

**BUCKINGHAMSHIRE COUNTY COUNCIL AND  
SURREY COUNTY COUNCIL**

**TRADING STANDARDS JOINT COMMITTEE**

**DATE: 1 OCTOBER 2015**

**LEAD OFFICER: STEVE RUDDY  
HEAD OF TRADING STANDARDS**

**SUBJECT: THE NEW JOINT TRADING STANDARDS SERVICE  
UPDATE ON PROGRESS**

**SUMMARY OF ISSUE:**

The new Joint Trading Standards Service for Buckinghamshire and Surrey was launched on 1 April this year. The new Service is able to provide better outcomes for residents and businesses in both counties whilst at the same time making efficiency savings and increasing income generation.

This report summarises the progress made in the first six months of the new Service. It invites the Joint Committee to note the progress made, and to identify any issues which they would want to explore in more detail at future meetings of the Joint Committee.

The report also updates the Joint Committee on the range of national reviews currently underway looking at the future of the Trading Standards Service and on how it contributes to both local government and central government priorities. It invites the Joint Committee to contribute to those reviews.

**RECOMMENDATIONS:**

It is recommended that:

- The Trading Standards Joint Committee note this report and identify any issues they would like to consider in more detail at future meetings.
- The Trading Standards Joint Committee considers the reviews of Trading Standards currently underway and determines how it wishes to contribute. A draft response is included as Annex 1 for consideration, endorsement or amendment.

**REASON FOR RECOMMENDATIONS:**

The Joint Committee has a responsibility to provide strategic leadership and direction, effective governance and oversight of the joint service.

## DETAILS:

### **BACKGROUND**

1. From 1 April 2015, Buckinghamshire County Council (BCC) and Surrey County Council (SCC) have operated a Joint Trading Standards Service. The transition to the new Service was successful and the initial IT connectivity issues have been fully resolved. The Service staff remain based in Redhill and Aylesbury, ensuring a strong local presence in each county.
2. The new service management team is working well together and delivering the benefits anticipated in the business case for the new Service. A separate report on this agenda summarises progress against the agreed performance measures for the Service and against the expectations of the business case for the shared service.
3. All decision and actions by staff are made with regard to the agreed service vision and priorities.

### **VISION**

*“Buckinghamshire and Surrey Trading Standards working together to protect our communities, delivering excellent public services, locally trusted and nationally recognised.”*

### **PRIORITIES**

4. The new Service is already achieving successes under each of these shared service priorities:
  - **Protection: protecting individuals, communities and businesses from harm and financial loss**
  - **Economic Prosperity: Helping businesses to thrive and supporting growth**
  - **Improving Health and Wellbeing**
  - **Innovation**
  - **Customer Focus / Resident Experience**
5. Protection
  - 5.1. This is a central priority for the new Service. In April the new Joint Committee agreed a new joint Enforcement and Investigation policy. The vulnerability and impact on victims is a key consideration in determining which cases require further investigation by the Service. There have been several major prosecution cases in the first few months of the Service and the investigation case load continues to increase.
  - 5.2. The Service has taken an active part in Scams Awareness month and are working closely with the national Scams Hub team with one of our officers seconded to that team.

- 5.3. Examples of successful cases concluded in the last six months include the case a serial rogue trader who targeted elderly and vulnerable residents and defrauded them of over £100,000 was sentenced to three years imprisonment for fraud and money laundering. He charged extortionate sums for repairs to roofs and drains. He preyed on elderly people, using lies and emotional blackmail to gain their sympathy and even drove some victims to the bank to ensure they withdrew funds. At least nine victims were conned out of £104,000, including an 89-year-old war veteran who was cheated out of more than £42,000 making him overdrawn for the first time in his life.
- 5.4. In another case an importer of fake DVDs, who ignored several warnings to stop importing fakes from China, conning customers, undermining legitimate local businesses and defrauding HMRC, was convicted and jailed. As well as a prison sentence he has been ordered to pay £500,000 under the Proceeds of Crime legislation and his assets are restrained by the Courts until he does so.
- 5.5. One case in particular demonstrated how the Service protects the most vulnerable. A designer, importer and retailer of a highly dangerous cot-bed was convicted of consumer safety offences after two extremely close near misses where young children were very nearly killed by the potentially deadly cot-bed.
- 5.6. The shared service, working closely with the communications teams in both local authorities, has helped maximise the impact and coverage of these cases, and others. They have generated significantly more coverage than would have been the case for either service operating alone.
- 5.7. The new Service, through combining legal and investigative resources and expertise is enhancing our ability to tackle consumer problems and rogue traders.
6. Economic Prosperity
- 6.1 The new shared service has also continued to enhance the services we are providing for our businesses.
- 6.2 Our Primary Authority Partnerships (PAPs) with businesses such as British Gas, Toyota, Shell, Esso, Toshiba, Dairy Crest, Premier Foods etc continue to grow. Several of these are with trade associations ensuring we are also supporting small businesses. The partnership with the Association of Convenience Stores alone enables assured advice to be provided to 30,000 businesses.
- 6.3 Being in a PAP helps business manage relationships with hundred or regulators and local authorities across the UK. It simplifies the regulatory process, reducing the burden on businesses and cutting the cost of compliance. Therefore it provides businesses with an assurance of consistency and greater confidence.
- 6.4 Our innovative approach also enables the Service to be the single point of contact for businesses seeking advice on a wide range of issues including Trading Standards, Health and Safety, Environmental Health and Fire Safety. Our business focused approach has helped see this area of work grow from 42 partnerships to 67 in the last six months, with more on the way.

6.5 Several major businesses, including Waitrose and Pfizer, have chosen to work with the Service rather than other providers specifically because of the strengths of the new shared service.

## 7 Improving Health and Wellbeing

7.1 We are working in partnership with Public Health on a range of initiatives. The Eat Out Eat Well award for restaurants and caterers who offer healthier options continues to grow and there are now 293 businesses involved.

7.2 A new joint Food Plan for the Service has been agreed which brings together the resources and expertise from both counties to focus on tackling issues of highest risk.

7.3 The Service has worked in both counties to successfully tackle retailers of Novel Psychoactive Substances (“legal highs”). Despite the complexity of the legislation, and in advance of the new legal ban we have successfully disrupted the local supply from the known retail premises in both counties.

7.4 The Services continues to tackle problems of illegal sales of alcohol and tobacco to young people and to tackle the supply of illicit tobacco, utilising sniffer dogs in both counties to identify and seize illegal tobacco.

## 8 Innovation

8.1 By bringing together our legal functions the Service has improved and streamlined our legal work enabling us to speed up cases and to reduce costs by working together.

8.2 By working with a private sector partner (Checktrade) the number of business who are Trading Standards approved has rapidly expanded. This approach starting in Surrey is now expanding to Buckinghamshire. This will help increased choice for residents and help improve compliance with a much higher number of businesses at no cost.

## 9 Customer Focus / Resident Wellbeing

9.1 Bringing together both services has enabled a more detail look at a much higher number of complaints and attempt to resolve an issue before it becomes a more complex investigation. This triage approach ensures a greater focus on the needs of residents.

9.2 The Service has increased the reach of its preventative work, in particular by expanding the reach of social media and the TSA! Newsletter which now goes out across both areas.

9.3 There is a plan to increase the number and impact of volunteers in the second half of the year.

9.4 The use of Accredited Financial Investigators and Proceeds of Crime legislation means the Service can recoup money to help compensate victims of crime. Working together as part of a larger specialist team has enhanced capacity in this respect.

## NATIONAL SCRUTINY OF THE DELIVERY OF TRADING STANDARDS

- 10 There have been a range of developments nationally during the time that the Bucks and Surrey Joint Service was being developed.
- 11 In June The Chartered Trading Standards Institute published a Vision for the future of Trading Standards. The vision identified a range of problems with the delivery of Trading Standards services, arguing that nationally the current model of delivery was broken following significant cuts to Trading Standards and called on government to commission detailed work on the future of the Service including reviewing the model for the delivery of Trading Standards services.
- 12 In June the Chancellor's Productivity Plan was published immediately after the Budget. In that he announced a review of Trading Standards "to ensure that consumer enforcement capability effectively supports competition and better regulation objectives". The review, being led by BIS will consider efficiency and financial sustainability for Trading Standards. It aims to better define the Governments expectations of Trading Standards. It will examine Trading Standards ability to meet the demands placed on it by central and local government and what could help its delivery and impact, including delivery models and the scope for better regulation.
- 13 In July the Local Government Association (LGA) announced their own review to examine the future of Trading Standards. The objectives of the LGA review are:
  - "On the basis of political and senior managerial input from across local government, analyse what local government needs from its trading standards service, with reference to both the current state of the service in England and what it can be reasonably be expected to deliver in the context of further funding reductions.
  - Subsequently explore and assess the options for the future of the service, with a view to outlining a series of recommended next steps to further explore and take forward."
- 14 The National Audit Office (NAO) will also be undertaking a review of the wider consumer protection landscape and will report next year.
- 15 Both the BIS and LGA reviews are gathering evidence now and will report in the autumn.
- 16 Yvonne Rees, Strategic Director for Customers and Communities at SCC has been nominated to a Stakeholder Panel as part of the LGA review. The Panel is due to meet in October.
- 17 The Joint Committee is invited to express its views on the current reviews underway and to consider how it wishes to respond. A draft response is included as Annex 1. The Joint Committee is asked to consider the draft and endorse or amend it as appropriate and determine how it wishes to make its voice heard.

## **CONSULTATION:**

The Joint Trading Standards Board has previously been consulted on the current reviews of the Trading Standards Service and has expressed a view that the Service is an important part of local government and it should remain so.

## **RISK MANAGEMENT AND IMPLICATIONS:**

The Inter Authority Agreement deals with risk management issues and there are no additional risk management issues arising from this report.

## **Financial and Value for Money Implications**

The Joint Service is on target to deliver the financial benefits set out and agreed in the business case

## **Legal Implications**

The Inter-Authority Agreement completed by Buckinghamshire and Surrey County Councils prior to the launch of the Service in April provides the legal framework within which the Service is operating. This is working effectively and there is no current need to amend this in any way. Managers in the Service will continue to keep this under review.

The report makes a number of references to relevant legal processes and proceedings that the Service has been involved in over the last six months, but there are no other specific legal issues that need to be drawn to the attention of the Committee.

## **Equalities and Diversity**

Equalities and Diversity issues were considered fully in the process of creating the joint service and the associated business case includes an Equalities Impact Assessment (EIA). This report does not change any of the considerations included in the business case or in that EIA.

## **WHAT HAPPENS NEXT:**

1. If the Joint Committee identifies requests any further reports on the issues raised then they will be brought to the next meeting.
2. The views of the Joint Committee on the Trading Standards Service reviews will be communicated to the review teams as appropriate.

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### **Contact Officer:**

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### **Consulted:**

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Yvonne Rees, Strategic Director Customer & Communities, SCC

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**Annexes:**

Annex 1: Draft response: The reviews of the delivery of Trading Standards

**Sources/background papers:**

None

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