

Trading Standards Service

Level 3 Business Plan

2009/2010



Introduction by Head of Service



I am delighted to introduce this year's business plan which clearly illustrates that Trading Standards contributed significantly to Community Safety outcomes across the county in 2008/2009.

The service has agreed a range of demanding targets for the coming year as we continue to focus our efforts to protect local consumers and businesses, promote the development of Community Cohesion and seek further opportunities to deliver tangible outcomes in partnership with both county and district council service providers and other enforcement agencies.

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What we do and why?

Key services we provide

Gloucestershire County Council Trading Standards Service is part of the councils Community Safety Directorate. The service is based in one central office covering the whole of the county, with officers working in specialist teams.

The service:

- Ensures fair trading with respect to areas such as consumer credit, counterfeiting, misleading prices, advertising and description of cars, holidays and property
- Protects consumers from unsafe goods and unfair trade practices
- Ensures food composition, labelling and descriptions are accurate
- Provides advice to consumers on their legal rights, and supports vulnerable consumers through the civil court process
- Supports businesses, in particular Gloucestershire based manufacturers and wholesalers through education and advice
- Educates consumers with respect to consumer issues
- Licenses petroleum, explosives, poisons and animal movements
- Protects young people from sales of age restricted products
- Ensures the welfare of farm animals and prevents the spread of disease

This is achieved by:

- Risk based inspections on premises
- Sampling programmes
- Surveys on trading areas
- Investigating enquiries from the public
- Education programmes
- Partnership working on consumer issues

National and local influences

We have a statutory duty to enforce certain pieces of consumer legislation. The County Council also has a duty of enforcement for some legislation which is passed onto our service. Other work is carried out to meet County Council objectives.

Our work is directed and monitored by the following agencies:

- Office of Fair Trading (OFT)
- Department for Business, Enterprise and Regulatory reform (BERR)
- Department of Food and Rural Affairs (DEFRA)
- Food Standards Agency (FSA)
- Office of Surveillance Commissioners (OSC)

Our work is supported and represented nationally through the Trading Standards Institute (TSI) and is co-ordinated through the Local Authorities Coordinating Body on regulatory Services (LACORS)

We are a member of a regional 'club' of Trading Standards Authorities in the South West (SWERCOTS).

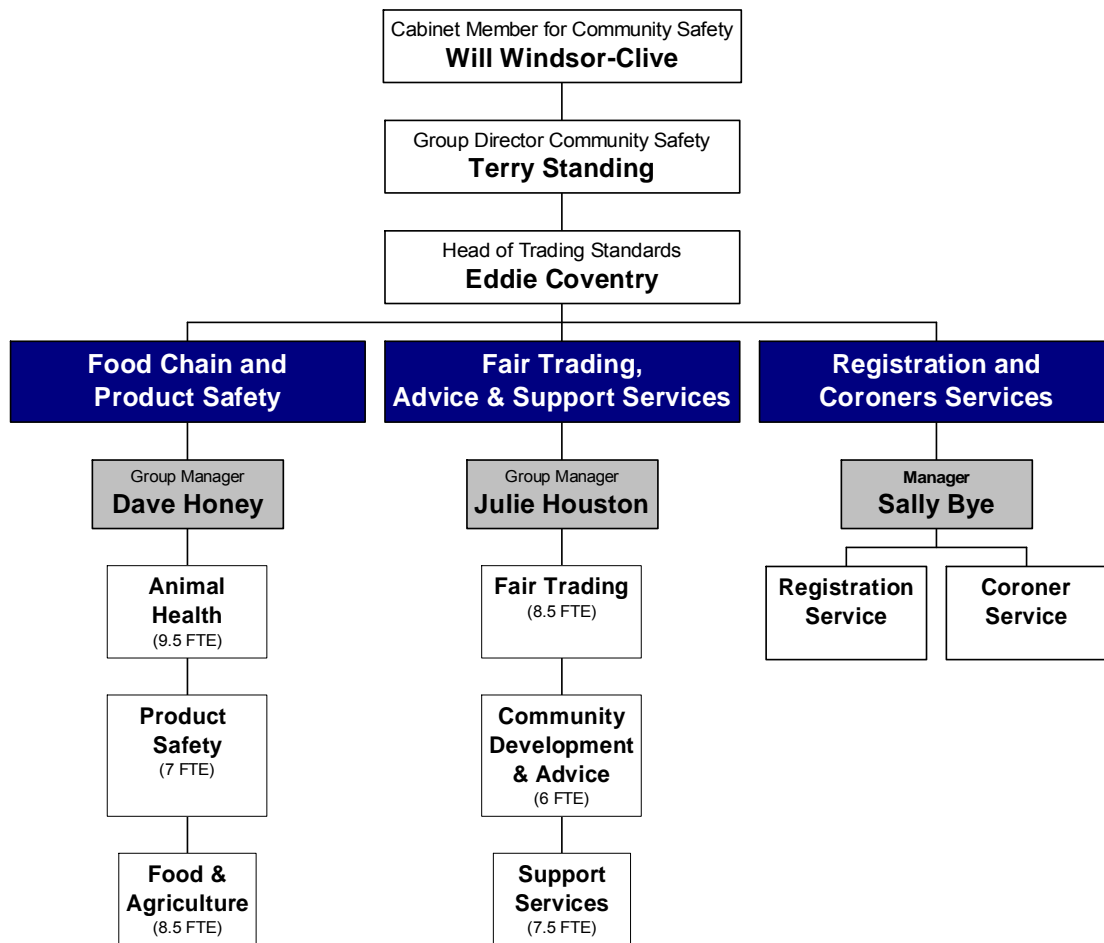
Our key partners

Our Service works with a wide range of agencies, our key partners, however, are:

- Business Link
- Citizens Advice Bureau
- Consumer Direct South West (CDSW)
- District Crime and Disorder Reduction Partnerships (CDRPs)
- District Councils Environmental Health Teams
- Federation Against Copyright Theft (FACT)
- Gloucestershire Food Vision
- Gloucestershire Police including Serious Organised Crime Agency (SOCA)
- Local Lorry Watch Schemes
- South West Illegal Money Lending Team
- South West Scambusters Team
- South West of England Regional Co-ordination on Trading Standards (SWERCOTS)
- South West Regulators' Forum (SWeRF)

Who's Who

From 1st May 2008



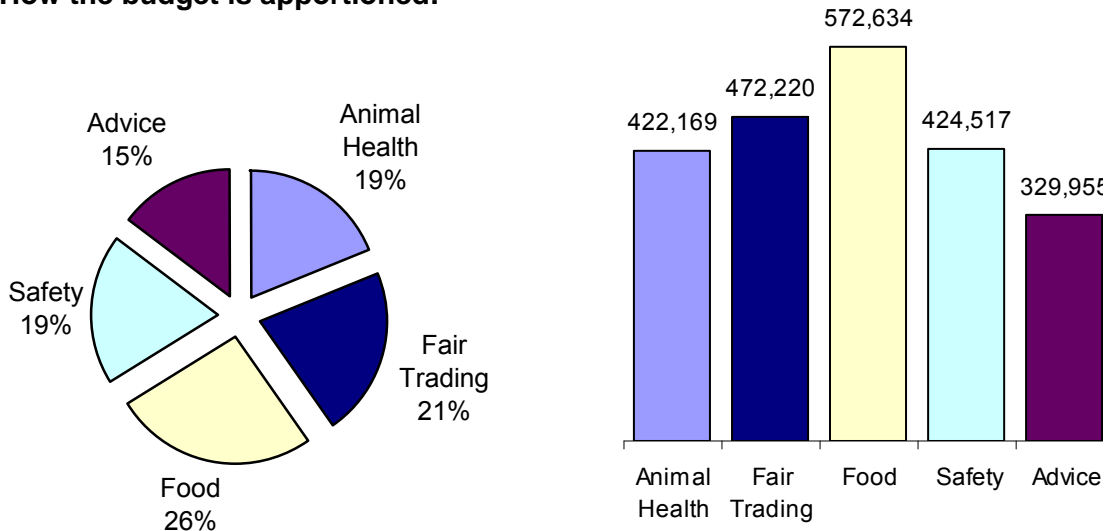
Resources

The Trading Standards Service currently has 53 members of staff (50 FTE).

Our budget

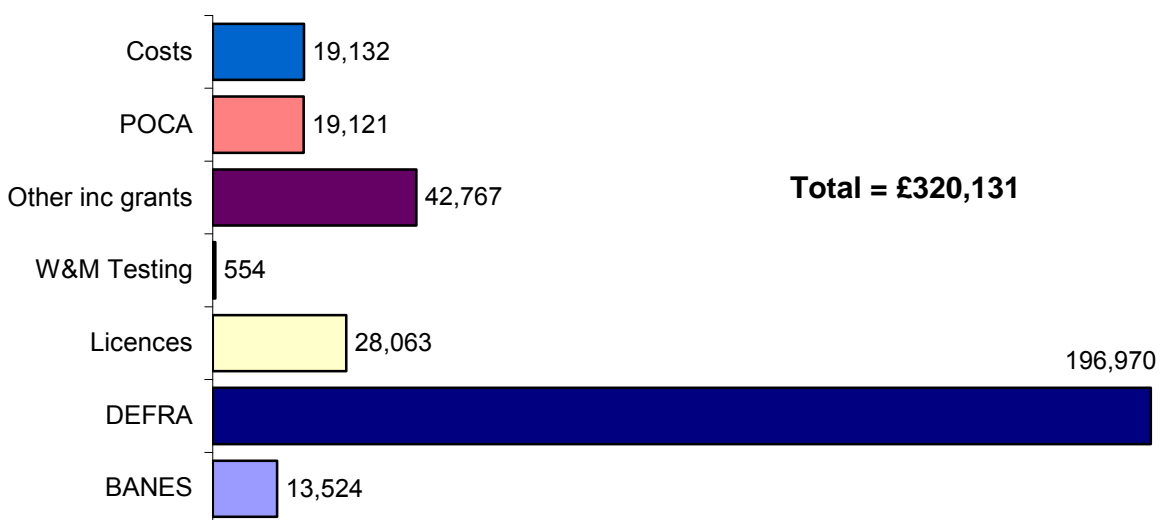
Total budget for 2009/2010 = £2,221,495

How the budget is apportioned:



Income

Income for 2008 - 2009







'Other' includes grants to fund tobacco underage sales work and the purchase of the 'killucar', as well as the salary of our Underage Sales Officer, which is shared with Warwickshire County Council, and the sale of a vehicle (4x4).


Performance 2008 - 2009

The service had 3 key objectives last year:

TS1	Safer and stronger communities
TS2	Healthier communities
TS3	Economy, enterprise and environment

The icons in the table allow performance in each of the objective's tasks to be judged at a glance.

-  Shows performance is ahead of target
-  Shows performance is on target (within tolerance)
-  Warns that performance is behind target
-  Indicates that there is insufficient information to assess performance, because either performance or target data is not available.

TS1.1 Help reduce alcohol misuse & anti social behaviour by preventing the sale of alcohol to under 18s	Target	Actual	Score	Comparative figure
Underage sales - alcohol – surveys (to include on licence premises)	8	8		
Underage sales - alcohol - test purchases	---	9/75 12%	---	2007/8 18% 2006/7 14% 2005/6 41% 2004/5 27% 2003/4 45%

There is a mass of evidence suggesting that the illegal sales of many age-restricted products have a detrimental effect on young persons health and wellbeing as well as being a contributory factor in disorder and antisocial behaviour.

We are in the process of agreeing a joint enforcement protocol with the police enabling us to effectively share intelligence and work together more effectively with respect to underage sales of alcohol. We are a stakeholder in the County Alcohol Strategy and have contributed our own performance indicators to the final draft covering corrective action following a test purchase.

The test purchase work that we do contributes to this by educating sellers to ask for ID in appropriate circumstances and taking proportionate action when they do not and make an illegal sale. With the help of the Police we distributed 'No proof of age, no sale' packs to all traders we have had direct contact with.

TS1.2 Help reduce crime and anti social behaviour by preventing the sale of knives to under 18s	Target	Actual	Score	Comparative figure
Underage sales - knives- surveys	2	2	●	
Underage sales - knives - test purchases	---	4/16 25%		2007/8 0% 2006/7 14% 2005/6 25%

Although there is no direct evidence which links the sale of knives to under-18s to knife crime, the service felt that it was important to ensure that the statutory restriction on the sale of knives was being adhered to. The work carried out again revolved around developing the culture of challenge.

TS1.3 Help reduce accidents by preventing the sale & use of unsafe products	Target	Actual	Score	Comparative figure
Consumer safety surveys	4	4	●	
Consumer safety surveys - non compliances (not including electric blankets)	---	18/60 30%	---	2007/8 45% 2006/7 13% 2005/6 32%

Consumer safety surveys

Undertake a survey on cheap electrical goods being sold via internet auction

During the survey 15 mains adaptors and chargers were purchased from sellers registered with ebay as businesses. The chargers included phone chargers, a laptop adaptor and Nintendo DS lite mains adaptors, which can also be used to charge Gameboy machines.

Nine of the 15 failed safety tests including the dimensions and positioning of the plug pins. If pins do not fit properly into UK sockets overheating can occur. Five of the 9 that failed also failed electrical safety tests, which showed that a fault could cause mains voltage to "escape" into the output of the charger leading to a risk of electric shock. Other failures included incorrect documentation.

Undertake a survey of children's clothing with a view to assessing mechanical hazards

Eight items of children's clothing were purchased from various shops across the county. One of the items was found not to meet the specifications relating to cords and drawstrings. After bringing this to the attention of the importer the item was withdrawn from sale. All other items were found to be suitable from the viewpoint of mechanical safety.

To undertake a survey on toys with a view to having them analysed for lead

Fifteen toy samples were taken and analysed for heavy metal content. No problems were found but three labelling problems were highlighted. These were raised with manufacturer / importers.

To offer free testing of electric blankets to people over 60 in various locations

In conjunction with our partners in the Fire Service we offered free electric blanket testing in September to over 60s at three centres in Gloucestershire. We see this as an important safety issue as each year nationally there are around 1000 fires caused by faulty electric blankets. As many as 20 people are killed and 250 injured in these fires.

In total 77 blankets were tested with a 30% failure rate. In the previous 2 years the failure rate has been 50% and 20% respectively. The testing has been done annually for over 10 years.

Our intention was also this year to try to establish a local product related injury database with Gloucestershire Primary Care Trust (PCT), but unfortunately due to PCT funding issues we have been unable to pursue this.

TS1.4 Help reduce crime and the fear of crime, by protecting consumers, especially vulnerable consumers, from doorstep sellers & rogue traders	Target	Actual	Score	Comparative figure
Doorstep selling – response times	100%	100%	●	
Doorstep selling enquiries (trader present)	---	8	---	2007/8 5 2006/7 6

Take appropriate action on intelligence with respect to rogue traders

This year the section has responded to eight reports of ‘trader present’ in relation to rogue traders. This has produced some important results; for example on one occasion we responded to a call from a consumer regarding aggression and threats from rogue traders. They had targeted her elderly neighbour several times trying to harass her into having a drive paved. The elderly neighbour was in a confused state. When our officers arrived the traders drove off but we obtained a full statement, which provided valuable intelligence to input into ‘Clue 2’, an intelligence-sharing program. This included the registration number of the traders’ vehicle, which was passed on to the police and inputted into the police national computer as the vehicle had been involved in rogue trader activity. The police subsequently stopped the vehicle in Yorkshire and a quantity of cash was seized.

Our officers were called to intervene in a tense dispute between an elderly female consumer and a trader who had carried out paving work at the consumer’s home. The consumer had not been given a written quote and claimed that the price had risen by £1000. The trader had wanted to take the consumer to the building society to obtain cash. We were able to resolve the dispute and advise the trader on trading standards legislation and cancellation rights.

On other occasions where there was insufficient evidence that offences had been committed we were still able to obtain valuable intelligence, which we shared with the police, and householders were reassured by our support.

Over the last year there have been 41 reports of doorstep selling incidents where the trader was no longer on site. These have been used as a source of intelligence and on these occasions follow-up questionnaires have been sent to the complainants to ensure that full information is included in the intelligence submission. This is appropriate when the information is not time sensitive. The questionnaire is accompanied by the offer of a personal visit to assist in completion of the form and to offer support if required.

TS1.5 Help regulate credit marketplace and reduce consumer debt

Last year a regional illegal money lending team was set up in the South West, based at Bristol trading standards service. The team consists of specialist trading standards officers focusing on illegal money lending commonly known as ‘loan sharking’ in the South West. We liaised with the team this year and shared intelligence, which led to two operations being undertaken by the team in Gloucestershire.

One operation in Gloucester resulted in a man being charged with illegal money lending and drug related offences. The other in Tewkesbury resulted in a cash seizure of £2,500.

Three members of staff were trained and given authority by the Office of Fair Trading (OFT) this year, enabling them to undertake compliance checks on local companies licensed under the Consumer credit Act. This work was directed by and undertaken on behalf of the OFT

TS1.6 Prevent the spread of animal disease by controlling movement of animals and age of animals going into food chain	Target	Actual	Score	Comparative figure
Animal movements entered on AMES database within 3 days	100%	100%	●	
Update foot and mouth plan	Plan updated	Yes	●	
Audit animal movement records	900	130	▲	

Ensuring British food is fully traceable and eligible for the human food chain plays an important part in the Animal Health team's role. The team inspect movement records, which are checked and cross referenced with other documentation to ensure the accuracy of the records and animal audits are undertaken to verify authenticity of the accompanying documentation and animal history.

The shortfall in auditing animal movement records is due to prioritising enforcement work over inspection of paperwork. Complex prosecution cases have taken priority resulting in less time spent on inspecting records.

The team also receive referrals from the Meat Hygiene Service based within the abattoirs if cattle enter with more than four teeth and if there are discrepancies such as breeds not matching and ear tags looking suspicious. This work is undertaken to ensure that the rules put in place following BSE are adhered to.

Animal health licensing staff are responsible for inputting all Local Authority enforcement activities onto the enforcement data base, AMES, which forms a comprehensive data base accessible by all enforcement authorities to ensure inspectors and those enforcing animal health & welfare legislation are fully equated with each trader's history.

Gloucestershire County Council was chosen by LACORS to write a generic disease plan for use as a national template in the event of an outbreak of disease. The need for such a plan was highlighted in the lessons learnt report following the 2001 foot and mouth outbreak which led to legislation being implemented to ensure that all authorities had up to date disease plans in place. The plan, written in conjunction with the emergency planning team, was completed last year and covers Foot and Mouth Disease, Avian Flu and Rabies and has been adopted by LACORS as the template for national use. The plan is updated again this year. We also took part in a DEFRA exercise, ELM in November.

TS1.7 Undertake animal feed hygiene programme and food hygiene programme to help prevent the spread of animal disease through the food chain	Target	Actual	Score	Comparative figure
Register primary producer premises with feed hygiene issues	100%	100%	●	
Undertake intervention visits and sampling of feed hygiene at primary producers linked to current animal health checks	30	30	●	

Feed hygiene ensures animals are fed in a way to reduce the chance of disease and illness being spread to others. Food hygiene is in relation to safety issues at farms who store food and traders who move food.

The registration program is designed to ensure all traders involved in this are known to the service. This ensures all can be contacted where advice and information needs to be passed on to all and in times of crisis. The scheme is also designed to reduce the burden and duplication on traders. It means that where they have already registered with another government agency scheme or audit body they do not need to register again. The programme we will be operating is designed to pick up on any others and ensure their details are correctly registered. The scheme has worked well so far for the service and business.

TS1.8 Provide advice and support consumers, especially vulnerable consumers by pursuing civil enquiries in line with CLS quality standard (general help with casework)	Target	Actual	Score	Comparative figure
Civil enquiries received and processed	---	2851		2007/8 2578 2006/7 2650 2005/6 3442
Monitor quality of advice given monthly	10	10	●	

By working in partnership with Consumer Direct we have been able to improve access for the public to advice on consumer problems. Consumer Direct is available Monday to Friday 8.00 am to 18.30 pm and on Saturday 9.00 am to 13.00 pm. Consumer Direct deal with all initial enquiries and refer all complex and unresolved complaints for advice and intervention by Trading Standards advisors.

This year's figure shows a small increase on last year. In most cases we respond the next day. For urgent calls such as illegal doorstep sales problems, the advisors at Consumer Direct contact us by phone to arrange for an urgent response.

Success stories over the year include the following:

Two cases involved the equal liability protection provided by the Consumer Credit Act.

A consumer returned a used car to the garage from which it was purchased for repair. After hearing nothing for several weeks the consumer found that the trader had sold his business and the car had disappeared. Our advice was to inform the finance company of the problem. As the dealer had an arrangement with the finance company to provide finance to his customers the finance company was equally liable for the problem. At first they were unwilling to help but after the threat of court action the company agreed to cancel the finance agreement and refund the money the consumer had paid for the car.

Another consumer ordered golfing equipment. which failed to arrive. The trader promised a refund but that failed to materialise too. Following our advice the consumer took up the dispute with his credit card company. His card was credited with a refund soon after.

When a television bought 15 months previously stopped working a consumer was told by the seller that as it was out of guarantee he would have to pay an inspection fee to confirm the cause of the problem. Our adviser explained to the company that the legal obligations of the sale of goods act cannot be cancelled out by the guarantee, and the reasonable life of a product can often be more than the manufacturer's guarantee. The company agreed to examine the television and repair any defect free of charge.

A Gloucester man saw an advertisement for a van. which was described as being in very good condition. When he spoke to the seller over the phone the trader insisted on a deposit to keep the vehicle. On examination the customer found the van to have a number of faults and it was not ready for sale. He withdrew from the deal but the trader refused to refund his deposit. We advised that any description of the goods must be correct and the customer had a valid claim. However it became clear that the trader was not going to settle willingly and was trying to drag things out in the hope that the customer would give up. We advised court action. In October 2008 the claim was heard in court and found in the customer's favour.

TS1.9 Help young people to become confident and well informed consumers by providing education initiatives	Target	Actual	Score	Comparative figure	
Provide a programme of 'talking shop' sessions to schools	25	24	▲	2007/8 2006/7 2005/6	20 13 6
Provide a programme of talks to schools	35	42	★	2007/8 2006/7 2005/6	55 51 66
Provide education programmes to young people	2	4	★		

From our feedback questionnaires on talks, 99% (99% last year) of pupils felt they were better informed of their rights as consumers after the talk; and 60% found it easy to understand and said they learnt a lot. Pupils said they found the consumer rights and the section on counterfeit goods most useful.

The education programmes included 2 schools based activities at pupil reintegration centres and one community based event in co-operation with the Fire Service.

**TS2.1
Improve access to information relating to food content to promote healthier lifestyles**

Feedback from the general public has shown that many are left routinely confused by some aspects of food labelling. To address this we have developed our Vision food hall project. Vision (Virtual Interactive Shopping Information ONline) is an online shopping game, which provides consumers with the necessary information to help them make more informed choices about the food they eat. It highlights the detrimental affects of consuming too many ready prepared foods and snacks, which often contain high levels of sugar, fat and salt.

Further improvements have been made to the site during the course of the year. In conjunction with the Environment Department we have incorporated recycling messages, and a 'green' style challenge is in preparation. We are launching a new timed version of the game and a crossword style quiz to encourage more in-depth exploration of the information on the site. To promote the resource in schools we are working on a teachers' pack with CD-ROM, and we have commenced a 'social media strategy' to use online resources such as Facebook to bring Vision to the attention of young people.

The food team has also attended various events during the year to promote VISION and our food blog, and to give advice on a range of food issues. These include Tewkesbury Food Fayre, the Three Counties Show, the Freshers' Fayre at the University of Gloucestershire and the Afro Caribbean Heritage Day.

TS2.2 Help children lead healthier lifestyles by preventing the sale of cigarettes to under 18s	Target	Actual	Score	Comparative figure
Underage sales - cigarettes- surveys	3	3	●	2007/8 2 2006/7 2 2005/6 2
Underage sales - cigarettes - test purchases	---	24/78 (31%)		2007/8 0% 2006/7 7% 2005/6 57%

During 2007/2008 the age limit for tobacco products increased from 16 to 18. For 2008/2009, using intelligence, we were better able to identify suspect premises and also included vending machines in our test purchasing exercises. The number of traders prepared to sell cigarettes to test purchasers was very disappointing, given that the service has undertaken education work with retailers to ensure that the law is clear. We will continue to undertake work in this area in the coming year.

TS 2.3 Undertake food sampling programmes which support the healthy lifestyles initiative	Target	Actual	Score	Comparative figure
Food & Feeding Stuffs - samples	---	198		2007/8 407 2006/7 439 2005/6 480
Food & Feeding Stuffs - non compliances	---	59 30%		2007/8 28% 2006/7 14% 2005/6 16%

Food sampling

Although less samples were taken during the year we tried to use more targeted sampling, which resulted in an increase in the percentage of unsatisfactory samples found, 30% compared to 28% and 14% in the previous two years. In 2008/9 our food sampling programme included:

- Follow up on fraudulent claims of origin of meat, and beef in particular
- Food marketed for use in children's lunchboxes
- Assisting education meal monitoring officers with their sampling of school meals
- Salt, sugar, saturates and meat content in meals offered at catering, tourist and leisure premises
- Products sampled as a result of complaints made by the public
- Gloucestershire based producers own product ingredients
- Sampling programmes set by the Food Standards Agency

TS 3.1 Help improve the quality of life of communities by enforcing weight restricted routes and supporting lorry watch schemes

Lorrywatch

We continue to receive enquiries about membership of the Lorry Watch scheme and a waiting list for membership exists. The number of possible enforceable routes is currently under review

by Gloucestershire Highways as the adoption of an area of outstanding natural beauty in the Cotswolds is likely to encompass a number of existing weight restrictions under a global order.

The scheme continues to operate with service led activity in the five designated high risk areas, supported by independent observer reports. These routes are Kemble with Ewen, Down Ampney & Maisey Hampton, St Briavels, Symonds Yat and Brookthorpe with Whaddon.

TS 3.2 Provide advice and education to business	Target	Actual	Score	Comparative figure
Trade advice - number of enquiries received and dealt with	---	1693		2007/8 3622 2006/7 1883 2005/6 1967 2004/5 1538 2003/4 1822 2002/3 1001
Trade advice - acknowledge within 5 days	100%	99%	▲	
Trade advice - close within 10 days	90%	98%	★	
Trade advice - overall satisfaction	90%	100%	★	

Respond to businesses requesting advice

The number of trade advice enquiries last year has returned to a more normal level compared to the previous year when enquiries were exceptionally high due to the outbreaks of foot and mouth disease, bluetongue and avian influenza.

TS 3.3 Undertake a risk based programme of inspection visits to premises	Target	Actual	Score	
To undertake inspection visits to livestock markets (2 a week)	90	110	★	
To undertake inspection visits to slaughterhouses (6)	50	41	▲	See note 1
To undertake inspection visits to collection centres (7)	7	23	★	
To undertake 12 inspection visits to by product collectors	12	11	▲	See note 1
To undertake inspection visits to dealers	17	2	▲	See note 1
To undertake full inspection visits to all home authority travel agents	8	8	●	
To undertake programmed visits to local markets	25	10	▲	See note 2
To undertake full inspection visits to food premises identified as high risk	100% Amended to 85%	88%	●	See note 3
To undertake full inspection visits to safety premises identified as high risk	100%	84%	▲	See note 4

To undertake full inspection visits to home authority food premises identified as medium risk	50% Amended 33%?	33%	●	See note 3
To undertake a programme of intervention visits to food premises identified as medium risk	250	262	★	
To undertake inspection visits to premises storing fireworks	100%	100%	●	
To undertake inspection visits to filling stations	50%	45%	▲	See note 4

1. The shortfall in some animal health inspections was due to a shift in priorities towards enforcement work and investigation of welfare issues. Complex prosecution cases have taken priority resulting in less time spent on routine inspections.
2. The market visits were carried out on an intelligence led programme. The 25 predicted visits were based on the activity carried out during 2007/08. During 2008/09 the intelligence received did not support the same level of commitment as the sale of counterfeits (the main reason for market visits) seems to have shifted from markets and car boots to more closed distribution networks such as workplaces and through friends and family networks. Additionally the market and car boot sector was risk assessed and a number of markets and car boots had either ceased trading or had shrunk in size and no longer presented a credible counterfeit threat. We were able to re-allocate resources away from these visits to more problematical areas.
3. We amended the targets to undertake full inspection visits to high-risk food premises and medium risk home authority food premises in 3rd quarter due to staff shortages. The amended targets were achieved.
4. We visited 53 out of 59 filling stations and 42 out of 50 high-risk safety premises. The shortfall was largely due to the difficulty in tracking visits when team members were seconded to another section.

TS 3.4

Prevent the production and supply locally of products which infringe copyright and trade marks legislation

The Service has adopted an intelligence led approach to enforcement of local production and supply of counterfeit goods. During 2008-09 we received just over 50 complaints identifying counterfeits originating from or being sold in Gloucestershire. This intelligence has been shared with colleagues across the southwest and concerns sale from market stalls, place of work and over the internet. The goods ranged in type from clothing, sunglasses and footwear to games film and music. There is currently an ongoing investigation arising from information supplied whilst previous investigations resulted in several cases being taken before the courts (see prosecutions on p.18).

TS 3.5 Undertake statutory verification of weights and measures equipment	Target	Actual	Score	Comparative figure
Test weighbridges including those for road traffic purposes	40	42	★	
To verify and stamp where appropriate weighing and measuring equipment submitted for testing	100%	100%	●	

Of the 42 weighbridges tested only 30 were found to be correct, 3 could not be fully tested and 9 were rejected. The failure rate is extremely high and work is ongoing to determine the reason for this.

TS 3.6 Use intelligence to undertake appropriate enforcement action with respect to infringements of criminal and civil legislation in line with enforcement policy

Prosecutions

	2008-2009	2007 – 2008	2006 – 2007	2005 – 2006
Number of Cases	48	102	82	133
Offences prosecuted	62	161	136	161
[Magistrates Court]	37	110	121	112
[Crown Court]	25	51	15	49
Penalties Imposed	£38,057.91²	£250,933.91¹	£128,220.40¹	£82,215.39¹
[Fines]	£14,815.00	£68,225.00		
[Costs]	£21,927.34	£39,244.56		
[Confiscation]	£1,120.57	£143,464.35		
[Victim Surcharge Fees]	£195.00			
Formal Cautions	21	23	43	34

¹ Fines + Costs + Confiscation

² Fines + Costs + Confiscation + Victim Surcharge Fees

Although there were fewer prosecutions during 2008 – 09 some interesting cases were brought before the courts. The following gives an idea of the range and content of investigation reports:

The **fair trading** team had some notable successes with counterfeiting offences. One offender was convicted of twelve charges of selling counterfeit DVDs as a 'power seller' on an online auction site. An entry warrant to his house resulted in the seizure of 132 counterfeit films. The court ordered their destruction and gave him 100 hours of unpaid community service to be served within 12 months.

Another trader was given a suspended prison sentence and a tagging order after admitting at Gloucester Crown Court to dealing in counterfeit sunglasses on a web based auction site.

A Birmingham trader was found guilty on 9 counts of possession of counterfeit goods in a case involving officers from Birmingham Trading Standards and West Midlands Police. The fake goods, with an estimated street value in excess of £13,000, were being offered for sale at a market in Gloucester.

Two other market traders, who were found guilty of dealing in fake clothing, were ordered to pay £102,000 at Gloucester Crown Court in November under Proceeds of Crime legislation.

The **animal health** team pursued several cases involving animal cruelty during the year. One farmer was banned from keeping livestock for five years and ordered to pay £10,000 after being convicted of five charges of causing unnecessary suffering to cattle and a further four charges relating to the way the cattle were kept. She is the third member of her family to be banned from keeping animals. Her parents are both disqualified after being found guilty of animal cruelty.

In another case a farmer was fined £2,500 and ordered to pay £2,000 costs for causing unnecessary suffering to a sheep after the sheep on his farm were found to be infested with maggots and in a state of distress.

Other cases involved falsely describing the age of animals in order to make them eligible to enter the human food chain.

The **safety** team is responsible for our underage sales work and brought a number of cases before the courts. A Gloucester shopkeeper appeared before city magistrates for selling a bottle of alcopops to a 14-year-old girl despite her telling the cashier that she was only 14. Magistrates imposed a fine of £500 and awarded costs of £500. Another in Tewkesbury was given the same penalty, again for selling to a 14-year-old, and a third, in the Forest, was fined £1000 and ordered to pay costs of £500 after a second failed test purchase at his premises, in which his staff sold alcohol to a 13-year-old female volunteer.

A Birmingham company was fined £1000 with costs of £1500 for selling unsafe children's scooters. Safety experts found the scooters to have a dangerously designed folding mechanism, which could easily trap a child's fingers causing severe injury. With the assistance of Birmingham Trading Standards, the scooters were quickly taken off sale.

TS 3.7

Undertake projects which support the council's environmental strategy

To promote education material for traders and consumers on energy performance and Home Information Packs (HIPS) including establishing links to relevant web sites

We distributed information material on energy performance and HIPs during inspections and as a result of requests for trade advice and we have also carried out inspections of GCC premises for adequate display of Display Energy Certificates, which are required for display in public buildings.

Undertake an audit of estate agents with respect to energy performance & HIPS

We have visited 134 estate agents and issued 12 notices when non-compliances have been identified. To date no penalty charge notices have been issued.

Sampling project to be undertaken on products appearing to have excess packaging. Highlighting alternative methods and amounts used by different traders.

This project has been put on hold until next year due to budget restraints. We are highlighting concerns and problems in this area using a podcast and as a topic on our food blog.

Support request by Environment Directorate to participate in project to reduce amount of packaging used by supermarkets and other stores in county. Work in partnership in developing plan.

We have carried out work on our food blog in relation to reducing packaging and we are working with the Environment Dept to incorporate recycling messages into our VISION food hall web project

Comprehensive Area Assessment indicators

Indicator	Status	2008/9 Target	2008/9 Actual	Comparative performance	
NI182 Satisfaction of business with LA regulatory services (recorded and no recorded compliance)	National Indicator (NI)	Target 75% Actual 100%	81%		★
NI183 Impact of local authority regulatory services on the fair trading environment	National Indicator (NI)	Target Not set	1.18		●

This year our national performance indicators changed from 5 Comprehensive Performance Assessment indicators to 2 new Comprehensive Area Assessment indicators, given above. We report on 182 to the Department for Business, Enterprise and Regulatory reform (BERR) and on 183 to the Office of Fair Trading (OFT)(183). Local indicators are included in our service targets.

We maintained individual registration to the **Investors in People** (IIP) standard for 10 years from 1996 to 2006. In 2006 Gloucestershire County Council was awarded IIP status and our service is now included in this overall assessment.

The service has maintained status against the **ISO9001** quality standard for 15 years and will be reassessed by an external assessor in October 2009.

In 2006 the Trading Standards service nationally adopted the EFQM framework as a measure of service performance and a peer review process was put in place against this model. The process worked on a regional basis, each Trading Standards Service in a region being assessed once every three years. We were 'peer reviewed' in January 2007

Our **peer reviewers** gave the opinion that we were a very good service, which has a clear and ambitious strategy for improvement that takes account of local and national priorities

They identified the following as examples of good practice that we could recommend to other services:

- Annual self-assessment against the EFQM Excellence Model, using the scoring scheme.
- The use of the in-house intranet in providing everything necessary to provide the service.
- Comprehensive evidence logging system based on the Police system.
- Development and use of the Vision Food Hall and Cyril the Seal initiatives as educational tools.

They agreed with, and helped consolidate the areas for improvement our self-assessment had raised. Our improvement programme includes the following:

- further integration with the work of other services within the authority and the Local Area Agreement
- more flexibility between specialist teams operations

- more proactive working with partners, including the Crime & Disorder Reduction Partnerships
- more consultation with stakeholders, especially business, including non users of the service to ensure that key drivers for the service are identified
- Setting of targets which measure the impact (outcome) of initiatives, and training.
- Consideration of other ways of reducing the impact on the environment in delivering the service.
- Better engagement with member champion

We have taken action with respect to all these areas and we continue to work to an improvement plan.

The trading standards peer review process has now been superseded by a national peer challenge process which is being funded by BERR and which covers initially services which have both trading standards and environmental health functions. Three members of staff from our service have been trained as 'peer challengers' and will be involved in audits of other services under the peer challenge process.

Customer feedback

We undertake regular surveys of both consumers and business and these show high levels of satisfaction with helpfulness of staff and advice provided. Our local targets are

- Overall satisfaction with consumer help provided to consumers - target 90%
- Overall satisfaction with advice provided to business - target 90%

In response to the question 'How satisfied were you with our overall level of service?', 91% of consumers (92% and 94% in the past 2 years) answered they were very satisfied or fairly satisfied, with 73% being very satisfied compared with 70% and 83% in the previous 2 years.

98% of businesses (100% and 98% in the past 2 years) answered they were very satisfied or fairly satisfied, with 81% being very satisfied compared with 93% and 79% in the previous 2 years.

Overall the main area for dissatisfaction was not keeping consumers updated on enquiries which involved a possible infringement of criminal legislation. We aim to constantly improve in this area. Our target at present is 80% of customer confirming they were kept up to date with their enquiry. From our customer consultation questionnaires the results for this question are:

2002/03	74%
2003/04	83%
2004/05	63%
2005/06	77%
2006/07	81%
2007/08	85%
2008/9	79%

We are aware that increases in workload make it more important than ever to keep our customers up to date with their enquiries and the importance of this continues to be stressed to staff.

Response times:	Target	Actual	Score
Consumer enquiries - response within 3 days	95%	94%	▲

Over the year we received 10 complaints compared with 7 the previous year and 40 compliments, compared with 39 the previous year. Most complaints relate to a policy decision not to investigate or prosecute with respect to an enquiry. It is made clear to complainants that all enquiries are used for intelligence purposes.

In 2008 our service was winner of the council's "Customer First" award for the most customer-focused service in the corporate customer improvement programme.

Staff feedback

We consult with staff on a regular basis. Comments and suggestions from staff are used to improve our working environment and our service delivery as part of our self-assessment process.

Answers given to questions in the 2008 corporate staff survey for trading standards were in the majority above or equal to average to the relative county Council and Directorate average scores.

Workforce development

Our targets for 2008/09 were:

- We will introduce a Continuous Professional Development Programme for our workforce
- We will explore any career progression schemes that can work within the current pay structure
- We will encourage our tier 5 managers to take part in the Leadership & Development Programme
- We will aim to complete all PARs by the end of April

A continuous professional development programme /career progression scheme is under development at present.

All our tier 5 managers are undertaking the corporate leadership training

33% of PARS were completed by the end of April and 100% were completed by the end of May.

Our service has an obligation to maintain qualifications and competency. There is a national shortage of Trading Standards Officers and 27% of current workforce nationally are aged 50 or over. The number of new entrants into the profession is not adequate to replace those retiring or leaving local government. The Trading Standards Institute has developed a qualification for Trading Standards professionals-DCATS (Diploma in Consumer Affairs and Trading Standards), which includes a programme of skills appraisal as well as completion of exams. We are supporting four members of staff through their DCATS examination this year. Two will be starting their training this year and two will be sitting their foundation exams. We are also supporting an additional two members of staff who are adding to their skill base using DCATS.

We are also developing an ongoing continuous professional development programme backed by regular enforcement update training meetings. We have a budget of £13k for training and we are making the best use of this by providing as much in house training as possible and by being involved in regional training provided by the southwest group of Trading Standard authorities (SWERCOTS).

Financial management and value for money

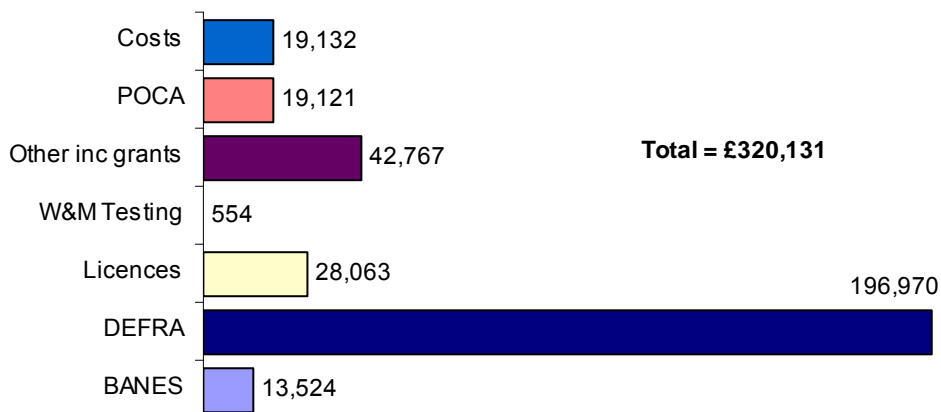
Income

We received £18,000 last year from the County Environment Directorate to coordinate and support lorry watch schemes and to enforce weight restricted routes.

We receive income from DEFRA, £197,000 in 2008/09 and 2009/10 to enable us to employ staff involved in the prevention and spread of animal disease. This is invoiced to the Trading Standards Service on a monthly basis and because of this and the uncertainty of possible future cuts it has an ongoing effect on budget management.

The service has the ability, in some cases, to retrieve assets obtained through criminal activity from a defendant once a successful prosecution has taken place. The service will only receive a fraction of these assets, however, as some is retained by the Home Office and the courts. The Home Office requires any costs awarded to an authority to be used for enforcement work. We received £19,121 in 2008/09 which was used to part fund an agency officer to undertake work under the Consumer Protection regulations and Enterprise Act. We may receive a further £15,000 in 2009/10, but this figure is uncertain as the cases involved are still in process in court.

We have a small additional income through the testing of weighing and measuring equipment and through licence fees for petroleum and explosives.



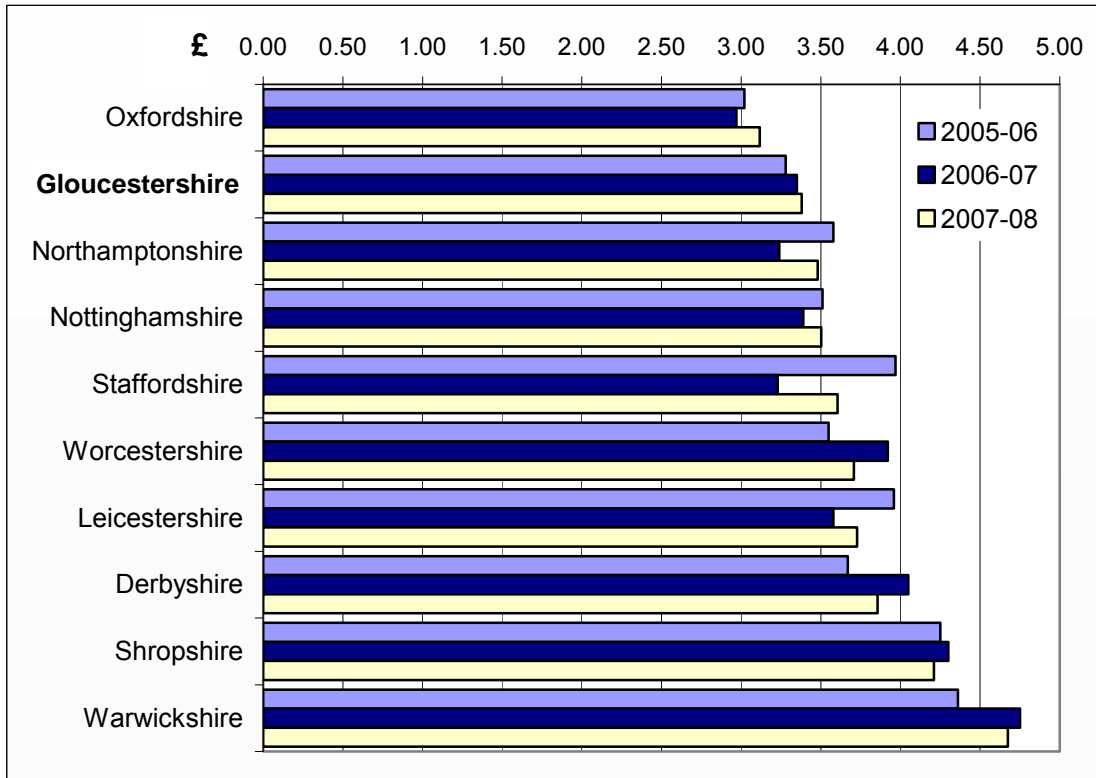
Expenditure

County Legal Services provide the bulk of litigation on our behalf, although other solicitors and barristers are employed where necessary. Due to the unknown number, length and complexity of prosecution cases which will occur in one year and the fact that we do not always retrieve our costs, this is an area of our budget which is difficult to manage. In 2007/08 we spent £125,696 on legal costs, an increase of £20,438 on the previous year (£105,258). In 2008/09 we spent £161,388, an increase again on the previous year of £35,692 (28%). The defendant can be allowed to pay costs in instalments, so all costs will not be received in one financial year. In actual terms we received £43,316 in recovered court costs in 2007/08, and £38,253 in 2008/09.

Bath and North East Somerset (BANES) Trading Standards Service undertakes verification and stamping of petrol pumps and bulk fuel meters on our behalf at petrol stations and bulk fuel depots in Gloucestershire. This cost £18,527 in 2008/9, which was offset by an income from verification fees of £13,524. The cost will be similar for the coming year 2009/10. Because income is not now covering spend this will be the last year we use the services of BANES and we will be undertaking this work in house in 2010/11.

Value for money

The following table shows cost per year per head of population compared to a representative group of other trading standards services (CIPFA statistics).



Overall assessment of performance

4 Excellent	3 Good	2 Fair	1 Poor
	√ consistently above minimum standards		

Forward Planning

Strategic mapping

Factors which will have an impact on the service:

- To manage any additional burdens brought about by the Primary Authority Initiative to be introduced by the Local Better Regulation Office (LBRO) this year.
- To monitor future developments with respect to Consumer Direct South West and the number / qualities of referrals made from it.
- To continue to develop regional co ordination through the South West region of Trading Standards authorities (SWERCOTS), including regional intelligence gathering via the South West Regulators' Forum (SWeRF).
- To gain access to secure email facilities to ensure continued exchange of information with enforcement partners and ability to access JARD (Joint Asset Recovery Database), and SARs (Suspicious Activity Reports) with respect to proceeds of crime work. Insecure IT represents a high risk to the service.
- To prepare for animal health work beyond the current DEFRA funding regime.
- To monitor resource and enforcement implications of new legislation.
- To monitor and benchmark results of new CAA performance indicators introduced in 2008.
- To review options for 2010/11 with respect to our legal obligation in respect of metrology.

Service Objectives

These are included as an appendix.

Data accuracy of performance indicators

Much of the performance data collected and used to measure performance is generated from our Flare (Civica) database. This is under a gold star maintenance programme with Civica who provide advice and assistance on the best way to use the system at a yearly maintenance visit. We are also part of a Flare user group made up of users from the south west which meets quarterly to discuss issues and best practice with respect to use of the database. An administrative officer audits data entry, and on the basis of his findings, then provides training to individuals on the system if needed.

The service is also part of a Mid Shires Performance Improvement group, which is used to compare and benchmark performance measures and to compare how services collect data. Members of the group were involved in the consultation and development of the new CAA Trading Standards performance indicators. A South West performance improvement group has also been set up this year chaired by Gloucestershire Trading Standards service.

Consultation

The service will be continuing to consult users of the service. Questionnaires are sent out monthly to both consumers and businesses who use the service.

Customer service standards

We currently have the following local customer service standards in place

- Consumer enquiries - 95% response within 3 days
- Trade advice - 100% response within 5 days
- Trade advice - 90% closed within 10 days

- Overall satisfaction with consumer help provided to consumers - target 90%
- Overall satisfaction with advice provided to business - target 90%
- Overall satisfaction with education talks to schools - target 85%

Customer intelligence

We rely on information and intelligence coming to us from partners and consumers in order to focus our limited resources into priority areas. The information comes to us in various ways.

Consumers generally access the service through Consumer Direct South West (CDSW). Consumer Direct is a national service set up by the Department of Trade and Industry (DTI) but is now run by the Office of Fair Trading (OFT). The regional call centre based in Cornwall takes calls concerning consumer queries, and gives basic advice on consumer's statutory rights. Any enquiry which needs more complex consumer advice, or which involves a possible criminal offence is passed through to the appropriate trading standards service. All enquiries made to CD are logged on a national database and the service interrogates this to establish any trends relating to traders and trade practices.

As a service we receive a great deal of information from partners and other bodies. Not all of that information will become intelligence and this has to be assessed when the information is received.

We use the media to encourage people to come forward to us with information. We also have a community education and liaison officer who has undertaken work within groups such as Asian elders and Gloucester Bangladeshi group to encourage them to provide us with information on trade practices which affect them.

We have a set procedure for grading intelligence and how it is shared with other agencies. We use the National Intelligence Model [NIM] in the same way as the police as a formalised and documented way of approaching problem solving. Within the model framework we have to consider both corporate and national drivers and we grade and analyse information so it can form intelligence which enables us to direct our energies to the areas of greatest need and ensure we work as efficiently as possible.

As part of this process we have a regional intelligence officer (RIO) who is able to collate information and intelligence regionally. Each trading standards service has a local intelligence officer (LLO) whose role is to be the single point of contact when sharing information between this service and other agencies such as the police, the RIO and other trading standards services.

We are currently piloting a regional intelligence database 'Clue2' as part of the South West region of trading standards services (SWERCOTS) on behalf of the OFT.

Fairness and diversity

Equality impact assessments and information on community cohesion are included in our service objectives in the attached appendix. Services within the Community Safety directorate meet every two months to discuss and monitor progress with equality issues and targets.

Resources

The Trading Standards Service is required to make efficiency savings in this financial year of £38,000, which means that our budget for the financial year 2009/2010 has increased in real terms by only £23,000. Given that some of our costs, specifically our legal costs, are demand led, this will impact on our ability to test and sample suspect products and we are seeking ever more innovative ways to overcome this limitation.

Page 7 of this plan provides a detailed breakdown of expenditure.

Business Continuity

The service has business continuity plans in place for both its consumer safety team and for its animal health team. Work on the plans has progressed and they will be reviewed and tested periodically.

In addition, our animal health team was involved in developing an avian flu contingency plan in 2005/06 and in 2006/07 was part of an avian flu mock emergency exercise. In 2007/08 the team was involved in a complete updating of the foot and mouth contingency plan.

Partnership working

We have listed our key partners on page 5. The partners who are involved in this year's activities are listed on the objectives task forms in the appendix.

Monitoring and Review Arrangements

The management team monitors performance information monthly and this is also discussed at monthly section head meetings. Progress is tracked at these meetings to ensure we keep on target with indicators. Key information is monitored monthly, with a review of all the service plan tasks taking place quarterly

The service has an ongoing task and improvement plan owned by the management team and reviewed quarterly. This plan includes all the corporate cross cutting tasks together with actions arising out of our self-assessment and peer review against the EFQM model. This plan includes tasks, task owner, targets and timescales. The service is committed to continuous improvement and will be undertaking assessment and analysis of 3 key processes in the coming year:

- Delivery of administrative support
- The customer / staff experience from a customers contact with service to outcome of their enquiry.
- Legal process

Objectives for Trading Standards Service 2009-10

The service held a service planning meeting with team managers to develop this years service plan. External and internal influences were discussed, including the overall council aims.

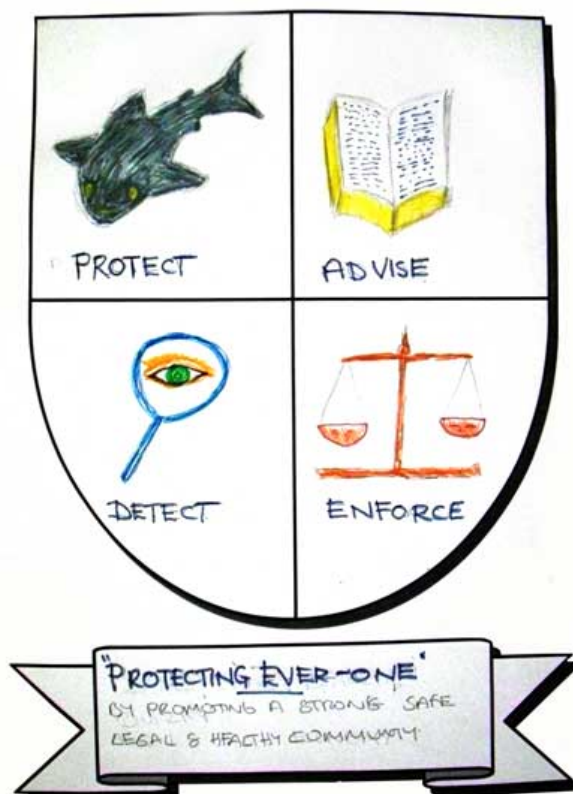
Council Aims

1. Making our communities safer (also main Directorate aim)
2. Supporting communities & vulnerable people
3. Ensuring every child thrives and reaches their potential
4. Making transport work
5. Managing our environment & economy
6. Driving excellence programme

From this meeting we agreed that the major influences for the service this year are expected to be:

- The recession and its effect on both consumers and businesses
- Ensuring our work was focused at a local level
- Supporting communities and helping develop community cohesion
- Ensuring we joined up with partners including other services within GCC and district authorities as well as other enforcement agencies such as the police in delivering tangible outcomes.

We also held a staff meeting where we asked teams to think about what they saw the role of trading standards to be and to represent this in a 'coat of arms'. This enabled staff from different teams to come together and discuss what they saw as being the priorities for the service. The management team then judged the results and came up with a winning coat of arms. This is given below:



Service Objectives

From this work we developed the key themes for our service for the year. These are:

1. Safer and stronger communities
2. Healthier communities
3. Economy enterprise and environment
4. Driving excellence

The following tables show these key themes, our objectives under each theme and how these objectives link to the council plan and the directorate plan.

TS1 Safer and Stronger Communities		Council Plan	Community Safety Plan
TS1.1	Help reduce alcohol misuse & anti social behaviour by preventing the sale of alcohol to under 18s	Aims 1 & 3	Yes
TS1.2	Help reduce crime and anti social behaviour by preventing the sale of knives to under 16s	Aims 1 & 3	Yes
TS1.3	Help reduce accidents by preventing the sale & use of unsafe products	Aims 1 & 3	Yes
TS1.4	Help reduce crime and the fear of crime by protecting consumers, especially vulnerable consumers, from doorstep sellers & rogue traders	Aims 1 & 2	Yes
TS1.5	Help regulate credit marketplace and reduce consumer debt.	Aims 1 & 2	Yes
TS1.6	Prevent the spread of animal disease by controlling movement of animals and age of animals going into food chain	Aim 1	Yes
TS1.7	Undertake an animal feed hygiene programme and food hygiene programme to help prevent the spread of animal disease through the food chain	Aim 1	Yes
TS1.8	Provide advice and support to consumers, especially vulnerable consumers with respect to pursuing civil complaints.	Aim 2	No
TS1.9	Help young people to become confident and well informed consumers by providing education initiatives	Aim 3	Yes

TS2 Healthier Communities		Council Plan	Community Safety Plan
TS2.1	Improve access to information relating to food content to promote healthier lifestyles	Aim 2 & 3	No
TS2.2	Help children lead healthier lifestyles by preventing the sale of cigarettes to under 18s	Aim 2 & 3	No
TS2.3	Undertake food sampling programmes which support healthy lifestyles initiative	Aim 2 & 3	No

TS3 Economy, Enterprise & Environment		Council Plan	Community Safety Plan
TS3.1	Help improve the quality of life of communities by enforcing weight restricted routes and supporting Lorrywatch schemes	Aim 4 & 5	No
TS3.2	Provide advice and education to business	Aim 5	Yes
TS3.3	Undertake a risk based programme of inspection visits to premises	Aim 5	Yes
TS3.4	Prevent the production and supply locally of products which infringe copyright and trade mark legislation.	Aim 5	No
TS3.5	Undertake statutory verification of weighing and measuring equipment	Aim 5	No
TS3.6	Undertake projects which support the council's environmental strategy	Aim 5	No

TS4 Driving excellence		Council Plan	Community Safety Plan
TS4.1	Undertake review of administrative support function for the service	Aim 6	Yes
TS4.2	Undertake analysis of the customer / staff experience from a customers contact with service to outcome of their enquiry.	Aim 6	Yes
TS4.3	Undertake review of legal process	Aim 6	Yes