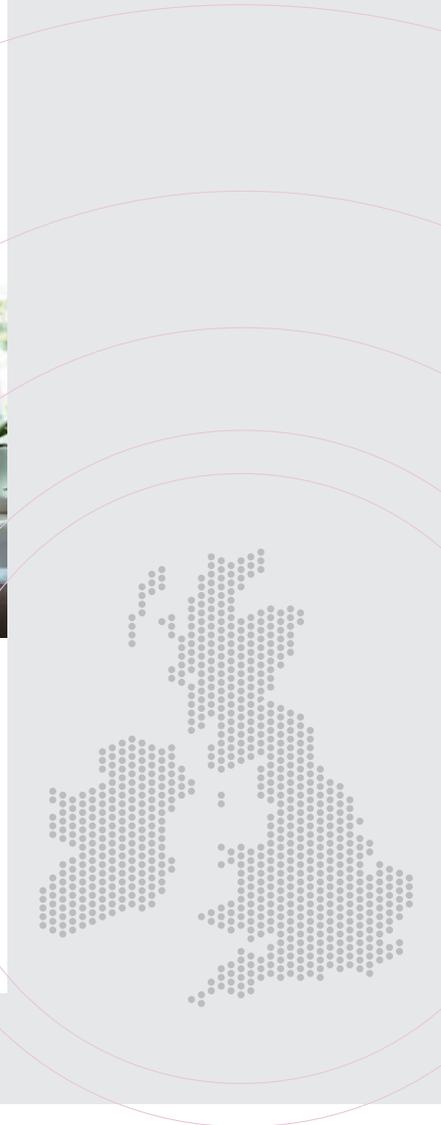
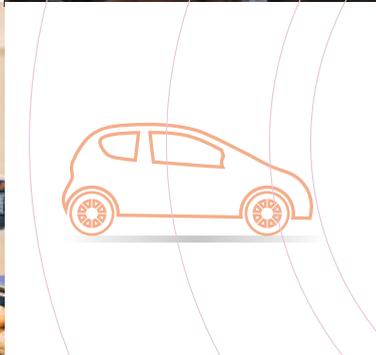


The Value of Trading Standards

A showcase of excellence, innovation and best practice



COUNCILLOR SIMON BLACKBURN

Chair, LGA Safer and Stronger Communities Board



Councillor Simon Blackburn

Chair, LGA Safer and Stronger
Communities Board

I am delighted to introduce this guide to best practice trading standards work on behalf of the Local Government Association's Safer and Stronger Communities Board.

The case studies in this document highlight the broad and diverse range of activities that local trading standards services, supplemented by the work of National Trading Standards teams operating regionally and nationally, are able to support.

As was noted in our review of trading standards in 2016, one of the most valuable features of trading standards is its flexibility as a responsive local resource that can be deployed to support local businesses, residents and consumers, and tackle local issues. The service offers a range of potential tools and important skills that can be used to address local challenges – whether that is protecting divers and the local economy through ensuring the safety of scuba diving equipment, working collaboratively to tackle rogue landlords and improve local housing conditions or helping to ensure the integrity of the food chain by working with local farmers.

Alongside this locally focused work, trading standards also plays a significant role in the fight against national and global issues such as cybercrime.

Like all local government services, trading standards is under significant pressure following substantial budget cuts, but there are no easy decisions for councillors to make in this regard. I hope that this document will help to illustrate the work of a service that is rarely in the spotlight, but which makes an important contribution to a range of local and national priorities.

LEON LIVERMORE

Chief Executive Chartered Trading Standards Institute



Leon Livermore

Chief Executive, Chartered Trading Standards Institute

The case studies set out in this guide are just a few examples of why I have been so proud to represent the trading standards profession nationally over the past five years.

The breadth of work undertaken by trading standards continues to surprise those I speak with. It is the safety of products in our homes, the balance in contracts between the rights of consumers and businesses, the labelling of food to ensure allergens are clear, the measuring of weight so consumers are not short changed, and so much more.

What links all of these together is the fundamental fairness that UK consumers expect and deserve – and which trading standards services work to deliver.

While the national picture – of over 50% fall in resources for trading standards – has been well reported, it's incumbent on each council to decide what to spend on their trading standards services.

This guide represents just some of the best of what trading standards can do across the country. It is my hope that this guide provides a window into just a small selection of the work that trading standards does across the UK. I hope that it can start a conversation locally about the value of trading standards working alone, with other council services, and with external agencies.

I hope that councillors can use this to better understand their trading standards services and the work that they do to ensure the fairness consumer protection offers society is something we can all continue to enjoy.

I want to thank the dedicated trading standards professionals, both featured in these pages and those who missed out, who submitted evidence for this guide.

DRIVING ECONOMIC GROWTH

Economic growth is the lifeblood of successful communities. If businesses are able to thrive and grow then employment naturally follows.

Trading standards regulation keeps markets fair. They ensure that criminality, whether this is from unsafe goods or practices that disadvantage consumers, does not impact on the vast majority of businesses that want to comply with the law.

Delivering professional advice to businesses on regulation is essential to making your local authority area a great place to set up and run a business. The following is just a small set of examples of how dedicated local authority trading standards experts are best placed to guide businesses to comply with the law.

GETTING IT RIGHT FIRST TIME: JOINED-UP SUPPORT FOR LOCAL BUSINESSES

The challenge of retaining specialist expertise in a period of financial restraints is one that will be familiar to many local authorities. Cornwall Council established an innovative hub to allow businesses to access advice and support easily from a pool of experts.

Business Regulatory Support Hub

Cornwall Trading Standards joined forces with other regulatory services in the authority, including environmental health and licensing, to create a one-stop shop in January 2016 for businesses seeking regulatory advice. The Business Regulatory Support (BRS) was created after feedback from businesses which said that

regulatory advice was difficult to access and needed to be streamlined.

Businesses in Cornwall can now access all regulatory advice in one place through BRS and will also be referred on to other services as necessary, including the Growth Hub, planning, building control and the fire service. The website had approximately 13,000 users in 2017, extending the impact of the service.

The success of this project in making the council more open to business queries is clear. In its second year of operation, BRS dealt with a total of 1,667 enquiries from businesses, up 47% from 2016. Seventy-three per cent of these businesses received free advice, while 20% went on to purchase a service. Proactive support for businesses remains important, with the hub reaching 2,850 businesses in 2017, of which 1,200 were start-up businesses. Business satisfaction with the service has been 99%.

Value of collaboration

By working together, Cornwall's regulatory services were able to save 57 posts that were at risk due to financial cutbacks. Significantly, the council has been able to retain staff with expertise in specific legislative areas that would otherwise have been lost.

In 2017/18 over £1m of income was generated for the Public Protection Service from the BRS programme and associated impacts.

Working with the local Better Business for All Partnership (BBfA) was crucial to understanding what local businesses needed from their regulatory services. The team continue to engage with local businesses at events across the county. In 2017 they attended over 50 events to publicise BRS and get feedback on how to improve. Business testimonials continue to shape new or revised regulatory business support offers.



Recognition for excellence

Business Regulatory Support Hub team members were awarded Cornwall Council's 'One and All' awards for Primary Authority and Working Together.

Cornwall's Better Business for All partnership won the Best Partnership in the Country award from the Department for Business, Energy and Industrial Strategy in May 2017.

SUPPORTING COTTAGE INDUSTRY AND MICROBUSINESS

The growth of online selling platforms coupled with the increasing popularity of flea markets and farmers' markets is turning some home-based hobbies into small businesses – Royal Borough of Windsor and Maidenhead faced a particular safety challenge when advising a candle business on compliance.

Those who start selling their home-made candles face a complex tangle of important product safety laws. Recent attention has focused on the chemical components of candles, which are a hidden danger for candle enthusiasts; streaming eyes, rashes and allergic reactions can be the result of neglecting chemical safety.

Royal Borough of Windsor and Maidenhead (RBWM) Trading Standards was approached by a local resident who needed help interpreting the legislation as she had received confusing and contradictory information on how to comply.

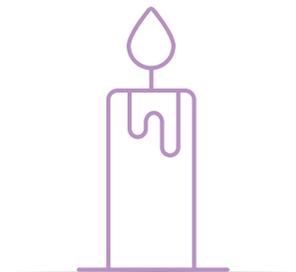
In the process of helping the start-up business, it became clear that there was a lack of guidance for candle makers on how to comply with the legislation and ensure the safety of their

products. Additionally, because chemical safety regulation is an area of law that is rarely dealt with by trading standards, there was a low level of technical expertise across the trading standards community. Working with the British Candlemakers Federation (BCF), RBWM was able to produce a factsheet and checklist for small producers of candles, setting out the legal requirements.

So far, at least 10 small-scale candle making businesses have saved approximately £5,000 on consultancy fees, instead receiving free advice from RBWM Trading Standards. Five non-compliant businesses have been brought into compliance. Most importantly, consumers have been protected from the risks of unsafe candles. The new guidance has been distributed to BCF members nationwide, which make up

95% of the candle-making industry. RBWM is working with BCF, raw material suppliers and trading standards nationally to reach the remaining 5%.

This project highlights that a small allocation of trading standards time to an issue of compliance can assist businesses greatly in ensuring their product is safe – avoiding the potential future costs of non-compliance as well as protecting the public.



SHARED EXPERTISE - GREATER SERVICE

Delivering a comprehensive business support network through shared expertise.

In the modern world where regulations look to uphold the highest market standards, supporting businesses in keeping up with legislative requirements to ensure their products are safe and they trade fairly is more important than ever.

Sharing services across local authority boundaries is one strategy for coping with resource constraints that has been advocated by the Local Government Association among others. Trading standards in Devon, Somerset and Torbay councils have come together to increase resilience and have taken the opportunity to improve the service, putting business needs at its heart.

Establishing a modern joint service

The aim of bringing trading standards together was to create a modern, dynamic, well-resourced and resilient service which aligns

with other local and regional initiatives, ensuring a strong presence for the service in the community. The service needed to align as fully as possible with the Local Enterprise Partnership (LEP) area – the Heart of the South West – allowing the service to support the businesses involved as fully as possible. Growing a reputation as a centre of excellence for business support was also vital to increase visibility and effectiveness in reaching local businesses.

Growing a comprehensive business support offering

In 2013 Devon and Somerset merged their trading standards services to form a joint service; in 2017 Torbay Council Trading Standards was integrated into the service. Through the increased capacity, the Business Support section has been able to develop their metrology lab, one of only ten local authority UKAS accredited labs in the country; develop their Primary Authority offering; manage

the national business approval scheme 'Buy With Confidence', host the central hub from within the joint service; and take a leading role in developing the Better Business for All (BBfA) partnership across the whole of the LEP area.

Economic development officers from all three counties were eventually merged with the joint trading standards function, to create a new Trading Standards, Business Support and Innovation team. This allows businesses to access more comprehensive support in one place as well as generating greater resilience and increasing the visibility of the service within the local authorities.

The new team is comprised of highly qualified officers who deliver the broad spectrum of trading standards advice and facilitate income generation to reinvest in the service.

Fast Track 2 Growth

One of the benefits of joined up operations for local businesses is the opportunity for direct participation in initiatives like the Fast Track 2 Growth scheme. When a business contacts trading standards or any partner in the scheme, they are offered a holistic package including:

- advice on funding
- grant availability
- HR, finance and marketing training
- access to growth hubs
- regulatory support
- commercial offers, including Primary Authority, Buy With Confidence and calibration services at the metrology laboratory

INCREASING CONSUMER CONFIDENCE AND PROMOTING FAIR PRACTICE IN THE MOTOR TRADE

Two of the most frequent categories of consumer complaints received by trading standards are used cars, and car servicing and repairs.

South Yorkshire Trading Standards (comprising four local authority trading standards services) set up a partnership scheme with dealerships to increase consumer confidence and assist reputable businesses in demonstrating their commitment to trading fairly.

The scheme was set up in 2000 and now has over 80 members. After initial investment in the first two years it has been self-funded, with over £50,000 income a year. Membership is open to motor retailers and garages in South

Yorkshire. Members are supported by a full-time officer – funded by the scheme – who assists them in dealing with complaints. They also receive a full inspection, access to dedicated alternative dispute resolution (ADR), and free training on relevant trading standards legislation every year. The availability of training has led to high take up, with 95% of members attending last year.

A particular success is the increasing awareness of the scheme among consumers

in South Yorkshire, who are choosing to buy vehicles only from members. Additionally, the scheme saves money for local authorities as officers are dealing with fewer issues in the motor trade.



ENSURING THE SAFETY OF DIVERS AND CREATING A PULL FOR TOURISTS

With sun, sea, reefs and wrecks, Plymouth is one of the most popular locations for scuba diving in the UK.

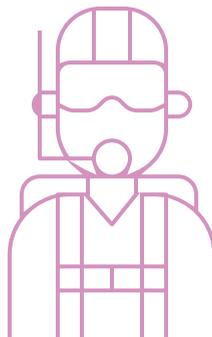
To increase public confidence in the safety of diving and establish Plymouth as a top-class diving destination, it is important that the compressed air supplied to divers is uncontaminated and meets legislative requirements. Symptoms of breathing contaminated air can include impaired judgement and loss of consciousness, both of which can be deadly underwater.

Plymouth Trading Standards carries out annual checks under the General Product Safety Regulations 2005 at all the dive

shops in late spring, before the main season begins. Samples are taken of the air supplied to fill divers' tanks, and these are checked for contaminants at an accredited test house.

Any issues that are found result in follow-up action and advice from specialist officers to the dive shops concerned. The project has received a high level of support from dive shops and compliance has been driven up to a very high standard over the years.

The service highlights the results of the project annually in the press, which helps to give the public confidence in the enhanced safety of Plymouth's dive centres. The project has further enhanced trust in the market and in turn helped to underpin the tourist industry.



CYBERCRIME - BIGGER THAN THE GLOBAL DRUGS TRADE

It is recognised that cybercrime is bigger than the global drugs trade, and yet a local service like trading standards bears a heavy burden for protecting consumers from online fraud, dangerous products and sellers denying consumers their rights.

Warwickshire Trading Standards show how a local service can contribute to protecting the public.

The Warwickshire Tackling Cybercrime Programme

Since April 2016, Warwickshire Trading Standards has been a part of hosting the Warwickshire Tackling Cybercrime Programme to deal with the rise in incidents affecting residents and businesses in the county. Funded by the Warwickshire Police and Crime Commissioner, it uses the Home Office Serious and Organised Crime Strategy's four themes of Pursue, Prevent, Protect and Prepare, because of cybercrime's potential links to organised criminal groups.

This means that officers are working to:

- Pursue – organised criminals by prosecution and disruption
- Prevent – people from becoming cyber criminals
- Protect – businesses and the public from cybercrime
- Prepare – businesses and the public for post-event resilience

The programme measures its impact by recording the number of reported incidents of cybercrime, the cost to consumers and the types of cybercrime committed.

The extent of the issue

By focusing on cybercrime there was an increased understanding of the scale and extent of the issue. Between January and December 2016, 138 cybercrime incidents saw people across the county lose a total of £26,010. Between January and July 2017, consumers lost a total of £10,138 in 34 incidents. During this time period, complaints that related to the purchase of goods or services from a bogus website or fraudulent seller, or the seller denying consumers their rights/non-delivery of products, were the highest number that the programme has recorded so far. Worryingly, it is recognised nationally that many more cybercrimes go unreported.

In Warwickshire, trading standards officers have discovered that the groups most susceptible to cybercrime are:

- the over 65s
- the under 25s
- previous victims of fraud and cybercrime
- individuals with learning difficulties and autistic spectrum disorders
- the lonely and isolated

A key factor in establishing a person's susceptibility to cybercrime is their confidence online, with both overconfidence and a lack of confidence increasing their vulnerability.

The value of trading standards

To help raise awareness and prevent people being conned online, Warwickshire Trading Standards is undertaking an enormous amount of work through the cybercrime programme. This includes developing an online 'self-assessment' tool by the end of 2018 that allows businesses to check their own compliance, with sign-posting for further information supplied.

Officers have also implemented a scam email alert, which is currently sent to 1,800 subscribers, warning them of the latest cyber-related scams. This information is then cascaded by subscribers via blogs, websites and newsletters, and posted on Warwickshire's Twitter and Facebook pages.

Other prevention work has included: face-to-face presentations on fraud and cybercrime awareness, delivered to more than 4,700 residents with autistic spectrum disorders and learning difficulties; the creation of Cyber Champions within the Victim Support service in Warwickshire; and the development of Talkingshop, an interactive cybercrime education tool for schools, which has so far seen about 1,000 students take part.

The success of this has been shown by a 115% increase in the monthly reporting of cybercrimes to Warwickshire Police between April 2016 and June 2017.

Unsafe goods in the online marketplace

Following national reports of faulty or dangerous electrical goods, trading standards officers decided to test the quality of chargers for mobile phones, tablets and electronic cigarettes being sold online. This work revealed that just under 42% of the samples were unsafe. Two out of three hoverboards purchased online also failed safety tests, and issues were identified around the way the products were being marketed.

Suppliers were contacted and given detailed advice to remove these products from the market, and told to publish clear warnings to parents.



Sharing best practice

The intelligence being gathered through this project is enabling officers to disseminate information to other enforcement agencies all over the UK, to help them identify and tackle cyber scams in their area.

The team

Five full-time roles have been funded.

These are:

- cybercrime advisers x2
- business crime adviser x1
- trading standards officers x2

Warwickshire cybercrime in numbers

- 138 incidents were reported between January and December 2016, in which £26,010 was lost by consumers
- 34 incidents were reported between January and July 2017, in which £10,138 was lost by consumers

Website compliance projects

- just under 200 visited
- 80% were non-compliant with one or more pieces of legislation

- after warnings, advice and support was issued, 90% are now compliant
- one website was closed down and surveillance is now ongoing

Property letting agents

- 91 websites examined
- 33 were in breach of legislation and issued with written warnings/ given support to comply
- six were still non-compliant after re-inspection and issued with statutory notices of intent
- five then complied
- one paid £5,000 fixed penalty

Following this compliance work, all Warwickshire letting agents are following the law.

Flammability of children's clothing

- eight samples bought online and tested for flammability compliance
- 25% failed testing

To raise awareness of the risks of purchasing online, safety advice and other literature was produced and circulated to parents, which included creating two short films.

TACKLING UNFAIR POSTAL CHARGES

The move to online sales of goods, while beneficial to many, is having unintended consequences across the UK.

In the Highlands, illegal and unfair increasing of delivery charges was noted across the community, leading Highland Trading Standards to take coordinated actions.

Complaints ranged from internet sellers' failure to disclose surcharges until very late in the buying process (or even after a sale had been completed) to a widespread feeling among Highland buyers that the scale of the charges was often excessive and unfair, however well they were indicated to consumers during the sale process. Plus, some e-retailers refused to sell to consumers based in remote locations at all.

This was in effect cutting off a whole area of the community from the benefits of the digital revolution, and Highland Trading Standards was best placed to tackle the issue.

It was not only out-of-pocket consumers that were noticing this impact, small business buyers were seeing themselves disadvantaged too. Councillors, MPs, MSPs and the media were also noting the issue regularly.

Resolving the issue

The team found there is no one solution to resolve these problems. Instead, a suite of different but complementary initiatives are required to bring about change.

Officers decided that a two-pronged approach was required:

- enhanced enforcement: taking on cases through remote contact with e-retailers based elsewhere in the country, and targeting big retailers and e-marketplaces
- a parallel policy and publicity campaign to raise the profile of the issues, with a view to improving the situation across the UK e-commerce landscape. This included: an ongoing news campaign using traditional and social media; engagement with MSPs through active membership of the Cross-Party Group on Postal Affairs; close liaison with consumer bodies and active assistance with their work on these matters; and playing a key role on the Scottish Government working group that produced the *Statement of Principles for Parcel Deliveries*, which is now a UK-wide document endorsed by all the major players

Results achieved

Since Highland Trading Standards' work began, around 200 websites have changed their procedures, some dropping or reducing surcharges, others changing displays to clearly indicate the charges early in the buying process. Among these websites were some large, multinational companies, which should have a positive effect on many future transactions.

eBay and Amazon were also contacted, which led to action by them to ensure their platforms' sellers treat Highland consumers fairly.

And there has been a widespread acceptance and adoption of the team's new interpretations of the law.

The value of trading standards

In this case, trading standards is in a unique position to be influential because of its strong links to both consumers and businesses. Its 'USP' is the team's ability to be equidistant between consumers and businesses, understanding the needs of both. This was very important in bringing together the consumer and business groups on the Scottish Government working group.

Trading standards' 'USP' is the team's ability to become the 'equidistance' between consumers and businesses, understanding the needs of both.

PROTECTING CONSUMERS - WE'RE ALL POTENTIAL VICTIMS



It is a sad fact that criminals frequently target the most vulnerable consumers in our society.

From rogue traders to poor home-improvement services, mail scams to illicit phone calls, vulnerable consumers need the protection offered by trading standards services. But it's not just the most vulnerable in society who fall victim to scams, consumers from all walks of life have found themselves out of pocket to criminals. With technology making it easier for scammers to operate, effective consumer protection has never been more important.

Trading standards services are well versed in the role of protecting consumers from outright criminality

using 'white collar' crime as an easier route to riches. Scams and fraud cause serious harm and distress within our communities, affecting the lives of millions of people in the UK. The average victim loses about £1,000 to scams, but some have lost many thousands of pounds, and even their homes, to criminals.

In the next 20 years local authorities will face increased demands from a larger older population who are living longer and have an increasing frequency of isolation and cognitive impairment.

Further, criminals no longer require direct access to their victims, with mass marketing techniques identifying potential victims. Contact details are passed freely amongst criminals who refer to these lists of potential victims as 'suckers lists' – leading to targeting again and again.

The following examples set out how trading standards' consumer powers and expertise contribute to combatting the criminal practices that damage every community in the UK.

REDUCING CARE COSTS BY REACHING OUT TO VICTIMS

Working alongside adult safeguarding teams, vulnerable victims can be kept out of overburdened local care systems.

The value of trading standards

In England and Wales the National Trading Standards Scams Team passes lists of suspected victims to local trading standards services in the hope that resources can be found to offer people in their patch support, protection and even justice.

In Dudley, 500 such victims have been identified and, thanks to senior management recognising the integral part that trading standards plays in safeguarding adults from financial abuse, Dudley Trading Standards has been allocated £300,000 from the

Better Care Fund to help protect these victims. A number of these residents are vulnerable and were previously unknown to adult safeguarding teams.

This funding has been used to create three new posts for three years: one scams enforcement officer and two scam liaison officers.

Dolores Nellany, Public Protection Manager at Dudley Trading Standards, says: "The limited resources of most trading standards teams would be unable to deal with this demand for service. However, the addition of specialist staff means that, over

a three-year period, suspected victims of financial abuse and scams in Dudley will all be visited and protected."

Criminal investigations are now under way and the funding has made representation possible for victims seeking redress from financial institutions.

Ultimately, this work is expected to reduce costs for the NHS and Dudley Metropolitan Borough Council by helping these residents remain confident to live independently in their own homes, reducing burdens on the care system.

THE HOUSE THAT JACK BUILT

Operation Gauntlet is proving that working together is the only way to protect communities from all types of fraud.

Doorstep crime is a type of rogue trading that is pervasive by nature, occurring in every village, town and city across the UK. It is a crime without borders that leaves homeowners facing financial ruin, their confidence in shreds and their ability to live independently seriously undermined. As well as the harm caused to individuals, the money made from these acts has been found to fund organised criminal activities and has even been linked to modern day slavery.

The Multi-Agency Safeguarding Team

As an issue, it requires a fully rounded approach. In North Yorkshire, this has been achieved by creating the Multi-Agency Safeguarding Team, which aims to target all forms of fraud and financial abuse – not just rogue trading. This sees trading standards, police and other partners working together to tackle doorstep crime, distraction burglaries, investment frauds, scam mail, romance frauds, and frauds by family members, carers and powers of attorney.

Between July 2016 and December 2017 alone, the team was responsible for 25 defendants being convicted for fraud, burglary, conspiracy and money laundering.

How it works

In partnership, the team aims to: improve the quality of life and well-being of victims and those at risk, reducing the harm caused and maintaining their ability to live

“The scale of the problem is beyond even what we had predicted”

Ruth Andrews

safely and independently in their own homes; pursue offenders, using all available resources; and prevent fraud and financial abuse occurring in the first place. This is done through safeguarding, reassurance and advisory visits, as well as investigations and prosecutions against the perpetrators, and initiating confiscation cases to remove assets and compensate victims.

The value of trading standards

The team was initially set up after North Yorkshire Trading Standards

(NYTS) presented evidence that it had collected over many years to key people in the police, health and adult services, and public health teams. This evidence showed the typical characteristics of victims of doorstep crime, and the 2,000 potential victims National Trading Standards had identified in their patch as needing trading standards’ support, advice or protection.

As a result, the council’s public health team is now a major source of funding, because the work NYTS has done over the years to tackle doorstep crime showed the



extent of fraudsters' victimisation of people when they are lonely, isolated or have dementia.

The team now operates in accordance with the Home Office's Serious and Organised Crime Strategy, on the basis of the Pursue, Prevent, Protect and Prepare themes, because most of the offenders come from organised crime groups.

As well as undertaking criminal cases, officers also attend conferences and community and partnership events to raise awareness of fraud and disrupt offenders' activities. Other prevention work includes giving talks and presentations, working with banks, setting up No Cold Calling Zones, making scam mail visits, installing call blocking devices to help prevent telephone fraud, making safeguarding referrals and working with the council's health and adult services and other partners to change the behaviour of victims and those at risk.

A small team that achieves big results

Ruth Andrews, Head of Investigations and Safeguarding, says one of the lessons learned from this project is "what can be achieved with such a small team. Many of the case results were achieved at a time when there were only three trading standards investigators and one detective constable." The team is now looking at ways to secure funding beyond 2019 to tackle the scale of the problem, which Andrews says is "beyond even what we had predicted".

The multidisciplinary team

- head of investigations and safeguarding x1
- divisional officer x1
- trading standards officer x0.6
- senior enforcement officer x1
- trading standards enforcement officer – criminal investigators x4
- trading standards operational support officers x2
- detective constable x1
- financial investigators x2
- safeguarding manager (health and adult services) x1
- intelligence analyst (to be appointed) x1

Results in numbers

- 25 defendants were convicted of fraud, burglary, conspiracy and money laundering
- 0 trials held – all defendants pleaded guilty
- 16 offenders jailed
- 33 years and five months total prison time was secured
- over £200,000 returned to victims
- four large conspiracy cases, involving 18 defendants, are due to be heard at Crown Court



MAKING THE MOST OF COMMUNITIES

National and local working together to protect communities from scams and fraud.

The National Trading Standards (NTS) Scams Team works with local authority trading standards teams on several projects aimed at reducing the harm from scams and empowering individuals and communities.

The team began its work by looking into intelligence gathered from 'suckers lists' of potential victims – working with local authorities to safeguard individuals on these lists and working to ensure that more people are not targeted.

Trading standards involvement at a local authority level is critical

to ensuring the success of these projects, identifying individuals in their communities who would benefit from these interventions and creating links with other local partners like adult social care and third sector organisations who can spread the message further.

Who are the National Trading Standards Scams Team?

Funded by National Trading Standards, a national funding stream of £13m set up by the Government to target national scale consumer issues, the NTS Scams Team is a national team

working with local authority trading standards, police, charities and the Government to:

- identify victims of scams
- intervene and protect victims from further victimisation
- investigate criminal activity
- inform local authorities and agencies on how to work with and support scams victims
- influence people at local, regional and national levels to take a stand against scams

FRIENDS AGAINST SCAMS

Friends Against Scams gives people the tools to talk to others in their communities about scams and spread scam-prevention messages to their family, friends and neighbours. Individuals attend a training course or complete online learning to become a 'Friend'. In April 2018 there were 40,000 Friends, with numbers growing daily.

Value of collaboration

The project was launched in September 2016 and to-date around 40 local authorities are actively promoting the scheme and

training people in their local area to become Friends. The training materials provided save time for trading standards when delivering scams awareness sessions and are a cost-effective way of preventing financial harm. Sixteen police and crime commissioner (PCC) offices have also committed to promoting the initiative as part of their campaigns against crime.

It is hoped that by trading standards giving local communities the tools to spot the signs of a scam there will be a development of resilience and awareness.

After attending a Friends Against Scams awareness session:

- 97% felt they could recognise a scam
- 92% felt they could recognise a scam victim
- 98% knew where to get advice and report a scam
- 98% said they would recommend Friends Against Scams to other people

CALL BLOCKING PROJECT

Renewable energy schemes, home insulation, PPI, accident claims, health supplements, insurance – all common subjects of nuisance calls. To the average member of the public they are irritating but to some they ruin lives.

A scam call can lead to loss of money, confidence and independence. People living with dementia can be particularly vulnerable to these calls as they may forget whether they have previously purchased the products on offer.

The Call Blocking Project run by the NTS Scams Team offers call blocking equipment to those most vulnerable to nuisance and scam calls to eliminate the harm and distress they can cause. Trading standards officers in local authorities were asked to work with adult social care to identify those who would benefit the most from this technology. A total of 84

local authorities were involved in distributing this technology to their most vulnerable residents. Further through the Friends Against Scams project call blockers were distributed directly to the public.

Unscrupulous callers

Trading standards officers understand the devastating impact nuisance calls can have on residents. Andy Burrows, from Cheshire East Council, reported that a French company called while he was visiting a resident's home to install a call blocker: "I told the caller the lady has problems with her memory and doesn't know what she is ordering and has no need for the items as they just sit in their boxes. After some discussions – and out of interest – I handed the phone back to the lady and the caller continued with her sales pitch, trying to upsell, with no regard to what I had just told her."

Results

1,500 units installed for consumers who may be vulnerable because of their circumstances.

41% of calls received were unwanted – call blockers blocked 99% of these calls.

Before installation:

81% of users felt helpless to stop unwanted calls.

67% worried about losing money to unwanted calls.

One month later:

12% felt helpless to stop unwanted calls.

17% worried about losing money to unwanted calls.

80% of users felt that the call blocker had prevented them from being scammed over the phone.

MAIL MARSHALLS

People who respond to even a single scam can have their contact details sold on multiple times by criminals and become bombarded with scam mail, receiving as many as 70 letters a day.

Mail Marshalls are individuals who have been victims of scams, but after intervention from trading standards are no longer responding. As Mail Marshalls, they receive advice on how to identify scam mail and send the scam mail they receive to the NTS Scams Team,

which removes the temptation to respond to it. The letters sent in to the team contribute invaluable intelligence for investigations. For local authority trading standards services, this is a cost-effective way of ensuring that residents get support to stop responding to scams.

There are 187 active Mail Marshalls from 37 local authorities as of April 2018.

Four months after joining the scheme:

- 100% of Mail Marshalls reported receiving less scam mail
- 100% of Mail Marshalls said they felt happier
- 100% said they felt safer in their own homes

206 PO Boxes being used by criminals have been shut down as a result of intelligence from Mail Marshalls.

TACKLING INVESTMENT FRAUD IN THE CITY OF LONDON - AND BEYOND

Diamonds, wine, commercial property bonds, carbon credits and even car parking spaces are now big business for scammers targeting people with a little money to invest for their retirement.

Last year saw an explosion in these unregulated investment products scams, with a recorded loss to consumers of £186m, though the actual figure due to the huge under-reporting of this crime could be anything up to £2bn.

Trading standards powers to inspect businesses make them an invaluable partner to the City of London Police, the UK's lead force for economic crime. This cooperation has enabled a partnership to create a hostile environment for investment fraudsters operating in the City. Investment fraud is a particular issue in the City because the fraudsters want to associate themselves with an address in the 'Square Mile' to give their scam some credibility.

How it works

The investment fraud scam usually involves incredible returns being promised on investments, typically 12% per annum – or more – with 'opportunities' often promoted via telephone calls or increasingly via social media. However, these returns frequently fail to materialise, with some consumers losing life-changing sums in excess of £100,000. These victims are then vulnerable to 'recovery room frauds', where they are told they can recover their original investment – but only on payment of an 'admin fee'.

Operation Broadway

Starting in 2014 this is a collaborative project run between trading standards, City of London Police, Action Fraud, the Financial Conduct Authority and other partners – including support from the NTS Tri Region Investigation Team – Operation Broadway exists to find new ways of dealing with investment fraudsters.

Recognising that prosecutions are expensive and extremely time-consuming, Operation Broadway has decided to disrupt criminal activity rather than prosecute.

The value of trading standards

Scammers have been using mail-forwarding businesses and serviced-office providers in the City as their 'base' to give their set up an air of credibility. The routine-powers of entry granted to trading standards officers allow them to inspect such businesses, where they can obtain a wealth of information. In contrast, the police have no routine powers of inspection; any powers of entry must usually be linked to ongoing investigations.

Once inside a business premises, trading standards officers can:

- find out exactly who is operating there – names, addresses, dates of birth and bank account details

- inspect documentation, including sales scripts and brochures
- uncover 'suckers lists' of fraud victims that can then be used to send targeted fraud prevention advice

Steve Playle, Trading Standards Manager at the City of London Corporation, says: "It is amazing what some of these businesses write on their office whiteboards – including commission payments and the general 'hard sell' motivational stuff that drives an atmosphere of aggressive selling. This leads us to the latest investment products being punted – often very high-risk bonds."

Intelligence is shared with partners and has led to other agencies taking further action. Close links with the mail-forwarding and serviced-office sector often leads to the fraudsters losing their base as soon as Operation Broadway shows an interest in their activities. The business centre community is very proactive and now shares intelligence about suspicious activities with trading standards on a regular basis.

The value of collaboration

Crucially, Operation Broadway requires little budget and has survived without the need for detailed project protocols. Partners contribute their time because it forms an integral part of their

objectives. Operation Broadway is also dynamic and constantly evolving. Fraudulent activity in the 'Square Mile' has been displaced and support has been offered to surrounding London boroughs over the last 18 months. Coordinated action can also be taken in relation to specific areas of concern, most recently in October 2017 against scams associated with binary options trading.

Binary options fraud in numbers

- between January and June 2017, £18m+ was lost by just 697 men aged 25-45. Most crimes go unreported
- in 2013, nearly £205,000 was reported lost. In 2016, it was almost £23m
- out of 120 binary options businesses targeted by Operation Broadway, about 90 were not based at the address from which they claimed to be operating and were simply squatting.

STAMPING OUT HAJJ FRAUD

By spreading expertise to other local authorities, action can be taken against scams that target very personal purchases.

Each year, millions of pilgrims head to the holy city of Mecca in Saudi Arabia to make a spiritual pilgrimage for Hajj or Umrah. Every Muslim is expected to make the Hajj pilgrimage – health and wealth permitting – at least once in their lifetime, which can cost an individual several thousand pounds. Sadly, much as Muslims gather during holy month, so too do the scammers.

How it works

Pilgrims have to book their 'tour package' through specialist Hajj and Umrah travel operators. In the UK, these operators have to comply with domestic fraud and consumer legislation, and in particular have an Air Travel Organiser's Licence. Unfortunately, unscrupulous travel operators misdescribe poor-standard deals as five-star, deluxe packages, persuading pilgrims to pay

between £3,000 and £5,000 each for this religious 'rite of passage'.

The value of trading standards

Birmingham Trading Standards has been wise to this practice locally for several years, so began raising awareness and trying to achieve compliance through enforcement. In 2014, its work was recognised by National Trading Standards, which supplied funding so the team's expertise could be shared nationally.

One case in particular saw Birmingham offer support to Tameside Trading Standards, where customers – many using their life savings – had paid thousands of pounds to travel on a Hajj pilgrimage, only to be told days before they were due to depart that they had not been allocated a visa and were unable

to travel. Thanks to Birmingham's expertise, however, Tameside (and subsequently also Birmingham) was able to successfully prosecute the offenders, who were brought to justice in 2017.

This knowledge of a particular issue and well publicised best practice clearly helps ensure that this most personal of purchases is protected.

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PROTECTING TENANTS

Poor housing conditions, overcrowding, and breaches of planning rules and consumer rights are a national problem in the private rented sector today.

The average age of a first-time buyer has climbed to 31* and has created an explosion in private rents – mirrored by a growth in rogue landlords.

Bringing consumer rights to bear on the private rental market is an important tool in ensuring that tenants are protected and the majority of private landlords are not tarnished by rogues.

Collaboration between North Ayrshire's trading standards and housing teams has increased protection for tenants.

Vulnerable tenants can become trapped in below-tolerable-standard housing, unable to move because the landlord or letting agent fails to return their deposit.

Prior to 2016 in Scotland, housing legislation offered only a civil

action for tenants whose deposits were not secured. Civil action is expensive and stressful, leaving some tenants so distressed that they have neither the mental nor financial capacity to pursue a civil case.

But thanks to North Ayrshire Trading Standards' expertise, a legal precedent was set in 2016 that allows letting agents to be prosecuted in a criminal court.

The value of trading standards

North Ayrshire's housing team led the case, but it was trading standards' investigative skills and various powers that enabled them to prosecute.

Andrew Wyllie, a Trading Standards Officer at North Ayrshire Council, explains: "Our knowledge of various trading standards powers ultimately persuaded the courts to identify landlords as consumers for the first time under Scottish law, setting a precedent for other local authorities trying to improve conditions for tenants."

Wyllie adds: "Within our authority we have also been asked to set up training events for staff on legal practice, investigative procedures, interviewing skills and reporting. I believe this shows the core skills that trading standards takes for granted, and which are highly sought after by our colleagues within housing services."



SOUTHWARK ROGUE LANDLORDS MULTIDISCIPLINARY TASKFORCE

As an enforcer and regulator of planning, housing and consumer protection issues, one of local government's prime objectives today is tackling abuse by some landlords, who are taking advantage of people's fundamental right to shelter that is safe, affordable and somewhere they can call home.

At Southwark Council, the Southwark Rogue Landlords Multidisciplinary Taskforce was established to do just this – and its trading standards team is playing a crucial role to help other council services bring landlords to justice.

Before the taskforce was created, referral channels that were supposed to identify rogue landlords existed, but they were not joined up effectively. The taskforce now ensures that:

- information on problem landlords and agents is shared
- the worst offenders are identified and targeted
- a more joined-up approach is used when enforcement action is taken
- all regulatory offences and enforcement options are considered
- prosecutions against the worst offenders are encouraged and the outcomes publicised
- the expertise of the council's financial investigators are used, so that when convictions from acquisitive crime are obtained, confiscation under the Proceeds of Crime Act can be sought

The value of trading standards

Having a detailed knowledge of consumer legislation, such as the Consumer Protection from Unfair Trading Regulations 2008 (CPRs), makes trading standards officers a valuable asset, as they can assist other council services to prosecute using legislation in innovative ways. For example, Southwark Trading Standards has brought in unfair trading offences to these prosecution cases: against a landlord who was in breach of a planning enforcement notice and renting out two illegally converted flats; against an agent and landlord where rooms above a pub had been rented out in breach of prohibition notices served by environmental health officers; and against a managing agent of an unlicensed house in multiple occupation, where a review of the content of the tenancy agreements found there to be a potential breach of the CPRs.

Paul Gander, Team Leader at Southwark Trading Standards, says: "Tenants are not ordinarily seen in the same light as consumers, but the CPRs do clearly apply to them, and the Regulations' provisions about professional diligence open up a host of opportunities where tenants have been exploited or misled, or not been made aware of their rights."

More than the sum of our parts

Gander adds: "The project has had success raising the profile of regulatory services among lead members and demonstrated that, together, we are greater than the sum of our parts. There is now a greater understanding and awareness among those in the group of each other's roles and how one team could assist another in dealing with a particular problem or issue."

"Sharing knowledge and expertise of financial investigations and explaining the benefits to other regulatory teams beyond trading standards has been very worthwhile, with more planning cases coming to light and more interest being generated in pursuing rogue landlords from all angles to ensure they do not benefit from renting out substandard and unsafe properties. There are now several confiscation investigations underway which, if successful, could yield significant incentivisation payments to the authority."

Paul Gander

FROM FARM TO FORK

Building confidence in the food chain and preventing the spread of animal disease.

Following the horsemeat scandal in 2013, accurately tracing food from farm to fork has become increasingly important. Knowing where food comes from is vital to the security of the whole food chain – especially in the face of potential disease outbreaks.

Recording cattle movements helps to ensure traceability of meat, reduce risks for farmers and build public confidence in the food chain. Trading standards has a large role to play in enforcing regulations which govern cattle movements and advising farmers on how to protect their herds. Central England Trading Standards Authorities (CEnTSA) designed a project to improve compliance in the region as well as increasing recording of intelligence.

Cattle Tracing Project

In 2017, CEnTSA – a regional group of 14 trading standards services from the West Midlands – identified low recording of intelligence on animal health. They also found that some cattle passports were not being correctly completed, resulting in gaps in time between the date leaving a market and the date of death at an

abattoir. Cattle tracing data showed that 1,622 cattle had entered markets in the region but never left.

Having accurate data about cattle movements is important to reduce risks for farmers, ensuring that they have information about an animal's previous exposure to disease. There is also evidence that supermarkets will pay a premium for meat from animals with fewer movements between farm and market because of the shorter supply chain and increased confidence in traceability. Gaps in cattle passports create opportunities for food fraud, where sellers could attempt to artificially increase the price of their product by reducing the number of moves shown on the passport.

The Cattle Tracing Project ran over a six-month period from August 2017 to February 2018. To discover why gaps were appearing, trading standards officers used the Cattle Tracing Service (CTS) to identify incomplete cattle movements at 13 markets in the region. Officers then contacted the purchasers to establish why they had failed to correctly record the movement of the cattle on to their holding. Purchasers were asked to correct

the records on CTS. Where a missing movement could not be explained or rectified, further enquiries were made.

Helping farmers to get it right

A poster setting out legal obligations for farmers and traders was produced and distributed by local authorities in the region. This poster was displayed in markets to remind buyers of the three-day period in which they must register their purchases on CTS. This increased the reach of the project beyond those purchasers who had failed to record movements properly and improved general compliance with the legislation.

Improving intelligence gathering

Authorities with cattle abattoirs in their area carried out periodic checks on cattle arriving at the abattoir to examine passports and identify any errors or gaps in the documentation. Data recording templates were created to ensure consistency in intelligence gathered across the region. The template and guidance provided to officers significantly increased the volume of intelligence recorded – intelligence logs for animal health increased by 41% over the period of the project.

Embedding an intelligence-led culture across trading standards is vital so that the service can strategically target its efforts in a time of reduced resources.





Supporting local businesses and preventing fraud

The results of the investigations showed that 80% of the discrepancies in the passports were the result of human error. In these cases, trading standards officers gave advice and assistance to sellers and purchasers to enable them to correct mistakes and improve documentation in future. Only 5% of cases were subject to further enquiries to establish why the discrepancies had occurred.

Post-movement bovine tuberculosis (bTB) testing of cattle is mandatory for cattle moving from a high risk bTB area to a low risk

area. This is to reduce the risk of TB-infected cattle from higher risk areas transmitting the disease to new herds in the low risk area. In 23% of records checked during the project post-movement testing of cattle had not taken place. The relatively high rate of non-compliance with the legislation indicates the need for periodic checks by trading standards to reduce the risk of disease spreading.

Crossing local and regional borders

Of the movements that were studied in this project, 21% of enquiries were referred to authorities outside CEnTSA. This suggests that failures in

reporting cattle movements extend across not just local authority but also regional borders. With many cattle being moved across regional borders without correct documentation, there is a potential for the spread of bTB into low risk areas if post-movement testing is not carried out.

Project outcomes were shared with the Department for Environment, Food and Rural Affairs (Defra) and the Animal and Plant Health Agency (APHA). The findings are being used to contribute to national problem profiles, raising the profile of targeted enforcement nationally.

DEALING WITH NEW PRODUCTS

Increased compliance testing ensures the value of a new product is not damaged by product safety concerns.

Nicotine is an addictive drug and giving up is a challenge for smokers. Traditionally, smoking cessation clinics and nicotine patches were the best methods to help people quit smoking, but the e-cigarette is now the new tool of choice for smokers wishing to cut down or kick the habit.

Despite e-cigarettes being a relatively new phenomenon, vaping is generally accepted by health professionals as a safer way to quit smoking because no tobacco is burned, which means no carcinogens are released. But to keep people safe, this rapidly developing product required new laws to keep the marketplace in check. So when legislation was introduced in 2016, Plymouth Trading Standards set out to educate businesses, manufacturers and the public, and test compliance. What they found was to start a public health debate across the country.

How the project worked

Plymouth Trading Standards set itself three priorities:

- to raise awareness of the law
- ensure only compliant products were sold
- give confidence to the public regarding e-cigarettes

It achieved this in several ways: by training an officer as a specialist in this area of the law; educating both the public and business by contacting the local press and

posting on social media; visiting retailers and online sellers of e-liquids to inform them of the changes to the law; and, once the law had taken effect, inspecting premises and seizing non-compliant goods.

The value of trading standards

The team's most significant discovery was a new product called short-fills, (nicotine-free e-liquids) that manufacturers had invented to circumvent the change in the law; because these e-liquids are nicotine-free, they were believed not to be legislated for. The end user can then add nicotine to the mix prior to vaping.

Other issues the project identified included a market for trademark-infringing products, which Richard

Green of Plymouth Trading Standards believed officers were either not aware of, or were not addressing. Another market – often linked to trademark-infringing products – was identified for e-liquids that look and taste like food stuffs, which pose a risk to children who may drink them.

One such product imitated a popular soft drink, potentially breaching trademark, but more concerningly it could easily have been mistaken for a child's drink.

Despite the results that Plymouth Trading Standards achieved, there is still much work to be done. "Until the marketplace matures, manufacturers may look to sell products that circumvent [the law], as they have already done with short-fills," says Green.

"At the time we raised the existence of short-fills, many authorities were unaware that they existed or were being used as a way to avoid the requirements of [the new law]," explains Richard Green at Plymouth Trading Standards. "Therefore there was a knowledge gap, which generated discussion ... officers had to catch up on this new development and consider how to police it.

The view now is that, as they do not contain nicotine, they are not caught by [the new law] but they are caught by other legislation."

Results

10 online traders were identified, all selling e-liquids with a strength greater than 20 mg/ml

- four on their own website
- three on Facebook
- three on eBay

The three eBay sellers were located outside Plymouth and their details were referred to their local authority trading standards teams. The remaining seven were contacted and advised of the law:

- five had no knowledge of the new law and elected to cease trading
- one was already in the process of folding his company
- one was aware of the legislation and was switching to selling zero-nicotine e-liquids

Other actions:

- one online trader received labelling advice and products were brought into compliance
- 772 bottles of non-compliant e-liquids were seized from three retailers
- six e-liquids failed batch testing
- two retailers received warning letters
- one retailer received a formal caution

STOPPING THE SCOURGE OF COUNTERFEIT TOBACCO

Counterfeit tobacco not only avoids tax, it has massive potential health hazards as there are no controls on the substances within the product. Further, counterfeit tobacco is the thin end of the wedge to wider criminality.

It's a scenario many local authorities face across the country: a local corner shop that persists in selling counterfeit tobacco, with management and shop ownership issues making it difficult to stop the criminality. But the tide may be turning ...

Nottingham Trading Standards faced this very issue, with some 18 shops selling counterfeit tobacco on one street in Nottingham.

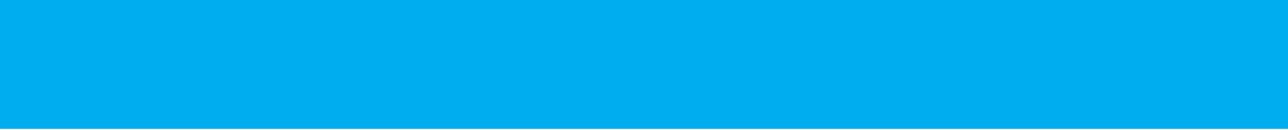
It was a chance conversation with Nottingham's anti-social behaviour

team that led Nottingham Trading Standards to use closure orders under anti-social behaviour laws. Whereas prosecutions take a long time, a closure order can be made quickly. In this case, an initial notice was delivered to the specific premises – and any known persons involved with that premises – and a three-month closure order from the Magistrates' Court resulted in the shop being closed and related criminality being eradicated.

Similar results were achieved in Hartlepool, whose success

has since been imitated by both Middlesbrough and Durham trading standards teams.

Hartlepool had previously experienced a similar problem. A problem shop had repeatedly changed management to remain trading. Hartlepool's success using closing orders, taking less than ten days to execute, has since been imitated by both Middlesbrough and Durham trading standards teams.



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