

Annual Report

2022-23

Buckinghamshire & Surrey
trading standards

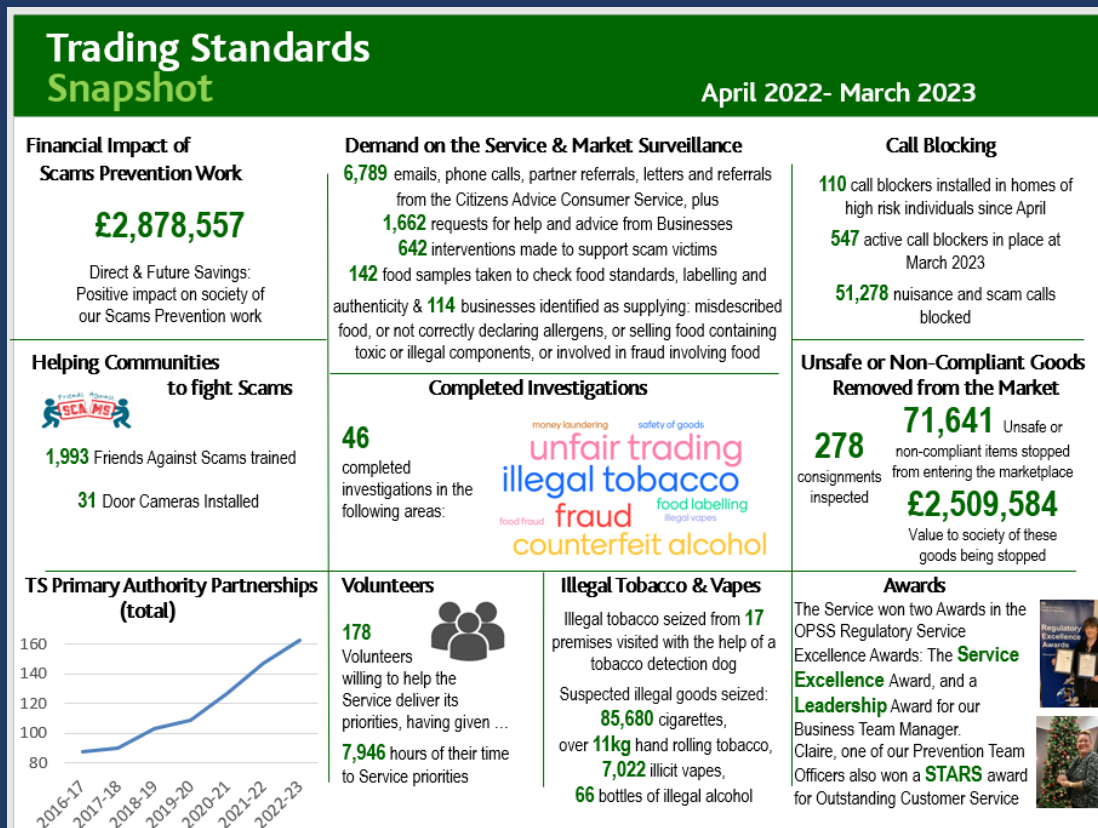


Summary

The Trading Standards service exists to:

- protect individuals, communities and businesses from harm and financial loss
- help businesses to thrive by maintaining a fair trading environment
- improve the health and wellbeing of people and communities
- fulfil our statutory responsibilities to deliver consumer and public protection services across Buckinghamshire and Surrey

Supporting communities through significant increases in the cost of living became a priority mid-year, causing the service to undertake activities that weren't planned at the start of the year. Highlights of the year include an increasing impact of our prevention work, reaching over £2.8m money saved for residents. Despite ongoing delays in the court system, the year saw a return to pre-pandemic numbers of outcomes to our investigations, with more defendants pleading guilty prior to trial and working with other agencies on larger cases. Support to businesses through our advice service, including through Primary Authority Partnerships continues to be strong, highlighted by two related awards – for our Business Advice Team Manager and an overall Award for Service Excellence.



Service Priority Area 1

Protecting the most vulnerable. Tackling fraudulent, illegal and unfair trading practices.

Key Performance Indicator:

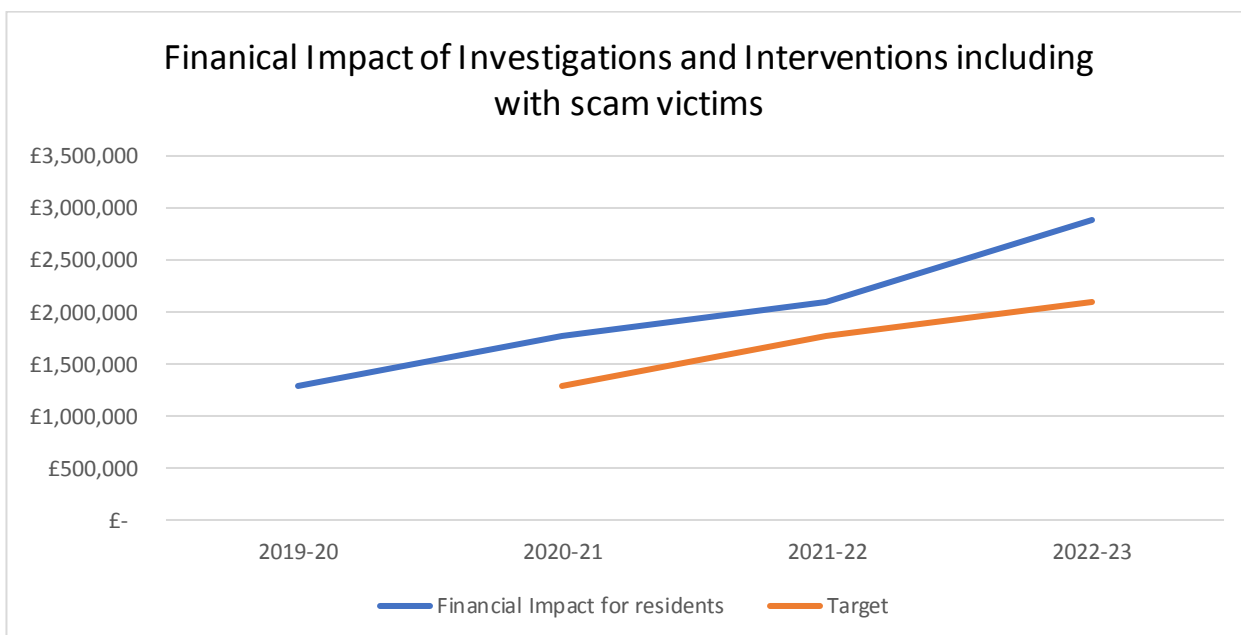
To increase the financial impact of our investigations and interventions including with scam victims.

Status Green



Comments:

Work to prevent and tackle scams and consumer frauds is a high priority for the Service. In 2022-23 **£2,878,557** has been saved for residents as a result of Service interventions compared to £2,090,836 in 21/22.



Some examples of our financial impact during the year include:

- An investigation and subsequent prosecution for fraud. The victims received compensation of around 95% of their losses voluntarily paid by one of the defendants prior to sentencing (totalling approximately £198,000). Proceeds of Crime proceedings are ongoing against another of the defendants and, in time, the victims may receive the remainder of their losses in compensation.
- Installing call blockers in the homes of 110 people particularly vulnerable to phone fraud this year. Call blockers installed by the Service have stopped over 50,000 nuisance and fraudulent calls. On average this saves a vulnerable resident nearly

£9,000 per year and improves the householders wellbeing. The cost: benefit ratio of the call blockers is 32:1 i.e., every £1 spent saves £32.

- Installing door cameras in the homes of 31 people particularly vulnerable to doorstep fraud. In the pilot these cameras reduced the household losses to doorstep fraud on average £18,300 and increased the householders wellbeing. The cost: benefit ratio of the pilot project was 39:1 i.e. every £1 spent saves £39.

Call Blockers



Call blockers are an extremely effective way of stopping criminals accessing vulnerable residents by telephone giving residents peace of mind and preventing the fraud. Buckinghamshire and Surrey Trading Standards provides and installs call blocking technology free of charge to people being plagued by nuisance and scam calls.

If a local resident feels either they or a relative may benefit from a call blocker they can email this request to us at trading.standards@surreycc.gov.uk. A Prevention Team officer will contact the resident and discuss how the call blocker works and assess whether it is an appropriate solution for the resident. A simple form will be completed, and the fitting of the call blocker arranged. In urgent cases our officers are trained to install the units there and then.

Feedback from residents who have had a call blocker installed (and their families) is consistently positive. The most recent feedback included the following comments:

- The device has made a huge difference for my parents. I am sure the scammers get scared off when they ring. I can see the failed calls on the log file.
- Would just like to thank you for this service. Checking the caller list, I'm very glad I don't have to answer all these scam calls. Thank you again.
- I much appreciated your visit and that the call blocking device will bring more peace of mind. I had not realised just how supportive Trading Standards are, the feeling of isolation in the first instance cannot be stressed too much, but now I know how to access some support I feel better. Many thanks.
- Haven't received a scam/nuisance call since having TrueCall.
- Thank you so much for your help. We now only hear from friends/relatives.

Through access to the call blocker data we can see the origin of failed calls enabling us to understand the causes and themes behind nuisance and fraudulent calls which helps us to ensure that our communications on scams are current and topical. The most recent data showed: insurance, solar panels, loft insulation, domestic appliance warranties and medical devices as the top subject areas for attempted scam calls in the last year.

In May it was announced that the Government is proposing to ban all unsolicited calls offering financial products to reduce the amount of fraud: [UK to ban all cold calls selling financial products - BBC News](#)

Door and doorbell Cameras

Doorstep crime (fraud) refers to rogue traders, bogus callers, and distraction burglary. These crimes can have a huge financial impact on their victims and lead to both psychological and physical damage. Home Office research shows the majority of victims of this type of offending are over 65 and are two and a half times more likely to be in care or die within two years as a result of victimisation compared to their non-defrauded neighbours.



Following a successful regional pilot into the use of door cameras at the homes of people vulnerable to doorstep fraud, the Service has brought the use of door cameras into our standard practice. We have been trialling different types of cameras during the year. Cameras vary in suitability and the level of interaction required from the householder. Feedback from residents who have had the cameras installed includes:

- The bell is excellent, and we can hear it well. We have had no unwelcome callers, the notice on the front door telling tradesmen (uninvited) to go away.
- I find it useful although I sometimes have difficulty finding my phone to see who is there.
- This is highly useful to me and makes me feel more at ease.
- It's been really useful. I am the son... able to get involved if needs be for dealing with front door interactions as mum is so frail.
- Knowing who is at the door has given me great confidence.
- Feel Confident. 'Nottingham Knockers' and other undesirable types have been deterred by the ring doorbell.
- The ring doorbell is a very effective device.
- Definitely recommend, fantastic device
- Chime not working but currently preferable as mother isn't alerted to anyone being at the door but can be informed if she needs to.

Other Preventative Interventions

Stopping residents from becoming repeat victims of fraud and scams requires putting in place a mix of interventions that are personalised to them which relate back to the reason(s) they are vulnerable to fraud. As described above there are some technological interventions that help but, in many cases, social isolation is a key factor, with victims having developed relationships with the scammers because they are the only people they regularly speak to or believing that they are friends. Fraudsters are adept at cultivating these relationships to

maximise their exploitation. Social isolation needs to be addressed alongside technological interventions to enable residents to live more happily in their own homes for longer.

Re-connecting people with their local communities, in activities that genuinely interest them can be key to reducing that social isolation. We are fortunate to have a strong group of volunteers who can assist with this work, by befriending people and accompanying residents to local activities until they feel confident to go alone.

Being alert to other needs of the individual and connecting them to charitable and other Council services that can assist to overcome challenges they might experience is also vital, and the service has excellent links to enable this. For example a person who has been subjected to years of mail fraud where they have been buying excessive quantities of products may also be a hoarder and support is available through the fire service and adult social care to manage that.



The Scam Marshal scheme is for individuals who have been targeted by scams and now want to fight back. We empower these people to share their own experiences, helping others to report and recognise scams and by sending any scam mail that they receive to the National Trading Standards (NTS) Scams Team so that it can be utilised as evidence in future investigative and enforcement work. This refocuses their connection with the frauds into something positive and with purpose which can be useful in improving their wellbeing and helping them feel like they are taking back control.

As well as working with individuals most vulnerable to fraud, the Service also acts with the wider community to raise awareness of fraud and scams and reduce the chances of anyone becoming a victim. There is more information about this in the Communications paper.

One example is that the Service runs monthly “Friends Against Scams” webinars where people can learn how to protect themselves and their loved ones from scams and help raise awareness throughout their own community. The webinars can be booked on this link: <https://www.eventbrite.co.uk/e/594737645307> and these sessions have contributed to us being the lead TS Service nationally for people signed up through the Friends against Scams initiative through us, with over 23,000.



Those who are willing can become Scam Champions where they run Friends Against Scams training sessions themselves. This month, to tie in with Deaf Awareness Week the Friends Against Scams webinar is being run with British Sign Language and subtitles and is being recorded for future use and over 180 people have signed up for this webinar.

During the year, Surrey County Council became a Friends Against Scams organisation, joining Buckinghamshire Council in offering all staff Friends Against Scams training. The Members of the Joint Committee also committed to be Scambassadors, using their community connections to raise awareness and help people not to be victims of fraud.



In December one of our Prevention Team officers, Claire, won a STARS in Surrey award for **Outstanding Customer Service**, against 90 other nominations in this category. The award recognised Claire's dedication to improving the lives of residents vulnerable to scams. An example of her work included supporting an elderly lady who was left with a very ill husband and a barely habitable home when they were victims of home improvement fraud that had escalated whilst they were

out of their house at a hospital appointment. The state of their home and more detail of the case can be viewed here: https://www.youtube.com/watch?v=RK-KV9XPVt8&feature=emb_logo The Service investigated and prosecuted the perpetrators, and unfortunately the lady's husband died shortly afterwards. Claire worked tirelessly to help her find reputable traders to make her home habitable again and then to rebuild her confidence by ensuring she was connected with ongoing support within her local community.

Case Studies: The Prevention Team work closely with scam victims to identify and act on the root cause(s) of their being victimised (often social isolation is a factor). The team also look to increase the barriers to the fraudsters (e.g. installing a call blocker). Engagement can be over a prolonged period of time and is likely to involve working with partners in other Service areas. Examples of working with scam victims are below:

Case Study 1

Mr H, an elderly resident, had been scammed out of a significant amount of money and was referred to Trading Standards by Bucks Adult Social Care. Due to health issues and restricted mobility, Mr H is a socially isolated individual who is easily confused and struggles to get his thoughts across in a clear and coherent manner. Although reluctant to believe it was a scam, he could provide paperwork relating to the issue.

In 2015 he was offered by letter an oil share investment opportunity. This soon escalated into regular telephone cold calls. Trading Standards were able to ascertain that Mr H had transferred £20,376 from his Lloyds account to these cold callers, however, it is believed that the actual amount lost in in the region of £44,000.

It was established that the address given was a mail forwarding address and not the address of the business. The crime was reported to the bank and Mr H received £10,000 compensation. Ongoing intervention with the bank secured the return of a further £10,376 and a marker on his account to safeguard him in the future. Trading Standards have installed a call blocker, are searching for the remaining funds, and monitoring mail for further scams.

Case Study 2

Mr and Mrs G received a cold call from an individual wearing a lanyard and purporting to be from the council. The stranger followed Mr G up his garden path into his home and into his dining room. The man did not produce any identification but explained he was providing help to all elderly residents with the cost of living. The stranger was in Mr and

Mrs G's home for around 30 minutes and handed them a voucher to be redeemed at the post office. Mr G took the voucher to the post office to try and cash it, only to be told by the counter staff that the voucher was fraudulent.

Although no money was lost to the scam itself, it is possible that this was also an attempt at a distraction burglary. Thankfully Mr G never let the man out of his sight and no items were reported missing.

Mr G, who has Parkinson's disease, and his wife, who has dementia, were left feeling distressed and extremely embarrassed by the incident. Mr G refused to report the incident to anyone other than his daughter, who in turn contacted trading standards and the police.

The residents were already protected from unwanted telephone calls in person calls remained a risk. Safeguarding work was undertaken and No Cold Calling stickers put up. The installation of a doorbell camera, which Mr G believes would make him feel much safer, is awaiting permission from the housing association. In the meantime, local Police Community Support Officers (PCSOs) are regularly checking in on them for reassurance.

Case Study 3

Ms M is a resident with severe cerebral palsy who uses assistive technology and has a live-in carer. Following a bereavement, Ms M wanted to help and support her long-term carer and companion and began an internet search for tickets to Zimbabwe.

Whilst exploring online travel agents she was targeted by a pop-up advertisement. Ms M tried to close the window but due to her restricted motor control she inadvertently clicked on it before shutting the window down. Despite already having a call blocker on her landline (and probably not linked to her actions), this was followed by a cold call to her mobile phone who she believed to be a travel agent. The scammer harassed Ms M, calling twice a day for six days to get her to transfer £10,000. These persistent and aggressive phone calls frightened and distressed Ms M who contacted Trading Standards.

Scam prevention advice and reassurance was given immediately, followed by an in-person welfare visit. As part of our safeguarding work, we blocked the scammers number and showed Ms M and her carer how they could block suspicious numbers themselves.

Although she remains nervous of using the phone, and internet, the previous advice given when the call blocker was fitted prevented Ms M from losing money on this occasion.

Trading Standards continues to support and advise Ms M e.g., use of popup blocking and firewall software. The scammers number is being referred to the Information Commissioners Office for their consideration and we are liaising with Scope, to explore possible solutions to the manual dexterity issues associated safely closing scam pages and pop ups.

Key Performance Indicator:

Status Green

Actions to stop rogue traders operating in Buckinghamshire and Surrey.



Comments:

11 defendants prosecuted by us have been convicted this year, with a further 6 people convicted following our investigations being joined with others (in one case prosecuted by Surrey Police and in the other case prosecuted by Hampshire Trading Standards). No defendants were acquitted during this year. This compares to 6 convictions last year (5 directly by us, 1 was convicted by the RSPCA following an investigation that we were closely involved in). There were also no acquittals last year.

In total over 29 years of prison sentences have been ordered following these investigations and prosecutions compared to just over 4 months last year.

The convictions related (primarily) to fraud (7), unfair trading (1), supplying illegal tobacco (5), supplying unsafe goods (1), counterfeiting (1) and money laundering (2).

In one case two people were prosecuted for their part in selling fake (counterfeit) Canon batteries. One was involved as a money launderer, being used by the primary offender in the hope of obscuring his identity. The money launderer was given a rehabilitation order, whereas the main offender is required to do 250 hours community service and has a 9 month suspended sentence. Information about some of the other prosecutions is contained elsewhere in this report and in the press articles below.

Disruption activities to inhibit the sale of illegal tobacco have been carried out regularly throughout the year, with 17 seizures of illegal tobacco following 6 days with the tobacco detection dogs to help us find hidden illegal tobacco. In a concerning trend we have seen the complexity of hides being used increase significantly as the year went on. The Service now has some significant investigations into the activities of some of the suppliers of the illegal tobacco as well as a number of cases in the court process.

Ongoing actions to deter include 53 active investigations at the end of the year. The Service also had 15 cases going through the legal process (the majority for prosecution) at the end of the year with a further two going through the legal process to seek confiscation of Proceeds of Crime following the defendants conviction.

Case Studies: Some of the court cases had good coverage in the local press and on social media, for example:

Bucks Free Press

News Sport Best of Bucks Your Area True Crime UK

News Coronavirus Crime Politics Opinion Young Reporter

Aylesbury shopkeepers who hid stash of cigarettes in wall are fined

23rd February

BUCKINGHAMSHIRE COUNCIL COURT CRIME AYLESBURY



18:20 [Signal] [Wi-Fi] [Battery]

← Tweet

Surrey County Council News ✓
@SurreyNews

Last week our @Bucks_SurreyTS team witnessed the prosecution of Epsom Food Limited for seven charges related to illicit products. With the assistance of a tobacco detection dog 🐕 and @SurreyPolice, 117 packets of illicit tobacco 📦 were seized. Watch a previous raid below 📺

and a tobacco dog and it's handler.

528 views

15:01 · 30/03/2023 from Earth · 1,673 Views

1 Retweet 4 Likes

Tweet your reply

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In    
YourArea




 **Hughie Smith, 49, from Chertsey was jailed for eight years** (Image: Surrey Police)

A Chertsey man has been jailed for eight years after fleecing thousands of pounds from his elderly victims. Hughie Smith, of Fernlands Close, was sentenced at Hove Crown Court on March 3 after he pleaded guilty to a number of fraud offences.

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Surrey fraudster jailed for eight years after fleecing thousands of pounds from elderly victims

'To deliberately target vulnerable people in this way is appalling'



Crime

Men jailed after Aylesbury court hears how they conned the elderly in fraudulent home improvement scheme

“This is a shocking case, with vulnerable, elderly residents ruthlessly targeted as easy prey”

Two men have been jailed for conning elderly residents in a fraudulent home improvement scheme.

On Friday (10 March) at Aylesbury Crown Court James John Caleb Sheen of Warren Crescent, Oxford and Michael Steven Jones of Divinity Road, Oxford, were given prison sentences.

They were convicted of committing a number of crimes relating to their scheme which involved conning victims out of large amounts of money.



Key Performance Indicator:

Status Green

Communications activity:

New indicator

- % engagement generated by our social media activity
- Number of impressions generated by Trading Standards social media activity
- Number of followers on social media platforms.

Comments:

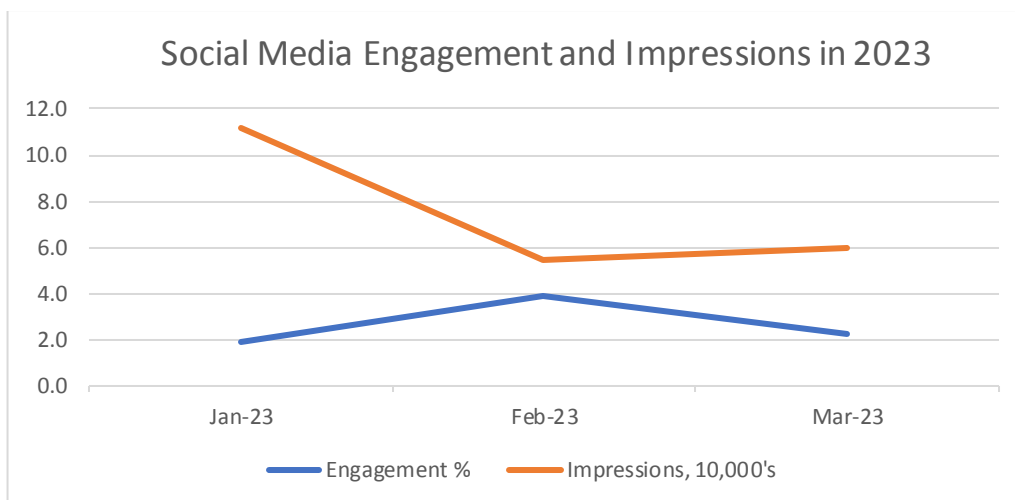
The Service only began to regularly look at this data part way through the year so historic data is limited.

At the end of the year the followers stood at:

- Twitter – **4,189**
- Facebook – **2,056**
- TS Alert! Signed up to receive newsletter – **1,244**

Social media engagement across all of our channels during the calendar year 2022 was **3.34%**, an increase from 2.37% in the calendar year 2021 and well above the local government 'good' standard of 1-2%. Engagement is not linked to the number of posts you put out, as one engaging posts may generate much more action from readers (such as liking, sharing or commenting on the post) than lots of posts.

Social media impressions (i.e. the number of times the post/tweet is seen on a readers screen) generated by Trading Standards totalled **1,100,000** in the calendar year 2022 which was an increase from 888,000 in the calendar year 2021. This number is likely to be proportionate to the number of posts/tweets put out (unless they are paid for as advertising).

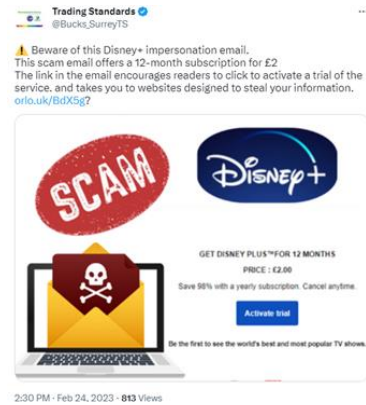
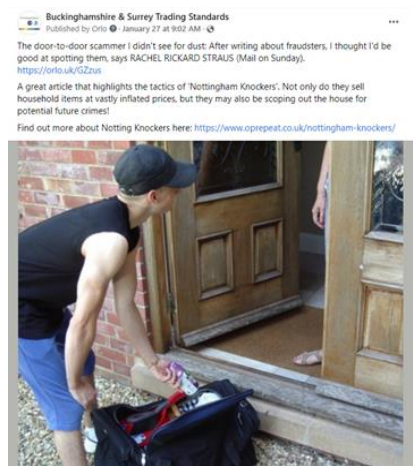


This graph demonstrates that engagement and impressions do not follow the same pattern, which is why the Joint Committee are looking at both measures.

The Service post on Facebook and Twitter frequently (usually at least daily) with a mix of information about what we have been doing, local alerts regarding doorstep sellers and information from partners which relates to our activities (for example information from the Animal Health and Plant Agency about Avian Flu restrictions, information from the Food Standards Agency with an allergen alert, product safety recalls, Action Fraud messages on the latest scams etc).

The tweets and Facebook posts gathering the most impressions in March, February and January of 2023 related to the testing we'd done of 'energy saving' devices, door to door scammers known as Nottingham Knockers, scam awareness training and scams relating to holidays and TV subscriptions:

Case Studies: Social media posts are used to educate and inform the public about current and topical issues, for example:



Service Priority Area 2

Enabling 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.

Research shows that a positive regulatory environment can contribute significantly to economic development and sustainable growth, improving the openness of markets and creating a less constricted business environment for innovation and entrepreneurship. It can protect compliant businesses by enabling fair competition and promoting a level playing field and provide business with the confidence to invest, grow and create new jobs.

Key Performance Indicator:

To increase the number of Primary Authority Partnerships (PAPs)

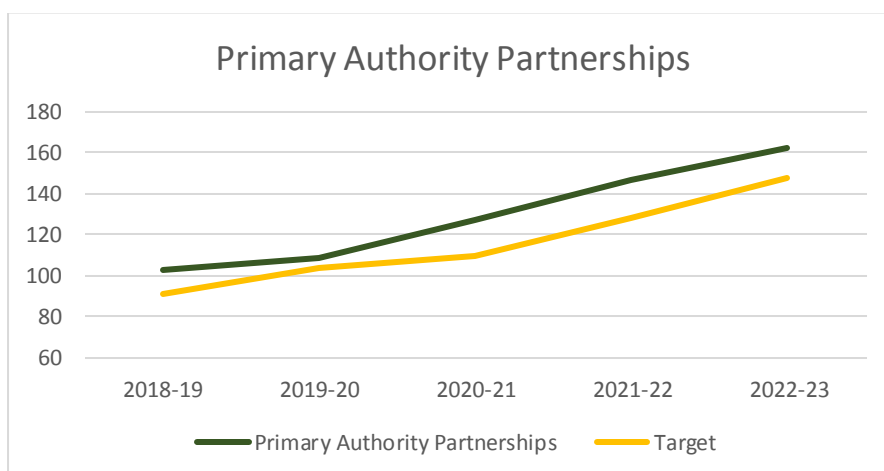
Status Green



Comments:

Primary Authority is a national, statutory scheme that enables businesses to access tailored regulatory advice from one authority on a cost recovery basis. Bucks and Surrey's award-winning Primary Authority service supported 162 partnerships by the end of the year making it the largest provider in the UK.

There has been a steady growth in the number of partnerships despite continuous movement with some businesses merging or folding. Overall performance for the year was excellent and is above (good) the target of 148.



This number also includes some “coordinated” Partnerships where the relationship with an organisation covers numerous member businesses. For example, the Association of Convenience stores who have nationally over 5,000 members (approx. 95 in Surrey and 76 in Bucks) who between them have around 33,500 shops.

Primary Authority Partnerships (PAPs) contribute to a positive regulatory environment as they provide a robust platform for Regulatory Services including Trading Standards to understand a business in depth and give appropriate and timely advice. The advice ensures start-ups get it right at the outset and enables all businesses to invest with confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent.

Case studies: Primary Authority relationships are a successful multiplier for the impact of preventative advice and an effective way to manage and resolve non compliances that, whilst presenting a risk, don't meet the threshold for enforcement action. There are numerous examples of our work to choose from so a few are provided below:

Celebrating reaching the milestone of 150 Primary Authority Partnerships

When the Service reached 150 Partnerships earlier in the year, we wanted to turn this milestone into something positive for our local communities.

Given the cost-of-living crisis we asked our Partners to donate either goods or cash that could be used by food banks. We also undertook a staff raffle to raise some money to add to the donations. Many of our partners already have ongoing arrangements with food banks to reduce their food waste, but we were able to collate over 3,500 items and £550. The food and money were delivered to food banks in Surrey and Buckinghamshire in October.

Case Study 1



Officers attended the Association of Convenience Stores' (ACS) Heart of the Community Conference in London. This annual political conference brings together 200 convenience retailers in Westminster. It aims to help convenience retailers understand the political and policy issues that will impact their business in the year ahead and inspire them to engage with their communities.

This was a great opportunity to promote our convenience sector advice, especially on High Fat Salt and Sugar Regulations and e-cigarettes. Officers showed examples of non-compliant vape products to illustrate the types of products to avoid. See examples of guidance we have developed with the ACS below, including brand new advice relating to the deposit return scheme in Scotland. To view all of the advice issued to ACS follow this link: <https://www.acs.org.uk/advice>

ACS the voice of local shops. acs.org.uk **ELECTRONIC CIGARETTES** An ACS advice guide for retailers

1. HOW TO RECOGNISE LEGITIMATE PRODUCTS

There are strict requirements for vapes that are allowed to be placed on the UK market. Check the following to ensure the products you stock are legitimate:

The maximum tank size is 2ml. This is equivalent to 600-650 puffs for disposables. Products advertising significantly more usage than this are illegal.

The maximum size of refill containers is 10ml.

Batch number.

Recommendation to keep the product out of the reach of children.

The maximum nicotine content allowed for vapes is 20mg/mL.

Health warnings must cover 30% of the front and back of the pack. The health warning must read:

THIS PRODUCT CONTAINS NICOTINE WHICH IS A HIGHLY ADDICTIVE SUBSTANCE

Any variation on this wording is not allowed.

Offers and discounts, product safety/health claims are prohibited on packs.

Vapes that are charged from the mains electrical supply should bear the CE mark or UKCA mark. The UKCA (UK Conformity Assessed) mark became part of UK law when the UK left the EU and must be included on all packaging from January 2023 onwards.

List of ingredients in nicotine-containing liquid, if present.

3x Flavoured eLiquid

INGREDIENTS
 Vegetable Glycerine (<80%)
 Monopropylene Glycol (<20%)
 Flavouring: cookie, cherry, almond, 0.6% Nicotine

The product must indicate the nicotine content and delivery per dose.

Nicotine content 6-8 mg per cartridge

All vapes and refill containers must be tamper-evident and have child-resistant packaging. Electronic/electrical products must be disposed of separately from household waste, more information about recycling vapes and WEEE regulations is available on page 7.

Packaging must also contain the manufacturer or importer name and contact details.

Imported and distributed by E-Smoke Ltd
 90 Eastern Road, Slough SL3 1XS
 Tel: 01753 100100
 Email: info@e-smoke.co.uk

ACS the voice of local shops. acs.org.uk **HFSS PRODUCTS: PROMOTION AND LOCATION REGULATIONS** An ACS advice guide for retailers

1. IS MY BUSINESS IMPACTED BY THE REGULATIONS?

Convenience retailers' obligations under these regulations depend on the number of employees in their business and the size of their selling space in store(s). ACS' Assured Advice guide will help convenience retailers to understand:

- Which convenience retailers are impacted by the regulations.
- What volume promotions you can and cannot run on HFSS products.
- Where in your store you can and cannot display HFSS products.
- What areas of your website and online platforms are affected.
- How you can determine if a product is HFSS.
- How the regulations will be enforced.

Implementation dates

There are differing implementation dates for certain parts of these regulations:

October 2022	October 2023
Introduction of location restrictions	Ban on volume promotions

The location restrictions will come into force from **October 2022**.
 The ban on volume promotions will come into force from **October 2023**.

What is a HFSS product?

The regulations apply to the categories of prepacked goods set out in the list below. However, this does not mean every product within each category will be impacted. Products must be assessed on an individual basis to determine their 'nutritional profiling score' (NPS).

Retailers should work with suppliers to establish what products are HFSS. The majority of suppliers will be clearly communicating what products are HFSS.

Soft drinks with added sugar	Confectionery	Cakes	Ice cream	Crisps and savoury snacks
Morning goods (eg pastries)	Puddings and dairy desserts	Sweet biscuits	Breakfast cereals	Ready meals
Yoghurts	Milk drinks with added sugar	Juices with added sugar	Pizza	Chips and similar potato products

STEP 1/3: Restrictions on volume promotions (From October 2023)

Convenience retailers with more than 50 employees must not offer volume promotions on HFSS products from October 2023. The calculation of your employee numbers could be impacted by your participation in a 'franchise agreement', including membership of symbol groups.

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    graph TD
      Q1{Do you have 50 or more employees?} -- YES --> A1[You cannot run volume promotions on HFSS products in store or online.]
      Q1 -- NO --> Q2{Do you operate any part of your business as a franchise or are you a member of a symbol group?}
      Q2 -- YES --> A2[Ask your symbol group or franchise head office whether their advice is that you are included in these regulations.]
      Q2 -- NO --> A3[You are exempt from all parts of these regulations.]
      A2 --> A1
  
```

Franchise agreements and symbol groups

Convenience retailers that are deemed to have a 'franchise agreement' will have to calculate their employee numbers based on **all employees within the whole franchise business or symbol group they are part of**, not just the precise directly employed in stores.

Convenience retailers will need to consult their symbol group supplier or franchise partner to discuss whether their agreement is considered to be a 'franchise agreement' as defined in the regulations. The regulations define a 'franchise agreement' based on ALL the following criteria:

- You agree with another party to the sale or distribution of food.
- You agree with another party to the supply of particular food products specified in an agreement.
- You agree with another party to comparable contractual arrangements as other businesses to:
 - products provided by the franchisor
 - the internal or external appearance of the premises
 - the business model used for the operation of the business.

Retailers should gain access to legal advice on the status of their contracts, either:

- advice provided by their symbol or franchise head office, or
- advice the retailer has sourced themselves.

Source: The Food (Promotions and Placement) (England) Regulations 2023 Section 4 Qualifying Businesses

Case Study 2

Discussion and guidance for online retailers of alcohol on the steps they can make to ensure they do not make sales to people under the age of 18. This information is being used to educate retailers and to promote online age verification technology accompanied by assured advice. This has since led to the recent recording of a podcast on the same issue.

Case Study 3

Label checks and advice regarding health warnings about high caffeine content and suitability of the product for children and vulnerable adults.

Consume Responsibly:

High Caffeine Content. Not Recommended for Children, Pregnant or Breastfeeding Women, or People Sensitive to Caffeine (32mg/100ml). Consume responsibly as part of a balanced diet and healthy lifestyle.

Case study 4

During the year, working with the National Association of Jewellers (NAJ) we updated our advice on Diamond terminology which helps businesses and consumers understand the difference between natural and synthetic diamonds and is used nationally and internationally.

The image displays two pages from the 'NAJ Code of Practice Diamond Terminology Guideline'. The left page is the cover, featuring the title 'NAJ Code of Practice DIAMOND TERMINOLOGY GUIDELINE' and 'Version 2. 2023.' above a large diamond illustration. The right page is the first content page, titled 'Diamond Terminology Guideline', which includes sections for 'Introduction & Reference', 'Definitions', and 'Terminology'. It also features a 'Supported by:' section with logos from various industry organizations and contact information for the Compliance Officer.

NAJ Code of Practice
DIAMOND TERMINOLOGY GUIDELINE
Version 2. 2023.

NAJ Code of Practice
DIAMOND TERMINOLOGY GUIDELINE

The following Code of Practice provides clear guidelines on the use of acceptable guidelines for natural and laboratory-grown terminology.

Shaping professional excellence in jewellery businesses and their people

The National Association of Jewellers

Diamond Terminology Guideline
The National Association of Jewellers

Introduction & Reference
National Association of Jewellers (NAJ) together with nine of the leading diamond industry organisations (AWDC, CIBJO, GJEPC, IDI, IDMA, NDC, RJC, WDC and WTDI) endorses the present guideline to encourage full, fair and effective use of a clear and accessible terminology for diamonds, synthetic diamonds and imitations of diamonds by all sector bodies, organisations and traders. This Diamond Terminology Guideline serves as a reference document for the diamond and jewellery trade when referring to diamonds and synthetic diamonds. It is built on two internationally accepted standards: the ISO 18323 Standard ("Jewellery - Consumer confidence in the diamond industry") and the CIBJO Diamond Blue Book.

Definitions

- A diamond is a mineral created by nature; a "diamond" always means a natural diamond.
- A synthetic diamond is an artificial product that has essentially the same physical characteristics as a diamond.
- An imitation diamond, also named a diamond simulant, is an artificial product that imitates the appearance of diamonds without having their chemical composition, physical properties or structure.
- A gemstone is a mineral of natural origin that is used in jewellery for reasons of combined beauty, rareness and intrinsic value.

When and where to use the Diamond Terminology Guideline
The leadership of NAJ, AWDC, CIBJO, GJEPC, IDI, IDMA, NDC, RJC, WDC and WTDI strongly recommend all traders, sector bodies and other organisations to comply with the guideline on all documents, websites and other means of communication that are intended to e.g. sell, buy and promote diamonds, synthetic diamonds, gemstones, gemmological laboratory reports, diamond jewellery and synthetic diamond jewellery.

Terminology

- When referring to synthetic diamonds - Use one of the following authorised qualifiers when referring to synthetic diamonds: "synthetic", "laboratory-grown" or "laboratory-created".
 - Do not use abbreviations such as "lab-grown" and "lab-created".
 - Do not use the following terms: "cultured diamonds" and "cultivated diamonds" as "cultured" and "cultivated" refer exclusively to organic/biogenic products.
 - Do not use the following terms: "real", "genuine", "precious", "authentic" and "natural" as those apply exclusively to natural minerals and gemstones.
- A diamond is natural by definition. Therefore, use the word "diamond" without a qualifier when referring to a diamond. If differentiation from synthetic diamonds is required, use the term "natural diamonds" as term of equivalent meaning.
- Do not use the following confusing expressions: "natural treated diamonds" and "treated natural diamonds". Instead, simply use "treated diamonds".

Supported by:

Logos of supporting organizations: IDMA, AWDC, THE SMALL DIAMOND INDUSTRY, GJEPC, NATURAL DIAMOND CENTRE, The World Jewellery Confederation, THE DIAMOND COUNCIL, Buckinghamshire & Surrey, MIBERY, and another logo.

Contact the Compliance Officer | naj.co.uk/resolve | compliance@naj.co.uk | 0121 237 1110

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Logos of all current partnerships

Primary Authority Partnerships in Surrey



Primary Authority Partnerships In Buckinghamshire



National Primary Authority Partnerships





Key Performance Indicator:

Status

% of requests for business advice completed within 10 working days

Trial indicator

Comments:

This is a trail indicator, where we have been testing the ability to record and report with the intention of reporting next year.

The primary aim for business advice is to give accurate and relevant advice. However, the speed is also important. Trialling the indicator has highlighted some issues with our recording system and these are gradually being tackled to improve the robustness of the data.

Case studies: Advice is delivered on the business advice helpline either by telephone or email and is often bespoke to particular circumstances or products.

Examples

- Label checks, advice regarding the use of the words traditional, traditional way and ethically sourced.
- Query regarding the application of EN71 (toy safety) to badges.
- Implications for the addition of substation and EV chargers to a petrol forecourt.
- Advice sought on labelling taps/showers and bathroom accessories.

Service Priority Area 3

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 from farm to fork, including food quality, nutrition, and animal health.

Key Performance Indicator:

Number and estimated value of unsafe/non-compliant goods removed from or prevented from entering the supply chain

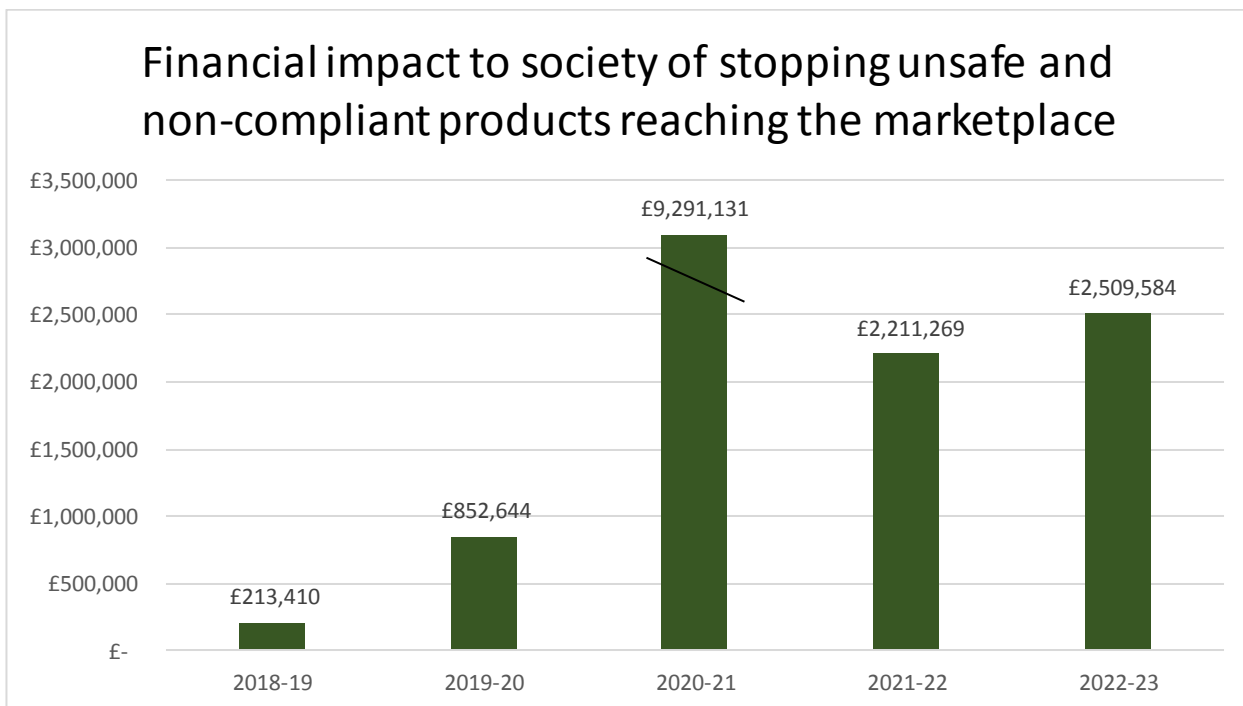
Status Green



Comments:

Using funding from the Office for Product Safety and Standards (OPSS) who are part of the Department for Business and Trade, **71,641** unsafe or non-compliant products were stopped from entering the country by our officers at Heathrow during the year. This represents a positive financial impact of over **£2.5m** to society of preventing unsafe goods reaching communities where they can cause damage to people and property.

This compares to just under 47,000 unsafe or non-compliant products stopped in the previous year.



Case studies: Amongst the range of products, we have stopped various make up and cosmetic products containing banned or excessive chemicals that pose risks of cancer, kidney failure and neurological damage. A regular reason for declining entry to consignments is the importer failing to provide documents to prove what their products contain or that they have been tested to check they are safe. Some examples of other unsafe products prevented from entering the country during the year include:

Example 1

Power tool adapters/battery chargers. These were sent for testing due to concerns over poor product quality. Testing showed they posed a hazard of electric shock as well as problems with documentation and markings.



Example 2

eBikes being imported with non-UK plugs



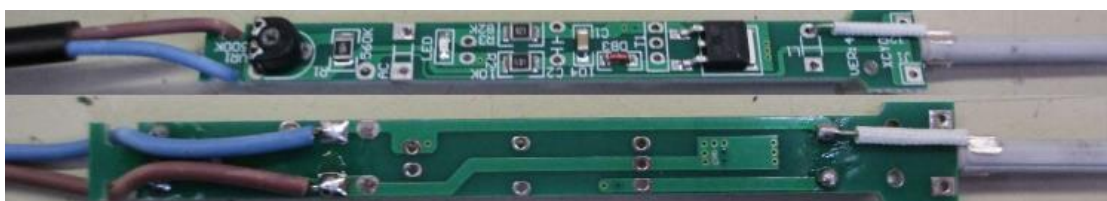
Example 3

Copper Water Bottles and “Healing” Bangles making medical claims on the packaging. The copper water bottles that claimed copper water “improves digestion; removes bacteria and impurities; support healthy immune function” were tested and found to cause water kept in them to then contain more copper than is permitted in drinking water. The analyst also confirmed that “there are no authorised food health claims relating to copper and digestion nor are there any relating to copper and the cardiovascular system or ageing.” The MHRA were contacted and they confirmed that neither product was a registered medical product (as they would need to be if they wished to make legitimate medicinal claims).



Example 4

Soldering irons that posed a risk of electric shock because you could access live parts without tools (the cable cover could be removed by hand) and there was electrical strength breakdown through the material mesh making the nib live (as well as the plug being the wrong size and counterfeit cabling):



Example 5

Children's magnet trick toys. With the potential for significant harm if a child swallowed these magnets (they would easily fit into a child's throat) we were particularly interested to see the testing that had been done to the product. Upon request of paperwork, it became clear the products were not appropriately tested for the key element of magnets and the consignment was refused entry. The toy is also currently undergoing a recall as some products had already reached the marketplace.



Example 6

Toy gel guns that were unsafe because the gel balls they fire could fit in a child's throat and were capable of significant expansion when exposed to liquid, presenting a choking or intestine obstruction hazard either of which could be fatal. It was also incorrectly labelled with no UK contact details for the importer or manufacturer.



Key Performance Indicator:

Status Green

Number of premises tested for selling illicit or age restricted products inappropriately, and approximate value of seized goods.



Age Restricted Goods

Test purchases by underage volunteers were carried out at **59** premises. The volunteers made 26 attempts to buy alcohol, 9 attempts to buy knives and 24 attempts to buy vapes with failure (sale) rates of **27%** for alcohol, **11%** for knives and **29%** for vapes.

The Service is alert to potential problems with nitrous oxide being sold to under 18 for psychoactive purposes and works with partners if complaints are received. Very recently the government made an announcement that nitrous oxide will be banned, which we assume will change the current legislation regarding sales to under 18s. We await the detail of the future legislation to understand whether Trading Standards will be involved in enforcement.

Illegal Tobacco

As a cheap source of tobacco, often with no health warnings in English and not in plain packaging, illegal tobacco is linked to smoking in young people and those from more deprived groups for whom price affects how much they can smoke.

Smoking remains the biggest single cause of preventable mortality and morbidity with huge costs to society¹. Because smoking is so harmful, differences in smoking prevalence across the population translate to health inequalities, and differing smoking prevalence rates in different groups² will be exacerbated by it being more likely that those with lower incomes will be more likely to purchase illegal tobacco because of its lower cost.

Following **114** unannounced test purchasing visits for illegal tobacco, **6** days of operations with the tobacco detection dogs have been conducted.

The test purchases help us to know where to target our time with the detection dogs. The dogs themselves are vital for locating illegal tobacco, which is often professionally well hidden, underlining the criminal intent behind its supply. In many cases our officers would not be able to find the tobacco without the help of the dogs, and even when the dogs have indicated tobacco is present it can often take some time to work out how to reach it.

¹ In Surrey smoking was responsible for 3,958 deaths (2016-18) and 7328 hospital admissions (18/19).

The estimated cost to society of smoking in Buckinghamshire is estimated to be £106.2 million¹ per year (made up of losses to the local economy due to productivity losses, costs to the NHS, additional social care costs and costs of house fires caused by smoking).

² In 2019 Surrey smoking prevalence in routine and manual workers was 24.4% compared to 7.5% for those in managerial and professional occupations

This activity led to **17** seizures from premises of over **85,000** cigarettes, over **7,000** illegal vapes, over **11kg** of illegal hand rolling tobacco and some potentially illegal alcohol found. The approximate value of the illegal tobacco seized was **£40,000**.

16 investigations into the supply of illicit tobacco concluded during 22/23. During 2022-23 **4** people and **1** company were convicted for tobacco related offences. They were fined and one was given a suspended prison sentence, and **12** written warnings being issued. One other case is awaiting time in court following a decision to prosecute. Following the seizures during the year, more recent matters remain under investigation.

Case studies: Recently we have seen the use of electro-magnets to provide a further way of preventing tobacco from being found. Below are some photos of illegal tobacco hides and tobacco seized this year:

Example 1

Illegal tobacco found in a van parked near to a shop (left); and illegal tobacco being logged (right):



Example 2

Illegal tobacco found in the top of a walk in chiller unit (secured with an electromagnet):



Example 3

An illegal tobacco hide found behind a shelving unit (also secured with an electromagnet) and a tobacco unit hidden within a wall (far right):



Key Performance Indicator:

Status Green

Market surveillance activity carried out, including in relation to food and animal health e.g., samples taken, visits conducted, seizures made.



Comments:

Marketplace surveillance activity became increasingly focused on products that residents were more likely to buy in a cost-of-living crisis as inflation rose throughout the year. There is a separate paper for the Joint Committee focusing on this, however it will also be seen in this report.

162 food samples were taken and tested.

153 businesses were found to be in breach of animal health and welfare legislation and brought into compliance.

114 businesses were identified as supplying: misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in fraud involving food.

Lettings Agents

Around 20% of households are in the private rentals, spending³ on average 26% of their income on rent, so it is vital that this sector operates fairly and doesn't put these renters at excessive risk. Trading Standards are responsible for ensuring that Letting Agents for rented accommodation comply with requirements to ensure:

- That client money (for example paid as deposits) is kept safe in a government approved Client Money Protection Scheme (so that it cannot be used by the letting agent for another purpose and be lost) and that membership of the CMP Scheme is visible to prospective renters.
- That lettings agents and landlords treat renters fairly in that only permissible fees are charged, and that there is visibility to prospective and current renters of what those charges are
- That prospective renters understand the energy efficiency of the property they are considering buying by visibility of a current Energy Performance Certificate at the time of marketing
- That renters can exercise their rights effectively by requiring lettings agents to have clearly visible which Redress Scheme they are part of.

Over the past year 64 agents have been contacted and advised to carry out corrective actions to ensure that they are compliant with the requirements above. Of these 47 (73%)

³ [Private rental affordability, England, Wales and Northern Ireland - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

have responded to the advice and are now fully compliant. We continue to work with the remainder and are optimistic that the majority will become compliant.

Where a letting agent is not moving themselves into compliance the Service can impose financial penalties, and this is considered in line with our Enforcement Policy. During the year a letting agent and a landlord were both fined (a fixed penalty amount of £200 each) for failing to ensure that an Energy Performance Certificate (EPC) was available when a property was marketed. In that case the EPC was not commissioned for over 4 months after initially marketing and letting the property.

Weights and Measures



As part of work to tackle issues raised in importance by the cost-of-living crisis and residents needing to know that they are getting what they have paid for, the Service tested over **300** petrol pumps across Surrey and Bucks to ensure they were accurate. Around 5% were inaccurate and were taken out of use whilst they were adjusted.

Product safety

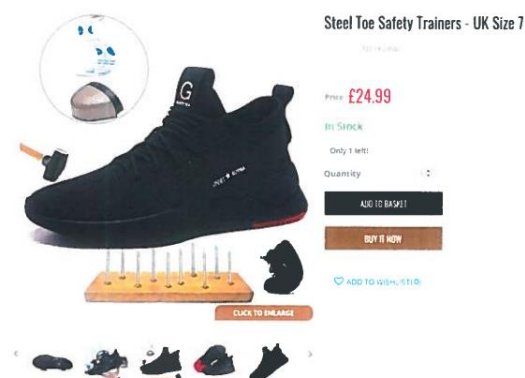
This year the Service has particularly focused on testing products that are more appealing to people during more intense cost of living pressures, including devices claiming to save energy and electricity costs.


Of **16** different products bought and tested **13 (81%)** failed. Another 3 products have been bought and submitted for testing but the results of testing remaining outstanding. Almost none of the claims being made were true. As well as being mainly useless, some were also dangerous.

Follow up work on the products that failed has included having products withdrawn from sale (both voluntarily and through web site take downs), advice to businesses on changes that were needed to labelling to make the products safe in use, sharing information with other regulators nationally through the Product Safety Database and investigation.

Examples

During the year a prosecution into the supply of unsafe 'safety trainers' was completed with the conviction of the Company and its Director who were both fined. The shoes were supposed to protect the wearer from all manner of harms, including penetration by nails and being hit by a hammer, as demonstrated in their sales picture (right). When they were tested it became apparent that they had no such protection posing very serious risks to users who expected them to be a form of protection.



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In one example a small heater (see picture left) failed as there was a risk of electrocution and the Service is working to ensure it is removed from sale from a multitude of platforms including eBay and Amazon as well as alerting other Trading Standards Services of the risk and encouraging the Office for Product Safety and Standards to take a national approach to the risks posed.

Nearly **8,000** unsafe or non-compliant vapes were seized during the year. The main problems are oversized disposable vapes, vapes with incorrect labelling (labelled for the US market without appropriate UK warnings) and vapes that are not registered with the Medicines and Healthcare products Regulatory Agency (MHRA) as being ok for sale (so haven't been shown to comply with UK rules on composition).

Electric Blanket Testing

As energy saving advice was given in the autumn to heat the person rather than the room the Service decided to test electric blankets in use by residents. Electric Safety First funded the testing and one of our Primary Authority Partners, Dreams, provided new electric blankets that could be used to replace ones which failed. Of 71 blankets tested, there was a staggeringly high failure rate of 80%. One failed blanket was identified as being over 40 years old, another already showed scorch marks before it was tested (see below)



FUNDED BY  

Free Electric Blanket Checks
86% of blankets we tested recently were a fire risk. 

27 February
Fairfield
Centre,
Leatherhead

28 February
St Mary's
Community
Centre, Byfleet

1 March
Buckingham
Community
Centre

Bring your blanket for testing:
from 10am to 3pm.
Replacement blankets issued if yours fails.

Firework Storage safety

The Service licences sellers of fireworks for their storage. When the retailers have live fireworks on their premises we undertake targeted visits to the higher risk retailers and any whom we receive complaints about to ensure that the explosives are being stored safely given that fireworks can be so dangerous if not stored and used correctly.

Animal Health & Welfare



Avian flu is an infectious type of influenza that spreads among birds. In rare cases it can infect humans if they are in very close contact with infected birds, and the Health Protection Agency are monitoring this aspect of the disease very closely. We were fortunate to only have one outbreak in our area (at Horley) during the year. We worked closely with colleagues across a range of Services, particularly in the Animal and Plant Health Agency (APHA), Emergency Management, Public Health and Communications to assist in managing the outbreak.

As part of this road signs warning of the disease zone were erected and over **1,500** premises visited by Trading Standards Officers to identify previously unknown keepers of birds. Across all the visits made (including those by APHA officers) over **60** keepers of birds were newly identified who were then advised on how to keep their birds safe and visited by APHA vets to monitor the health of their birds.

Up to date information on the outbreak, or general level of risk and the latest biosecurity requirements is published on our social media channels and through our newsletters ([Animal health newsletter - Surrey County Council \(surreycc.gov.uk\)](#)). The most up to date situation, including outbreaks and the latest risk level can be found here: [Avian influenza \(bird flu\) - GOV.UK \(www.gov.uk\)](#)

Bovine Tuberculosis: Our activity to ensure the health and welfare of farmed animals and the security of the food chain has identified **153** businesses in breach of Animal Health and Welfare legislation including issues relating to failure to test in relation to Bovine Tuberculosis (Tb), not reporting animal movements and minor animal welfare matters. Bovine Tb is an infectious zoonotic chronic respiratory disease in cattle. It is one of the biggest challenges facing the UK cattle farming industry today.



Cattle in the Edge area (Buckinghamshire) are required to test every 6 months to prevent the spread of the disease. Enforcement and intervention are concentrated on overdue TB tests, illegal movements of cattle from restricted holdings; cattle moved prior to the required pre or post movement tests and failure to cleanse and disinfect a holding after a TB Breakdown.



Rabies: Illegal landings of animals which have been brought into the country and haven't followed the quarantine or vaccination requirements continue to occur increasing the risk of rabies being brought to Great Britain. Whilst the Councils have plans in place if rabies is suspected, it is important to do everything we can to minimise the chance of using them as the risk to health and life of both humans and animals coming into contact with an infected animal would be significant.

During 2022-23 **4** investigations were carried out into illegal puppy imports. However, it is worth noting that Central Government provided guidance with special provisions for small animals accompanying Ukrainian refugees allowing careful quarantine in their host home.

Food Surveillance Projects

In a time where people are more concerned than ever about getting what they have paid for and expect, we continued to carry out food market surveillance projects, with **162** samples taken. **46%** of these samples were found to be unsatisfactory in relation to labelling and or composition. The non-compliances ranged from minor labelling irregularities in relation to nutritional information given to the wrong decimal point, to CBD products found to contain THC, and food found to contain undeclared allergens.

114 businesses have been found to be selling misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in food fraud. These non-compliances were found during Food Interventions and because of food sampling. These included projects to look at goat speciation (is what you are buying what you think it is?); whether bakery products contained harmful levels of acrylamide (a

substance carcinogenic to humans and previously found in biscuits) or the allergen soya; whether CBD products contained the amount of CBD expected or the psychoactive (and banned) chemical THC; and whether milk contained the level of fat appropriate to its' labelling.

Example surveys

Earlier in the year the results were received of testing for **goat speciation** to ensure that foods claiming to contain goat did. The results have been very delayed due to a lack of the necessary chemicals to run the tests. However, the results show a concerning lack of goat, with 10 out of 15 not containing goat, including one which was substituted with beef, which would be of concern to those with certain religious beliefs. Follow up advice visits were made and suppliers contacted to rectify the issue.

Another food project relates to foods claiming to contain **CBD (cannabinoids)**. This showed high failure rates with samples not containing the amount claimed, and all containing some level of THC (the psychoactive and banned part of the cannabis plant). In addition, there are issues with name of the food, nutrition claims, health claims, food information, food supplement regs and Weights & Measures. In relation to those containing THC follow up is being undertaken in conjunction with the Police.

We are pleased to report that there were no significant problems found with the **bakery products**.

The level of **fat in milk** can be important for many people, for example some people will actively choose skimmed milk because they are on a low-fat diet or full fat milk because they are on a higher fat diet. This can be particularly important for the youngest and oldest in our society, but many others choose their milk based on its' perceived fat content. Samples were taken from local producers and one sample was found to contain 33% more fat than declared.

A project to test if **cows milk** was present in hot drinks requested to be made with **dairy alternatives** produced 4 drinks with cows milk present out of 15 purchased (over 26%). Follow up visits were made to advise the business and understand how the failure happened so that it can be avoided in the future.

Responding to complaints about foods and food businesses

In addition to surveillance projects, invaluable information to help us target our activity comes from complaints. There have been a number of complaints in relation to allergens which, due to the potential risk to life caused by undeclared allergens, we follow up and provide advice to support businesses to comply. Where a business fails to comply after advice, further enforcement is considered.

In the summer an Improvement Notice was issued to a takeaway business for continuing to fail to provide accurate allergen information to its customers despite multiple attempts by the Service at giving the business advice both in person and in writing, and this remains an ongoing case. In another example the service tested for Gluten in a “Gluten free” samosa following a complaint. Gluten was found and an investigation is ongoing to identify the source of the gluten and work with businesses to ensure their allergen labelling correctly describes all the allergens present in their products.