

**BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL**

**TRADING STANDARDS JOINT MANAGEMENT COMMITTEE**

**DATE: 1 OCTOBER 2015**

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

**SUBJECT: PERFORMANCE UPDATE**

**SUMMARY OF ISSUE:**

The Buckinghamshire County Council and Surrey County Council Joint Trading Standards Services Committee is asked to note the performance of the Service since its inception in April 2015 and to agree any corrective action that it feels is required. The information provided covers performance against the six high level agreed indicators, delivery of the benefits anticipated in the business case and in relation to the service budget.

The information provided shows that:

- Overall performance against the six high level indicators is on target.
- All savings, income and efficiencies anticipated in the business case are on target to be delivered. There is more work required to deliver the expected service enhancement around volunteering.
- It is projected that the budget will breakeven at outturn, achieving all the savings projected in the business case for the shared service.

**RECOMMENDATIONS:**

It is recommended that The Trading Standards Joint Committee note the Service's performance and consider any corrective actions it feels necessary.

**REASON FOR RECOMMENDATIONS**

1. The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
  - Ensure effective performance of the Service. This includes formally reviewing performance annually by considering performance against the agreed measures.
  - Maintain financial oversight of the Service and ensure sound financial management.

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- Monitor delivery of the business case including delivery of savings and additional income.

## **DETAILS:**

### **Background**

2. The six high level performance indicators (PIs) for the Service were agreed by the Project Board prior to the start of this financial year and are in the Inter Authority Agreement signed by both partners. In future years the high level PIs will be agreed by the Joint Committee at its spring 2015 meeting.
3. The high level PIs are supplemented by a range of management PIs which are reviewed within individual teams and/or at management team meetings.
4. The Business Case, including anticipated benefits, was agreed by the Cabinets of both Surrey County Council (SCC) and Buckinghamshire County Council in October 2014.
5. The Inter Authority Agreement sets out the level of contribution to the budget by each partner. The business case includes the budget for the Service in 2015/16 and for the following three years. In future, the Joint Committee will finalise and agree any amendments to the Service's budget for coming years at the spring 2016 meeting.

### **Performance Indicator 1: Increase the financial savings for residents as a result of our interventions and investigations. – On Target**

6. There remains a significant amount of work to do within the Service to consistently and robustly record information which feeds this indicator. This work is underway and requires changes to how work is recorded to ensure it is recorded consistently and the result is accurate and robust.
7. In time this indicator will include:
  - redress obtained for consumers or by consumers with the Service's assistance;
  - other savings made by residents as a result of our intervention, e.g. not sending money in response to a scam attempt;
  - compensation awarded by the Courts to victims of crimes which have been investigated / prosecuted by the Service;
  - the proportion of Proceeds of Crime Act (POCA) confiscation orders which the Service is entitled to (currently around 30% of the total amount).
8. A significant POCA confiscation order earlier this year means that total savings are already more than what was achieved last year.

13. The POCA confiscation order was for a total of £500,000. Under the Home Office's asset recovery incentivisation scheme the Service will receive around £165,000 of this once assets are liquidated. The order was made against an individual that the Service had prosecuted for importing and selling counterfeit goods on a large scale.

**Performance Indicator 2: Protect residents by stopping rogue traders operating in Buckinghamshire and Surrey. – On Target**

14. The Service continues to investigate and, where appropriate prosecute, rogue traders. Since April a total of nine years and 11 months of prison sentences have been given to rogue traders and money launderers who were investigated and prosecuted by the service. Other cases led to sentences including 250 hours unpaid work and an additional 22 months of suspended prison sentences.
15. An example of one such case was doorstep crime perpetrated against two vulnerable victims, one in Buckinghamshire the other in West Berkshire. The case came to our attention when one of the victims went to his bank for a loan, after having paid all of his life savings (around £70,000) to rogue traders for unnecessary and vastly overpriced work on his house. The bank manager alerted Trading Standards and the Service then investigated. Through the investigation four individuals were identified as being involved, either directly in the fraud or by laundering the money on behalf of the direct perpetrators and all either pleaded guilty or were found guilty upon trial.
16. In another case, a Surrey landscape gardener who preyed on elderly and vulnerable victims who were unable to look after their own gardens was convicted of several fraud and money laundering offences. Customers complained that queries about price or the standard of work led to threats, verbal abuse and aggression. In one case, a woman in her 90s was charged £24,500 for work worth only £400. In another case, a man was charged £17,000 for work valued at £200. In total, in relation to eight different cases, over £665,000 was defrauded from elderly and vulnerable victims.
17. Prison sentences and positive media coverage of court case results helps act as a deterrent to those considering taking part in such criminality and media coverage has been strong, with local, national and international coverage of cases since April spanning the press, social media, radio and TV.
18. In addition to investigating crimes which have occurred, the Service uses a number of initiatives to prevent victimisation and re-victimisation by rogue traders. These include the use of door stickers and overt CCTV cameras at the doorstep. We are also developing the use of "cocooning" packs to reduce the opportunity for rogue traders to target multiple households in a close area.
19. The Service has also been active in other areas where vulnerable people may be susceptible to manipulation or fraud. In one example where there was information that a product was being sold as a miracle cure for Cancer (as well as Ebola, HIV, Malaria and Autism) the Service took immediate action to ensure that potential victims were alerted and that a potentially unsafe product could not be sold.

**Performance Indicator 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. – On Target**

20. TS Alert average distribution has slightly increased from 2226 to 2241. Facebook likes have increased from 463 to 500; Clicks (from 1300 to 1500) and impressions (from 9,957 to 13,340) on twitter have increased.
21. Use of volunteers is now strong in the Bucks area, with around 60 volunteers regularly involved with the Service. However, the development of volunteers in the Surrey area has been slow to get going. The management team have agreed that additional resource will be dedicated to developing this area and it will be a significant area of focus over the coming months.
22. As mentioned in relation to PI 2, there has been significant media coverage of court cases since April, including coverage in national newspapers, radio and TV, most recently with primetime coverage on BBC1 on The One Show.
23. Participation in Scams Awareness month in July focused on highlighting the links between susceptibility to fraud and scams with increasing levels of cognitive impairment (notably dementia) and taking a multi agency approach to creating communities who look out for their most vulnerable members.

**Performance Indicator 4: Increase the number of Primary Authority Partnerships (PAP's) – On Target**

24. From a baseline of 41, the Service now has 67 Primary Authority Partnerships (PAPs), including seven coordinated PAPs. Coordinated PAPs are with membership organisations such as the Association of Convenience Stores. This means that assured advice given under these partnerships reaches a large number of individual traders.
25. Some companies have specifically cited the Service's breadth and depth of expertise and knowledge as their reason for entering into a PAP.
26. The minimum income currently projected from PAPs in 15-16 is £100,000. It should be noted that this amount is not 'profit' (there are strict rules about what can be charged to businesses for assured advice) but is income which allows the Service to cover the cost of this provision. This approach supports business and the economy and enhances overall compliance, at no cost to the Service. The amount given excludes Pay As You Go hours not yet undertaken & likely income from businesses currently in negotiation with the Service for a PAP. This income compares to a total of approximately £93,000 last year.

**Performance Indicator 5: Increase the membership of trader approval schemes – On Target**

27. 293 businesses are now "Eat Out Eat Well" approved by the Service. This number is steadily growing and is supported by the public health teams at both SCC and BCC due to strong links to the healthy eating Public Health agenda.
28. 2371 businesses are in Bucks & Surrey Trading Standards Approved trader approval schemes (representing a step change from 518 businesses before

the start of this year). Surrey businesses were offered TS Approved Checkatrade membership from 1 April; this service has been available to Bucks based businesses since September.

**Performance Indicator 6: Work with partners to tackle illegal sales of age restricted products; and to explore new ways to reduce harm from the use and consumption of unsafe products; and, poor food quality and nutrition. – On Target**

29. Five food projects are now underway covering areas such as allergen issues in catering establishments and food traceability.
30. Links with Public Health colleagues in both Buckinghamshire and Surrey are being strengthened in the context of the changing legislation relating to tobacco products and e-cigarettes.
31. Work with Public Health colleagues in Surrey and Buckinghamshire and the DAAT team in Buckinghamshire is ongoing to develop a strategy to deal with new psychoactive substances (NPS), as well as operationally disrupting the supply of NPS from local shops. Trading Standards are awaiting the new specific legislation which will prohibit the sale of NPS.

**Business Case Benefits**

32. Financial Savings are well on track to be delivered and many have already been made. For example, by moving both APP databases onto one server (saving the costs of a replacement server that was overdue); joint purchasing of products accessed through the internet which enable officers to carry out their roles efficiently, such as access to up to date legislation, case law and guidance notes; sharing testing and metrological equipment, saving on the costs of calibrating two sets of equipment.
33. Income generation opportunities are also being capitalised on to generate the anticipated income. There is a single business charging policy in place across the service, and more detail around PAP income is given above. The Service will be a host for one of three funded regional posts to deliver animal feed work.
34. In terms of efficiencies, examples show that the Service is progressing well on aligning policies and planning; social media (Twitter, Facebook, TS Alerts) all now go out from one source; and the media teams have been working well together to maximise media coverage without the need for duplication of effort.
35. As mentioned earlier, there is more work required to deliver the expected service enhancement around volunteering, particularly in the Surrey area. A number of suggestions have been made as to how it might be possible to link into other volunteers already in place at SCC and we are optimistic that with additional resources, the Service will be able to make rapid progress with this area.
36. We are working to enhance the Service locally and the profession more widely by making a strong commitment to training – both with additional trainee posts (where the individual is undertaking professional qualifications) and through apprentices, where we are working to develop an innovative Trading Standards specific apprenticeship. In the past, the closest linked

apprenticeship NVQ's have been Business & Administration or Customer Services.

### **Budget**

37. It is projected that the budget will breakeven at outturn. A number of vacancies were held going into the Joint Service and in the first few months, until the management team could see more clearly what roles would be required in the medium/longer term. A number of roles have now been identified and recruitment is underway now.
38. There is a need over the next six months to ensure that we appropriately resource further work to help develop and deliver our growth strategy – both in terms of income generation and in enhancing or expanding the partnership.

### **CONSULTATION:**

39. The Trading Standards Joint Management Board have been consulted on current performance.

### **RISK MANAGEMENT AND IMPLICATIONS:**

40. There is a small risk of poor reputation if the Service were to fail to deliver on developing its use of volunteers. This will be monitored by the management team.
41. All significant risks affecting the service (which include items beyond budget and performance) are considered by the management team each quarter.

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

42. The Service is delivering the business case and is not anticipating an overspend.
43. The Service is aware of the need to make further savings and is actively considering invest to save pieces of work.

### **Legal Implications**

44. 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.
45. 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, and there are no other specific legal issues that need to be drawn to the attention of the Committee.

### **Equalities and Diversity**

46. 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.

<b>WHAT HAPPENS NEXT:</b>
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47. Performance continues to be reviewed by the Service Management team and by the Joint Service Board.

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**Consulted:**

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**Annexes:**

None

**Sources/background papers:**

None

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