

Devon Somerset and Torbay Trading Standards Service Update

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Cabinet Member: David Hall

Division and Local Member: All

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 in 2017/18 and includes the extension of the joint service to include Torbay Council (May 2017).

The report highlights the key ways in which the Service will contribute to the priorities of Somerset, Devon and Torbay Councils including support for vulnerable adults through scams prevention work and boosting the local economy through new business interventions, advice provision to SME's, running the Buy With Confidence scheme to promote good businesses and the Primary Authority scheme to support business growth. It is recognised that compliance is key to sustainable business growth.

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.** 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.

- 3.2. 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.
- 3.3. 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.

4. Benefits realisation

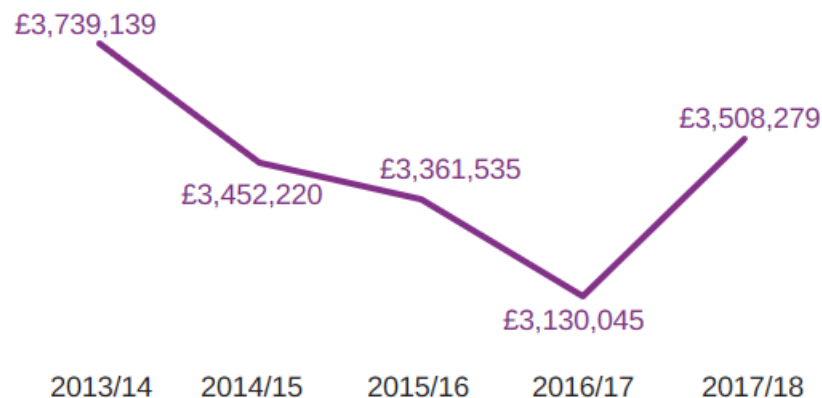
- 4.1. The savings for SCC expected and achieved by the joint service are set out below. It was agreed to deliver savings early and, due to increased income generation, to fund all transitional costs from within the Service budget with no further call on corporate funds.

Savings	SCC – anticipated	SCC – achieved
2013/14	£100,000	£154,039
2014/15	£93,000	£137,403
2015/16	£55,000	£76,318
2016/17	£35,000	£56,594
2017/18	£0	£23,896

- 4.2. The joint service exceeded its 20% savings target and delivered almost 30% savings over 3 years with no significant impact on service delivery.
- 4.3. It is difficult to exactly identify the cumulative total saved over the five 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.

5. Total Expenditure

5.1. The overall 2018/19 budget expenditure figure increased due to the expansion of the joint trading standards service to include Torbay Council and increased income generation (£456,509 income generated equating to 13% of budget). Key to this income was our activity in protecting the animal feed chain, which attracts central government funding in a trade sector of particular importance to the South West economy and income received from Buy With Confidence.



5.2. In 2018/19 the Service is further developing 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. The aim is to build upon four key products:

- Enhanced, legally assured regulatory advice through contractual agreements with the business concerned (Primary Authority Partnerships -of which there are currently 18 in place)
- Buy With Confidence - the Service also received an additional £108,608 for the national operation of 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.
- The Service's highly accurate Metrology Laboratory
- Charging for bespoke business advice on an hourly basis
- Additionally, a more commercial focus on our specialist skills such as Financial Investigators, Animal Feed specialists, etc.

6. 2017/18 Performance

- 6.1.** In a year of continued development, transition and change, the Service operated to a high standard, meeting its Key Performance Indicators. The Service achieved all of its high priority premises targets – including visiting high risk and primary authority businesses and carrying out new business interventions. In total 1,057 business advice requests were dealt with and 2,295 visits were conducted. In addition, 411 visits were made to livestock markets and 587 visits to farms for animal welfare and disease control purposes.

One aspirational target which was missed was “recruitment of new members to the Buy with Confidence Scheme”. However, this was not unexpected as in facilitating 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 in 2016/17, phased in over three years for existing members. This inevitably led to an initial fall in recruitment and retention. Total income shows a continuing increase however with £52k in 16/17, £79k in 17/18 and 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 2018/19 is £96k.

- 6.2.** The key target areas for the work of the service last year were:
- 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.

7. Doorstep Crime and Scams

- 7.1.** Social media has been used throughout the year to share warnings and alerts of both local and national current scams and rogue trader activity.
- 7.2.** Working with the police the National Banking Protocol was introduced and subsequently there has been a significant increase in notifications of live incidents. (Nationally, the average prevention per call equates to £7,539.)
- 7.3.** Having presented to the Farming Community Network on doorstep crime and scams, a leaflet is being produced that can be distributed

to rural businesses/animal markets/other relevant places visited by animal health officers to continue to spread awareness.

- 7.4. The Service now has engagement and representation with the three Safeguarding Adults Boards across its area, in relation to scams and financial abuse, and they are planning to include working with us in their business plans.
- 7.5. We had 976 reports about scams and doorstep crime with a total estimated cost to victims of £1,950,370. Just 5% of incidents are believed to be reported nationally so this is a growing area of work for the Service. The Service made 63 direct interventions (32 in SCC area) and 27 (15 in SCC area) individual visits to prolific scams victims. Prosecutions by local authorities are rare as the perpetrators are often not in the UK and so public awareness and prevention is key. However, one of our Somerset victims received compensation of nearly £2000 following a case taken by colleagues in Hertfordshire with which we assisted.

8. Motor Trade

- 8.1. The Service carried out intelligence led, targeted, test purchasing exercises at car garages that sell and service low cost cars within the joint service area. All the cars purchased were found to be roadworthy and safe at time of sale. The purchased cars were then used in the car servicing exercise and again no major issues were identified by the appointed independent vehicle examiner. The garages involved in the above exercises have been advised of the results and provided with any necessary follow up advice.
- 8.2. A short video was produced for buyers of cars costing less than £1500 which points buyers to our redesigned website where advice, useful information and check lists can be found, as well as links to our partners in Citizens Advice and the joint service self-help pages if things go wrong.
- 8.3. A review of the prevalence of Personal Contract Purchase (PCP) in the new and nearly new car sales sector has been undertaken as well as an examination of how this relatively new finance tool is sold in the local area. A report on the findings is currently being written and we will be looking to educate consumers on the potential benefits and risks via a press release and information on our website.

9. Animal Health and Rural Businesses

- 9.1. Trading Standards Farming Partnership (TSFP) was a useful method to communicate with organisations within the agricultural industry, who in turn feedback the information to their members. In addition, 8 Livestock Market "advice clinics" were conducted which were well received.

- 9.2.** The beginning of the financial year saw an Avian Flu outbreak and for the first time the Service dealt with a Housing Order. In December 2017 there was a further outbreak of Avian Flu in Dorset and a National Prevention zone was applied. Advice was provided to poultry keepers and disseminated via social media, parish clerks, libraries, and through local media.
- 9.3.** The Service took part in two partnership contingency exercises, a Foot and Mouth exercise run by Trading Standards South West and an Emergency Contingency Group Joint Response Exercise.

10. General Enforcement Activities

- 10.1.** Service wide, 11 prosecutions and 6 formal cautions were issued with 41 months of prison sentences and 17 months of suspended sentences handed down
- Compensation for victims was £261,520
 - £454,690 was confiscated from criminals by the courts under the Proceeds of Crime Act
 - £71,017 of that was received back into the Service
 - £5,032 forfeited cash

11. Operational Plan

- 11.1.** A new Annual Operational Plan 2018/19 and Control Strategy 2018/19 was produced which respond to the Devon Somerset and Torbay Trading Standards Service Strategic Plan 2017/2021. These have both been agreed by the Joint Service Review Panel.
- 11.2.** There are no significant changes to the more routine work of the Service. The four priority areas identified by our Strategic Assessment, which will be the focus of more targeted project work are:
- Animal Health & Welfare
 - Doorstep Crime and Rogue Trading
 - Scams
 - Fair Trading (in particular, false claims and misleading practices)
- 11.3.** Buy With Confidence will act as a cross-cutting strategy lending support to each of the above initiatives.

12. Consultations Undertaken

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

13. Implications

- 13.1.** Financial Implications: there are no current financial implications. The savings required in the business case for creating the joint service have been delivered.
- 13.2.** 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.
- 13.3.** 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.

14. Background Papers

Devon and Somerset Trading Standards Service: Year End Report 2017/2018

<http://www.devonsomersettradingstandards.gov.uk/about-us/service-plan-policies/>

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 2018/19

<http://www.devonsomersettradingstandards.gov.uk/documents/2018/05/operational-plan-1819.pdf>

Control Strategy 2018/19

<http://www.devonsomersettradingstandards.gov.uk/documents/2018/05/control-strategy-201819.pdf>

List of legislation enforced by trading standards

<http://www.devonsomersettradingstandards.gov.uk/about-us/service-plan-policies/>

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.