses from small family companies to international blue-chip corporations. Consumer protection law means businesses have to meet certain standards, which includes protecting their customers. Looking after their customers not only makes good business sense, but usually means that they will also be complying with the law.

Working with businesses on a cost recovery basis can therefore be seen as an alternative enforcement strategy or route to compliance and an essential part of an effective trading standards service.

Buckinghamshire and Surrey trading standards use a flexible modular approach to offer a range of services to businesses. This approach includes elements suitable for local or national businesses and the freedom to bundle selections to deliver the right level of support for their needs.



Leaflets
Training Information
Website Signposting
E-learning alerts
PAYG
Single Point of Contact
Advice
Fixed Fee helpline email
TSalert Mailshots
scam alert Facebook
Bespoke LinkedIn
Easy 123
Consultancy
Twitter

business.advice@bucksandsurreytradingstandards.gov.uk
0300 123 2329

E-learning; New for 2017-18

In partnership with the Chartered Institute of Trading Standards and Virtual College we provide a wide range of courses. We have been engaging with local regulators and business organisations to promote our "Skills for Work" branded offer.

Courses start at £15 and offer CPD certificates for training records



Self Service

Some businesses prefer to research an idea or subject matter at a time that suits them, which is why our range of self-service resource options are designed to fit in with individual needs.

- Signposting to information
- Website
- Twitter
- Mailshots alerts
- Business scam alerts
- Online information leaflets
- Dedicated helpline
- Dedicated email
- Facebook
- TS Alert!
- Education projects
- LinkedIn
- e-learning



Business Advice

Our dedicated telephone helpline and email address provide access to tailored and more detailed advice and information. Bucks & Surrey based callers qualify for a free half hour of advice; all other work is charged at our hourly rate.

The service suits one-off enquiries, prospective businesses and those who haven't previously spoken to a Regulator.

Advice acts as a gateway to our other services. It is an opportunity to demonstrate we are approachable and supportive. Helping us to build relationships for the future it can lead to Primary Authority Partnerships

2017-18 Improvements

By registering for advice, businesses provide consent to our terms and conditions and information about themselves.

In 2017 to streamline the service and simplify the customer journey we plan to replace form-based registration with call recording.

Primary Authority

Primary Authority (PA) is our award winning, flagship business product. PA's are statutory partnerships established between a business and a regulator on a cost recovery basis, which can provide "Assured Advice" and "Inspection Plans" which have legal standing and can influence other enforcers' activities



Number of Primary Authority Partnerships



We offer Pay As You Go, Fixed Fee or Bespoke Partnership packages. We also offer Single Point of Contact whereby a business can add Environmental Health, Fire safety, and Welsh advice accessed through us.

94 Partnerships

14 Coordinated

9 Include Fire safety

28 Include Environmental Health

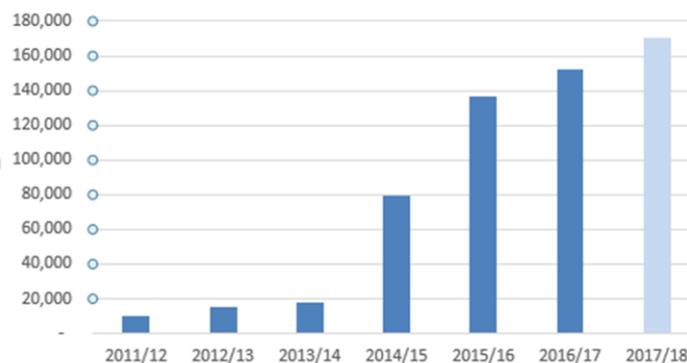
£148K income (2016/17)

Coordinated Partnerships

Where a regulator partners with a "coordinator" for a group of businesses who seeks advice on their behalf. Our largest coordinated partnership (ACS) has approximately 35,000 small business members.



Primary Authority income



Nationally, recognised for innovation in Primary Authority, we drive service development through asking businesses what they need. This approach led to our healthy Eating Award for Everyone Active cafes nationwide, training for Toyota, devolved advice from Wales, nutritional analysis via our Public Analyst and fire risk assessment inspections across the country.

Primary Authority is changing

Government reviews have revealed the wide range of benefits, financial and operational savings businesses are experiencing from Primary Authority. Development and expansion will therefore be implemented on the 1st October 2017. This requires a new statutory framework to be put into place and all existing partnerships to be transitioned across.

Establishing agreement to the revised terms and conditions and shepherding our partners through the process is a challenging and time consuming process for the team in August, September and October.

Easy 123

From October 2017 the benefits of Primary Authority will be available to smaller businesses and pre-start-ups who need advice.

To support our local businesses and encourage new enterprises we have developed a cost effective entry level partnership for £195 +VAT including 3 hours of advice and no sign-up fee.

To qualify

Businesses must have;
1 location in Bucks or Surrey and have traded for less than **2** years and have less than **3** employees.

New partners 2017-18



Importer & Distributor of Quality Toys & Gifts

Training businesses

"The training was excellent, the team is much more confident in handling aggressive and difficult calls. The trainer was very responsive, tailoring delivery to current issues and experiences, even identifying ways he could help from overhearing a difficult call."

Rachel Rollason, Toyota GB PLC



Future Developments

The team are keen to ensure their offer to businesses remains fresh and relevant. We are therefore working to

- refresh the webpages and brochure to simplify the customer journey and introduce Easy 123
- introduce a customer satisfaction survey to inform improvements
- explore the capability to provide webinars on new legislation
- develop TSalert to add a "business edition" page with tailored information

Listening to customers

We are valued for quality, flexible services and being open to and listening for innovative approaches.

Keeping it simple

Publicly available research indicates that presenting too many choices of product can cause confusion and inertia to customers.

We are therefore reviewing the way we present our offers to business from the existing "Refreshing Approach to Business Advice" to a simple transactional path based around four basic themes

- Self Service
- Business Advice
- Primary Authority
- Other Services

Home Authority

Home Authority is the traditional predecessor to Primary Authority for locally based business trading across regulatory areas. We have retained it for those businesses who want a relationship with us but cannot, for some reason, form a formal partnership.

A large number of trading standards services have already discontinued Home Authority. In Bucks and Surrey we have very few remaining and only one which accesses Home Authority augmented with additional chargeable services.

In order to update our offer to businesses and to make space for Easy 123 we propose no longer offering Home Authority to new customers after the 1st October 2017. This will also remove the need to explain the differences between Home Authority and Primary Authority.

Trading Standards Approved

Working in Partnership with

Checkatrade.com
where reputation matters



We help consumers make safer choices and traders to distinguish themselves from the rogues. Our input helps keep those schemes robust and generates income for the Authorities.

2704 Approved traders (2016/17 Q4)

£120,845 income for checks completed by trading standards

Shared learning

"It's really helpful to use our combined knowledge to help deliver business support. Both of us have referred enquirers to each other and the jointly delivered training has received great feedback. We are looking for ways to expand the relationship."

Tori Page-Morris, Delphic HSE Solutions Ltd



Delphic HSE

Legislation devolved to Scotland is currently excluded from Primary Authority. We have widened our SPOC network to include Inverclyde trading standards enabling us to ensure information contains locally relevant information.

Regulating Our Future Review

An ongoing review of food enforcement by the Food Standards Agency proposes alternative models for improving food regulation. This has the potential to merge food standards and food hygiene thus presenting various potential risks to a variety of our income generation activities.

From the 1st October all of our Primary Authorities will automatically include food standards unless they opt out. Prior to transition 56 positively chose food standards and 28 had also added Environmental Health through our Single Point of Contact option.



Contributing to workplace wellbeing and obesity agendas; Public Health support our Eat Out Eat Well healthy eating award scheme in Surrey.

Two of our Primary Authority partners have elected to implement the awards as a chargeable service throughout their nationwide businesses.

We are using all available professional routes to input into conversations and consultations on this review.

We seek to highlight our experience, professional competence and successful activities in food regulation

We currently offer food sampling and analysis to businesses through Kent & Hampshire Scientific services. One business elects to include the public analyst in site visits.

Representing an average income of £5k/yr;

Approximately 30% of business enquiries related to food standard matters during 2016/17.

Better communication

2017 Solent University students studying for their BA in Business Enterprise adopted our business advice service as a dissertation subject. Their research highlighted how small businesses use social media (mainly facebook and twitter) as an information and communication resource. It also revealed a lack of familiarity with the support we can offer. Businesses said they want to know what changes are coming and often don't have the time to find out.

We are now developing our popular TSalert newsletter to include a second page focusing on updates for business and we are also including more business related posts in our social media streams.

"It had long since come to my attention that people of accomplishment rarely sat back and let things happen to them. They went out and happened to things."
Leonardo da Vinci

business.advice@bucksandsurreytradingstandards.gov.uk
0300 123 2329

Home Authority

Author: Michele Manson

Date: September 2017

For: Decision

1.0 Recommendation

1.1 To change the service approach to cease offering new Home Authority relationships to businesses and to continue working towards reducing any existing legacy relationships.

2.0 Impact

2.1 This change will have minimal impact on customers with only two businesses currently using this service.

2.2 This change will have no significant impact on income generation.

2.3 This change will have a positive impact on the overall offer of services to business by removing any potential for confusion between Home Authority and Primary Authority and simplifying the number of choices.

3.0 Background

3.1 Home Authority is a traditional service provided by trading standards and Environmental Health. It can be seen as the predecessor to Primary Authority in that the lessons learned from Home Authority were used to inform the development of the Primary Authority regime.

3.2 Home Authority is offered to a business where that business is located within the authority and it trades across "County" boundaries. The principle behind it ensured that one local authority took responsibility for maintaining records and providing advice to the business to avoid conflicting information and different interpretations of legislation.

3.3 In practice Home Authority has the power of a professional courtesy. It is recorded via a list of participating businesses and authorities maintained on the Knowledge Hub¹. The scheme has no legal standing and therefore enforcers are not required to inform, consult or abide by advice given by the Home Authority. It was seen as good practice and in reality variable in its success. Home Authority also gave regulators a route to refer issues not serious enough for enforcement to the Home Authority for them to discuss with the business, thereby reducing the overall number of contacts.

¹ <https://khub.net/group/guest>

3.4 For businesses with a manufacturing base outside of county there was a further definition of an Originating Authority who would work with the Home Authority and business to handle issues raised during manufacture and inspections of that location.

4.0 Current Environment

4.1 2008 introduced Primary Authority giving all of the above services with the additional facility of legal recognition and legal requirements in relation to how local authorities should interact with the Primary Authority regulator.

4.2 Operated on a cost recovery basis, whereas Home Authority was free of charge and unlimited, Primary Authority has been widely adopted across the country.

4.3 In Buckinghamshire and Surrey when we introduced Primary Authority we initially decided to keep Home Authority in place for the following reasons

- With over 300 on our list it provided a pool of potential businesses from which to recruit Primary Authority partners.
- We were aware that for some very large businesses their internal policies and structures did not permit them to enter into a Primary Authority Partnership yet we perceived benefit to this service of maintaining an open dialogue and relationship.

4.4 To allow space for other services we quantified and limited Home Authority to one annual meeting free of charge and only urgent safety related issues would be referred immediately. Advice would be generic and not tailored and themes not individual complaints discussed. Each business was invited to upgrade their Home Authority relationship with additional chargeable services if they required more than one meeting, immediate referral of complaints or bespoke advice in relation to products or procedures.

5.0 Current Performance

5.1 On adopting Primary Authority, many regulators immediately ceased providing Home Authority as a result and more have ceased since.

5.2 Officers are legally required to consult the Primary Authority register but not the Home Authority list and therefore the process for Home Authority referral and consultation has become increasingly inconsistent.

5.3 The Home Authority list is no longer a reliable and current source of information.

5.4 With the changes to Primary Authority being implemented on the 1st October the service is keen to support local businesses with an entry level offer “Easy 123”. Removing Home Authority will aid in keeping the business services offer uncluttered and easy to understand.

5.4 Buckinghamshire & Surrey trading standards now have seven businesses listed on our internal database as Home Authority. Of these only two are

active in their relationships, three have already been converted to Primary Authority and two seem to have been listed in error.

6.0 Follow-up action

6.1 Staff to be updated

6.2 The Knowledge hub list to be updated to reflect Buckinghamshire & Surrey no longer offer this service.

6.3 The change will be incorporated into the next update of the website pages and business advice brochure.

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Department for
Business, Energy
& Industrial Strategy

Regulatory Delivery

Primary Authority Changes 2017
Unlocking the Potential



The Enterprise Act 2016

The Enterprise Act 2016 includes measures to extend and simplify Primary Authority, enabling all UK businesses to benefit, including pre-start-ups.

From 1 October 2017 every UK business can access advice they can trust from one place.

Through Primary Authority, businesses can form a statutory partnership with a local authority, which provides them with assured advice which other regulators must follow.

Since it was introduced in 2009, Primary Authority has helped businesses avoid inconsistent and confusing red tape. This has been shown to increase business confidence and reduce operational costs, allowing enterprises to focus on expansion.



Primary Authority provides local regulators with a highly effective tool to improve compliance and build better relationships with businesses, whilst aiding economic growth.

After consulting with businesses and local authorities, we are opening up Primary Authority by removing barriers to participation in order to make access to advice easier. At the same time, we are improving the online Primary Authority Register which supports the scheme.

Summary of key changes:

- Fewer eligibility criteria, enabling businesses trading in one local authority area and those who are not yet trading to access assured advice
- Simpler access to advice through coordinated partnerships
- A more structured role in Primary Authority for public bodies with a regulatory or supervisory role across the UK (national regulators)
- Streamlining the Primary Authority processes

The extension of Primary Authority gives every business and every person who wants to start a business access to reliable, tailored regulatory advice.

- Early access to regulatory advice helps businesses get things right first time, protecting consumers and allowing enforcing authorities to target their resources.
- The changes will bring national regulators closer to the scheme, supporting primary authorities in developing advice.
- These provisions will help Britain ensure its position as the best place in Europe to start and grow a business.
- Approximately 95 per cent of businesses in Primary Authority are Small and Medium Enterprises.
- Relaxing the eligibility criteria to include businesses operating in only one local authority area and pre-start businesses will create an estimated overall saving for businesses of £23.8m per year.
- It is estimated that over 250,000 businesses will benefit from Primary Authority thanks to these changes.
- The measures will come into force on 1 October 2017.

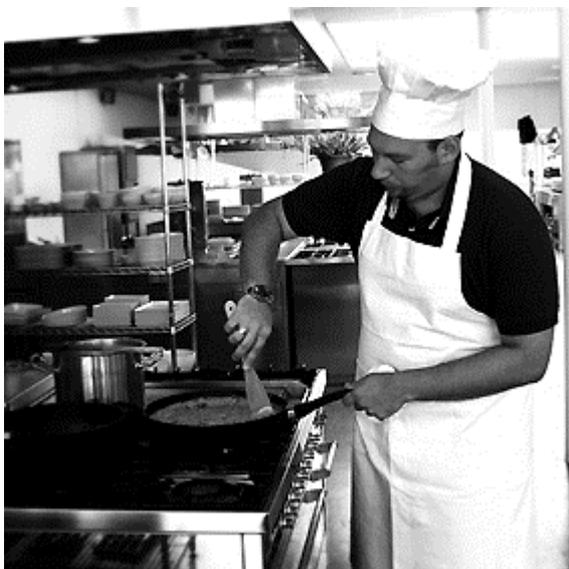


Listening and learning

Building on the success of Primary Authority since 2009, we have been listening and have taken action, to ensure it works in the best possible way for everyone.

Participation in Primary Authority has grown considerably since its launch in April 2009. At the end of February 2017, there were over 16,000 businesses in partnership with 183 local authorities.

At present, a business can form a direct partnership if it is regulated by at least two local authorities, or join a coordinated partnership if it shares an approach to compliance, usually as a member of a trade association or franchise.



Agreements can cover broad or specific areas of environmental health, fire safety, licensing and trading standards legislation. A local authority can recover the costs of its Primary Authority work from its partner business.

We are seeking views on:

- Listing national regulators given the ability to support Primary Authority partnerships
- Simplifying the definition of an 'enforcement action'
- Ensuring that the scope of Primary Authority in Scotland and Northern Ireland remains unchanged
- Updating the requirements for an application for a determination by the Secretary of State

We are also consulting on moving to a system where a partnership covers all of the regulatory functions that a local authority can offer.

Significant enhancements to the Register will be made to support the extension of Primary Authority, in order to deliver a more efficient and simpler user experience.

The online, interactive Primary Authority Register is an essential reference source for local regulators.

Based on feedback on the Register, we are working to improve this digital tool, so that it gives everyone a more straight forward user experience.

The Register has many resources to help local authorities and businesses get the most from Primary Authority, including presentations, guides, information sheets and template documents.

It has a public section to provide transparency around those local authorities and businesses taking part.

It gives easy access to details on every registered partnership and a means to communicate with primary authorities, aiding dialogue about local compliance and feedback from inspections.

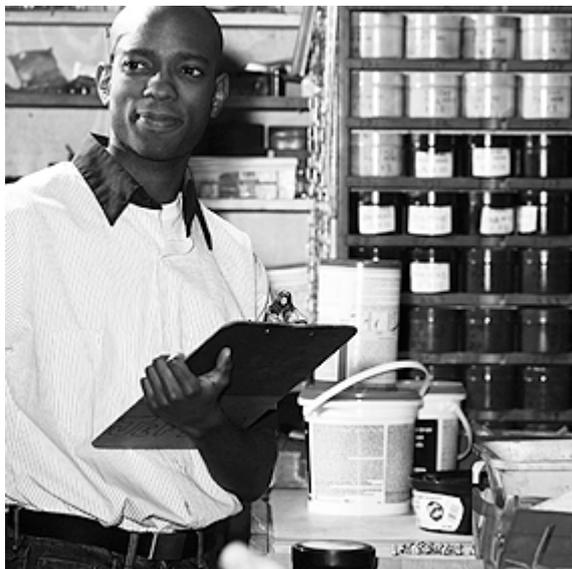
Primary authorities can highlight issues and make key information on business risks and systems readily available to local regulators preparing to visit premises.

The Register must be used to publish inspection plans and to respond to statutory notifications, for example in relation to proposed enforcement action.



Getting involved

Regulatory Delivery exercises the statutory responsibility for the operation of Primary Authority.



We have issued a public consultation on implementing the provisions in the Enterprise Act 2016 and we would very much welcome your thoughts and comments.

The consultation is published on our website and is also available on Citizenspace via the link below.

The closing date for responses is Friday 7 April 2017.

For more on Primary Authority, visit <https://primaryauthorityregister.info> or email pa@beis.gov.uk.

<https://beisgovuk.citizenspace.com/brdo/primary-authority-regulations>

Bringing together policy expertise and practical experience to make regulation work for British business.

Regulatory Delivery strives to ensure that regulation is effectively delivered so that businesses are enabled to innovate, explore and grow, and people and places are properly protected.

We were created on 1 April 2016 to focus on regulation and enforcement, bringing together the Better Regulation Delivery Office and the National Measurement and Regulation Office as a directorate, in what is now the Department for Business, Energy and Industrial Strategy.

We work from Birmingham, London and Teddington, as well as smaller offices across the UK.

To contact us email rd.enquiries@bis.gsi.gov.uk or call our office on 0121 345 1200



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**BUCKINGHAMSHIRE COUNTY COUNCIL AND
SURREY COUNTY COUNCIL**

TRADING STANDARDS JOINT COMMITTEE

DATE: 28 SEPTEMBER 2017

LEAD OFFICER: STEVE RUDDY

SUBJECT: TRADING STANDARDS SCAMS WORK

SUMMARY OF ISSUE:

Scams and scammers target elderly and vulnerable people and are a growing scourge on our communities.

Victims of Scams often experience serious financial loss as well as suffering emotional harm with damaging impacts on health and wellbeing.

Protecting residents, especially the most vulnerable, is a central priority for the shared Trading Standards Service. At its last formal meeting the Joint Committee asked for a report to be presented at this meeting on the subject of Scams and how the joint service tackles them.

This report summarises the wide range of approaches, interventions, and partnerships through which we aim to both protect victims, prevent crime, and bring perpetrators to justice.

RECOMMENDATIONS:

It is recommended that:

The Committee note the work carried out relating to scams consider how the service can increase its impact in protecting residents and tackling scams.

REASON FOR RECOMMENDATIONS:

To raise awareness of the range of initiatives and actions underway and to ensure that the Joint Committee endorses the approach taken and has an opportunity to both provide a strategic challenge and steer for future Scams related actions.

DETAILS:

The attached report provides the detail of the range of initiatives currently underway and planned for the future.

CONSULTATION:

1. No external consultation has occurred.

RISK MANAGEMENT AND IMPLICATIONS:

2. If the service fails to carry out interventions the losses suffered by residents will continue, and may increase, as no other agency carries out our role. The average loss per known victim is around £1700 but some individual losses run into hundreds of thousands pounds.
3. There may be a reputational risk of not continuing this work, including that it may be perceived that residents in our areas are an easy target.

Financial and Value for Money Implications

4. There are currently the equivalent of 2.2 FTE officers leading on our initiatives in this area with other officers drawn in to single projects or work streams as necessary. We also have a pool of volunteers who support our work, some of these have become mail marshals and scams champions. We intend to develop this network of support and are considering whether further resources should be dedicated to this area.
5. It is not unknown for people to be targeted until their entire savings have been spent, and the Service has come across individuals who have gone so far as to take out large additional loans or to develop other debts to continue to be able to give money to scammers. In several cases their homes have been at risk or have been lost as a result. A consequence of this, is that if later in life the person requires social care it becomes more likely that the cost of this will fall to Local Authorities.

6. Research around doorstep crimes also shows that people who fall victim to this type of scam are more likely to move into care within two years than peers who were not victimised in this way.
7. The National Trading Standards Scams Team estimate they produce a return on investment in a ratio of £47 per £1 spent. The Service does not produce local figures, but a previous study suggested that Trading Standards Services generally yield a return on investment of £6 to the economy per £1 spent on fair trading work.

Legal Implications

8. None.

Equalities and Diversity

9. Scams are often targeted at the elderly and vulnerable.

WHAT HAPPENS NEXT:

10. We will continue to develop our approaches to this issue to ensure we are dealing with appropriate cases and attempting to address the wider issues

Contact Officer:

Steve Ruddy 01372 371730

Consulted:**Annexes:**

Annex 1 Tackling Scams across Buckinghamshire and Surrey

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Tackling Scams across Buckinghamshire and Surrey

What are scams?

The National Trading Standards Scams Team estimates that the detriment to UK consumers as a result of scams is between £5 and £10 Billion each year.



Scams come in many forms; uninvited contact is received by email, letter, telephone or in person making false promises to con victims out of money. There are many scams but the most common are fake lotteries, deceptive prize draws or sweepstakes, clairvoyants, computer scams, and romance scams. The criminals attempt to trick people with flashy, official looking documents or websites, or convincing telephone sales patter, with the aim of persuading them to send a processing or administration fee, pay postal or insurance costs or make a premium rate phone call.

“Scammers use messages of trust, secrecy, urgency and legitimacy in very clever ways in order to reassure and manipulate recipients and target their individual vulnerabilities in personalised ways which make it very difficult for the recipient to maintain ordinary decision making processes.”

Dr.
Elisabeth Carter, Senior Lecturer in Criminology and Forensic
Linguistics, Roehampton University

Who are targeted by Scams?

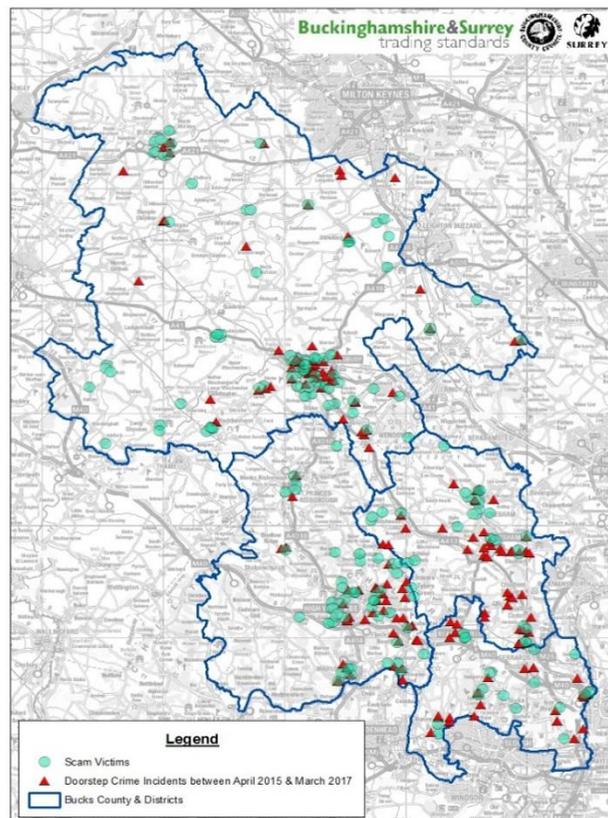
Postal, telephone and doorstep scams are often targeted specifically at older or disadvantaged consumers or those in periods of vulnerability. Whilst this may be linked to age, equally people may become vulnerable due to a range of other factors such as social isolation, low income, bereavement, confusion or those who are time pressed etc.

There is correlation between those targeted by postal, telephone and mail scams and those who are victims of doorstep crime, as highlighted by the map for Buckinghamshire below (showing known scam victims as dots and known doorstep crime incidents as triangles). In a 2015 National Trading Standards Survey, 83% of doorstep crime victims also said that they received unwanted telephone calls and 84% said they received unwanted mail.

Easy transport connections with the closeness of the M25 and M40; relative wealth of some residents and increasing age are all factors which may cause areas in Bucks and Surrey to be targeted by doorstep criminals and by Scams.

The predicted rise in the number of elderly people, and those affected by dementia is likely to lead to an increasing problem.

National estimates indicate that only 1 in 10 doorstep victims and 1 in 20 scam victims are known to us due to high levels of under reporting and, in some cases, a lack of recognition of the problem.



Tackling scams and protecting vulnerable people is a priority area for the service. As well as the large financial losses associated with these crimes they also have a serious and detrimental impact on the health and wellbeing of victims. It is not unknown for people to be targeted until their entire savings have been spent, and the Service has come across individuals who have gone so far as to take out large

additional loans or to develop other debts to continue to be able to give money to scammers. In several cases their homes have been at risk or have been lost as a result.

Previous research has shown that victims of doorstep incidents are two and a half times more likely to die within two years of an incident than non-victims, and whilst this is unlikely to be the case for those sending money to scammers it is clear that it can put significant strain on family relationships.

One local victim banned his son from coming to his house after he found out that the son had failed to send off his cheque to a fictitious Australian lottery scam, because he believed he would otherwise have won.

How do we protect people from Scams?

Responding to Scams – Interventions based on intelligence

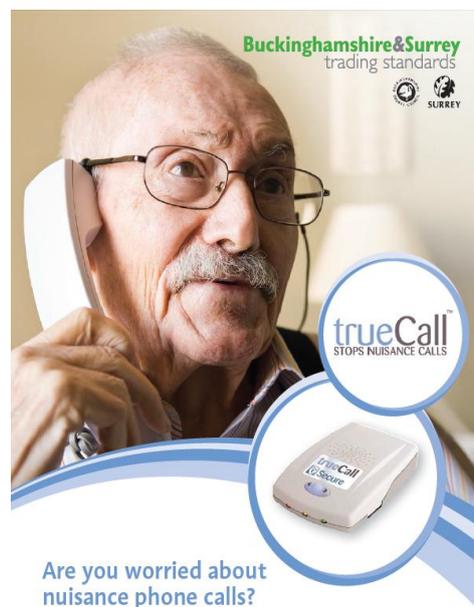
During 2016 the Service introduced a new key performance indicator around our work on scams.

In 2016-17 the Service considered referrals about **389** people known to have been targeted by scammers, most of which were referred to the Service from the National Trading Standards Scams Team. It was estimated that they had lost around £2m, and working with the most high risk we have saved them **£614,320**.

Preventing people becoming victims – Call Blockers

One of the ways in which the Service supports people not to respond to telephone scams is by the installation of telephone call blocking devices, which prevent calls from those who are not willing to identify themselves or from any number which isn't pre-registered. These also reduce the stress described by those persistently targeted of a constantly ringing telephone.

The Service has used Police and Crime Commissioner funding and Proceeds of Crime (Asset Recovery Incentivisation) funding to buy a number of Truecall blockers which are installed on a long term rental basis for as long as they are required.



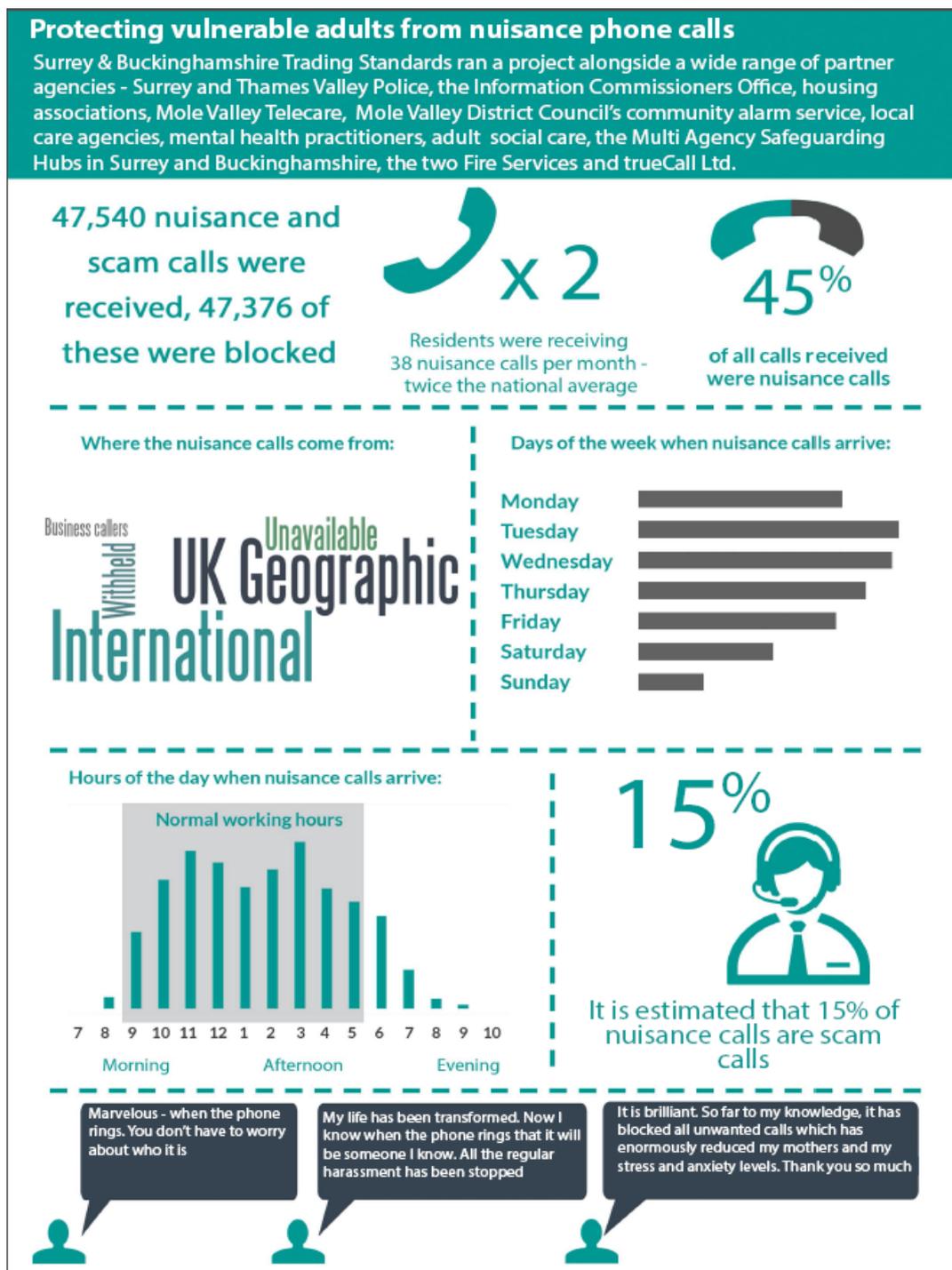
Are you worried about nuisance phone calls?

Many of these calls are scams that aim to con people out of money. Unfortunately they're on the increase but a trueCall device will block nuisance and unwanted calls to give you peace and quiet at home.

Aligned to the installation, the Service also ran a project to learn more about when people are targeted and the number of calls (see below). The Service has shared this information with the Office of the Information Commissioner. During the project **47,376 nuisance calls were blocked**, of which we estimate at least 15% (over 7,000) were scam calls.

The project has recently been shortlisted for the Excellence in Fraud Prevention category of the Government Counter Fraud Awards.

Impact of the Call Blocker project



Building Partnerships to protect residents – Scams Conferences

In November 2016 and January 2017 the Service worked with the National Scams Team to run Scams Conferences in Bucks and Surrey respectively, aimed at engaging partners and raising awareness of the extent of the problem of scams. These conferences were funded from the Proceeds of Crime Asset Recovery Incentivisation Scheme (ARIS).

Over 80 delegates attended each event, and feedback was that participants found them informative and engaging and they have led to a raised awareness of the work being carried out in this area amongst other services and those in the charity sectors. This led to several new key relationships being formed, including one within the Housing Sector, and one within the Charity Community sector which has led to more awareness of Scams and recruitment of “Scam Champions” and “Friends against Scams” going forward.

Having victims of scams and their families talk about their experiences was particularly hard hitting.



Building Awareness – Friends Against Scams and Scam Champions

To support the conferences we have subsequently offered "Friends against Scams" and "Scam Champion" training to those who are in a strong position to cascade this out to the community, including a "Mirror" newspaper group journalist and Neighbourhood Watch.

Friends Against Scams is a National Trading Standards (NTS) Scams Team initiative, which aims to protect and prevent people from becoming victims of scams by empowering communities to "Take a Stand Against Scams". It has been created to tackle the lack of scams awareness by providing information about scams and those who fall victim to them. This information enables communities and organisations to understand scams, talk about scams and cascade messages throughout communities about scams prevention and protection. Friends Against Scams encourages communities and organisations to take the knowledge learnt and turn it into action.

As a direct result of the first Scam Champion training in early March approximately 700 people have been spoken to about Scams and we are aware of one Champion who called the Police during a doorstep fraud being carried out in Buckinghamshire. Since then the Service has continued to deliver this training across both counties to spread the message further including at this years' Bucks County Show.

The Friends Against Scams campaign has continued into 2017-18 with 10 training events being held across both counties attended by around 70 people who are now Scams Champions. They have subsequently cascaded the Friends Against Scams training to over 1000 people. Two of the Champions have been interviewed to appear on the BBC programme Rip Off Britain in early 2018. We have also discussed the initiative with some of our Primary Authority Partner companies, and as a result British Gas has committed to train their staff who visit vulnerable people in their own homes.

The importance of Partnership Working

Understanding the underlying causes of a person responding to scams allows us to begin to tackle the issue. However due to the complexity of issues, it is important that the Service works with a range of partners to ensure our response is coordinated and most likely to have a positive impact. Some examples of such partnership approaches are summarised below:

Safeguarding and working with Adult Social Care

The Service has had a Trading Standards officer sitting on the Surrey Safeguarding Adult Board for 7 years and this has helped to raise awareness within several sectors represented on the board. We also regularly attend the 4 areas represented on each of the Safeguarding sub groups, raising our profile and how we can help in the area of safeguarding against financial abuse still further. It has helped us to form relationships with Housing, Carers groups, the Police and ASC. The Service is having an input into the training on Financial Abuse which is being drawn up by Surrey's Safeguarding Adults Board.

The Service is closely aligned with colleagues in Buckinghamshire Adult Social Care (including the Multi Agency Safeguarding Hub) and a number of 3rd Sector Agencies. Work under the umbrella of the Bucks Safer Adults Board is on-going to create effective victim pathways. This will look at earlier intervention by the appropriate agency where vulnerabilities are identified and preventative actions such as reducing isolation can be explored with the individual.

The Service is working with the Bucks Safeguarding Adults Board to develop materials for the benefit of all first responders including a Safeguarding App. This would support first responders in their roles and provide greater consistency and confidence in the safeguarding process.

Safer Bucks Partnership and "Street Associations"

Following a successful bid for funding from the Safer Bucks Partnership Board, who allocate funding from the Thames Valley Police and Crime Commissioner, during the year a Project Support Officer was appointed to coordinate and drive the work to finalise the creation of the first "Street Association" to cover an entire parish in the UK which was launched in February.



The project was aimed at creating a community-wide culture of neighbourliness across the seven villages that make up the Hughenden Parish. From the perspective of the partners in local government, public health and the police, the main focus is improving community care and protection for the most vulnerable in the Parish of some 9000 people and where 29 per cent of the population is over the age of 65 years. For the community, led by various partners such as Residents and Community Associations, local businesses and the Parish Council, the aim was to improve levels of

engagement, inclusion and cohesion. Members of the Street Association are trained to look out for doorstep crime and scam victims but also to spot the signs of potential vulnerability in their neighbours (e.g. widowhood, loneliness, ill health) and refer for early intervention professional support.

Following the success of this Street Association further areas are now being considered, particularly those communities with a greater than average 65+ age group, notably where this also correlates with high levels of both doorstep crime and/or National Trading Standards Scams Team identified scam victims.

In the Thames Valley area the Service has linked to the Adult Exploitation Steering Group, set up by the Safer Buck Partnership. This was initially focused on Modern Slavery but has been broadened to look at all forms of adult exploitation including scamming and doorstep crime. This initiative has brought together key players in both the public and third sector to seek greater understanding of each other's remits, agree referral protocols and coordinated action in the event of an incident.

Police and Crime Commissioner

In addition to the work to develop the Hughenden Street Association the Service works closely with its local Police forces and Police and Crime Commissioners' offices on a range of scam related issues:

The Service is represented on the pan Sussex/ Surrey Fraud Group where the Police and the Trading Standards Service are working closely to develop methods of minimising and acting on scam related Frauds. Sussex started their Operation Signature, which has more recently become a priority for Surrey Police and we were involved at the early stages of its development, engaging with Crime Reduction Advisors amongst others. Operation Signature aims to minimise the vulnerability of elderly victims to deception and fraud by working with partner agencies, extended families and carers to raise awareness of the breadth of deception and fraud scams. The Service will soon be delivering training to PCSOs across Surrey Police to aid with this work.

In the past, funding from the Surrey Police & Crime Commissioner has been used to produce Scams booklets and sticker packs. More recently these have been funded from money confiscated from the Proceeds of Crime.

The Service sat on a "Cyber Group" Forum hosted and funded by the Surrey PCC, which launched a Cyber Crime information forum. The forum is designed to bring relevant partners together and has set up a website giving preventative advice about cybercrime to residents.

Thames Valley Digital and Cyber Crime Strategy is under development and Trading Standards are on the Strategic Partnership Board. This is largely going to be an awareness raising strategy aimed at three identified target groups: Children, the General Population and Business (SMEs).

The Service has a seconded police officer within Trading Standards in the Aylesbury office which facilitates additional intelligence (i.e. access to police National Computer Database). This arrangement is in its fourth year now, and is developing as both parties realise the potential of the arrangement. e.g. we have arranged training for all Neighbourhood and Response Teams across the county. As a result response times, and mutual understanding of each other's roles, has improved substantially.

The Service has an active "Rapid Action Team" to respond to Doorstep Crime which is in progress, to secure evidence and to begin supporting victims. The Service works closely with the Police on Doorstep Crime matters, and assists in training newly qualified and trainee Officers.

Victim Support

The Service has engaged with Victim Support and were the keynote speakers on their weekend Conference. We are developing a pathway where we will pass Scam Victims to them if desired by the individual and counselling support can be given for as long as it is required. This is a new initiative and if it is successful we will seek to expand it to Bucks Victim

Surrey Community Action

The Service has a good working relationship with "Surrey Community Action", who engage with the Public and voluntary sectors and we have held several joint ventures together enabling us to get to a wider cross section of communities who also serve to help the most vulnerable in our communities.

National Trading Standards and the National Scams Team

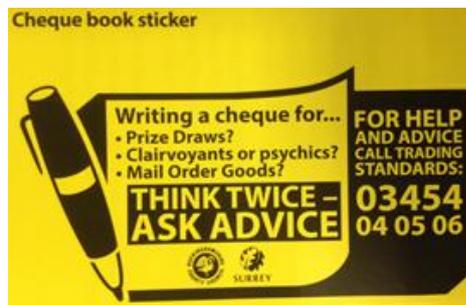
The Service has recently been successful in bidding to host the National Scams Team. The work of the NTS Scams team fits very closely with our own priorities and focus of protecting vulnerable people by working in partnerships to achieve more than we could alone, so we are confident that the new hosting arrangement will be mutually beneficial. A Briefing Note has been produced on the work of the National Scams Team and our future hosting arrangements –**Annex 1**



Prevention Materials - No Cold Calling and Scams Sticker packs



The Service produces “No Cold Calling” Sticker packs and “Scam” Packs. These have been widely received and we have distributed many thousands throughout both counties (over 100,000 have been distributed so far, over 20,000 in the last financial year) they have also been adopted across several regions and by the National Scams Team. The second print run of the Scams packs adapted to include reminder stickers for computers and some advice on Cyber Crime.



Working with Banks and Building Societies – the Banking Protocol

The Banking Protocol aims to train customer facing staff in financial institutions about scams. If they notice something amiss with a customer they can report this to the Police to make it harder for people to lose money to scammers. Trading Standards will work closely with the Police to investigate cases referred from banks and the Service is discussing with the police how to make this as effective as possible.



All bank staff are to be trained to spot signs that a customer may be withdrawing cash to give to a scammer.

Police hope the scheme will help reduce financial crime by spotting scams before money has been handed over.

The plan is to train every single front-facing employee of banks, building societies

Surrey Police are intending to sign up to the Banking Protocol in the autumn of 2017. In Bucks the Service, Thames Valley Police and Buckinghamshire Adult Social Care have teamed up with banks in one pilot district where there has been a spike in courier type frauds to improve awareness and coordinate a rapid response in the event of a suspected fraud. However, more widely Thames Valley Police are considering when would be the best date to fully implement The Banking Protocol.

In addition to the specific Scam Champion training, the Service has provided talks to raise awareness about scams to key services including banks, (where we helped by partaking in an anti fraud video produced by NatWest for their staff) Medical Surgeries, Victim Support, Safeguarding Adults Board, Older Persons Forums and Sheltered Housing

Supporting Victims

When we receive details from the National Trading Standards Scams Team of a person they believe has been targeted by scammers below is the broad structure of our current interventions:

1. Take a holistic view of the victim beyond the immediate fraud
2. Check our database to see if they are a previous complainant, in which case we create a unique database file for the victim which is updated with every subsequent action.
3. Check with Adult Social Care (ASC) whether the victim is known to them
4. Write to all those on the list who are new to us and we send material and a questionnaire for them to complete. If responses indicate they want a visit or the offered call blocker that response is met.
5. Dependent on information back from ASC, risk assess next step
6. Armed with assessment form will visit ASC known victims (if still believed to be alive) either alone or if risk assessment warrants it joint visit: if known to be in receipt say of mental health care then usually CMHN, or MASH officer or even police or PCSO – will always look, wherever possible, to accompany someone who knows the victim to improve the chance of gaining access to property
7. On arrival will always indicate that victim has been referred due to concerns about potential fraud and that we might be able to help them.

8. Once in property will if possible take opportunity to look around (easier if joint visit) – e.g. for signs of scam mail, hoarding, neglect or self-neglect.
9. Will talk at length to the victim – looking for signs of cognition issues (if not already known), infirmity, family and neighbour relations. Will ask about phone calls, doorstep calls, internet activity etc. – similar victim profiles and often the victim is also being defrauded by other means. Assessing if possible levels of mental capacity in relation to the scamming and generally. Trying to ascertain how long it has been going on for and potential losses. The scamming can be symptomatic of deeper rooted issues, e.g. loneliness which may offer opportunities to ameliorate further victimisation.
10. Looking for signposting opportunities e.g. Prevention Matters and perhaps referral for assistive technology, mental health support etc.
11. All the above rarely takes place during a single visit. Sometimes research needs to be carried out into problems picked up during assessment, plus also trying to engage with family, arranging for installations of: e.g. Truecall blockers, CCTV cameras, etc. Therefore, would need to liaise with other services such as Fire and Rescue, who install CCTV cameras, but will also carry out a home safety check (if there is a hoarding problem, they can sometimes be best placed to emphasise the risks and help with subsequent de-cluttering). On occasions the victim may be willing to act as a Mail Marshall. A Mail Marshall is a person who has been receiving significant volumes of potential scam mailshots but after receiving support from us rather than responding to them they send the mailshots to the National Scams Team. This is useful information as it enables the team to build a picture of what current mail scams are.

Examples of the impact our work with partners can have include

A couple in Surrey who were being contacted daily by cold callers had a CCTV camera installed and Truecall device installed as part of a safeguarding meeting and this has significantly reduced the number of callers. As part of the measures to support them ASC have taken control of their finances and this, in conjunction with the measures CCTV camera and Truecall unit, has helped to reduce their losses and enabled them to live their lives at home

We have worked with ASC, the MASH, mental health services and a third sector partner to support an elderly lady in Bucks who has been the victim of a clairvoyance scam giving away around £160,000 over about seven years. She does not have mental capacity or the ability to consent to lasting power of attorney. In conjunction

with partners we have obtained the protection of the Court and sought to redirect her mail. We have also obtained the support of a befriending service to address the underlying issue of her isolation.

Conclusion

We continue to build on the work we are doing to provide the best response we can to support residents to reduce the impact that scams can have on their lives and more broadly on our communities.

The Friends Against Scams training and development of the Street Associations will help to give residents and communities greater resilience to deal with scams and enable us to concentrate on the cases that need our resources most.

The hosting of the National Scams Team will enable us to support and benefit from the broader strategic approach they take to the scams issue and we look forward to the opportunities this will offer.

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