

MINUTES of the meeting of the **BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 11.30 am on 29 March 2018 at Committee Room C, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 27 September 2018.

Elected Members:

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

In attendance

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

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]

There were no apologies or substitutions.

2/18 MINUTES OF THE PREVIOUS MEETING: 28 SEPTEMBER 2017 [Item 2]

An error was highlighted in paragraph 2 on page 5 of the previous minutes. The wording should be amended to read "In regards to KPI 7, a discussion was had relating to partnership working with residents at 'street level' in order to provide community care and protection to the most vulnerable."

Subject to this amendment, 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]

a MEMBERS' QUESTIONS [Item 4a]

There were none.

b PUBLIC QUESTIONS [Item 4b]

There were none.

5/18 PETITIONS [Item 5]

There were none.

6/18 FORWARD WORK PROGRAMME [Item 6]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards

Key points from the discussion:

1. The Head of Trading Standards explained that the performance and budget item on the forward work programme was a standing item for every meeting.
2. The other two items on the Forward Work Programme were proposals based on items in the pipeline.
3. It was explained that the Consumer green paper had in fact been expected in 2017, however was delayed. The paper is now expected sometime in April 2018 and dependent on its content, it may be reasonable to discuss the potential implications of the paper on the service at the next Joint Committee meeting in September, or, if feedback is required, an additional informal meeting may need to be arranged.
4. Officers explained that it was also suggested that Members consider the potential implications for the Joint Committee of the proposed creation of a unitary authority in Buckinghamshire from 2020.
5. Members enquired whether the impact of Brexit would be factored into future reports or whether officers would consider providing an update. Officers explained that the Chartered Trading Standards Institute (CTSI) were due to issue a policy statement in June 2018 regarding potential impact on consumers and businesses, and this could be shared with the Joint Committee upon receipt.

RESOLVED:

The Joint Committee noted the Forward Work Programme.

7/18 ACTION REVIEW [Item 7]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards

Key points from the discussion:

1. Members noted that most of the actions on the tracker had been completed.
2. Officers explained that with reference to action A7/17, the figures provided in the action response were estimated as teams were not divided up in that way and it would involve some additional work to calculate these accurately.
3. The Chairman enquired as to whether the additional work could justifiably be undertaken. It was explained that every hour worked on income generation activities was measured and monitored. However, other tasks including inspections, advice and support provision were not measured in the same way. With staffing pressures within the service, the approval to recruit to a number of frontline income generation vacancies had been approved, two further externally funded posts are needed to deliver a new contract and a business case to recruit to the additional posts would be submitted for approval. Further, it was explained that the potential income generated by the new posts would be significantly more than the cost of employment, therefore it was considered justified.
4. With reference to action A8/17, officers explained that despite attempting to webcast and tweet about the Joint Committee meetings, there continued to be a lack of public engagement or attendance. It was suggested that there was potential to link to the CTSI hero awards and recognise individuals for their contribution to the service. Members were in agreement that this was a good suggestion and would generate more engagement and publicity.
5. There was some discussion around scams and events to promote awareness. The Head of Trading Standards suggested that if Members wanted to hear more about the initiative with the national scams team, the lead officer could attend the next Board meeting to provide an update on this piece of work.
6. With reference to action A3/17, a Member sought clarification on the impact of the changes to the Workplace Wellbeing Charter model on the service. It was explained that it had resulted in one potential avenue of business no longer being pursuable but that overall, it was not largely detrimental to the service.

RESOLVED:

Members noted the actions tracker.

The Chairman informed the Committee that Item 9 would be taken ahead of Item 8 due to officer availability.

8/18 OFFICIAL FOOD STANDARDS AND FEED CONTROLS SERVICE PLAN 2018-2019 [Item 9]

Declarations of interest:

None

Witnesses:

David Pickering, Public Health and Compliance Manager
Steve Ruddy, Head of Trading Standards

Key points from the discussion:

1. The officer introduced the report, explaining that this was a statutory plan to comply with Food Standards Agency (FSA) guidance and that it had been published on the service website.
2. A Member suggested that as this was an annual plan, with minimal changes from year to year, any changes should be highlighted to make it easier for the Committee to see what has been amended or added. Officers noted the suggestion.
3. Members noted that there was nothing hygiene-related in the plan as this was predominantly managed by the districts and boroughs, whilst the plan contained a lot of information about animal feed.
4. There was some discussion around the Eat Out, Eat Well scheme which encouraged catering establishments to provide healthier meal options. Members learned that officers were working to adapt the Eat Out, Eat Well scheme for Early Years settings to help achieve the healthy weight strategy.
5. Members noted that the Eat Out, Eat Well scheme was funding through Public Health rather than through the service's main funding stream.
6. Members enquired about the relationship between both Councils working on the Eat Out, Eat Well scheme. Officers explained that currently, due to funding cuts, the scheme was not funded by BCC and therefore, last year, further work and promotion focussed on SCC rather than BCC. The Public Health lead from SCC had however, invited BCC representatives onto the scheme's steering group.
7. Members noted that Public Health England advocate the Eat Out, Eat Well scheme and that given the links to obesity, it should be a higher priority. Officers agreed that they could provide a separate briefing on this subject at a future Board meeting or through circulating a written update.
8. Officers explained that whilst the animal feed areas were dealt with by a project approach, food premises were managed by a combination of using the risk based assessment and through complaints where officers are alerted to an incident. Factors such as language, cultural barriers and allergens not being recognised as such were discussed.
9. Officers explained that whilst food hygiene was a district and borough focus, there were links to incidents of allergen cases. An example of this would be if a premises used peanut oil to cook food and didn't clean the pan properly, traces of peanut oil could cause issues to a customer with a peanut allergy.
10. Members noted that the environment was changing and there was more awareness of allergens, but that there was still work to do. Officers explained that they had been working with Coeliac UK to promote awareness and diagnosis of intolerances and allergies.
11. Officers explained that they identify high risk businesses and focus on them rather than taking a blanket approach as this made the service more efficient.
12. Members noted Officer plans to create a simplified, shorter document with pictures and key information in a leaflet format to be more accessible to residents.

RESOLVED

Members noted the report and approved the plan.

9/18 PERFORMANCE AND JOINT SERVICE BUDGET [Item 8]

Declarations of interest:

None

Witnesses:

Amanda Poole, Deputy Head of Trading Standards
Steve Ruddy, Head of Trading Standards

Key points from the discussion:

1. The Officer introduced the report and explained that that there was no proposal to change the budget, since the Committee had previously agreed a 1.5% saving each year and further savings were added last year.
2. Both the Joint Committee and the Board had made no suggestions of changes to the Medium Term Financial Plan (MTFP) agreed by each authority for 2018/19.
3. Members noted that the service was currently forecasting to be £75k underspent by the end of the financial year. Officers explained this was broken down in the allocation of £25k BCC and £50k SCC.
4. Officers highlighted that most of the underspend was due to significant vacancies having been held, however the service had now got the green light to recruit to frontline service positions that would contribute to income generation.
5. Members noted the performance of the service by reviewing each Key Performance Indicator (KPI).
6. Officers highlighted the performance of KPI 1, Financial Savings for Residents, was volatile from quarter to quarter due to compensation received related to prosecutions under the Proceeds of Crime Act (POCA).
7. Members were informed that similarly, with KPI 2, the total fines awarded following prosecutions, there was a large spike in the graph due to an £80k fine imposed on a double glazing company for unfair trading practices under the Consumer Protection Regulations.
8. Members enquired as to whether court costs are recovered. Officers explained that it depended on the circumstances of the case, but that in some instances full or partial costs were recovered and often, in cases that lead to a custodial sentence, no costs were recoverable.
9. Members sought clarity to a statement made in paragraph 10 of the report regarding debt never expiring and questioned how this was tracked. Officers explained that as part of a confiscation order, court service debt collectors and insolvency practitioners aid with debt recovery processes. Officers also informed Members that it was possible to revisit a confiscation order to update it to reflect a change in circumstances for example following a lottery win or receipt of inheritance.

10. Officers explained to Members that the tracking of debt was done by the service and there was opportunity to improve the way it is done. Financial investigators are trained to check for hidden assets and are able to stop sales of property as a way of realising assets.
11. Officers highlighted that the service was aided by volunteers and that over 1700 volunteer hours had been given since April 2017. Members acknowledged that some volunteers had previously fallen victim to scams and were using their negative experience to help raise awareness and prevent future scams from taking place.
12. Members noted the work the service had done with the Street Associations and the creation of a framework of national best practice.
13. Members requested an update of the uptake of Friends Against Scams. Officers advised Members that feedback on this would be provided at the next Board meeting rather than the Joint Committee meeting.
14. Officers informed Members that a lot of work had been conducted recently at Heathrow. An example was a consignment of 50,000 counterfeit cosmetics stopped at Heathrow. Officers explained that port work is funded by the National Trading Standards.
15. There was some discussion about the delivery of Scam Champion training sessions and the need to continually be able to retrain people due to the churn of people. Officers noted the point and explained that the need to train was constant and that this was an area where volunteer involvement was utilised due to resources being stretched.
16. Members questioned the success of the training and enquired if any feedback had been received. Officers gave some examples of feedback from people saying they had prevented a doorstep crime or scam as a result of the training.
17. Officers further added that some training was underway for postal delivery staff to help identify people who may be receiving lots of scam mail.

RESOLVED:

Members noted the service's performance, joint service budget for 2018/19-2020/21 and thanked officers for their work.

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

The Committee noted that its next meeting will be held on 27 September 2018 at County Hall, Aylesbury.

Meeting ended at: 13:06

Chairman