



## London Boroughs of Brent & Harrow Trading Standards Joint Advisory Board 8 March 2018

FOR INFORMATION  
**TRADING STANDARDS WORK PLAN FOR 2018/19**

<b>Wards Affected:</b>	N/A
<b>Key or Non-Key Decision:</b>	N/A
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
<b>No. of Appendices:</b>	1
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	Simon Legg Senior Service Manager Simon.legg@brent.gov.uk 0208 937 5522

### 1.0 Purpose of the Report

- 1.1 This report provides Members with information concerning Brent & Harrow Trading Standards proposed work plan during 2018/19.

### 2.0 Recommendation(s)

- 2.1 That Members consider the report and the proposed priority areas, make any recommendations and comment where appropriate.

### 3.0 Detail

- 3.1 The Service produces an annual work plan which suggests the activities it is planning to undertake and priority areas of work during the coming financial year. The plan also provides a guide for the purposes of monitoring performance during this period.

3.2 Paragraph 23.3 of the consortium agreement stipulates a requirement for the London Borough of Brent to estimate the number and type of activities to be achieved by the Service during the financial year and to present this to the Joint Advisory Board.

3.3 A copy of the Work Plan for the year 2018/19 is attached as an Appendix to this report.

#### **4.0 Financial Implications**

4.1 There are no financial considerations arising from this report as the work plan reflects the amount of work that can be achieved within the budget provided for the Service for 2018/19.

4.2 At the time of writing this report, retails of the 2018/19 budget have yet to be finalised. Any reduction of budget will directly impact on work plan and the outputs achievable.

#### **5.0 Legal implications**

5.1 There are no legal implications arising from this report.

#### **6.0 Equality Implications**

6.1 The proposals in this report have been screened to assess their relevance to equality and were found to have no equality implications.

#### **7.0 Consultation with Ward Members and Stakeholders**

7.1 There is no requirement to specifically consult Ward Members about this report as it affects all of wards across both Boroughs.

#### **8.0 Human Resources/Property Implications**

8.1 There are no specific staffing implications arising from this report as the work detailed will be carried out by existing employees and will form part of their usual duties as per job descriptions.

Any person wishing to obtain more information should contact Simon Legg, Senior Regulatory Service Manager, Regulatory Services, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ.

SIMON LEGG  
SENIOR REGULATORY SERVICE MANAGER



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# Brent & Harrow Trading Standards Service

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## Team Work Plan 2018-2019

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## Introduction

Following a restructuring exercise, the Trading Standards Team will start 2018/19 located in Brent Council's Environmental Services directorate in a newly formed Regulatory hub. This hub will consist of the Food Safety and Environmental Health teams with the intention of better integrating regulatory duties with the work of the Community Protection team.

The move of the Service from Regeneration into Environmental Services will align us with other regulatory services that sit there currently. This change took place in February 2018 and will continue as an interim measure until all other matters arising from a larger departmental reorganisation are settled.

As per the previous structure, all three regulatory functions will now report directly to the Environment Operational Director rather than the Regeneration Operational Director.

In the UK, consumers take a lot for granted. The products we buy are safe, we do not expect to be victims of fraud, the weights quoted on goods are correct and the businesses will trade with us fairly are just some examples.

Trading Standards work is central to maintaining a confident marketplace supporting businesses to develop and the local economy grow. The Service fulfils the local authority's statutory role of a 'weights and measures authority' tasked with enforcing more than 250 pieces of legislation.

This Work Plan aims to set out some of our priority areas for the coming year and provides a guide to the expected levels of performance by each of the Boroughs teams. The plan offers flexibility to assist meeting unexpected demands and to adapt Service delivery as required, to meet emerging threats or responded to major investigations.

The National Audit Office commented in its 2016 review of consumer protection that Trading Standards have no way of measuring what the profession is doing. In response to this, the Association of Chief Trading Standards Officers (ACTSO) have started to draft a national model for authorities to follow which it intends to collect data on the profession's outputs and outcomes.

At the time of writing, this model is yet to be published although the Service will contribute what we can to the data collection during the coming year when the criteria is available. In the meantime, we are exploring the feasibility of collecting all the anticipated data sets

The team continues 2018/19 with several vacant posts which we have not recruited to in order to contribute towards budget savings. The 2018/19 budget has yet to be finalised but it looks unlikely that the Service will be in a position to employ further staff to fill the current empty posts.

The Service continues to employ two Financial Investigators who conduct investigations generated not only from within our own Councils, but also on behalf on various other external agencies. Their duties and outputs are measured differently and are outside the scope of this work plan.

The Service's leadership team is currently:

Senior Regulatory Service Manager	Simon Legg
Regulatory Team Leader	Vacant Post (covered by Anu Prashar)
Regulatory Team Leader	Vacant Post (Samuel Abdullahi Acting Up)
Principal Prosecutor	Anu Prashar

## Priorities

The Joint Advisory Board discussed the Service's priorities in 2016, where it was explained how they are determined on a national, regional and local basis.

The National Trading Standards Board (NTSB) has identified the following areas which remain as their priorities:

- 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

London Trading Standards (LTS) who represent the 33 local authority Trading Standards Services across London have identified their priority areas of work for its members.

Intelligence suggests that illicit tobacco is becoming a larger problem across London as is the focus on letting agents. This following the introduction of plain packaging rules for cigarettes and the ban on selling packets of 10 cigarettes, where we have noticed an increase locally, of businesses supplying illicit tobacco. In relation to letting agents, the spotlight remains on this market particularly in London where competitive demand for housing has resulted in some businesses trading unfairly and exploiting those desperate to find accommodation in the capital:

LTS priority areas are as follows:

- Doorstep Crime and Mass Marketing Fraud
- Fair Trading – focusing on sales of second-hand cars
- Intellectual Property Crime (counterfeiting)
- Product Safety
- Illicit tobacco
- Underage Sales
- Letting agents

On a local basis, each Borough has a documented corporate plan setting out what it is to accomplish in the future and how this will be achieved. Brent has a 'Borough Plan 2015-2019' and Harrow an 'Ambition Plan 2020'. These plans highlight the broad subject areas listed below as priority areas for each Council:

Brent: <sup>1</sup>

- Better Lives
- Better Place
- Better Locally.

Harrow:<sup>2</sup>

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<sup>1</sup> <https://www.brent.gov.uk/media/14308131/brent-borough-plan-2015-2019.pdf>

<sup>2</sup> [http://www.harrow.gov.uk/download/downloads/id/8431/harrow\\_ambition\\_plan](http://www.harrow.gov.uk/download/downloads/id/8431/harrow_ambition_plan)

- Build a Better Harrow
- Be More Business-like and Business Friendly
- Protect the Most Vulnerable and Support Families

These areas of work have each been given consideration including an assessment of the intelligence available. From this, we are able to focus where our resources should be best deployed to achieve the biggest impact. This approach is in line with the IOM (National Trading Standards Intelligence Operating Model) as well as contributing to the relevant Borough objectives.

Whilst setting our work plan, the following assumptions have been made:

- Work will be reactive (complaint-driven) focusing on statutory responsibilities rather than proactive except for the purposes of supporting specific borough priorities or initiatives
- All complaints (service requests) received for investigation will be risk-assessed via our matrix and will only be investigated if the relevant threshold is reached
- We will continue to respond to reasonable businesses requests seeking advice and support from us up to the agreed number of hours and/or steer business towards primary authority advice
- Any commercial activities which generate an income will be prioritised to maximise revenue
- We will seek to manage demand where possible by signposting service users to other resources and encouraging greater use of on-line advice and information.
- We will publicise our work as much as possible to act as an educational resource or deterrent warning when applicable

We have categorised the following areas of work to form the basis of our 2018/19 priorities:

### High Priority

Most Complained About Traders	Underage Sales – alcohol, tobacco, knives
Doorstep Crime and Scams	Estate Agents/Letting Agents
Unsafe Goods (Manufacture /wholesale)	Provision of Advice re Credit Card Charges
Business Advice and Primary Authority	Counterfeit Goods (Large Scale Operation)
Niche and Illicit Tobacco Products	Proceeds of Crime Investigations

### Medium Priority

Misleading Descriptions (higher value goods)	Incorrectly Labelled Goods (safety)
Consumer Credit/illegal lending*	Counterfeiting and Copyright (low level)
Underage Sales – fireworks (as seasonal)	Cosmetic Products
Unsafe Goods (Retail Level)	Hallmarking
Package Travel holiday complaints	Storage of Fireworks (unless critical safety implication)
Inaccurate Weights and Measures	Online Terms and Conditions
Misdescribed or Unroadworthy Cars	

\*High priority cases are also referred to Illegal Money Lending Team

## Low Priority

Energy Labelling of Premises and Goods	Restrictive Notices
Misleading Descriptions (low value goods)	Underage Sales – lottery, films, spray paints DVDs / games, butane
Energy Performance Certificates	Essential Packaging
Mock Auctions	Price Marking of Goods or Services
Market Sales	Business Names
Metrication	Classification of video works
Misleading Prices/Promotions (unless high value)	Road Traffic – Overloaded Vehicles

## Work Volumes

The tables below show the projected performance of the respective Brent and Harrow teams during 2018/19. It should be noted the nature of Trading Standard's duties is variable, for example, some investigations take much longer than others or it may be necessary to carry out more inspection visits than expected in response to a particular outbreak of noncompliance.

This means that at year end, some areas of work may have generated a higher than expected volume whereas other areas might see a decrease which is necessary to respond to demands as they arise during the year. Our work volumes will be kept under continuous review and reported quarterly, to ensure that they are being implemented effectively and progress is being made.



<b>Harrow Team 2018/19</b> Based on staff numbers: <ul style="list-style-type: none"> <li>3.5 Enforcement Officers</li> </ul>	<b>Brent Team 2018/19</b> Based on staff numbers: <ul style="list-style-type: none"> <li>4.25 Enforcement Officers</li> <li>1 Assistant Enforcement Officer</li> </ul>
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	Planned volume Brent	Planned volume Harrow
Complaints (Service Requests) Completed	470	350
Trader Enquiries / requests for advice	100	75
High Risk / Most Complained-about Trader Inspections	40	35
Other Business Inspections	85	100
Weights & Measures, Average Quantity or Verification visits	3	4
Primary Authority Hours	150	50
Underage Test Purchase Visits	110	110
Infringement reports (average 40 work units per report)	40	30
eReports (average 7 work units per report)	12	10
Prosecutions completed – Crown Court	2	2
Prosecutions completed – Magistrates' Court	10	8
Licensing Reviews Completed	1	1
Simple Cautions Signed	8	5
Letters of Warning Issued	12	14
Fixed Penalty Notices Issued	8	2
Local and Regional Projects Completed	3	3
Service Improvement Work (Hours)	125	150
Approved Trader Scheme New Recruits or Audits	25	45
Doorstep Crime Rapid Response Actions	4	7
Number of Referrals To or From Safeguarding Board	1	3
Number of Scam Victims Contacted c/o NTS Scams Hub	20	30
Partnership or Area Based Working Events / Weeks of Action	4	8
Samples, Mileage and Websites Checks	75	75
Number of Intelligence Logs Input on Regional Database	100	84
Press Releases Issued	7	5
RIPA Applications	1	1

## Departmental Service Plan Objectives

The departmental service plan sets out how individual teams will collectively contribute to the delivery of Borough's priorities during 2018/19. It includes objectives, key milestones and outcome targets against which we will be judged on our success. Trading Standards have identified the following areas of work which will feed directly into our departmental service plan objectives applicable to both boroughs.

Activity	Milestone	Outcome	Corporate Alignment
Responding to doorstep crime incidents with a 'rapid response' service where required, to safeguard vulnerable consumers from financial harm	All required callouts are responded to within 24hrs with an onsite visit if necessary. Trader and consumer advice given as necessary and where appropriate, settlement of financial agreement.	Prompt support for vulnerable consumers, financial savings for consumers and crime reduction. Inputting into Council's statutory responsibilities under Care Act 2014 and supporting Safeguarding Board	Better Lives Better Place Protect the Most Vulnerable and Support Families
Take appropriate action to reduce the number of complaints being received against the Borough's most complained about businesses	Quarterly reporting to identify most complained about traders within our jurisdiction. Appropriate action identified to achieve compliance	Better educated and compliant businesses. Reduced consumer detriment and complaints about these businesses.	Better Lives Better Place Demand Management Be More Business Friendly
Reduce the availability of illicit tobacco products including cigarettes, chewing tobacco, eCigarettes and shisha and ensure compliance with the new plain packaging requirements for cigarettes.	Pre-planned inspections of premises believed to be involved with the illicit sales of tobacco including shisha. Trader advice and awareness training regarding new tobacco legislation.	Seizure of illicit products. Better educated and compliant businesses. Reduced availability of illicit tobacco products. Increased Government revenue.	Better Lives Better Place Be More Business Friendly Protect the Most Vulnerable and Support Families
Intervention of unsafe consumer goods from the supply chain, specifically from businesses at the manufacturing, importation or wholesale supply process.	Pre-planned inspections and responding to Port Authority notifications of premises involved with the supply of unsafe goods.	Trader advice given. Seizure or suspension of unsafe goods. Better educated and compliant businesses. Reduced availability of unsafe products from the supply chain.	Better Lives Be More Business Friendly
Pursue effective day to day enforcement action (in partnership with other Service areas when required), to ensure serious infringements and underage sales offences are dealt with expediently,	Identify criminality and take effective and appropriate enforcement action.	Reduced illegal and/or fraudulent trading in the borough. Creating level and fair competition for legitimate businesses. Greater consumer confidence in the local	Better Place Be More Business Friendly Protect the Most Vulnerable and Support

reducing criminal benefit from crime.		economy.	Families
Take appropriate action to ensure compliance with the recent and proposed changes in legislation regulating letting agents.	Identifying and responding to complaints about non complaint businesses. Take effective and appropriate enforcement action.	Better educated and compliant businesses. Improvements to landlords and tenants rights. Reducing the cost of rentals and greater transparency in the marketplace.	Better Lives Raising Income
Contribute towards business and enterprise growth ensuring traders operate within the law and benefit from advice and support when required.	Responding to requests for advice in accordance with customer service standards. Recruitment of Primary Authority or Responsible Trade Scheme Members	Better educated and compliant businesses Higher number of compliant premises. More Primary Authority or Responsible Trader Scheme Members	Better Lives Be More Business Friendly Raising Income

## Key Performance Indicator

The Service will report quarterly on the following KPI:

Activity	Success Criteria
% of high-risk or most complained about businesses inspected	We shall visit 100% of the high risk traders identified at the beginning of the year and/or including the most complained about traders as necessary identified in quarterly reporting

## Service Structure as of March 2018

