

'Regulatory Coordination at its Best' - A Report of the Activities in 2009/10.

The Challenges Ahead Call For Strong Leadership

TSNW Managers collectively seek to:

- Focus on what can be done—not what can't be done.
- Encourage greater productivity and inspire high performance
- Stay visible and communicate to capture hearts and minds
- Build resilience
- Develop leadership capability
- Be fair & transparent
- Reshape the Regulatory Service agenda; and
- Energise the profession.



The TSNW Strategic Leadership Team met recently to discuss the key challenges facing the region's Trading Standards Services.

The Co-ordination Function

Co-ordination is provided by Kate Pike TSNW Regional Facilitator. Appointed in 2007, Kate continues to provide cohesion that binds the 23 local Trading Standards Authorities together despite their differing agendas and political persuasion. Kate represents TSNW in the national Trading Standards arena, co-ordinates responses to Central Government consultation and provides support to each of the 22 Trading Standards Managers. Kate's contact details are listed below:

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Annual Report 2009/10

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KEY PARTNERS

Greater Manchester Public Protection Partnership
Consumer Direct North West
Environmental Health Cumbria
Environmental Health Lancashire
Environmental Health Cheshire / Merseyside LBRO
Food Standards Agency
Department of Health UK IPO
Local Government Regulation
Office of Fair Trading HMRC
Cheshire Police
Cumbria Police
Greater Manchester Police
Lancashire Police
Merseyside Police
BIS
Home Office
Trading Standards Institute

The TSNW Food & Animal Feed Strategy Report Partnership Working to achieve greater efficiencies

The role of the food and animal feed group is to review national strategies which impact on food standards and animal feed and to implement service delivery and training to enable Local Authorities in the North West to implement those strategies in a consistent and cost effective manner.

Strategy

The group is greatly helped by Angela Towers and Sharon Young of the Food Standards Agency (whose liaison role has expanded to include the North East Government Office region). The involvement of Sharon and Angela enables two way communication between officers delivering food interventions on the ground and the Agency. There is also feedback from the Agency on European Union food policy.

As part of its horizon scanning role the group consider reports and invites speakers to its meetings from organisations with special interest in food. For example, Sylvia Cheater of the Department of Health gave a presentation on the "Best Start for Life" project, which provides guidance on food and nutrition for early years child care. Plans were made for Nicola Evans Food and Nutrition Programme Manager, Heart of Mersey (a leading Coronary Vascular disease (CVD) prevention charity) to address the group in 2010/11. The group also discussed the plans for NICE (the National Institute of Health and Clinical Excellence) to produce guidance on the influence that nutrition can have on CVD prevention. The guidance is due to be published in June 2010 and will look at areas such as salt, saturated and trans fats, marketing and the Common Agricultural Policy.

Service Delivery

In 2009/10 the food and animal feed group continued to deliver a variety of sampling schemes, develop low cost training for enforcement staff, prepare regional responses to a variety of consultation papers and provide best practice advice.

For example;

- The group contributed to LACORS surveys covering fat in minced meat and nursery food;
- Training was provided in the following topics (in the majority of cases training provided may be free (paid for by the FSA) or low cost (provided by experienced members of the group);
- FSA Food and Nutritional Labelling; TSNW Practical Sampling; FSA Food Labelling Update; FSA - Working Effectively with Minority Ethnic Food Businesses; FSA Food Factory Inspection Introduction (in Winsford); FSA Food Factory Inspection Update; FSA Healthy Eating and Nutrition.
- LACORS/FSA ran a joint conference in autumn 2009, which was open to both food standards and food safety professionals. The group was able to obtain TSNW and FSA funding to allow planning to take place for a one day conference on the investigation of food fraud, aimed at food standards officers, to give practical examples of the pitfalls likely to be encountered in a lengthy investigation and techniques to overcome those pitfalls.

Responses were prepared for consultation concerning:

FSA Review of Regulatory Framework (England): LAEMS Working Group: ENF/E/09/03 4: Front of Pack Nutritional Labelling: Draft Recommendations on Saturated Fat Food for Particular Nutritional Uses, Additives and Enzymes, Purity of Food Additives, Fish Labelling Regulations

Responding to Advice:

Following an adverse FVO report concerning the enforcement of animal feed requirements the FSA have said that they expect local authorities to have in place robust service plans and delivery procedures. The group have reviewed existing procedures and shared service plans.

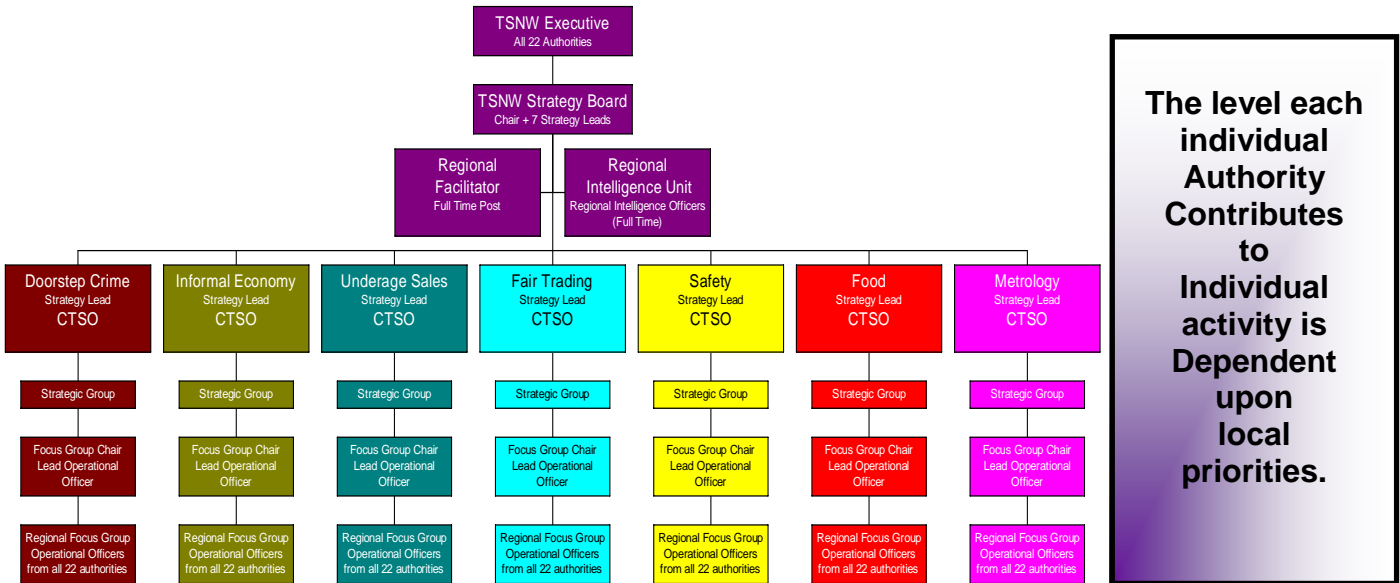
And let's not forget:

John Malone, Trading Standards Manager, Wirral MBC & TSNW Strategic Lead for Food would like to thank Collette Rai of St Helens Trading Standards (without whose organisational skills we would be like poor lost sheep) and Angela Towers and Sharon Young of the Food Standards Agency for all the efforts they put in to ensuring that the group is as effective as it is.

"The Regional Partnership allows for economies of scale whilst promoting localism."

Regional Intelligence - Moving On

The National Intelligence Model (NIM) is a business planning tool for intelligence-led operations. TSNW established regional intelligence capability three years ago with funding from BIS (formerly BERR). Funding has since dried up but the function has been integrated into the Co-ordination function. The Regional Strategic & Tactical Structure (see below) remains the same but the list of strategic activities has been reduced.....



The strategic assessment assists the TSNW Executive manage co-ordination and to drive performance against the delivery of service priorities. The 2009/10 assessment features projects identified by specialist Trading Standards Officers from around the region and includes:

The seven strategic priorities (highlighted above):

- Doorstep Crime - 394 reported incidents in 2009/10
- Informal Economy - 953 complaints in 2009/10 (primarily Footwear, Perfumes etc & Clothing)
- Underage Sales - 4699 test purchases in 2009/10 (resulting in sales in 19% of cases)
- Fair Trading - Identification and targeting of the 20 most complained about traders
- Safety - 1146 complaints about the safety of goods (primarily cars, large domestic appliances & home improvement work)
- Food - 2314 reported food complaints
- Metrology - 532 reported metrology complaints

Also featured are 'cross cutting' issues which involve more than one Trading Standards priority area. These are illicit tobacco, (involving safety, informal economy and underage sales) and Doorstep Crime, (involving Fair Trading and Informal Economy).

In addition to the seven strategic priorities, TSNW has identified a number of strategic activities to be prioritised during 2010/11 . These include the introduction of a new intelligence database; the prevention of doorstep offending and protection of vulnerable consumers through the use of awareness-raising campaigns and more concrete prevention measures such as No Cold Calling Zones. The targeting of doorstep criminals and/or rogue traders will also continue.

It has also been recognised that greater inter-agency co-operation with organisations such as the North West Police forces, HMRC, Intellectual Property Office (IPO), and with internet traders and brand-name owners is desirable, in order to gather intelligence on and target internet crime and counterfeit sales. Similarly, improved inter-agency co-operation between TSNW (via the new Illicit Tobacco Team) and agencies such as HMRC and IPO is critical in targeting illicit and counterfeit tobacco offenders. It is clearly desirable for TSNW to address the need for clarity over which enforcement agency is responsible for dealing with level 2 fair trading offences.

The continued use of an intelligence-led approach allows Local Authorities to concentrate scarce resources on problem areas.

Dealing with Problem Traders

TSNW Problem Trader Group A Case Study

The sale of second hand cars has, year on year, generated a high number of complaints from consumers. It is a sector that continues to cause concern for Trading Standards and OFT with it being the most complained about trade sector to Consumer Direct. Latest statistics in 2009 show 3.6m purchases were made in the second hand car market which equates to £2.4bn, with 1 in 5 consumers who made a purchase having a problem or complaint.

TSNW Problem Traders group identified the Most Complained about Car Trader in the North West to be Arnold Clark. The Group considered the impact of the company on the North West Region, which if left unchecked was likely to escalate as the company expanded, and decided this warranted further investigation and identification of the issues. With this aim in mind, a sub-group, led by Sally Edwards (Trafford), was established to analyse complaint data and report back to the TSNW Executive recommendations for a regional approach.

The Group have developed a unique model with Arnold Clark, the largest independent motor dealer in Europe, that has produced measurable outcomes demonstrating dramatically increased regulatory compliance and consumer redress in a cost effective and efficient way.

The project progressed from what started out as a formal approach to Arnold Clark. It has resulted in innovative partnerships, engaging key stakeholders, delivering a better deal for consumers, the company and provides consistency of regulation across Council boundaries.

The developed **Regulatory Compliance Model** illustrates how compliance can be achieved, through an assisted self-regulatory process, reducing the administrative and regulatory burdens for both business and enforcers. Arnold Clark have continued to flourish and grow through an economic downturn and are now delivering a fairer deal for consumers and continuously

improving customer service.



TSNW Problem Trader Group Member & Representatives of Arnold Clark

The implementation of the project has resulted in a 50% reduction in complaints, reported to Consumer Direct (CD), representing a significant reduction on the impact and detriment suffered by Arnold Clark customers.

Evidence obtained demonstrates that the vast majority (83.5%) of reported complaints were not being resolved. Complaint resolution has increased to 52.8% in 2010 (a 307% improvement) and by using the OFT's TS Impact Assessment, the project team have calculated that overall complaint reduction has resulted in £2.18m in consumer redress. In addition, one of the Performance Indicators developed for this project shows that the % number of complaints compared to sales has reduced from 3.47% in 2008 to 1.46% in 2010, which equates to a 238% improvement and a 42% reduction in complaints per sale, in real terms.

The TS Impact Assessment calculation also shows that for every £1 spent on the project this has resulted in a cost benefit to Consumers of £36.

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Consumer Direct

Regional Support for Consumer Direct

A Year of Change

2009/10 has been a year of success and change for Consumer Direct North West, with far greater change on the horizon.

Performance

Through the year the centre handled 204,731 calls from consumers & businesses with a service level – percentage of calls answered within 20 seconds – of 77.5% and an abandonment rate of 5.4%. The target from the OFT for these key indicators is 80% & 5% respectively.

Customer satisfaction levels for the centre were equally impressive. In the final quarter of the year:

87% said they were satisfied or very satisfied with the service

89% said they were satisfied or very satisfied with the advice

86% said that the advice received helped them to fully or partially resolve their problem

All three satisfaction indicators were either the highest or equal highest across the CD estate.

It hasn't all been smooth running though. In autumn 2009 the service transitioned from the case handling system used across most of the CD centres to Flare 21, a Civica package that will be familiar to many in Trading Standards. Unfortunately, & despite everyone's best efforts, there were some early issues with the application, which had some short term operational impact. However, by January 2010, these issues were overcome and performance was back to the levels expected at the Barrow centre, detailed above.

Medium Term Future

All the contact centre contracts were due to expire on 31 March 2010. The OFT was not in a position to secure a long term service by then, so existing contractors were invited to tender for a 12 month extension at a fixed price for contacts.

CD London and CD North East were unsuccessful, and closed operations in March, with their calls being distributed across the remaining nine centres. As a result of this change, calls from consumers in Northumberland & Durham and the London Boroughs of Sutton and Kensington & Chelsea are now all routed to CDNW.

Long Term Future

The OFT currently holds the following contracts:

- 9 "core" contact centres
- The Dataforce contact centre at Northampton dealing with post and energy enquiries
- Civica for the case handling system
- Logica for the database
- KCom for telephony
- TSI for training
- Internal OFT arrangements for the website

It is proposed that, from 1 April 2011 the entire CD service will be provided under one contract, procurement for which started in summer 2009.

Agilisys Ltd, currently the providers of CDNW under subcontract to Cumbria County Council, are leading a consortium bidding for the long term contract for Consumer Direct, which will run to March 2016 with an option to extend to 2018. The other partners in the consortium are SWERCOTS Ltd, current providers of CDSW, Kent County Council, current providers of CDSE, TSI, and The Listening Company, a contact centre specialist company.

At the time of writing, the consortium is one of five bidders that submitted detailed tenders, these are being evaluated by the OFT. The decision from OFT is eagerly awaited. Before any decision can be made, the OFT need approval from The Cabinet Office and HM Treasury.

Consumer Direct generated sustainable savings equivalent to £32,000 per authority per annum to allow Trading Standards Services to deal with rogue traders and help vulnerable consumers.



Tackling Illicit Tobacco

TSNW share funding worth £20k per Authority to jointly tackle the threat of Illicit Tobacco

The North of England, particularly the North West, is a hot spot for illicit tobacco, whether smuggled, bootlegged or counterfeit. The illicit trade in tobacco is not a victimless crime. It encourages adults to continue smoking in that it undermines attempts to reduce smoking rates by increasing taxation and ultimately retail pricing. The trade also creates a cheap source of tobacco for children and young people. It is linked to serious and organised crime and also criminality within local communities.

In March 2010, a new TSNW Illicit Tobacco Enforcement Team was established. The team are working towards the objectives of the "North of England Programme, Tackling Illicit Tobacco for Better Health". These are as follows:

1. Developing Partnerships (between healthcare providers, Trading Standards, HMRC, Police and Local Government)
2. Engaging health and community workers (through training and sharing information)
3. Generating and sharing intelligence (about illicit tobacco and associated crime)
4. Identifying informal markets and preventative action
5. Delivering enforcement (against regional priorities agreed with enforcement partners)
6. Marketing and communication (to raise awareness of the public and other stakeholders)
7. Working with business (raising employers' awareness of the risks associated with illegal trading on their premises)
8. Assessing progress (by tracking the performance of and benefits delivered by the programme)

The first phase of a marketing campaign covering the North East and North West commences on 21st June 2010. It is hoped that the campaign will initiate a normative shift against illicit tobacco at a community level. It should do this by:

- Raising awareness of the negative impact that illicit tobacco can have on communities
- Increasing feelings of discomfort within communities in relation to illicit tobacco
- Encouraging information sharing and exerting influence on hardened buyers/sellers/smokers
- Stimulating dialogue amongst community residents
- Encouraging the audience to take ownership of the issue and find out more information
- Reinforcing the illegality of illicit tobacco
- Supporting a wider PR effort (e.g. media coverage of successful enforcement activities)
- Encouraging and empowering individuals who feel uncomfortable with illicit tobacco to share intelligence via appropriate channels (e.g. Crimestoppers/Trading Standards)

It is known that within some communities, people who supply illicit tobacco are often seen as "Robin Hood" characters who provide a commodity at a cheap and affordable price. This means that there is a reluctance amongst some of the harder to reach communities to pass intelligence onto enforcement agencies. These intelligence gaps can hamper the enforcement effort. Over the next period, it is anticipated that the intelligence picture will have become considerably richer as a result of the efforts of all agencies involved in the programme and campaign. This will help to drive intelligence led, joint agency enforcement work involving the Trading Standards North West Illicit Tobacco Enforcement Team, Local Trading Standards, HMRC, Police and other partners, where relevant.

Illegal Money Lending

Illegal Money Lending Team launched on “Twitter”

A year on from the launch of the Stop Loan Sharks project in the Trading Standards North West region, the team has gone from strength to strength. To March 2010, **182 illegal lenders had been identified** and proceedings instituted in **17 cases**.

The total length of prison sentences (cumulative across five regions) has exceeded 54 years and one indefinite sentence for the protection of the public. **The estimate of value of assets retained under Section 41 POCA is £5,700,000.** Victim support has been provided to 56 victims.

As well as investigating and prosecuting loan sharks, we want to stop people feeling they need to go to them in the first place – prevention as well as cure. To that end our financial inclusion partnership officers (FIPOs) are doing valuable work in the community, helping people understand finances so they will no longer be vulnerable to loan sharks. They work closely with organisations such as credit unions, housing associations and CAB as well as grass-roots community groups, to give advice to people about how to manage their money, how to start savings and where to access proper credit if they need it.

The FIPOs have also been spreading the word among a diverse range of organisations including Merseyside Fire and Rescue, Age Concern, REACH Salford, WAVES Project and UK Coalition Against Poverty, to raise awareness and discuss working together in the future. The FIPOs also look after witnesses before, during and after court cases, in some cases helping to re-house them.

The national helpline number – 0300 555 2222 – and new website - www.direct.gov.uk/stoploansharks -The confidential helpline is answered by trained investigators 24/7 and the website has information on how to spot a loan shark, an email address to send confidential information, and access to proper financial advice.

The team also launched on “Twitter” - www.twitter.com/loansharknews

The Illegal Money Lending team provides a service that would cost each authority at least £10k per annum to achieve the same level of success.

Comprehensive Tobacco Control and Trading Standards

Smoking remains the main cause of preventable disease and premature death in the UK. In the North West alone, smoking causes over 12,000 preventable deaths per year.

In 2008, the Department of Health provided LACORS with a substantial sum of money to enhance tobacco control activities in our communities carried out by Trading Standards Services. **In the financial year 2009/10, TSNW claimed £229,000 and distributed to Local Authorities to carry out diverse tobacco control activity** including, among others:

- Increase in number of test purchases at retail premises and vending machines
- Purchasing special hand held scanners for each Local Authority to enable TS Officers to identify counterfeit tobacco
- Co-ordinating a targeted campaign to identify retailers selling counterfeit tobacco and reassure genuine traders that something is being done to tackle those who impact on their business by breaking the law

Working with a university in the region where overseas students had been importing counterfeit cigarettes for sale through postal packages from their homeland.

All North West Local Authorities are committed to increasing the health and wellbeing of their residents and reducing health inequalities. By ensuring that tobacco control activity is targeted at those communities where the problem is greatest, and co-ordinating effort and activity across the region, TSNW have made been able to really add value to the fight against tobacco related health inequalities.



Public Protection North West Regional Coordination Pilot

Evolution or Revolution

The Regional Co-ordination Pilot project ran from late December 2008 through until March 2010. The project management board consisting of members of Trading Standards and Environmental Health managers representing the sub regional groupings have developed a draft regional constitution for Local Authority / service consideration.

The draft constitution was informed by the Regional Stakeholder Engagement meeting held in May 2009. Whilst the project aimed to launch 'PPNW', progress was delayed because of the widespread transformation agenda.

The draft constitution seeks to define a structure that:

- Develops a regional framework for public protection regulatory services in the North West involving Trading Standards, Environmental Health, Licensing, and Fire and Rescue Services.
- Provides a baseline to attract funding into public protection services and
- Seeks to develop the use of intelligence and share good practice.

The initial project was funded by a £25k grant from LBRO. At outturn the balance of funds was £11,426 and this will carry forward to support the project.

The draft constitution will be published in August for consideration and exploratory talks regarding implementation. The TSNW Executive will need to carefully consider the proposals, and whether evolution or revolution is desirable as reduced RSG settlements and Local Authority restructures inevitably impact on the Regulatory Services.

Andrew Naisbitt, Vice Chair TSNW would like to take this opportunity to thank the following for their contribution to the project:

Jackie O'Reilly (EH Cumbria) Phil Ashcroft (TS Cumbria); Alan Blundell, Iain Veitch, Ian O'Donnell & Sarah Bellis-Jones (GMPPP); Paul Noone (TS Lancashire) Dave Tillery (EH Lancashire); Rupert Adams and Peter Moore (EH Cheshire & Merseyside) and Kate Pike (TSNW).

Collaboration between Local Authorities and Services is key to our long term future. For further details or to have your say contact Kate Pike TSNW Coordinator.

Trading Standards North West Financial Statement 2009/10

TSNW Finances 2009/10 (Summary)		
		Notes
Income in Year	£291,845.02	All membership Paid up.
Expenditure in Year	£297,291.25	Deficit funded from Account Reserve
From Reserve to balance	£5,446.23	
NB – Figures do not include Scambusters account held by Liverpool TS—		

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