

AGENDA MANAGEMENT SHEET

Name of Committee **Community Protection Overview & Scrutiny Committee**

Date of Committee **3rd July 2007**

Report Title **Performance Report 2006/07**

Summary The report summarises the performance of Trading Standards for the year 2006/07.

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Would the recommended decision be contrary to the Budget and Policy Framework? No

Background papers Trading Standards Service Plan

CONSULTATION ALREADY UNDERTAKEN:- Details to be specified

- Other Committees
- Local Member(s) Not applicable
- Other Elected Members Councillor R Chattaway, Councillor M Perry, Councillor C Davis, Councillor B Kirton
- Cabinet Member Councillor R Hobbs, Councillor A Farnell – for information
- Chief Executive
- Legal Alison Hallworth, Adult and Community Team Leader
 Ian Marriott, Community and Environmental Legal Services Manager
- Finance Philip Lumley-Holmes, Financial Services Manager
 Paul Walsh, Financial Services Manager – Performance and Development
- Other Chief Officers

- District Councils
- Health Authority
- Police
- Other Bodies/Individuals Jane Pollard, Overview and Scrutiny Manager
Michelle McHugh, Scrutiny Officer

FINAL DECISION YES

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

**Community Safety Overview & Scrutiny Committee
– 3rd July 2007**

Performance Report Year 2006/07

**Report of the Strategic Director of Adult, Health and
Community Services**

Recommendations

The Community Protection Overview & Scrutiny Committee is asked to:

- a) Consider the performance of the Trading Standards Service for the year 2006/07.
- b) Endorse any proposed remedial actions.
- c) Request any additional information required.

Executive Summary & Headlines

- 1 The following report summarises the performance of the Trading Standards Service for the year 2006/07 (1st April 2006 to 31st March 2007). The performance is set out in terms of key performance indicators, corporate and departmental objectives, budget analysis, consultations and complaints / compliments.
- 2 The report shows that: -
 - The Trading Standards measures for CPA are significant for WCC in that they are all indicators within the Environment block of CPA and have a direct bearing on the CPA score. The environment block is currently rated at level 4 (as high as it can be) and Trading Standards contribute 5 of the 17 indicators. All 5 met their target this year.
 - The Trading Standards Service achieved the majority of targeted performance for it's key performance indicators, only two targets under the DEFRA framework were not achieved due to staff shortages.
 - 2006/07 saw the first full year of operation for Consumer Direct West Midlands and Warwickshire consumers. Overall satisfaction with the service of CDWM was just 1% short of their target of 85% whilst overall satisfaction with advice received was on target at 85%.

- The Trading Standards Service had an under-spend of £54,000 at the end of 2006/07. This was a planned underspend which was agreed with the Strategic Director to achieve developments in 2007/8 such as further development of the 'talking shop' project and the mobile working project.
- 14 complaints have been handled in this current year, 3 complaints more than last year (11). The main areas of dissatisfaction relate to poor service. Remedial actions have been put in place to resolve all complaints.

**Trading Standards
Performance Report for 2006/07
(1st April 2006 to 31st March 2007)**

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
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1. Performance Against Key Performance Indicators

KEY:

Does Performance meet the Target?		Is Performance Improving?	
	Missed target by more than 5%		Performance declining
	Performance between 2% over target and 5% less than target		Performance level or fluctuating
	Exceeded target by more than 2%		Performance continually improving over last 3 years

Reference (e.g. CHI, Statutory)	Indicator	Aim of indicator	Actual 2004/5	Actual 2005/6	Target 2006/7	Actual 2006/7	On Target?	Forecast Performance Improving?
Statutory CPA	Business brought back in to compliance			95%	100%	99.2% (revisits to check compliance still in progress)		
Statutory CPA	Consumer Satisfaction			81.8%	above upper threshold which is 75%	81.1%		
Statutory CPA	Business satisfaction			91.4%	above upper threshold which is 75%	94%		
Statutory CPA	BVPI 166			90%	above lower threshold of 50% (upper threshold is 100%)	90%		


Reference (e.g. CHI, Statutory)	Indicator	Aim of indicator	Actual 2004/5	Actual 2005/6	Target 2006/7	Actual 2006/7	On Target?	Forecast Performance Improving?
Statutory CPA	Inspection of business premises with a High Risk rating.			81.3%	above upper threshold	100%		

N.B. DEFRA has recently called for the removal of BVPI 166: "...there are parts to BV 166 reflecting performance against an enforcement checklist. These PI's were created to reflect the implementation of the original enforcement concordat but are now out of line with post Hampton thinking. The local Better Regulation Office (LBRO), which is being created by the Cabinet Office is committed to developing a new measure which reflects compliance with Hampton. In light of this we recommend that the cabinet office immediately remove these indicators. "Lifting the Burdens Taskforce – Final report May 2007, Department of Environment, Food and Rural Affairs".

NATIONAL PERFORMANCE MEASURES

The Trading Standards Service is subject to a number of national performance measures for a number of government agencies as detailed below.

Department of Trade & Industry -National Performance Framework Inspections:

Risk	No of High Risk Businesses	No of businesses inspected	No of businesses found to be compliant on first inspection	No of businesses brought to compliance by year end	Status	Risk
High	137	137	135	136*		Nil
Medium		702	686	693*		
Low		314	313	313		

* Revisits to check compliance still ongoing – until 30June

Food Standards Agency

Inspections of premises

Risk	No of businesses	No inspected	Closed	Total	Status	Risk
High	57	51	6	57		Nil
Medium		397	95	492		
Low		4	18	22		
Unrated		140	83	223		

249 Food Standards Checklists were completed at businesses by other agencies as part of the Retail Enforcement Project.

559 Formal and Informal samples taken for Food Safety Act analysis

Department for Environment, Food and Rural Affairs Framework

	Target	Achieved	Status	Risk	Remedial Action
Market Surveillance	154	154		Nil	
Farm Inspections	300	150		Nil	Training of new staff now commenced
Abattoir visits	100	20		Nil	Training of new staff commenced
C &D Checks		194			
Police Road Checks		6			
Special Sales		44			

Consumer Direct West Midlands

Since February 2006 front line consumer advice over the telephone has been supplied to the consumers of Warwickshire by the regional call centre: Consumer Direct West Midlands.

During 2006-2007, a total of 10,448 complaints were received by CDWM from Warwickshire consumers and were given first stage telephone advice. Of these 1920, (18.4%) were forwarded to Trading Standards for investigation and/or more detailed advice. In addition Trading Standards received 1650 consumer complaints directly by personal visit, letters, email and other means.

Some performance information relating to the service provided by CDWM:

Overall satisfaction with Service: 84% (overall West Midlands) Target 85%

Overall satisfaction with advice : 85% (overall West Midlands) Target 85%

2. PROGRESS AGAINST CORPORATE & DIRECTORATE OBJECTIVES

This section describes the Trading Standards Service performance against corporate and departmental key performance indicators and departmental objectives.

Progress Against Corporate Objectives

Description	2005/06 Actual	2006/07 Forecast	2006/07 Target	2006/07 Actual	Status	Risk	Remedial Action
Meet the CPA Standard for Visits to High Risk Premises	81.3%	100%	100%	100%		Nil	

Progress Against Directorate/Service Objectives

The performance results below help to demonstrate the range and profile of services provided by Trading Standards during 2006/07.

Underage Sales Test Purchasing

	2005/06 Attempts to Purchase	2005/06 Sales Made	2006/07 Attempts to Purchase	2006/07 Sales Made
Fireworks	0	0	25	2
Alcohol	55	4	42	2

Infringements

	2005/06	2006/07
Informal Caution	58	23
Formal Caution	6	2
Formal Undertaking	2	3
Enforcement Orders	1	0
Prosecutions Commenced	17	4
Pending	14	31

Service Requests to TSS from Consumers & Business*

	2005/06	2005/06 %	2006/07	2006/07 %
Response w/i 3 days	2812	87	1552	84.9%
Response 4 days +	417	13	199	10.9%
No Response	12	0.4	75	4.1%
Total Received	3241		1826	
Not Allocated Investigating Officer	4	0.1	53	3%

Consumer Complaints Received Against Traders*

	2005/06	2005/06 %	2006/07	2006/07 %
Response w/i 3 days	7075	89.2	3015	73.5%
Response 4 days +	854	10.8	1052	25.6%
No Response	4	0.01	37	0.9%
Total Received	7933		4104	
Not Allocated Investigating Officer	6	0.07	15	0.4%

*Figures in the above two tables for 2006/7 include carry over investigations from 2005/6. 2005/6 figures do not include carry over investigations from 2004/5 as this report was not required that year

Media for the Service

	2006/07
Press Releases Issued	79 - resulting in 324 articles
Radio/TV	58
Media Calls Taken	155
Web Visits	230,017

Information & Education Delivered by the Service 2006/07

Doorstep Seller Stickers Issued	6000
Electric Blankets Tested	368 over 5 locations countywide
Visits to Business Zone Website	1472
Attend Bedworth Safety Day & Crucial Crew	2340
Educational Talks	40
Training PCSO's	78

Examples of Enforcement & Compliance Projects 2006//07

House of Horrors Project	Successfully Completed
Vehicle Servicing Project	7 vehicles submitted to different garages 7 unsatisfactory reports received 5 traders under investigation
Joint Day of Action	Successfully Completed
E-Bay Purchasing	9 Products Purchased 4 Products Counterfeit 1 Product Lost in Post 4 Products satisfactory Result: 4 Letters of Caution sent by Trading Standards

Project Targets – Sampling 2006/07

	Budget	Spend
Agriculture	£2,960	£0
Food Samples	£52,000	£63,822
Non Food Samples	£11,010	£7,276
TOTAL	£65,970	£71,098 (108%)

3. Analysis of Budget Position

Income

Warwickshire's Trading Standards service generates income from a variety of sources in support of delivering enforcement and advice services. These revenue streams can be categorised as follows:

- Weighing and measuring equipment calibration. This is done on behalf of public and private sector customers. This work saw an increase of £44,000 to £134,000 against the budget during 2006-2007 with the addition of no extra staffing resource.
- Talkingshop - is the national web based consumer education platform that receives local authority subscriptions and occasional grant funding
- Petroleum and Explosives licensing generated £24,000.
- There is a Department of Environment Food and Rural Affairs (DEFRA) framework agreement in place. This service receives funding for delivery of Animal Health enforcement against this framework.
- Warwickshire Trading Standards has taken a lead role in developing the national project: The Retail Enforcement Pilot (REP). This project has been developing joined up inspection programmes with colleagues from Environmental health and the Fire Service.
- Warwickshire Trading Standards co-ordinates the regional TS partnership for the West Midlands – CEnTSA

Total income received from by the Trading Standards Service in 2006-2007 = £582,000.

This is set against an overall budget of £2,532,573.

Budgetary control

The 2006-2007 financial outturn for the Trading Standards Service was an under spend of £54,000. This equates to 2% of an overall budget of £2,532,573. This was a planned underspend which was agreed with the Strategic Director to achieve developments in 2007/8 such as further development of the 'talking shop' project and the mobile working project.

Chapter Two – Consultation

1. Introduction

This section aims to provide the committee with an indication of what public consultation has been carried out, what priorities and areas of concern the public have raised, how this information has been used and the actions taken as a result.

2. Consultation

The table below shows the main consultations carried out, their key messages and any action that has been taken as a result.

Title & Purpose	Start Date	Methodology	Key Results	Action Taken	Corporate Objective
Customer satisfaction with Advice Line, Compliance and Consumer Protection. - To ascertain the level of customer satisfaction with the Advice Line.	August 2006 – March 2007	Postal Questionnaire	84% of respondents rated our staff as well informed; 92% confirmed that they had been treated fairly; 93% found the advice they were given easy to understand.	A review is currently being undertaken of internal records, relating to any negative comments received. Overall report is currently being prepared for Management Team's consideration.	Reduce Crime and Improve the Safety of the Community.
Retail Enforcement Pilot Business Survey	March 2006- March 2007	Postal Questionnaire	96% of respondents rated our staff as very helpful; 79% of respondents found the advice given easy to understand; 94% of respondents were very satisfied with the overall level of service	The results will be included in the Retail Enforcement Pilot Full Impact Evaluation Report due in 2008	Reduce burdens of inspections on compliant business by using a cross regulator risk-based approach to enforcement

Chapter Three – Complaints

Performance Report 2005/2006

1. Introduction

The Service uses the corporate Complaints procedure to respond to concerns from the public about our services. Wherever possible we seek to ensure immediate, local resolution to any customer comment/complaint. If this proves difficult the more formal elements of the WCC complaints procedure are followed with complaints officers involved as necessary. The majority of issues are dealt with at the informal stage of the process.

Complaints and compliments are encouraged as a valuable means of judging satisfaction. Reports are considered by the Service Management Team quarterly to ensure adequate action is taken to deal with emerging issues. The Service knows that with the high level of contacts with the public some complaints are inevitable.

The current corporate system determines how far a complainant decides to take his or her complaint, but as yet makes no assessment of seriousness.

2. Complaints Analysis

2.1 Complaints and Compliments Analysis

The following tables show a two-year analysis.

2.1.1 Complaints

Number of Complaints	2005/2006	2006/2007
	11	14

2.1.2 Compliments

Number of Compliments	2005/2006	2006/2007
	28	86

2.1.3 Complaints Detail – April 2006 – March 2007

The following tables show the detail behind the complaint figures received during April 2005 – March 2006.

Number of complaints received	14
Number of comments received	0
Number of compliments received	86

Number of these complaints which are of a discriminatory nature	Race	0
	Disability	0
	Age	0
	Gender	0
	Religion	0
	Sexual Orientation	0

Stage the complaint went to	Informal Within 7 working days	14
	Stage 1 Within 15 working days	0
	Stage 2 Within 21 working days	0
	Stage 3 Within 30 working days	0
Number of complaints dealt with within the time scales set out in the Complaints Procedure.		0
Number of complaints substantiated/justified		2 & 1 partly
Number of complaints referred on by Members		1
Number of complainants who asked for Members to be notified of their complaint.		0

3. Improvements Made

Actions made as a result of complaints within the last 6 months	Amendments to the TSS internal Quality System, relating to the complaints procedure. Additional training provided to officers.
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GRAEME BETTS
Strategic Director of Adult,
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June 2007