

# Individual Decision

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The attached report(s) will be taken as  
Individual Portfolio Member Decision(s) on:

**Thursday, 31st May, 2012**

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<b>Ref:</b>	<b>Title</b>	<b>Portfolio Member(s)</b>	<b>Page No.</b>
ID2474	<b>Trading Standards service plan 2012</b>	Sean Murphy Councillor Hilary Cole	1 - 38



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## Individual Executive Member Decision

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<b>Title of Report:</b>	<b>Trading Standards Strategic Delivery Plan 2012-14</b>
<b>Report to be considered by:</b>	Individual Executive Member Decision
<b>Date on which Decision is to be taken:</b>	31 May 2012
<b>Forward Plan Ref:</b>	ID2474

**Purpose of Report:** To set out the Trading Standards Strategic delivery Plan for 2012-14 and seek approval.

**Recommended Action:** To APPROVE the plan.

**Reason for decision to be taken:** The Strategic Delivery Plan sets the high level targets that will guide the service direction for the next 2 years.

**Other options considered:** None

**Key background documentation:** Joint Service Delivery Service Specification

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole - Tel (01635) 248542
<b>E-mail Address:</b>	hcole@westberks.gov.uk

  

Contact Officer Details	
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<b>Job Title:</b>	Trading Standards Manager
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## Implications

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<b>Policy:</b>	The plan is built on a number of policy strands
<b>Financial:</b>	The delivery plan is funded from within current financial provision and / or direct grant funding for specific tasks and initiatives.
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	The tobacco and aerosol spray paint enforcement policy considerations are legal requirements and the Food Plan is required by the Local Authority Framework Agreement on Food Enforcement. All legal actions are governed by the existing enforcement policy.
<b>Environmental:</b>	There are provisions within the plan that contribute to the overall objective of the protection of the environment.
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Equalities Impact Assessment:</b>	Stage one assessment attached at Appendix A

## Consultation Responses

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### Members:

<b>Leader of Council:</b>	Graham Jones
<b>Overview &amp; Scrutiny Management Commission Chairman:</b>	Brian Bedwell
<b>Ward Members:</b>	N/a
<b>Opposition Spokesperson:</b>	Alan Macro
<b>Local Stakeholders:</b>	Wokingham Borough Council
<b>Officers Consulted:</b>	All officers within the Trading Standards Service
<b>Trade Union:</b>	Not consulted

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

## Supporting Information

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### 1. Background

- 1.1 The Joint Trading Standards Service was formed in June 2010. The original project plan developed for the service set out a number of required achievements particularly in respect of creating capacity and development of expertise. Both of these and other identified priorities have been achieved.
- 1.2 The Service Level Agreement which formed part of the Joint Service Agreement identified a number of key priorities around community safety, health, the environment and the protection of consumers, residents and businesses from unfair and unsafe commercial practices. The plan set out at Appendix B addresses these key priorities.
- 1.3 A key theme of the plan is the use of the National Intelligence Approach to tackling crime and related matters. This model suggests that in any approach there are elements of intelligence analysis and preventative measures that support the enforcement function. The plan is written to develop this approach. Before this plan sits specific tasking operations which are managed at service level and translate the strategic aims of the service into delivery.
- 1.4 The Food Enforcement Plan incorporated in the Delivery Plan sets out our priorities in relation to the delivery of the food standards enforcement function which includes food quality and labelling. It also sets out our priorities for work on Animal Feed as this along with Animal Welfare enforcement is seen as crucial to protecting animal and human health.
- 1.5 For the first time the plan also brings forward a new policy on business advice. The Policy allows for the development of Primary Authority arrangements as well as setting out clearly our charging policy. In essence all business start ups will be able to receive an initial 5 hours advice free of charge. This is crucial at this time when new enterprises are being actively encouraged and are seen as a key part of economic recovery.

### 2. Equalities Impact Assessment Outcomes

- 2.1 The parties consulted on the plan in its entirety are the Joint Service Review Panel and members of staff from the Trading Standards Service. Many of the objectives in the plan are built on long standing programmes at work which are designed to protect members of the community most susceptible to fraud and other consumer related crime.
- 2.2 In terms of enforcement actions taken by the service these are considered in the context of the Human Rights Act and prosecutions take account the approved Enforcement Policy which applies both the evidential and public interest tests set out in the Code for Crown Prosecutors. Oversight independent of the investigating officer is present when decisions on legal actions are made.

### **3. Conclusion**

- 3.1 The Delivery Plan sets out in clear terms how the service will protect residents and businesses from unfair and unlawful trading practices. The service believes it strikes the right balance between prevention and enforcement. We also believe it reflects current resource availability but there is an acceptance that things can change and prioritisation is a key feature going forward.
- 3.2 It is therefore recommended that the plan and policies contained therein be Approved.

### **Appendices**

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Appendix A – Equality Impact Assessment – Stage 1

Appendix B – Trading Standards Strategic Delivery Plan 2012/14

## Equality Impact Assessment – Stage One

<b>Name of item being assessed:</b>	Trading Standards Strategic Delivery Plan 2012-14
<b>Version and release date of item (if applicable):</b>	
<b>Owner of item being assessed:</b>	Sean Murphy
<b>Name of assessor:</b>	Sean Murphy
<b>Date of assessment:</b>	16 <sup>th</sup> May 2012

<b>1. What are the main aims of the item?</b>
Set out the priorities of the Trading Standards Service for 2012/14

<b>2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)</b>
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<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>
Local Residents	Provide protection from unfair trading activity along with measures increase community safety and protect public health	Set out in plan
Local Businesses	Provide protection from unfair trading practices	Set out in plan
Elderly and other residents vulnerable to Financial Related Crime	The plan contains specific measures aimed at protecting this particularly susceptible to fraud and other financial crime	Set out in plan
Young people	The plan contains measures to protect the health and wellbeing of young people i.e. prevention of the sales of illegal age restricted products	Set out in plan

<b>Further comments relating to the item:</b>
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<b>3. Result</b> (please tick by double-clicking on relevant box and click on 'checked')	
<input type="checkbox"/>	<b>High Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Medium Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Low Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	<b>No Relevance</b> - This <b>does not</b> need to undergo a Stage 2 Equality Impact Assessment

**For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.**

<b>4. Identify next steps as appropriate:</b>	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	

**Name:** Sean Murphy

**Date:** 16<sup>th</sup> May 2012



# Strategic Delivery Plan

## 2012/2014



**WOKINGHAM**  
BOROUGH COUNCIL

This service is provided by West Berkshire Council in  
Partnership with Wokingham Borough Council







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## I. Foreword

This is the second Strategic Delivery Plan for the new Joint West Berkshire and Wokingham Trading Standards Service. Two years on from the development of the shared service there is now a completely integrated service delivering across a single geographical area to a common set of policies.

The best of both the previous single services have been adopted with the former Wokingham quality management systems combining with the flare that West Berkshire had developed for innovative approaches to tackling areas of crime and consumer detriment. The critical mass which was sought has been achieved in terms of staffing as have the ability to provide specialisation in areas of law and support for a comprehensive training programme. The service now employs three Trainee Trading Standards Officers and a number of other members of staff are currently broadening their skills base by qualifying in additional areas.

As with the previous plan there is a strong emphasis on maintaining a level playing field for local businesses and a fair and safe trading environment for residents and visitors. There remain measures to effectively tackle rogue trading, doorstep crime and unfair business practices. The plan does however see public health move further to the fore with a high priority being given to control of alcohol and tobacco as well as food and agriculture standards. Other traditional trading standards areas such as intellectual property crime, product safety, weights and measures, road traffic enforcement and credit also feature strongly. All will be complemented by advice and support for businesses and consumers.

The key to delivery is effective working relationships with our many internal as well as external partners such as the Thames Valley Police, Berkshire West PCT, Defra, HMRC and Trading Standards South East the effectiveness of the service is greatly enhanced by co-ordination and efficient use of resources. This has never been more important as now with the transfer of Public Health to local authorities and the 'Consumer Landscape Review' which sees many former national enforcement functions transfer to local Trading Standards Services.

Two years on from the emergence of the shared Trading Standards Service we are confident that the measures set out in the plan will ensure that the communities in Wokingham and West Berkshire have the protection of a modern, sustainable Trading Standards Service.

**Cllr Hilary Cole**  
Executive Member  
West Berkshire Council

**Cllr UllaKarin Clark**  
Executive Member  
Wokingham Borough Council



## 2. Introduction

The purpose of this is to set out in clear terms for the communities of Wokingham and West Berkshire how the new combined Trading Standards Service intends to deliver on, and contribute to, the key local, regional and national priorities. The plan also encompasses Food Enforcement Plan (Appendix A), the Policy for Enforcement of Age Restricted Products (Appendix B) and a new Policy on Business Advice Provision (Appendix C) to reflect changes in legislation.

The proposals set out in the plan are related to a number of key shared local priorities the most relevant of which are as follows:

- **Reducing Crime / Protecting Vulnerable Residents**
- **Protecting the Environment**
- **Supporting the Local Economy**
- **Improving Public Health**

Ultimately the Trading Standards Service is a law enforcement service responsible for overseeing the enforcement of around 100 pieces of primary legislation and several thousand regulations and standards.



*"Our work on doorstep crime, food, scams and age restricted products is never far from the public eye"*

## 3. The Trading Standards Service Context

### 3.1 Local Context

These are difficult times with the economic downturn. In times such as this the Trading Standards Service has an important role in protecting communities from the scourge of unscrupulous and unfair trading whilst assisting reputable businesses to develop and hopefully thrive.

The Service also has a particular role in protecting the most vulnerable in our society who are very often the first victims of trading crime. Tackling these issues needs a comprehensive approach. Clearly the service has its enforcement role but it also has a preventative role. This is clearly demonstrated with our work on the Buy with Confidence Approved Trader Scheme and the Support with Confidence Approved Personal Assistant Scheme. People wanting to make the right consumer decisions, to avoid crime and to be protected are looking to be pointed in the right direction. The Trading Standards Service is well placed to do this.

Prevention and Enforcement are only two of the three limbs of the National Intelligence Model approach to tackling crime. The third, and perhaps most important is intelligence. There is no doubt that in these times of tightening resource it is important to make the best use of every piece of resource available. The gathering and analysis of intelligence allows us to do this. There is little point in auditing one area of business practice if there are no issues when precious resource could be spent tackling consumer or business detriment in another. We need to analyse the thousands of pieces of information that come our way every year whether they be consumer complaints, business reports of malpractice or intelligence reports from key partners such as the Police. We have made a start on this but the development of this is a key priority for the service.

The issue of partnership working cannot be underestimated. There are many key and obvious partners such as Thames Valley Police and Trading Standards South East authorities but there are also many more local partners such as Citizens Advice, Community Savings and Loans (CSL) and Social Landlords who provide valuable sources of intelligence or in the case of CSL community based solutions. A number of key partners are identified in 3.7 below.

The next twelve months will see the transfer of the Public Health function from Berkshire West PCT to the Council. This provides an important opportunity for the service to integrate Public Health yet further into its working and also, along with colleagues from Environmental Health, to position itself as a delivery mechanism for public health outcomes as it has for many years on youth smoking and drinking. Accident prevention, nutrition and obesity and mental health issues resulting from crime and debt are all areas where trading standards can make a major contribution. The Service already manages the Tobacco Control Alliance on behalf of the PCT and the Berkshire West Council's.

The National Intelligence Model to tackling issues combined with a clear partnership based approach means that staff from the Trading Standards Service can already be found in Schools and Children Centres in contrast to, and importantly in addition to, their traditional law enforcement role in interview rooms and law courts.

### 3.2 Regional Context

Trading Standards South East Limited (TSSEL) involves 19 Local Authority Trading Standards Services in the South East Region working together through a joint business plan towards the common goals of improving efficiency, supporting local authority trading standards services and developing and sharing expertise.

West Berkshire and Wokingham Trading Standards Service are considered a significant contributor to the regional model and integral in the formation and development of the company limited by guarantee that oversees the model. The Trading Standards Manager is a Director of the Company and West Berkshire and Wokingham Council's are both Members of the Company.

We are represented on all of the focus groups which share information on specialist areas ranging from food to animal health and from safety to fair trading. We are also major contributors to the delivery of grant funded initiatives such as tobacco control and important food sampling and analysis. Recently we have bid for and received additional funding to carry out level one (national) investigation work where we have offences in our area but where there are further offences at regional and at national level.

Some of the other regional priorities to which the Service contributes include Support with Confidence, Buy with Confidence, credit-licence checks on behalf of the Office of Fair Trading (OFT), working with the Illegal Money Lending Team, sharing intelligence and providing support for various training initiatives.

### 3.3 National Context

Eighteen months ago HM Government announced a major review of what it entitled the 'consumer landscape' i.e. the work that went on to protect consumers from unfair practices and the work which allowed consumers to make the right decisions. The main players in this had primarily been the Department of Business, Innovation and Skills (BIS), OFT and Trading Standards at regional and local level.

In essence the outcome of this review is to put two bodies centre stage in the delivery of the new 'Consumer Landscape'. Citizens Advice is set to take the lead role in advice provision and in April took control of the former Consumer Direct helpline from OFT and will eventually take over the statutory advocate role of Consumer Focus. Trading Standards Services are to become the single face of enforcement with many of the functions currently being carried out by OFT transferring to trading standards along with the policy setting and funding provided by BIS. This will be overseen by a newly formed National Trading Standards Board (NTSB) made up of the Chairs of each regional grouping. The remit of NTSB will include illegal money lending, the development and delivery of a national intelligence database, cross border enforcement and the commissioning of national initiatives and investigations. The delivery will all be carried out by trading standards at regional or local level.

The role of the former 'quango' the Local Better Regulation Office (LBRO) has now been incorporated into BIS in the form of the Better Regulation Delivery Office. They still have a statutory role to improve delivery of local regulatory enforcement, setting priorities and the management of the Primary Authority function. The latter is an area that West Berkshire Trading Standards Service will seek to offer through the Business Advice Policy set out at Appendix C.



### 3.4 Service Vision

*“To be an excellent and continually improving service that provides a high level of protection for consumers and reputable businesses’.*

Our service vision is to improve the quality of life for all West Berkshire and Wokingham residents by creating a safe and fair trading environment where consumers are protected and businesses can thrive and develop. We want West Berkshire and Wokingham to be free of rogue traders and for residents to have a high level of protection

In business terms we acknowledge that the success of the local economy is a key aspect to the success of the local community. We therefore will aim to support, educate and inform local businesses both on a re-active and pro-active basis. This plan contains a number of elements of this type of work. We also feel efforts to achieve high levels of consumer and community protection should be rewarded and this is demonstrated through schemes such as the ‘Responsible Alcohol and Tobacco Retailer’ scheme, ‘Buy with Confidence’ and ‘Support with Confidence’ which is managed by Trading Standards in conjunction with Adult Social Care services in Wokingham and West Berkshire.



*“We will support new businesses by proactively seeking them out and where appropriate offering advice.”*

### 3.5 Service Mission

Our mission is to ensure that:

- Every person in Wokingham and West Berkshire will be in a position to make informed decisions about their purchases of goods and services and understand their rights and responsibilities.
- Business in Wokingham and West Berkshire will achieve compliance through self regulation as far as possible and that intervention is kept to a minimum allowing the business to thrive and prosper.
- The health, wellbeing and safety of the community is preserved. .

In order to make the vision become a reality:

- We will seek to create equality by ensuring that all consumers understand where they obtain advice and how they can exercise their rights. Importantly we will seek to give them the confidence to do so and where appropriate provide direct assistance.
- We will support new businesses by proactively seeking them out and where appropriate offering advice. We will seek to ensure that all businesses know where they can seek support and that they have the confidence to do so in the knowledge that the trading standards service will be impartial and pragmatic.
- We will adopt responsive and innovative approaches to enforcement to drive out illegal trading
- Our service will continue to improve in line with the outcomes and recommendations from self-assessment against national standards including Quality Mark for Case Management which was re-awarded in 2012.

### 3.6 Strategic Values of the Service

We have a set of strategic values that form the bedrock of our service delivery. These strategic values are:

- **Objectivity** in decision making
- The desire to meet the needs of the **Community**
- An approach to service delivery which is **Professional** on every level

They are entirely conducive to the delivery of a modern regulatory service and fit with the legal framework in which we operate.

### 3.7 Delivery Values

In addition to the strategic values we have service specific values that are an expression of what we believe and what we stand for. They underpin our objectives and strategies and form a reference point for all we do. In summary we believe in:

- The role that legal compliance plays in protecting society
- Helping people to help themselves whilst protecting the most vulnerable
- The need to ensure that all people are treated equally
- The need to be flexible, innovative and responsive to changing priorities and opportunities
- Striving for excellence and continuous improvement
- Concentrating on outcomes
- Investing in our staff as our key resource

### 3.8 Key Delivery Partners

In addition to internal delivery partners such as the Safer Communities team, Highways, Adult Social Care, Legal Services etc. there are a number of key external delivery partners that have been identified in the process of drawing up this strategy. These are:

<b>Partner</b>	<b>Area of Existing or Potential Joint Working</b>
Residents and Businesses Thames Valley Police	Intelligence Sharing Intelligence Enforcement Specific operations e.g. Operation Precious, Operation Drinksafe
Berkshire West PCT	Berkshire West Tobacco Control Alliance Public Health initiatives around alcohol, tobacco and nutrition
Trading Standards South East	See 3.2 above
Parish Councils	Sharing Intelligence Enforcement
HMRC	Counterfeiting Smuggling
Citizens Advice	Citizens Advice Consumer Line Intelligence Support for vulnerable clients
Illegal Money Lending Team	Enforcement

This is not an exhaustive list and more work will be done in the delivery process to identify other key partners.

## Priority Area: Environment and Safety

Target	Prevention	Intelligence	Enforcement
<p><b>Reduce the harm caused by Goods Vehicles</b></p>	<ul style="list-style-type: none"> <li>● Provide preventative advice to local businesses</li> <li>● Preventative signage in weight restriction areas</li> <li>● Provide advice to occasional drivers through vehicle hire companies</li> </ul>	<ul style="list-style-type: none"> <li>● Complaints from parish Councils / Residents</li> <li>● Previous checks</li> <li>● Roll out Community Lorry Watch Schemes</li> </ul>	<ul style="list-style-type: none"> <li>● Carry out 14 mobile checks</li> <li>● Attend multi agency checks</li> <li>● Carry out 30 WR checks per annum</li> <li>● Test all weighbridges annually and RTA bridges six monthly</li> </ul>
<p><b>Fly-tipping</b></p>		<ul style="list-style-type: none"> <li>● Share intelligence with Waste through IDB to identify links with 'rogue trading' activity</li> </ul>	<ul style="list-style-type: none"> <li>● Carry out joint enforcement check with waste enforcement staff to reduce impact of illegal disposal</li> </ul>
<p><b>Reduce the environmental impact of consumer goods</b></p>	<ul style="list-style-type: none"> <li>● Provide advice to businesses on compliance with packaging laws</li> <li>● Create an understanding of green claims</li> </ul>		<ul style="list-style-type: none"> <li>● Packaging Audits</li> <li>● Checks on accuracy of green claims</li> <li>● Ensure compliance with Energy performance certification rules</li> </ul>
<p><b>Ensure safe usage and sale of:</b> <b>Petroleum</b> <b>Explosives</b> <b>Poisons</b></p>	<ul style="list-style-type: none"> <li>● Ensure all licence holders are clear of legal requirements</li> </ul>		<ul style="list-style-type: none"> <li>● Inspect all filling stations annually</li> <li>● Inspect other PL holders every 2 years</li> <li>● Visit all new licence holders</li> <li>● Visit explosives licence / registration holders where previous problems</li> </ul>

## Priority Area: Fair and Safe Trading Environment

Priority Area	Prevention	Intelligence	Enforcement
<b>Product Safety</b>	<ul style="list-style-type: none"> <li>Support national safety campaigns e.g. fireworks</li> <li>Continue to support the ports and ERTS projects</li> </ul>	<ul style="list-style-type: none"> <li>Encourage reporting of known illegal and unsafe products</li> </ul>	<ul style="list-style-type: none"> <li>Intelligence led sampling programme</li> <li>Importers</li> <li>Targeted inspections – including technical files</li> <li>Test purchasing</li> </ul>
<b>Weights and Fair Trading</b>	<ul style="list-style-type: none"> <li>Raise awareness of issues around on-line sales with consumers and businesses</li> </ul>		<ul style="list-style-type: none"> <li>High risk inspections</li> <li>Verifications</li> <li>Inspections following complaints</li> <li>Consideration of audits</li> <li>Weighbridges</li> <li>Bulk fuel</li> </ul>
<b>London 2012</b>	<ul style="list-style-type: none"> <li>Raise awareness amongst public of need not to support illicit products</li> </ul>	<ul style="list-style-type: none"> <li>Encourage reporting of illegal products</li> <li>Consider Intel from IDA other sources</li> </ul>	<ul style="list-style-type: none"> <li>Enforce relevant legislation at local level</li> <li>Provide support to regional enforcement</li> </ul>
<b>Support for Consumers and Businesses</b>	<ul style="list-style-type: none"> <li>Buy with Confidence</li> <li>Support with Confidence</li> <li>Promotion of Service available – improved access</li> <li>Improved Website</li> <li>Training for retailers car dealers etc. re: CPR</li> </ul>		

## Priority Area: Protecting the Vulnerable and Reducing Crime and Disorder

Target	Prevention	Intelligence	Enforcement
<p><b>Reduce the impact of rogue trading and doorstep crime</b></p>	<ul style="list-style-type: none"> <li>● Publicity</li> <li>● Cold Calling Control Zones</li> <li>● Build links with safeguarding services</li> <li>● Promote BWC and SWC to reputable business and consumers</li> <li>● Awareness training and initiatives</li> </ul>	<ul style="list-style-type: none"> <li>● Develop links with Police Regional Intel Unit</li> <li>● Consumer Direct</li> <li>● Public and neighbourhood watch</li> <li>● Embed regional intelligence database as an enforcement tool</li> <li>● Roll out Banking Protocol</li> </ul>	<ul style="list-style-type: none"> <li>● Doorstep Crime Patrols minimum – 2 per month</li> <li>● Investigation of complaints</li> <li>● Rapid response – usually within one hour</li> <li>● Joint operations with Thames valley Police</li> </ul>
<p><b>Raise awareness of scams and prevent people becoming repeat victims</b></p>	<ul style="list-style-type: none"> <li>● Work with Home Care Workers</li> <li>● Publicity</li> <li>● Awareness training and initiatives for communities</li> </ul>	<ul style="list-style-type: none"> <li>● Community workers to identify repeat victims</li> <li>● Roll out Banking Protocol with banks and Post Offices</li> </ul>	<ul style="list-style-type: none"> <li>● Referrals to OFT / Serious Organised Crime Agency Investigations</li> </ul>
<p><b>Reduce Intellectual Property Crime</b></p>	<ul style="list-style-type: none"> <li>● Roll out No IP Crime Zones across Berkshire West</li> <li>● Advice Packs for Businesses</li> <li>● Public Awareness Campaigns and publicity</li> </ul>	<ul style="list-style-type: none"> <li>● Monitoring of eBay and Auction Sites</li> <li>● Businesses</li> <li>● Public / CD</li> </ul>	<ul style="list-style-type: none"> <li>● Targeted surveys – Internet, Markets, Car Boot Sales</li> <li>● Work with TVP on targets of joint interest</li> </ul>

## Priority Area: Protecting the Vulnerable and Reducing Crime and Disorder

Target	Prevention	Intelligence	Enforcement
<p><b>Reduce vehicle related crime</b></p>	<ul style="list-style-type: none"> <li>● Raise public awareness of issues surrounding sale and purchase of second hand vehicles</li> <li>● Run training courses for car dealers</li> </ul>	<ul style="list-style-type: none"> <li>● Complaints</li> <li>● Police</li> </ul>	<ul style="list-style-type: none"> <li>● Investigate complaints</li> <li>● Carry out routine forecourt checks</li> <li>● Monitor internet selling activity</li> <li>● Carry out checks with vehicle inspector to examine safety of second hand vehicles</li> <li>● Ensure compliance with Vehicle (Crimes) Act in respect of number plate manufacturing and vehicle breaking</li> </ul>
<p><b>Stop unlawful credit activity and promote alternative sources of safe borrowing</b></p>	<ul style="list-style-type: none"> <li>● Continue to support Berkshire Community Savings and Loans</li> <li>● Consider taking up a Board place</li> <li>● Work with RSLs to support BSL project</li> <li>● Formal links with CABx</li> <li>● Targeted community illegal money lending events</li> </ul>	<ul style="list-style-type: none"> <li>● Registered Social Landlords</li> <li>● Community Wardens</li> <li>● Citizens Advice Bureau</li> <li>● Illegal money lending team</li> </ul>	<ul style="list-style-type: none"> <li>● Joint Enforcement with Illegal Money Lending Team</li> </ul>

## Priority Area: Health and Wellbeing

Target	Prevention	Intelligence	Enforcement
<p><b>Ensuring food meets legal standards, labelling is accurate and consumers have the information to make informed choices</b></p>	<ul style="list-style-type: none"> <li>● Nutrition and labelling advice for vulnerable adults and children</li> <li>● Pre-marketing advice to local businesses</li> <li>● Encourage development and promotion of healthy eating options</li> </ul>	<ul style="list-style-type: none"> <li>● Food Standards Agency food alerts and intelligence bulletins</li> <li>● Defra</li> <li>● Regional and national surveys</li> <li>● Encourage enforcement of food fraud and counterfeiting</li> </ul>	<ul style="list-style-type: none"> <li>● Inspection of high risk food premises</li> <li>● Targeted audits of other premises</li> <li>● Targeted sampling programme</li> <li>● Work with providers of foods aimed at vulnerable groups to ensure nutritional standards met</li> <li>● Place special emphasis on food fraud and counterfeiting</li> </ul>
<p><b>Lead the alcohol and tobacco strategy in respect of illegal sales</b></p>	<ul style="list-style-type: none"> <li>● Provide training for retailers and staff</li> <li>● Administer the Alcohol and Tobacco Responsible Retailer Scheme</li> <li>● Raise awareness of proxy sales</li> <li>● Work with business to raise awareness of the sale of illicit tobacco</li> <li>● Work with young people to raise awareness of health and personal risks</li> <li>● Manage the Berkshire West Tobacco Control Alliance</li> </ul>	<ul style="list-style-type: none"> <li>● Complaints</li> <li>● Schools</li> <li>● Multi agency Alcohol Action Groups</li> <li>● Police</li> <li>● Encourage reporting of illegal sales</li> </ul>	<ul style="list-style-type: none"> <li>● Test purchasing</li> <li>● Illicit tobacco sales enforcement</li> <li>● Ensure vending machine ban complied with</li> <li>● Ensure implementation of point of sale promotion ban</li> <li>● Start enforcement programme for proxy sales</li> </ul>



## Priority Area: Health and Wellbeing cont.

Target	Prevention	Intelligence	Enforcement
<p><b>Enforce newly assigned provisions such as the Regulation of Sun beds and Tattooing of Minors</b></p>	<ul style="list-style-type: none"> <li>● Visit Premises to ensure awareness of controls and systems are in place to ensure compliance</li> </ul>	<ul style="list-style-type: none"> <li>● Encourage reporting of breaches.</li> <li>● In respect of tattooing – intelligence exchange with Police</li> </ul>	<ul style="list-style-type: none"> <li>● Investigating complaints</li> </ul>
<p><b>Ensure that fertilisers and animal feed are safe and meet legal standards</b></p>	<ul style="list-style-type: none"> <li>● Maintain registration of all feed businesses</li> <li>● Provide good practice guides to farmers</li> </ul>	<ul style="list-style-type: none"> <li>● FSA market surveillance</li> </ul>	<ul style="list-style-type: none"> <li>● Carry out targeted inspection programme</li> <li>● Where appropriate carry out sampling and testing</li> </ul>
<p><b>Ensure that animal welfare standards are maintained and health protection measures are in place</b></p>	<ul style="list-style-type: none"> <li>● Provide advice to livestock keepers</li> <li>● Maintain contingency plans for common and emerging diseases</li> <li>● Hold an annual test of plans</li> </ul>	<ul style="list-style-type: none"> <li>● Share intelligence with Defra Veterinary Officers</li> <li>● SELTSA Animal Health Group</li> <li>● Industry press</li> <li>● Word of mouth</li> <li>● Public complaints</li> </ul>	<ul style="list-style-type: none"> <li>● Carry out risk assessed on-farm inspections</li> <li>● Inspect welfare of animals in transit</li> <li>● Record all movements</li> <li>● Ensure licence conditions are met at animal gatherings</li> </ul>

# No Fakes Zone

**Don't Sell - Don't Buy!**



**The sale of counterfeit  
or smuggled goods in  
this area will not  
be tolerated**

**Anyone caught selling  
is liable to arrest and  
the goods seized**

If you suspect counterfeit goods  
being sold please call Trading  
Standards on 01635 519930.



**SAFER COMMUNITIES  
PARTNERSHIP**

WEST BERKSHIRE

Working to create a safer West Berkshire



**THAMES VALLEY  
POLICE**



**West Berkshire**  
COUNCIL

# APPENDIX A

## WOKINGHAM AND WEST BERKSHIRE TRADING STANDARDS SERVICE FOOD ENFORCEMENT PLAN

### Contents:

1	Introduction
2	The Trading Standards Food Service
3	Demands on the Service
4	Food Service Objectives
5	Working with Business
6	Food and Feed Activities
7	Food Incidents
8	Liaison with other organisations
9	Quality Assessment
10	Resources
11	Review of the Food Law Enforcement Plan

# Appendix A

## 1. Introduction

1.1 The purpose of this plan is to set out the scope of the combined West Berkshire and Wokingham Trading Standards Service in relation to the way that it regulates and protects the food chain from 'farm to fork'.

1.2 A variety of food production, processing and marketing industries exist in the combined administrative area producing a wide range of food and animal feedstuffs requiring a high level of regulatory competence and activity to ensure relevant standards are maintained.

1.3 The Food Law Enforcement Plan for the Service is detailed below and includes objectives, demands on the food service, and issues including food complaints, inspections and sampling.

1.4 The Trading Standards Service Plan 2012/14 (to which this is appended) links the service values, aims and objectives to this plan. The broader plan also puts into context what we are aiming to achieve. This plan needs to be read in the context of the wider strategic delivery plan.

1.5 Finally the plan also builds upon the priorities set out by the Food Standards Agency in their Corporate Plan as well as those arising from the development of the Local Area Agreement.

## 2. Scope of the Trading Standards Food Service

2.1 The Trading Standards Food Service has responsibility for the following areas of food chain control and education:

- Ensuring the accuracy of food labels and descriptions applied to food
- Ensuring claims etc. made in the course of the marketing of food are accurate and legal
- Ensuring food standards are maintained
- Enforcement of Food Alerts relating to food standards or chemical contamination are responded to as appropriate
- Ensuring that legally required food hygiene standards are met at primary production points
- Ensuring that legally required feed hygiene and compositional required standards are met throughout the supply chain and on farm
- Ensuring that animal feed is appropriately labelled and marketed
- Ensuring businesses are appropriately advised
- Ensuring that consumers have the required knowledge base to make informed choices when purchasing food

### 3. Demands on the Food Service

3.1 The Service offers confidential and impartial advice for businesses of West Berkshire and Wokingham to help them avoid breaking the law inadvertently. Dealing with complex and technical enquiries along with inspecting and monitoring activities are essential parts of the workload.

3.2 In line with the Hampton Review the Food Standards Agency FSA has allowed local authorities to adopt a more flexible and varied approach in developing a suitable strategy to maintain compliance. As a result the team will continue to visit a number of high and medium risk food premises but look to alternative enforcement strategies such as a self certifying to deal with the low and non inspectable risk food premises. Audits will continue to be targeted at nationally or locally recognised areas of concern.

3.3 Currently the Service has 2549 food premises on its database. Of those premises, 32 are classified as high risk, 367 medium risk, 1003 low risk and 703 as having no inspectable risk. The remainder is made up of unrated premises. This figure changes on a yearly basis. In terms of feed premises there are 262 premises, 10 manufacturers and packers, 4 distributors and 15 retailers.

3.4 The risk rating for each premise is assessed at each visit and by reference to events such as levels of compliance, local risk and the category of individual businesses. In addition the Service will have regard to the principles of the Hampton Review, ensuring that no inspection is conducted without a reason and local risk factoring is applied.

3.5 The Food Service provided is specific to the needs and nature of the area. As a consequence time is spent on Home Authority responsibilities, (the principal is outlined below) this includes allocating time to our major food producers.

3.6 We will also advise and seek compliance on highly specific labelling criteria. This will include the traceability of foods and feeding stuffs and the declaration of foods which contain allergens.



*“Ensuring the accuracy of food labels and descriptions applied to food”*



## 4. Food Safety Objectives 2011/13

4.1 The aim of the Service is to improve and protect public health by ensuring food quality standards are met, the maintenance of market confidence in the food businesses in Wokingham and West Berkshire. This is achieved by ensuring that consumers have access to accurate information and they have the knowledge to make informed choices. It is the responsibility of the service to ensure that food and drink produced and sold in Wokingham and West Berkshire meets quality and chemical safety criteria wherever it is consumed. We also ensure that our work is programmed to take account of the national and local agendas.

### 4.2 Key Objectives

- To ensure that we visit and advise our High and Medium Risk food businesses at a frequency based on the FSA criteria.
- To check the effectiveness of food management within local food businesses by sampling and audit. In doing so to pay particular attention to high priority areas such as nutrition and allergens.
- To contribute to the wider public health agenda through the promotion of healthier eating options.
- To raise awareness of food safety issues to local food businesses and residents.
- To respond to customer complaints and requests for our service
- To visit relevant primary producers to ensure compliance with the Food and Feed hygiene requirements. The frequency is based on the LACORS and FSA criteria.

## 5. Working with Business

5.1 Where the head office or controlling mind of a food business is located within the Wokingham or West Berkshire area the Service has adopted them as Home Authority companies. Where appropriate the Service will consider whether offering Primary Authority Status may enhance delivery. Both systems allow the authority to work closely with businesses to establish procedures to ensure high standards are maintained in the production of safe and accurately described food. The Service assists with food complaints relating to products produced by the company which have become apparent outside the authority's area. The Service becomes a nationally recognised point of contact and liaison for all subsequent food enquiries.

5.2 We have implemented this principle by providing advice and information on the legality of product ranges, packaging, composition, labelling and advertising. This service is delivered pro-actively during the inspection of premises and reactively in response to requests from businesses and referrals from other agencies.

5.3 This approach provides support to local businesses in developing their products but also helps to prevent potentially expensive non-compliance.

## 6. Food and Feed Activities

6.1 The Service produces its own annual sampling programme to establish the effectiveness of the management of food standards in local businesses. The programme reflects local and national trends. The plan is sufficiently flexible to take account of any areas which require attention as they arise i.e. food incident warnings. The emphasis this year is on four areas i.e. contamination, adulteration, nutritional composition and labelling. We anticipate this will translate to approximately 200 food and feed samples.

6.2 This Authority partakes in regional and national sampling programmes and other national initiatives as appropriate.

6.3 Analytical work for food is undertaken by the appointed Public Analysts which are: Worcestershire County Council, Hampshire County Council, Kent County Council and Staffordshire County Council. Worcestershire CC and Staffordshire CC also provide the appointed Agricultural Analysts and Deputies.

## 7. Food Alerts

7.1 Food alerts are issued by the Foods Standards Agency (FSA) to all Food Authorities in the country when a national food safety issue has arisen with a specific food product.

7.2 Food alerts are responded to as directed by the warning notification received from the FSA and in accordance with the Code of Practice. All warnings are received by email and any subsequent action taken is recorded and retained on file. This year we are going to examine the basis of our response particularly in relation to follow up action.



*“Ensuring that claims such as organic are accurate”*

## 8. Liaison with Other Organisations

8.1 We work closely with a number of organisations and to avoid duplication of effort we have clear guidelines on who is responsible for what.

Partners include:

- Seventeen other Trading Standards authorities in the South East Region that together make up Trading Standards South East Limited TSSEL. Activities include liaising on all key Trading Standards issues, co-ordinated inspection, sampling and advice projects and sharing of information.
- Food Standards Agency activities include taking part in FSA sampling surveys, liaison where areas of work overlap and responding to requests for information.
- Members of both Councils are consulted prior to the plan being approved.



“Activities include liaising on all key Trading Standards issues, co-ordinated inspection, sampling and advice projects and sharing of information.”



## 9. Quality Assessment

The teams aim to continually improve the level of service provided and procedures are reviewed where necessary to incorporate identified improvements.

## 10. Resources

10.1 In order to fulfil the proposals set out in this plan the following resources will be allocated to food and feed enforcement and business and consumer education:

<b>Area of Work</b>	<b>Estimated Officer Days (Including Follow up Action)</b>
Food Standards Inspections	80
Alternative Enforcement Strategies	30
Response to Food Alerts	10
Animal Feed Inspections	20
Food Hygiene at primary Production	20
Food Sampling	30
Feed sampling	10
Business Advice	20
Consumer Education	50
<b>TOTAL</b>	<b>270</b>

10.2 The planned expenditure to support these functions is follows:

<b>Area</b>	<b>Estimated Expenditure</b>
Food Standards Sampling	£25K
Agriculture Sampling	£10K

Staffing expenditure is difficult to extrapolate because there is no separate cost centre for the trading standards food enforcement function.

## 11. Review of the Food Law Enforcement Plan

11.1 The objectives are regularly reviewed by the Lead Officer for Food and the Trading Standards Manager. This is to ascertain whether objectives are being achieved and any variations to be highlighted.

11.2 Areas for improvement are incorporated into the following year's objectives, or dealt with as soon as possible if there are no additional financial implications.

11.3 We have adopted a project-based approach in relation to food advice and enforcement and the resources dedicated to food-related activities are appropriately balanced against other regulatory activities.

### 11.4 Areas for Development

Advancements have been made in the delivery of food law enforcement. There have been examples of joined up working and cooperation with bodies such as TSSEL where co-ordinated sampling is developed however there are areas identified where development can still be beneficial. These include:

- Ensuring the national Food Sampling Surveillance System (FSS) is embedded in our everyday approach to food and feed law enforcement.
- Ensuring that intelligence reports from the FSA and other sources direct our audit programme.
- Continual development of partnership working

### 11.5 Review against the Service Plan

Performance is monitored by the teams on a monthly basis. Also, we will review the content of the service plan to ensure it continues to meet the needs of our customers.

## Appendix B

### ENFORCEMENT APPROACH TO SALES OF AGE RESTRICTED PRODUCTS

1. The Service proposes to continue to raise awareness in the wider community of the issues relating to the misuse of age restricted products by young people and to seek the support of the community in driving out illegal sales. Through the Tobacco Control Alliance, the Schools Improvement Service and Operation Drinksafe we will also continue to engage with young people in order to close the circle between education and regulation in relation to products such as tobacco and alcohol.
2. The Service will continue to support and host the Berkshire West Tobacco Control Alliance and oversee delivery of the Alliance's key strategic objectives – one of which is deterring young people from starting smoking.
3. The Service will continue to advise retailers on how to best achieve compliance with the legislation relating to the sale of age restricted products at the time of inspection of trade premises. Additionally we will also encourage and support responsible retailing by offering the popular and well received 'Responsible Retailer Scheme'
4. The Service in conducting our enforcement work will continue to have regard to intelligence whether from partner agencies or the wider community.
5. The Service will use powers such as the instigation of licence reviews or temporary closure orders.
6. The Service does consider there is a role for random checks on compliance to be conducted through 'test purchasing' programmes of age restricted products using volunteer young people. This is considered a crucial part of the enforcement programme. In carrying out test purchasing steps to provide safeguards for both the young person and the trader are taken including having regard to national guidelines. It also helps reinforce the message. Where appropriate we will take legal or other action against traders and individuals in accordance with the Council's adopted Enforcement Policy.

# APPENDIX C

## BUSINESS ADVICE POLICY

### 1.0 Purpose

1.1 West Berkshire and Wokingham Councils are the enforcing authority for a wide range of primary legislation functions.

1.2 West Berkshire and Wokingham Councils carry out this duty by employing suitably qualified and trained staff, who are authorised in writing to enforce the requirements of the various pieces of legislation.

1.3 West Berkshire and Wokingham Councils are committed to promoting a vibrant district. In the current economic climate it is necessary to support businesses to help promote economic growth.

1.4 In addition to the long standing legislative functions the government has set out a process which enables the Council to forge statutory partnerships with companies primarily based in the West Berkshire and Wokingham area. This is the Primary Authority scheme.

1.5 West Berkshire and Wokingham Councils recognise the value of having a documented policy which sets out how these partnerships will be implemented and regulated.

### 2.0 Policy Statement

2.1 West Berkshire and Wokingham Councils already subscribes to the Home Authority Principle where the authority whereby the authority in which a business is based will act as a conduit for any trading standards issues arising elsewhere. The Regulatory Enforcement and Sanctions Act 2008 also allows local authorities to enter into 'primary authority' arrangements. This authority sees both systems have value and as alternatives. The authority also understands the value of providing advice to SME's as a way of assisting economic development and encouraging healthy markets,

### 3.0 Approach

3.1 Supporting businesses is a key feature of the service aims of Trading Standards. There will be ongoing pro-active work carried out to ensure businesses comply with all relevant legislation, including routine inspections, sampling and educational initiatives.

3.2 Primary authority is designed to provide businesses with fairer local regulation, by introducing a statutory agreement between Trading Standards and the business.

3.3 Officers use their professional judgement to balance the needs of the person/community with the implications of the advice.

3.4 Before any advice is given, an authorised officer will always aim to have the best available information about the relevant legislation. Confidentiality will always be respected and information will be handled in accordance with the West Berkshire Council security policy.

3.5 West Berkshire Council and Wokingham Councils Trading Standards Service will:

a) Respond to all requests for advice from all businesses, whether they have a primary authority partnership or not. This will be limited to five hours free when the business is not in a primary authority partnership, not including signposting to other sources of advice. Beyond 5 hours charging will be at the rate approved by Council.

b) Respond to all requests for information about local businesses in primary or home authority authority partnerships from other Local Authorities.

c) Provide information and assistance to all interested parties in situations where product safety is in issue, regardless of whether a primary authority or home authority agreement exists or not.

d) Ensure the continued development of its officers and encourage officers to keep up to date on relevant issues.

#### **4.0 Roles and Responsibilities**

4.1 The Trading Standards Manager is responsible for the implementation of the policy.

4.2 The Primary Authority Lead Officer is responsible for the planning, organisation and subsequent monitoring of all aspects of the policy.

#### **5.0 Quality Of The Service**

5.1 We are committed to ensuring that a high standard of service is achieved including good customer care throughout all areas of the service.

5.2 Quality of business advice will be monitored through normal line management arrangements.

5.3 To ensure a high standard of competence amongst all authorised officers, we will provide access to all relevant training opportunities and reference materials as necessary.

#### **6.0 Monitoring the Service**

6.1 Having set the required standards for the level of service, it is necessary for the policy to be put into practice and ongoing monitoring implemented.

6.2 The Trading Standards Manager will therefore make arrangements to monitor the number of requests for business advice and complaints received each year and the number of requests to form Primary Authority partnerships received.

## Glossary of Terms

TERM	DEFINITION
DEFRA	Department of Environment, Food and Rural Affairs Oversees policy on animal health and welfare enforcement
FSA	Food Standards Agency None Governmental Body responsible for overseeing food and animal feed enforcement
HMRC	Her Majesty's Revenue and Customs
Home Authority Principal (HA)	Informal arrangement between the Trading Standards Service and businesses based within West Berkshire and Wokingham
IDB	Intelligence Data Base Database used to share intelligence between authorities
NTSB	National Trading Standards Board Body responsible for co-ordinating service delivery with a national aspect
OFT	Office of Fair Trading
Primary Authority (PA)	Statutory arrangement between the Trading Standards Service and businesses based within West Berkshire and Wokingham
PCT	Primary Care Trust
SME	Links to Trading Standards on Public Health
TSSEL	Small to Medium Sized Enterprise Trading Standards South East Ltd Body responsible for co-ordinating service delivery with a regional aspect



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