

Notice of Meeting

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

**Date & time**

Wednesday, 25
September 2019 at
12.15 pm

Place

County Hall,
Aylesbury,
Buckinghamshire,
HP20 1UA

Contact

Ben Cullimore
Room 122, County Hall,
Penrhyn Road, Kingston
upon Thames, KT1 2DN
020 8213 2782
ben.cullimore@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 Ben Cullimore on 020 8213 2782.

Members of the Committee:

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

Advisory Members:

David Harmer (Surrey County Council) and Jean Teesdale (Buckinghamshire County Council)

AGENDA

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence and substitutions.

2 MINUTES OF THE PREVIOUS MEETING: 28 MARCH 2019

(Pages 5
- 10)

To agree the minutes of the previous meeting.

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

a Members' Questions

The deadline for Members' questions is 12pm four working days before the meeting (19 September 2019).

b Public Questions

The deadline for public questions is seven days before the meeting (18 September 2019).

c Petitions

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

5 FORWARD WORK PROGRAMME

(Pages
11 - 12)

The Committee is asked to review and agree its Forward Work Programme.

6 ACTIONS AND RECOMMENDATIONS TRACKER (Pages 13 - 14)

The 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.

7 PERFORMANCE AND JOINT SERVICE BUDGET (Pages 15 - 66)

The Joint Committee is asked to note the performance of the service for the financial year from April 2018 to March 2019, and quarter one of the current financial year from April 2019 to June 2019. The information provided covers performance against the seven high level indicators agreed by this Joint Committee and in relation to the service budget.

8 TRADING STANDARDS TOBACCO WORK (Pages 67 - 74)

The Children and Young Person's (Protection from Tobacco) Act 1991 requires local authorities to consider, at least once in every period of 12 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.

9 EMERGING ISSUES FOR TRADING STANDARDS (Pages 75 - 78)

It is recommended that the Joint Committee endorses the approaches regarding the selling of knives to under 18s and the enforcement of road weight restrictions, as laid out in the reports.

10 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 28 March 2020.

Joanna Killian
Chief Executive

Published: Tuesday, 17 September 2019

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switched off in these circumstances.

It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

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 28 March 2019 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 Wednesday, 25 September 2019.

Elected Members:

- * Ms Denise Turner-Stewart (Co-Chairman)
- * Noel Brown (Co-Chairman)
- * Richard Walsh (non-voting)
- Jean Teesdale (non-voting)

In attendance

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

David Pickering, Public Health and Compliance Manager, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

1/18 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Cllr Jean Teesdale.

2/18 MINUTES OF THE PREVIOUS MEETING [10 OCTOBER 2018] [Item 2]

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

3/18 DECLARATIONS OF INTEREST [Item 3]

There were none.

4/18 PROCEDURAL ITEMS [Item 4]

5/18 MEMBERS' QUESTIONS [Item 4a]

There were none.

6/18 PUBLIC QUESTIONS [Item 4b]

There were none.

a PETITIONS [Item 4c]

There were none.

7/18 FORWARD WORK PROGRAMME [Item 5]

Key points from the discussion:

1. Officers noted that the 'Trading Standards Tobacco Work' item recorded for the next meeting was a legal requirement to be considered. It was further noted that the Buckinghamshire County Council (BCC) and Surrey County Council (SCC) inter-authority agreement stated that an item on 'Budget and Performance' should be considered frequently.

RESOLVED:

The Committee agreed the Forward Work Programme.

8/18 ACTION REVIEW [Item 6]

Key points from the discussion:

1. In regards to action A8/17, Members felt it was reasonable to assume that the lack of public attendance to Committee meetings were due to the lack of contentious items being considered. It was agreed that officers should concentrate of encouraging public engagement outside of Committee meetings by communicating the service's key messages, including providing advice around the avoidance of rogue traders, to members of the public at the various officer-run 'roadshows'.
2. In regards to action A2/18, officers informed Members that, due to the ongoing national negotiations related to 'Brexit', it would be appropriate to reconsider performance indicators once stability had resumed and future procedures were clearer.

RESOLVED:

The Committee agreed the actions tracker.

9/18 PERFORMANCE AND JOINT SERVICE BUDGET [Item 7]

Witnesses:

Amanda Poole, Assistant Head of Trading Standards
David Pickering, Trading Standards Manager – Regulation

Key points from the discussion:

1. Officers introduced the report and provided a brief summary. Members noted the following details:
 - That the data included in the report was correct up to two weeks before publication.
 - The service's performance was positive against key performance indicators.
 - That all key performance indicators with numerical goals were met.
 - That the confiscations through the Proceeds of Crime Act were higher than in recent years.
 - That the number of convictions of Money Laundering was currently 12 and was expected to rise to 14 by the end of the year.

2. In regards to convictions, Members asked if it was usual practice for officers to publicise convictions with the aim of deterring future crime. Officers stated that the service worked closely with communication teams in each Authority and that it aimed to encourage press coverage where possible. Some examples of press coverage could be found on page 29 of the agenda.
3. The Committee discussed opportunities to increase volunteering in the service. It was noted that volunteering hours had decreased from 2,282 hours in 2017/18 to 1,756 hours in 2018/19. Members further discussed the opportunity to cooperate with Fire & Rescue services in each Authority with the aim of encouraging further volunteer engagement. Members also suggested encouraging public volunteering at the various officer-run 'roadshows'.
4. Members discussed the 'Ports Project' which involved the detention of unsafe goods at the point of entry where it was noted that it was an efficient and effective way to protect consumers from potentially harmful products. When considering the graphs in the report, it was noted that the chart on page 37 presented the number of individual items inspected, and that the chart on page 38 presented the number of inspection visits to ports. Members further noted that fulfilment centres could not be held accountable for incompliant products passing through services.
5. Members noted that the number of nuisance calls had increased due to the increased number of call blocking units installed.
6. Members discussed the service's key performance indicators where it was raised that the indicators may not accurately reflect the development and progress of the service due to the goal's being out of the service's control. The Committee asked that this be considered when assessing the key performance indicators in the future.
7. The Committee agreed that a report on 'emerging risks' for the service be considered at a future meeting.

Actions/ further information to be provided:

A1/19 - Officers to consider the opportunity to link with the Fire & Rescue services in each Authority to create a joint volunteer recruitment programme and for progress to be reported at the next meeting of the Committee. Officers to also consider how the service could encourage public volunteering at the various officer-run 'roadshows'.

A2/19 - The Committee agreed that a report on 'emerging risks' for the service be considered at a future meeting.

RESOLVED:

The Trading Standards Joint Committee:

- i. Noted that Service's performance
- ii. Noted the Service's currently financial position

10/18 BUCKINGHAMSHIRE AND SURREY TRADING STANDARDS SERVICE ENFORCEMENT POLICY [Item 8]

Witnesses:

Amanda Poole, Assistant Head of Trading Standards
David Pickering, Trading Standards Manager – Regulation

Key points from the discussion:

1. Members noted the report and its contents.

RESOLVED:

The Trading Standards Joint Committee endorsed the amended Enforcement Policy.

11/18 OFFICIAL FOOD STANDARDS AND FEED CONTROLS SERVICE PLAN 2019-2020 [Item 9]

Witnesses:

Amanda Poole, Assistant Head of Trading Standards
David Pickering, Trading Standards Manager – Regulation

Key points from the discussion:

1. Officers introduced the report and provided Members with a brief summary. It was noted that officers were currently working on infographics with the aim of better presenting the data in the Plan.
2. The Committee discussed the Trading Standards service cooperation with the National Food Crime Unit of the Food Standards Agency. Members noted that the process for the service and unit collaboration would become clearer once the unit had become more established.
3. When discussions the Staff Development Plan, Members asked for details of apprenticeships taking place in the service. It was noted that there was currently two filled apprentice posts. It was asked that information relating to apprenticeships in the service be included in future reports.
4. Officers informed the Committee that the Trading Standards service sometimes worked in cooperation with Public Health to share best expertise and ensure a coherent message.
5. It was noted that the Animal Feed external audit, which had been ongoing for the last three years, had recently come to a close.

RESOLVED:

The Committee approved the Official Food Standards and Feed Controls Service Plan 2019-20.

12/18 DATE OF THE NEXT MEETING [Item 10]

The Committee noted that its next meeting will be held on 25 September 2019.

The Committee recognised that this was Cllr Richard Walsh's last meeting as a Member of the Joint Trading Standards Committee and thanked him for his commitment to the Committee's work over the four years that he was a member.

Meeting ended at: 1.00 pm

Chairman

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Buckinghamshire CC and Surrey CC
Trading Standards Joint Committee

25 September 2019

Forward Work Programme

Purpose of the report:

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

Introduction:

A Forward Work Programme recording agenda items for consideration at future Trading Standards Joint Committee meetings is attached as **Annex A**.

Recommendations:

The Committee is asked to review and agree the Forward Work Programme.

Report contact: Ben Cullimore, Democratic Services Assistant

Contact details: 020 8213 2782, ben.cullimore@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

Annex A – Forward Work Programme

Buckinghamshire&Surrey
trading standards

September 2019 – Formal public meeting

Item title:	Trading Standards Tobacco Work
The Committee will be asked to:	Consider the report as a reflection of activity over the financial year 2018-19 and consider enforcement activities which may be undertaken in 2019-20.
Item title:	Budget and Performance
The Committee will be asked to:	Note the Service's performance and current financial position.
Item title:	Emerging Issues for the Joint Trading Services
The Committee will be asked to:	To consider the emerging issues for the Trading Standards service.
Item title:	Joint Volunteer Recruitment Programme
The Committee will be asked to:	To note progress on the opportunity to link with the Fire & Rescue services in each authority to create a joint volunteer recruitment programme and on how officer-run roadshow have encouraged volunteering.
Item title:	Potential Impact on Trading Standards Work of the UK Leaving the EU
The Committee will be asked to:	Note the potential impact on the work of Trading Standards raised by the UK leaving the EU and new burdens that Trading Standards may face.

March 2020 – Formal public meeting

Item title:	Budget and Performance
The Committee will be asked to:	Note the Service's performance and current financial position.

September 2019

Item title:	Budget and Performance
The Committee will be asked to:	Note the Service's performance and current financial position.

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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
A8/17	28/09/17	To consider new ways of promoting public engagement with the Committee.	Chairman	We have tried webcasting previously but that is quite a passive approach and has had little success. We did tweet during the last Joint Committee with again no visible impact. One possibility could be to use future meetings to make Awards for individuals who have made a major impact in protecting and supporting residents. The CTSI "Hero" awards have proved very successful in the past and we could consider something similar for future Joint Committee or Board meetings. We have several volunteers who have made a big impact and this is an opportunity to recognise that.	Ongoing
A2/18	10/10/18	That officers consider whether the performance indicators are being stretched enough and make suggestions at the next Committee meeting.	Head of Trading Standards	Verbal update presented at the meeting on 28/03/19. Officers to reconsider performance indicators once Brexit outcomes are clearer and stability has resumed.	Ongoing

A1/19	28/03/19	That Officers consider the opportunity to link with the Fire & Rescue services in each Authority to create a joint volunteer recruitment programme and for progress to be reported at the next meeting of the Committee. Officers to also consider how the service could encourage public volunteering at the various officer-run 'roadshows'.	Head of Trading Standards		Item on 'Joint Volunteer Recruitment Programme' due 25 September 2019
A2/19	28/03/19	That Officers provide a report on 'emerging risks' for the service.	Head of Trading Standards		Item on 'emerging issues' due 25 September 2019

Completed actions (to be deleted)

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

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Actions

Reference	Date of Meeting	Recommendations/Actions	Responsible Officer/ Member	Response	Status
A1/19	28/03/19	That Officers consider the opportunity to link with the Fire & Rescue services in each Authority to create a joint volunteer recruitment programme and for progress to be reported at the next meeting of the Committee. Officers to also consider how the service could encourage public volunteering at the various officer-run 'roadshows'.	Head of Trading Standards	Verbal update to be presented at meeting	
A2/19	28/03/19	That Officers provide a report on 'emerging risks' for the service.	Head of Trading Standards	Report to be presented at meeting	

Completed actions (to be deleted)

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**BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL
TRADING STANDARDS JOINT COMMITTEE**

DATE: 25 SEPTEMBER 2019

LEAD OFFICER: AMANDA POOLE
ASSISTANT HEAD OF TRADING STANDARDS

SUBJECT: PERFORMANCE AND JOINT SERVICE BUDGET

SUMMARY OF ISSUE:

The Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the service for the financial year from April 2018 to March 2019, and quarter one of the current financial year from April 2019 to June 2019. The information provided covers performance against the seven high level indicators agreed by this Joint Committee and in relation to the service budget.

The information provided shows that:

- a) Overall the Service is performing well across the range of indicators and delivered some excellent results against key performance indicators in 2018-19.
- b) The Joint Service budget is predicted to break even currently. However, there are emerging pressures on the budget caused by EU Exit and action is being taken to limit any overspend by the Service.

RECOMMENDATIONS:

It is recommended that:

1. The Trading Standards Joint Committee notes the Service's performance.
2. The Trading Standards Joint Committee notes the Service's current financial position.

REASON FOR RECOMMENDATIONS:

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.

PERFORMANCE DETAILS:

1. The performance of the joint service is measured through seven key performance indicators, which are detailed in the attached full year performance report, and some of the information is also given in the attached performance snapshot.
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) have developed a new national Impacts and Outcomes Framework for Trading Standards. This was reported on formally for the first time for the 2018-19 year and our response is attached as Annex C.
3. The Joint Committee are invited to note the volatility of the performance outcomes, particularly in relation to KPIs 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.
4. All the Key performance Indicators with numerical targets were met in 2018-19. These include:
 - KPI 1 – increasing the financial savings for residents as a result of our interventions and investigations, which moved from £559,435 in 2017-18 to £776,424 in 2018-19, showing a 38.8% increase.
 - KPI 4 – increasing the number of Primary Authority Partnerships, which moved from 90 at the end of 2017-18 to 103 at the end of 2018-19 – a 14% increase.
 - KPI 5 – increasing the number of trader approval schemes which moved from 3,361 at the end of March 2018 to 3,729 at the end of March 2019 – an 11% increase.
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 year has seen a bounce back, by comparison to last year, in some areas such as rogue traders convicted. However, other areas, such as confiscations under the Proceeds of Crime Act have seen a decrease by comparison to previous years. This continues to underline the wide volatility in this indicative data, which often depends on the length and complexity of investigations, which regularly span across more than one financial year. KPIs 1, 3, 5 & 7, which are all broadly positive, also relate to this priority area.
6. The growth in the use of volunteers has continued to be strong. The Service has around 70 volunteers actively supporting the priorities of the service. They gave 2,585 hours of their time during 18-19, a 13% increase compared

to 2,282 hours in 2017-18. This increase has been maintained and in the first quarter of 19-20 volunteers have already contributed 819 hours to supporting the Service's priorities.

7. Our second key priority is to help businesses to thrive and support economic growth. Our Primary Authority Partnerships continue to grow in number and depth. The licensing support which had begun for one partnership in 18-19 is continuing in 19-20 and has been expanded into further areas because the partner concerned was so pleased with the work delivered.
8. The UK's impending EU Exit provides challenges for businesses, in terms of understanding how it will affect them and how they may need to do things differently to comply with the regulatory environment. We anticipate that this may cause a spike in demand from businesses around the time of leaving and afterwards.
9. 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.
10. During the year, the Service worked with Surrey and Thames Valley Police forces to test purchase knives to see how available they were to under 18s. Out of 38 test purchases, seven sales were made an overall rate of 18.4%. However, there was a difference between the test purchases in Surrey and those in Bucks, with the Surrey sale rate at 7.7% and the Bucks sale rate at 41.7%. This work is considered in more depth in the emerging issues report.
11. Demand continues to grow to tackle the import of unsafe products through Surrey based transit sites for Heathrow. In 2017-18, the service inspected 44 consignments (containing just under 150,000 individual items) of which 31 (70%) contained unsafe or non-compliant items. In 2018-19, the service inspected 96 consignments (containing over 350,000 individual items) of which 67 consignments (70%) contained unsafe or non-compliant products destined for people's homes. The value to society of stopping these items from entering the country is estimated to be £1,502,824. In the first quarter of 19-20, 34 consignments have been inspected (containing over 50,000 individual items). 10 of these are confirmed to have contained unsafe or non-compliant products and a further five are subject to ongoing further testing to establish whether or not the products are safe.
12. Work tackling illegal supplies of Tobacco is a significant part of this work stream and we continue to investigate offenders supplying illegal tobacco. Following Service investigations, three defendants were convicted of supplying illegal tobacco in 18-19, resulting in fines and (unusually) a suspended jail sentence. Two more convictions of such offenders occurred in April and May 2019, and a further two are scheduled for trial in September.

<u>BUDGET 18/19 OUTTURN AND 19/20 FORECAST:</u>
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13. 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 four years of the new shared service. This 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.

14. 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 B for information. This results in overall savings targets for the shared service of approximately 27%.
15. The Service delivered all of the savings and additional income targets set out in the original business case and has been underspent at outturn each year of its existence.
16. In 2018/19 the joint budget was £2,727,000. At outturn the Service had spent £2,658,854 (an underspend of £68,146), which was divided between the partner Local Authorities in the usual 34% Buckinghamshire and 66% Surrey proportions.
17. The 2019/20 budget is £2,642,000. It is currently projected that the budget will break even at outturn this year. However, due to impacts of EU Exit on our income and work, we anticipate that there could be an emerging pressure of around £100k by the end of the year on the budget, which we are taking steps to mitigate.
18. 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.
19. 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 which has previously been discussed by the Trading Standards Board, and where these risks escalate to become high risk these will be brought back to the Trading Standards Board for oversight.
20. A further budget update will be shared with Members of the Joint Committee at the next Joint Service Board meeting. This will provide an opportunity to discuss and shape budget plans for future years. The budget will then be formally considered and agreed by the Joint Committee in March 2020.

CONSULTATION:

21. No external consultation has taken place.

RISK MANAGEMENT AND IMPLICATIONS:

22. All significant risks affecting the service (which include items beyond budget and performance) are regularly considered by the management team (two monthly for red and amber risks, six monthly for green risks).
23. Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

FINANCIAL & VALUE FOR MONEY IMPLICATIONS

24. The Service has delivered all elements of the business case. The budget outturn position for 2018/19 and forecast for 2019/20 is detailed within the Budget 18/19 Outturn and 19/20 Forecast section above.
25. The strong foundation created by the shared service has enabled it to achieve significant additional income without damaging service delivery.

LEGAL IMPLICATIONS

26. The Inter-Authority Agreement provides the legal framework within which the Service operates. As set out in the Reason for Recommendations section 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.
27. 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.

EQUALITIES & DIVERSITY

28. 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.

WHAT HAPPENS NEXT:

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

REPORT DETAILS

Contact Officer(s):

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

Annexes:

Annex A – Key Performance Indicators Full Year Report 2018/19 and Q1 of 2019/20
Annex B – Trading Standards Budget 2017/18 Onwards
Annex C – ACTSO Impacts and Outcomes Framework Return 2018/19

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KEY PERFORMANCE INDICATORS

2018/19

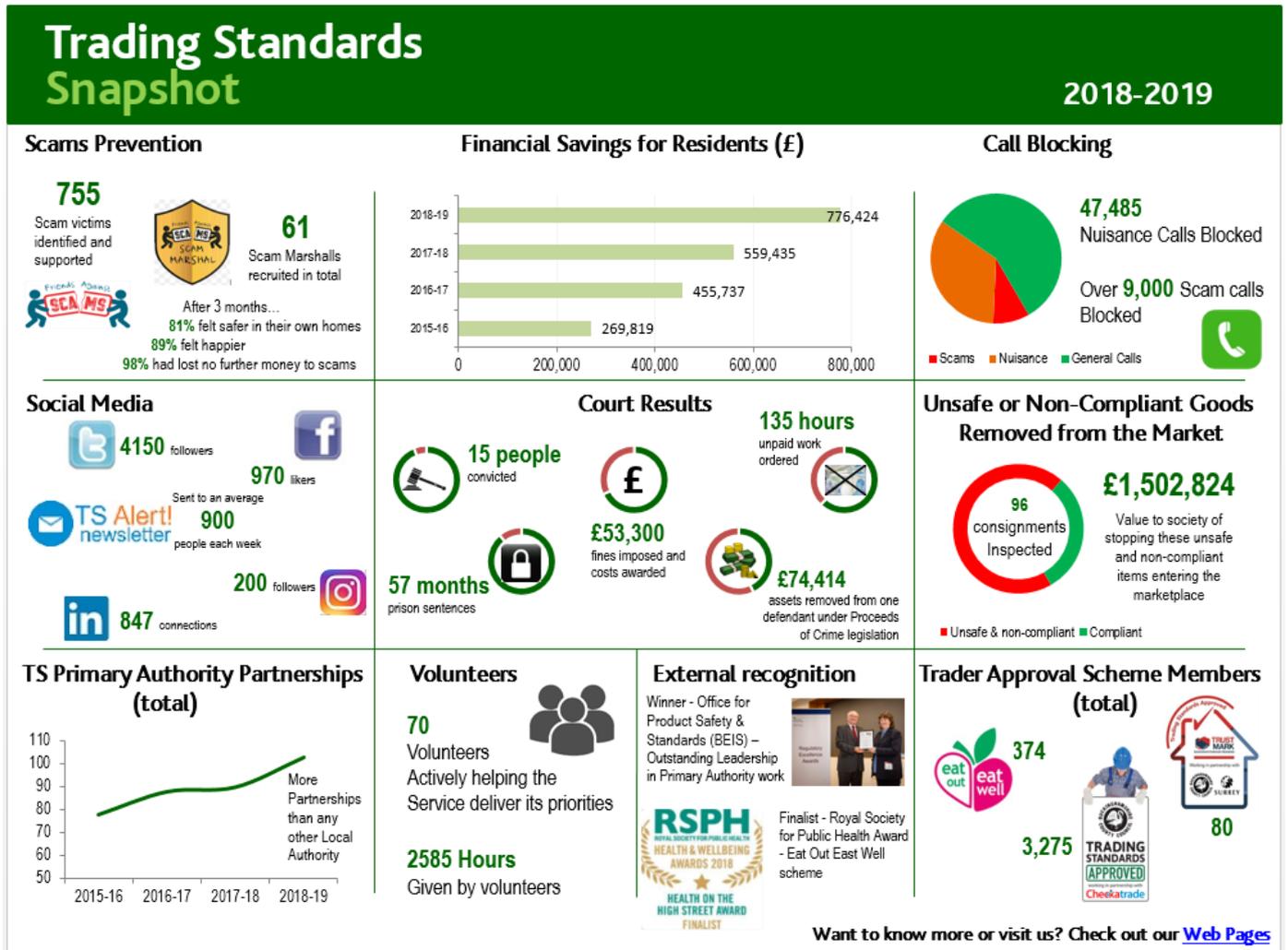


SUMMARY 2018/19

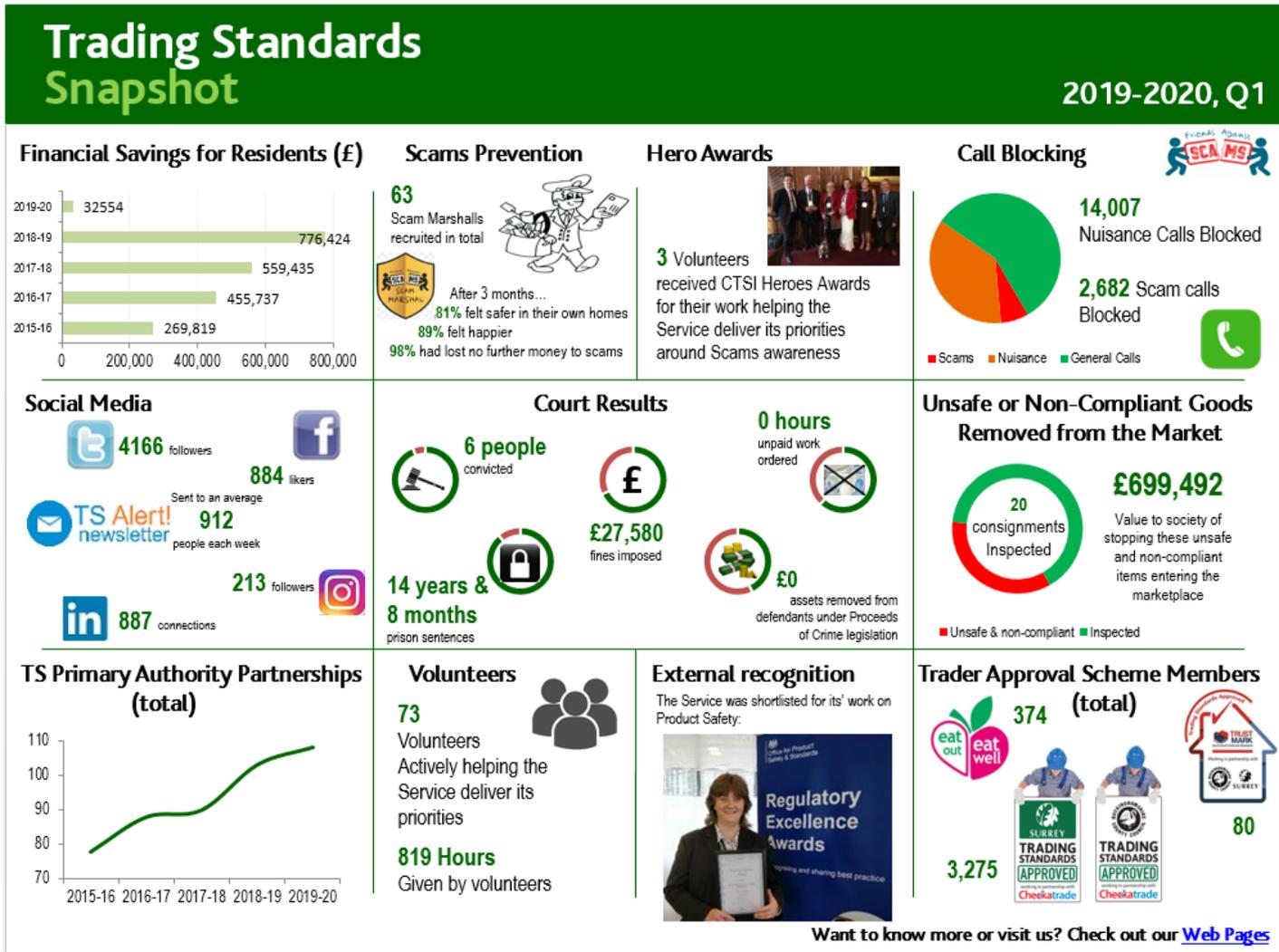
Key Performance Indicator	Comments for 2018/19	Status
1. Increase the financial savings for residents as a result of our interventions and investigations	Savings for residents as a result of our interventions and investigations have continued to increase, with savings in 2018-19 of £776,424 compared to total savings in 2017-18 of £559,435.	Green 
2. Protect residents by stopping rogue traders operating in Buckinghamshire and Surrey	We have successfully stopped rogue traders and rogue trading in a range of ways, including but not limited to formal enforcement work. 14 people/entities were convicted following prosecution during the year, leading to 43 months of immediate prison sentences and £35,680 of fines. The year saw a reduction in money obtained through the confiscation process (to £74,414) in relation to Proceeds of Crime. The data is volatile from quarter to quarter.	
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	Volunteer hours contributed increased by more than 10% compared to the previous year. Social Media presence and engagement remains very strong, with follower numbers continuing to grow, and with scam prevention messages going out regularly and more recently being used to raise awareness of EU Exit related information available to businesses and consumers. The number of scam marshals recruited by the service is very strong at 61.	Green 
4. To increase the number of Primary Authority Partnerships	The service continues to successfully grow Primary Authority Partnerships both in terms of absolute numbers and in depth and quality with businesses now regularly approaching the Service seeking a partnership. Information obtained from Government BEIS / OPSS during the year is included in the narrative above and demonstrates how the service continues to lead in this area of work nationally.	Green 
5. Increase membership of trader approval schemes	The service has succeeded in delivering this in partnership with Checkatrade, TrustMark and with Health partners. There has been a small overall rise in numbers.	Green 
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	Work tackling illegal supplies of Tobacco is a significant part of this work stream and we continue to investigate offenders supplying illegal tobacco. There have been two prosecutions of such offenders during the year, one resulting in fines the other in a suspended jail sentence. Demand continues to grow to tackle the import of unsafe products through transit sites for Heathrow, with the demand more than doubling in recent months. The service has inspected 96 consignments in the year, removing from the supply chain over 36,000 unsafe and non-compliant products destined	Green 

	<p>for people’s homes. The value to society of stopping these items is estimated to be over £1,502,824. The Service also worked with the Police to carry out 38 test purchases by underage volunteers of knives. Out of these 7 of the shops sold to the volunteer. All of the shops have received advice.</p>	
<p>7. Scams (including activities related to this area carried out by volunteers)</p>	<p>There are just over 70 volunteers regularly working with the Service, particularly in the area of scams prevention. Truecall units are deployed to prevent scam and nuisance calls reaching the most vulnerable, with over 56,000 scam and nuisance calls blocked by the units in 18-19 and feedback showing their positive impact on peoples’ lives:</p> <div data-bbox="703 645 1227 781" style="border: 1px solid #ccc; border-radius: 10px; padding: 10px; background-color: #fff; margin: 10px 0;">  <p style="margin: 0;">My mother no longer gets anxious and agitated. I cannot impress on you the positive impact this has made.</p> </div> <p>Friends Against Scams and Scam Marshall initiatives all continue to grow with 61 scam marshals. New initiatives, such as Young Friends Against Scams (KS2) pilot, in partnership with the National Scams Team are developing.</p>	<p style="color: green; font-weight: bold; font-size: 1.2em;">Green</p> 

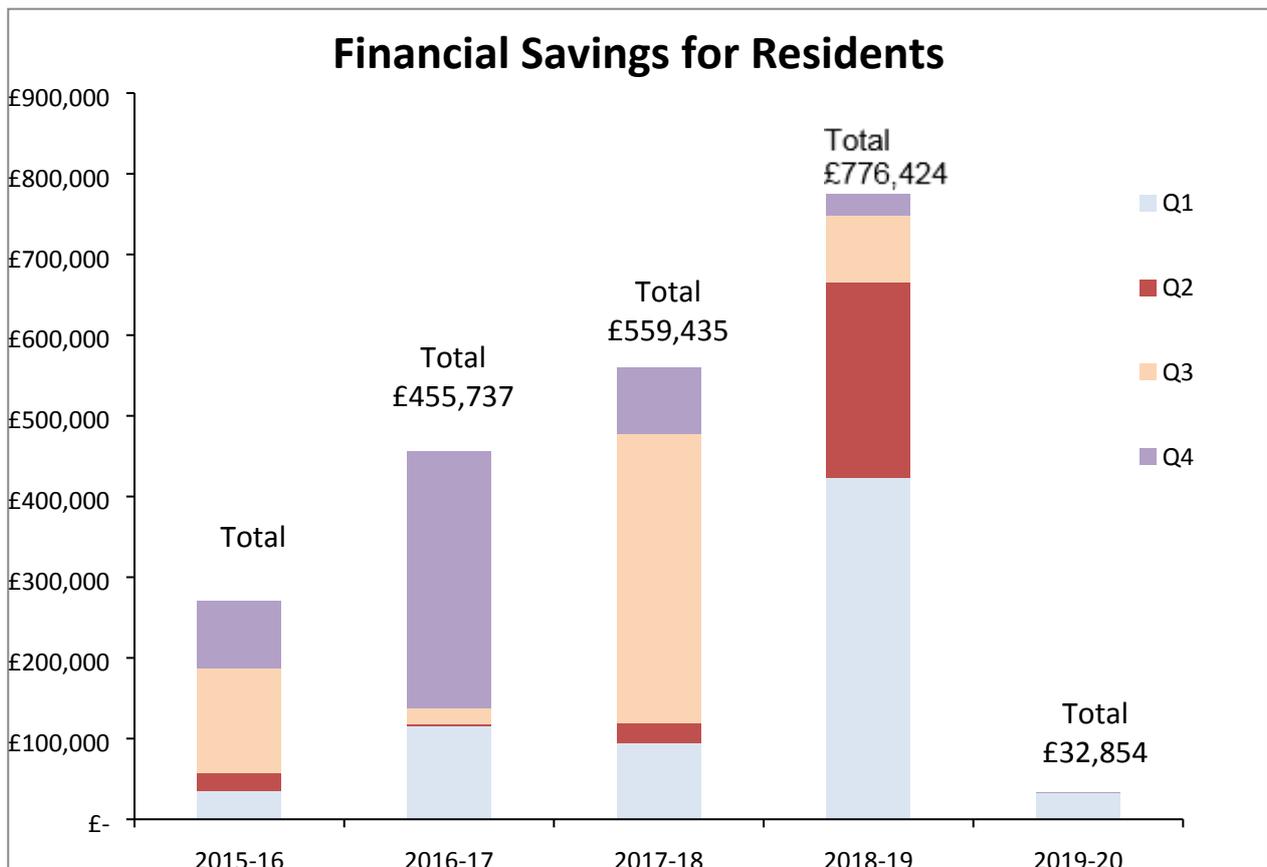
The Service also produces more accessible snapshots of performance with some high level information. The first snapshot relates to 2018-19:



This second snapshot relates to quarter one of 2019-20:



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 2017-18 the Service began to also robustly record the amounts saved by its interventions with known victims of scams, the vast majority of whom are identified to us by the National Scams Team.

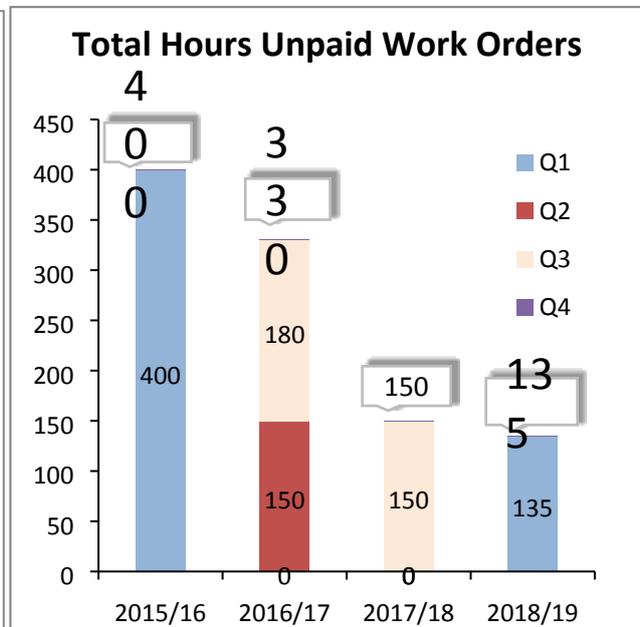
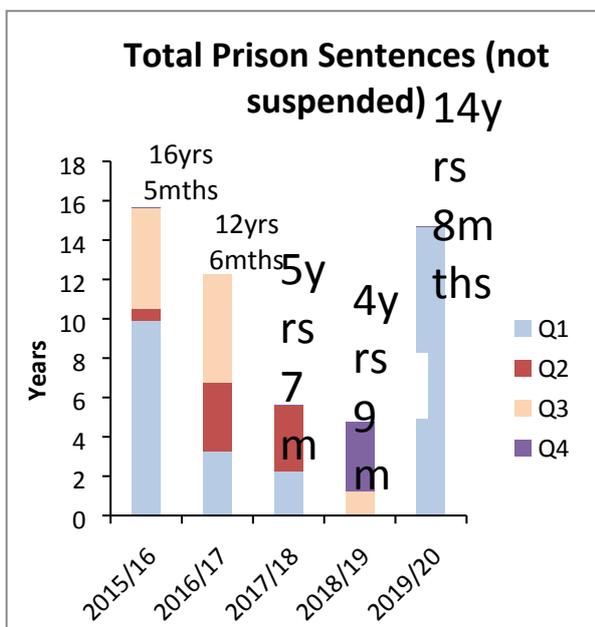
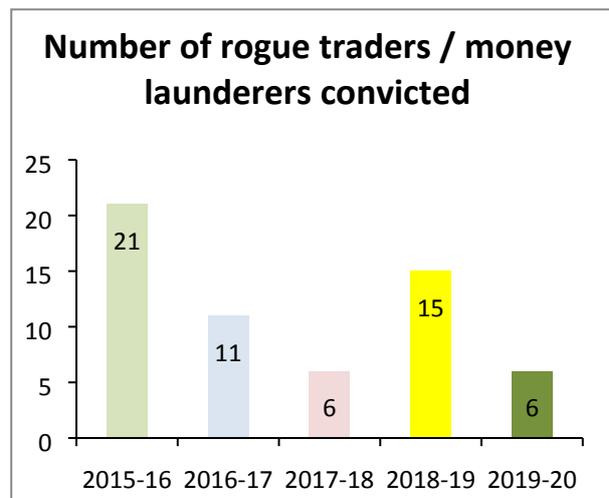
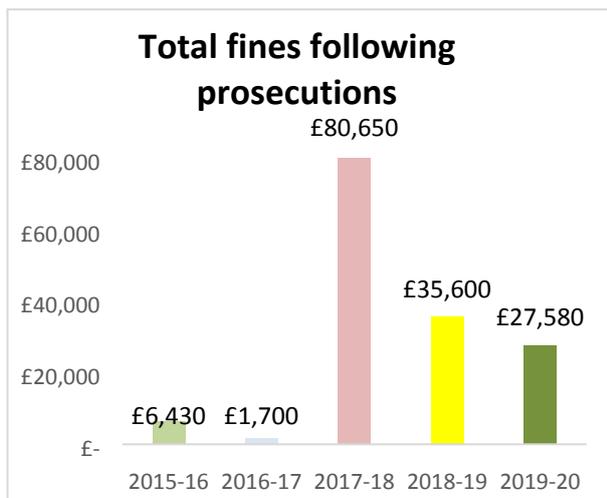
The largest amount within these figures relating to a single investigation this year was £44,148 compensation awarded to a credit company out of a total of £74,414 confiscated under the Proceeds of Crime Act from a person who had been prosecuted for money laundering earlier in the year. Within a week, an associated defendant (who was also prosecuted) had sold an expensive BMW twice, after they had 'clocked' it by changing the odometer reading to zero and had transferred the proceeds to his associate.

There is a drop in Q1 of 2019-20, however this is not out of step with general quarterly volatility that can be seen above as awards of large amounts of compensation, particularly Proceeds of Crime compensation, can vary significantly. Additionally there has been a drop in the amount of money saved for scam victims which we believe is linked to the type of referrals received about Scams victims in Q1, which varies on what type of records have been seized in enforcement actions and received by the National Trading Standards Scams Team.

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

The Service undertakes a variety of interventions to stop rogue traders operating – including investigations, projects, civil and criminal proceedings. The target means we need to identify how we have done that, and one set of indicators of that is convictions and the data below. However that alone doesn't determine whether the Service has been successful in this area.

It should also be noted that the data below 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.



During 2018-19, convictions have related to a wide range of offences including: the supply of unsafe goods (an exploding camping gas stove, see press headline below); fraud and money laundering, linked to home improvement work and the sale of a clocked car; the supply of illicit tobacco (further explained under KPI 6 below); forgery; and causing unnecessary suffering to animals (in a prosecution led by the RSPCA).

Annex A

Below are some examples of press coverage of the cases taken by the Service:



VIDEO and PICTURES: Firms ordered to pay £45,000 after Surrey man suffers horrific injuries from exploding gas camping stove

FILED UNDER A22 DISCOUNTS LIMITED, BUCKINGHAMSHIRE AND SURREY TRADING STANDARDS, CABINET MEMBER FOR COMMUNITY SERVICES, CAMPING STOVE, DENISE TURNER-STEWART, DISCOUNT IN LIMITED, HOME SOLUTIONS (UK) LIMITED, MARCUS OLIVER, SURREY COUNTY COUNCIL



"Ruthless" bucks fraudster who targeted vulnerable adults is jailed



Trading Standards
By THOMAS BAMFORD
Published 11:53
Updated 14:37
Thursday 17 January 2019



Ruthless Billington teenager scammed £15,000 out of vulnerable householders, with work at the three properties later valued at just £90

GENERAL, HP, SURREY COUNTY COUNCIL, TRADING STANDARDS

Surrey builder fined for forging certificate after trading standards probe

POSTED BY SCC - JANUARY 10, 2019

FILED UNDER BUCKINGHAMSHIRE AND SURREY TRADING STANDARDS, BUILDING CONTROL, CABINET MEMBER FOR COMMUNITY SAFETY, DENISE TURNER-STEWART, SURREY TRADING STANDARDS, THOMAS PEARE, TRADING STANDARDS

A builder has been ordered to pay more than £4,000 after forging a building regulations certificate for a customer who raised concerns over his work.

Thomas Peare, 28, of Langley Vale, near Epsom, was fined £2,000 and ordered to pay costs of £2,180 after pleading guilty to an offence under counterfeiting and forgery laws.

He was sentenced at Guildford Crown Court on 17 December after being taken to court by Buckinghamshire and Surrey Trading Standards.

Peare had carried out work at a home in Reigate which included removing a wall. The customers paid a deposit in advance but had concerns about the standard of Peare's work. Peare then gave them a building regulations certificate in the name of a building control firm but trading standards officers discovered it was forged.

Peare was ordered to pay fines and prosecution costs plus the mandatory victims' surcharge of £170 - giving a total of £4,350.

Denise Turner-Stewart, Surrey County Council's Cabinet Member for Community Safety, Fire and Resilience, said: "A thorough investigation by our trading standards officers in this unusual case led to Peare being brought to court. We'll continue doing all we can to seek justice for our residents and protect them from unscrupulous practices."



True or false... Below -5°C salt becomes less effective #readyforwinter

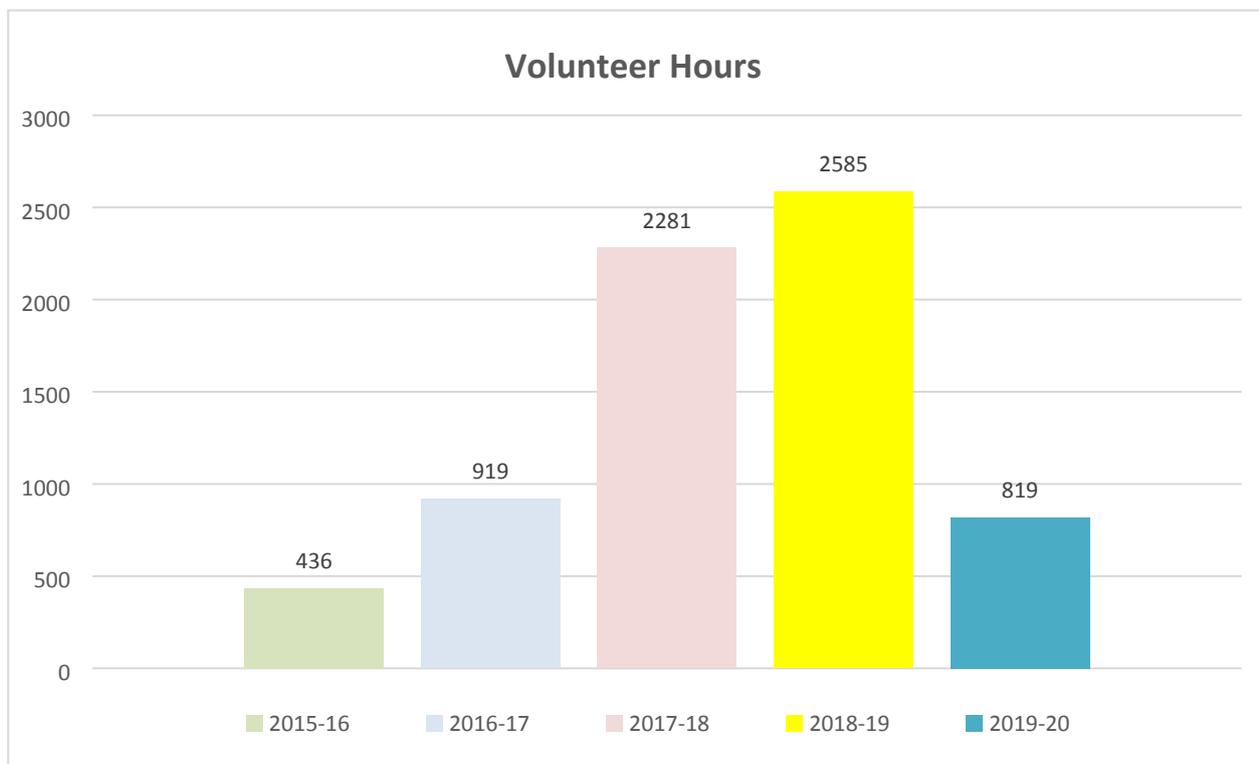
Home / News / Buckinghamshire News / Teenage scammer jailed for preying on vulnerable

Teenage scammer jailed for preying on vulnerable



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

Volunteers



The Service has volunteers from a wide range of ages and backgrounds who supported the priorities of the Service with 2,585 hours of their time last year.

The volunteers undertake a variety of different work for the service, including taking informal samples and checking whether traders have acted on advice given by officers. One of the main areas they assist with is supporting our work in relation to scams and the victims of scams, and some more in depth examples of this work are given under KPI 7.

Social Media

The Service has a strong social media presence, making frequent use of Twitter (with 4,166 followers); Facebook (with 884 followers and our posts during the year being viewed over 800,000 times) and Linked In (with 887 connections). During the year the number of followers the service has on Instagram has been steadily growing, standing at just over 213 at the end of June 2019.

Regular messages put out through social media include scam awareness messages and product safety messages (including recalls). More recently the Service has put out numerous messages signposting readers to the Government information on EU Exit, including how businesses will need to do things differently post exit.

Weekly Newsletter

The Service has an email newsletter (TS Alert!) which is regularly sent to over 910 subscribers, who in turn disseminate the newsletter throughout their own networks. The newsletter updates subscribers on the latest work of the service, scams and product recalls to keep themselves safe, as well as now having a page dedicated to business users. The reason for the drop in number of subscribers compared to the previous year was the changes required by the General Data Protection Regulations (GDPR) in May 2018 (which required subscribers to re-subscribe) and saw the number of subscribers drop sharply to around 830. The number has gradually risen since, and it does lead to greater confidence that the current subscribers are actively engaged with the newsletter.

TS Alert!
30 August 2019

Issue archive | Subscribe | Update your profile | Print newsletter | Visit our website

Exploding camping stove!
Did you see us with Surrey Fire and Rescue Service on Fake Britain last week when we were talking about a fake camping stove that exploded causing injury?
If not you can [see it on iPlayer \(23 mins in\)](#)
You can also see our [original press release here](#)

Need consumer advice?
03454 04 05 06
Click to find out more

Need business advice?
0300 123 2329
Click to find out more

Alerts!
The new mobile phone scam delivering a problem
The scam involves crooks ordering and then attempting to intercept - or trick you into handing over - high-value packages. It usually happens when criminals somehow manage to get hold of your personal details to place the order.

In this issue

- The new mobile phone scam delivering a problem
- DVLA car tax phishing scam exposed - New scam could empty your bank account
- 'I replied to a genuine bank tweet and lost £9,200 to a fraudster'
- TV licensing scam
- Food Recalls

Business

Redress scheme warning for Estate and Letting Agents
Estate and Letting Agents in the UK are being urged to check that they are signed up with an approved redress scheme that covers the full remit of their work. The warning follows a recent tribunal that penalised a business that was signed up to a redress scheme for its letting agency work but not for its property management work.
In one of the first decisions of its kind, the Upper Tribunal* upheld a fine of £3000 against the business for its failure to belong to an approved redress scheme for property management. Its membership of the Property Ombudsman Scheme covered it for residential sales and lettings, commercial sales and lettings and some property management, but not for residential leasehold management.
The decision has prompted National Trading Standards to issue guidance to Estate and Letting Agents across the country, focusing on agents ensuring their redress scheme covers all areas of their work, whether it's sales, lettings or property management work.

Benugo receives massive fine for selling alcohol to a schoolgirl
The café and restaurant chain Benugo has been fined thousands of pounds after an employee sold a bottle of beer to a 15-year old during an undercover operation run by Lambeth Council.
Benugo Ltd was fined £6,000 by Camberwell Green Magistrates Court and ordered to pay prosecution costs of £860 for selling alcohol to the teenager.

Letting agents & property management
Requirements for the display of fees charged to clients by letting agents and membership of client

The Business page regularly contains information for Businesses about how Britain's Exit from the EU may affect them and what actions they may need to take:

Labelling tobacco products and e-cigarettes if there's a no-deal Brexit

This [link](#) sets out changes to the regulation of tobacco products and e-cigarettes if there's a no-deal Brexit.

It includes information for manufacturers on:

- changes to the labelling of tobacco products with picture warnings
- changes to the notification process for tobacco products and e-cigarettes



Like (0) | [f](#) [t](#) [in](#)

Nutrition and health claims on foods if there's a no-deal Brexit

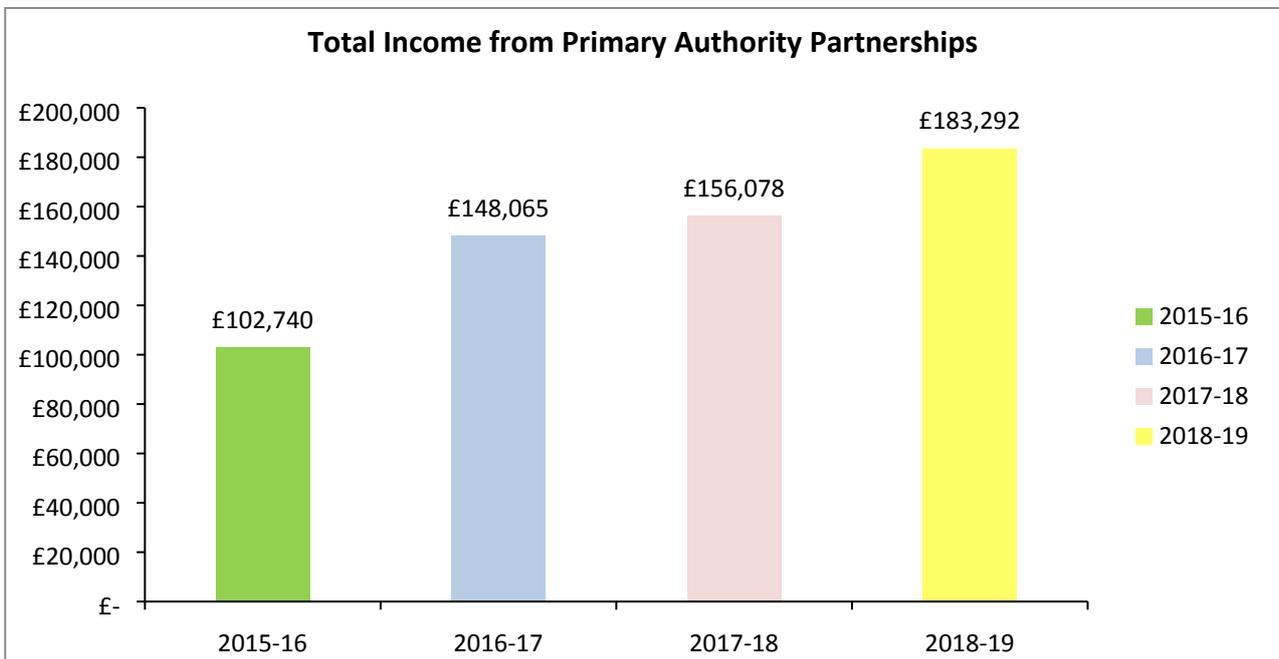
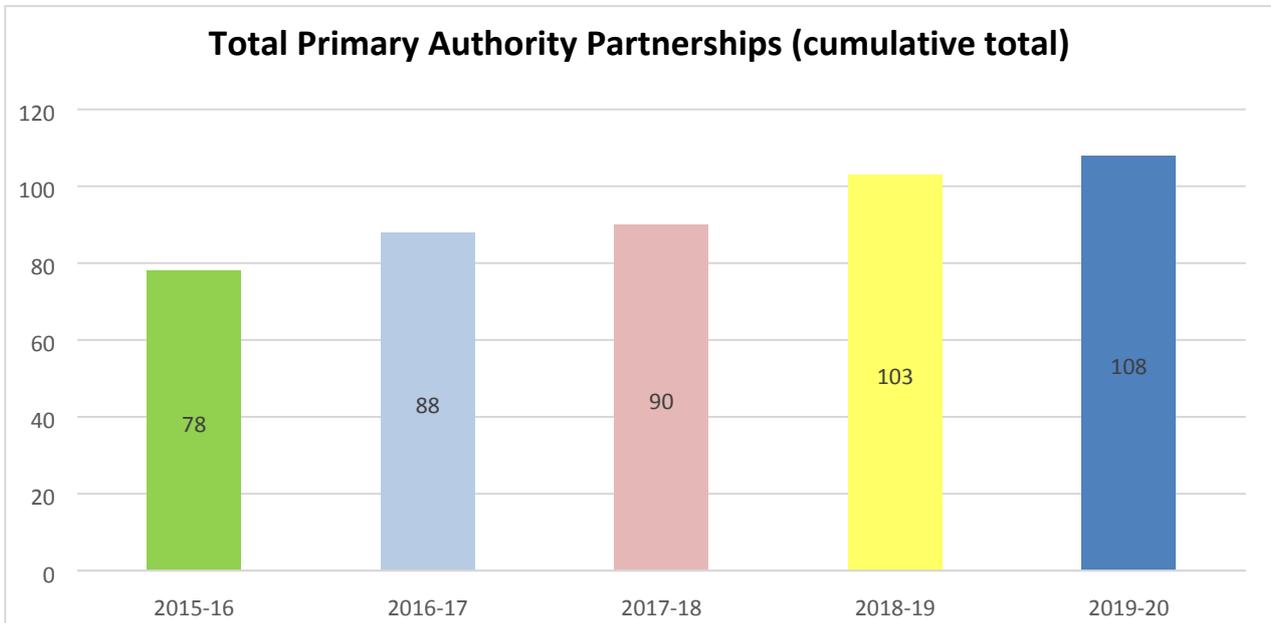
The UK nutrition and health claims [register](#) sets out all authorised and rejected nutrition and health claims. Only authorised claims in the register may be used in the UK if there's a no-deal Brexit.



The annex to the register lists health claims authorised on the basis of proprietary (privately owned) data. The register should be used with the following guidance: [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019: practical changes for industry.](#)

Like (0) | [f](#) [t](#) [in](#)

KPI - 4 To increase the number of Primary Authority Partnerships



The Service continues to provide excellent and varied support to businesses through our 108 Primary Authority Partnerships. Growth in numbers now goes alongside a focus on maximising the benefits of each partnership. Below are the logos of some of the companies we are partnered with, demonstrating the range of partners we have.



In June 2018 the Service won a national award for its work to cut red tape for businesses and boost the economy. The service was recognised by the Government’s Office for Product Safety and Standards for its partnership work with dozens of businesses to help them comply with regulations, supporting their growth.

This includes the ‘single point of contact’ offer which enables businesses to work with a single trading standards service but to get advice on a regulations which apply across areas beyond England (Scotland, Wales and the Channel islands) and bodies including Environmental Health and Fire.

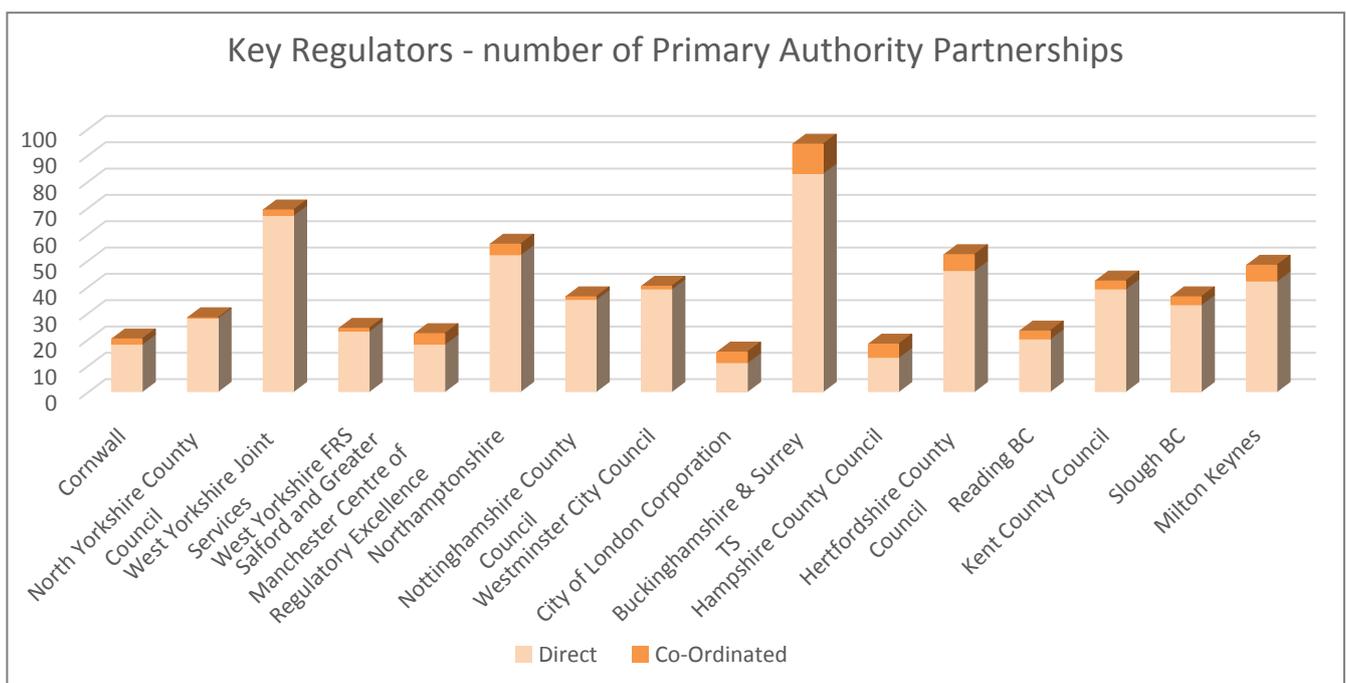
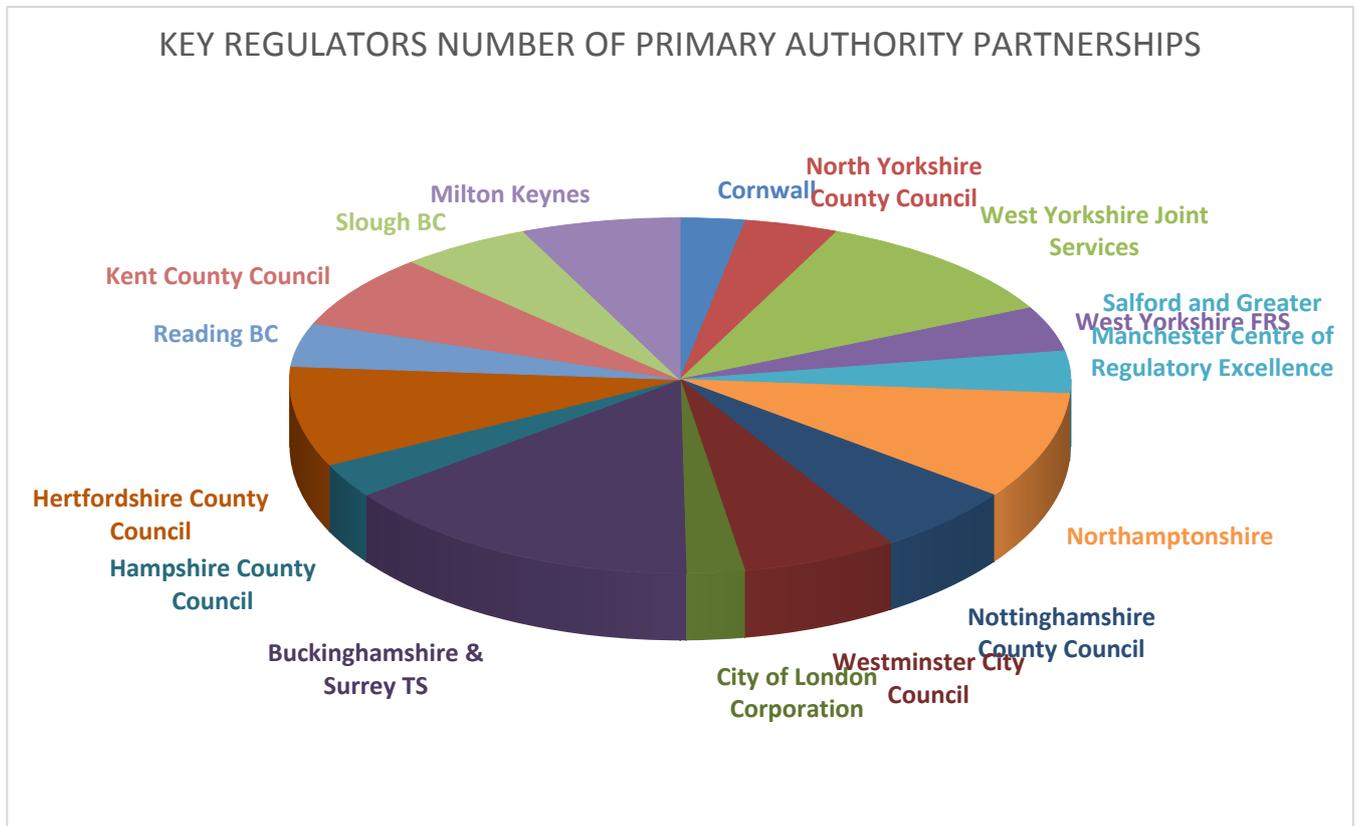
The award was given for “Outstanding Achievement in Primary Authority Leadership”.

This was followed up in June 2019 by commendation for our safety work with Primary Authority Partners.



Comparative Benchmark Data on number of Primary Authority Partnerships:

This data, provided by BEIS, in August 2018 highlights the local authorities most active with Primary Authority nationally, who they see as key regulators and vital partners in enhancing business support and primary authority coverage in future years. The chart demonstrates how our service is taking a leading role nationally, with the largest number of partnerships, and this combined with the recent award show how that is positively recognised by Government.



KPI -5 Increase membership of trader approval schemes



The Service is involved in providing several different trader approval schemes: Checkatrade Trading Standards Approved (approx. 3,275 members); Trust Mark (approx. 80 members); and Eat Out Eat Well (approx. 370 members, 120 in Bucks and 250 in Surrey). The first two are trader approval schemes provided in partnership with commercial providers. The latter is a scheme developed by Surrey County Council, between Trading Standards and Public Health.

The Eat Out, Eat Well scheme was a finalist in awards given by the Royal Society for Public Health (RSPH) in the Healthy High Street category in October 2018. More details are given on the scheme later in this report.



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

Food and Feed

Work carried out under the Food and Feed Enforcement Plan and is covered in detail in that report which was considered by the Joint Committee in March 2019.

Knife Sales to Under 18's

During the year the Service supported Thames Valley and Surrey Police with "Operation Sceptre" with the aim of reducing knife crime and the number of families affected by knife crime.

Thames Valley and Surrey Police carried out Operation Sceptre work during September 2018 and March 2019, and requested assistance from Trading Standards in relation to the underage sales of knives.

Thames Valley and Surrey Police use police and army cadets, under the age of 18, to carry out test purchases of knives from retail premises as part of monitoring, education and awareness work. Education and advice visits were also to be carried out to retail premises in relation to age restrictions on knives in particular, acceptable forms of Identification, Challenge 25 policies and suitable display locations and security for age restricted products to reduce the risk of theft.

38 Test Purchases were carried out in total:

- 26 in Surrey (13 jointly by Trading Standards and Police, and 13 solely by Surrey Police)
- 12 in Buckinghamshire (6 jointly by Trading Standards and Police, and 6 solely by Thames Valley Police)

7 sales were made of knives to under age volunteers:

- 2 in Surrey (7.7%)
- 5 in Buckinghamshire (41.7%)

Following the sales Thames Valley and Surrey Police and the Trading Standards Officer spoke to the manager/duty manager, advising them of the sale and requirements surrounding knife sales.

One Major Supermarket retailer carried out an internal investigation into the matter and the sales person was been dismissed. The store was placed on a 12 week emergency 25 verification measure, including internal test purchases. Another major supermarket advised they would be carrying out an internal investigation. Stores advised that they would be carrying out retraining of staff members.

All retailers visited were provided with guidance and advice in relation to preventing underage sales on knives in particular, acceptable forms of Identification, Challenge 25 policies and suitable display locations and security for age restricted products to reduce the risk of theft. All premises which passed the test purchase were written to, thereby providing positive feedback in relation to their prevention of sales of knives to under 18's.

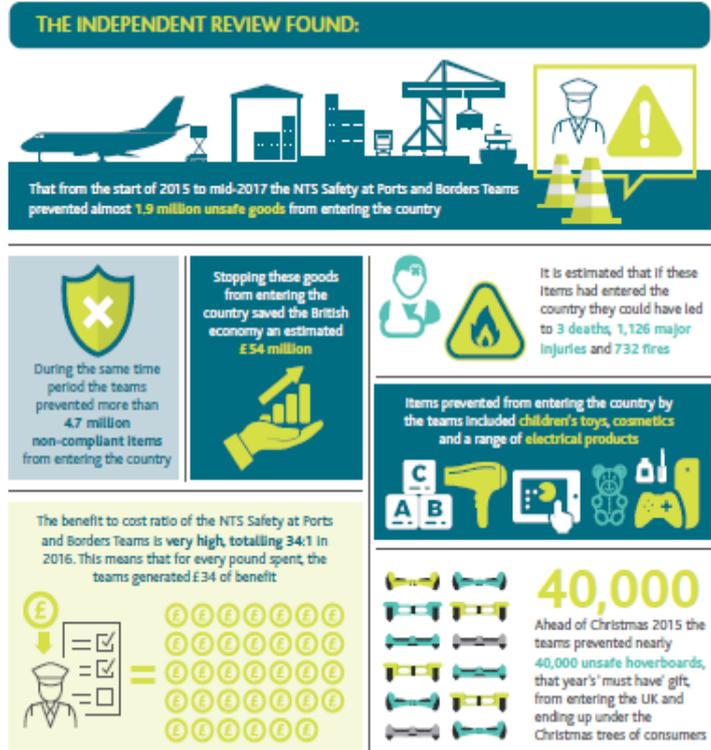
Ports Project

Detaining unsafe goods at the point of entry saves considerable additional work once unsafe or non-compliant goods are spread across multiple wholesalers or retailers nationwide, and is an efficient and effective way to protect consumers from potentially harmful products. Because of the national impact of the work, funding is allocated by National Trading Standards.

National Trading Standards (NTS) coordinates Office of Product Safety and Standards (part of BEIS) funding for the Safety at Ports and Borders Teams. This money funds trading standards teams located at 12 sea ports, airports and postal hubs across England, including the transit sheds located in Surrey for Heathrow.

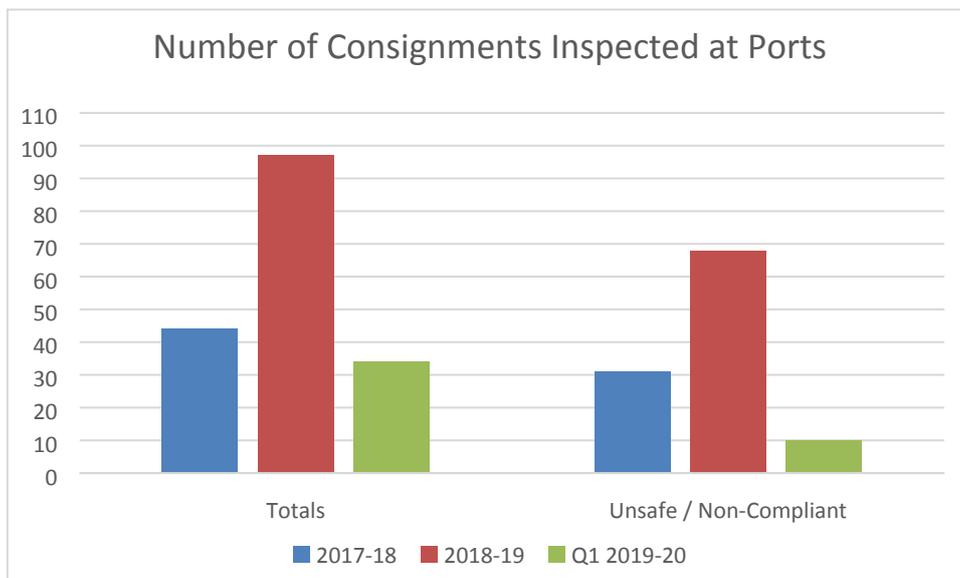
Our role as part of the Safety at Ports and Borders Teams is to prevent unsafe and non-compliant goods coming into the country. The work helps protect consumers by preventing injuries, deaths and fires, and safeguards reputable business.

For each unsafe/non-compliant item stopped at the port, research has shown this saves society £32.45. The benefit to cost ratio of Safety at Ports and Borders work was estimated at 34:1 in 2016 i.e. every £1 spent saved the economy and average of £34.



An independent review was undertaken into this work nationally. Some of the findings are given above.

The following graphs show the recent increase in the work being carried out by our Officers at transit sheds for Heathrow:



Annex A

The following are examples of some of the products stopped by Buckinghamshire and Surrey officers in 2018-19:

Mini Drill poses a risk of electric shock



LED Disco Light - poses an electric shock and fire risk. Suspected to be counterfeit.



Chargers: Risk of electric shock to users



Notebook Adapter: Risk of overheating and fire



Illicit Tobacco

A significant concern for the service is the supply of illegal tobacco. This is often brought in illegally from other countries, does not bear the appropriate warnings or have the right packaging, may be infringing Trade Marks and is unlikely to have had the duty paid correctly. Illicit tobacco is usually significantly cheaper than legal tobacco, making its sale and use more accessible to children and generally more affordable. Public Health and HMRC also have an interest in reducing the amount of illicit tobacco available and we often work in partnership to try to reduce its availability.

During the year the Service again ran town center roadshows in partnership with Public Health to increase awareness among the public of the issues (if no one were to buy it there would be no market) and to gather intelligence on where illicit tobacco was being sold. In one instance, intelligence received at the roadshow was used to inform where to then take the sniffer dog, and this led to a seizure of illicit tobacco which has been investigated and is currently the subject of prosecution proceedings going to trial in September 2019.

A similar investigation concluded with the prosecution in April 2018 of a trader for illicit tobacco (both incorrectly labelled and trade mark infringing) in their retail premises. The illicit tobacco had been identified by using a specialist sniffer dog, targeting premises about which intelligence had been received. The trader received a suspended prison sentence, the first sentence of this severity given to a defendant that the service has investigated for this type of offence – reflecting the serious circumstances surrounding his offending. The defendant was also order to pay costs of £1,500. In addition to the conviction and sentence, an alcohol licence review following conviction has led to the trader having their alcohol licence revoked.

Bucks Free Press

NEWS
20th June

Shop owner Chandrasegaram Mughaya punished after £2.5k worth of illegal cigarettes and tobacco discovered at N&N Newsagent, Desborough Road, High Wycombe



Shop owner punished after £2.5k worth of illegal cigarettes and tobacco discovered

A shop owner has been handed a suspended jail sentence after illicit cigarettes and tobacco worth around £2,500 were found at his newsagents in High Wycombe.

During the year a further visit was made, with a sniffer dog, to the same trader to ensure that they were maintaining their compliance. Unfortunately further tobacco was found, which was investigated and is currently the subject of prosecution proceedings going to trial in September 2019.

Three further investigations into illicit tobacco, again found with the assistance of a specialist sniffer dog, led to the conviction, and fining of four defendants in February and April 2019. All were ordered to pay fines and contributions towards the Service's costs of bringing the cases.



Eat Out, Eat Well

Eat Out, Eat Well is an important part of the Service's work to tackle poor food quality and nutrition. Developed with colleagues in Public Health and supported by Environmental Health the Eat Out, Eat Well Award has been developed to reward caterers who make it easier for their customers to make healthy choices when eating out.

The Award aims to encourage food businesses to provide healthier options to customers, through the use of healthier catering practices, increasing fruit, vegetables, and starchy carbohydrates, and decreasing fat, especially saturated fat, sugar and salt. It also recognises provision of healthy options for children, and rewards staff training and promotion and marketing of healthier options.

The Eat Out Eat Well award is an integral part of the Surrey Healthy Weight Strategy, Whole Systems Approach; which is included in the Surrey Heartlands STP Prevention Plans.

Eat Out Eat Well was a finalist in the Royal Society for Public Health Awards in 2018.

To date there are over 220 members of the scheme in Surrey and Buckinghamshire, including an NHS Hospital, leisure centres, National Trust properties, prisons, non-local authority schools, workplace restaurants and chain and independent sandwich bars.

The scheme continues to expand to incorporate new areas, currently a Registered Dietitian has been commissioned to develop Eat Out, Eat Well for Early Years settings based on Public Health England's Healthy Eating Guidelines for under 5's. Assessors will receive appropriate training, then the award will be piloted in a number of public and private nurseries with a view to roll out later in 2018.

The scheme has potentially made healthier menu options more accessible to a large customer base in Surrey (over 17,000 local consumers). Participation in the award scheme had increased providers own personal interest in healthy eating and sense of responsibility towards their consumers

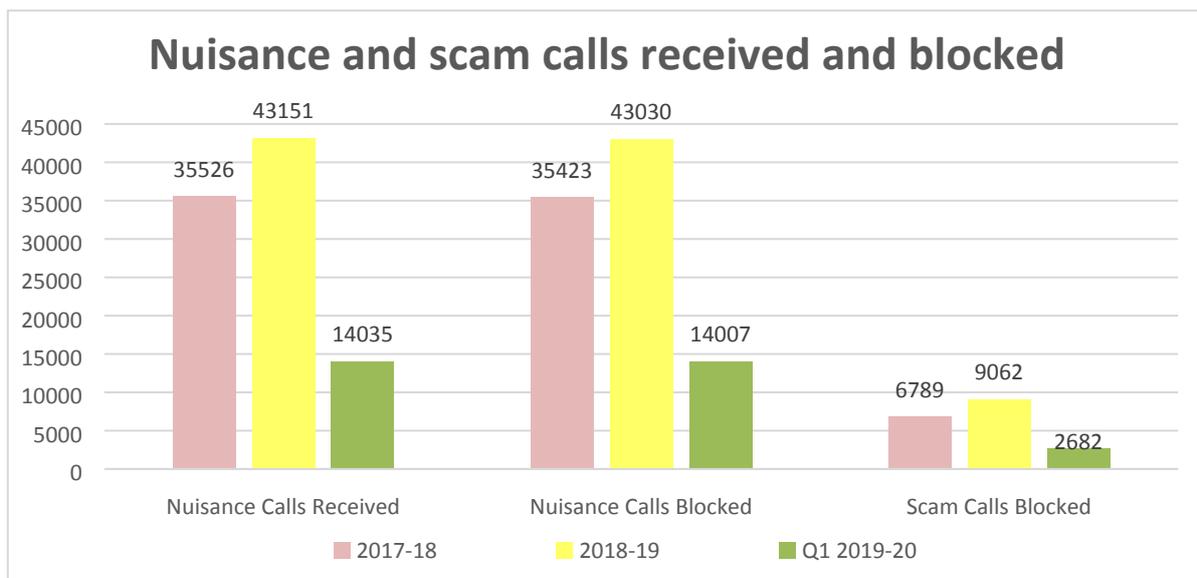
Carol Haime, Chef and co-proprietor of the Sandrock Pub & Restaurant, Farnham said that *"on weekdays, mains from the healthy options section can account for 75% of food trade"*.

KPI -7 Scams (including activities related to this area carried out by volunteers)

Nuisance calls received and blocked



An additional 41 trueCall units have been installed in 2018-19 to protect vulnerable residents from nuisance and scam phone calls. The following chart shows the numbers of nuisance calls received and blocked in 2017/18 and to date in this financial year. The call blocking rate continues to be over 99%.



Those using the equipment have been receiving an average of 32 nuisance calls per month compared to the average across the UK of 18 per month (according to OFCOM)).

One unit has been receiving 148 nuisance calls per month. 43% of all incoming calls received by the units were nuisance calls.

Call Blocking - cost/benefit analysis*

In May 2018 the cost/benefit of call blockers was considered. At that point, the data showed that the project had prevented 97 scams, and made savings of £345,427 and it was estimated that over the 5 year life of these units they will have blocked 62,113 scam phone calls, prevented 366 scams, saved vulnerable households £682,360 and led to a reduction of £617,495 in NHS and health & social care costs. Leading to a total saving of £1,299,855 for a project cost of £24,800 – a payback of 52 times the cost.

* Assumptions (updated May 2018): The cost of a trueCall unit with 5 years Internet Control Panel access is £155; 21% of nuisance calls are scam attempts; 1 in 169 scam calls are successful; average amount lost to a scam is £1,862; social care & medical costs to support a scam victim are £1,685.

Mail Marshals

The Service currently has 63 Scam Marshals, the second highest total number recruited by a Local Authority in the UK.

After 3 months...

81% felt safer in their own homes

98% had lost no further money to scams

89% felt happier

Additional Scam Champion training has been delivered to two Royal Mail postal hubs in Surrey, reaching around 200 front line postal workers.

National Wellbeing Project

The Prevention Team are currently participating in a national wellbeing project being led by the NTS Scams Team, with TSSE as the pilot area for this initiative. The purpose of the project is to measure the wellbeing of identified scam victims, before and after a Trading Standards intervention, with the aim of providing additional evidence that Trading Standards interventions have a positive effect on a person's wellbeing, thereby assisting to fulfil the Local Authorities statutory (Care Act) duty to promote wellbeing in their local community.

In Bucks and Surrey we are currently working with 14 chronic scam victims who will receive repeat wellbeing visits over a two month period.

Preliminary results indicate that following our intervention:

86% felt more protected

79% felt more confident when dealing with scams

79% felt enabled to talk/help someone else in relation to scams

Young Friends Against Scams

The National Scams Team are launching a new initiative which is the 'Young Friends Against Scams'. This training is aimed at Key Stage 2 children aged between 9 and 11. The training is designed to help children understand scams and recognise when someone may be at risk, and to cascade this information to family members such as parents and grandparents. The training pack includes a 30 and 60 minute lesson plan as well as a quiz and various games for the children to get involved in. The Prevention team are working alongside the National Team to pilot this initiative in Bucks and Surrey. The Prevention team are also adapting this training material to be launched with the local Girl Guides to help create a band of informal scam champions who can continue to promote the scheme of 'Young Friends Against Scams'

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Annex B

Trading Standards

	2018/19 £000	2019/20 £000	2020/21 £000	2021/22 £000
Trading Standards	2,727	2,642	2,631	2,682
Net budget ²	2,727	2,642	2,631	2,682
<u>Funding:</u>				
Fees & Charges	-577	-652	-676	-683
Reimbursements and recoveries of costs	-156	-158	-160	-161
Total funding	-733	-810	-836	-884
<u>Expenditure:</u>				
Staffing	3,010	3,003	3,007	3,055
Non Staffing	450	449	460	471
Total expenditure	3,460	3,452	3,467	3,526
Net budget ²	2,727	2,642	2,631	2,682
SCC Contribution	1,800	1,744	1,736	1,770
Buckinghamshire County Council Contribution	927	898	895	912
Joint Budget	2,727	2,642	2,631	2,682

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 proportions 66% and 34% respectively.

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TRADING STANDARDS INPUTS AND OUTPUTS DATA RETURN

Welcome to the first run of the ACTSO Trading Standards Impacts and Outcome Framework and thank you for participating in this important project.

The report produced by Birmingham University's Institute of Local Government Studies (INLOGOV), which ACTSO helped to support financially, and the National Audit Office report 'Protecting Consumers from Scams, Unfair Trading and Unsafe Products' in December 2016 both indicated there was a lack of consistent data being collected to support the picture of what local trading standards services were delivering. Our project is the starting point for putting this right.

In creating a framework of measures, ACTSO is looking to support managers in raising the profile of the service, whilst offering the Association the ability to paint a picture of how services are collectively supporting consumers and honest businesses nationally. If challenged in the future, Heads of Service will be able to point to this piece of work as the first step in addressing the issues raised by the NAO, as well as having something to hand to highlight local performance. It will also allow the identification of good practice that can then be shared with fellow heads of service so we can benefit collectively from the good ideas that many members across the country have.

The LGA have been supportive of our activities because of the voluntary nature of the proposal and the fact that this is local authorities trying to help themselves. This allows ACTSO members to look to our colleagues, neighbours and friends in the profession to support us in making the best of whatever resources we have in these austere times.

The three aims/objectives identified below were chosen as the best way to fit Trading Standards activities into the plethora of local authority priorities that often say the same thing in different ways:

Aim/ Objective 1: Tackling Detriment and Preventing Harm

Aim/ Objective 2: Supporting the Local Economy

Aim/ Objective 3: Promoting Health and Wellbeing

A number of output and outcome measures have also been created that sit below these three pillars of the framework in order to demonstrate the achievements of services.

The second Part of the return records data relating to inputs and demand factors such as budgets, staffing levels, business base, Citizens Advice Consumer Service (CACS) referrals and advice requests etc. Again this will help you to put your service's achievements in context against the financial and other factors faced by your service at a local level as well as data that can be aggregated for the national picture. The third Part covers your Service's adoption of the Trading Standards Intelligence Operating Model. The ACTSO working group felt that it was important for Heads of Service to have a better collective understanding of how far we have adopted the approach.

Please note that guidance is provided in a separate document in order to provide assistance with definitions for each part of this return to facilitate consistent data collection. If the data is consistent it will be so much more powerful when aggregated to paint that national picture.

If we can all commit to this piece of work it will give us the opportunity to start to collate data from local authorities, enabling its review for short, medium and long terms trends or themes. Year one will only ever be a baseline. We appreciate that all the measures in this document are at a “single point in time” and use absolute numbers. Over the time we hope that the framework can be adapted and changed to incorporate developing best practice around outcome measures.

Having the data will also allow us to highlight good practice, which can then be shared with the rest of the membership and helping us all to deliver the best we can with the resources we currently have.

So thank you for taking part in this process, for taking the time to both prepare for this piece of work and, in advance of you sending it to us, for sharing the data that you have recorded. For this to be a success it is important that as many of you participate as possible. By remaining engaged you will allow us to continue to highlight the great things that we do and the difference we make on a daily basis to the people who live and work in the areas we cover.

v.March 2019 (post-pilot_final)

PART 1: OUTPUT AND OUTCOME MEASURES

Region (select from drop-down)	TSSE
Authority name	Buckinghamshire and Surrey Trading Standards
Type of authority (select from drop-down)	Joint Services
Part 1: questions complete*	61 of 63

*Note

OBJECTIVE 1: TACKLING DETRIMENT AND PREVENTING HARM

Stopping Fraudulent, Illegal and Unfair Trading

1.1 Outcomes of investigations and prosecutions			HELP?
1.1.1	Number of defendants taken through prosecution process	16	✓ 1.1.1
1.1.2	Number of offenders to whom simple cautions issued	1	✓ 1.1.2
1.1.3	Number of years imprisonment	4.75	✓ 1.1.3
1.1.4	Number of years for suspended sentences	0.92	✓ 1.1.4
1.1.5	Fines awarded (£)	£35,680.00	✓ 1.1.5
1.1.6	Costs awarded from court cases (£)	£17,620.00	✓ 1.1.6
1.1.7	Total number of Fixed Penalty Notices	2	✓ 1.1.7
1.1.8	Total value of Fixed Penalty Notices (£)	£8,000.00	✓ 1.1.8
1.1.9	Community Punishment Orders (hours)	135	✓ 1.1.9
1.1.10	Proceeds of Crime Act (POCA) benefit ordered to be paid in that year (£)	£74,414.00	✓ 1.1.10

1.1.11	Proceeds of Crime Act (POCA) benefit paid in that year (£)	£6,328.21	✓	1.1.11
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1.2 Enterprise Act Undertakings				1.2
1.2.1	Total number of Undertakings given	0	✓	1.2.1
1.2.2	Number given following court process	0	✓	1.2.2
1.2.3	Percentage of Undertakings breached	0.0%	✓	1.2.3

Detriment and Redress

1.3 Redress obtained for consumers or victims of crime by service actions				
1.3.1	Compensation (£) from court (including POCA compensation)	£48,648.00	✓	1.3.1
1.3.2	(£) not handed over to criminals (e.g. rapid response outcomes)	£156,497.00	✓	1.3.2
1.3.3	(£) achieved through new civil processes	£0.00	✓	1.3.3
1.3.4	(£) achieved through second tier advice or other support provided	£25,249.04	✓	1.3.4

1.4 Detriment to consumers prevented by service actions				
1.4.1	Detriment (£) over the following 12 months prevented by service actions	£3,758,899.00	✓	1.4.1

Supporting Scam Victims

1.5 Number of scam victims supported				
1.5.1	Total number of victims identified in the year in your area by the NTS National Scams Team	485	✓	1.5.1
1.5.2	Number of victims identified by other partners or the TS service itself	270	✓	1.5.2
1.5.3	Total number of victims who are subject to interventions	755	✓	1.5.3
1.5.4	Amount of money saved for scam victims (£)	£536,637.00	✓	1.5.4

1.6 Proportion of victims that feel more confident after Trading Standards intervention		
1.6.1	Percentage of victims who feel safer in their own home following Trading Standards intervention	86.0%

✓ 1.6.1

Narrative: In this section, managers should consider including the info below. This is not exhaustive:

- Case studies that highlight the non-financial/unquantifiable detriment across all cases and impact of trading standards intervention on victims
- Working relationship with police and other enforcers
- Proportion of referrals for intelligence only, proportion on which further action is taken
- % of investigations and case work successfully concluded
- Number of referrals to Adult Social Care and the proportion where additional safeguarding measures were put in place
- Proportion of investigations which met the threshold of seriousness
- Preventative work such as No Cold Calling Zones and Friends against Scams

160 chronic victims of nuisance and scam cold calls have been fitted with call blocking devices. 43,151 nuisance calls were received, of which 43,030 were blocked (over 99%). 9,062 scams were stopped. 59 referrals to Adult Social Care, 55 referrals to the Multi Agency Safeguarding Hub. Feedback on outcomes from ASC and MASH is rare so cannot give the proportion where additional safeguarding took place as a result of a referral. This is being addressed via the Safeguarding Adults Boards.

Op Gull - HT received 15 months imprisonment for three fraud offences in relation to the double sale of a clocked motor vehicle. NK received a 4 month prison sentence suspended for 12 months for 2 offences of money laundering. We were also able to obtain compensation for two victims totalling £48,648 as a result of a POCA confiscation hearing. The case involved joint working with the Metropolitan Police Anti Terrorism team, who also took a successful prosecution against HT in relation to conspiracy to disguise criminal property and conspiracy to acquire criminal property offences

Op Emerald - JT received 30 months imprisonment for fraud and CPRs and a breach of the Working at Height Regulations arising from roofing work he undertook. This case was a joint prosecution with the HSE after we alerted them to possible health and safety breaches.

OBJECTIVE 2: SUPPORTING THE LOCAL COMMUNITY

Businesses Get the Help and Support They Need to Thrive and Grow

1.7 Number of businesses receiving advice			
1.7.1	Number of direct responses to requests for advice by non-Primary Authority/Home Authority businesses	1050	✓ 1.7.1
1.7.2	Number of formal Home Authority relationships	0	✓ 1.7.2

1.7.3	Number of responses to requests for advice from Home Authority businesses	0	✓	1.7.3
1.7.4	Number of Primary Authority relationships	103	✓	1.7.4
1.7.5	Number of hours spent servicing Primary Authority activity	1835.19	✓	1.7.5

1.8 Number of businesses found non-compliant when visited subsequently brought into compliance during the financial year

1.8.1	Number of visits where business found to be satisfactory without requiring advice of any kind to achieve compliance	111	✓	1.8.1
1.8.2	Number of visits where business were non-compliant/ unsatisfactory BUT achieved compliance with advice given at the time of the visit	105	✓	1.8.2
1.8.3	Number of visits where business found to be unsatisfactory in the year and required further intervention to achieve compliance	6	✓	1.8.3
1.8.4	Number of non-compliant/ unsatisfactory businesses identified in 1.8.3 above that were brought into compliance in the relevant period.	6	✓	1.8.4
1.8.5	Percentage of businesses that were either compliant when visited or brought into compliance during the period			1.8.5

Creating and Maintaining a Level Playing Field/Safe and Fair Competition

1.9 Deal with problematic businesses where an intervention is made

1.9.1	Number of individual complaints where the decision was taken, via tasking or other means, to directly investigate the specific case.	1045	✓	1.9.1
1.9.2	Number of businesses reviewed during tasking or similar process in the year.	14956	✓	1.9.2
1.9.3	Number subject to intervention (advice, investigation or action such as referral to another body or local authority).	1045	✓	1.9.3

1.9.4	Of those subject to intervention, the percentage where outcomes was successful (i.e. resulted in compliance being achieved, or investigation outcome was successful).		1.9.4
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1.10 Support for legitimate businesses by trader approval schemes

1.10.1	Do you operate your own local trader approval scheme	Yes	✓	1.10.1
1.10.2	How many businesses are members	1124	✓	1.10.2
1.10.3	If you do not operate your own scheme or are also engaged in schemes beyond your own, are you: (A) Part of a partnership offering a scheme, (B) Partnered with a commercial body? (C) Do not participate in trader approval schemes beyond our own (D) Do not participate in any trader approval schemes	B	✓	1.10.3
1.10.4	In relation to 1.10.3 above, how many businesses in your local area are accredited by you through this method	3755	✓	1.10.4

1.11 Support for legitimate businesses by removing counterfeit goods from the market

1.11.1	Number of items/products removed from or prevented from entering the supply chain	147	✓	1.11.1
1.11.2	Value of other products above (£)	£1,344.77	✓	1.11.2

Narrative: in this section, managers should consider including the info below. This is not exhaustive:

- Description of how new businesses are supported and the value/ impact of partnerships with business or business bodies e.g. BBfA, Links to LEP, Chamber of Commerce, Local FSB reps, etc.
- Case studies with quotes from businesses on the value of trading standards support & the savings or investment benefits for businesses achieved through trading standards advice/intervention
- Where non-business customer satisfaction is surveyed, include results
- Engagement with Business or business organisations
- How you use information from businesses to shape what you deliver

Information from any source can be included, whether or not it is the result of surveys, focus groups, questionnaires etc. conducted/commissioned directly by your own service. It may be information supplied/published by your Economic Development Unit or come from some other reliable source.

Some member authorities have suggested that this type of activity may be skewed to certain types of business such as food or feed businesses, so if this is the case in your authority, say 50% or more of the focus of compliance visits of this type are in relation to one area like food or feed, please indicate this in this section.

Buckinghamshire & Surrey Trading Standards have over 100 Primary Authority Partnerships and continue to deliver a single point of contact arrangement with Environmental Health and Fire Safety. Growth in overall number of partnerships continues, although there has been some movement this year with some businesses merging, moving abroad, closing or moving to alternative regulators. The majority of partnerships include food standards or food hygiene as a significant area for advice. Product safety and recall processes have also been a notable topic of interest. Toward the end of the period enquiries began relating to Brexit and the service attended business briefing events organised by the local Chambers and LEPs in Surrey and a similar engagement event in Buckinghamshire.

"The guiding principles of Trading Standards have always resonated strongly with TrustMark because of the dedication to matters of consumer protection. Critical to achieving these aims was a more formalised partnership with Trading Standards to tackle the problem of logo misuse and deception. A senior Trading Standards officer is now partially based in the TrustMark offices to oversee this project, and we are delighted with the results. Further plans to strengthen the relationship between the two bodies are in development, and I am confident that with our joint vision we will only improve the outlook for consumers in the UK." Simon Ayers, Chief Executive Officer of TrustMark.

"We are really happy with the support given by Bucks and Surrey Trading Standards. The team have been brilliant in implementing and supporting the business processes for Vapour Recovery Permits. Their willingness to be flexible and consider new approaches to address business challenges has been really valuable to us and is the main reason we have asked to extend the service to include petroleum site certificates. The projects have been delivering a genuine reduction in the regulatory burden on our business operations nationwide" Martin Watkins UK Operations Manager Shell UK Oil Products Limited.

"Facing a potential product recall can be a stressful time for any business. However, having previously worked through PAS7100 in detail with our Primary Authority - Buckinghamshire and Surrey Trading Standards, we had created our own in-depth Product Recall Procedure, tailored specifically to our business." David Watts, Product Manager Solution EU Ltd

OBJECTIVE 3: PROMOTING HEALTH AND WELLBEING

Ensuring The Safety Of Consumer Products

1.12		Unsafe or non-compliant goods prevented from entering or removed from marketplace		
1.12.1	Number of items/products removed from or prevented from entering the supply chain	42682	✓	1.12.1
1.12.2	Value of products above (£)	£213,410.00	✓	1.12.2

Protecting The Food Chain

1.13 Businesses involved in breaches of food standards legislation				
1.13.1	Number of businesses identified as supplying: misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in fraud involving food	41	✓	1.13.1

Reducing The Risk Of Children Accessing Age Restricted Products

1.14 Businesses tested for compliance with the law using underage volunteers OR compliance with mandatory Challenge 21/25 conditions				
1.14.1	Number of individual premises tested for Alcohol	0	✓	1.14.1
	Failure rate (%)	0.0%	✓	
1.14.2	Number of individual premises tested for Tobacco	0	✓	1.14.2
	Failure rate (%)	0.0%	✓	
1.14.3	Number of individual premises tested for Other Products	13	✓	1.14.3
	Failure rate (%)	7.7%	✓	

Reducing The Availability Of Illicit Products

1.15 Tackling the availability of illicit tobacco				
1.15.1	Number of premises from which products were seized	8	✓	1.15.1
1.15.2	Number of cigarettes seized; and value (£)	771	✓	1.15.2
		£8,018.40	✓	
1.15.3	Weight of Hand Rolling Tobacco seized (g); and value (£)	1250 g	✓	1.15.3
		£550.00	✓	
1.15.4	Number of niche tobacco products seized; and value (£)	120	✓	1.15.4
		£120.00	✓	

1.16 Tackling the availability of illicit alcohol

1.16.1	Number of premises from which products were seized	0	✓	1.16.1
1.16.2	Volume of alcohol seized (l); and value (£)	0 l	✓	1.16.2
		£0.00	✓	

Narrative: in this section, managers should consider including the info below. This is not exhaustive:

- Evidence of increased wellbeing from Trading Standards work
- Potential impact of products which failed tests/were removed from market
- Value and impact of partnership working e.g. public health, Community Alcohol Partnerships
- Case studies
- Identifying “other” products so trends can be captured e.g. growing work on knives, etc.

1.15: Illicit Tobacco visits carried out with tobacco dogs. Resulted in 3 Investigations and successful prosecutions. SCC v Mr N and Simran Mini Supermarket Ltd fined a total of £2,160 for 11 packets of tobacco. This included full costs awarded of £1,480 which the Magistrates themselves commented was only fair considering that the fines they have imposed are very low and in fact he had 'gotten off lightly'. SCC v KH, trading as Pick n Buy fined a total of £1,830 for 12 packets of cigarettes. SCC V CM received an 8 week jail sentence suspended for 12 months for 237 packets of tobacco and ordered to pay £1500 prosecution costs

1.14.3 Joint working with Surrey Police on Operation Sceptre. Comprised of 15 advice visits and 13 test purchases of knives using cadet volunteers. 1 Major supermarket premises failed the test purchase and sold via a self service till. Internal investigation carried out resulting in the employee being dismissed, and the store being placed on 12 week emergency 25 verification measure, including internal test purchases.

1.12 Prosecution of importer, wholesaler and retailer in relation to the supply of an unsafe camping stove. The three companies in the supply chain were each fined £10,000 and the consumer, who suffered serious burn injuries from the product, was awarded £4,500 in compensation.

PART 2: INPUTS AND DEMAND FACTORS

Region	TSSE
Authority name	Buckinghamshire and Surrey Trading Standards
Type of authority	Joint Services
Part 2: questions complete	30 of 30

2.1 Budget			HELP?
2.1.1	Revenue Budget	£2,726,481.00	✓ 2.1.1
2.2 Externally generated income as a proportion of revenue budget			
2.2.1	Income from metrology activities	£0.00	✓ 2.2.1
2.2.2	Income from TS related licences	£46,910.00	✓ 2.2.2
2.2.3	Income from Primary Authority support activity	£208,704.15	✓ 2.2.3
2.2.4	Income from other business advice	£4,601.99	✓ 2.2.4
2.2.5	Income from National Trading Standards grants	£55,746.00	✓ 2.2.5
2.2.6	Income from other sources	£252,942.58	✓ 2.2.6
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2.2.7	Total Income (excluding court costs & POCA)	£568,904.72	2.2.7
2.2.8	Income as a percentage of revenue budget	21%	2.2.8

2.3 Operational Trading Standards staff numbers				
2.3.1	Total number of staff within the TS service (FTE)	67.31	✓	2.3.1
2.3.2	Total number of operational staff (FTE)	58.81	✓	2.3.2
2.3.3	Total number of support staff directly attached (FTE)	8.50	✓	2.3.3
2.3.4	Number of operational staff per 100,000 population	3.42	✓	2.3.4
2.3.5	Number of operational staff per 1,000 PAYE and VAT registered business	0.55	✓	2.3.5

2.4 Training of operational and managerial staff to maintain competence				
2.4.1	Average number of hours spent per officer on training that relates to the knowledge and skills required to undertake Trading Standards work	23.35	✓	2.4.1

2.5 Functions discharged by the Trading Standards team that are beyond the Department for Business, Energy & Industrial Strategy core activities of weights & measures/product safety/fair trading, which will include consumer civil law advice:				
2.5.1	Animal Health	Yes	✓	2.5.1
	Food Standards	Yes	✓	
	Feeding stuffs and fertilizers	Yes	✓	
	Petroleum licensing	Yes	✓	
	Explosives/ fireworks licensing	Yes	✓	
	Safety at Sports Grounds	No	✓	
	Public Health	No	✓	
	Others	No	✓	2.5.1

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2.6 Number of businesses

2.6.1	Number of businesses (VAT and PAYE registered. See guidance.)	106595	✓	2.6.1
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2.7 Population

2.7.1	Total population	1721218	✓	2.7.1
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2.8 Service Requests and referrals received

2.8.1	Number of Citizens Advice Consumer Service Notifications	11096	✓	2.8.1
2.8.2	Number of Citizens Advice Consumer Service Referrals	3860	✓	2.8.2
2.8.3	Total value (£) of detriment identified in Citizens Advice Consumer Service data supplied by residents	£974,595.00	✓	2.8.3
2.8.4	Number of referrals from other local authority services	295	✓	2.8.4
2.8.5	Number of referrals from Police and other service partners	251	✓	2.8.5
2.8.6	Number of referrals generated by officer intelligence	246	✓	2.8.6
2.8.7	Number of requests/ referrals from other sources including businesses	2450	✓	2.8.7

Narrative: in this section, managers should consider including the info below. This is not exhaustive:

- Trends relating to staffing levels and demand for services/complaint numbers/businesses requesting advice
- Training information and the need to be able to maintain competences
- Trends relating to operational budgets

We have had noticeable difficulties in recruiting qualified staff to vacant roles, with some posts being advertised for 9 months of the year and still with no suitable applicants. Whilst some roles can be filled by candidates with equivalent experience (such as investigators) this is not possible for all roles and therefore we have decided that the only way to address our staffing challenges longer term is to 'grow our own'. As a large service we also feel a responsibility towards the profession to invest in training.

We now have 2 apprentices, 2 others undertaking apprenticeships alongside their usual roles and 8 officers undertaking either Stage 1 or 2 of the CTSI qualification this year. As well as the significant financial burden of this, having 12 officers training in our service will create more demand on supervisors and other qualified officers for mentoring and support in achieving the new CTSI qualification. This will be especially the case when studying for Stage 2 where specific support in specialist subject areas such as Metrology, Product Safety, Food Standards and Feed will be needed. We will need to rely on Officers who are specialist in certain subjects, with metrology being an area we may struggle with, despite our large size.

We continue to be committed to all our staff maintaining their continuing professional development (CPD) and the majority of our operational team have CTSP status. The average hours of training per officer is likely to be higher but these are the hours evidenced for CPD purposes.

PART 3: ADOPTION OF THE TRADING STANDARDS INTELLIGENCE OPERATING MODEL

Region	TSSE
Authority name	Buckinghamshire and Surrey Trading Standards
Type of authority	Joint Services
Part 3: questions complete	8 of 9

3.1 Strategic Assessment

3.1.1	Are you able to commission or create a strategic assessment within the relevant timescales to provide a strategic picture of the issues faced by your service?	2	✓
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Using the drop down box, select the closest response to your approach.

1. We prepare a full strategic assessment each year which determines what we will and won't plan to tackle and this is reflected in our annual service plan
2. We do not create a strategic assessment, but produce an annual service plan linked to corporate objectives and driven by our own intelligence, problem profiles and priorities in our area.
3. We are not intelligence led but we have a formal annual service plan created from requirements communicated to us by senior management, elected members or central government bodies.
4. We have no formal service plan and are completely reactive, responding to issues as and when they arise through complaint data and other local pressures
5. The service is so small that we can only focus on one or two core subjects and can deliver

3.2 Tasking

3.2.1	Do you operate a regular, scheduled tasking process to identify and allocate suitable work?	1	✓
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Choose an option that most applies and select the number in the drop down box

1. Yes, we carry out regular, scheduled tasking, together with a tactical assessment, that is used to identify and allocate work
2. Yes, we use a tasking model to identify and allocate work, although it is ad-hoc in terms of frequency
3. No, work is allocated to officers by a team leader as it comes into the service

3.3 Tactical Assessment

3.3.1	Are you able to commission or create a tactical assessment within the relevant timescales to help drive your operational business?	1	✓
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Using the drop down box, select the closest response to your approach.

1. We create a tactical assessment on a regular, scheduled basis (monthly, bi-monthly, quarterly,) that is used to drive operational activity
2. We create a tactical assessment a few times a year which is used to adjust planned operational activity to meet identified problem
3. We do not create a tactical assessment, but use intelligence to assist with tasking and direct some operational activity
4. We do not create a tactical assessment, but follow a pre-planned team plan and respond to complaints and other issues as they arise

3.4 Intelligence Products

3.4.1	Are you able to commission intelligence products (problem profiles and target profiles) to help your service better understand the problems it faces?	1	✓
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Using the drop down box, select the closest response to your approach.

1. Yes, we have a dedicated Intelligence Officer who is able to produce a range of intelligence products.
2. Yes, we have an officer within the service who divides his/her time between that of Intelligence Officer and another role and is able to provide some products
3. Yes, although we do not have our own Intelligence Officer resource within the service, we are able to commission another service to provide products from time to time
4. No, we have no resource to provide us with intelligence products

3.5 Intelligence Logging

3.5.1	Do your staff have relevant access to an intelligence database?	1	✓
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Using the drop down box, select the closest response to your approach.

1. Yes, access is through a direct login through our own IT systems
2. Yes, although we do not have direct access, access is available a neighbouring authority
3. Yes, although we do not have direct access, access is available through the Regional Intelligence Officer
4. No, we do not have access to an intelligence database

3.5.2	Are they trained in preparing and submitting logs and is that competence maintained?	1	✓
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Using the drop down box, select the closest response to your approach.

1. All enforcement staff are trained in preparing and submitting logs. They either input them directly or give them to a person who inputs them
2. Although not all enforcement staff are trained in preparing and submitting logs, there is at least one officer who is within the service who is able to review work and submit logs based on this
3. Staff can and do prepare logs but we have to arrange for access via another authority
4. None of our officers are trained to submit intelligence logs and we don't generally refer to them.

3.5.3	If you answered 1-3 to the question above, Do you have adequate sanitising capacity? Otherwise please select 'not applicable'.	
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Using the drop down box, select the closest response to your approach.

1. Yes, sanitising is carried out by staff trained within our service in a timely fashion
2. Yes, because sanitising is carried out on our behalf by a neighbouring authority, which has sufficient capacity
3. Yes, because sanitising is carried out on our behalf by our Regional Intelligence Officer or their team
4. We struggle with capacity and, at times, logs take longer than we would like to go live on the

3.6.1	Do you have suitable intelligence links/sharing protocols in place with partners to enable the service to benefit from intelligence from external sources?	Yes	✓
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3.7.1	Does your authority have access to the sanctions database*	Yes	✓
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**(Sanctions database run by National Anti-Fraud Network)*

Narrative: Please use this to further explain anything that you may wish to add.

We are developing our strategic assessment, so whilst we aren't quite there we are striving to have one.

**BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY
COUNTY COUNCIL**

TRADING STANDARDS JOINT COMMITTEE

DATE: 25 SEPTEMBER 2019

LEAD OFFICER: DAVID PICKERING

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 12 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 associated products and is not restricted to the potential sale to children and young people.

RECOMMENDATIONS:

It is recommended that:

The Joint Committee notes and considers the report as a reflection of activity over the financial year 2018-2019 and endorses continued enforcement activities which will be undertaken in 2019-2020.

REASON FOR RECOMMENDATION:

The Children and Young Person's (Protection from Tobacco) Act 1991 requires local authorities to consider, at least once in every period of 12 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:

1. 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. However, increasing levels of innovation in the e-cigarette and alternatives to tobacco market continue to provide constant challenges to us

when assessing how the legislation applies to them. The Service has also facilitated links to be made between Surrey and Buckinghamshire Public Health teams to share information and good practice.

2. 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 and 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”.

In partnership with our Public Health colleagues the remit of the group has been extended recently to include alcohol issues as there are common areas of concern.

The Strategy can be found at: <https://www.healthysurrey.org.uk/your-health/smoking/smokefree-surrey/tobacco-control-strategy-for-surrey>

Progress against these priorities was reported to the Surrey Health and Wellbeing Board in the summer of 2019:

https://www.healthysurrey.org.uk/_data/assets/pdf_file/0009/203769/Summer-2019-Public-Update-PDF.pdf r 2017

The Trading Standards Service has also coordinated with Buckinghamshire Public Health to develop the tackling supply element of the control strategy for Buckinghamshire that has been published recently. We are supporting the development of a Tobacco Control Alliance group to oversee the delivery of the strategy:

<https://democracy.buckscc.gov.uk/documents/s136367/Buckinghamshire%20Tobacco%20Control%20Strategy%20Final%20for%20HWB.pdf>

3. 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 £2,500 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 18/19 and no formal action has been taken under these Regulations to date.
4. 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.
5. Sales of illicit tobacco facilitate a cheap way to start or continue smoking, and as such needs to be minimised to reduce this impact. In addition, legitimate businesses are disadvantaged, threatening small businesses in the local economy. Last year we found some illicit cigarettes being sold for £2.50 a pack, representing a significant saving compared to the legitimate product: <https://www.illicit-tobacco.co.uk/problem/illicit-tobacco/>

6. The programme for the financial year 2018/2019 was as follows:

i. 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 included, in relation to e-cigarettes, new labelling requirements and stipulations on the size of the containers that recently come into force. We participated in a nationally coordinated project as well as using local intelligence to target tobacco related issues. We used tobacco sniffer dogs to target potential suppliers.

We visited 79 premises in Buckinghamshire and Surrey. These were a mixture of advisory visits and targeted informed by intelligence visits with sniffer dogs.

Of the 79 visits, 47 were undertaken in Surrey and 32 in Bucks.

There have been 3 completed prosecutions (Surrey) which led to fines being imposed, 2 pending trials and 2 investigations currently on going in relation to illicit/counterfeit tobacco (Bucks).

ii. 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.

We ran four illicit tobacco roadshows across Surrey, and two in Buckinghamshire, these being jointly funded by Trading Standards and SCC and BCC Public Health.

At these events information was passed to the Service on 10 occasions regarding traders allegedly selling illicit tobacco.

Illegal tobacco is Pippa's speciality - and she'll be showing off her skills at Aylesbury roadshow



Pippa the sniffer dog

By

HAYLEY O'KEEFFE

Email

Published: 16:30

Thursday 18 October 2018

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One of the subsequent inspections, using the information provided, led to a seizure of over 14,000 illicit and counterfeit cigarettes, which is now the subject of legal proceedings.

In May 2019, in partnership with Chiltern District Council, we visited premises in Chesham. Trading Standards and the Police conducted inspections for illicit tobacco and alcohol. These have resulted in two ongoing investigations relating to alleged supply of illicit tobacco.

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

The strategy is now published.

iv. 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).

We have developed better links with licensing officers within the police and district councils. We continue to support regional and national intelligence gathering.

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

No reviews were sought this year.

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

Advisory visits have been carried out as appropriate.

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

These are checked on visits but no issues were identified.

7. For 2019-20 we will:

i. 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.

As well as work relating to reducing the supply of illicit tobacco we will continue to assess appropriate interventions relating to tobacco alternatives such as vaping.

Public Health England recognise vaping as part of smoking cessation strategy. However, the rapid growth of sales has seen sellers who are non-traditional outlets enter the marketplace and also the introduction of cannabinoid substances into liquids. We are working in partnership with the police to monitor how such innovations fit into the legislative framework.

<https://www.gov.uk/government/publications/vaping-in-england-an-evidence-update-february-2019>

<https://www.bbc.co.uk/news/business-44295336>

We will also participate in any nationally coordinated projects as well as using local intelligence to target tobacco related issues. We will also be using tobacco sniffer dogs to target potential suppliers.

ii. 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.

We will run a series of three illicit tobacco roadshows across Surrey, and two in Buckinghamshire.

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.

iii. We will continue to support the Tobacco Alliance groups in both counties.

We will continue to Chair the Surrey group and will participate in meetings organised for both areas. We will work with partners on the groups to deliver the agreed strategies to reduce smoking prevalence rates in both counties.

iv. Continue to use local, regional and national intelligence to ensure we target our interventions and resources appropriately.

We will explore ways to:

- Improve intelligence sharing between relevant partners
- Upgrade intelligence from all viable sources
- Explore alternative means of detecting sales (other than by test purchases)

v. 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.

vi. 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.

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

CONSULTATION:

8. No external consultation has occurred.

RISK MANAGEMENT AND IMPLICATIONS:

9. 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

10. 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. 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

11. The legal implications are as set out in the main body of this report

Equalities and Diversity

12. Tobacco consumption is disproportionately prevalent in particular socioeconomic groups; tackling tobacco consumption has 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:

13. This is set out in section 7 above.

Contact Officer:

David Pickering, Team Manager – Regulation, 01372 388779

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**BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY
COUNTY COUNCIL**

TRADING STANDARDS JOINT COMMITTEE

DATE: 25 SEPTEMBER 2019

LEAD OFFICER: DAVID PICKERING

**SUBJECT: EMERGING ISSUES FOR TRADING STANDARDS
A) SALES OF KNIVES TO UNDER 18S**

SUMMARY OF ISSUE:

The Criminal Justice Act 1988 makes it an offence to sell to a person under 18 any knife or knife blade. The legislation can be enforced by Trading Standards and the police.

The increase in knife related deaths has made the prevention of the sale of knives to under 18s a higher priority

We have in the past carried out joint operations with the police to test trader's ability to prevent such sales and found that sales have been made.

A recently published survey of attempted purchases nationwide found a 15% failure rate: <https://www.tradingstandards.uk/news-policy/news-room/2019/retailers-urged-to-do-more-to-stop-the-sale-of-knives-to-under-18s>

RECOMMENDATIONS:

It is recommended that:

The Joint Committee endorses Trading Standards working with the police on this issue and to carry out the test purchase operations suggested in this report.

REASON FOR RECOMMENDATION:

Knife crime is a life changing and serious issue which is increasing. By working in partnership with the police to prevent sales we are reducing and making the supply of knives more difficult.

DETAILS:

1. We propose to carry out joint test purchase operations with the police in both Buckinghamshire and Surrey before April 2020 from a variety of premises. We will use information and intelligence gathered by us and the police to target these visits. We will liaise with Surrey Police to attempt a minimum of 15 test purchases and Thames Valley Police to attempt a minimum of 10 test purchases.

2. We propose to carry out 10 attempts to test purchase knives online from a variety of sources.
3. Working in partnership with the police and driven by intelligence, we will carry out visits to local independent businesses selling knives who have not had test purchases attempted to provide information about their legal obligations.
4. We will develop our website to include advice and training materials for businesses on this topic and will raise awareness of these through social media platforms and our fortnightly newsletter.

CONSULTATION:

5. No external consultation has occurred.

RISK MANAGEMENT AND IMPLICATIONS:

6. Working in partnership we are helping to reduce the supply of knives to under 18s and the potential harm that may result.

Financial and Value for Money Implications

7. 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. This report is suggesting that the Service increases the work with regard to advisory visits so there will be an increase in resource, but this will be from existing resources.

Legal Implications

8. The legal implications are as set out in the main body of this report.

Equalities and Diversity

9. There is no likely negative disproportionate impact arising from the work described in this report on people with protected characteristics.

WHAT HAPPENS NEXT:

10. If the Committee approves the recommendation we will progress the arrangements with the police and prioritise workload for the advisory visits.

Contact Officer:

David Pickering, Team Manager – Regulation, 01296 388779

**BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY
COUNTY COUNCIL**

TRADING STANDARDS JOINT COMMITTEE

DATE: 25 SEPTEMBER 2019

LEAD OFFICER: DAVID PICKERING

**SUBJECT: EMERGING ISSUES FOR TRADING STANDARDS
B) ENFORCEMENT OF ROAD WEIGHT RESTRICTIONS**

SUMMARY OF ISSUE:

The Road Traffic Regulation Act 1984 allows Local Authorities to introduce weight restrictions on roads when it is considered appropriate.

Vehicles ignoring the weight restrictions cause inconvenience and hazards for residents living near the affected roads and also cause disproportionate damage to the roads that are unsuitable to carry the weight. This results in more frequent costly repairs needed and if a bridge is damaged can also cause significant delays and additional wear and tear on other roads whilst repairs are carried out.

Both Trading Standards and the police can enforce the legislation. However, the pressures and demands of other priority and high risk areas has meant that resources have not been available to do so in recent years. Trading Standards do not have the power to stop vehicles whereas the police do, so working in partnership is an effective way to resource the work on behalf of affected communities.

RECOMMENDATIONS:

It is recommended that:

- 1. The Joint Committee endorses the pilot operation in Surrey and support a pilot operation in Buckinghamshire.**
- 2. The Joint Committee considers any issues arising from these operations in a subsequent report to be brought to the Joint Committee in Spring 2020.**

REASON FOR RECOMMENDATION:

We have received complaints from several local communities about unsuitable vehicles potentially illegally using weight restricted roads.

DETAILS:

- 1. We will carry out a pilot operation to target potential offenders in an area that has been identified in Surrey in early October. This will be a joint operation with Surrey Police and will look at vehicle safety and tachograph compliance in addition to road weight compliance. Appropriate action will be taken to**

follow up any breaches identified. For the vehicle weights, this could include Fixed Penalty Notices issued by the police on the day or, where required, investigations and follow up legal action which will be led and taken by Trading Standards. The area has been identified as suitable for the pilot as there is feedback that the road weight limits are regularly being breached by heavy goods vehicles.

2. We are also consulting with residents and Thames Valley Police about an issue with a bridge in north Buckinghamshire which currently has a temporary weight restriction upon it. Appropriate action to deal with this will be considered and will be taken in light of any learning from the pilot operation in Surrey.
3. We will continue to work with the police and local residents to identify issues with road/structural weight restrictions as they arise in the future and use the knowledge and processes we have developed through these two pieces of work to consider what action would be appropriate within our resources to deal with them.

CONSULTATION:

4. We have used information from local residents to identify issues.

RISK MANAGEMENT AND IMPLICATIONS:

5. We are supporting the transport sections of the local authorities by preventing damage to weight restricted roads and supporting local communities to maintain their environment. We are also helping to ensure the activity happens by adding to police resource, as without this the work may not take place. We will also be taking any subsequent legal action so the Crown Prosecution Service will not need to be involved.

Financial and Value for Money Implications

6. The work in this area is carried out by a number of officers as a small part of their wider role. It is not known what the exact resource will be but at the moment it is anticipated it will amount to approximately 10 officer days.

Legal Implications

7. The legal implications are as set out in the main body of this report.

Equalities and Diversity

8. There is no likely negative disproportionate impact arising from the work described in this report on people with protected characteristics.

WHAT HAPPENS NEXT:

9. The activity will progress as outlined.

Contact Officer:

David Pickering, Team Manager – Regulation, 01296 388779