



TRADING STANDARDS

2011 - 2012
Work Plan

Key Targets

The annual work programme is part of an ongoing review that has led to a change in policy with greater balance placed on a number of competing priorities as detailed below, including a programme of risk based inspections of trade premises during 2011/2012. The work programme also takes account of the corporate strategies of both councils and addresses the national agenda as well as the concerns of local consumers and businesses.

The general enforcement priorities are listed later in this document, however, the main priorities of the Consortium will be:-

1. Consumer Protection & Business Advice.

- a) Investigation of consumer complaints
- b) Business compliance through inspections, Home/Primary Authority advice and enforcement
- c) Creating a fair trading environment for sustainable & thriving local businesses

2 Underage Sales

- a) Conducting underage test purchasing exercises
- b) Responsible Trader Scheme to ensure business compliance
- c) Improving public health and reducing crime/anti social behaviour

3. Large Scale Cases Involving Consumer Fraud

- a) Counterfeiting
- b) Car clocking
- c) Importing / wholesaling of unsafe goods
- d) Scams & Rogue Traders

4. Doorstep Crime

- a) Proactive partnership working
- b) Rapid responses to consumer requests for assistance

We will continue to work in partnership with colleagues within both Councils and from other enforcement agencies whenever the opportunity arises. We will also liaise and work in partnership with the regional Trading Standards groups to which we belong. Such relationships will become increasingly important as the Olympics draw nearer.

For 2011/2012, the Service will produce 9,800 units of work for Harrow and 11,200 units for Brent: - a total of 21,000 units. Both borough totals reflect a full establishment based on a complement of 18 FTE staff in the Borough teams, excluding support functions.

The main activities of the Service will be based on units of work set out in the table on the following page. Each unit equates to 1 hour's work and each day equates to 7 units. Based on 260 working days available during the year –

- Less - 9 days bank holidays
- Less - 30 days annual leave
- Less - 6 days briefing sessions
- Less - 4 days training
- Less - 12 days meetings

A total of 200 days @ 7 hrs per day = 1400 hrs for enforcement work is available per officer per year. Each Enforcement Officer is therefore expected to produce a minimum of 1400 units of work per annum. Each Assistant Enforcement Officer (AEO) will be expected to contribute 350 units to their respective team's target. This is reduced from 700 in previous years to reflect the fact that their role will consist far more in supporting Enforcement Officers now that there is only one AEO per Borough rather than two. Similarly the contribution from each Assistant Heads of Service is reduced from 700 to 350 units each. This is to reflect the increased time they will spend on management functions due to the deletion of one of the Assistant Head posts and the Head of Service, who will be responsible for three other teams.

Inspections of trade premises are carried out in line with the 'Hampton Principle', namely, *"No inspection should take place without a reason"*. The purpose behind this principle is to reduce the burden on businesses by conducting inspections based on risk and, whenever possible, by making joint visits with other regulators. A Statutory Code of Practice for Regulators has been published by the Department for Business Enterprise & Regulatory Reform and every local authority is expected to abide by this code.

Based on the above, our aim is to inspect high risk premises; visits to medium and low risk premises will not be made unless they are the subject of a complaint or part of a project that the Service is conducting. On 11th March 2011 there were 10,102 premises in the consortium area liable for inspection, of these 153 (1.5%) are high-risk premises.

	Total number of premises	High Risk	Medium Risk	Low Risk
Brent	5,998 (59.4 %)	88	2,904	3,006
Harrow	4,104 (40.6 %)	65	2101	1,938
Consortium	10,102	153 (1.5%)	5,005 (49.5%)	4,944 (48.9%)

Allocation of units for different activities

Activity	Number of units
Requests for action (criminal) completed	3.5
Requests for action (non criminal) completed	1
Trader Enquiries (including HA work)	5.25
Enterprise Act Complaints completed	14
Announced Primary High Risk Inspections	3
Announced Primary Medium Risk Inspections	2
Announced Primary Low Risk Inspections	0.5
Announced Secondary High Risk Inspections	1.5
Announced Secondary Medium Risk Inspections	1
Alternative Enforcement Action	0.25
Underage Test Purchase Visits	3
Home Authority Referrals	1.75
Average Quantity Visits	5.25
Criminal reports of Infringement	≥ 7 (depending on complexity)
Financial Investigations under Proceeds of Crime	≥ 25 (depending on complexity)
Enterprise Act investigations	≥ 40 (depending on complexity)
Prosecutions completed (Magistrates Court)	35
Prosecutions completed (Crown Court)	70
Simple Cautions	7
Letters of Warning	2
Projects completed	≥ 20 (depending on complexity)
Approved Trader Scheme audits	3.5
Verification Visits	3.5
Doorstep Crime Multi-agency Operations	21
Doorstep Crime Rapid response actions	14
Local Partnership Working	≥ 7 (depending on work involved)
Mileage checks (each car)	2
Web sites (per check)	2
Exhibitions & Displays	14
Electric Blanket Safety Work	42
Talks to external Bodies/Organisations	3.5
Press Releases issued	2

Harrow Enforcement Team 2011/2012

The following staff contribute directly to Harrow's work:-

- Service Manager
- 2 x Enforcement Specialists
- 4 x (Senior) Enforcement Officer
- Assistant Enforcement Officer
- Financial Investigator (0.5)

	<u>Planned</u>	<u>Units</u>
Requests for action (criminal)	648	2268
Requests for action (non criminal)	-	-
Trader Enquiries (including HA work)	84	441
Enterprise Act complaints	2	28
Announced Primary High Risk Inspection	65	195
Announced Primary Medium Risk Inspection	115	230
Announced Primary Low Risk Inspection	48	24
Announced Secondary High Risk Inspection	12	18
Announced Secondary Medium Risk Inspection	80	80
Test Purchase Visits	190	570
Home Authority Referrals	60	105
Average Quantity Visits	8	42
Criminal Reports of Infringement	54	3510
Financial Investigations under Proceeds of Crime	6	360
Enterprise Act Reports	2	160
Prosecutions completed – Crown Court	2	140
Prosecutions completed – Magistrates' Court	11	385
Simple Cautions	12	84
Letters of Warning	25	50
Projects completed	1	40
Approved Trader Scheme audits	80	280
Verification Visits	2	7
Doorstep Crime Multi-Agency Operations	8	168
Doorstep Crime Rapid response actions	8	112
Local Partnership Working	15	150
Mileage checks (each car)	60	120
Web sites (per check)	60	120
Electric Blanket Safety Work	1 day	46
Exhibitions & Displays	1	14
Talks to external Bodies/Organisations	6	21
Press Releases issued	16	32
Total		9,800

Brent Enforcement Team 2011/2012

The following staff contribute directly to Brent's work:-

- Service Manager
- 2 x Senior Specialist
- 5 x (Senior) Enforcement Officer
- Assistant Enforcement Officer
- Financial Investigator (0.5)

	<u>Planned</u>	<u>Units</u>
Requests for action (criminal)	780	2730
Requests for action (non criminal)	-	-
Trader Enquiries (including HA work)	120	630
Enterprise Act Complaints completed	2	28
Announced Primary High Risk Insp.	75	225
Announced Primary Medium Risk Insp	100	200
Announced Primary Low Risk Insp	50	25
Announced Secondary High Risk Inspections	6	9
Announced Secondary Medium Risk Inspections	30	30
Test Purchase Visits	180	540
Home Authority Referrals	80	140
Average Quantity Visits	16	84
Criminal Reports of Infringement	63	4095
Financial Investigations under Proceeds of Crime	7	420
Enterprise Act Reports	2	160
Prosecutions completed – Crown Court	5	350
Prosecutions completed – Magistrates' Court	15	525
Simple Cautions	10	70
Letters of Warning	30	60
Projects completed	1	40
Approved Trader Scheme audits	80	280
Verification Visits	2	7
Doorstep Crime Multi-Agency Operations	6	126
Doorstep Crime Rapid response actions	6	84
Local Partnership Working	10	100
Mileage checks (each car)	45	90
Web sites (per check)	45	90
Exhibitions & Displays	-	-
Talks to external Bodies/Organisations	4	14
Press Releases issued	24	48
	Total	11,200

Infringement Reports

The units allocated for infringement reports are based on the complexity of the investigation, both in terms of legislation being enforced and length of time taken to fully investigate/report each individual case (as shown below).

<u>Category</u>	<u>Time taken for investigation (in days)</u>	<u>Minimum number of units</u>
0	1	7
1	2.5	17.5
2	5	35
3	7.5	52.5
4	10	70
5	15	105
6	> 16	@ 7 units per day

The criteria for assessing each category is detailed below:-

Category 0

Very brief report, unlikely to involve an interview. No other witnesses and resulting in no further action or a letter of warning.

Category 1

Very few background enquiries required small amounts of correspondence (largely standard letters), few difficulties encountered, straight-forward and routine, investigation usually completed the same day. Investigation does not normally involve outside witnesses. Straight-forward interview.

Category 2

Usually one or two non-Trading Standards witnesses. Some research and correspondence may be required. May involve seized or purchased evidence. Evidence straightforward to catalogue and analyse. Minor difficulties may be encountered during investigation. A simple supply chain may be documented and records usually one step back from the retailer. Usually one taped interview. Does not require substantial resources of officer time.

Category 3

Will contain the elements of a category 2 report plus one element from the criteria listed under category 4.

Category 4

- a) This level of investigation will contain the elements of a category 2 report plus at least two of the following elements:-
- b) large teams of officers necessary over a shorter time scale or smaller teams of officers spending significant amounts of time on background enquiries or observations.

- c) Interviews - multiple interviews requiring preparation or single interview of an extremely complex and demanding nature.
- d) Statements - several witness statements from non Trading Standards Officers required.
- e) Evidence - large quantities of evidence involved or smaller quantities of evidence of a diverse nature requiring considerable analysis.
- f) Report - large and complicated report required to fully explain the investigation and the nature of the offences.
- g) Other enquiries - significant problems encountered during investigation, large amount of non standard correspondence required (for example solicitor's letters). High profile investigation attracting media attention during the investigative process. Major financial impact (e.g. goods seized of high value, suspension notice especially of high value items).

Category 5

This level of investigation will contain the elements of a category 2 report plus at least three elements from the list under category 4.

Category 6

Will contain the elements of a category 2 report plus at least four elements from the list under category 4 including criterion (a).

Notes for Guidance

- 1 All work must be meaningful and necessary.
- 2 Officers should make it clear in their reports what work they have carried out.
- 3 Recognition will be deducted for work which is not completed to a satisfactory standard or that which is put in late (without good reason), so as to leave the Department open to criticism for "abuse of process".
- 4 Recognition will not be awarded in lieu of work which has not yet been completed

*Each Average Quantity visit to an importer/packer will be on the basis that the following is carried out:-

- a) The metrology control system is inspected, and
- b) Records and documents are checked, and
- c) Reference tests are carried out on a random sampling basis in accordance with the Packaged Goods Regulations, and
- d) "Code of Practice Guidance" advice is given, and
- e) Details of the above are recorded on an Average Quantity inspection form.

Enforcement Priorities

The priorities below are based on the hazard that a particular type of trading activity poses to the local community, the impact that the activity will have on local consumers and the likelihood of the activity occurring. The greater the hazard, impact and likelihood of an activity, the more resource this Service will put into combating this type of crime. Lower priority is given to those activities that are less likely to occur and have little hazard or impact. However, all complaints concerning breaches of the law are investigated and vulnerable customers are treated as a higher priority.

High Priority

Underage Sales – knives	Underage Sales – alcohol
Doorstep Crime	Underage Sales – tobacco
Unsafe Goods	Clocked Cars
Most Complained About Traders	Counterfeit Goods
Underage Sales – fireworks	Proceeds of Crime
Car Clamping	Misleading Claims
Distance Selling	Internet Fraud/Scams

Medium Priority

Storage of Fireworks	Copyright
Misleading Prices	Weights and Measures
Underage Sales – butane	Price Marking
Furniture and Furnishings	Un-roadworthy Cars
Underage Sales – spray paints	Video Recordings – Unclassified DVDs
Package Travel	Underage Sales – DVDs / games
Harassment of Debtors	Business Names
Consumer Credit	Bogus Colleges
Essential Packaging	Hallmarking
Energy Performance Certificates	Incorrectly Labelled Goods (safety)

Low Priority

Energy Labelling of Goods	Restrictive Notices
Misleading Descriptions (low value goods)	Underage Sales – lottery
Property Misdescriptions	Estate Agents
Mock Auctions	Timeshares
Road Traffic – Overloaded Vehicles	Underage Sales – crossbows
Metrication	Motorcycle Exhaust Silencers