



**London Boroughs of Brent and Harrow
Trading Standards Joint Advisory Board
24 October 2016**

**Report from the Senior Regulatory
Services Manager**

FOR INFORMATION

All Wards

Trading Standards Priorities 2016/2017

1 SUMMARY

- 1.1. This report provides information and an opportunity for the Joint Advisory Board to discuss areas of work the Trading Standard Service should prioritise during 2016/17 which will then be used to form our annual work plan.

2 RECOMMENDATIONS

- 1.2. That Members consider the report and comment where appropriate making recommendations for areas of work in which they would like the Trading Standards Service to prioritise during the second half of 2016/17 and into the coming year.

3 DETAILS

- 1.1. This report is presented to the Trading Standards Joint Advisory Board to provide Members with some background information as to what drives our work and priorities and how this should be focused in the future. We welcome any comments or questions.

4 BACKGROUND

- 4.1 The Trading Standards Service is responsible for the discharge of a wide ranging list of statutory duties on behalf of the London Borough of Brent and the London Borough of Harrow. These duties primarily concern consumer protection and span approximately 250 different pieces of legislation.
- 4.2 The enforcement of this law is a statutory function with legislation typically worded quoting 'it shall be the duty of every weights and measures authority [Trading Standards] in Great Britain to enforce within their area the provisions of' and then the section would go on to list what has to be enforced. However, there is no authority or statutory definition to determine the required level of activity for the Council to be able to effectively discharge these statutory duties. This provides a

margin of discretion for the manner in which we determine how the legislation is enforced within the Council.

- 4.3 Feedback has been received by the current Service Manager that the Service needs to tailor its activities to bring them more in line with the Borough's corporate plans and that members, portfolio holders and strategic directors are given a greater opportunity to input into our priorities.
- 4.4 The London Borough of Brent has recently appointed a new Strategic Director for Regeneration and Environment and the Service also has a new Lead Member. This has meant that we have deferred agreeing our priorities for 2016/17 until now.
- 4.5 In the London Borough of Harrow, we have discussed our priorities with the Public Protection Head of Service and we will further consult the Divisional Director for Commissioning Services as required by our consortium agreement.
- 4.6 Based on the previous year's work plan, our time is roughly divided by 20% investigating consumer complaints made about businesses, 20% advising and/or inspecting businesses, 20% investigating criminal non compliance, 10% taking formal action for non compliance with the remaining 30% being made up of other miscellaneous tasks such as administration, undertaking projects, media work, maintaining equipment and stores, presentations, attending meetings and training.
- 4.7 In order to inform members in making recommendations around which priorities we should focus, I have provided some further background information concerning what currently influences the work we carry out.

4.8 Service Requests

- 4.9 During the previous financial year, we received 6,341 Service Requests from members of the public, businesses or other regulatory agencies. As is now common throughout the country, the majority of these requests are received via the government funded Citizens Advice Consumer Service (CACS). Their staff log calls and provide help and support with a vast range of consumer issues. Once calls they have logged, they are electronically transferred onto our own database. Each one is classified as either a 'referral' or a 'notification'. In general terms, referrals require us to make contact with the enquirer whereas a notification is for our information only. We have pre existing protocols in place with CACS which helps them to know how to assign a service request.
- 4.10 Service requests received directly by Brent Council's Customer Service team are usually directed to contact the CACS so that the enquirer can benefit from the help and advice that they offer or in some circumstances, they are passed onto us directly.
- 4.11 Whilst all requests from businesses and other regulators are responded to, regrettably, it is not possible to investigate every service request that we receive from consumers with the limited resources available to us. Therefore, we apply a matrix risk assessment to requests to help prioritise which ones will receive our attention. Getting the balance right as to what we will help with and what we won't,

whilst trying to ensuring the best possible customer care and our statutory duties are met is very difficult. It is inevitable that many members of the public who report things to us, do not get the follow up investigation that they feel entitled to.

4.12 Intelligence-led approach

4.13 The Trading Standards profession is very intelligence led. The National Trading Standards Board (NTSB) have identified the following national priority areas of work for the current year.

- Doorstep Crime – Safeguarding of vulnerable adults and consumers
- Scams - disrupting and reducing consumers exposure to scams
- Fair trading issues - reducing incidents of bad practices and their impact

- E-crime - disrupting trading crime perpetrated on-line
- Product Safety - improving intervention on unsafe products, including points of entry into England and Wales
- Illegal Money Lending – disrupting operations and reducing exposure to those most at risk
- Intellectual Property (counterfeiting) - disrupting operations and support partnership working

4.14 Whilst they have no remit to require us to have the same focus in our local activities, it is intended that where possible, work carried out on a local basis, will feed into that being done regionally and nationally.

4.15 London Trading Standards (LTS) represents the 33 local authority Trading Standards Services across London has identified the following priority areas for its members.

- Door Step Crime and Mass Marketing Fraud
- Fair Trading – focusing on sales of second-hand cars
- Intellectual Property Crime (counterfeiting)
- Product Safety
- Sales of age-restricted goods in the informal economy

4.16 Again, LTS are not able to insist that we adopt the same priorities, but these areas have been identified through an intelligence based task, as causing the highest amount of consumer detriment across London.

4.17 Most Complained about Traders

4.18 On a local borough level, we do not produce a documented intelligence strategic assessment, but we do monitor local businesses who attract the highest number of complaints and sectors of trade which are most complained about.

4.19 The impact of interventions we undertake varies. It is difficult to measure the impact of preventative interventions such as advice and guidance. Where Officers intervene on a one to one basis (such as in response to a consumer complaint) the impact of the intervention is relatively low compared to where interventions are undertaken to protect the collective interests of consumers. Accordingly,

investigations into our most complained about traders are where we should achieve the greatest impact.

4.20 This means that whilst our involvement in a consumer/business dispute can achieve a very high impact and can have significant effect on the local economy, our biggest impact comes from a relatively small number of in depth and resource intensive investigations as opposed to the a higher number of lower value interventions.

4.21 Financially, it would appear to make better sense to concentrate on high value interventions but this must be balanced against a reduction in service at the lower levels which are often expected from consumers who have a dispute. At the same time, early, low level intervention can secure compliance often much quicker and before problems have a chance to escalate into something bigger.

4.22 With continuing pressure on our resources and a clear focus on achieving a high impact, Trading Standards needs to shift emphasis further away from one-to-one dispute resolution and mediation, towards more targeted interventions which feed into the relevant Borough Plans and achieve the greatest impact.

4.23 The Service's work is not diminishing and coping with peaks in demand such as last years 'hoverboard' scare over the two month festive period places extra strains on Officers who are already stretch.

4.24 It is important that the Service changes its focus to ensure we are offering the services and prioritising our work so that it meets the needs of both Councils now and in the future.

4.25 **Borough Task Force**

4.26 Brent has been taking a 'task force' partnership based approach with other regulatory council services and key partners such as the Police, Fire Service, HMRC etc to deal with the Borough's top issues such as shisha bars, fly tipping and responding to concerns raised by community groups such as resident association etc.

4.27 This approach is similar to Harrow's Days of Action which provide a coordinated response to certain pre agreed geographical areas within the Borough.

Trading Standards will, where relevant be part of such task force groups and will support 'days of action' or equivalent, wherever it is possible for us to do so.

5 **FURTHER INFORMATION**

5.1 Any person wishing to obtain more information should contact Simon Legg, Senior Regulatory Services Manager, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ. Telephone: (020) 8937 5522.

SIMON LEGG
SENIOR REGULATORY SERVICE MANAGER

Appendix 1

Table matching Duties to Corporate Plans

Trading Standards Activity	Brent's Corporate Plan	Harrow's Corporate Plan	Other Plans / Comments
<p>Doorstep Crime and Scams (Protecting the most vulnerable)</p> <p>Investigating criminal complaints</p> <p>POCA referrals for consideration of potential POCA investigations.</p> <p>Giving trader advice on relevant legislation e.g cancellation notices regarding contracts, CPRs etc</p> <p>Proactive partnership working days targeting rogue traders with the Police, building control, DWP, waste licencing, UKBA, HMRC etc.</p> <p>Exchange of information and a commitment to sign up to the National Trading Standards scams hub.</p> <p>Education and information to</p>	<p>Borough Plan</p> <p>S1. Better lives: supporting vulnerable people when they need it.</p> <p>S2. Better place; reduce crime and making people feel safe.</p> <p>S3. Better locally: fairness and responsibility amongst local peoples, strengthen the sense of community amongst the people who live and work in Brent</p> <p>2020 Vision</p> <p>2. Regeneration – physical, social and environmental - to improve the economic, social and environmental conditions in the borough.</p> <p>4. Demand Management – to manage down the pressure on needs led budgets such as adult social care</p>	<p>Harrow Ambition 2020</p> <p>Building a better Harrow assisting local businesses to be successful and reach their full potential.</p> <p>Building a better Harrow providing a safe environment</p> <p>Help older people remain in their homes for longer and designing out crime</p> <p>Protect the most vulnerable, safeguarding adults and children reducing dependency on the Council.</p>	<p>Satisfies a number of other policies by protecting the vulnerable, elderly, mentally unwell. Safe guarding and ensuring less reliance on Council support services. Disruption of organised crime gangs</p> <p>Meets both NTSB and LTS priorities</p>

<p>effective targeted groups, and organisations that can refer matters to us. E.g., local banks, Age UK, CABs , Demetria groups, neighbourhood watch and other community groups.</p> <p>Referrals to the Safeguarding team.</p> <p>Doorstep Crime Rapid Response Team; immediately responding to doorstep crime incidents.</p> <p>Setting up and monitoring to ensure compliance of designated No Cold Calling Zones (NCCZ)</p>			
<p>Underage sales of age restricted products eg, knives, Alcohol, Tobacco, DVDs, Solvents etc</p> <p>Intelligence led proactive visits to businesses selling age restricted products to ensure compliance by test purchases by children. (Acting on Intelligence from consumer/business complaints, Police, Noise team, community safety team, safeguarding etc)</p>	<p>Borough Plan</p> <p>S1. Better lives: enabling people to live healthier lives and reducing health inequalities.</p> <p>S2. Better place; reduce crime and making people feel safe.</p> <p>S3. Better locally: fairness and responsibility amongst local peoples, strengthen the sense of community amongst the people who live and work in</p>	<p>Harrow Ambition 2020</p> <p>Building a Better Harrow assisting local businesses to be successful and reach their full potential.</p> <p>Building a better Harrow providing a safe environment and promoting the borough's nightlife</p> <p>Being more business friendly</p>	<p>Safer Brent Partnership Strategy re preventing anti-social behaviour</p> <p>Meets an LTS priority</p>

<p>Promotion and growth of our Responsible Trader Scheme, with advice visits, audits and compliance checks.</p> <p>Investigating non-compliances with a view to submitting infringement reports for consideration of legal proceedings.</p> <p>Use of licensing reviews where appropriate.</p>	<p>Brent.</p> <p>2020 Vision</p> <p>2. Regeneration – physical, social and environmental - to improve the economic, social and environmental conditions in the borough.</p> <p>4. Demand Management – to manage down the pressure on needs led budgets such as children’s social care, adult social care and homelessness.</p>	<p>Protect the most vulnerable, safeguarding adults and children reducing dependency on the Council.</p>	
<p>Product Safety (protecting local residents and ensuring Brent and Harrow are a safe place to live and work)</p> <p>Advising and supporting local businesses such as Importers, manufacturers, wholesalers, distributors and retailers on relevant legislation.</p> <p>Investigating consumer and business complaints about product safety with formal action taken when appropriate.</p> <p>Participating in intelligence led</p>	<p>Borough Plan</p> <p>S1. Better Lives: supporting business, growth & jobs.</p> <p>S2. Better place; reduce crime and making people feel safe.</p>	<p>Harrow Ambition 2020</p> <p>Building a Better Harrow assisting local businesses to be successful and reach their full potential.</p> <p>Building a better Harrow providing a safe environment</p> <p>Being more Business Friendly</p> <p>Protect the most vulnerable, safeguarding adults and children reducing dependency on the Council.</p>	<p>Meets both NTSB and LTS priorities</p>

<p>local and national product safety initiatives (projects).</p> <p>Increase monitoring of Rapex referrals, suspensions notices and recall, withdrawals of unsafe goods.</p> <p>Screen testing of products in the safety laboratory.</p>			
<p>Illicit Tobacco and Alcohol</p> <p>Advising and supporting businesses to ensure they are complaint.</p> <p>Intelligence led programmed inspections to businesses, seizing illicit (counterfeit alcohol and tobacco products without the correct warning, no duty paid) products and investigating these infringements, Inc Shisha Cafes.</p> <p>Partnership working with HMRC, Food Safety, Community Safety, Police, Fire Service and Planning.</p> <p>Potential proceeds of crime referrals when investigating</p>	<p>Borough Plan</p> <p>S1. Better lives: enabling people to live healthier lives and reducing health inequalities – by reducing smoking and substance abuse.</p> <p>S2. Better place; reduce crime and making people feel safe.</p> <p>2020 Vision</p> <p>2. Regeneration – physical, social and environmental - to improve the economic, social and environmental conditions in the borough.</p> <p>4. Demand Management – to manage down the pressure on needs led budgets such as</p>	<p>Harrow Ambition 2020</p> <p>Building a Better Harrow assisting local businesses to be successful and reach their full potential.</p> <p>Building a better Harrow providing a safe environment whilst promoting night life</p> <p>Being more Business Friendly</p> <p>Protect the most vulnerable, safeguarding adults and children reducing dependency on the Council.</p>	<p>Safer Brent Partnership Strategy re preventing anti-social behaviour.</p> <p>Links to other policies by the public health benefits, tackling the hidden economy, creating an environment that attracts businesses, enables them to flourish, create jobs and improve the economy.</p> <p>Meets an LTS priority</p>

non compliance.	children's social care, adult social care and homelessness.		
<p>Counterfeiting, intellectual property and other major fraud</p> <p>Investigating criminal complaints.</p> <p>Complex investigations into organised crime.</p> <p>Potential proceeds of crime referrals with the ability to assume 'lifestyle' assumptions Conducting project work and participating in national campaigns.</p>	<p>Borough Plan</p> <p>S2. Better place; reduce crime and making people feel safe.</p> <p>2020 Vision 5. Raising income through our assets – to support the delivery of core services.</p>	<p>Being more Business Friendly</p> <p>Protect the most vulnerable, safeguarding adults and children reducing dependency on the Council.</p>	<p>Meets both NTSB and LTS priorities</p>
<p>Illegal Money Lending (Protecting the vulnerable, elderly, mentally unwell. Safe guarding and ensuring less reliance on Council support services. Disruption of organised crime gangs).</p> <p>Partnership working with National Trading Standards illegal money lending team, Community Safety, Financial</p>	<p>Borough Plan</p> <p>S1. Better lives: supporting vulnerable people when they need it.</p> <p>S2. Better place; reduce crime and making people feel safe.</p> <p>S3. Better locally: fairness and responsibility amongst local peoples, strengthen the sense</p>	<p>Building a better Harrow providing a safe environment</p> <p>Help older people remain in their homes for longer and designing out crime</p> <p>Protect the most vulnerable, safeguarding adults and children reducing dependency on the Council.</p>	<p>Meets a NTSB priority</p> <p>Financial inclusion strategy- Loan sharks, credit unions etc.</p> <p>Links to other policies by protecting the vulnerable, elderly, and mentally unwell. Safe guarding and ensuring less reliance on Council support services. Disruption of organised crime gangs.</p>

<p>inclusion co-ordinator, Police etc.</p> <p>Promoting national\Local campaigns\Projects. (Social media, website, local groups).</p> <p>Investigating criminal complaints.</p> <p>Complex investigations into organised crime.</p> <p>Potential proceeds of crime referrals.</p>	<p>of community amongst the people who live and work in Brent</p> <p>2020 Vision</p> <p>2. Regeneration – physical, social and environmental - to improve the economic, social and environmental conditions in the borough</p>		
<p>Primary Authority (paid for business advice)</p> <p>Chargeable advice to local and national businesses, cost recovery, remaining cost neutral.</p> <p>Promote the scheme, explore potential for a dedicated PA officer\.</p>	<p>Borough Plan</p> <p>S1. Better Lives: supporting business, growth & jobs</p> <p>Promoting economic growth for local businesses.</p> <p>2020 Vision</p> <p>3. Business and housing related growth – to maximise the tax base to support the delivery of core services.</p> <p>5. Raising income through our assets – to support the delivery of core services.</p>	<p>Harrow Ambition 2020</p> <p>Building a Better Harrow assisting local businesses to be successful and reach their full potential.</p> <p>Being more Business Friendly</p>	

<p>Weights & Measures</p> <p>Investigating complaints made by consumers and businesses.</p> <p>Advising and supporting local businesses such as Importers, manufactures, packers, wholesalers, distributors and retailers.</p> <p>Participating in intelligence led local and National Weights and Measures initiatives (Projects).</p> <p>Investigate any non-compliances with a view to submitting infringement reports for formal action.</p> <p>Testing, verifying and calibrating weights and measures such as trader scales submitted to us (generating income) on site or in the laboratory.</p> <p>Testing average weight products.</p> <p>Investigating breaches of weight restricted roads.</p> <p>Investigating breaches of over-</p>	<p>Borough Plan</p> <p>S1. Better Lives: supporting business, growth & jobs</p> <p>S2. Better place; reduce crime and making people feel safe.</p> <p>2020 Vision</p> <p>3. Business and housing related growth – to maximise the tax base to support the delivery of core services</p> <p>5. Raising income through our assets – to support the delivery of core services.</p>	<p>Harrow Ambition 2020</p> <p>Building a Better Harrow assisting local businesses to be successful and reach their full potential.</p> <p>Being more Business Friendly</p>	<p>Long Term Transport Strategy- TS align with 3 of the 5 Brent priorities, namely;</p> <ul style="list-style-type: none"> • Road safety (weight restricted roads and overloaded vehicles, unsafe part-worn tyres). • Air quality (weight restricted roads and overloaded vehicles). • Health (weight restricted roads and overloaded vehicles, unsafe part-worn tyres).
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loaded vehicles on the public highway.			
<p>High Risk Visit \ Most Complained About Traders. (Previously a Service KPI)</p> <p>Inspecting high risk businesses and most complained about traders, ensuring compliance, giving advice, conducting investigations and taking formal action where necessary.</p>	<p>Borough Plan</p> <p>S1. Better Lives: supporting business, growth & jobs</p> <p>S2. Better place; reduce crime and making people feel safe.</p>	<p>Harrow Ambition 2020</p> <p>Building a Better Harrow assisting local businesses to be successful and reach their full potential.</p> <p>Being more Business Friendly</p>	