

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 Protection Overview and Scrutiny Committee – 15th January 2008

Trading Standards Half Year Performance Report 2007/08

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

Recommendations

The Community Protection Overview & Scrutiny Committee are asked to:

- a) Consider and comment on the performance of the Trading Standards Service for the first 6 months of the year 2007/08.
- b) Request any additional information required.

Executive Summary & Headlines

- 1 The following report summarises the performance of the Trading Standards Service for the first six months of the year 2007/08 (1st April 2007 to 30th September 2007). The performance is set out in terms of key performance indicators, corporate and Service objectives, budget analysis 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 Service contributed upper threshold results last year in all 5 (17% of the total number of indicators for the block) and again, all are set to be upper threshold for 2007/08.
 - The Trading Standards Service is on target in the majority of targeted performance for 2007-2008.
 - Consumer Direct West Midlands continues to take first line calls for consumer advice from Warwickshire residents. Currently overall satisfaction with CDWM is 81-82% satisfaction. This is a slight drop on last 06-07 satisfaction level of 84% and below the target satisfaction level of 85%. We are working closely with CDWM to improve performance.
 - The Trading Standards Service is currently forecasting a slight under spend of £29,000 against an over all net budget of approx. £2.5M.

- 7 service complaints have been handled so far in the current year. This compares with a total of 14 during 2006-07. TS have received 37 compliments in the first half of this year.
- The national animal disease outbreaks of Foot and Mouth and Bluetongue during the first half of this year have had a significant impact on the Trading Standards Service. The service has been flexible, reprioritised work and delivered an enforcement and advisory service within Warwickshire against a frequently changing legislative landscape.







**Trading Standards
Performance Report for 2007/08
(1st April 2007 to 30th September 2007)**





Executive Summary



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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 2005/6	Actual 2006/7	Target 2007/8	Actual 2007/8 at half year point	On Target?	Forecast Performance Improving?
Statutory CPA	Business brought back in to compliance		95%	99.2% (revisits to check compliance still in progress)	100%	To be reported at year end		
Statutory CPA	Consumer Satisfaction		81.8%	81.1%	Above upper threshold which is 75%	To be reported at year end		
Statutory CPA	Business satisfaction		91.4%	94%	Above upper threshold which is 75%	To be reported at year end		
Statutory CPA	BVPI 166		90%	90%	Above lower threshold of 50% (upper threshold is 100%)	To be reported at year end		

Reference (e.g. CHI, Statutory)	Indicator	Aim of indicator	Actual 2005/6	Actual 2006/7	Target 2007/8	Actual 2007/8 at half year point	On Target?	Forecast Performance Improving?
Statutory CPA	Inspection of business premises with a High Risk rating.		81.3%	100%	100%	41%		

2. 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.

Food Standards Agency (FSA)

Inspections of premises: -

Risk	Number of businesses	Number inspected	Closed	Total	Status	Risk
High	41	2	0	2		Nil
Medium	1141	418	69	487		
Low	335	3	8	8		
Unrated	711	53	73	126		

Food inspections are prioritised according to risk rating. High risk businesses are scheduled to be inspected once per year. Most of our high risk inspections are programmed for the second half of the year and at the moment we are confident that this target will be met.

Another priority is to minimise the number of unrated businesses to ensure they inspected at the appropriate frequency. As part of our strategy for doing this we have been sending out postal questionnaires to such businesses as detailed below:

Phase 1 - Food Business Checklists sent to unrated businesses
150 sent out – 110 returned

Phase 2 - Food business Checklists sent to unrated businesses
413 (sent out on 28 September 2007)

Department of Business Enterprise and Regulatory Reform (BERR)

Statistics relating to the submission of these regulatory statistics are collated at the year end only due to the complexity of some of the indicators. However there is a high confidence that performance is good in all key areas.

Department of Environment Farming and Rural Affairs (DEFRA)

It would be usual at this time of year to measure performance against the framework, which sets specific enforcement targets and is subject to direct Government funding. However, this has not been a usual year and most of the resources available for this work have been directed specifically at the Warwickshire response to the Foot & Mouth and Bluetongue outbreaks.

A summary of the Warwickshire response is as follows:

- Animal disease control has been addressed as requested by DEFRA Animal Health office in Leicester within existing Framework Agreement and to existing resources.
- The biggest issue has been keeping farmers and other stakeholders up to date with a complex and constantly changing situation and set of control.
- Trading Standards have worked in partnership with the National Farmers Union, neighbouring Local Authorities as well as our own corporate communications and emergency planning teams to get the appropriate messages out in order to minimise the risk of the spread of disease.
- Through various enforcement measures and a strong presence where appropriate, allied to a coordinated media campaign the Trading Standards Service have ensured as far as practicable that compliance has been achieved. We have valued the responsible attitude and behaviour of farmers in this very difficult situation.
- Once the current situation stabilises we will reviewing our activity during the past few months to identify better ways of working.

I would like to recognise by mentioning in this report individuals from the TS service who have shown a huge work ethic, innovation and good deal of skill and endeavour during this period, they have acquitted themselves marvellously in dealing with a hugely difficult set of circumstances on behalf of the county council:

Richard Brooks; Cindy Carslake; Paul Coldicutt, Roger Harrison; Kirsty Ley; Zoë Putnam; Simon Timbrell; Jeff Wagg; Irena Whiter and Gemma Woods.

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.

In the period 1st April 2007 to 30th September 2007, a total of 5,109 complaints were received by CDWM from Warwickshire consumers and were given first stage telephone advice. (This compares with 10,448 for the previous 12 months). Of these 707, (13.8%) were forwarded to Trading Standards for investigation and/or more detailed advice. In addition Trading Standards received 800 consumer complaints directly by personal visit, letters, email and other means.

Some performance information relating to the service provided by CDWM in their Wave 3 survey published in July 2007:

Overall satisfaction with Service: 82% (overall West Midlands) Target 85% (Wave 2 result 84%)

Overall satisfaction with advice: 81% (overall West Midlands) Target 85% (Wave 2 result 88%)

3. PROGRESS AGAINST CORPORATE & SERVICE OBJECTIVES (HIGH PRIORITY)

The table below shows the “Top 20” Trading Standards projects and initiatives for 07-08. This activity demonstrates the hugely complex and varied workload undertaken by this service. Good progress is being made in all these HIGH PRIORITY activities, there are many more projects and activities undertaken that are not recorded here but on which full information is available on request.

Objective	How	Output	Status
1. Animal disease response following outbreaks of FMD and Bluetongue	See DEFRA section (above)	<ul style="list-style-type: none"> ▪ 1184 mail shots to farmers with information ▪ 220 recorded responses to requests for info from farmers about movements/restrictions to office based staff ▪ Estimate of 330 verbal responses to farmers whilst out and about. ▪ Press releases and radio interviews. Website updates WCC and BBC ▪ Multiple enforcement actions during period of crisis. 	
2. Consumer and worker protection re: explosives and fireworks	<ul style="list-style-type: none"> ▪ Inspection of explosives stores, including but not limited to firework retailers. ▪ Administer registration and licensing scheme for the same. ▪ Run safety campaign about firework safety 	<ul style="list-style-type: none"> ▪ Complete interventions on 90% of registered fireworks storage premises. ▪ Approximately 140 retailers and 7 major firework storage facilities liable to intervention. 	
3. Protection from the personal and community effects of underage drinking	<ul style="list-style-type: none"> ▪ Respond to joint intelligence on alcohol related incidents. ▪ Identify priority targets & areas based on shared intelligence. ▪ Work with Crime & Disorder Reduction Board, Police and District councils ▪ Develop use of Fixed Penalty notices or other alternatives ▪ Includes advice to business and media campaign 	<ul style="list-style-type: none"> ▪ <u>TUSAC</u> 110 test purchases; 23 sales ▪ <u>Clydebank</u> 31 test purchases; 4 sales ▪ Total 19 fixed penalty notices ▪ 18 Licence Reviews in progress 	

4. Protection from potentially harmful food	Respond to alerts categorised by Food Standards Agency, use of publicity, enforcement and advice to business	Est. 70 alerts requiring action											
5. Work with schools to raise nutritional value meals	Working with county caterers and individual schools on menu sampling, looking to extend this work in to preschools and nursery care.	A sampling program has been devised.											
6. Work with care homes to raise nutritional value of meals	<ul style="list-style-type: none"> ▪ Working with managers of homes and suppliers to raise awareness of nutritional issues. ▪ Supporting AHCS colleagues to develop an action plan to raise profile of nutrition in homes and share best practice. 	<ul style="list-style-type: none"> ▪ A sampling program has been devised to baseline current nutritional standards in WCC homes. ▪ Work is being extended to commissioned, private sector homes. 											
7. Ensure an up to date Consumer advice/news and self help section present on the WCC website	<p>Developed, informative web pages:</p> <ul style="list-style-type: none"> ▪ Consumer advice ▪ Doorstep selling ▪ Scams ▪ Community information ▪ Consumer guides 	<table border="1"> <thead> <tr> <th colspan="2">Web Hits (approx per month)</th> </tr> </thead> <tbody> <tr> <td>Consumer Advice</td> <td>3500</td> </tr> <tr> <td>Doorstep Selling</td> <td>1000</td> </tr> <tr> <td>Scams</td> <td>2300</td> </tr> <tr> <td>Consumer Guides</td> <td>3988</td> </tr> </tbody> </table>	Web Hits (approx per month)		Consumer Advice	3500	Doorstep Selling	1000	Scams	2300	Consumer Guides	3988	
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8. Electric blanket testing for local residents, removal of unsafe domestic appliances from the home	<p>This year, in partnership with carers, meals on wheels and others who have daily contact with elderly people who find it difficult to get out and about, we were able to offer a collection service for those people who would have struggled to get their electric blanket to a test centre.</p> <p>By doing so, we have been able to remove more dangerous electric blankets from circulation than we would have previously hoped to do.</p>	<ul style="list-style-type: none"> ▪ 513 electric blankets were tested, an increase of 145 blankets on 2006. ▪ 372 passed and 141 failed. ▪ In total we identified and destroyed 141 dangerous electric blankets. ▪ Failed blankets were destroyed and their owners offered discount vouchers towards the cost of a new electric blanket. 											
9. "Tradeline" – provides access to reputable traders reducing the chances of vulnerable people being caught out by rogue traders	Scheme is managed and traders vetted by Trading Standards	New working arrangements put in place with Age Concern to enhance Trading Standards input.											

<p>10. Provide “life skills” education within secondary education supporting the national curriculum and helping young people understand rights and responsibilities in relation to personal finance, contracts, food and nutrition and community safety, helping our young people become better informed consumers</p>	<p>Manage and host the interactive consumer education platform - “talkingshop”.</p>	<p>“Talkingshop” operating in 50% of Warwickshire schools.</p>	
<p>11. Investigate pricing claims made within the holiday industry</p>	<p>Investigation into the transparency and accuracy of pricing claims made on window cards in retail outlets and on travel websites.</p>	<p>Multiple checks carried out, national coverage of this work, allied with consumer education message going out about shopping around for flights.</p>	
<p>12. Protect vulnerable people against doorstep crime</p>	<ul style="list-style-type: none"> ▪ Provide ‘rapid response’ support/ assistance to victims of doorstep sales/ rogue trading. ▪ Provide early warning to local residents of rogues operating in their neighbourhood. ▪ Share intelligence re doorstep rogues with partners in the region. ▪ Provide a high level of consumer education via website, local media and campaigns and events. 	<ul style="list-style-type: none"> ▪ Multiple interventions and many examples of money saved. ▪ Improving intelligence gathering is leading to more focused enforcement. 	
<p>13. Increase protection of vulnerable people by ensuring new Police Community Support Officer recruits are geared up to deal with incidents of distraction burglary/ doorstep crime</p>	<p>Provide training to each new intake of Police Community Support Officers.</p>	<ul style="list-style-type: none"> ▪ All new intakes of Police Community Support Officers now trained. ▪ 6 sessions supported each with approx 15 officers. 	
<p>14. Increase the assurance that consumers have of getting a good deal when having their car serviced</p>	<ul style="list-style-type: none"> ▪ Submit cars for servicing under controlled conditions. ▪ Publicise results to encourage compliance publicised and enforcement action to be taken in appropriate cases 		

<p>15. Reduce the amount of criminal activity at regular and occasional markets, protecting the interests of legitimate business and consumers</p>	<ul style="list-style-type: none"> ▪ Identify and tackle those market organisers who allow illegal activity to take place on their sites ▪ Working in partnership with relevant agencies, conduct both overt & covert operations at weekend markets to highlight & gather evidence of sales of counterfeit goods. ▪ Take enforcement action against persistent offenders 	<ul style="list-style-type: none"> ▪ Significant reduction in trading in counterfeit goods following our sustained efforts during the summer. At the stage now of working with market organisers to secure future compliance ▪ Some difficult and significant barriers to overcome to make a real sustained difference in this area. 	
<p>16. Support people, particularly the most vulnerable in resolving contractual disputes</p>	<p>Delivering a Consumer Advice & Information Service, working alongside CDWM.</p>	<ul style="list-style-type: none"> ▪ 996 Complaints ▪ 2237 Notifications 	
<p>17. Provide home visits for immobile /vulnerable consumers</p>	<p>Take advice service to peoples homes, when consumers are unable to travel or deal with the matter over the telephone</p>	<ul style="list-style-type: none"> ▪ 17 visits 	
<p>18. Provide extended advice (2nd Stage) up to county court level to vulnerable consumers</p>	<p>Assist with county court claims where necessary.</p>	<ul style="list-style-type: none"> ▪ 116 second stage complaints 	
<p>19. Provide protection for consumers against the practice of harassing debtors.</p>	<p>Monitor all complaints relating to debt collection/ harassment of debtors and intervene where appropriate</p>	<ul style="list-style-type: none"> ▪ 20 cases 	
<p>20. Supporting economic prosperity by working with local business and deliver calibration services to business.</p>	<p>To advise and support business to develop, implement and maintain appropriate management systems through EQUIP supported activities. Provide calibration to business.</p>	<ul style="list-style-type: none"> ▪ Multiple business supported ▪ Surplus on revenue for all these services during first 6 months of year. 	

3(ii). PROGRESS AGAINST MISCELLANEOUS PERFORMANCE CRITERIA

The performance results below further demonstrate the range of services provided by Trading Standards during 2007/08.

Underage Sales Test Purchasing:

	<u>2005/06</u> Attempts to Purchase	<u>2005/06</u> Sales Made	<u>2006/07</u> Attempts to Purchase	<u>2006/07</u> Sales Made	<u>2007/08</u> Attempts to Purchase	<u>2007/08</u> Sales Made
Fireworks	0	0	25	2	In progress	
Alcohol	55	4	42	2	141	27

Infringements:

	<u>2005/06</u>	<u>2006/07</u>	<u>2007/08</u>
Informal Caution	58	23	35
Formal Caution	6	2	0
Formal Undertaking	2	3	3
Enforcement Orders	1	0	0
Prosecutions Commenced	17	4	
Fixed Penalty Notice	0	0	15
Pending	14	31	55

Service Requests to TSS from Consumers & Business:

	<u>2005/06</u>	<u>2005/06 %</u>	<u>2006/07</u>	<u>2006/07 %</u>	<u>2007/08</u>	<u>2007/08 %</u>
Response w/i 3 days	2812	87	1552	84.9%	755	86%
Response 4 days +	417	13	199	10.9%	113	13%
No Response	12	0.4	75	4.1%	12	1%
Total Received	3241		1826		880	
Not Allocated Investigating Officer	4	0.1	53	3%	3	

Consumer Complaints Received Against Traders:

	2005/06	2005/06 %	2006/07	2006/07 %	2007/08	2007/08 %
Response w/i 3 days	7075	89.2	3015	73.5%	850	73%
Response 4 days +	854	10.8	1052	25.6%	304	26%
No Response	4	0.01	37	0.9%	12	1%
Total Received	7933		4104		1166	
Not Allocated Investigating Officer	6	0.07	15	0.4%	3	

* Year on year comparison of these statistics is complicated by the introduction of Consumer Direct to deal with first line advice.

Information & Education Delivered by the Service:

	2006/07	2007/08
Doorstep Seller Stickers Issued	6000	2350
Electric Blankets Tested	368 over 5 locations countywide	513
Visits to Business Zone Website	1472	995
Attend Bedworth Safety Day & Crucial Crew	2340	1350
Educational Talks	40	13 plus 14 "talkingshop" sessions
Training PCSO's	78	90

Sampling 2007/08:

	No of samples taken	% Unsatisfactory
Agriculture	6	2%
Food Samples	226	42%
Non Food Samples	73	31%

4. ANALYSIS OF BUDGET POSITION

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 for public and private sector customers.
- "Talkingshop" - is the national web based consumer education platform that receives local authority subscriptions and occasional grant funding.
- Petroleum and Explosives licensing income.
- 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 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.

- Target for income for 2007- 08 = £510,588.
- Total income achieved in first 6 months = £400,384.

Budgetary Control

The current forecast for the 2007-2008 financial out turn for the Trading Standards Service is within £28,872 of break even. This equates to approximately 1% of the total net budget.

5. COMPLAINTS AND COMPLIMENTS

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	2007/2008 (Half year)
	11	14	8

2.1.2 Compliments

Number of Compliments	2005/2006	2006/2007	2007/2008 (half year)
	28	86	37

2.1.3 Complaints Detail – April 1st 2007 to 30th September 2007

Stage the complaint went to	Informal Within 7 working days	5
	Stage 1 Within 15 working days	2
	Stage 2 Within 21 working days	-
	Stage 3 Within 30 working days	-
Number of complaints dealt with within the time scales set out in the Complaints Procedure.		7
Number of complaints substantiated/justified		1
Number of complaints referred on by Members		1
Number of complainants who asked for Members to be notified of their complaint.		-

3. Improvements Made

<p>Actions made as a result of complaints within the last 6 months</p>	<ul style="list-style-type: none">▪ Our legal process is being reviewed and streamlined, in order to ensure swift response to prosecutions.▪ Staff have also been provided with training and development in responding to customer complaints.▪ Refresher training in responding to service requests has been provided to staff.▪ We have reviewed our Policy regarding second stage advice and vulnerable groups, so that the public are made aware of the level of service they should expect from us.
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GRAEME BETTS
Strategic Director of Adult,
Health and Community
Services

Shire Hall
Warwick

18th October 2007