

Report To: Environmental & Consumer Protection Committee
Report On: The Operation of the Trading Standards Service 1999/00
Report By: Chief Inspector of Weights & Measures
Report No: 515-2000

1.0 Purpose of Report

- 1.1 To submit to the Environmental & Consumer Protection Committee for the Dundee City Council the annual report to the Chief Inspector of Weights and Measures and inform them of the operation of the trading standards service for the year to 31 March 2000.

2.0 Recommendations

- 2.1 The document appended to this report should be accepted as the annual report as required by Section 70 of the Weights and Measures Act 1985.

3.0 Financial Implications

- 3.1 There are no financial implications to this report.

4.0 Local Agenda 21 Implications

- 4.1 There are no Agenda 21 implications to this report.

5.0 Equal Opportunities Implications

- 5.1 There are no Equal Opportunity Implications in this Report.

6.0 Background

- 6.1 The Dundee City Council as the local weights and measures authority is required to report annually to the Secretary of State for Trade and Industry in accordance with the provisions of the Weights and Measures Act 1985 on the arrangements made to give effect to all the purposes of the Act. The opportunity is taken at the same time to report on the administration of other legislation enforced by the Trading Standards Section of the Environmental & Consumer Protection Department.

7.0 Consultations

- 7.1 The Chief Executive and Directors of Environmental & Consumer Protection, Finance and Support Services have been consulted on this report.

Chief Inspector of Weights & Measures

Date:



Dundee City Council

Environmental and Consumer Protection Department

Trading Standards Service

Annual report by the Chief Inspector of Weights and Measures

for the year ended 31 March 2000

Foreword

The City Council as the local weights and measures authority is required to report annually to the Department of Trade and Industry on the arrangements made to give effect to the purposes of the Weights and Measures Act 1985. The opportunity is taken at the same time to report on the administration of the other regulatory activities of the trading standards service.

As always, there have been new legislative developments in all core areas this year, all of which are discussed in more detail later in this report. Most notably the Metrication process, started over 35 years ago, has finally been completed for loose goods as from 1st January, and the long awaited



Consumer White Paper, which is something of a watershed for local trading standards services, was presented by the Secretary of State in July.

I am especially pleased with the high media profile we have again achieved this year, and in the appropriate context. Too often regulatory services are portrayed as bureaucratic and officious and many people do not realise that we are here not only to help the consumer who needs advice or has been ripped off, but also to ensure a 'level playing field' for competitive business. Feedback from traders visited during the year confirms that officers are polite, helpful and courteous while carrying out their duties, and that advice is well received.

Headline issues:

- Consumer complaints and enquiries about goods and services up 20%
- Value of goods and services complained about exceeds £3.5m
- Average 45% improvement in 'enforcement visits' Statutory Performance Indicator
- Eight reports to the procurator fiscal
- Metrication
- New White Paper on Consumer Affairs – '*Modern Markets: Confident Consumers*'

Service performance in terms of the statutory indicators and service standards show solid improvement over last year with 80% of consumer complaints and 96% of enquiries being resolved on the same day as receipt, an excellent result given that complaint contacts were up by a fifth. Standards of inspection of trading premises also improved across all risk bands by quite a margin on 1998/99, with 73% of planned high risk, 80% of medium risk, and 81% of low risk visits carried out 'within time'. Numbers of total enforcement visits by officers, including revisits, sampling visits and complaint visits, are however slightly down on last year. *(Comprehensive performance indicator and enforcement figures are appended to this report)*

We are continuing to find a number of consumer related problems in the city, and unfortunately this number appears to be rising. Tougher and additional powers under new legislation, promised in the Government's White Paper, should do much to help with this situation.

I regret to report the loss of one of our two Trading Standards Officers during the year due to a career change, leaving the service with only one TSO and two Senior Officers. With such a small establishment of qualified officers it is difficult to keep abreast of ever increasing

legislative responsibilities, and it is a tribute to current staff that we can continue to improve on our performance indicators.

On a brighter note our sponsored student has started his studies at Glasgow Caledonian University, although it will take at least four and a half years for him to gain his Diploma in Trading Standards. It is only with more support in training new officers that we will be able to overcome recruitment difficulties and continue to provide an effective trading standards service. A recent survey by the Society of Chief Officers of Trading Standards estimated a shortfall of around 40 officers in Scotland alone. This dire shortage of Trading Standards Officers has not gone unnoticed by the Department of Trade and Industry, and £1.5m has been earmarked for supporting local authorities in training new officers on a continuing basis.

The Government's Consumer White Paper, '*Modern Markets: Confident Consumers*' was published by the Secretary of State for Trade and Industry on 22 July, setting a new agenda for consumer markets:

1. *To promote open and competitive markets*
2. *To provide people with the skills, knowledge and information they need to become demanding consumers*
3. *To encourage responsible businesses to follow good practice*
4. *To avoid burdening those businesses with unnecessary regulation*
5. *To protect the public from serious trading malpractice and unsafe products.*

The White Paper and ministerial statements have put the issue of resources firmly on the agenda. Clearly authorities cannot take on many more new duties without new resources. Whilst the White Paper itself limits reference to resources to training and joint working, other statements suggests that some £30 million has been secured by DTI to support local authorities in implementing the Government's proposals in, for example, the area of rogue traders.

The main issues in the White Paper include:

- **Rogue traders** and the sharing of Fair Trading Act powers with the DGFT. This proposal and the commitment to enhancing the effectiveness of the Fair Trading Act to tackle malpractices are crucial to our future enforcement effectiveness.
- **Consumer Advice** - we will need to establish a lead role in securing effective advice networks in Dundee in partnership with other agencies. This might mean that we will have to better co-ordinate our advice efforts with other local providers such as Citizen's Advice. I have already spoken to the CAB manager in Dundee regarding the possibility of a more joined-up service.
- **A modern trading standards service** - the Government wants to see the trading standards service in local government strengthened to meet the expectations of consumers and business. The Government propose to:
 - ✓ develop clear **performance measures** which encourage local accountability
 - ✓ provide **additional funding** to help remedy the severe training shortfall.
- **The widening enforcement base** recognises the future role of others such as the Consumers' Association and utility regulators to supplement our own activities. Enforcement protocols will have to be agreed with the Office of Fair Trading and others in this area.
- **Electronic Commerce** is identified as an issue and electronic hallmarking will put a focus on self-regulation under new e-commerce **codes of practice**.
- **Counterfeiting and car clocking** gain an enhanced focus.
- **Financial services, homeworking schemes and trading schemes** are all given welcome new attention.
- **The Trade Descriptions Act** may be amended to at last bring services in line with controls relating to goods.

Fair Trading

Fair Trading is the highest profile part of the trading standards service, protecting consumers, and in many cases businesses, from misrepresentation involving goods and services. Areas such as consumer credit, pricing, trade descriptions, trade marks and counterfeiting, are all extremely complex and all very relevant in the modern trading environment. Even the more minor statutes involving unfair contract terms, timeshare, unsolicited junk mail, property misdescriptions and so on are extremely important to maintaining a proper 'level playing field' for business, and a sufficient level of consumer protection for individuals.

Almost three thousand complaints were received during the year, a huge increase on last years 575, although this can be partly attributed to a change in the coding between complaints and enquiries.

This revised Office of Fair Trading complaint classification was introduced on 1 April 1999 and the definition of a complaint is:

'a contact from an individual or household acting as a consumer'

- 1. In which the consumer, rightly or wrongly, considers that the goods, services, or property, are faulty or wrongly described.*
- 2. In which the goods, services or property are subject to conditions which appear to the consumer to be unreasonable; or*
- 3. In which the supplier has adopted an attitude or engaged in a trading practice which the consumer regards as detrimental to his/her interests*

Consumer enquiries relate more to pre-shopping advice and information enquiries, where no further action is required by officers.

Notwithstanding this coding change, the total number of both complaints and enquiries has risen by 20%. A great deal of effort has gone into boosting our public awareness profile during the year, and I feel we have reached a much greater number of consumers than would previously have been aware of the services we provide.

I do not feel the trading environment has worsened appreciably to the detriment of consumers, however the loss of a TSO during the year and an increased amount of time spent on prosecution preparation and survey work has reduced considerably our capacity for visiting traders. There are clearly some problems in particular sectors and I hope we can target these in the coming year to make best use of our resources.

Seven out of eight informations submitted to the procurator fiscal this year involved fair trading issues. A decorating firm was fined £200 for the unauthorised use of a trade association logo, but three cases were not proceeded with by the fiscal, one for misleading prices in a restaurant, one for a 'clocked' car, and the other a Glasgow toy importer who supplied unsafe toys in the City. It is especially disappointing for officers who have spent many weeks putting together a case to see it fall without getting to court.

Two other reports submitted this year, are major cases involving Trade Description and Trade Mark offences, and are still pending awaiting trial.

One hundred and eight written warnings were issued to traders during the year, almost double last year's fifty-seven. Infringements were mainly in pricing legislation as a result of metrication changes, consumer credit advertising, mis-descriptions of goods or services, and unfair contract terms. This is a worrying trend, and is unfortunately not helped by the drop in fair trading enforcement visits to premises - 1148, down 15% from last year. These visits are extremely important, not only to check compliance with fair trading legislation, but to offer advice to traders on various points of law.

Customer survey questionnaires were again sent out this year from April to September to monitor the quality of inspection work. I am happy to report that the good results of previous years have been improved with 100% of replies indicating that officers are courteous and

helpful, and 97% of traders rate the advice they receive as 'excellent' or 'good'. Many comments and accolades were received giving an indication that the perception of the local business community of our service is a good one. This is particularly pleasing given the pressures on enforcement services to reduce burdens on business where possible, and make visits as unobtrusive and helpful as possible to traders.

Analysis of Visits to Traders survey returns (percentages)

No sent	86		
No returned	39		
% return	45.3	<i>Did you seek advice from the officer?</i>	
		Yes	46
<i>Manner of staff</i>		No	54
Courteous	100		
Not Courteous	0	<i>How was the advice you were given?</i>	
Helpful	100	Excellent	39
Unhelpful	0	Good	58
Polite	100	Could be better	3
Impolite	0	Poor	0
Positive	100		
Negative	0	<i>Identified as being from trading standards?</i>	
		Yes	100

Several new pieces of legislation were introduced during the year, most notably:

- The Price Marking Order 1999** (SI No 3042), which implemented Directive 98/6/EC, came fully into force on 18 March 2000. The Order covers products, not services, and is limited to sales between retailers and consumers. It requires the selling price and, where appropriate, the unit price of products to be clearly displayed. The unit price will be the price per kilogram, litre etc of goods sold by quantity and is required for products sold loose from bulk and pre-packaged products. This Order brings together requirements for pricing with the new Weights and Measures requirements following the final stage of metrication in January [see Metrology section]. The standard units of quantity to be used for unit pricing purposes are one kilogram, litre, metre, square metre or cubic metre and the unit one for goods sold by number. Similar products should use the same unit for unit pricing purposes to allow consumers to readily compare prices between them. Importantly all prices must be inclusive of VAT and all other taxes. Postage packing or delivery charges may, however, be shown separately as long as they are clear.



The Order requires that prices must be 'unambiguous, easily identifiable and clearly legible' but it is not prescriptive about the way in which those requirements are met. It does, however, require that consumers should not have to ask for assistance in order to see them. Legibility of price indications in this context means legible to a consumer with

normal sight. As with all significant new legislation, we have prepared a customised information booklet for distribution to local traders by officers during routine inspection, or on demand.

- **The Energy Information labelling regulations** for lamps and dishwashers (SI 1999/1517 and 1676 respectively) – came into force in July implementing EC Directives on the labelling of information on the consumption of energy by household appliances and lamps.

In the case of lamps the supplier (ie a manufacturer or his representative in the EC) of regulated lamps is required to print on the packaging various information, specified in the regulations, relating to energy consumption etc. The supplier in addition must provide dealers, free and on request, with information labels.

A retailer is required to ensure that the lamps they sell, or its packaging, bears a label containing the appropriate information.

Requirements are similar for dishwashers.

- **The Unfair Terms in Consumer Contracts Regulations 1999** came into force on 1 October and revoked and replaced 1994 regulations of the same name.

The original regulations implemented Council Directive 93/13/EEC on unfair terms in consumer contracts and these regulations re-enact much of the 1994 Regulations with modifications to reflect more closely the wording of the Directive. The regulations apply, with certain exceptions, to unfair terms in contracts concluded between a consumer and a seller or supplier. The regulations provide that an unfair term is one which has not been individually negotiated and which, contrary to the requirement of good faith, causes a significant imbalance in the parties' rights and obligations under the contract to the detriment of the consumer. Unfair contract terms are not binding on the consumer.

The regulations contain an indicative list of terms, which may be regarded as unfair, for example:

1. *Excluding or limiting the legal liability of a seller or supplier in the event of the death of a consumer or personal injury to the latter resulting from an act or omission of that seller or supplier;*
2. *inappropriately excluding or limiting the legal rights of the consumer in the event of total or partial non-performance or inadequate performance by the seller or supplier of any of the contractual obligations;*
3. *permitting the seller or supplier to retain sums paid by the consumer where the latter decides not to conclude or perform the contract;*
4. *requiring any consumer who fails to fulfil his obligation to pay a disproportionately high sum in compensation;*
5. *authorising the seller or supplier to dissolve the contract on a discretionary basis where the same facility is not granted to the consumer;*
6. *automatically extending a contract of fixed duration;*
7. *irrevocably binding the consumer to terms with which he had no real opportunity of becoming acquainted before the conclusion of the contract;*
8. *enabling the seller or supplier to alter the terms of the contract unilaterally without a valid reason which is specified in the contract;*
9. *excluding or hindering the consumer's right to take legal action or exercise any other legal remedy, particularly by requiring the consumer to take disputes.*

The regulations provide for the first time that bodies other than the Office of Fair Trading (utility regulators, trading standards departments and Consumers' Association) may also apply for an interdict to prevent the continued use of an unfair contract term.

This is the first of many additional powers being devolved to Trading Standards Officers as a result of the White Paper, and should prove especially useful in resolving local issues without resort to the OFT. Previous complaints have had to be submitted to the Office of Fair Trading itself, for action where we believe contract terms are unfair and detrimental to the consumer. These new powers should ensure that we are able to take swift local action where necessary.

Other significant enforcement matters included several small seizures of counterfeit clothing, and illegal MP3 computer disks being sold at a computer fair in the city. The clothing was surrendered voluntarily and destroyed, and the matter of the illegal disks referred to an English authority where the seller resided. A subsequent raid on the seller's premises by TSOs and FACT (Federation against Copyright Theft) staff netted several thousand illegal CDs as well as copying equipment. With copyright theft in computer games alone costing legitimate business over £ 3bn a year this is a high priority area for investigations.

Several consumers were especially happy after registering their complaints with us – a couple received £600 compensation from a holiday firm after their dream cruise went wrong, and a motorist got £400 back after a garage was found to have used misleading advertising.

Other notable complaints were against a company selling expensive vacuum systems, which reneged on supplying free holiday vouchers. In many cases salesmen used high pressure sales tactics, often in sales visits to older people. Another company sold advertising to small businesses within local pubs, which never materialised, and a great number of complaints were received against an Internet Service Provider, based in Dundee, which was one of the first in the UK to offer unmetered internet access for a flat fee. We were inundated with complaints from all over the UK when the company got into difficulties actually supplying the service. Thankfully we have a complaint email address, which made things very much easier for the online complainers to get in touch with us!

In a similar vein, the internet and e-commerce is an expanding area, and a short introductory training course was attended by all staff to familiarise themselves with the world-wide-web. Buying and selling via the internet is now commonplace but it can be much more difficult for consumers to get redress if there is a problem with their purchases.

Scams and dodgy schemes also abound on the net and it is important that officers have some expertise in this area so that they can provide the appropriate advice to consumers and businesses. A number of press releases have been issued during the year, advising people of



the pitfalls to this new way of purchasing goods. Normal regulatory rules still apply to companies' websites, and we have checked the websites of several local traders to ensure compliance with for example consumer credit advertising, misleading prices etc.

Over 2000 small ads for used motor vehicles were checked during the year to search out unlicensed motor dealers. These people will sell a number of vehicles over the year but have no secondhand dealers licence

and usually operate from home. This is often done so that purchasers do not have their normal rights under the law as sellers pose as private sellers rather than traders.

Telephone numbers from adverts in local papers are entered into our telephone monitoring system and where someone is found to be selling in excess of 6 vehicles in a 6 month period they are contacted and advised they should apply for a licence. Details are also passed to the Support Services Department, and often the Police will pay a visit to the individual with the desired effect.

Several special surveys were also conducted during the year, most notably our survey of the quality of motor car servicing by local garages.

Car servicing and repair is a service sector that is used by a large proportion of local citizens. All motor car owners will at some time have had their car repaired or routinely serviced by



either a franchised dealer or a smaller independent garage.

It is also a sector that generates a large number of consumer complaints; in the last year my officers received 115 complaints about car servicing and repair undertaken by local garages, mostly arising from overcharging, work being charged for but not done, or shoddy workmanship. Last year over 27,000 complaints were received nationally by trading standards authorities according to the Office of Fair Trading, in a sector worth almost £9bn a year. These problems are compounded

by most consumers having a lack of mechanical knowledge, making it difficult for them to diagnose problems before their car is submitted for repair.

In carrying out the survey a test vehicle was submitted to a wide range of car servicing and repair businesses. The vehicle was checked before and after submission to any garage, by an independent motor assessor. Powers under the Consumer Protection Act 1987 and the Trade Descriptions Act 1968 allow us to make test purchases of this nature to determine whether or not the provisions of the legislation are being complied with.

All of the garages used in the survey offered a 'full service' to the manufacturer's specification or equivalent. But, they did not, when questioned, detail what work would actually be carried out as part of the service.

Indeed, one of the garages gave scant information on the invoice, but gave a huge list of work that was urgently required on the vehicle. Many of the items on this list were either trivial or spurious.

Even after completion of the service half of the garages did not give a detailed invoice. By failing to be informed as to what is included in a 'full service', motorists may be misled into believing that they are getting a similar service to that offered by a main agent.

In all of the garages used the standard of service fell well short of what could be expected, and the results gave considerable cause for concern, as overall only 57% of the simple faults were either identified or corrected.



Results of the survey were published in the local press as part of publicity for National Consumer Week 1999, and a copy sent to the Office of Fair Trading for use in their national investigation. Formal written warnings were sent to the two garages, which had the most serious servicing deficiencies. We are already planning a similar survey for next year to take place in late summer/autumn.

A Guide to Car Servicing and Repair has been compiled following the survey, and is available for distribution to consumers.

As promised in my report last year, we have examined several 'Good Trader' schemes operated by other local authority trading standards services across the UK, to see if any would be appropriate for Dundee.

These schemes generally bind members to adopt the best fair trading practices when dealing with consumers, and are particularly suited to sectors such as motor dealers and small tradesmen. Schemes can be based on a local business partnership (LBP) model, and aim to establish higher standards of business operation and increased customer confidence. Following our car servicing survey it is clear that such a scheme would be particularly welcome in this sector. Hopefully I will be able to present a report on this matter later in 2000.

Another survey we took part in was as one of nineteen UK authorities organised by LACOTS (Local Authority Co-ordinating Body on food and Trading Standards) and ITSA (Trading Standards Institute), checking on broker compliance with the obligations arising from the new self-regulatory Mortgage Code. The survey highlighted widespread failures in the intermediary sector, which must obviously impact on consumer confidence.

Concerns as to the mis-selling of mortgages were heightened during the year and with draft legislation on the future control of financial services being recently published, there was thought to be considerable merit in taking forward a national compliance survey.

The Mortgage Code defines a number of minimum requirements. These are intended to ensure that consumers receive adequate and appropriate information. In practice, however, the experience of local authority 'mystery shoppers' is that brokers are either unfamiliar with the Code requirements or unconcerned with meeting them. For example:

- *29% of brokers did not even tell consumers about the Mortgage Code;*
- *33% of brokers gave no description of the service they provide;*
- *35% of brokers did not say on whose behalf they were acting;*
- *40% of brokers were considered to have offered inadequate advice or information;*
- *70% of brokers did not tell consumers of their data access rights;*
- *28% of brokers did not give any written information about their service; and*
- *67% of brokers failed to display a notice informing consumers of the availability of arbitration in the event of an unresolved complaint.*

In itself the level of compliance found is poor. If account is also taken of the considerable publicity afforded concerns about the mortgage sales process, the results are yet more disappointing. The importance of adhering to the Mortgage Code does not appear fully recognised by brokers at least.

Mortgages are complicated products - and are becoming ever more complex. As well as the loan itself, consumers have to take a view on a number of related considerations, including investments, insurance, fees and potential charges. A mortgage broker can therefore play a key role in helping consumers understand and decide upon the appropriate product. Even the best-informed consumer would benefit from informed and impartial advice, for those less-able it is vital that the quality of service from mortgage brokers is at least adequate. The simple truth is that the current self-regulatory system does not ensure this.

Finally a survey of spirit pricing and measurement was undertaken over Christmas and New Year to ensure that the spirit of goodwill was not lost on city publicans. A number of complaints had been received about over charging or shortmeasure at party nights and similar occasions. In the event over twenty premises were visited and none were found to be defrauding customers in any way.

Metrology

A cornerstone of Consumer Protection the Weights and Measures Act 1985 regulates most everyday transactions by weight, length or volume of goods. Some examples are:

- ✓ the sale by weight of goods such as fruit and vegetables by retailers using weighing machines
- ✓ the sale of petrol through petrol pumps
- ✓ the sale of coal by the sack
- ✓ the sale of pre-packed goods such as bread, milk, drinks etc
- ✓ the sale of spirits, wines, beers and ciders in licensed premises

In addition many goods are permitted to be sold only in quantities specified by the Act; for example, beer by the pint, half-pint, or third-pint, and coal by the 25 or 50 kg bag. Equipment used to weigh or measure goods must meet strict accuracy requirements, and is checked regularly by Weights and Measures Inspectors.

The City Council, as the 'local weights and measures authority', is statutorily bound to enforce the Act, maintain local standards, and appoint sufficient inspectors to discharge its duties under the Act.

The most significant issue this year was without doubt the introduction of full metrication at the turn of the year; as of 1 January 2000 it has no longer been legal to sell loose products by reference to the ounce, pound, pint or gallon, at the point of sale. These goods now require to be sold in grams, kilograms, or litres.

Retailers can continue to display the price per imperial unit alongside the price per metric unit as a supplementary indication under the Price Marking Order 1999. Consumers can continue to express in ounces and pounds the quantity they wish to buy. Retailers will be able weigh out the equivalent quantity in grams and kilograms.

One interesting anomaly is that publicans will be allowed to dispense draught beer and cider in pints, but not in litres, although pre-packed beer and cider has been sold in metric quantities for many years.



This final stage in the process has taken much longer than first planned. In their report of December 1950 the Hodgson Committee recommended that the imperial system should eventually be abolished in favour of the metric. After discussions with all parties concerned on the period of transition that was desirable, it was recognised that the process of change would be gradual, and a time span of 10 years was proposed for the change to the new system!

There is some disquiet about the intentions of some anti-european groups to sabotage the metrication process, by alleging that this has been thrust, unwanted, upon the public, and that the legislation is *ultra-vires*. I find this suggestion both unhelpful and confusing for consumers and traders - in actuality the United Kingdom has been steadily adopting metric weights and measures since 1965, in response to the adoption of metric units as the international system of measurement.

Many goods have been sold in metric units for years without any problems, including:

- pre-packaged foods and non-foods
- DIY products
- fabrics and floor coverings
- petrol

Both ourselves and the DTI have produced helpful leaflets for traders and consumers about the change-over for loose goods. We will be making every effort to ensure that this process

goes smoothly in Dundee, and that traders are equipped to comply with the legislation with as little difficulty as possible.

Since the start of the year inspectors have visited all major retail outlets such as supermarkets and the level of compliance is very good. Any traders who have been unaware or slow to pick up on the requirements have had as much assistance as we can give to help them with the changeover. I envisage taking this sort of approach well into the new financial year and hopefully will not have to resort to formal enforcement action in this area.

The trading standards service is also the custodian of the City's local standards of weight, length and capacity, which are kept in specially built environmentally controlled laboratories at Standards House. Most of the standards belong to Dundee, with some imperial ones dating back to the early 1800s, but some are ex-Angus and City of Perth standards, shared as part of a joint arrangement, which has existed since local government reorganisation in April 1996. This arrangement, described more fully in the Calibration laboratory section, has operated without problem for the fourth year in a row.

Of course most imperial standards have now been taken out of use, which should reduce our calibration and verification costs in future years.

Our arrangement with Fife Council for testing large capacity weighbridges (up to 60 tonnes),



continued without any problem this year, and all eleven weighbridges were checked. Apart from the obvious trade usage, these weighbridges are often used by Tayside Police in Road Traffic overloading checks, hence it is very important to check their accuracy regularly as occasionally inspectors have to appear in court as prosecution witnesses.

Fife are due to replace the weighbridge testing unit next year and several meetings have been called to view the types of vehicle on offer. It is likely that the capacity of the vehicle will be raised to accommodate 25 tonnes of test weights to suit testing requirements for EC weighbridges, although there are potential road authority notification difficulties as the gross weight of the vehicle will be around 46 tonnes.

Metrological visits by inspectors numbered 579 this year and 14289 items of weights and measures and measuring equipment were inspected in service. These figures are down from last year, due to the loss of an inspector, although the number of premises liable for metrological inspection also fell - to 1030 in the city. Visits by inspectors to trade premises allow equipment and goods to be examined or tested on the spot, and advice can be given where necessary to traders. Statutory notices were also issued on 29 occasions by inspectors, requiring traders to bring faulty or inaccurate equipment up to standard. This is a procedure which allows traders a period of up to 28 days to have equipment repaired if the defect is minor, without the inspector 'obliterating' the crown seal. *(Further statistical data can be found in the DTI return appended to this report)*

Interesting issues which arose during the year included a carpet retailer who had continued to sell floor coverings in imperial units of measurement when it should have been per m². A number of unstamped capacity measures were also found in several Dundee pubs, which had been a mistake by their supplier. Glasses were returned and exchanged without any further problems.

Safety

The Consumer Protection Act 1987 provides the framework of the safety provisions governing most consumer goods supplied in the United Kingdom for private use.

Business suppliers of consumer goods must ensure that these items are safe. Both new and second-hand goods are subject to safety regulations, unless they are exempt for example antiques or goods sold specifically for repair or reconditioning.

The following are some of the products covered by specific regulations:

- ✓ Electrical Appliances
- ✓ Fireworks
- ✓ Food Imitations
- ✓ Upholstered Furniture and Furnishings
- ✓ Children's Hood Cords
- ✓ Personal Protective Equipment
- ✓ Supply of Machinery
- ✓ Cosmetics
- ✓ Nightwear
- ✓ Toys
- ✓ Motor vehicle tyres

Throughout the year officers have made 1055 visits to premises to check compliance with safety legislation, and over a hundred test purchases have been made with items submitted to the public analyst, or to external testing houses for testing. Test purchases are made according to a targeted programme and items tested during the year include cosmetics, toys, ceramics, children's crayons and paints, and metals in jewellery etc.



Some problems encountered with test purchases this year included a set of ladders, which had broken causing a consumer to fall off and injure himself. The test house we submitted the ladders to for testing were however unwilling to say that they were unsafe, although British Standards had not been completely met. Therefore we were unable to report the matter to the procurator fiscal. The consumer did however continue with a civil case for

compensation from the manufacturer. Another complaint, this time about solvent filled keyrings being sold by an itinerant Russian, proved to be unfounded when our own public analyst declared them safe. Another interesting complaint involved the sale of allegedly radioactive sinks from the old Dundee Royal Infirmary to a trader in Perth. The sinks had been in use in the X-Ray Department and the purchaser was worried about possible after effects! We were able to use our geiger counter to confirm that there was no more than background radiation from the sinks, and that they were safe to use.

Our main safety survey this year was to check on the sale of cigarettes to young persons under the age of 16. Visits were made to 25 premises in Dundee with two children, as part of a National Consumer Week survey, but not one retailer in the city sold to our volunteers, an excellent result unfortunately not mirrored in other parts of the country.

Cigarettes are age restricted products and it is illegal to sell them to anyone under the age of sixteen. Although there are other methods of finding out whether or not sellers are complying with the law, test purchasing is accepted as the quickest and best method. The

survey was carried out under guidelines issued by Scottish Office which allow the use of children for surveys, but not where evidence is gathered for potential prosecutions.

These guidelines have caused great difficulty to enforcement authorities in the area of age restricted sales. While the protection of children and young persons is a high priority area for the trading standards service we find our hands effectively tied by the legal system in Scotland.

Clearly something needs to be done as the number of Scots teenagers who smoke has hit record levels. While one Scot dies every 48 minutes from smoking-related diseases, the number of 15-year-old girls who smoke every day rose from 12% in 1990 to 24% in 1998.

The smoking rate for boys in the same age group rose from 12% to 19%. And recent figures showed that 83% of the country's underage smokers buy their tobacco from shops.

In an encouraging move, an All Party Group on Tobacco Control, was formed in the Scottish Parliament to combat underage sales of tobacco by traders. The group has written to the Lord Advocate asking him to reconsider the ban in Scotland on the use of child volunteers in order to bring more prosecutions against unscrupulous shopkeepers. In England and Wales test purchasing from retailers involving child volunteers is common practice.

So far the Lord Advocate has refused to review the law, but The Society of Chief Officers of Trading Standards in Scotland and COSLA, as well as the Tobacco Group will continue to apply pressure for a change in the guidelines.

I stated last year that I was intent on involving Dundee in a voluntary proof of age scheme, the Validate scheme, which is widely supported by other local authorities throughout the UK.

I am pleased to report that the scheme is in the final stages of its introduction with a launch date set for early in the new financial year. We will be able to offer every young person in Dundee a Validate card free of charge, and plan to introduce the scheme with the help of Education and Neighbourhood Resources Departments.

The scheme has come in for great support in the city, especially from retailers and trade associations, who recognise the difficulty that traders have when trying to classify young people into a particular age group. Matters are complicated somewhat



by the different age restrictions on different products, for example 16 for cigarettes and lottery tickets, but 18 for alcohol and fireworks.

Over 600 visits have been made by officers, to *every relevant retailer* in Dundee over a short period of time, handing out promotional posters, stickers and leaflets. Without exception the traders have welcomed the move, the 'No proof – No sale' slogan giving them added confidence that they can take all necessary precautions to avoid breaking the law.

We provided our free electric blanket safety testing service to local citizens again this year although slightly earlier during September. We had found in previous years that if we left the service until October then many elderly people had already put their blankets on their beds!

In fact this service is now getting so well known that customers start coming in during July to find out when they can get their blankets tested. If we are not too busy with other things we will always try to help them out by testing on the spot.

We were able to utilise Hydro-Electric shops again this year, providing central drop off and pick up facilities for users. Ninety-four blankets were tested this year of which 48 or 51% failed in some way or another, a much better result than last year although still underlining the dangers of these sorts of consumer goods when they are not regularly checked and maintained.

Licensing and registration

There are currently 113 premises in Dundee licensed for the storage of petroleum spirit and petroleum mixtures. During the year five new licences were issued and eleven licences cancelled. Income from licensing activities totalled £6,080 including explosives and poisons registration fees, up nearly 100% from last year.

Over 500 licensing visits were made during the year, underlining the importance of this function to the safety of the local community. Thankfully it seems that the local authority licensing system will remain in place, as opposed to the alternative regime proposed last year by the Health & Safety Executive as part of deregulation. There will be some slight changes in the more recent proposals, with retail sites such as filling stations remaining as licensed premises while smaller users of petroleum mixtures, such as paint sprayers etc will become the responsibility of Health & Safety enforcement staff.

Some issues which arose during the year were

- the replacement of 4 star petrol with LRP or Lead Replacement Petrol. The EU Fuels Directive 98/70/EC, published last year, sets environmental specifications of both petrol and diesel. It came into force via revised Motor Fuels Regulations on the 1 January 2000. As part of this Directive the sale of leaded petrol is banned except for a very small quantity for use by "special interest groups". LRP has the same octane specification as leaded petrol but without lead, and is supplied and dispensed through the previous leaded petrol infrastructure. For LRP (an unleaded fuel) the maximum limit is 0.013 grams/litre, while the permitted lead content of leaded petrol ranged from 0.05-0.15 grams lead/litre.
- Storage of LPG (Liquified Petroleum Gas) has been introduced at two sites in the city, alongside petroleum spirit. Shell UK at Caird Park, and Tayside Police at their Baluniefield centre, have both taken steps to store the fuel, which is both cheaper and more environmentally friendly than petrol. Normally we do not exercise any controls over the storage of such fuels, but when they are stored in close proximity to petroleum spirit, they come within the licensing remit and permission is required before storage can commence.
- An abandoned petrol tanks survey, commissioned by APEA to find out the extent of disused tanks across Scotland which may not have been properly decommissioned.

There were no reports of leaks from tanks during the year, nor complaints of petrol smells by local citizens. There were two spillages of petrol at retail filling stations, but only of small quantities under 40 litres which were contained within the site. One major retail site had to be shut down for most of an afternoon after a tanker delivering a bulk load of fuel broke an axle while reversing. The Fire Brigade were on site as well as a petroleum officer, but the petrol was unloaded safely into underground tanks.

Eighty-five premises were registered during the year for the storage of explosives, up slightly from last year.

These are mainly for fireworks around Guy Fawkes night, but registration also covers the storage of items such as air bag initiators for motor vehicles.

Again this year we booked the DTI (Department of Trade & Industry) mobile display unit during the summer, with a new theme of 'Home and Garden Safety'. Staff manned the vehicle for two days at Dundee City Square. Attendance was very encouraging with many people looking for advice on safety, and other consumer matters.



Quality Standards

Aligned closely with key departmental objectives of promoting a clean, healthy and sustainable environment, this area of trading standards work is concerned with the control of fertilisers, animal feeding stuffs, and sales of poisons and pesticides.

The sale and supply of poisons and pesticides is strictly controlled at retail level with nine sellers of Part II poisons registered within the city under the Poisons Act 1972, the same as last year. Pesticides have to be approved for use by the Ministry of Agriculture Fisheries and Food, and there are strict requirements as to labelling and warnings to users.

Eight samples of fertilisers and feedingstuffs were taken during the year as planned and submitted to the Public Analyst for analysis. No problems were found, either with nutritional requirements, chemical composition, or labelling.

Only forty enforcement visits were made under the Agriculture Act 1970, the Poisons Act 1972 and the Food and Environment Protection Act 1985 to premises in respect of this area of responsibility. Down from 57 last year this reflects the urban nature of Dundee, with less agricultural retailers and suppliers.



Again this year we carried out free testing of car vehicle exhausts for excessive emissions. Part of the MOT test, vehicle exhaust emissions must be within certain limits, and the wrong settings can cause poor engine running as well as excessive environmental pollution. This year we were in the car park at Tesco Kingsway, offering shoppers a free emission check, although I think that

many drivers viewed the service with suspicion thinking that perhaps they may get into trouble if their emissions were too high. Numbers of vehicles checked fell to only 46 cars over the two day period and I feel that if the take up of this facility does not improve next year we will have to discontinue it.

Consumer Advice & Education

A Consumer Advice Service is a key function of many Trading Standards Services, not only giving immediate advice and assistance to thousands of consumers each year, but acting as the 'eyes and ears' for enforcement officers. Disgruntled consumers are a very quick and effective way of pinpointing rogue traders and giving an early warning of scams and areas of consumer detriment. Detailed statistics are sent on a quarterly basis to the Director-General of Fair Trading under section 2(2) of the Fair Trading Act 1973, and we also gain a wealth of local information, enabling officers to address problems of trading malpractice.

The importance of consumer advice was underlined in the government's recent White Paper **'Modern Markets - Confident Consumers'**:

"To ensure that people have easier access to high quality advice, the Government will promote the development of a new network of advice agencies, building on the existing infrastructure of advice services but working more effectively with consumers. The Government will work with the providers of advice services in developing the network, using, for example, the Quality Criteria and benchmarking. The Government's aim is to ensure that people get quick, accurate answers to their questions on consumer issues."

Unfortunately the government have shied away from making the provision of consumer advice by local authorities mandatory, relying instead on co-ordinating the efforts of different advice agencies, and introducing quality standards for advice providers.

I am pleased to report however that the service in Dundee continues to be one of the best in the country, with no restrictions to whom advice is given – whether to consumers who live in Dundee or have purchased goods or services here.

Staff will give telephone and written advice and will visit consumers' homes and business premises. Complaints and enquiries are taken from local traders as well as from consumers, and in addition help is offered to individuals resident outside Dundee, where they have obtained goods or services within the city. In fact just over 20% of complaints originate from consumers not resident in Dundee as shown above.

Source of complaints 1999/00

Dundee:	2747
Angus:	354
Perth:	103
Other Scotland:	140
England/Wales:	103

The economic impact of obtaining proper redress for consumers must also be underlined. The Office of Fair Trading estimate that rip-offs, and shoddy goods and services cost the consumer over £9bn a year – indeed the value of goods and services complained about this year in Dundee is over three and a half million pounds! That value is underlined by the service users themselves, who take the time to respond to our monthly customer satisfaction surveys.



The full results of 1999/00 surveys are detailed below but show significant improvement across almost all areas compared to last year. Due to work commitments we only managed to survey users from April to September, but results are still representative. Briefly, of the 42% of users who responded, 97.5% rated our service as 'excellent or good', up from 97% last year. 100% of respondents rated the manner of staff as courteous, helpful, polite and positive, and again 100% of users think consumer advice is an essential local authority service. Importantly the Value for Money rating, where users assess the *value of the service to them* taking into account the cost of the service per complaint, rose to 8.77 out of 10, from 8.11 last year. I am delighted that service users have taken the time to acknowledge the high quality of service, which we

provide. Together with our statutory performance indicators these figures give a complete picture of performance, outcomes and Quality, endorsed by our service users.

The consumer advice service was reviewed as part of the Best Value process last year and I am happy to report that we have been able to meet or exceed all the targets contained in the continuous improvement proposals. I am particularly pleased by the increase in consumer contacts which has risen 20% this year, mainly through increased publicity of our advice services. We are even one of the few authorities which accepts emailed complaints - at consumer.advice@dundeecity.gov.uk!

1. Statutory Performance Indicator performance was improved as detailed earlier in this report. 94.6% of complaints were resolved within 14 days compared to 75.1% last year, while the percentage of enquiries dealt with same day remained high at 95.9% compared to 98.6% last year.
2. The cost per complaint / enquiry was reduced from £29.72 last year to £22.83.
3. Service take up as measured by the number of contacts per 1000 population, was increased from 17.5 to 23.2 per 1000 as compared to our target of 21 per 1000.

A detailed breakdown of complaints is appended to this report and it illustrates that again this year, sales of second hand motor vehicles have caused by far the largest volume of complaints, although down significantly from last year in percentage terms. Used car sales accounts for 336 complaints, nearly 10% of the total, down from 12.5% last year. Clearly the effort we put into targeting this area last year, as described in the Fair Trading section, has had some effect.



Other major areas of concern are in home improvements, TV and electrical goods, and major appliances due in part to the high volume of sales in these areas. A new category of complaint has appeared this year with 100 complaints about Internet Service providers, or ISPs, underlining the diverse expertise required by our staff to provide the advice needed by individual consumers in individual situations.

While we try very hard to control the quality of our own efforts, it's less straight-forward to control the quality of consumer's complaints however, as illustrated by some of our less serious examples:

- A slice of toast that was brought in to the office to show that a consumer's toaster was faulty – it didn't toast evenly on both sides!
- 2 guinea pigs which were guaranteed to be females – but two became ten quite quickly and the consumer wanted a refund for the 'boy'!
- A woman who was left a diamond ring in someone's will, but complained that it wasn't the real thing!
- Someone who used his employers telephone to order 147 'free' vanity kits and £5 supermarket vouchers on a premium rate line – he ran up a bill of £2900 and got the sack but he was still waiting for the vanity kits!

Analysis of Consumer Complaint Customer survey returns (percentages)

No sent	96				
No returned	41				
% return	42.7				
<u>Manner of staff</u>		<u>Quality of Service</u>		<u>Could we help?</u>	
Courteous	100	Excellent	70.0	Yes	92.5
Not Courteous	0	Good	27.5	No	7.5
Helpful	100	Could be better	2.5		
Unhelpful	0	Poor	0		
Polite	100			<u>Any comments?</u>	
Impolite	0	<u>Contact method</u>		Good	83.3
Positive	100	Phone	86.7	Bad	16.7
Negative	0	Letter	2.4		
		Visit	10.2	<u>Essential Service?</u>	
<u>Value for money?</u>		Email	0.7	Yes	100
Out of 10	8.77			No	0

In addition to providing consumer advice and assistance, we have endeavoured to expand our consumer education facilities over the past year. Consumer education is education for life and our aim is to make sure young people are alerted of their rights at an early age.

We have joined the Consumer Education Liaison Group (CELG) and by so doing have managed to access the expertise of authorities right across the UK, and learn from the methods they use in approaching young people. Several meetings have been held with Education Department representatives, and our programme is being developed to fit into the existing schools curriculum for maximum effect. Already several sessions have been held at some of the City's primary and secondary schools, and I hope we can expand this in the coming year.

We have also collaborated with the Social Work and Education Departments in the submission of a funding bid to the EU for a Consumer Education/Advice and Money Advice project for use in schools. Project partners include organisations from Norway, Italy and Ireland.

Calibration Laboratory

The provision of calibration and metrological test facilities is not only a cornerstone of the Trading Standards Service, but provides an essential service for local business. Modern environmentally controlled laboratories at Standards House contain local standards of length, mass and volume, which each local weights and measures authority is required to maintain by law.

These standards are used to confirm the accuracy of working standards used by Inspectors of Weights and Measures in the field, and to calibrate equipment owned by local businesses.

Dundee City Council is also a notified body under Council Directive 90/384/EEC, and authorised officers are able to perform EC verification of class III and class IV non-automatic weighing instruments.



Ten EC verifications

were carried out during the year to 31 March 2000, far less than normal verifications, although this figure should increase when the old system goes out of use next year.

Because of our notified body status a quality management system is in operation, based around the requirements of the Directive and the normative standards EN 45011 and EN 45001. Our system was audited for the second time in January 2000, by an auditor from Scottish Borders Council and I am pleased that only some minor non-conformities were found in relation to the operation of our quality system. Our next audit will be in 2002.

The calibration service was reviewed as part of the Best Value process last year and I am disappointed that not all the continuous improvement proposals have been fully completed:

1. Steps have been taken to investigate the potential for gaining NAMAS accreditation for the facility, however we have been unable to spare resources to bring our existing quality system up to the ISO 9000 series standard as planned. I hope to complete this in the next financial year.
2. The loss of the Officer during the year who was primarily responsible for the day to day operation of the calibration facility has meant that some of the proposed service enhancements have not been deployed. I plan to continue with the original proposals when a new Officer is appointed to the vacant weights and measures post.

The 'lead authority' arrangement we entered into with Angus and Perth & Kinross Councils after the reorganisation of Scottish Local Government has worked well with no problems during the year. Under the arrangement Inspectors from those Councils have free access to our local standards at Standards House for checking their own equipment, and can borrow other shared equipment such as the Bulk Fuel Tanker Test Unit for use in their own areas.

Some alterations were made to the laboratories this year in terms of improved plumbing, tiling and electrical work. New granite bases were also obtained to provide a more solid base for our precision balances.

The total cost of running the laboratory was £13,031 for the year shared equally between the three authorities. This was a decrease of almost 30% over the previous year.

Acknowledgements

My thanks and appreciation to Ron Gabriel, the Director of Environmental and Consumer Protection for his support given to the trading standards service throughout the year. And also to Neil Glen, Convener of our Environmental and Consumer Protection Committee, who has shown a keen interest in trading standards and consumer protection matters.

Thanks especially to all Trading Standards staff, who have worked hard to maintain the high standard of services we provide to local consumers and businesses.

Chief Inspector of Weights and Measures

Establishment

Location of Departmental Office

Standards House,
296 Strathmore Avenue,
Dundee
Tel: 01382 436260
Fax: 01382 436283
Email: consumer.advice@dundeecity.gov.uk

Staffing

Chief Inspector of Weights & Measures K Daly, MBA, BCom, DTS, MITSA

Dundee East (*Metrology & Safety*)

Senior Trading Standards Officer	L Law, BSc, DTS, DMS
Trading Standards Officer	Vacant
Enforcement Officer	F Pogorzelec, DCA
Fair Trading Officer	S Peart, NP, LLB, DipLegal Studies
Trading Standards Assistant	P Murray

Dundee West (*Fair Trading & Quality Standards*)

Senior Trading Standards Officer	R Lynch, DTS, DMS
Trading Standards Officer	Chris Morris, DTS, DCA, DMS
Fair Trading Officer	A Reid, BA(Hons), DCA
Fair Trading Officer	E Greig, DCA, CMS, Dip HE
Fair Trading Officer	A Combes
Trading Standards Assistant	J Kelly

New legislation added during the year

Metrology

Deregulation (Weights & Measures) Order 1999
Weights & Measures (Prescribed Stamp) (Amendment) Regulations 1999
Measuring Instruments (EEC Requirements) (Fees) (Amendment) Regulations 1999

Fair Trading

Energy Information (Lamps) Regulations 1999
Energy Information (Dishwashers) Regulations 1999
Consumer Credit (Exempt Agreements)(Amendment) Order 1999
Price Marking Order 1999
Consumer Credit (Content of Quotations) and Consumer Credit (Advertisements) (Amendment) Regulations 1999
Consumer Credit (Total Charge for Credit, Agreements and Advertisements) (Amendment) Regulations 1999
Motor Fuel (Composition and Content) Regulations 1999
Unfair Terms in Consumer Contracts Regulations 1999

Safety

Motor Cycles (Eye Protectors) Regulations 1999
Cigarette Lighter Refill (Safety) Regulations 1999
Cosmetic Products (Safety) (Amendment) Regulations 1999
Chemicals (Hazard Information and Packaging for Supply)(Amendment) (No2) Regulations 1999

Quality Standards

Feeding Stuffs (Amendment) Regulations 1999
Feeding Stuffs (Sampling and Analysis) Regulations 1999
Feeding Stuffs (Enforcement) Regulations 1999
Plant Protection Products (Amendment) (No2) Regulations 1999

Core legislation enforced by Section

Agriculture Act 1970
Agriculture Produce (Grading & Marking) Act 1928 - 1931
Civic Government (Scotland) Act 1982, Sections 94 & 99
Childrens and Young Persons (Protection from Tobacco) Act 1991
Consumer Credit Act 1974
Consumer Protection Act 1987
Control of Pollution Act 1974, Section 75(6)
Development of Tourism Act 1969
Education Reform Act 1988, Section 214
Energy Conservation Act 1981
Estate Agents Act 1979
European Communities Act 1972
Fair Trading Act 1973
Farm and Garden Chemicals Act 1967
Food and Environment Protection Act 1985, Part III
Hallmarking Act 1973
Health & Safety at Work etc Act 1974, Sections 19 & 20
Medicines Act 1968
Motor Cycle Noise Act 1987
Petroleum (Regulation) Acts 1928 - 1936
Poisons Act 1972
Prices Acts 1974 & 1975
Property Misdescriptions Act 1991
Road Traffic Act 1988, Section 17
Telecommunications Act 1984, Sections 28 & 29
Timeshare Act 1992
Trade Descriptions Act 1968
Trade Marks Act 1994
Trading Schemes Act 1996
Trading Stamps Act 1964
Unsolicited Goods and Services Act 1971
Video Recordings Acts 1984 & 1993
Weights and Measures Act 1985

Enforcement visits carried out

Legislative area	99/00	98/99	97/98	96/97
<u>Metrology</u>				
Average Quantity Checks	141	131	128	217
Checking Equipment	411	449	391	510
Checking Goods	274	251	281	272
<u>Fair Trading</u>				
Bureaux de Change	0	4	2	3
Civil Law	119	99	101	144
Consumer Credit	54	87	71	64
Fair Trading	337	348	257	207
Hallmarking	17	27	13	16
Misleading Prices	271	346	284	373
Other pricing	653	775	683	831
Property Misdescriptions	10	9	17	6
Trade Descriptions	233	279	351	411
Trade Marks	12	29	21	12
<u>Safety</u>				
Construction Products	8	4	7	6
Flammables	391	434	392	233
Licensing	513	403	134	81
Safety	528	687	575	691
Sale of Tobacco	714	181	130	200
<u>Quality Standards</u>				
Agriculture	40	57	44	45
Energy Conservation	3	1	8	2
Miscellaneous Acts	57	114	97	418

Complaints Received by Category

Housing Construction	11	Pets, pet food, vets etc	16
Home Maintenance/Improvements	277	Photography	8
Double Glazing	98	Mortgages & Other Secured Credit	8
Furniture/pictures	74	Ancillary Credit Business	8
Upholstered Furniture	173	Life Insurance	1
Carpets	58	Non-Life Insurance	25
Radio/TV/Electrical Goods inc. hire	279	Other Financial Services	13
Major Appliances	220	Other Professional services	16
Repairs to Domestic Appliances	32	Estate Agency	11
Food and Drink	79	Motor vehicle spares etc	14
Domestic Solid and Liquid Fuels	2	Boats, caravans, trailers	4
Gas	13	Freight shipping & removals	4
Electricity	14	New cars	43
Water	0	Second-hand cars	336
Postal Services	0	Car Repairs/Serviceing	115
Telecommunications	39	Motor Cycle and Repairs	10
Laundry/Dry Cleaning	9	Bicycles and Repairs	11
DIY Materials/Tools	10	Other Vehicle and Repairs	1
Internet Service Providers	100	Road, rail, air, sea travel	19
Hardware/Cleaning Materials	10	Other vehicular running costs	26
Clothing and clothing fabrics	165	Toys, games, excluding software	37
Gardens inc plants furn etc	15	CDs, tapes, video games, software	19
Footwear and Footwear repairs	59	Travel Agents	60
Pharmaceutical/Medical Services	33	Holiday caravan renting/sites	3
Toilet/beauty articles	16	Timesharing - UK and overseas	38
Jewellery/clocks/watches etc	50	Sports, hobbies, camping equ	33
Nursery equipment	42	Books, newspapers/magazines	10
Tobacco	12	Entertainment/catering/accommodation	14
Other personal goods/services	241	Other recreational goods/services	26
Credit repair services	3	Holidays	57
Banking	10	Betting, competitions, prize draws	56
Hire and Unsecured Credit	38	Total complaints by category	3418

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INFORMATION SUBMITTED TO PROCURATOR FISCAL

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Trading Standards Performance Indicators 1999/00

Indicator figures cover the period 1 April 1999 to 31 March 2000

Performance indicators are required by the Accounts Commission (Scotland) to be produced and published by each local authority for many different services.

Indicator 1: Percentage of enquiries, complaints and advice requests completed in the stated time bands

	Number of days to close			
	Same day	2 to 14 days	15 to 30 days	Over 30 days
Consumer enquiries	95.9	3.6	0.5	-
Consumer complaints	79.7	14.9	3.6	1.8
Business advice	87.8	10.8	1.1	0.3

This indicator provides a measure of the efficiency of the Trading Standards authority in dealing with consumer enquiries, consumer complaints and requests for advice from businesses. Movement in the indicator will be affected by changes in the efficiency of staff in dealing with enquiries and complaints, the number of staff available for this work, and the number and complexity of enquiries, complaints and requests for business advice. The indicator relates solely to the time taken to complete a complaint or enquiry irrespective of the outcome.

Indicator 2: Premises liable to inspection: target and actual coverage

	Locally determined target visit frequency	Number of premises in this category	Target total number of visits	% achieved in time
High risk	6 months	49	85	72.9
Medium risk	24 months	1526	763	79.3
Low risk	60 months	990	198	81.8

Inspection is used to enforce standards for trading premises in relation to 'fair trading, quantity, quality and safety' ('Fair Trading', 'Metrology', 'Quality Standards' and 'Safety' respectively). The indicator provides information on the extent of the authority's programme of inspection of premises in different risk categories. It also reports the extent to which the planned programme was successfully completed within the time stated by the authority.

While the definition of the three risk categories is national, the target frequency for visits (column 1) and designation of the number of premises in each category (column 2) are both determined by the Trading Standards authority. The target total number of visits (column 3) is the product of the two previous columns. Achievement against this (column 4) is, therefore, a measure of the efficiency of the authority in attaining its own target number of visits in time.

Indicator 3: Actions in relation to traders issued with warnings or notices: percentage enforced within 30 days

Written warnings enforced within 30 days of the warning	96.3
Statutory notices enforced within 30 days of the expiry of the notice	100
Formal warnings enforced within 30 days of the warning	100

This indicator reports the extent to which the Trading Standards authority takes follow up action to verify whether businesses have in fact taken the actions required by the notice or warning. The indicator will be affected by the number of warnings and notices issued, and by the resources (including staff) available to councils for follow up action.