

Individual Decision

Title of Report:	Trading Standards Performance Plan		
Report to be considered by:	Cllr Geoff Findlay	on:	10th October 2005
Forward Plan Ref:	ID1086		

Purpose of Report: To consider the 2005/6 Trading Standards Performance Plan.

Recommended Action: To Approve the Plan

- Reason for decision to be taken:**
- It is a requirement of DTI Trading Standards Performance Framework that relevant Member Forum consider the Trading Standards Performance Plan.
- List of other options considered:**
- None
- Key background documentation:**
- National Performance Framework for Trading Standards Services

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1. Background

- 1.1 The 1999 White Paper "Modern Markets: Confident Consumers" set out the Government's proposals for modernising Trading Standards and to taking forward work on performance measures.

Trading Standards has long recognised the need for a coherent and modern national performance framework. The White Paper recognised that without an overall framework it is difficult for any of the 200 plus Trading Standards services in the UK to evaluate meaningfully their performance. It would also prove difficult to evaluate their contribution to quality of life and economic and social well being goals, either nationally or locally, because of the lack of comparable information and data.

The White Paper was followed by the Audit Commission report, "Measure for Measure". This analysed the Trading Standards Service and drew attention to the areas where the service needed to improve. These included the need for better standardisation between authorities to ensure a nationally minimum level of service provided to businesses and consumers, better consistency in the application of formal enforcement activity and better co-operation between authorities and other enforcers.

2.0 The Trading Standards National Performance Framework

- 2.1 To help trading standards services achieve these aims the National Performance Framework for Trading Standards Services was developed by the Department of Trade and Industry. This development was carried out in conjunction with LACORS (Local Authority Co-ordinating Body for Regulatory Services), the Office of Fair Trading, National Weights and Measures Laboratory and the Trading Standards Institute.

Prior to introduction in 2002 the Framework and in particular the performance planning element was piloted by 19 organisations including various local authorities. One of those organisations was West Berkshire Councils Trading Standards Service. As a pilot we played a significant role in developing the format that the plan before members today is built upon.

The purpose of the framework is to introduce performance standards for local Trading Standards Departments and to ensure that Trading Standards Services throughout the UK work towards national and local priorities in a coherent way. It was also devised in such a way as to ensure that the work of a local authority trading standards service linked into corporate objectives and met community need.

- 2.2 Another key impetus for developing the performance framework was to improve the service provided to consumers and business. It is also part the Government's productivity agenda. In summary the NPF aims to:
- provide clear priorities and core standards for a modern Trading Standards service;
 - support the role of Trading Standards in the community and in contributing to key local authority priorities;
 - improve performance of Trading Standards by developing a system of measurement and sharing good practice; and

- to facilitate a more coherent and consistent approach to enforcement and service delivery.

3.0 What Does the Framework Require of Local Authorities?

3.1 The National Performance Framework has three key elements: the Service Delivery Plan, the Standard and the Information Return.

3.2 The Service Delivery Plan

The Trading Standards Service is required to draw up a Service Delivery Plan outlining provisions in key areas. The framework for the plan and the standards to be incorporated within it are laid down.

The Service Delivery Plan (SDP) falls into three parts. Part One covers the core responsibilities of the local service, its objectives, local structure and resources and expectations of the community. It aims to allow local authorities to set the 'local scene' and outline the circumstances in which they are operating. Part Two sets out priorities for the service in the year ahead and requires services to at least make some provisions in respect of each of the standards. Part Three deals with quality and review.

The plan covers all core functions of the service including weights and measures, consumer safety, consumer credit, under age-sales enforcement, business and consumer advice, road traffic law and fair-trading and fraud investigations. The plan also identifies other key functions of the trading standards service, in particular food law enforcement and animal health. However, these are not referred to in the remainder of the plan as they are dealt with by separate plans.

It is a requirement that the SDP be built clearly upon corporate and community objective. It is also suggested that the plan should also build on the regional trading standards support structure that currently exists. In this area, that regional support is delivered through Trading Standards South East Authorities Liaison Group which is funded directly by the DTI. The group has a full time Policy Officer (Co-ordinator). The Policy Officer's role is to assist member authorities in keeping up to date with national changes and to co-ordinate work on common themes across the region to ensure that efficiencies are achieved and all possible financial support through grants etc. is accessed.

It is a requirement that the Trading Standards Service Delivery Plan be submitted for Member approval prior to submission to the DTI by the end of May.

3.3 Priorities

The priorities for the service to work towards through the plan have been identified as:

- Informed confident consumers
- Informed successful businesses
- Enforcement of a fair and safe trading environment
- Efficient, effective and improving trading standards services

3.4 The Standards

The minimum standards required to be achieved are set out in Part 2 of the NPF agreement. The 'standards' drive the format of the draft Service Plan. These 'standards' give details of the areas that

must be addressed e.g. quality advice, joined up working, proactive education, e-commerce, building partnerships with the business community.

3.5 The Information Return

The Information Return replaces the previous statutory return required by the DTI. It includes details of the number of pieces of weighing and measuring equipment tested, number of education initiatives, number of complaints, enquiries and business contacts, number of inspections, number of prosecutions and warnings etc., visibility and profile and, provision for staff training.

4.0 The West Berkshire Trading Standards Performance Plan

- 4.1 In producing the attached plan we have sought to comply with all guidance and, very importantly, with the Standard. We have also built on the feedback (commissioned by the DTI and produced by the Institute of Public Finance) we received on our 2003/4 plan. In developing the plan we have sought to incorporate the national agenda into a West Berkshire setting. The plan routinely refers to how the work of the Trading Standards Service fits with Corporate Aims and Values – an approach that was singled out for praise in previous assessments. We have also attempted to address local priorities as established by direct consultation. More work on assessing priorities and community demand (in particular the business community) will be carried out in the coming year.
- 4.2 Due to the demands driving the service the plan appears to be naturally ambitious. Indeed it is – but only to the extent of the demands upon it. It also has to be considered in the context of all the other demands on the trading standards team, in particular food standards, agriculture and animal health and welfare enforcement.
- 4.3 The service has for some time operated with a significant number of vacancies. This has led to problems of work overload and a slackening in operational and performance management control. One important activity included in the plan is to carry out a ‘needs analysis’ that will address matters relating to recruitment, career progression, continued competence, structure & officer roles and responsibilities.
- 4.3 The plan includes a variety & a balance of activities that are intended to provide the best protection for local residents and business. They include education events such as the Young Consumer of the Year competition & the Junior Citizen initiative which clearly target the consumers of the future. Effort is focussed on a number of sector specific or seasonal issues such as the safety of fireworks, electric blankets & sales of ‘underage’ products, such as alcohol, to young people. Work to combat overloaded vehicles continues as do investigations into serious breaches of consumer law by unscrupulous traders.
- 4.4 Three TSSE ‘regional’ projects to check on environmental packaging, the safety of cosmetic products and the availability of ‘bargain’ holidays in travel agents’ windows are planned. Working in this way is a particularly effective & efficient way of working and allows Trading Standards to more properly assess the real nature of trade malpractice.
- 4.5 In April of this year ‘Consumer Direct’, a national consumer advice line, was launched. The effect of this on Trading Standards is likely to be significant. Firstly, the number of consumer calls coming directly to Trading Standards will significantly fall. However, those that are routed through to the department are likely to be complex, sensitive and of a serious nature. Many of them will require further investigation by officers which is possible because the service maintained its CLS Quality Mark for General Advice with Casework.

4.6 West Berkshire's Emergency Planning section forms part of the Trading Standards Service. Emergency Planning activities are included as an Appendix to the Trading Standards Service Plan for this year only. It is proposed to develop an Emergency Planning Service Plan for 2006/7 and to submit it for approval in line with other Service Plans.

4.7 The Service Plan is produced as Appendix A.

Appendices

Appendix 1 – West Berkshire Council 2005/6 Trading Standards Performance Plan

Implications

Policy:	The plan contributes to a number of strategic objectives in particular those relating to the environment, lifelong learning and community safety.
Financial:	There are no additional financial implications.
Personnel:	None
Legal:	The production of the plan and information return is a legal requirement
Environmental:	The draft plan contains initiatives that build upon the corporate objective of enhancing and protecting the quality of our environment.
Equalities:	The plan has equal opportunities and equal access to services at its heart.
Partnering:	The plan contributes to a number of areas of the community safety strategy in particular those related to substance misuse and young people, burglary and car crime.
Property:	None
Risk Management:	None
Community Safety:	The plan contains a number of initiatives that relate to community safety including the work on underage sales, doorstep crime, car crime and approved trader scheme.

Consultation Responses

Members:

Leader of Council:	Councillor Graham Jones
Select Committee Chairmen:	Councillor Webb
P&L Committee Chairman:	N/A
Ward Members:	N/A
Opposition Spokesperson:	Councillor Keith Woodhams
Advisory Members:	N/A
Local Stakeholders:	We work with a number of local stakeholders as set out in the Plan

Officers Consulted: Staff within Trading Standards Service – comments incorporated
Trade Union: N/A