

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

DATE: 22 SEPTEMBER 2021

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

SUBJECT: PERFORMANCE AND JOINT SERVICE BUDGET

SUMMARY OF ISSUE:

1. The Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the service for quarter 1 of 2021-22 (April to June) (Annex A).
2. The information provided shows that in the context, the Service is performing well across the range of indicators and is delivering some excellent activity against key performance indicators.
3. The Joint Committee is asked to note the position in relation to the joint service budget in 2021/22 and the outturn for 2020/21.
4. The information provided shows that:
 - a) The Joint Service budget was 2.6% overspent at the end of the 20-21 year (£69,000) due to significantly lower income than in the previous year. The majority of this was offset by the Government's lost income grant scheme, however this did not cover all of it.
 - b) There are pressures identified on the budget within the current year.

RECOMMENDATIONS:

It is recommended that the Trading Standards Joint Committee:

1. notes the Service's performance, and
2. notes the joint service budget for 2021/22 and the pressures.



REASON FOR RECOMMENDATIONS:

5. 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.
 - b) Maintain financial oversight of the Service and ensure sound financial management.

PERFORMANCE DETAILS:

6. The performance of the joint service is measured through key performance indicators agreed by the Joint Committee.
7. 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) developed a new national Impacts and Outcomes Framework for Trading Standards. This has been reported on since the 2018-19 year and provides overall information about the impact of Trading Standards using nationally aggregated data but does not provide benchmarking data.
8. Q1 has continued to see some disruption as a consequence of the Pandemic, and this remains visible in performance whilst the court system and businesses have been operating differently or have been closed for some of the period. The service has continued to be agile and adaptable in meeting the changes in demand through different phases of the Pandemic.
9. The Joint Committee are invited to note the volatility of some of the performance indicators. Individual case outcomes, which often have been preceded by months or years of work, significantly affect the overall performance. Wide scale closure of courts and jury trials during the Coronavirus pandemic has emphasized this volatility, with the Service having far fewer convictions during 20/21 than in previous years and no convictions in Q1 due to the delays in getting ongoing cases through the court system.
10. **A key Service priority is protecting the most vulnerable, tackling fraudulent illegal and unfair trading practices, including serious and organised crime.** Savings for residents, at £54,359, were less than a quarter of last year’s savings (£466,856). However, due to delays in the court system there have been no Proceeds of Crime Act compensation orders (which tend to be the largest contributor to these figures) so far this year.
11. In Q1 £431,651 has been saved for residents and in avoided health and social care costs as a direct result of our scams interventions. This compares to just

over £1.7m in the previous year so is broadly similar. However, this does not include additional savings for residents who have been part of a pilot project to test the effectiveness of door(bell) camera technology to prevent doorstep crimes. Early results show high levels of effectiveness and therefore savings by residents who aren't re-victimised, as well as increased wellbeing scores for these residents.

12. **Our second key priority is to enable businesses to get the help and support they need to thrive and grow. Delivering public protection through supporting businesses to comply with their legal responsibilities and ensuring a level playing field.** The service continues to successfully grow Primary Authority Partnerships without proactively looking for new partners, with businesses now regularly approaching the Service seeking a partnership. The Trading Standards Manager leading our Business Team was recognised by BEIS / OPSS during the year, winning a Regulatory Excellence Award for her Leadership on Primary Authority Partnerships, particularly due to the support she provided to the profession as Chair of the local regulatory network and for providing insight to central government on the reality of enforcing covid restrictions.
13. Supporting businesses to operate effectively and appropriately remains a significant priority. Following earlier advice about covid business restrictions, more recently this has included advice to cope with challenges in supply chains.
14. The Service supports a number of trader approval schemes, including: Eat Out, Eat Well; TrustMark and Traders4U. Take up of the recently launched Traders4U scheme has been slow, not assisted by the unusual trading conditions with a sharp increase in householders extending, adapting and modernising their homes whilst supply chain issues have seen challenges in vital components for the building trade for example with windows. We will review the scheme in more depth later this year.
15. **Improving wellbeing and public health; tackling the supply of unsafe, dangerous or age restricted products and working to maintain the integrity of the food chain, including food quality, nutrition, and animal health is the third key priority for the Service.** We have been pleased to be able to return to doing a greater amount of our 'usual' work in this area following the significant disruption last year.
16. Work tackling illegal supplies of tobacco is a significant part of this work stream and in Q1 we have accessed HMRC funding to undertake several operational days using tobacco detection (sniffer) dogs to locate hidden illicit tobacco, which we then seize whilst investigating. One of the places the dogs found tobacco was hidden in sweet boxes.
17. Whilst not at the extreme levels during Q1 last year, demand continued to be high in Q1 to tackle the import of unsafe products through transit sites for Heathrow. During Q1 over 8,500 unsafe and non-compliant products destined for people's homes were prevented from entering the country through our work, including dangerous toys, electrical and DIY items.

BUDGET 2020/21 AND 2021/22 PLANS:

18. The costs of the Joint Service are divided between the partner Local Authorities in the proportion: 34% Buckinghamshire and 66% Surrey, which includes any under or overspends.
19. The budget for the joint service was set out in the original joint service business case and set out planned savings of 12% over the first 4 years of the new shared service. This has been adjusted by the Joint Committee on occasion, resulting in overall savings targets for the shared service of approximately 27% over the last five years. This has included additional income and efficiency savings.
20. There are a number of factors which introduce volatility to the budget. The service has an income budget of £0.7m, equivalent to 20% of its gross budget. It is challenging to accurately predict income and it's timing especially where costs are recovered from prosecutions, or where market conditions are changing. 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. However, the Service manages its' budget closely to even out the most volatile factors where it is possible.

2020/21

21. The 2020/21 budget was £2,631,000. At year end there was a small budget overspend of £69,000 (2.6%). This was due to reduced income. Covid impacted the Service by causing income to drop and some additional spend requirements. The additional spend has been covered by each authorities' Covid grant from central government. Claims for lost income were made against the local government income compensation scheme, however this did not offset 100% of lost income. As well as some additional covid related spend, there were some small reductions in expenditure in 20/21 as a result of paused activity and operating online, for example reduced legal fees and travel expenses.

2021/22

22. The approved budget for 2021/22 is £2,676,000. However, there are ongoing pressures of lost income which remain risks to the Service delivering within this budget. The Covid related loss of income is expected to be around £176,000 for the year (see attached Annex B which summarises the forecast budget position). A claim was made for Q1 to the local government income compensation scheme as this was extended for one quarter from last year, which offsets £66,000 of the loss. However, the scheme has not been extended beyond June, leaving a pressure on each Council.
23. Surrey County Council has a reserve fund specifically for Covid pressures. Therefore, within the Surrey budget monitoring their outturn forecast assumes this will fund Surrey's share of the lost income.
24. Buckinghamshire Council are considering how to approach Covid pressures, and these are currently shown as 'risks'.
25. The Service will hold any posts which become vacant (there are currently no funded vacant posts) and is reducing spend where possible to reduce the impact of the pressure within the year.

2022/23 Budget Planning

26. Covid has affected the financial position of both Local Authorities. It is also likely to have longer-term financial impacts, including the operation of Trading Standards and in the wider marketplace. This will require careful budget planning which both authorities have started, and the finance teams will liaise closely as it progresses.

CONSULTATION:

27. No external consultation has taken place.

RISK MANAGEMENT AND IMPLICATIONS:

28. 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, 6 monthly for green risks).
29. Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

FINANCIAL & VALUE FOR MONEY IMPLICATIONS:

30. The Service has delivered all elements of the business case. The forecast budget outturn position for 2021/22 is detailed within section 5 above.

LEGAL IMPLICATIONS:

31. The Inter-Authority Agreement provides the legal framework within which the Service operates. As set out in paragraph 3.1 of the report, the Joint Committee is responsible for ensuring the effective management of the Service and maintaining financial oversight. The Service's performance is then subject to scrutiny in the participating authorities in the normal way.
32. 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:

33. 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:

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

REPORT DETAILS**Contact Officer(s):**

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Consulted:**Annexes:**

Annex A: Key Performance Indicators 2021/22, Quarter 1
Annex B: Trading Standards Budget forecast summary 2021/22

Sources/background papers:

None