



**London Borough of Hackney**

# **Trading Standards Law Enforcement Service Plan 2020/21**



INVESTOR IN PEOPLE

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# INTRODUCTION

## 1.0 Introduction

Hackney council has strived to improve customer satisfaction and delivering value for money by making effective use of its resources. In the period of austerity the council has focussed on protecting frontline services.

The plan sets out the activities identified for the Trading Standards Service in 2020/21.

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 Chartered Trading Standards Institute is the professional association which represents trading standards professionals working in local authorities, business and consumer sectors and in central government in the UK and overseas.

The Team is managed by the Regulatory Services Manager and is currently staffed by a Trading Standards Team Leader who fulfils the role as the Chief Trading Standards Officer/Chief Inspector of Weights & Measures/POCA lead, three Senior Trading Standards Officers and one Business Standards Officer. The Service is also commissioned by the Public Health team to deliver a strategic and targeted enforcement on the subject of Alcohol and Tobacco sales in the borough.

## 2.0 Core Functions

2.1 The Trading Standards Service 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, warnings, simple cautions and prosecutions; work in partnership with members of the business community and with external agencies such as the police and HMRC to enforce a fair trading environment;
- utilise the powers of an accredited financial investigator.

2.2 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 & age restricted sales and
- animal feeding stuffs and feed registrations.

### 3.0 National Priorities

The National Trading Standards Board (NTSB) is a group of senior and experienced local government heads of Trading Standards, representing all regions across England and Wales. The Board has been set up by the Government as part of changes to the consumer protection landscape and an enhanced role for Trading Standards.

#### **NTS 2019 National Strategic Assessment**

The Board approved the National Control Strategy for 2020/21 agreeing the following priority areas; Mass Marketing Scams; Lettings; Doorstep Crime; Energy Related Fraud; Age Restricted Sale of Knives; Used Cars; Fair Trading – other misleading practices; Intellectual property; Estate Agency and Animal feed. It was also agreed that eCrime and the use of social media as a selling platform and serious and organised crime would be cross cutting themes or enablers, as they impact across each priority area.

For 2010/21 the Service will prioritise two

- Product safety.
- Age Restricted Sale of Knives

The NTSB has also recognised that e-crime and the use of social media as a selling platform, the tackling of serious and organised crime groups and the use of fulfilment houses as a means to distribute imported goods, are cross cutting issues that require attention as they underpin strategy across all priority areas. These priority areas provide a focus for regional and local regulatory activity and collaborative working with partner organisations, delivering national outcomes through local action. The Service has considered these national priority areas when setting its own key priorities for 2020/21.

Local Priorities. The Service will focus on the following:-

- General Age Restricted Products
- Lettings
- Illegal tobacco/alcohol

#### **Summary of 4 final grouped Service Priorities for 2020/21**

- Product Safety
- Safeguarding Vulnerable Adults
- Age Restricted Goods
- Ongoing work streams

## 1.1. Links to Corporate Objectives and Plans

### How the service Links to Corporate Priorities

Mayor's Priorities

Community Strategy(CS)

Corporate Plan

Corporate Delivery Plan

Divisional Business Plans

Service Area/Team Plans

Individual Appraisals

### *Hackney's Vision: A place for everyone*

Mayor's Priority 1:Tackling inequality; making Hackney a place that works for everyone,with affordable homes, job opportunities and first class schools,where no-one is left behind.

Mayor's Priority 2:An ambitious and well-run Council that delivers high quality services,financial stability, and first class local facilities.

Mayor's Priority 3:Prioritising quality of life and the environment; making our streets safer for cyclists and pedestrians, tackling air pollution, protecting our parks and green spaces

Mayor's Priority 4:A campaigning Council that speaks up for Hackney and actively intervenes to protect and promote the well being of the borough and its citizens.

Mayor's Priority 5: Connecting with Hackney's communities;a visible,engaging, and listening Council.working in partnership with local people to shape services and promoting community cohesion.

## How the work of Hackney Trading Standards links to the Mayor's Priorities:-

- **Link to Mayor's priority 1**
  - To undertake age restricted test purchases for knives.
- **Link to Mayor's priority 2**
  - To develop proceeds of crime work (POCA)
- **Link to Mayor's priority 4**
  - Combating rogue traders and working with partners to get redress for consumers.
  - To undertake targeted inspections of the main markets in the borough to ensure a fair trading environment.
  - To action Complaints received by the service from the public and other agencies including Consumer Advice Service addressing contraventions of trading standards.
- **Link to Mayor's priority 5**
  - Working in partnership with the police to combat age restricted goods offences.

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

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

**How the work of Hackney Trading Standards links to the Community Strategy priorities-**

- **Link to Making the borough safer**
  - To undertake age restricted test purchases for knives.
- **Link to Promoting Health and Wellbeing for all**
  - To conduct work to combat illegal alcohol and tobacco
- **Link to Help residents to become better qualified and raise educational aspirations**
  - To support young people with work placements.
  - **Link to Promote mixed communities in well-designed neighbourhoods, where people can access high quality, affordable housing**
  - Working in partnership with the housing team looking at Letting Agents.

**3.0 SERVICE PRIORITIES**

**Trading Standards Priorities 2020/2021**

<b>Work activity</b>	<b>Desired Outcome</b>	<b>Target</b>	<b>Performance Indicator / Measure</b>	<b>Timescale</b>
<b><u>Projects based on Local Priorities</u></b>				
<b>Product Safety</b>				
Product Safety Work	<ul style="list-style-type: none"> <li>● To ensure products sold in Hackney are safe and meet the relevant legislative requirements.</li> </ul>	<ul style="list-style-type: none"> <li>● Develop 1 intelligence-led safety project for the area.</li> <li>● Participate in regional and sub- regional safety</li> </ul>	<ul style="list-style-type: none"> <li>● Test purchases carried out based on INTEL report. At least 1 test purchase.</li> </ul>	By end Q3 2020/21



		<p>specific projects that are relevant to the area.</p> <ul style="list-style-type: none"> <li>• Inspections of premises which sell fireworks to ensure storage safety.</li> </ul>	<ul style="list-style-type: none"> <li>• This project is part of a London Trading Standards joint initiative. The theme to be determined by regional group.</li> </ul>	
Tobacco and Alcohol Control Work	<ul style="list-style-type: none"> <li>• Reduction in illegal sales of tobacco in support of government efforts to encourage smoking cessation.</li> <li>• To participate in appropriate/related health initiatives.</li> <li>• Compliance in retail establishments with relevant legislation.</li> <li>• Roadshow in the Narrowway.</li> </ul>	<ul style="list-style-type: none"> <li>• Trader education borough wide regarding illegal tobacco, raising awareness of the issue and possible sanctions if found in possession at a premises</li> <li>• Detection and disruption of sales of illegal and counterfeit tobacco. Identifying and tackling itinerant sellers of illegal tobacco.</li> <li>• Targeted visits with the sniffer dogs. At least 3 Action Days.</li> <li>• A Twitter and social media campaign with the aim of generating intelligence about the retail and wholesale supply of alcohol and tobacco.</li> <li>• Councillor engagement and press release.</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly reporting on activity undertaken.</li> <li>• Annual report to show year on year comparison.</li> <li>• To maintain Service Level Agreement with Public Health.</li> <li>• Participation in outreach and raised awareness regarding illegal tobacco.</li> </ul>	Ongoing from April 2020

		<ul style="list-style-type: none"> <li>• Participation in regional project work as appropriate.</li> <li>• Local Outreach event with tobacco roadshow and health partners.</li> </ul>		
Animal Feed	<ul style="list-style-type: none"> <li>• Ensure any animal feeding stuff issues are dealt with effectively and efficiently.</li> </ul>	<ul style="list-style-type: none"> <li>• Register or approve premises as required</li> <li>• Visit all registered premises</li> </ul>	<ul style="list-style-type: none"> <li>• List of registered premises created</li> <li>• To visit 30 registered premises.</li> </ul>	By end Q3 2020/21
Tackling Counterfeit Good	<ul style="list-style-type: none"> <li>• Reduce the level of non-compliance and raise awareness through appropriate publicity.</li> </ul>	<ul style="list-style-type: none"> <li>• A minimum of three visits to Hackney markets to carry out market surveillance and robust action to address non-compliance.</li> <li>• All cases to be considered for financial investigation.</li> <li>• Sampling, testing and enforcement including licence review.</li> <li>• To use social media scanning to identify local suppliers (desktop).</li> </ul>	<ul style="list-style-type: none"> <li>• Non-compliance will be addressed by a graduated approach to enforcement.</li> <li>• Minimum 3 targeted visits to markets.</li> </ul>	Ongoing from April 2020
Hackney Carnival	<ul style="list-style-type: none"> <li>• Ensure all goods are priced</li> <li>• Ensure all traders have ownership details displayed</li> <li>• Ensure there are no unsafe goods</li> </ul>	<ul style="list-style-type: none"> <li>• Visit all traders</li> </ul>	<ul style="list-style-type: none"> <li>• Visit all traders</li> <li>• Report on findings</li> </ul>	Complete Q2

<b>Safeguarding Vulnerable Adults</b>				
Operation Liberal	<p>This project/initiative will have the following outcomes:</p> <ul style="list-style-type: none"> <li>● To disrupt the activities of doorstep criminals operating within the Borough.</li> <li>● To gather further intelligence for future investigations.</li> <li>● Take a graduated approach to enforcement against persistent offenders.</li> <li>● To raise the level of business compliance</li> <li>● To raise awareness around the issues of doorstep crime</li> </ul>	<ul style="list-style-type: none"> <li>● To gather Intel and progress any cases.</li> <li>● Investigating domestic building sites with a view to disrupt the activities of rogue traders.</li> <li>● Identify residential addresses in N16 and E5, concentrating in and around Stoke Newington common, Lower Clapton and Chatsworth which may be subject to possible doorstep</li> <li>● crime/ rogue trader offences</li> <li>● To generate intelligence reports for further analysis</li> </ul>	<ul style="list-style-type: none"> <li>● Minimum 1 targeted operation in 2020/21.</li> <li>● Reactive responses will be made in line with the current Complaints Investigation procedure.</li> <li>● Summary report to be produced after analysis of intelligence reports and receipt of result of enquiries</li> <li>● Minimum 15 properties viewed</li> </ul>	By end Q1 2020/21
Community Outreach Winter Warmer	<ul style="list-style-type: none"> <li>● To undertake a Winter Warmer Event.</li> <li>● Conduct Chartered Trading Standards Institute 'Do you PASS?' training to traders who infringe legislation as alternative enforcement action.</li> </ul>	<ul style="list-style-type: none"> <li>● Trading Standards will provide advice to minimise the risk of our elderly citizens from becoming victims of scams and rogue traders.</li> <li>● Supply training to at least 10 traders</li> </ul>	<ul style="list-style-type: none"> <li>● Conduct outreach event at Hackney Town Hall.</li> <li>● Conduct tests for traders following training. Follow up test purchases to be carried out to check compliance levels.</li> </ul>	By end Q3 2020/21  By the end of Q3.
<b><u>Age Restricted Goods</u></b>				

Age Restricted Goods	<ul style="list-style-type: none"> <li>● Maintain the reduction in underage to combat anti-social behaviour and to promote the health and well-being of young people.</li> </ul>	<ul style="list-style-type: none"> <li>● The service will conduct 20 operations</li> </ul>	<ul style="list-style-type: none"> <li>● The service will conduct 20 operations using a range of products such as knives, alcohol and Tobacco.</li> </ul>	Ongoing from Q1 2020/21
Training for Traders who sell Age Restricted Goods	<ul style="list-style-type: none"> <li>● To help reduce the number of traders supplying age restricted goods to minors</li> </ul>	<ul style="list-style-type: none"> <li>● To train a minimum of 15 people.</li> </ul>	<ul style="list-style-type: none"> <li>● At least 15 people trained by end of financial year</li> </ul>	By end Q4 2020/21
<b><u>Ongoing work streams</u></b>				
Visits	<ul style="list-style-type: none"> <li>● To visit a range of premises including High; Upper Medium, Lower Medium and Low risk premises</li> </ul>	<ul style="list-style-type: none"> <li>● 100% of High risk premises</li> <li>● 100% of Upper Medium</li> <li>● Alternative Enforcement strategy for low risk premises</li> </ul>	<ul style="list-style-type: none"> <li>● Measure will be taken each month and quarterly to ensure the targets are achieved.</li> </ul>	Ongoing throughout year
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"> <li>● Contribute articles to suitable internal publications.</li> <li>● Website information to be maintained and updated as necessary.</li> </ul>	<ul style="list-style-type: none"> <li>● increased referrals to the Communications team with relevant local/internal stories for publication.</li> </ul>	<ul style="list-style-type: none"> <li>● Articles in publication.</li> <li>● Min 1 Article in Press per quarter.</li> </ul>	Ongoing throughout year
Partnership working – opportunities to be identified for joint working with external stakeholders.	<ul style="list-style-type: none"> <li>● Raise service profile by attending relevant meetings, improved stakeholder engagement and external/match funding achieved.</li> </ul>	<ul style="list-style-type: none"> <li>● 100% attendance at Inner London/London Trading Standards s group meetings.</li> <li>● A minimum of 2 regional projects to be carried out.</li> </ul>	<ul style="list-style-type: none"> <li>● Highlights to be reported through the submission of the monthly reports</li> </ul>	Ongoing throughout year

Primary Authority Partnership	<ul style="list-style-type: none"> <li>To provide support for Primary Authority Businesses</li> </ul>	<ul style="list-style-type: none"> <li>To hold at least 3 meetings with Primary Authority partners.</li> <li>Grow and promote our offer of chargeable business support options for all types of businesses, both inside and outside Hackney.</li> </ul>	<ul style="list-style-type: none"> <li>To hold at least 3 meetings a year with Primary Authority partners</li> <li>Support business with Trading Standards legislation.</li> <li>Respond to complaints where appropriate.</li> </ul>	Ongoing throughout year 2020/21
Carry out Licensing checks	<ul style="list-style-type: none"> <li>Ensure compliance with licensing principles.</li> </ul>	<ul style="list-style-type: none"> <li>All allocated visits completed and requests for information dealt with, within required timescales.</li> </ul>	<ul style="list-style-type: none"> <li>Measurement of first response to a service requests within 10 days.</li> </ul>	Ongoing throughout year 2020/21
Service Improvement	<ul style="list-style-type: none"> <li>Improved internal processes</li> </ul>	<ul style="list-style-type: none"> <li>Review and update Trading Standards procedures including property control</li> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>New Process/Procedure</li> <li>Resources directed at most significant identified problems.</li> <li>Increase in the number of intelligence reports submitted to the IDB Intel database. Minimum 1 submission per month.</li> </ul>	Ongoing throughout year 2020/21
POCA / Financial investigating and confiscation	<ul style="list-style-type: none"> <li>Completion of financial investigation</li> </ul>	<ul style="list-style-type: none"> <li>To have conduct of financial investigations within regulatory services.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure at least capacity to conduct confiscations</li> </ul>	Ongoing throughout year 2020/21

		<ul style="list-style-type: none"> <li>• Support planning confiscations</li> </ul>		
Reporting	<ul style="list-style-type: none"> <li>• Maintain and improve reporting systems.</li> </ul>	<ul style="list-style-type: none"> <li>• Completion of statutory returns for the service.</li> <li>• Section 70 WMA, Feeding Stuffs</li> </ul>	<ul style="list-style-type: none"> <li>• Reports produced</li> </ul>	By end Q3 and Q4 2020/21
London Trading Standards Week	5 subjects for London Trading Standards week	<ul style="list-style-type: none"> <li>• Test Purchasing of Corrosive substances</li> <li>• Nail bars</li> <li>• Rogue builders</li> <li>• Virtual Offices</li> <li>• Illicit tobacco &amp; alcohol</li> </ul>	Undertake at least 2 activities	By end of Q3 start Q4
<b>New work Stream</b>				
EU exit/Brexit preparations	<ul style="list-style-type: none"> <li>• To ensure Hackney Trading Standards has taken the necessary steps to ensure staff are trained in order to be able to perform their duties effectively.</li> <li>• Ensure all authorisations and delegations are in place to entitle Trading Standards staff to enforce their legislative duties.</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure Trading Standards keeps abreast of all relevant news and passes any messages to residents and the public via the appropriate council communications.</li> <li>• To ensure the service liaises with all partner agencies and regulators so Hackney can provide the support needed for businesses and residents.</li> </ul>	<ul style="list-style-type: none"> <li>• Train all officers and pass on any messages to traders and public alike.</li> <li>• Be aware of any initiatives which can showcase Hackney's preparedness for change and maintain its profile locally, London wide and nationally.</li> </ul>	Ongoing throughout the year.
Business Case	<ul style="list-style-type: none"> <li>• To obtain funding for a piece of work such as</li> </ul>	<ul style="list-style-type: none"> <li>• Make at least one business case to the NTG.</li> </ul>	<ul style="list-style-type: none"> <li>• Bid application drafted and submitted.</li> </ul>	By end Q4 2020/21

Training for Traders who sell Age Restricted Goods	<p>Lettings Operations coordinator.</p> <ul style="list-style-type: none"> <li>To help reduce the number of traders supplying age restricted goods to minors</li> </ul>	<ul style="list-style-type: none"> <li>To train a minimum of 10 people.</li> </ul>	<ul style="list-style-type: none"> <li>At least 10 people trained by end of financial year</li> </ul>	Ongoing throughout 2020/21
Competency Framework	Officers should exhibit sufficient competency to fulfil role	To ensure all staff meet minimum standard to fulfil role	Relevant qualifications or practitioner status	Ongoing throughout 2020/21

### 3.0 PERFORMANCE INDICATORS

#### 3.1 KPi

Key Performance Indicators	Frequency of reporting	2019/20 Target
High Risk Inspections	Monthly*	100% by 31 <sup>st</sup> March 2021
Upper Medium Risk Inspections	Monthly	100% by 31 <sup>st</sup> March 2021
Minimum 6 Animal Feed inspections per month until all completed (Statutory visits under Food Standards Agency)	Yearly	100% by 31 <sup>st</sup> March 2021
Minimum 6 Weights and Measures inspections (Statutory requirement from National Measurement Office)	Yearly	Minimum 72 inspections by 31 <sup>st</sup> March 2021

\*see 3.3 below

#### 3.2(i) LPi

Local Performance Indicators	Frequency of reporting	2020/21 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

### 3.2(ii) New Impacts and Outcomes Framework

Indicator	Frequency of reporting	2020/21 Target
Outcomes of Investigations and Prosecutions	Quarterly	Reporting only
Enterprise Act Undertakings	Quarterly	Reporting only
Redress obtained for consumers or victims of crime by service actions	Quarterly	Reporting only
Number of scam victims supported	Quarterly	Reporting only
Number of businesses receiving advice	Quarterly	Reporting only
Number of businesses found non-compliant when visited subsequently brought into compliance during the financial year	Quarterly	Reporting only
Deal with problematic businesses where an intervention is made	Quarterly	Reporting only
Support for legitimate businesses by trader approval schemes	Quarterly	Reporting only
Support for legitimate businesses by removing counterfeit goods from the market	Quarterly	Reporting only
Unsafe or non-compliant goods prevented from entering or removed from marketplace	Quarterly	Reporting only
Businesses tested for compliance with the law using underage volunteers OR compliance with mandatory Challenge 21/25 conditions	Quarterly	Reporting only
Tackling the availability of illicit tobacco	Quarterly	Reporting only
Tackling the availability of illicit alcohol	Quarterly	Reporting only



### 3.3 PROGRAMMED INSPECTIONS APRIL 2020/21

Risk Category	Category A – High (to be Inspected 2020/21) (e.g. a premises selling products subject to safety legislation such as knives)	Category B1 – Upper Medium (to be Inspected 2020/21) (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 Departmental Enforcement Policy; 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.

## 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 2019/20 were follows:-

- 0.3 FTE x Regulatory Services Manager
- 1.0 FTE x Trading Standards Team Leader
- 4.0 FTE x Senior Trading Standards Officers (1 post partly funded by public health)
- 1.0 FTE x Business Standards Officer
- 1.0 FTE x Technical Business Support

**Total staffing resources = 7.3 FTE**

5.2 The staffing for Trading Standards function for 2020/21 is as follows:-

- 0.3 FTE x Regulatory Services Manager
- 1.0 FTE x Trading Standards Team Leader
- 4.0 FTE x Senior Trading Standards Officers (1 post part funded by Public Health)
- 1.0 FTE x Business Support Officer
- 1.0 FTE x Technical Business Support

**Total staffing resources = 7.3 FTE**

**5.3 Total Resource Required:-**

Activity	Calculation	FTE
Inspections	1100 inspections at 2.5 hours including paperwork follow up actions and Civica actions.	2750/1512 = 1.82 FTE
Complaints and Service Requests	827 assuming average 1.5 hour	1240/1512 = 0.82 FTE
Financial Investigations	5184 hours (No of hours required based on income target £90k per annum)	5184/1512 = 3.43 FTE
Projects	2592 hours	2952/1512 = 1.71 FTE
Simple Cautions	2 anticipated 72 hours based on overall investigation time(see below)	114/1512 = 0.08 FTE
Prosecutions	2 anticipated 72 hours based on overall investigation time (Including TP PACE interview, costs, preparing case file for legal; testing of products and securing other statements and court attendance and case conferences with legal and manager)	114/1512 = 0.08 FTE
Alternative Enforcement Actions	100 hours	100/1512 = 0.07 FTE
Technical Business Support	1512	1FTE
		<b><u>Total requirement</u></b> <b><u>9 FTE</u></b>

**5.4 ALLOCATION OF RESOURCES TO DELIVER THE PLAN**

The resources required to fulfil the plan for 2020/21 is 9.01 FTE, the actual FTE available is 7.3 FTE. This service is under resourced by 1.71 FTE which will provide significant challenges in the delivery of the service plan for 2020/21.

**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

Staff also receive 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.

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

## 7.0 Internal Arrangements

### Arrangements include:

- Monitoring arrangements to assess the quality of enforcement work and compliance with the guidance from CTSI
- Minuted 6 weekly team meetings;
- Development needs assessments and training plan as part of the check-in process and completion of competency framework
- Cascade training and team briefings;
- Accompanied/validation inspections;
- 4-6 weekly Check-In meetings.
- Completion of individual competence framework questionnaires

## 7.1 External Arrangements

Benchmarking via Inner London Chiefs Meetings and London Trading Standards Meetings

## Appendix 1.0 - 6-month update to the Trading Standards Law Enforcement Service Plan 2020/21

### KPI

KPI	Frequency of Reporting	Target	As of 30.09.20	RAG
High Risk Inspections	Monthly*	100% by 31 <sup>st</sup> March 2020	On target	Green
Upper Medium Risk Inspections	Monthly	100% by 31 <sup>st</sup> March 2020	Completed	Green
Minimum 6 Animal Feed inspections per month until all completed (Statutory visits under Food Standards Agency)	Monthly	100% by 31 <sup>st</sup> March 2019	On target	Red

### Local Performance Indicators

	Frequency of reporting	2019/20 Target	RAG / Update
Percentage of complaints responded to concerning serious illegal trading practices in relation to - counterfeit goods responded within 5 working days	Monthly	100%	Green
Percentage of complaints responded to concerning serious illegal trading practices in relation to - sales of unsafe goods responded to within 5 working days	Monthly	100%	Green
Percentage of complaints responded to concerning serious illegal trading practices in relation to - sales of restricted goods to children underage responded to within 5 working days	Monthly	100%	Green
Percentage of licensing consultation comments made within targets	Monthly	100%	Green
Number of Notifications	Monthly	Reporting only	1447
Total Number of complaints received	Monthly	Reporting only	1974
Total Number of referrals received	Monthly	Reporting only	412
Number of Service Requests received	Monthly	Reporting only	64
Number of Licensing service requests received	Monthly	Reporting only	*

\*Unable to run report due to Cyber attack.

## Service Priorities 2020/21

What are the priorities?	Where to intervene?	Update	RAG
High Risk Visits	To visit 100% of the high risk inspections by 31st March 2020. Monthly reporting.	Trading Standards have visited 80% of the high risk inspections after 6 months.	Green
Upper Medium Risk Visits	To visit 100% of the Upper Medium risk premises by 31st march 2020. Monthly reporting.	Trading Standards have visited 100% of the Upper Medium risk inspections after 6 months,	Green
Underage sales programme	Maintain the reduction in underage to combat anti-social behaviour and to promote the health and well-being of young people.  The service will conduct 8 operations using a range of products such as knives, alcohol and Tobacco.	The service has conducted 24 visits. The police cadets obtained one sale of Smirnoff Ice during the six month period. PACE interviews conducted confirmed the trader has provided training to staff. This defence has led to the decision to offer the trader a caution together with further training. The overall number of operations has fallen due to Covid 19. Two traders are to be formally trained by the service on the legislative requirements with respect to age restricted goods. The number of action days have dramatically fallen due to business closures and a focus on Covid 19 related work.	Yellow
Tobacco and Alcohol Control work	Reduction in illegal sales and the use of tobacco in	Twenty five tobacco visits have been completed by the service with respect to discovering Illegal tobacco. There has been seizure of products	Yellow

	<p>support of government efforts to encourage smoking cessation.</p> <p>To participate in appropriate/related health initiatives.</p> <p>Targeted visits with the sniffer dogs. At least 3 Action Days.</p>	<p>from one street trader. Business advice and compliance checks have resumed but the number of visits conducted at the six month interval is lower as the focus of the service has been on Covid 19 inspections.</p> <p>Twenty alcohol compliance visits have been completed.No illegal alcohol was found.</p> <p>Action days cancelled due to business closures during pandemic.</p>	
Animal Feed	Ensure any animal feed issues are dealt with effectively and efficiently.	The service has visited six out of twenty nine registered premises during the first 6 months.This is below the normal output and this is due to the officers focussing on Covid 19 duties.	
Weights & Measures	Ensure a minimum of 6 Weights & Measures inspections. (Statutory requirement from National Measurement Office)	The service has not achieved the 6 month target.However much of the equipment has been sent for calibration.Unfortunately this has not been completed due to staffing and building access due to Covid 19 pandemic. It is anticipated that the number of visits will increase in the second half of the year.	
Consumer Advice and Education of Vulnerable residents.	<p>Promote the Service and deliver advice to residents and businesses.</p> <p>Role play event. The theme would be electrical safety.</p> <p>To undertake a Winter Warmer Event.</p>	<p>The Winter Warmer event will not be held for over 55s this year.</p> <p>No event will take place due to Covid 19 restrictions.</p> <p>Following the receipt of a complaint from an elderly resident, officers were able to prevent him from becoming a victim of a fraud involving rogue builders.Exorbitant charges for unnecessary repairs could have led to the vulnerable man losing his home.</p>	

	Respond to consumer complaints and service requests.	Vulnerable adults who may have been the victims of distraction burglary get further support from Social Services	
Product Safety	Develop 1 intelligence-led safety project for the area.	An operation was conducted at a self-storage unit in Hoxton. The raid was organised following a referral from trade mark owners Canon UK who were concerned about the online supply of counterfeit camera batteries which infringed their registered trademark. Counterfeit batteries also pose a risk of injury to consumers as they are unlikely to have gone through the stringent testing requirements which means that they could overheat or catch fire when being charged Trading Standards Officers were accompanied by representatives from Canon and Underwriters Laboratories. Approximately 1400 items with a street value of £10,000 were seized and further investigations are ongoing.	
Tackling Counterfeit Goods	Reduce the level of non-compliance and raise awareness through appropriate publicity.A minimum of three visits to Hackney markets to carry out market surveillance and robust action to address non-compliance	Monitoring of Ridley Road and Hackney Road is ongoing however there has been a reduction in the number of visits due to focus on Covid 19 visit.Traders in Hackney's markets are also checked to ensure licences are displayed showing ownership details.Traders are checked to ensure no illegal counterfeit or unsafe items are displayed.Finally market traders are asked to ensure all prices are displayed. Those traders who do not comply are subject to longer term investigation.  In addition online compliance is also being monitored for fake or unsafe goods like face masks.	
Use of communications to raise awareness of the work of the service and provide improved information for residents and businesses.	Contribute articles to suitable internal publications.Website information to be maintained and updated as necessary.	One article was published regarding a rogue trader who sought to defraud an elderly resident by overcharging for building work.(This is described in the section headed Consumer Advice and Education of Vulnerable residents)..	



	Suitable information for press releases to be passed to the Communications Team.Aim to achieve 2 articles.per year..		
Regular presence at external meetings  Partnership working - opportunities to be identified for joint working with external stakeholders and also for external funding	Raise service profile by attending relevant partnership meetings, improved stakeholder engagement and external/match funding achieved.	A consistent presence at London Trading Standards meetings has been achieved. These meetings allow the service to be aware of the latest information such as 5k for tobacco funding. However these meetings were by zoom conferences.  The service continues to work with the Police on Age Restricted Test Purchasing operations. In addition officers work with apprentices on operations such as test purchasing of single cigarettes.This year officers have supported Environmental Health on Covid 19 visits. Finally officers support proactive enforcement in operations involving the enforcement team.For example at a business called the American Car wash. Trading Standards initially entered the premises with the Police and then brought the other teams onto the site.Trading Standards enforcement powers were vital for the success of the operation.	
Carry out Licensing checks	Ensure compliance with licensing principles.	The service has been processing the Licensing applications as a Responsible Authority. They are mostly processed on time.	
Complaints and service requests	Respond to complaints and service requests.	From April – September 2020 there were a total of 1974 consumer complaints received from members of the public. This is up from 1668 for the same period for the previous year.	

		Year	Notifications	Referrals	Other	Total
		2018-2019	1262	308	98	1668
		2019-2020	1447	412	115	1974
POCA / Financial investigating and confiscation	<ul style="list-style-type: none"> <li>To have conduct of at least 2 financial investigations within regulatory services.</li> <li>Support planning confiscations</li> </ul>	1 confiscation order of 30k has been obtained. However court processes have been delayed due to Covid 19. Second case held up by dates being deferred by court.				

### **COVID19 and Trading Standards Service**

The Hackney Trading Standards team has become integral to the local effort to ensure lockdown regulations were effective whilst at the same time working hard to keep residents safe from criminal scammers and unscrupulous profiteers. The pandemic has brought new and unprecedented challenges to trading standards and its enforcement.

#### **Areas of concern**

1. **Under age Sales** - proactive visits to prevent sales of knives, cigarettes, corrosive substances and alcohol to under 18s have been limited due to the focus on C19 compliance checks.

2. **Letting agent's visits to protect tenants rights.** Potential Interventions required due some landlords seeking to remove tenants illegally because of delayed rental payments caused by the pandemic.
3. **Business closure enforcement** - visits have been conducted to businesses that have breached the rules.
4. **Excessive pricing and Scams** – The pandemic has led to an increase in COVID-19 scams with the service warning the public to be vigilant. There has been evidence of price gouging (Increasing prices) on products such as face masks and hand sanitisers and the service has advised how consumers could report cases.
5. **Unsafe and counterfeit sanitiser, PPE and other products** – The pandemic has led to an increase in a range of unsafe COVID-19 related products found in Hackney and officers have been warning the public to be vigilant and to report cases.
6. **Travel and event cancellations** –Data shows an increase in complaints about cancellation of events with consumers requiring signposting and clear advice on consumer rights with some travel agents not providing refunds.
7. **Illegal alcohol and tobacco** - With less income the public will seek cheap alternatives.

### **The impact of Covid 19 on the service.**

The service adapted to the pandemic by joining a cross service Covid 19 enforcement team. At the outset of the outbreak Trading Standards took the lead by visiting premises during the first lockdown. Officers were issuing notices to traders who were open illegally such as mobile phone shops, cosmetics businesses and hair and beauty products shops. As the legislation was amended and the enforcement powers came within the remit of Environmental Health Officers the Trading Standards Service acted as a reporting service to the Environmental Health Team.

Currently Trading Standards have now provided one officer as a long term attachment to a dedicated Covid 19 enforcement team. Since early March, the service has witnessed a large increase of scams levied on consumers. These scams cover doorstep to the telephone, to social media, text and email, and all themed around the COVID-19 coronavirus pandemic. This unprecedented health emergency has led to a never before seen surge in scam activity.

### **The impact of the Cyber attack on the Trading Standards Service**

The main impact for Trading Standards relates to the inability to report accurately on work conducted since October onwards. Civica App is the main database used with respect to complaints, service requests and inspections. This will make reporting difficult for monthly briefings, annual reports and responses to Freedom of Information requests or other such enquiries. Discussions with the Citizens Advice Service are ongoing and an alternative method has been developed to receive and download complaints received from members of the public concerning consumer protection matters.

### **Recruitment.**

The service is currently in the process of recruiting one officer to fill a vacant position. This will help alleviate the loss of one officer for the dedicated Covid 19 enforcement team.

### **Look forward to the next six months.**

It is hoped that the team will be able to focus on its core Trading Standards duties so areas which have been negatively impacted by the pandemic will improve so that annual targets will be either achieved or nearly achieved. The Service has also had to adapt and will see:-

- Further redefining of job roles - such as Covid 19 enforcement
- Continue implementing new ways of working i.e. working from home more extensively in the future.
- Greater partnership working - officers working with apprentices, enforcement officers, the police, fire safety officers and the Audit and Anti Fraud team.
- Focusing on income generating activities including the Primary Authority scheme and training more financial investigators.