

BIRMINGHAM CITY COUNCIL
REGULATION AND ENFORCEMENT

TRADING STANDARDS SERVICE PLAN
2018/2019

5. **Introduction to Trading Standards Services and the Service Plan**

The provision of a Trading Standards service is a duty placed on the Local Authority by statute. This includes the requirement to enforce specific Acts of Parliament and secondary legislation. The purpose of the Trading Standards service is to ensure that trade within the city is fair; that businesses comply with consumer protection legislation and that consumers are protected from unfair trading practices.

The work of the service affects people at all levels. Historically, individuals have been assisted in resolving civil consumer protection issues and are protected from unscrupulous traders through targeted enforcement action through intelligence led work. At a local level we, for example, remove unsafe products and counterfeit goods from the market place and tackle rogue traders etc. Regionally and nationally, we work with other local authorities and partners organisations such as the Police, HMRC, NHS and the Border Agency to pursue criminals and take enforcement action to protect consumers and legitimate businesses. Our activities even impact on an international level, where the enforcement action we take in Birmingham prevents people being exploited through, for example, unscrupulous package tour operators or organised serious crime such as financial scams and fraud.

Trading Standards work is intelligence led, either through complaints from the public, regional/national trading standards intelligence or information from partner agencies such as the police. This approach is consistent with all enforcement bodies in that resources are targeted at high risk service areas and are outcome focussed. Often major investigations can involve a whole team and this involvement is over weeks as opposed to one day. Some investigations can last more than a year from discovery to submission of prosecution proceedings. Although an investigation may be focussed at a particular location e.g. an importer's warehouse in Tyseley, the impact of unsafe products distributed from this location could be anywhere in Birmingham if not nationally or even internationally.

As an enforcing authority it is necessary for us to produce and publish our enforcement policy. This ensures that we apply consistent standards to our decision making process when we consider taking enforcement action. It also ensures consistency on a geographical basis across the city.

We have a commitment to deliver excellent, high quality integrated services that are focussed on outcomes. We seek to ensure that no sectors of the community are disproportionately disadvantaged by unacceptable activities of traders. With this in mind we use intelligence with our colleagues in Birmingham City Council and our partners to implement work programmes to tackle corporate and local priorities.

Factors that will influence the nature and scale of service delivery in 2018/2019 are:

- Since 2010 the frontline team has reduced by over two thirds from 57.72 Full Time Equivalent staff (FTE) to 18.34FTE in 2018/2019.
- The maximisation of our use of intelligence to identify priority areas and tackle the high risk issues thereby maximising efficiency and value for money.
- Utilisation of Proceeds of Crime monies to fund 12 month contracted posts for an Intelligence Analyst and a Financial Abuse Officer (working in direct partnership with Adult Safeguarding).
- Our continued alignment with Central England Trading Standards Authorities (CEnTSA) and National Trading Standards (NTS) with a view to maximising any potential opportunities in receiving funding to deliver new regional or national work.

5.1 The work of the Section originates in one of five ways:

- Statutory, regulatory work to enforce a range of consumer protection legislation. This is primarily achieved through intelligence-led inspection of business premises and the investigation of requests for assistance e.g. enforcement of age restricted products, weights and measures, product safety and fair trading legislation.
- Supporting businesses by ensuring compliance with relevant legislation and tackling unfair competition. This will include Primary Authority Partnership work.
- Analysis of notifications and referrals from the Citizens Advice Consumer service to identify businesses that may be causing consumer detriment and trends.
- The use of intelligence to prioritise and inform proactive investigations by implementation of a tasking process.
- Acting as a responsible authority under the Licensing Act 2003 and as such making appropriate representations in response to licensing applications. In addition we instigate licence reviews where breaches of the licensing objectives have been identified.

5.2 The core elements of the service are:

- To support all consumers through the investigation of criminal Requests for Assistance (RFAs).
- To support vulnerable consumers in civil advice requests for assistance (RFAs). Typical complaints are sale of unsatisfactory or misdescribed goods/services, lack of cancellation rights, non-delivery of goods/ services and rogue trader incidents.
- To carry out intelligence led inspections to ensure compliance with consumer protection legislation.
- Enforcing anti-counterfeiting legislation; with priority given to infringing, unsafe goods.

- Adult safeguarding; preventing financial abuse through investigation of scams and doorstep crime.
- To support legitimate businesses through tackling illegal business practices.
- To reduce the supply of age restricted products to young people.
- To ensure goods placed on the market are safe.
- To work in partnership under a Primary Authority Partnership with No Rogue Traders Here. (trader approval scheme).
- To support the City Council's strategic priorities.
 - **Children** – so Birmingham's a great city to grow up in.
 - **Housing** – so Birmingham's a great city to live in.
 - **Jobs and skills** – so Birmingham's a great city to succeed in.
 - **Health** – so Birmingham's a great city to grow old in.

Trading Standards statutory responsibilities:

There are 250 different pieces of legislation that places a statutory duty on the Council. Trading Standards Officers are authorised to enforce that legislation which primarily covers:

- **Unsafe goods** - TS ensure that consumer products are safe and comply with the requirements of the Consumer Protection Act 1987, and the General Product Safety Regulations 2005.
- **Fair trading** - the aim is to ensure truthfulness in trade to prevent consumers being misled during contractual negotiations for goods and services. This is done by ensuring compliance with the Consumer Rights Act 2015 and the Consumer Protection from Unfair Trading Regulations 2008. Investigations can lead to the discovery of serious fraud issues.
- **Counterfeit goods** - Counterfeit consumer goods are by definition goods infringing the rights of a trade mark holder by displaying a trade mark which is either identical to a protected trade mark or by using an identification mark. This criminal activity is often on a national scale and considered as a serious organized crime. By enforcing relevant legislation Trading Standards are ensuring that legitimate businesses that provide employment and economic benefits are being protected. Consumers are protected from poor quality, fake and potentially dangerous goods.
- **Underage sales** - trading standards enforce legislation related to the sale of age restricted products such as alcohol, tobacco products, knives, fireworks and DVDs to underage consumers.
- **Pricing of goods and services** - trading standards law requires that the price of goods should be made known to consumers in a clear and legible manner. We investigate both proactively and reactively any false and misleading price indications.
- **Weights and measures** - trading standards services are required to ensure that all relevant goods are correctly weighed and measured in accordance with

the Weights and Measures Act 1985. This is done by checking the accuracy of weighing/measuring equipment; checking goods in stock are of the correct weight; and investigating complaints of short measure.

- **Alcohol control** - duties as a responsible authority under the Licensing Act 2003. In addition we work to control the supply of illicit alcohol.

Further to the above, there is a duty placed on the Authority for a number of harmonised EU directives:

Directive 2005/29/EC on unfair commercial practices places a direct duty on enforcing authorities to protect certain population groups due to their vulnerability or credulity.

The Care Act 2014 places significant duties upon local authorities including in relation to preventing abuse and the role of the trading standards service in preventing financial abuse must be considered in the context of supporting the vulnerable citizens of Birmingham.

5.3 **Localisation**

We support the provision of services that deliver neighbourhood, city, and city region/national priorities. We will continue to work with communities to identify their priorities so that we can bring about consumer protection improvements to their local areas by proactive joint working with businesses, communities and other agencies. Officers support Councillors and engage through various local forums including neighbourhood/community groups, and Business Improvement meetings to ensure effective engagement with residents, local traders and Members.

We continue to participate in the Central England Trading Standards Authorities group to access additional project funding from the NTS, intelligence advice and work in partnership to tackle regional and national issues.

We use intelligence to identify specific traders within Birmingham whose criminality may be having a detrimental effect on consumers not only locally but on a regional and national scale.

5.4 **Budget Pressures and Significant Changes in Service Delivery**

Since 2010 Trading Standards gross budget has reduced from £3,845,000 to £1,261,000 (2018/2019).

To mitigate against this reduction in budget Trading Standards seeks to maximise employee numbers by: increasing income by providing the access to knowledge course to support private hire applicants to achieve a pass in their compulsory knowledge test; using proceeds of crime monies to employ 2 contracted staff as referred to in section 5.5 below.

Despite the reduction to its budget, Trading Standards will continue to use intelligence to tackle the highest risk areas and hence maximise efficiency and value for money. We have implemented a scoring matrix to review incoming requests for assistance. Priority will be given to vulnerable consumers and safety matters. We will also continue to align ourselves with the Central England Trading Standards Authorities and National Trading Standards (NTS) to maximise any potential opportunities in receiving funding to deliver new regional or national work.

5.5 **Planned Changes to Service Delivery**

During 2018/2019 the following changes to service delivery will be implemented to ensure maximum efficiency and effectiveness within budget constraints.

- We will explore new opportunities to enter into Primary Authority Partnerships.
- We will continue to deliver the “Access to Knowledge” course for private hire drivers.
- We will continue support the use of the corporate intelligence database to explore benefits in safeguarding adults through bespoke interventions with partners.
- Utilisation of Proceeds of Crime monies to fund 2 contracted 12 month posts. One being an Intelligence Analyst and the other being a Financial Abuse Officer (working in direct partnership with Adult Safeguarding).

5.6 **Key Performance Indicators -**

These include the:

Place Directorate Performance Indicators:

Percentage of confident consumers in the City	Target 80%
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Local Indicators:

Percentage of RFAs responded to within 5 day target	Target 100%
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Customer and business satisfaction with the overall quality of our services	Target 80%
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5.7 **National Returns**

Trading Standards is required to make a number of statutory/ national returns and plans including:

- Chartered Institute of Public Finance Association - annual trading standards return.

- National Measurement Office – annual return under section 70 of The Weights and Measures Act 1985 of verification work completed and charged for in the last financial year.
- Animal Feed Registration and Inspection – returns to the Food Standards Agency.

5.8 **Organisational Assessment**

This section details the service's current performance.

The table below details the service's key performance indicators with results against these indicators over previous years and some indicators of the quantity of work undertaken.

5.9 **Key Performance Indicators**

Type of Indicator	Indicator	Performance	
Place Directorate Plan Indicators	Percentage of confident consumers in the City. The measure was recalibrated in 2011/2012 and again in 2014/2015 as budget reductions impacted the breath of services delivered. The target is now 80% and will be used as the baseline for future years.	2017-2018*	??
		2016-2017	83.0 %
		2015-2016	84.3%
		2014-2015	83.8%
		2013-2014	90.3%
		2012-2013	90.0%
Regulation and Enforcement' Local Indicators – response times to customer requests	We will respond to Requests for Assistance within 5 working days	2017-2018*	97.3%
		2016-2017	99.7%
		2015-2016	90%
		2014-2015	86%
		2013-2014	96%
		2012-2013	97%
Regulation and Enforcement Local Indicators – customer satisfaction	Customer satisfaction with reactive services	2017-2018*	
		2016-2017	81%
		2015-2016	64%
		2014-2015	72.4%
		2013-2014	93%
		2012-2013	97%
	We will receive more compliments than justified complaints (ratio of compliments to complaints)	2017-2018*	50%
		2016-2017	18:0
		2015-2016	14:0
		2014-2015	22:1
		2013-2014	30:1
		2012-2013	35:0

Trading Standards Local Indicators – speed of dealing with customer requests	We will deal with 75% Criminal Requests for Assistance within 60 days	2017-2018*	98.9%
		2016-2017	99.1%
		2015-2016	91.0%
		2014- 2015	93.5%
		2013-2014	88.3%
		2012-2013	82.9 %

* 1/4/17- 14/3/18

5.10 **Quantity of work**

Year	Number of Requests for Assistance	Number of Prosecutions submitted	Number of Cautions submitted	Number of inspections undertaken
2017-2018*	3,910	25	8	78
2016- 2017	4,315	15	7	188
2015 -2016	4,792	16	5	517
2014-2015	5,079	25	13	1,017
2013-2014	5670	36	24	1,398
2012-2013	4486	42	28	1,770

* 1/4/17 – 14/03/18

5.11 **Customer Research**

Trading Standards undertake a variety of customer consultations in order to gather information on the needs and expectations of our customers and potential customers. Our customers are members of the public who live or shop in Birmingham and businesses that trade in Birmingham. Regular customer satisfaction questionnaires encourage customers to make suggestions for service improvements. The corporate Your Views procedure provides further information on customer needs and expectations. National Consumer Week provides opportunities to engage with the public and to seek their views. Other opportunities are taken as they arise to establish non-customers' knowledge of consumer issues. We utilise this consultation to ensure we comply with the local authority's requirements of the Duty to Inform, Consult and Involve. Our retention of the Customer Service Excellence Standard demonstrates that we are identifying our customers together with their needs from our services.

Recent examples of consultation and customer feedback have included:

- **Consumer Confidence**

We have conducted surveys amongst the public throughout the year to measure levels of consumer confidence as a way of measuring our own success in achieving the government's ideal of citizens being 'informed, confident consumers'. To the end of February 2018 83% of people surveyed said that they felt confident buying goods and services in Birmingham.

5.12 **Needs Of Stakeholders**

Central to the development of this Service Plan is the acceptance that Trading Standards serves not only its direct customers and businesses but also a wide range of other stakeholders – these include the City Council’s elected members, partner organisations and government. The City Council’s plans, policies, priorities and strategic outcomes provide us with the information from research that is essential to planning our services. The City’s strategic priorities have formed the basis of this service plan and as such it supports the outcomes of Birmingham’s Community Strategy ‘Birmingham 2026’.

In relation to Government, both national and European, we play an active part in responding to consultations that might affect consumers or businesses in Birmingham. We also lobby Government over issues that are of concern to our stakeholders.

Birmingham Trading Standards has continued with the close working relationship with the Association of British Hujjaj and the Council of British Hajjis which represent the interests of Muslim pilgrims who undertake the Hajj to Saudi Arabia. Over many years we have developed a close working relationship with Birmingham Assay Office enabling us to work collaboratively in the enforcement of hallmarking legislation.

5.13 **Likely Future Developments**

Trading Standards is involved locally and nationally with professional bodies and governmental groups looking at potential future developments. We have systems to ensure that we are aware of likely future developments that may impact on our services. Key developments that could impact on Trading Standards in the coming year are:

Legislation to control the supply of acids and other dangerous chemicals:

There is increasing concern about the use of acid as a weapon. The sale of certain types of acid (and other dangerous chemicals) is governed by the Poisons Act 1972. In October 2017 the Home Office launched a consultation on offensive and dangerous weapons, which included the following proposals on acid:

- Plans for a new offence of possessing a corrosive substance in public;
- Plans for a new offence preventing the sale of “the most harmful corrosive substances” to under 18s; and
- Plans to use the existing powers in the Poisons Act 1972 to reclassify sulphuric acid as a regulated substance.

The second proposal on acid is to legislate for a new offence preventing the sale of “the most harmful corrosive substances” to under 18s. Again, the

Government anticipates this being modelled on existing knife legislation. The new offence would apply to online sales as well as sales in person, and there would be defences available for retailers in respect of taking reasonable precautions and exercising due diligence. The Government proposes that the penalties for the new offence would be similar to those for the offence of selling knives to under 18s: that is, a term of imprisonment not exceeding six months, or an unlimited fine, or both.

The consultation closed on 9 December 2017 and the Home Office is currently analysing feedback.

ACTSO (Association of Chief Trading Standards Officers) was not made aware of this consultation period until two weeks before it ended, however, a short response has been made to the Home Office. It is hoped that legislation may be introduced in 2018/2019. This could place a considerable burden on our Service; particular in the area of trader education let alone the complexities of a possible licensing system and enforcement on some everyday household products.

Trading Standards services have traditionally been given the responsibility for enforcing legislation that has an age restriction; it is unclear yet whether the police will take full responsibility for this legislation. As often is the case, however, the police ask for our assistance in tackling retail sales we, therefore, need to be cognisant of any additional duties this may impose on our limited resources.

Government developments and product safety:

The Office for Product Safety and Standards was set up in January 2018 in the Department for Business, Energy and Industrial Strategy, to enhance protections for consumers and the environment and to drive increased productivity, growth and business confidence.

There have been a number of high profile incidents involving unsafe products including the Grenfell Tower fire. This has affected consumer confidence in the safety of products including electrical goods and construction products.

It will build national capacity within the UK's product safety system and develop tools that support small business growth and implement the Industrial Strategy vision of simplifying regulation. This includes taking forward the work of the Regulatory Delivery directorate on Primary Authority, the Regulators' Code and technical regulation.

They have teamed up with BSI, the UK's National Standards Body, to launch the first government-backed Code of Practice for product safety recall in the UK.

The Code of Practice includes details on how a business can monitor the safety of products and plan for a recall, and how Market Surveillance

Authorities such as local authority Trading Standards can support businesses in their monitoring of incidents and their implementation of corrective action.

This again could have a significant impact on our service that may require additional resource.

5.14 Potential For Services To Be Provided By Outside Organisations

The Local Government Association trading standards review summary report published in January 2016 stated that over the course of 2010-2015 funding from central government was cut by 40% and cuts to trading standards services around the country reflect this to a greater or lesser degree. It predicts further significant reductions to grant funding between 2015-2020. One of the key messages from the review said that there was still a strong commitment to trading standards remaining fully integrated within local government and it argued against recent proposals from the Chartered Trading Standards Institute that trading standards should be delivered by strategic authorities. Without exception, trading standards was seen as a valuable service able to support local priorities, communities and businesses.

A key response to the review from the LGA was to promote the sustainability of trading standards work through councils exploring the options for sharing their services to create larger units. These larger services could be formed that fit within the new combined authority areas.

In 2017/2018 the Head of Trading Standards worked with the West Midlands Combined Authority (WMCA) Public Service Reform group to probe whether there was interest and support from the other six West Midlands Constituent Metropolitan District Council's to establish a regional trading standards service. The proposal was not considered a key work area for the WMCA and as such could not effectively be pursued.

The National Audit Office Protecting Consumers from Scams Report published in December 2016 acknowledges that the loss of resource and downsizing of Local Trading Standards services have led to gaps in coverage at the local level. Effective consumer protection relies on sufficient coverage across the local level, in particular to prevent enforcement gaps. Local Trading Standards has lost 56% of full-time equivalent staff since 2009. Twenty services in England have reduced funding by over 60% since 2011 and some now have only one qualified officer. The funding of smaller services is no longer sufficient for them to undertake significant enforcement cases, and a number of our case study sites were concerned about the viability of their service. There is no consensus on the minimum service level needed to protect consumers adequately

Local Authority Trading Standards are the only bodies able to enforce legal requirements of criminal consumer protection legislation, apart from some areas relating to the testing and the verification of accuracy of weighing and measuring equipment which can, in certain circumstances, be undertaken by

non-Trading Standards organisations. Much of this work relating to weights and measures is now being delivered by other organisations and indications imply that this move to other providers will continue in the future.

A small number of companies employ former Trading Standards staff to act as consultants to private industry and offer analytical laboratory services to test foodstuffs and consumer goods. Although these companies have no statutory basis, they possess the technical knowledge to compete with enforcers if the Government was minded to take enforcement out of local authority control. However, such consultants normally work on a task and finish basis and hence the services provided will not benefit from a holistic approach working in partnership with other internal services or third party agencies to promote sustainable improvements.

There are examples of Local Authority services being out-sourced; examples included London Borough of Barnet and North Tyneside Council Regulatory Service, both of which are run under contract agreements with Capita-Symonds.

An alternative to outsourcing could be the development of a Public Sector Mutual. These are organisations that have left the public sector, but continue to deliver public services. Employee control usually plays a significant role in their operation.

5.15 **Service Delivery**

Trading Standards contributes to each of the City Council's Strategic Priorities. It is our declared strategy to ensure that all of the work that we undertake and all the services that we provide clearly support these. The services to be delivered as detailed in this Service Plan have been decided upon based on the evaluation of the issues raised in sections 4 to 6. The services that will be delivered are contained in Appendix 5A to this Service Plan. The Appendix details the services that we will deliver and for each indicates the strategic outcomes that it supports.

5.16 **Financial And Resource Planning And Management**

Financial – Revenue and Capital

Revenue budget for 2018/2019 is shown below (in 000's), with figures for previous years included for comparison.

	Gross Expenditure	Gross Income	Other deductions
	£'000s	£'000s	£'000s
2018/2019	1,537	(276)	1,261
2017/2018	1,675	(221) incl.£27 asset depreciation	1,454
2016/2017	1,748	(182)	1,566

2015/2016	1,765	(172)	1,593
2014/2015	2,104	(173)	1,931
2013/2014	2,176	(172)	2,004
2012/2013	2,829	(152)	2,677
2011/2012	3,004	(63)	2,941
2010/2011	3,515	(189)	3,326
2009/2010	3,932	(172)	3,760
2008/2009	3,845	(77)	3,768

Budgets will be aligned to the identified priorities based on the staff and teams delivering the priorities. Where necessary staff and budgets may be redirected to ensure delivery of priorities.

People Resources

Since 2010 the frontline team has reduced by over two thirds from 57.72 Full Time Equivalent staff (FTE) to 18.34FTE in 2018/2019.

The Trading Standards service has Head of Service (also covering Community Safety and Markets), two Operations Managers, five Trading Standards Officers, two Accredited Financial Investigators and ten Enforcement Officers. The structure of the service is illustrated in the Structure Chart at Appendix 5B. There are additional staff in the Government funded: Illegal Money lending team, which delivers a national service for England; and the Regional Investigation team (previously known as Scambusters).

The sectional training plan and consideration of competencies through the My Appraisal process will be used to ensure that people are trained and able to deliver the services that they are allocated. The resources required to deliver this Service Plan have been taken into account in its creation. Continued accreditation to the 'Investors in People' standard will ensure confidence in our ability to deliver the plan and address matters of competency amongst our workforce. All enforcement staff have been trained in Advanced Investigatory Practices and have access to the Trading Standards Institute e-learning on-line training system to ensure core competencies are maintained.

I.T. Resources

All Requests for Advice and Assistance (RFA's) are recorded on an SAP system called M3. It provides us with intelligence to identify individual problem traders or trends in consumer complaints. Certain officers have been nominated as super users and additionally an officer attends a regulation and enforcement user group who are identifying any developments to the system that are needed to deliver service improvements.

Electronic communications are provided through the Outlook email system. There are various bespoke IT systems for particular service areas, including

processing of court cases and the authorisation of and tracking of applications under the Regulation of Investigatory Powers Act.

The Trading Standards Service also utilises a national intelligence database called IDB. All officers are trained as base users with others trained as super users who can sanitise intelligence logs. This enables the service to input intelligence relating to criminality and also interrogate the system for intelligence provided by colleagues nationwide. In addition to this there are dedicated standalone computers to enable efficient e-crime investigations; this includes the test purchase of goods being sold on-line.

Trading Standards staff has been provided with equipment to support agile working and thus maximise efficiency.

Partners

The Trading Standards service acknowledges that maintaining and developing its services can be achieved more efficiently through selected partnership working. We work closely with neighbouring Local Authority Trading Standards services who are members of the regional group called CenTSA (Central England Trading Standards Authorities). Trading Standards enters into partnerships when we have assessed, using a decision matrix, the desirability of the working in terms of increased efficiency, synergy and commonality of priorities. This table details the partnership working that we currently undertake.

Activity	Description	Partners
Consumer Advice	1 st tier advice provided by the National Citizens Advice Consumer helpline	Citizens Advice Bureau Citizens Advice Consumer Service
Underage Sales of Alcohol	Control under-age purchasing of alcohol	West Midlands Police Licensing Authority Local businesses Community safety partnership Community Alcohol Partnerships Public Health
Underage Sales of Fireworks	Control under-age purchasing of fireworks	West Midlands Police West Midlands Fire Service
Joint Licensing Taskforce	Targeted inspection of licensed premises to ensure compliance with licensing conditions especially underage alcohol sales	Licensing authority Environmental Health Planning Fire Service West Midlands Police

Door Step Crime	Protecting the elderly and vulnerable from distraction burglary, rogue property repairers and cold call hard sales	West Midlands Police Operation Liberal Operation Pursue Victim Support Age Concern Neighbourhood Watch Community Safety Partnership CEnTSA Intelligence Hub Adult Safeguarding West Midlands Fire Service National Scams Team
Building and property repairs	Identifying rogue builders and promoting good service	Building Consultancy BCC Private Tenancy Team Building trade associations Planning enforcement
'E-commerce'	Combating fraud on the Internet.	Co-ordinating Group for Central England Trading Standards Authorities (CEnTSA) E-Crime unit
Intellectual Property Including the Real Deal partnership with Markets	Combating Counterfeiting	West Midlands Police BCC markets Trade Mark Holders Regional Investigation Team (CEnTSA) CEnTSA Intelligence Unit HM Revenue & Customs National Markets Group Anti-counterfeiting group Intellectual Property Office
Tobacco Control	Control under-age purchasing of tobacco products and ensure display of statutory warning notices. Investigate allegations of illicit tobacco being supplied in the City. to ensure compliance with tobacco labelling and advertising regulations	Birmingham Tobacco Control Alliance HM Revenue & Customs CEnTSA Environmental Health Public Health Shisha working group West Midlands Police West Midlands Fire Service
Responsible authority under the Licensing Act 2003 Police Reform and Social responsibility Act 2011	Being able to exercise greater influence over the decision to grant licenses with a view in particular for the protection of children from harm	All other responsible authorities

Advice to Businesses	CTSI Business Companion Website Engage with The Office for Product Safety and Standards in developing PAP's	Chartered Trading Standards Institute Regulatory Delivery; The Office for Product Safety and Standards
Collaboration with a trader approval scheme	Ensuring consumers can be confident when choosing and appointing traders	No Rogue Traders Here
Package Travel (Hajj)	Ensuring consumers are not victim of rogue travel agents offering packages to Saudi Arabia	Assoc of British Hujjaj Council of British Hajjij Civil Aviation Authority City of London Police
Tackling food fraud	Working in partnership to ensure misdescribed meat i.e. Halal is not provided to consumer	Environmental Health Halal Monitoring Committee Halal Food Authority National Food Crime Unit
Hallmarking	Ensuring goods offered for sale are correctly hallmarked	Birmingham Assay Office
Mass Marketing Fraud	Working in partnership with the National Scams Team to identify vulnerable and socially isolated residents that may have been a victim of a postal lottery or similar scam	National Scams Team Birmingham Adults Safeguarding Board Partnership

Information management

Our ISO accredited management system ensures the validity of our management information. It provides controls for the gathering and review of customer and other stakeholder feedback and ensures this feedback is acted upon.

SERVICE DELIVERY

Service Objective 1 - Supporting businesses Council Plan Priorities <ul style="list-style-type: none"> Jobs and skills – so Birmingham's a great city to succeed in Health – so Birmingham's a great city to grow old in 			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors Lead Team/Officer – All TS Officers	
Task	Outcome	Measure	Target	Method
Metrological inspection of business premises subject	Increased compliance with relevant legislation Informed and successful business's	Level of compliance for high risk premises inspected.	90% compliance on inspection 100% of High Risk premises to be inspected.	Annual inspection of business that pack to the average weight system.
Supporting businesses through the Primary Authority Principle.	Increased Compliance with relevant legislation. Informed and successful Business's	Levels of business satisfaction within a PAP	At least 3 meetings/contact per annum with companies that have formal agreements 80% satisfaction of businesses with service provided	Allocation of specific PAP officers.
Develop Better Business for All with Regulatory Partners	Increased compliance with relevant legislation Informed and successful Business's	Number of business engaged in process	Establish BBfA for Birmingham and Solihull	Engage with Regulatory Delivery Office and Regulatory Partners Attend Black Country BBfA to develop best practice

Provide an up to date and informative website	<p>Informed consumers and businesses</p> <p>Quick access to information</p>	Website hits	Establish satisfaction levels	<p>Review and update website with information on current issues relevant to consumers and businesses.</p> <p>Provide relevant links for all users.</p> <p>Promote CTSI Business Companion and Centsa Trading standards Business News</p>
Maintain collaboration with a local trader approval scheme	Improved levels of consumer confidence	<p>Consumer confidence levels</p> <p>Number of new Registered Members</p>	85% level of consumer confidence	Work in collaboration with No Rogue Traders Here

Service Objective 2- Anti Counterfeiting Enforcement Council Plan Priorities <ul style="list-style-type: none"> • Jobs and skills – so Birmingham's a great city to succeed in • Health – so Birmingham's a great city to grow old in 			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors Lead Team/Officer – All TS Officers	
Task	Outcome	Measure	Target	Method
Intelligence led inspection visits to wholesale and retail premises. This could include on-line traders Prioritising goods where safety could be an issue	Reduction in the quantity of counterfeit goods from the marketplace Improve local economic prosperity	Number of inspections resulting in the identification of counterfeit goods. Number and value of non-compliant goods removed	To remove 100% of non compliant goods found 100% compliance or enforcement actions against those found with infringing goods.	Intelligence led enforcement activity. Partnership working with trade mark holders and other agencies.(FACT, FAST, IPO, UKIE, Police & HMRC, ACG, GAIN) Engage with the national E-Crime unit

Service Objective 3 - Reduce Doorstep Crime and protect vulnerable/socially isolated residents			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors	
Council Plan Priorities <ul style="list-style-type: none"> Jobs and skills – so Birmingham's a great city to succeed in Health – so Birmingham's a great city to grow old in 			Lead Team/Officer – All TS officers	
Task	Outcome	Measure	Target	Method
Consideration of the implementation of No cold calling zones	Improve community safety	Number of zones created. Reduced fear of crime	Create new zones where need identified	Review of crime data annually linked to distraction burglary incidents, consultation with Community Safety Partnership and local residents. Residents survey
Maintenance of current 'no cold calling zones'	Improve Community Safety Contribute toward reduction in anti-social behaviour	Annual Perception questionnaire of people who feel safer as a result of the zones	Maintain the proportion of people who feel safer as a result of the zones	Monitoring of activity within zones. Publicity, street signage Rapid Responses and response to RFA's
Provide rapid response service to deal with rogue traders/active threats to vulnerable residents	Protection of vulnerable consumers Contribute toward reduction in anti-social behaviour	Number of rapid responses Perception questionnaire of people who feel safer as a result of the TS intervention.	Respond to 100% of requests for rapid response within Birmingham	Response by officers to consumers home in accordance with Rapid Response Procedure

Identify and tackle rogue builders	Protection of vulnerable consumers Contribute toward reduction in anti-social behaviour	Number of targeted individuals/businesses	Carry out investigations where targets identified	Intelligence led enforcement activity and partnership with Community Safety Partnership, building consultancy, WMP and CENTSA
Provide information and training to Adults Social Care and those engaged in looking after adults to identify at victims or potential victims Joint Collaboration with Partners who also interact with vulnerable adults e.g. West Midlands Fire Service	Protection of vulnerable consumers Awareness raising to reduce incidents	Number of interventions/meetings attended	Attendance at least 2 partnership events.	Attend meetings of the Birmingham Adults Safeguarding Board and cascade information Make use of Internal Data (data warehouse) through collaboration with Birmingham Audit

Service Objective – 4 Community Safety Council Plan Priorities <ul style="list-style-type: none"> • Children – so Birmingham’s a great city to grow up in • Jobs and skills – so Birmingham’s a great city to succeed in • Health – so Birmingham’s a great city to grow old in 			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors Lead Team/Officer – All TS officers	
Task	Outcome	Measure	Target	Method
Respond to RFA’s alleging sales of age restricted products: alcohol, fireworks, knives, spray paints/solvents, sunbeds, tobacco and nicotine inhaling products	Improved business compliance Reduce access to age restricted products by children. Contribute towards health and wellbeing of young people Contribute toward reduction in anti-social behaviour	% of subsequent test purchases that result in a sale after advice given	100% compliance and/or enforcement action of businesses where test purchases carried out.	intelligence led inspections Liaise with licensing officers/ WMP/ WMFS/ PCT Visit premises and give advice pack. Follow up with test purchases
Undertake intelligence led test purchasing exercises at premises that stock age restricted products	Improve business compliance Reduce access to age restricted products by children Contribute toward reduction in anti-social behaviour	% of test purchases that result in a sale after advice given	100% compliance and/or enforcement action of businesses where test purchases carried out.	Carry out exercises in accordance with best practice guidance. Joint exercises with police and other agencies where appropriate Take enforcement action in accordance with enforcement policy

<p>Tobacco Control work (including novel tobacco products such as Shisha and chewing tobacco and nicotine inhaling products)</p>	<p>Reduce the prevalence of supply of tobacco products to young people</p> <p>Informed and compliant businesses</p> <p>Reduction of supply of non-compliant tobacco</p> <p>Contribute towards health and wellbeing of young people</p>	<p>Number of inspections and enforcement outcomes</p>	<p>Inspection of all identified Shisha premises.</p> <p>100% compliance and/or enforcement action of businesses where test purchases carried out.</p>	<p>In partnership with EH and the tobacco control alliance, HMRC, CEnTSA, DofH, WMFS and WMP</p> <p>Joint inspections with other agencies as appropriate</p> <p>Testing of product where necessary</p>
<p>Illicit/counterfeit tobacco work</p>	<p>Reduce availability of illicit/counterfeit tobacco</p> <p>To instigate premises licence reviews where a breach of the licensing objectives discovered.</p> <p>Compliant businesses</p> <p>Improved health outcomes by removal of cheap and illegal tobacco</p>	<p>Quantity/value of counterfeit products seized</p>	<p>Non-compliant traders to be identified.</p> <p>To remove 100% of non-compliant products</p> <p>100% compliance or enforcement action against those found with infringing goods.</p>	<p>Intelligence led enforcement activity and partnership working with HMRC, Tobacco Control Alliance, CEnTSA, and HAs</p>

Illicit/counterfeit alcohol	<p>Reduce availability of such alcohol.</p> <p>Protect public health and prevent anti-social behaviour from the effects of such alcohol</p> <p>To instigate premises licence reviews where a breach of the licensing objectives discovered.</p> <p>Compliant businesses</p>	Quantity/value of counterfeit /illicit products seized	<p>Non-compliant traders to be identified.</p> <p>To remove 100% of non-compliant products</p> <p>100% compliance or enforcement action against those found with infringing goods.</p>	<p>Intelligence led enforcement activity and partnership working with Environmental Health/Licensing, HMRC, CEnTSA, Community Safety Partnership, Public Health and Police.</p>
National Scams Team (NST) Partnership	Identify potential victims of scams, protecting our more vulnerable and socially excluded citizens.	Number of residents advised on scams	Receive 10 referrals per month from the NST and visit 100% of those reported	<p>Receive intelligence relating to the victims of Mass Marketing Fraud and undertake home visits.</p> <p>Share best practice with partners and to provide materials to assist in protecting vulnerable citizens</p> <p>Make appropriate safe-guarding referrals to Social Services</p> <p>Use of media to raise awareness</p>

Service Objective - 5 Promote consumer awareness			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors	
Council Plan Priorities <ul style="list-style-type: none"> • Children – so Birmingham’s a great city to grow up in • Jobs and skills – so Birmingham’s a great city to succeed in • Health – so Birmingham’s a great city to grow old in 			Lead Team/Officer – All TS Officers	
Task	Outcome	Measure	Target	Method
Provide up to date and informative website	Informed consumers and businesses Quick access to information	Website hits	Increase on hits from previous year	Review and update website with information on current issues relevant to consumers and businesses. Provide relevant links for all users. Establish the number of hits of the website.
National Consumer Week	Informed consumers	Extent of media coverage	Over 80% confident consumers attending any event	Participation in NCW, dependent on theme when agreed nationally Liaison with press officer and use of all media platforms
National Scams Awareness Month	Informed consumers	Extent of media coverage	Over 80% confident consumers attending any event	Participation in SAM, dependent on theme when agreed nationally Liaison with press officer and use of all media platforms

Safety/Scams Awareness Events	Informed Consumers	Extent of media coverage Number of residents advised on scams	Over 80% confident consumers attending any event	Host Events in localities where date indicates potential vulnerable residents. Engaging with other partners e.g. Victim Support and West Midlands Fire Service and Safeguarding
Media engagement	Publication of outcomes to raise consumer awareness	Extent of media coverage	6 press releases Monthly tweets	Press releases in collaboration with press officer Tweets

Service Objective -6 Investigation of Consumer fraud/misleading descriptions; e.g. Hajj, Faith healers, Car Clocking rings; association to Organised Crime Groups			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors	
Council Plan Priorities <ul style="list-style-type: none"> • Children – so Birmingham's a great city to grow up in • Jobs and skills – so Birmingham's a great city to succeed in • Health – so Birmingham's a great city to grow old in 			Lead Team/Officer – All TS officers	
Task	Outcome	Measure	Target	Method
Investigation of criminal RFAs	Improved local economic prosperity	Customer satisfaction results	80% satisfaction	Intelligence/RFA led enforcement actions Investigation of RFAs
Use of intelligence to direct interventions	Support legitimate business by ensuring a fair trading environment		75 % of criminal RFAs completed within 60 days	Quarterly tasking meetings using intelligence model to identify those causing most consumer detriment
	Improved consumer confidence		Increase in logs on IDB	Effective partnerships with Police
	Identify those engaged in Organised Crime Groups			
Pursue offenders for proceeds of crime.	Ensure that profits gained through criminal activities are returned to the state	Cash benefit achieved	Maximisation of realisable cash benefit.	Intelligence led investigations to seize proceeds of crime. Appointed accredited financial investigators.

Inspect agents offering Hajj and Umrah Package Travel	Improved business compliance	% of businesses which are identified as non-compliant	100% of non-compliant businesses checked to be made compliant and/or enforcement action taken	<p>Intelligence led inspection of Birmingham based agents offering Hajj and Umrah packages</p> <p>Liaise with the Association of British Hajj</p> <p>Advice to businesses</p> <p>Media awareness</p>
Identification and investigation of acquisitive crime targeted at vulnerable consumers; including faith healers and Scams	Protection of vulnerable consumers thereby protecting their health and wellbeing and financial status.	Positive feedback from victims identified,	100% Positive feedback from victims identified.	Quarterly tasking meetings using intelligence model to identify those causing most consumer detriment

Service Objective - 7 Product Safety - Ensure goods placed on the market are safe			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors	
Council Plan Priorities <ul style="list-style-type: none"> • Children – so Birmingham’s a great city to grow up in • Jobs and skills – so Birmingham’s a great city to succeed in • Health – so Birmingham’s a great city to grow old in 			Lead Team/Officer – All TS officers	
Task	Outcome	Measure	Target	Method
To remove non-compliant and unsafe products from the marketplace (e.g. cosmetics, blinds, toys, furniture, electrical products,)	Increased business compliance Improved levels of consumer safety Raised levels of consumer awareness of the risks of using the products Primary Authority agreements established where appropriate	Number of non compliant businesses Number of compliant businesses Target non compliant businesses to be identified	100% of non compliant businesses checked to be made compliant and/or enforcement action taken 100% of non compliant products removed from sale	Intelligence led inspections at retail, wholesale and importers level. Providing advice to businesses. Test purchasing. Use of media to inform consumers Removal of non-compliant products Participate in market surveillance projects through Centsa

Service Objective - 8 Investigation of consumer criminal RFA's; Car sales			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors	
Council Plan Priorities <ul style="list-style-type: none"> • Children – so Birmingham's a great city to grow up in • Jobs and skills – so Birmingham's a great city to succeed in • Health – so Birmingham's a great city to grow old in 			Lead Team/Officer – All TS Officers	
Task	Outcome	Measure	Target	Method
Investigate allegations of misdescribed and unroadworthy vehicles.	Increased compliance with relevant legislation Support legitimate businesses	Number of businesses/individuals identified selling misdescribed or unroadworthy vehicles	100% compliance and/or enforcement action of non-compliant targeted businesses.	Use of intelligence to identify businesses/individuals who may potentially be selling misdescribed or unroadworthy vehicles. Includes consultation under the Enterprise Act
Investigate allegations of "clocked" vehicles.	Increased compliance with relevant legislation Support legitimate businesses	Number of businesses/individuals identified selling "clocked" vehicles	100% compliance and/or enforcement action of non-compliant targeted businesses.	Use of intelligence to identify businesses/individuals who may potentially be selling "clocked" vehicles.
Use of intelligence to direct interventions	Increased compliance with relevant legislation Support legitimate businesses	Number of businesses brought into compliance Enforcement interventions	100% compliance and/or enforcement action of non-compliant targeted businesses	Quarterly tasking meetings using intelligence model to identify those causing most consumer detriment Membership of the Regional Intelligence Group to assist in tasking

Service Objective – 9 Animal Feed Registration and Inspection			Mission Statement – Locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors	
Council Plan Priorities <ul style="list-style-type: none"> • Children – so Birmingham's a great city to grow up in • Jobs and skills – so Birmingham's a great city to succeed in • Health – so Birmingham's a great city to grow old in 			Lead Team/Officer – All Trading Standards Officers with appropriate qualification	
Task	Outcome	Measure	Target	Method
Identification, registration and inspection of businesses requiring feed enforcement	Protect the public health by ensuring only permissible food enters the animal feed food chain.	Number of businesses identified and registered.	Registered businesses to be inspected in 2015/16 and a rolling programme thereafter.	Use of information on M3 database to identify premises to be registered. Liaise with Environmental Health colleagues to identify potential new premises Registration of businesses Inspection of registered businesses

TRADING STANDARDS STRUCTURE CHART

