

## **Devon and Somerset Trading Standards Service: Update**

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### **1. Summary**

- 1.1. In July 2016, the Scrutiny committee considered a report on the progress made by the joint Devon and Somerset Trading Standards Service during its first three years of existence. The Committee noted that the 'expected financial and non-financial benefits have been met and in many areas were expected to be exceeded' and requested an annual report on performance. This report updates the Committee on the continued positive progress since then and notes the recent extension of the joint service to include Torbay Council. It highlights the key ways in which the newly extended Service will contribute to the priorities of Somerset, Devon and Torbay Councils.

### **2. Issues for consideration / Recommendations**

- 2.1. Scrutiny Committee are requested to note that the Joint Trading Standards Service has continued to perform well and deliver the expected financial and non-financial benefits, and in many cases exceed them.
- 2.2. Scrutiny Committee are also requested to note the emphasis that the Service is placing on supporting council priorities, particularly economic growth, across the three local authority areas.
- 2.3. It is recommended that further updates to Scrutiny Committee be provided annually, enabling the Committee to input into the revisions of the Service's strategic planning process and assure themselves that the expected benefits continue to be realised.

### **3. Background**

#### **3.1. Introduction**

The Trading Standards Service delivers Somerset County Council's (SCC's) statutory responsibility to enforce a wide range of complex and overlapping legislation that collectively contributes to ensuring a fair and safe trading environment supporting both consumers and businesses. While having responsibilities that impact on all trade sectors it primarily covers the farming, food production, manufacturing, import, retail and service sectors, including internet trading.

On the 12 March 2013, SCC's Scrutiny Committee agreed a report recommending the creation of a joint trading standards service for Devon and Somerset. The joint service was expected to realise £579k savings over 2013/14 and 2014/15 and was scheduled to realise a 20% saving over the first three years. The joint service came into effect on 01 May 2013, with Devon County

Council hosting the service and SCC Trading Standards staff TUPE transferring to Devon County Council.

### 3.2. Benefits realisation

The savings for SCC expected and achieved by the joint service are set out below. It was agreed to deliver savings early and, due to increased income generation, to fund all transitional costs from within the Service budget with no further call on corporate funds.

Savings	SCC - anticipated	SCC - achieved
2013/14	£100,000	<b>£154,039</b>
2014/15	£93,000	<b>£137,403</b>
2015/16	£55,000	<b>£76,318</b>
2016/17	£35,000	<b>£56,594</b>

The joint service exceeded its 20% savings target and delivered almost 30% savings over 3 years with no significant impact on service delivery.

It is difficult to exactly identify the cumulative total saved over the four years. All “anticipated savings” will have been from the base budget and will have accrued as a year-on-year saving. From the additional amounts achieved each financial year, some proportion has also been removed from the base budget but some has been delivered as a one-off, in-year under-spend. However, the total cumulative savings achieved over the four years, for SCC alone will be at least £964,000 or close to their total annual contribution to the Service (£1,049,000 in 2017/18).

A number of areas for even greater income generation potential continue to be actively explored. For example, the Service also received an additional £113,826 for the national operation of its approved trader scheme, Buy With Confidence although this is owned in partnership and budgeted separately from the above. Currently, all income from the national operation is reinvested in developing the Scheme which should make local delivery more robust and economically viable.

In 2017/18 the Service is looking to further develop and improve its commercial offer to business whilst at the same time ensuring that accurate, easy to understand guidance in achieving regulatory compliance remains free and readily accessible to local businesses. It is hoped that local business will help shape the final offer but it is likely to be built upon four key products:

- Enhanced, legally assured regulatory advice through contractual agreements with the business concerned (Primary Authority Partnerships - of which there are currently 14 in place)
- Buy With Confidence
- The Service’s highly accurate Metrology Laboratory
- Commercial exploitation of specialist skills such as Financial Investigators, Animal Feed specialists, etc.

### 3.3. 2016/17 Performance

The Service continues to operate to a high standard, meeting all its Key

Performance Indicators except one, “recruitment of new members to the Buy with Confidence Scheme”.

However, this was not unexpected as, in order to facilitate operation at a national level, Devon and Somerset (which previously had one of the lowest membership fees of all the local authority areas which operate the scheme) saw up to a 100% increase in membership fees. This inevitably led to an initial fall in recruitment and retention, although less than anticipated perhaps due to the fact that we offered existing members a “legacy rate” for a number of years. Total income showed a very small increase in 2016/17 over the previous year at just over £52,000. Signs are that recruitment is again picking up and with the gradual removal of the legacy rates, the predicted income for the local Scheme in 2017/18 is £92,000.

The Service achieved all other high priority visit targets:

- high risk premises, primary authority premises, new business interventions,
- 492 animal health and welfare farm visits the majority of which included animal feed work and other work as well.
- 412 visits to livestock markets.

In total 2563 visits were made to businesses during the year and the number of additional alternative interventions with businesses increased to 415 compared with 163 in 2015/16. In addition to delivering its planned work the Service had a number of additional achievements including:

- Total income generation increased from £345,359 in 2015/16 to £398,528 and contributed 14% of the Service budget (just over 10% in 2015/16).
- The Service continues in its national lead role on the ‘Buy With Confidence’ approved trader scheme. The central hub generated income of £113,826 for reinvestment in the scheme (in addition to the above total).
- Four new Primary Authority Partnerships (PAP) were developed making a total of fourteen across the two counties. A PAP offers a single point of contact for businesses with interests across the UK and legally assured advice.
- The Service's metrology laboratory maintained its position as one of the most accurate weight testing laboratories in the country.
- Enforcement activity continues with 27 breach reports for enforcement action. These included rogue traders, animal health and welfare, counterfeit goods and a number of other cases.
- Mass marketing financial fraud remains a key focus. Visits were made to all priority cases involving the more vulnerable victims. Examples in Somerset included; significant amounts of money being sent to West Africa by an elderly victim of a romance scam and another elderly victim who had been taken in by a health scam spending, in 18 months, £30,000+ on complementary therapies and £6,000 on pills (25,000 pills were removed from the property). A comprehensive support pack has been produced which makes use of extensive partnership working to help provide ongoing support to victims.
- The Service continues to use a variety of promotional initiatives to spread preventative messages and empower communities. During the year we produced press releases and news articles, conducted radio interviews, engaged in social media, designed leaflets and posters and developed online content, calendars & quizzes to support consumer and business awareness of current issues. Our website also received a significant increase in hits from 89,526 in the previous year to 105,523

- On behalf of Somerset County Council Public Health Team, the Service led on the promotion of “Mindful Employer” (an initiative to support employers in dealing with mental health issues in the workplace) disseminating information during our businesses interactions and organising a number of seminars.

#### **4. Operational Plan 2017/18**

**4.1** The Devon and Somerset Trading Standards Service Strategic Plan 2017/2021 has been refreshed and a new Annual Operational Plan 2017/18 produced. These have both been agreed by the Joint Service Review Panel.

**4.2** There are no significant changes to the more routine work of the Service. The three priority areas identified by our Strategic Assessment, which will be the focus of more targeted project work are:

- Doorstep Crime and Scams – with a particular focus on victim support.
- The Motor Trade – aimed at reducing the number of complaints about second-hand cars and car servicing. This trade sector is by some way the highest complaint category for Trading Standards both nationally and locally.
- Animal Health - increasing rural business support and strengthening links with the farming industry.

**4.3** Reducing the Harm Caused by Age Restricted Products – particularly in relation to the underage sale and illicit supply of alcohol and tobacco – continues to be a key area of activity. Currently, the Service has an operational model for this area of work which appears to be working well. Therefore, in contrast to the above three activities, it is not being further developed under a project management approach this year. However, this does not mean that there has been any reduction in the resources allocated to this area of work. In common with all our functional areas of activity, outcomes will be subject to annual review and it is likely that new strategies will be required in the future.

**4.4** Buy With Confidence will act as a cross-cutting strategy lending support to each of the above initiatives

**4.5** Perhaps most significantly in 2017/18, the joint service has expanded to include Torbay Council, with 5 members of staff (4.4 FTEs) transferring across on 01 May 2017. The transition has gone extremely smoothly and, although it is anticipated that it will take a few months to fully integrate working practices, the new Service is working to one set of operational plans. Discussions with other local authorities in the Heart of the South West, Local Enterprise Partnership area continue.

#### **5. Consultations undertaken**

**5.1.** Consultation with appropriate stakeholders was carried out as part of the process leading up to the extension of the joint service.

#### **6. Implications**

**6.1.** Financial Implications: there are no current financial implications. The savings required in the business case for creating the joint service have been delivered.

- 6.2.** Legal Implications: there are no current legal implications. These were considered during the setting up of the joint service and the authority of the service to act in this capacity has not been challenged to date.
- 6.3.** Due Regard Implications: there are no current due regard implications. A full equalities impact assessment was carried out during the setting up of the joint service.

## **7. Background papers**

- 7.1.** Devon and Somerset Trading Standards Service: Year End Report 2016/2017  
<http://www.devonsomersettradingstandards.gov.uk/wp-content/uploads/2013/08/full-end-of-year-report-170519.pdf>

The Devon and Somerset Trading Standards Service Strategic Plan 2017/2021  
<http://www.devonsomersettradingstandards.gov.uk/wp-content/uploads/2013/08/Joint-Trading-Standards-Service-Strategic-Plan-20172021.pdf>

Annual Operational Plan 2017/18  
<http://www.devonsomersettradingstandards.gov.uk/wp-content/uploads/2013/08/Operational-plan-17-18-170511.pdf>

Control Strategy 2017/18  
<http://www.devonsomersettradingstandards.gov.uk/wp-content/uploads/2013/08/Control-Strategy-Priority-Areas-17-18-020617.pdf>

**Note:** For sight of individual background papers please use the links to the Devon, Somerset and Torbay Trading Standards Service public website or contact the report author.