



London Borough of Hackney

Trading Standards Service Delivery Plan 2018/19



INVESTOR IN PEOPLE

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INTRODUCTION

The plan sets out the activities identified for the Trading Standards Service in 2018/19.

The Trading Standards service provides advice and regulatory services that protect both consumers and businesses as well as creating safer communities and a safe and fair economic environment for Hackney businesses.

The Service is currently staffed by a Principal Officer who fulfils the role as the Chief Trading Standards Officer/Chief Inspector of Weights and Measures, three Senior Trading Standards Officers two of whom are qualified as Financial Investigators and one Business Standards Officers.

The Trading Standards Service as with other council services faces real challenges to meet the demands placed on it. The number of officers employed by the service has reduced from eleven in 2011 to five in 2017/18. With the continued budget reductions by Central Government alongside the growing demands for its services, this will provide significant challenges in the delivery of the Trading Standards service.

1. TRADING STANDARDS SERVICE AIMS AND OBJECTIVES

Aims and Objectives

1.1 The Services broadly aims to:-

- ensure fair trading with respect to consumer credit, counterfeiting, misleading prices, advertising and the description of goods, services and property; ensure that weighing and measuring equipment used in the Borough meets legal requirements;
- protect consumers from unsafe goods and unfair trade practices;
- support businesses through education and advice;
- protect young people from sales of age-restricted products;
- identify and enforce legislation against “rogue traders” in the borough using a range of sanctions including advice, simple warnings and prosecutions; work in partnership with members of the business community and with external agencies such as the police, HMRC and Customs to enforce a fair trading environment;
- utilisation of three financial investigators and one financial intelligence officer.

1.2 In support of this the Service broadly undertaken the following:-

- enforcement of relevant legislation.
- offers advice to consumers via Citizens Advice consumer service.
- provide advice and inspections for businesses.
- process circa 3000 customer complaints and trade enquiries each year (this includes matters which are notification only).
- triage circa 600 complaints which are not notifications.
- investigate offences and prosecute offenders.
- the service investigates complaints against companies or businesses trading in Hackney.
- address consumer complaints made by people who live in Hackney.

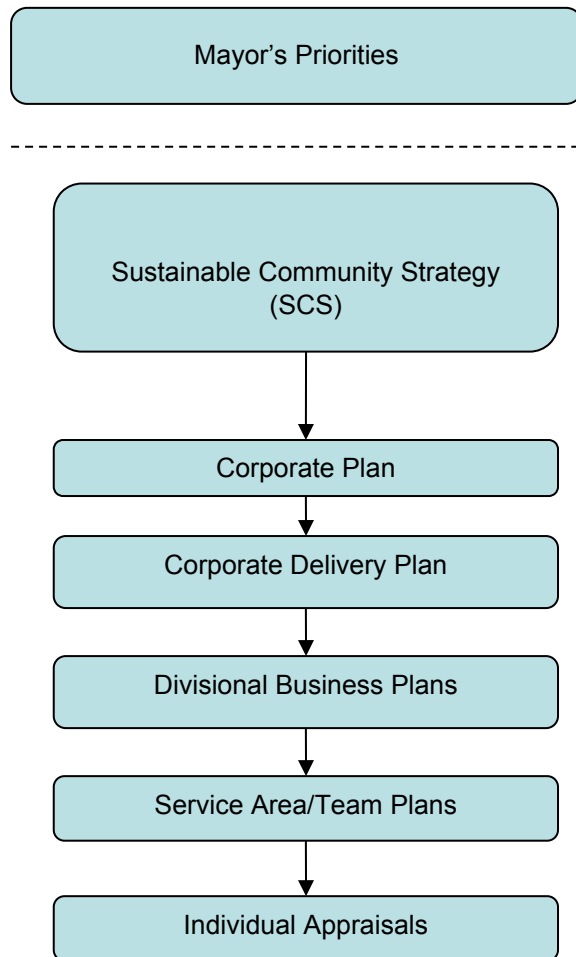
1.3 The main areas of criminal law that we enforce are as follows: -

- safety of consumer goods,
- false or misleading descriptions relating to goods and services,
- product counterfeiting,
- failure to display selling prices of goods and misleading price indications,
- consumer credit malpractice and age restricted sales and
- animal feeding stuffs and feed registrations.

1.4 In fulfilment of the Mayor priorities the Service address the following:-

- The Service tackles inequality by protecting vulnerable groups such as the elderly and young by undertaking proactive project work and reacting to complaints as they are received.
- The service deals with complaints and service requests and specialises in Proceeds of Crime work which brings income to the council whilst removing the financial benefits for criminals.
- Protecting the elderly from rogue traders improves the quality of life for vulnerable adults.
- The Service undertake proactive work to protect citizens such as age restricted work, illicit tobacco work. Age restricted work is conducted in partnership with the police.

How the Service Links to Corporate Priorities



Hackney's Vision: A place for everyone

Mayor's Priority 1: Making Hackney a place where everyone can succeed, through a first class education, investment and jobs, and providing support to those who need it most.

Mayor's Priority 2: Making Hackney a place that everyone can enjoy, with clean, safe streets, excellent parks and public services and a great quality of life for all who live here.

Mayor's Priority 3: Making Hackney a place where everyone can contribute, through listening to residents, and involving them in the decisions we make and things we do.

The **2008-2018 Sustainable Community Strategy** has six priorities:

1. Reduce poverty by supporting residents into sustainable employment, and promoting employment opportunities.
2. Help residents to become better qualified and raise educational aspirations.
3. Promote health and wellbeing for all, and support independent living.
4. Make the borough safer, and help people to feel safe in Hackney.
5. Promote mixed communities in well-designed neighbourhoods, where people can access high quality, affordable housing.
6. Be a sustainable community, where all citizens take pride in and take care of Hackney and its environment, for future generations.

2.0 SERVICE PRIORITIES

Trading Standards Priorities 2018/2019

Work activity	Desired Outcome	Target	Performance Indicator / Measure	Timescale
Projects				
Tackling Counterfeit Good	<ul style="list-style-type: none"> Reduce the level of non-compliance and raise awareness through appropriate publicity. 	<ul style="list-style-type: none"> A minimum of three visits to Hackney markets to carry out market surveillance and robust action to address non-compliance. All cases to be considered for financial investigation. Sampling, testing and enforcement including licence review. To try social media scanning to identify local suppliers (desktop). 	<ul style="list-style-type: none"> Non-compliance addressed will be addressed by a graduated approach to enforcement. Minimum 3 targeted visits to markets. 	Ongoing from April 2018
Operation Liberal	<ul style="list-style-type: none"> This project/ initiative will have the following outcomes: To disrupt the activities of doorstep criminals operating within the Borough. To gather further intelligence for future investigations. Take a graduated approach to enforcement against persistent offenders. To raise the level of business compliance To raise awareness around the issues of door step crime 	<ul style="list-style-type: none"> To gather Intel and progress any cases. Investigating domestic building sites with a view to disrupt the activities of rogue traders. Identify residential addresses in N16 and E5, concentrating in and around Stoke Newington common, Lower Clapton and Chatsworth which may be subject to possible door step crime/ rogue trader offences To generate intelligence reports for further analysis 	<ul style="list-style-type: none"> Minimum 1 targeted operation in 2018/19. Reactive responses will be made in line with the current Complaints Investigation procedure. Summary report to be produced after analysis of intelligence reports and receipt of result of enquiries Minimum 10 properties viewed 	By end Q1 2018/19

Work activity	Desired Outcome	Target	Performance Indicator / Measure	Timescale
Tobacco Control Work	<ul style="list-style-type: none"> • Reduction in illegal sales of tobacco in support of government efforts to encourage smoking cessation. • To participate in appropriate/related health initiatives. • Compliance in retail establishments with relevant legislation. • Trailer parked in the Narrow Way. 	<ul style="list-style-type: none"> • Detection and disruption of sales of illegal and counterfeit tobacco. • Q2 and Q4 events. An outreach and education event with the aim of generating intelligence regarding the supply of illicit tobacco. • Targeted visits with the sniffer dogs. At least 2 Action Days. • A twitter and social media campaign with the aim of generating intelligence about the retail and wholesale supply of alcohol and tobacco. Councillor engagement and press release. • Participation in regional project work as appropriate. • Outreach event in Narrow Way. 	<ul style="list-style-type: none"> • To measure the effectiveness of the project at the start and end of Q2 and Q4 to measure improvement. • Trailer in Narrow Way. Public event held in partnership with Public Health. 	Start Q2 2018/19
Safety Project on White Goods Suppliers	<ul style="list-style-type: none"> • To identify and visit all the suppliers of white goods in the Borough and establish their compliance with the full remit of Trading Standards legislation including safety information & Consumer Rights Act Regulations. • Carrying out testing of second hand appliances, using qualified 	<ul style="list-style-type: none"> • To compile a comprehensive list of retailers and wholesalers supplying white goods in the Borough • To visit all premises identified and to advise businesses on all the legislation that applies to their retail and online sales of white goods. • To secure compliance through 	<ul style="list-style-type: none"> • All premises visited that fall into this category. • Any non-compliant premises brought into compliance within 6 months. • A list of email contacts for all suppliers in the Borough so product recall information can be effectively cascaded. • A report will be produced to 	By end Q2 2018

Work activity	Desired Outcome	Target	Performance Indicator / Measure	Timescale
	tradesman. <ul style="list-style-type: none"> • To ensure traders are aware of traceability responsibilities. • To take a graduated approach to enforcement. • To compile an electronic list of suppliers in order to cascade product recalls. • A develop a communications plan to advise traders and consumers. 	graduated enforcement action.	measure the effectiveness of the project. <ul style="list-style-type: none"> • Approximately 15 premises visited 	
Second-hand tyre	<ul style="list-style-type: none"> • To establish the level of compliance of businesses that sell part worn tyres across Hackney, and to take appropriate action where deemed necessary 	<ul style="list-style-type: none"> • To establish number of traders supplying second hand tyres. • To take a graduated approach to enforcement to ensure compliance. 	<ul style="list-style-type: none"> • Visit a minimum of 10 premises 	By end Q3 2018/19
Product Safety Work	<ul style="list-style-type: none"> • To ensure products sold in Hackney are safe and meet the relevant legislative requirement. 	<ul style="list-style-type: none"> • Develop 1 intelligence-led safety project for the area. • Participate in regional and sub-regional safety specific projects that are relevant to the area. • Inspections of premises which sell fireworks to ensure storage safety. 	<ul style="list-style-type: none"> • Test purchases carried out based on INTEL report. At least 1 test purchase. • This project is part of a London Trading Standards joint initiative. The theme to be determined by regional group. 	By end Q3 2018/19
Community Outreach	<ul style="list-style-type: none"> • To undertake a Winter Warmer Event. • Conduct BTEC training to traders who infringe legislation as alternative enforcement action. 	<ul style="list-style-type: none"> • Trading standards will provide advice to minimise the risk of our elderly citizens from becoming victims of scams and rogue traders. <ul style="list-style-type: none"> • Supply training to at least 1 trader 	<ul style="list-style-type: none"> • Conduct outreach event at Hackney Town Hall. • Conduct 1 test for a trader 	By end Q3 2018/19 By end of Q4.

Work activity	Desired Outcome	Target	Performance Indicator / Measure	Timescale
Ongoing work streams				
Education of identified vulnerable groups in conjunction with partner agencies	<ul style="list-style-type: none"> Education of residents thereby reducing the impact of scams and doorstep crime. 	<ul style="list-style-type: none"> Q1 Operation Liberal. A week of partnership work with the police Attendance at events giving an opportunity to carry out consumer education. Liaison with partner agencies and implementation of an intelligence- based approach to targeting rogue traders 	<ul style="list-style-type: none"> Consumer education events attended Resources directed at most significant identified problems. Meetings attended 	By end Q1 2018/19
Animal Feed	<ul style="list-style-type: none"> Ensure any animal feeding stuff issues are dealt with effectively and efficiently. 	<ul style="list-style-type: none"> Register or approve premises as required Visit all registered premises 	<ul style="list-style-type: none"> List of registered premises created To visit 30 registered premises by end of Q2. 	By end Q2 2018/19
Visits	<ul style="list-style-type: none"> To visit a range of premises including High; Upper Medium, Lower Medium and Low risk premises 	<ul style="list-style-type: none"> 100% of High risk premises 100% of Upper Medium Alternative Enforcement strategy for low risk premises 	<ul style="list-style-type: none"> Measure will be taken each month and quarterly to ensure the targets are achieved. 	By end Q4 2018/19
Use of communications to raise awareness of the work of the service and provide improved information for residents and businesses.	<ul style="list-style-type: none"> Contribute articles to suitable internal publications. Website information to be maintained and updated as necessary. 	<ul style="list-style-type: none"> A minimum of 2 articles in identified local/internal publication. Website reviewed/updated. 	<ul style="list-style-type: none"> Articles in publication. Min 2 Article in Press. 	By end Q4 2018/19

Work activity	Desired Outcome	Target	Performance Indicator / Measure	Timescale
Partnership working – opportunities to be identified for joint working with external stakeholders.	<ul style="list-style-type: none"> • Raise service profile by attending relevant meetings, improved stakeholder engagement and external/match funding achieved. 	<ul style="list-style-type: none"> • 100% attendance at Inner London/London Trading Standards s group meetings. • A minimum of 2 regional projects to be carried out. • National Minimum wage webinar events 	<ul style="list-style-type: none"> • Highlights to be reported through the submission of the monthly reports 	By end Q4 2018/19
Carry out Licensing checks	<ul style="list-style-type: none"> • Ensure compliance with licensing principles. 	<ul style="list-style-type: none"> • All allocated visits completed and requests for information dealt with, within required timescales. 	<ul style="list-style-type: none"> • Measurement of first response to a service requests within 10 days. 	By end Q4 2018/19
Service Improvement	<ul style="list-style-type: none"> • Improved internal processes 	<ul style="list-style-type: none"> • Review and update Trading Standards procedures • Improve use of intelligence from both internal and external sources to prioritise proactive work of the service. Fully engage with London Trading Standards Regional Intelligence Officer. 	<ul style="list-style-type: none"> • New Process/Procedure • Resources directed at most significant identified problems. • Increase in the number intelligence reports submitted to the Memex Intel database. Minimum 1 submission per month. 	By end Q4 2018/19
POCA / Financial investigating and confiscation	<ul style="list-style-type: none"> • Completion of financial investigation • To organise POCA meeting with team leaders from various services within Hackney Council 	<ul style="list-style-type: none"> • To have conduct of financial investigations within regulatory services. • Support planning confiscations • To extend work to all teams within regulatory services 	<ul style="list-style-type: none"> • Monthly reporting • At least four financial investigations/confiscation. 	By end Q4 2018/19
Reporting	<ul style="list-style-type: none"> • Maintain and improve reporting systems. 	<ul style="list-style-type: none"> • Completion of statutory returns for the service. • Section 70 WMA, Feeding Stuffs 	<ul style="list-style-type: none"> • Reports produced 	By end Q4 2018/19

3.0 PERFORMANCE INDICATORS

3.1 KPi

Key Performance Indicators	Frequency of reporting	2018/19 Target
High Risk Inspections	Monthly*	100% by 31 st March 2018
Upper Medium Risk Inspections	Monthly	100% by 31 st March 2018
Minimum 6 Animal Feed inspections per month until all completed (Statutory visits under Food Standards Agency)	Monthly	100% by 31 st March 2018
Minimum 6 Weights and Measures inspections(Statutory requirement from National Measurement Office)	Monthly	Minimum 72 inspections by 31 st March 2018

*see 3.3 below

3.2 LPi

Local Performance Indicators	Frequency of reporting	2018/19 Target
Percentage of complaints investigated concerning serious illegal trading practices in relation to - counterfeit goods responded within 5 working days	Monthly	90%
Percentage of complaints investigated concerning serious illegal trading practices in relation to - sales of unsafe goods responded to within 5 working days	Monthly	90%
Percentage of complaints investigated concerning serious illegal trading practices in relation to - sales of restricted goods to children underage responded to within 5 working days	Monthly	90%
Percentage of licensing consultation comments made within targets	Monthly	95%
Number of Notifications	Monthly	Reporting only
Total Number of complaints received	Monthly	Reporting only
Total Number of referrals received	Monthly	Reporting only
Number of Service Requests received	Monthly	Reporting only
Number of Licensing service requests received	Monthly	Reporting only

3.3 PROGRAMMED INSPECTIONS APRIL 2018-MARCH 2019

Risk Category	Category A – High (to be Inspected 2018/19) (e.g. a premises selling products subject to safety legislation such as knives)	Category B1 – Upper Medium (to be Inspected 2018/19) (E.g. a car dealer or premises selling high value goods. There could be an associated consumer credit agreement)	Category B2 – Low Medium (Inspected every 5 years) (e.g. a trader which is a newsagent which is inspected with respect to pricing compliance)	Total
Total number of premises	125	172	Total 369 (170 visits and 199 by alternative enforcement action)	666 Annual target
Target for percentage of visits to be completed at end of March 2019	100%	100%*	N/A	

* Visits will include targeted project visits as set out 2.0 above.

4.0 ENFORCEMENT POLICY

4.1 The Trading Standards Service is committed to the principles of good enforcement and takes account of the principles of the Enforcement Concordat, the Regulator's Code, and London Trading Standards guidance, and has regard to Crown Prosecution Service guidelines and Equality Impact issues. The Plan will allow the use of resources more effectively in assessing high risk activities whilst delivering benefits to low risk and compliant businesses.

The Service performs its duties in various ways including: inspection, sampling, test purchasing, testing, investigation and prosecution but also by informing, advising and educating businesses and consumers.

A key element of the activities carried out by the service is to facilitate and encourage economic growth and wherever possible the service will work in partnership with businesses, particularly small traders and the voluntary/community organisations to assist them with meeting their legal obligations without unnecessary expense.

In addition the service provides a Proceeds of Crime service to the Council and external boroughs.

5.0 RESOURCES

The table below is the estimation of a full time equivalent.

1 year	52 weeks (260 days)
Annual Leave / Bank holidays	7 weeks (35 days)
Training / briefings etc.	2 weeks (10 days)
Sick leave / dependency / special leave etc.	1 week (5 days)
Number of working weeks	42
Number of working days	210 days
1 FTE	210 days (1512 hours)

5.1 The staffing for Trading Standards function for 2017/18 were follows:-

0.3 FTE x Team Leader
3.0 FTE x Senior Trading Standards Officers
1.0 FTE x Principal Trading Standards Officer
1.0 FTE x Business Standards Officer
1.50 FTE x Technical Business Support

Total staffing resources = 6.8 FTE

5.2 The staffing for Trading Standards function for 2018/19 is as follows:-

0.3 FTE x Team Leader
1.0 FTE x Principal Trading Standards & POCA Officer
2.0 FTE x Senior Trading Standards Officers
1.0 FTE x Business Support Officer
1.0 FTE x Technical Business Support

Total staffing resources = 5.3 FTE

5.3 Total Resource Required:-

Activity	Calculation	FTE
Inspections	696 inspections done at 5 hours including paperwork follow up actions and Civica actions	$3480/1512 = 2.30$ FTE
Complaints and Service Requests	827 assuming average 1 hour	$827/1512 = 0.54$ FTE
Financial Investigations	5184 hours	$5184/1512 = 3.43$ FTE
Projects	2592 hours	$2952/1512 = 1.71$ FTE
Simple Cautions	2 anticipated 72 hours	$72/1512 = 0.05$ FTE
Prosecutions	2 anticipated 72 hours	$72/1512 = 0.05$ FTE
Alternative Enforcement Actions	100 hours	$100/1512 = 0.07$ FTE
Technical Business Support	1512	1FTE
Total requirement 9.08 FTE		

5.4 ALLOCATION OF RESOURCES TO DELIVER THE PLAN

The resources required to fulfil the plan for 2018/19 is 9.08 FTE, the actual FTE available is 5.3 FTE. This service is under resourced by 3.78 FTE which will provide significant challenges in the delivery of the service plan for 2018/19.

6.0 AUTHORISATION AND COMPETENCIES IN LINE WITH NEW REQUIREMENTS OF CODE OF PRACTICE

6.1 The Chartered Trading Standards Institute (TSI) is committed to empowering members of the profession, through the Continuous Personal and Professional Development (CPPD) scheme. All Trading Standards Officers are part of the scheme and have a personal responsibility to maintain their competences. TSI has a responsibility to invest resources in assisting staff to meet these development commitments. The scheme is inclusive of all trading standards professionals. In addition a training needs analysis is carried out with all staff to identify individual development needs.

All officers are authorised in accordance with the Authorisation, Induction and Training Procedure and their competencies assessed against the framework.

6.2 STAFF DEVELOPMENT PLAN NEW REQUIREMENTS OF THE CODE OF PRACTICE

Annual Appraisal and Development scheme will be completed at the start of the year. At the same time personal development plan, comprising the main objective for the year with targets will be developed. Records of all identified training needs are recorded and incorporated into a training plan. In addition, staff also receive regular one-to-ones/supervision meetings whereby competencies and development needs are discussed and assessed and adjustments are made to training plan where possible and appropriate.

All training records are maintained in accordance with the Authorisation, Induction and Training procedure.

Officers will be assisted in achieving 20 hours' Continual Professional Development (minimum 20 hours).