

**REPORT TO: ENVIRONMENTAL AND CONSUMER PROTECTION COMMITTEE
17 JUNE 2002**

**REPORT ON: THE INTRODUCTION OF A NATIONAL PERFORMANCE FRAMEWORK
FOR TRADING STANDARDS SERVICE**

REPORT BY: DIRECTOR OF ENVIRONMENTAL AND CONSUMER PROTECTION

REPORT NO: 214-2002

1.0 PURPOSE OF REPORT

1.1 To notify the Environmental & Consumer Protection Committee of the introduction of the National Performance Framework for Trading Standards Services, and submit the Trading Standards Service Delivery Plan for Dundee City Council.

2.0 RECOMMENDATIONS

2.1 The committee note the introduction of the National Framework and approve the Trading Standards Service Delivery Plan as laid out in the document appended to this report.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications to this report.

4.0 DUNDEE 21 IMPLICATIONS

4.1 There are no Dundee 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 In 1999 the Audit Commission expressed concerns about the variations in trading standards services provided by different local authorities across England and Wales. Although the Accounts Commission in Scotland did not conduct a similar assessment it is recognised that many of the concerns may also apply to Scotland. In response the Department of Trade & Industry have developed a framework which is designed to counter these concerns and ensure each authority delivers a service to its consumers and businesses which meets core standards.

7.0 CONSULTATION

7.1 The Chief Executive and Director of Finance, and Director of Support Services have been consulted on this report.

8.0 BACKGROUND PAPERS

8.1 No background paper, as defined by Section 50D of the Local Government (Scotland) Act 1973, were relied on to any material extent in preparing the above report.

9.0 SIGNATURE

DIRECTOR OF ENVIRONMENTAL AND CONSUMER PROTECTION Date:



**ENVIRONMENTAL AND CONSUMER PROTECTION
DEPARTMENT**

**COMMUNITY TRADING STANDARDS SERVICE
DELIVERY PLAN
2002-2005**

Mission

To provide an effective and efficient framework of enforcement and advice, through the principles of good enforcement and the strategic themes of the Dundee Community Plan.

Vision

To play a valued part in the local community, ensuring a fair and safe marketplace for consumers and business. We will listen to our customers, use the skills of our staff, and develop partnerships with other organisations to deliver a first class service to Dundee.

A: Trading Standards Service in the Community - Objectives

1. Responsibilities
2. Community Corporate objectives
3. Aims, Objectives, Strategic Thinking
4. Best Value

B: Local Structure and Resources - Input

5. Profile of the Local Authority
6. LA Organisation, accountability and wider links
7. LA Expenditure
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C: Assessing Community Expectations and Feedback - Demand

10. Consultation and local accountability
11. Local awareness of Trading Standards
12. Needs/expectations of local business
13. Requests for assistance
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D: Policies on National and Local Priorities - Processes and Outcomes

15. Informed Confident Consumers
16. Informed Successful Business
17. Fair and Safe Trading Environment
18. Efficient, effective and improving trading standards service
19. Quality assessment and review.

A: The Trading Standards Service in the Community - Objectives

1. Responsibilities of the core service.

The Service has the following core responsibilities: -

Statutory

- Weights and Measures - Metrological control over transactions in goods, including verification of equipment and maintenance of standards of mass, length and volume.
- Safety - Legislative controls over the safety of goods supplied to consumers, and licensing of petroleum spirit and flammables.
- Quality Standards - Environmental and health issues including controls on the supply of poisons and pesticides, fertilisers and animal feedingstuffs.
- Fair Trading - Ensuring honesty in trade by enforcing a level playing field as regards matters such as pricing, trade descriptions, trade marks, counterfeits, consumer credit and other trading malpractices.
- Animal Health & Welfare – Including movement licences, and monitoring the welfare of animals during transport and at markets

The above areas of responsibility each involve some or all of the following tasks: -

- Inspection and verification of weights and measures equipment
- Inspection of all relevant trade premises based on risk assessed inspection targets
- Checking the safety of any relevant goods available for supply
- Advising manufacturers and importers of legal requirements
- Making test purchases of relevant goods and checking for compliance with regulations
- Taking enforcement action as required
- Investigating allegations of non-compliance with legislation
- Licensing and inspection of all relevant storage of petroleum spirit and explosives
- Providing advice on all aspects of metrology, product safety and quality standards.
- Maintaining a register of Part 2 poison sellers and feedstuffs establishments and intermediaries.
- Ensuring fairness and honesty in trading is maintained by examining business practices in relevant areas.

(A list of all core legislation the Service discharges on behalf of the authority is at Appendix One)

Non statutory

Consumer Advice Service

- Provide advice and assistance to consumers and businesses on civil and criminal matters
- Provide advice, contact businesses or signpost to appropriate agencies
- Take a lead role in the establishment of a local Consumer Support Network
- Provide a Consumer Education service to interested groups, for example schools

Additional Activities

- Act as lead authority for Angus and Perth & Kinross Councils for the upkeep of local standards and facilities for testing bulk fuel metering systems, and calibration of trade weights and measures
- Provide calibrated metric weights for hire
- Undertake specialist projects for example vehicle exhaust emission, microwave, or electrical testing
- Provide support to any local initiative relevant to the section's legislative duties
- Notified Body under Council Directive 90/384/EEC for the purposes of carrying out EC Verifications
- Operation of VALIDATE proof of age scheme for 15-18 year olds

2. Community Corporate Objectives

The key community objectives that the Trading Standards Service meets are taken from the Dundee City Council Corporate Plan 1999/2002, the Community Plan 2001/2006 and Dundee's Local Agenda 21. In outline, the relevant extracts are:

Corporate Plan

- Anti Poverty Strategy - helping people to meet their material needs, improve their economic situation and participate fully in society
- Encouraging active and informed citizenship - by improving access to information on services, listening to citizens and acting upon what they say
- Providing good effective services that deliver Best Value
- Exploring innovative methods of service delivery
- Stimulating economic growth

Community Plan

- Community Safety - creating a city where crime is reducing and people are safe and feel safe
- Social Justice - creating a city where everyone matters
- Lifelong Learning - promoting learning opportunities which prepare people for life, employment and learning for its own sake

Dundee 21

- Ensuring local needs are met locally
- Creating a safe, clean and pleasant environment
- Providing access to the skills, knowledge and information needed to allow everyone to play a full part in society

In addition the Council's Food Safety and Standards Service Plan is relevant for the purposes of feedingstuffs enforcement.

3. Aims, Objectives, Strategic Thinking

In the expression of its Mission and Vision, the Trading Standards Service has five key objectives:

1. To resolve consumer and fair trading problems
2. To reduce and prevent the incidence of consumer and fair trading problems
3. To maintain a child friendly and secure environment
4. To regulate and monitor standards of consumer protection in the community.
5. To make efficient, effective and economic use of the service's resources and maximise local income all to the benefit of the local economy

The objectives of the Trading Standards Service are linked directly to the corporate objectives as noted above. The Community Plan Objective "Access to the skills, knowledge and information needed to allow everyone to play a full part in society" informs Service objectives 1 and 2. These objectives focus on the need to provide residents with the information necessary to resolve disputes on their own and make informed decisions concerning all trading transactions, which form an important part of daily life. The Community Plan Objective concerning community safety drives the Service's objective 3, which encompasses the effort of the Service to use available legislation to curb the sale of unsafe goods and those that are age restricted. Service objective 4 draws from a number of the Council's objectives including promotion of economic growth by way of ensuring a level playing field, promotion of anti poverty by way of ensuring goods and services are correctly priced, described, or measured. Finally, Service objective 5 is lifted directly from the Corporate Plan objective to make efficient and effective use of resources.

The Key Objectives of the Trading Standards Service create Key Tasks, which dictate operational issues and these are as follows

1. Resolve Consumer and Fair Trading Problems.
 - Respond to consumer complaints [both civil and criminal] as quickly and effectively as possible.
 - Provide assistance to consumers in their disputes with local traders
2. Reduce and prevent the incidence of consumer and fair trading problems.
 - Provide traders and consumers with information and advice on relevant legislation
 - Maintain Trading Standards equipment to statutory requirements
 - Maintain a quality system for the calibration laboratory
 - Provide a calibration service for weighing and measuring equipment
3. Maintain a child friendly and secure environment
 - Survey local traders to check compliance with legislation preventing sale of tobacco to young persons
 - Check compliance with firework safety legislation
 - Operate the VALIDATE Proof of Age Scheme for those aged 15 to 18 years
 - Survey and test purchase toys or other child appealing goods, to ensure their safety
4. Regulate and monitor standards of consumer protection in the community.
 - Carry out a planned program of routine enforcement visits in accordance with risk bands
 - Carry out a program of test purchases to ensure compliance with legislation
 - Carry out specialist surveys and project work to monitor compliance with legislation
 - Take appropriate action where legislation is infringed
5. Make efficient, effective and economic use of all the department's resources and maximise local income to the benefit of the local economy.
 - Budget compliance
 - Absence management
 - Using intelligence to target services
 - Targeted training and staff development review

The Service has good lines of communication to its committee and the plans of the Service which have received the approval of the Environmental and Consumer Protection Committee for the period 1998 to date are as follows:

- Jan 1998: Creation and operation of focus group to gauge reaction of consumers to the level of service provided.
- Nov 1998: Modification of arrangements for the renewal of petroleum spirit licences from a two year to one year period.
- March 1999: Maintenance of calibration service following best value review.
- March 1999: Maintenance of consumer advice service following best value review
- May 1999: Car servicing and repair survey to be carried out and results published.
- Feb. 2000: Investigate feasibility of introducing a Good Trader Scheme covering the motor car servicing and repair sector. Conduct an annual car servicing repair survey.
- Aug. 2000: Establishment of motor vehicle servicing unit.
- Oct. 2000: Creation of new post to co-ordinate motor vehicle servicing unit as above.
- March 2001: To establish and co-ordinate a local Consumer Support Network
- June 2001: Notification of Stop Now Order regime, and Fiscal marking of tobacco products
- March 2002: Annual report of Scottish Motor Vehicle Testing Unit

In addition an annual report of the activities of the Trading Standards Service, is presented to the Council by the Chief Inspector of Weights and Measures.

4. Best Value

In 1998, the Council began a rolling programme of Best Value Reviews with the intention of reviewing 20% of its services every year for 5 years. Two areas of the Trading Standards Service's work have already been reviewed as part of the Best Value Review programme, these being Calibration and Consumer Advice.

Both reviews were conducted by multidisciplinary teams and led by a senior officer from outside the Trading Standards Service. The reviews involved consultation with stakeholders, performance appraisal, benchmarking and option appraisal. Formal review reports including a number of improvement suggestions were submitted to, and approved by the Council's Best Value Sub-Committee. The recommended improvements are currently being implemented and are referred to in later sections of this plan.

The Council is currently reviewing its approach to Best Value and it is expected that a wider, corporate process review model will form the basis of the new approach. The way that the remaining areas of Trading Standards work will be incorporated in to any revised approach has yet to be decided. This plan draws from the outcomes of the two Best Value Reviews and any future reviews will likewise feed into the Plan.

Part B - Local Structure and Resources - Input

5. Profile of Local Authority

Dundee City Council is a Unitary Authority and is responsible for a population of 144,000 who reside in an area of 6,515 Ha (26 square miles), which is predominantly urban in nature. Dundee is the largest city in the wider "Tayside" region (which has a population of 350,000) and acts as its regional centre

6. LA Organisation

6.1 Organisation

The Principal Trading Standards Officer manages the strategic and day to day operation of the Service. He reports to the Public Protection Manager who in turn reports to the Director of the Environmental and Consumer Protection Department (one of 15 directors who report to the Chief Executive). The department as a whole is a 'brigaded' department with over 400 staff and covers Environmental Health, Street Sweeping, Cleansing, Waste Disposal, Pest &

Animal Control, and Public Analyst, as well as Trading Standards. See appendix 2 for an organisational chart as it relates to the Trading Standards Service

Approval for TSS policies and plans is sought by the Principal Trading Standards Officer by way of report to the Director of ECPD. Thereafter the report is circulated to the Directors of Finance, Personnel and Support Services and then the Chief Executive prior to submission to the Environmental and Consumer Protection Committee (and other committees as appropriate) for approval.

6.2 Specialist Services

The Service maintains a calibration laboratory and bulk fuel metering system, as well as being the lead authority for the Scottish Motor Vehicle Testing Unit. The latter service involves the maintenance of a small fleet of vehicles and a vehicle transporter, as well as other workshop facilities.

6.3 Partnerships

- The Service maintains the local standards and facilities for testing bulk fuel metering systems and the calibration of trade weights and measures. A minute of agreement is in place whereby these are made available for the use of the two neighbouring authorities (Angus and Perth & Kinross) with Dundee acting as Lead Authority.
- The Service is a member of one of two Scottish partnerships, which operate a weighbridge test unit.
- A test purchasing program is run in conjunction with Public Analyst, co-ordinated with three other local authorities.
- A Consumer Support Network (CSN) has been established, which will widen and strengthen our partnership with other advice providers in the City.
- A vehicle servicing unit has been established with funding from the Department of Trade and Industry and operated in conjunction with 11 other local authorities (Angus, Perth & Kinross, Highland, Western Isles, Argyll & Bute, Moray, South Ayrshire, Orkney, Aberdeenshire and Aberdeen and Fife), and the Vehicle Inspectorate. The project aids cross border cooperation and is used to help with a range of statutory duties including car servicing surveys, forecourt inspections, consumer complaint resolution and good trader award schemes.
- A Proof of Age Card scheme, established in partnership with our Education Department and the private company Validate provides a free proof of age card to all young persons in Dundee over the age of 16.
- Stop Now Orders Project. A partnership has been entered into with 6 other neighbouring authorities, which has obtained DTI Funding to run a project to assist with the implementation of new legislation giving powers to halt the activities of rogue traders.

6.4 Membership of organisations for information exchange etc

The Service participates in a number of forums with the various aims of sharing information and ideas, keeping abreast of legislative developments, ensuring practices and standards of enforcement are maintained, and maintaining links with the community.

- Trading Standards Institute
- Enforcement Concordat
- East of Scotland Safety Sub Group

- Local Authorities Coordinators of Regulatory Services (LACORS)
- Consumer Education Liaison Group (CELG)
- Local Neighbourhood Service Teams in the Community
- Society of Chief Officers of Trading Standards in Scotland
- Partner with 6 other authorities in creation of new post to coordinate and pilot the use of Stop Now Orders and ensure uniform methods of enforcement
- Operational Liaison Meetings with neighbouring authorities to promote consistency of enforcement
- Association of Petroleum and Explosives Administration (APEA)
- Government Agencies Intelligence Network (GAIN)

6.5 Business Partnership Schemes

The Service maintains strong links with The Dundee Chamber of Commerce, for the purpose of exchange of information and publication of informative articles in the Chamber's newsletter, and the local newspaper for the purpose of dealing with problem advertisements

1. LA Expenditure

The information available on budgeted expenditure in respect of 2002/03 is as follows:-

| | | |
|-------------------------------------|----------------|------------------|
| <u>Staff</u> | | £330,000 |
| <u>Supplies and Services</u> | | £45,000 |
| <i>includes</i> | | |
| <i>Calibration Laboratory</i> | <i>£5,000</i> | |
| <i>Testing of Samples</i> | <i>£3,000</i> | |
| <i>Public Analyst Services</i> | <i>£30,000</i> | |
| <i>Weighbridge Testing</i> | <i>£1,700</i> | |
| <i>Miscellaneous</i> | <i>£5,000</i> | |
| <i>Insurance</i> | <i>£569</i> | |
| <u>Transport</u> | | £10,000 |
| <i>includes</i> | | |
| <i>Travelling & Subsistence</i> | <i>£1,000</i> | |
| <i>Car Allowances</i> | <i>£5,000</i> | |
| <u>Gross Expenditure</u> | | £385,000 |
| <u>Income</u> | | £14,000 |
| <u>Net Expenditure</u> | | <u>£371,000*</u> |

*These costs do not include property related costs, nor central services, admin or management recharges.

There is no specific financial provision made for Trading Standards legal action. Any criminal action required is handled by the Scottish court system by way of a report to the local procurator fiscal. There is no cost for this except in officer time, although there is also no mechanism for reclaiming costs through the court on a guilty verdict.

The Council's Legal Section will handle any civil actions required, for example Stop Now orders. In general the Trading Standards Service is self reliant in terms of legal expertise.

The cost of central services for the Trading Standards section is not separately identified within the Environmental and Consumer Protection Department 's budget.

Training is funded from an ECPD departmental budget.

IT equipment is funded centrally from a budget held by the Council's IT Division. Departments bid for funds from this budget annually.

8. Staffing allocation

| Post | Qualification | Full time equivalent |
|---------------|---------------|----------------------|
| Principal TSO | DTS/MBA | 1.0 |

Dundee East (Metrology and Safety): -

Team responsible for carrying out enforcement duties in the East of the City and maintenance/operation of the laboratories and all calibration facilities and for maintaining Service awareness of developments in legislation in the metrology and safety fields.

| | | |
|-----------------------------|---------|-----|
| Senior TSO | DTS/DMS | 1.0 |
| Trading Standards Officer | DTS | 1.0 |
| Petroleum Officer | DCA | 1.0 |
| Fair Trading Officer | | 1.0 |
| Fair Trading Officer | DCA | 0.6 |
| Fair Trading Officer | | 0.4 |
| Trading Standards Assistant | | 1.0 |

Dundee West (Fair Trading and Quality Standards): -

Team responsible for carrying out enforcement duties in the West of the City and for co-ordination of all advice activities and consumer education and for maintaining Service awareness of developments in the areas of fair trading and quality standards.

| | | |
|-----------------------------|-------------|-----|
| Senior TSO | DTS/DMS | 1.0 |
| TSO | DTS/DCA/DMS | 1.0 |
| Fair Trading Officer | DCA | 1.0 |
| Fair Trading Officer | DCA | 1.0 |
| Trading Standards Assistant | | 1.0 |
| Trainee TSO | | 1.0 |

In addition to formal qualifications, officers are given legislative update and other relevant training as appropriate. Training needs are assessed annually via the Staff Development Review process. Training records are retained by the Departmental Training Officer.

Managerial support is gained through access to Public Protection Manager and Director of ECPD.

Administrative support is one WP operator/receptionist, provided by the Administration Section of ECPD.

9 Accessibility

The Service operates on one site (open from Monday - Friday 8.30am to 5pm) dealing with telephone, fax letter and email enquiries and personal visits by consumers and business. It is located 2 miles from the city centre and is well served by public transport.

Standards House,
296 Strathmore Avenue,
Dundee,
DD3 6SH.

Tel: (01382) 436260 Fax: (01382) 436283

Email: consumer.advice@dundeecity.gov.uk

Internet: Contact information is available on Dundee City Council's website: www.dundeecity.gov.uk. A site with extensive consumer information, links and an interactive element is currently under construction.

Complaints and enquires will also be received by reception staff at 18 City Square, Dundee, DD1 3BT (01382 434000) and via the City Council's helpline and forwarded to Trading Standards for action. These services are provided from 8.30 to 5pm with a 24-hour emergency line. Email queries can be sent at any time and will be dealt with on the next working day. The service also accepts email complaints via the www.consumercomplaints.org.uk website.

C - Assessing Community Expectations and Feedback - Demand

10. Consultation and local accountability

10.1 Consumer Expectations

Current intelligence suggests that consumers in Dundee expect that current service levels will be maintained and will be easily accessible. Anecdotal evidence also suggests that consumers expect the service to have considerably greater power than it does to deal with rogue traders and resolve disputes.

10.2 Methods of Consultation and Measures of Consumer Confidence.

Local consumer awareness of the Service was formally assessed as part of the Best Value Project. This reported in 1999. Consultation was undertaken with advice staff and with users of the Consumer Advice Service through meetings of a Trading Standards Focus Group run by the Service. From this a number of Critical Success Factors were identified as follows

- Resolve consumer and fair trading problems
- Listen and respond to service users needs
- Efficient and effective use of resources

These can be taken as key expectations of consumers, and inform our policy as to the provision of advice.

In addition to the assessment carried out during the Best Value Review a monthly customer survey of users of the service is used to consult consumers. The survey measures the attitude of those who contact the service and has been ongoing since 1996 (amended in 1998 to take

account of best value requirements). Around five percent of those who contact the service are sent questionnaires and approximately forty percent respond. These are analysed annually and show a consistently high level of satisfaction with the manner of staff, quality of service, helpfulness, ability to assist and the essential nature of the service.

A needs assessment is also being carried out as part of the establishment of a local CSN. This will greatly assist in our assessment of community expectations.

The number of complaints and enquiries received by the Service from consumers is, higher than is received by the two neighbouring authorities. Furthermore the number of complaints continues to rise. These statistics suggest low consumer confidence and economic wellbeing, but also an increasing awareness of consumer rights by individuals. Consideration is also given to national trends, which currently suggest high consumer spending and confidence despite predictions of a slow down in the economy.

10.3 Objectives developed as a result of local consultation.

The three critical success factors for the Service highlighted in 1999 underscored the validity of the existing objectives and at an operational level drive the priority to ensure that advice can always be accessed during business hours and that the new ways of contacting the Service are continually explored

10.4 Details of community.

The population of Dundee in 1999 was 144,430 which was 2.8% of the population of Scotland and its fourth largest city in terms of population.

The age distribution is as follows
population is

0-4 5.6%
5-15 13.5%
16-24 12.4%
25-44 27.9%
45-retired 22.8%
over retiral 17.6%

The ethnic distribution of the

White 97.9%
Black 0.2%
Asian 0.3%
Chinese 0.2%
Indian 0.4%
Pakistani 0.8%
Other 0.3%

Dundee's population is in decline with a disproportionate decrease in economically active groups. The unemployment rate although falling remains high above the Scottish rate. Long term unemployment is 20% and youth unemployment 30% above the national average.

Dundee has major problems of social exclusion

- a high rate of teenage pregnancy and 50% more single parents than the Scottish average. 25% of Dundee's children live in lone parent households and as at 1996 80% of lone parents were on Income Support
- Low educational attainment, high school absence and high crime rates
- A high proportion of the community is vulnerable and this reflected in the type of consumer queries received. This dictates the issues that are highlighted on a regular basis in the local press which publicise scams and bad practices to which these groups fall prey.

11. Local awareness of Trading Standards

11.1 Measure of awareness.

Consumer Awareness

The number of contacts per 1000 of population is the current measure of consumer awareness. This was relatively low at 17.5 in 1998/99 and a greater emphasis on publicity increased this to 23.3 in 1999/2000. Anecdotal evidence suggests that public awareness of the existence of the Service is low. A formal needs assessment will be carried out as part of the establishment of the CSN. It is anticipated that this will back up the perceived problem of low awareness and that increasing the volume of publicity will be a continued priority.

There are two other main advice providers in Dundee namely the CAB and Dundee North Law Centre (a company limited by guarantee offering free legal advice to local residents funded by the Scottish Executive and supported by Dundee's Social Inclusion Partnership). The Law Centre does not maintain statistics as to the number of "consumer" enquiries received. Both agencies refer consumers to the Service and communication is therefore maintained to ensure staff able to signpost consumers effectively. It is anticipated that the CSN will strengthen links and the attendant publicity will promote the Service and increase contacts.

Business Awareness

The number of contacts made seeking business advice, trader surveys and the take up of training are the current measures of business awareness. The number of requests for advice is constant at about 400 per annum. Trader surveys are sent out following routine visits and have been ongoing since 1996. They are sent out at the rate of around 5% of all visits and the return rate is approximately 30%. They show continuous improvement in the fields of manner of staff and the standard of advice given. Advice was sought by 50% of the premises that responded. The availability of training is currently advertised via the Chamber of Commerce, the management team of each of the 3 main shopping malls and during routine visits. Take up is relatively low. Anecdotal evidence suggests that this is due to the fact that large stores or groups have internal training resources and that smaller businesses are able to obtain the advice that they require from the Service on an informal basis, which suits their operational needs for flexibility. However the low take up may also be in part due to a lack of awareness on the part of business or a failure to promote the Service appropriately.

Other sources of business advice include the Chamber of Commerce, local solicitors, the council operated Business Advice Shop, and the local enterprise company's Business Gateway. The Service receives very few referrals from these agencies and there is no available data as to the type of requests these organisations receive.

12 Needs/expectations of local business

12.1 Working with Business to meet Expectations

The Service endeavours to carry out all visits to the standards demanded by the Enforcement Concordat, which takes account of the expectations of the business community. A high standard and range of business information booklets is maintained for distribution. Trader surveys indicate that approximately 92% of businesses who responded to the survey are satisfied with current standard of service and 75% considered that additional training would be of interest.

12.2 Business Profile of Dundee

Latest figures show that average earnings in Dundee increased at a rate above the Scottish average indicating a buoyant local economy with relatively strong demand for labour. While this increase has closed the gap on the Scottish average Dundee will remain attractive to potential inward investment as it remains below the national level. Labour productivity in

manufacturing has increased and is now only slightly below the Scottish average however levels of capital investment have remained stubbornly low compared to the Scottish average. Dundee has experienced rapid growth in service sector employment relative to the manufacturing sector indicating that the restructuring of the local economy is set to continue. The major construction projects in retail (e.g. Overgate), leisure and tourism, medical services, biotechnology, other longer-term socio-economic trends suggest that services will take on an even greater importance in the local economy over the coming year.

Export performance in both manufacturing and services has been particularly strong in the past year and given the macro-economic climate, particularly in the main overseas markets, this looks set to continue. Dundee's exports are dominated by the office machinery sector which experienced only modest growth in 1997-98. The performance of this sector will play a crucial role in the performance of the Dundee economy.

(Tayside Economic Review 2000)

Exact information on the number of business start ups and failures in the last year is not readily available, but the number of VAT registrations/de-registrations is often considered to be a reasonable, albeit imprecise, proxy measure. In 1999 there were 225 registrations and 275 de-registrations.

Comprehensive information on smaller businesses (below the VAT registration threshold) is not available, but it is known that 203 small business start ups were assisted by "The Business Shop" in Dundee in 1999/2000, with a 95% survival rate.

A summary of the number and type of businesses relevant to Trading Standards:-

| | | | |
|-------------------------------|-----|----------------------------------|--------|
| Catering and Accommodation | 512 | Metal and non-food firms | 123 |
| Food and Drink | 349 | Domestic appliances | 71 |
| Services | 345 | Chemicals and additives | 63 |
| Textile/clothing and footwear | 255 | Precious/precision goods | 62 |
| Furniture/household | 242 | Holidays/travel/transport | 55 |
| Cars and transport | 235 | Lubricants and fuels | 52 |
| Financial/legal/insurance | 228 | Agriculture/horticulture/fishing | 35 |
| Leisure/pets/animals | 208 | Average Quantity | 19 |
| Home and Construction | 194 | Solid Fuel | 2 |
| Public and educational | 177 | Miscellaneous | 208 |
| | | Total | 3,435. |

12.3 Local Requirements

There are no special local business requirements associated with specialist, complex or regulatory processes.

12.4 External factors that impact on business demands on the Service.

The Service has home authority arrangements with 5 businesses. One of these is a small supermarket chain requiring sector specific advice from a senior officer. A similar arrangement is in place for a manufacturer of petrol pump equipment requiring specialist calibration advice. The number and type of businesses in the locality is kept under review and any specific needs considered.

A major internet service provider is also based in Dundee and we have agreed a 'Home Authority' relationship, which may have an impact on staff resources. The level of ecommerce home authority requests will be monitored closely.

A very small proportion of businesses in Dundee are owned by a person whose first language is not English. This has not given rise to problems of which the Service is aware, although translation services are available on demand.

The needs and expectations of local business are assessed by way of trader survey forms (as noted at 11 above) which seek general comment on the operation of the trading standards service. Comment is drawn to the attention of staff where it might lead to a review of the manner in which visits are conducted and wider comment informs the provision of trader education.

Specific data is available as to the provision of calibration services to the business community, which was reviewed in terms of the Councils Best Value Procedures in 1998/99. Businesses were consulted as to cost of service, level of charges, range and scope of services. The result suggested the current level of provision is satisfactory with the exception of the lack of specific accreditation (NAMAS), which is not necessary for the statutory service. This latter issue was evaluated but the cost of obtaining accreditation was not considered cost effective in light of anticipated usage.

12.5 Excessive Complaints

The Service uses a computer database (FLARE) which enables accurate analyses of all activities. Trends in consumer complaints are analysed to establish if specific businesses or sectors are giving rise to excessive numbers of consumer complaints. The results inform the risk assessment (which determines frequency of inspection), the program of press releases, projects, information provided during inspections, the creation of advice leaflets and the content of trader and consumer education

It should be noted that many factors will affect the number of complaints received about a business, for example turnover, nature of business, and so an assessment of complaints received will have to be made before judgement is reached on whether or not the number is excessive.

13. Requests for assistance

The Key task of the Service concerning requests for advice is found in Key Objective 1: "Respond to consumer complaints as quickly and effectively as possible".

13.1 Requests for Business Advice.

Requests for business advice are relatively low at approximately 400 per annum. The response times are consistently high. The percentage completed on the date of receipt being 1998/1999 - 94%, 1999/2000 - 87%, 2000/2001 - 91%

13.2 Requests for Consumer Advice.

The policies of the Service demand a focus to resolve queries and problems as effectively as is possible. The response time for enquiries, complaints and advice requests from consumers are recorded and on average over 95% are concluded on the same day. A change in this figure would prompt a review of the operation of the service. The current rate is excellent taking into account the comprehensive nature of the service, and the performance of comparable authorities. Advice is offered to anyone resident in Dundee and to anyone (regardless of residence) who has a complaint concerning a business located in Dundee. And

the provision of advice can be in person at our offices or at a City Centre location, by visit to business premises, by visit to consumers' homes, by telephone, letter or email. We will do our very best to help consumers who have a complaint about goods or services they have purchased from a local business.

13.3 Breaches of Criminal Legislation.

Breaches of criminal legislation are reported to the Procurator Fiscal at the rate of around 8 per annum. This rate has been the norm for some years and is expected to remain fairly constant. Any increase in this volume of cases would have a significant effect on resources, although a better regulated trading environment may cause this number to fall.

13.4 Impact on Service Levels.

Staffing levels are sufficient to maintain the current level of Service. However the various proactive measures noted below may have the short-term effect of raising the profile of the Service and thus the number of enquiries. It is however anticipated that the long-term effect will be to reduce the numbers.

13.5 Impact of Proactive Measures.

The volume of requests for assistance suggests a need for continuing education to enable better and more informed choices to be made and advice sought at an earlier stage in the event of difficulties. This would result in a drop in the number of demands on the time of the Service, which might be more effectively used elsewhere, for example, in targeting rogue traders. A number of initiatives seek to achieve this:

- Consumer Education: Provision of advice, provision of information packs tailored to meet the need of the specific consumer, provision of style letters to promote self help, education in schools to alert new and vulnerable consumers to issues that affect them
- Trader Education: Offering store specific training using live data on complaints to target advice.
- Car Servicing: A project to use a pool of cars owned by a group of local authorities to test standard of car servicing with a view to improving the standards in this sector. This is a sector which generates a large number of complaints of complaints locally and which is of national concern.
- Validate UK - Introduction in the City of a nationally recognised Proof of Age Scheme to ensure that restricted products are only sold to those entitled to buy them. The scheme has helped reduce sales of age-restricted goods and thus the number of referrals to the Service and the need to carry out other enforcement actions.
- Publicity - Use of local media to forewarn consumers of scams to enable consumers to avoid them
- Stop Now Orders - Aimed at targeting persistent problem traders thus reducing consumer complaints.

14. Other Services

14.1 Demand for Verification Tests.

On an annual basis the service receives approximately 20 requests for verification/specialist services. This has shown a significant decrease over the past five years due to the introduction of self verification by manufacturers, causing a drop in verification income.

14.2 Demand for Talks about the Service.

Demand for talks about the service is and has always been low at the rate of approximately three per year. This service is not promoted due to the low outcome in comparison to the drain on staff resources.

14.3 Demand for Education Programmes.

Educational Programmes in schools are promoted to Secondary school staff on an annual basis. Requests for talks are made directly by individual schools. Two of the ten secondary schools use the Service on a regular basis. Talks are given at the rate of approximately 15 per year in total. The current arrangements will be maintained indefinitely as current demand can be met from current staffing levels.

14.4 Feedback from CSN

The CSN has been established and will be used to obtain information as regards the public demand for the service and the data used to consider the validity of the current level of provision.

Part D: Policies on National and Local Priorities - Processes and Outcomes

15. Informed confident consumers

The policy to create Informed Confident Consumers is drawn from all of the Service's Key Objectives. The width of the policy is due to the fact that the regulation of the trading environment (Objective 4) and the maintenance of a child friendly and secure environment (Objective 5) both reduce the incidence of problems and therefore create confidence in the marketplace. The specific objectives are to respond to consumer complaints quickly and effectively as possible (Objective 1) and to prevent the incidence of consumer and fair trading problems (Objective 2). The former stands alone and is self explanatory the latter has as one of its key tasks the provision of traders and consumers with information and advice on relevant legislation. Together these Objectives and Tasks form the policy to create confident consumers and can be expanded as follows:-

A. To respond to consumer complaints as quickly and effectively as possible (Objective 1)

The availability of timely competent advice helps the consumer to resolve their own problems and provides advice and guidance to inform future dealings. Knowing the correct legal position puts the consumer in a confident and powerful position to conduct transactions and to make choices. The Service therefore aims to provide high quality advice to all residents of the City and to anyone, regardless of residence, who has a query concerning a business in the City.

We aim to respond to 99% of consumer enquiries and complaints within 24 hours.

Within this objective there are two priorities:

1 - To ensure that advice is always readily available.

It is a staffing priority to ensure that advisors are available by telephone, e-mail or in person at our main site at all times throughout the day. In addition an outreach service is provided at the Dundee CAB, by appointment every Wednesday afternoon.

The Service ran two projects in 2000/2001 to establish the demand for an advice service in the city centre. Advice services were advertised and operated at the city centre CAB premises and within one of two key shopping malls. In both cases take up was very low. This intelligence taken together with the fact that only 10.2% of contacts to the service are in person suggested that the current arrangements are satisfactory.

The availability of convenient parking at Standards House, the variety of means of communication that can be used to contact the Service and the availability of officers to visit businesses when required are considered to offer a highly accessible service. Comment on survey forms will continue to be monitored for evidence that accessibility is an issue.

2 - To promote the Service

The Service is promoted in a number of ways:-

- Contact details on DCC internet available at public computer access points in libraries.
- Consumer information packs sent out by advisors
- Regular press releases on current topics with contact details of Service
- Display of promotional posters at Council Information Points
- Distribution of promotional items such as pens and bookmarks
- Advertising on local library book carriers
- Advertising on local household year planners
- Quarterly article in Chamber of Commerce 'The Business' newsletter
- Monthly article in the local broadsheet newspaper

Performance in completing consumer enquiries and complaints is a statutory performance indicator, and is influenced by both the complexity of the complaint and the staff resource available. A list of performance measures is given in appendix 3.

The current performance figures for complaint and enquiry completion are as follows: -

Consumer enquiries completed:

| | 1999-00 | 2000-01 | 2001-02 |
|--------------|---------|---------|---------|
| Same day | 95.9% | 96.3% | 98.5% |
| 2-14 days | 3.6% | 3.7% | 1.3% |
| 15-30 days | 0.5% | 0% | 0.2% |
| Over 30 days | 0% | 0% | 0% |

Consumer complaints completed:

| | 1999-00 | 2000-01 | 2001-02 |
|--------------|---------|---------|---------|
| Same day | 79.7% | 84.1 | 87.2% |
| 2-14 days | 14.9% | 11.7% | 9.8% |
| 15-30 days | 3.6% | 2.8% | 1.9% |
| Over 30 days | 1.8% | 1.4% | 1.1% |

B. To provide traders and consumers with information and advice on relevant legislation.

This key task concerns both traders and consumers and only the latter is noted here. Certain activities concern provision of information to both

- Consumer Education - Pre shopping advice, information packs tailored to meet the needs of the individual consumer, style letters to promote self-help, education in schools to alert new and vulnerable consumers to the issues that affect them.
- Creation of CSN - to ensure accurate signposting and consistent high quality advice to a recognised standard.
- Special Projects - Car Servicing Survey and Project. Having established that the standards of car servicing were causing concern a project was developed to alert traders and the public to these concerns and thus improve standards and ensure consumers are alert. A consumer guide to car servicing was also produced
- Publicity - Use of local media to forewarn consumers of current scams. Use of targeted posters to alert target groups to scams that affect them e.g. posters in Post Offices to warn of high-pressure sales.
- Exhaust emission testing to highlight environmental dangers and impending legislation for roadside checks

Forward Plan

| Goal to be Achieved | Target Date | Target | Responsible Person |
|--|-------------|--|-----------------------|
| | | | |
| Carry out regular consultation with consumers on their satisfaction with services received | March 2003 | Carry out at least 6 customer surveys | K Daly |
| Assess visibility of service to consumers and make appropriate promotional materials advertising the Service available | March 2003 | Increase ratio of contacts per 1000 population | K Daly |
| Develop style letters for use by the public in dispute resolution | August 2002 | 8 pro-forma letters | Fair Trading Officers |
| Create system for recording take up of education by schools and a method of evaluating education programme | March 2003 | Analyse feedback from at least five sessions | A Reid/S Peart |

16. Informed successful business

The policy to contribute to Informed Successful Businesses is drawn from Key Objectives 2 (Reduce and prevent the incidence of consumer and fair trading problems) and 4 (Regulate and monitor standards of consumer protection in the community). The emphasis is on ensuring that contact with businesses is maintained and is conducted in a manner that is open and helpful. The purpose is to promote an atmosphere in which traders feel able to seek information and advice and one in which enforcement when necessary is respected. The

approach is aimed at taking account of differing business needs and the requirement to adhere to the Enforcement Concordat. This latter implements central government's published agenda to encourage regulators to follow good practice and to avoid overburdening business with unnecessary regulation.

16.1 Developing and delivering proactive education for business.

- A leaflet outlining the purpose of the TSS and the services offered to business is provided to those business that may benefit such as new businesses, new managers. A comprehensive range of leaflets on a range of issues that affect business is maintained for distribution.
- Traders are asked by survey if they require training programs, and approximately 75% indicate that they do. The availability of training is also advertised via the Chamber of Commerce, the management team of each of the 3 main shopping malls and during routine visits and requests for advice. Despite this take up is relatively low. Anecdotal evidence suggests that this is due to the fact that large stores or groups have internal training in place and that smaller businesses are able to obtain the advice that they require from the Service on an informal basis which suits their operational needs for flexibility.

16.2 Sharing Knowledge, raising awareness of legal and technical requirements, working with business to improve compliance.

New legislation that imposes duties on businesses either legal or technical is highlighted in a number of ways

- During routine visits
- Sector specific legislation, for example, Packaging Regulations is sent together with compliance guidance to those businesses engaged in relevant activities. Flare computer system allows sectoral targeting of premises types.
- Legislation with wider application such as the introduction to full metrication on 1 January 2001 merited a press release, production of leaflets, dissemination of leaflets and advice during routine visits and a special survey to establish the rate of compliance and highlight areas of concern.

16.3 Working through Local Business Partnerships.

Current links to business are informal consisting of contact with the Chamber of Commerce, who publish Service articles in their members magazine

16.4 Joined up working.

A number of MOU (Memoranda of Understanding) are in preparation with agencies such as Police, Customs and Excise, and working with legislation such as the Customs and Excise Management Act in connection with tobacco can only help this situation

A Service Level Agreement exists between this authority and the Vehicle Inspectorate in terms of working with our Scottish Motor Vehicle Testing Unit, and a minute of agreement also exists for this Unit between the 12 partner local authorities. A feature of the SMVTU is cross border collaboration and officer movement to assist with resource problems in local authorities.

Regular joint projects are mounted locally with Police and Fire services, for example in connection with firework safety

16.5 Use of existing LA and Government Agency contacts with business to give information and advice.

Use is made of the LACORS Information Service which provides guidance on specific issues which are raised by traders seeking clarification on for example the interpretation on the law in a certain area. Use of remote access to ICT is not considered necessary taking account of the small geographical size of the area.

LACORS also supports a number of legislation specific focus groups which feed expert opinion to local authorities, which officers can in turn relay to business.

16.6 Measuring and recording usage of education, advice and information services.

Currently the take up of education is not measured. All business requests for advice and information are recorded on the Service database.

16.7 Accessibility and availability of the Service, response times according to risk and work to reach non users and identification of gaps in coverage.

Businesses contacts to the Service are relatively low (365 for 2002/2001.) The aim is to ensure availability of advice throughout the working day. 90.7% of requests for advice are completed on the day of receipt a figure which has remained at approximately this level for the past three years. The availability of this service is promoted during routine visits. The relatively low take up suggests either that demand is low or that there is a lack of awareness of the service.

Performance in completing business advice requests is a statutory performance indicator, and is influenced by both the complexity of the enquiry and the staff resource available. A list of performance measures is given in appendix 3.

The current performance figures for business advice request completion are as follows: -

Requests for advice from business completed:

| | 1999-00 | 2000-01 | 2001-02 |
|--------------|---------|---------|---------|
| Same day | 87.8% | 90.7% | 92.4% |
| 2-14 days | 10.8% | 7.4% | 6.3% |
| 15-30 days | 0.8% | 0.5% | 0.8% |
| Over 30 days | 0.5% | 1.4% | 0.5% |

16.8 Encouraging participation in consultation processes.

Other than the trader surveys and the Best Value review of calibration, business is not formally consulted as to the wider operation of the Service.

Forward Plan

| Goals to be achieved | Target Date | Target | Person responsible |
|--|---------------|------------------------------------|--------------------|
| To develop a plan for the distribution of business advice information taking into account those businesses currently not visited or visited infrequently | December 2002 | Integrate procedure into this plan | R Lynch |
| Carry out analysis of complaint patterns to establish targeting future projects on areas of | July 2002 | Results to be reported to | K Daly |

| | | | |
|--|---------------|----------------------------------|---------|
| concern | | relevant officers | |
| Consider the validity of making application forms for licences available on line and implement if viable | October 2002 | Discuss with corporate web group | K Daly |
| Consider initiation of local business partnership | December 2002 | | R Lynch |

17. Fair and Safe Trading Environment

A Fair and Safe trading environment is the aim of Key Objectives 2, 3 and 4 with their attendant Key Tasks.

17.1 Principles of good enforcement

Dundee City Council is a signatory to the principles of the Enforcement Concordat, which guides good enforcement practice.

17.2 Programme of enforcement activity.

Routine programmed visits are essential in enabling the authority's officers maintain control over the local marketplace. They are a first point of contact with business, and officers are able to offer advice on site whilst carrying out their inspection. They are also very important in giving the trading standards service a high visibility with business, allowing traders to gain the information they need to trade legally and fairly. Premises are assessed at each primary visit to determine their risk in accordance with LACORS guidance, looking at issues including the type of business, turnover, history of the business, and control systems. The risk level determines the frequency of visit with high-risk premises being inspected every 6 months, medium every 24 months and low every 60 months. The policy is to ensure that businesses are placed in the appropriate risk category and visited on time.

Performance in completing our inspection programme is a statutory performance indicator, and is influenced by both the complexity of the inspection and the staff resource available. A list of performance measures is given in appendix 3.

The current performance figures for programmed inspection targets are as follows: -

| | 1999-00 | 2000-01 | 2001-03 |
|-------------|---------|---------|---------|
| High risk | 72.9% | 69.9% | 89.7% |
| Medium risk | 79.3% | 61% | 87.8% |
| Low risk | 81% | 68.9% | 85.3% |

(The drop in performance for 2000/1 is due to the loss of a Trading Standards Officer and the delay in replacement)

Routine visits to premises are supplemented by a range of other visits as follows:

- Special surveys aimed at drawing the attention of business to new legislation, areas of consumer concern and ongoing regular issues. These surveys include car servicing, mortgage code compliance, metrication, fireworks storage.)
- Sampling program. The program covers weights and measures, safety, trade descriptions and feedstuff and fertilisers legislation. It is aimed at checking goods on a routine basis. Sampling also takes place in response to consumer complaints and officers own observations.
- Complaint visits. Complaints raised by traders and consumers concerning specific local businesses are assessed to decide if a visit is merited. The two aims mentioned above to

consider the needs of both consumer and businesses are borne in mind when the decision is made. Visits may be open or covert, to establish facts or to discuss specific issues with a business.

- Follow up visits to premises to ensure that advice given for infringements is being followed.
- Licensing visits for example to check on conditions of petroleum spirit storage.

17.3 E-Business

Dundee has a major internet network provider based locally, and a formal Home Authority relationship. In addition checks are made on local businesses to ensure they are complying with legislation in relation to their e-business.

Arrangements have been made to allow officers to test purchase goods over the internet to test compliance using a Corporate credit card.

Dundee City Council takes a forward view of the Modernising Government Agenda and plans are in place to provide information electronically to businesses and consumers, for example online application forms for businesses, and information leaflets for consumers.

17.4 Persistent Rogue Traders.

Use is considered of the Services of external agencies such as the OFT (credit licensing, Part 3 of Fair Trading Act 1973), Advertising Standards Authority, Ombudsmen, Consumer Councils etc to enforce legislation and improve behaviour.

Complaints are analysed by both category and by business to establish patterns that give cause for concern. Advisors communicate regularly to establish the origin of complaints and the information service provided by TS Link is used daily to obtain and publish information. This data is used to organise both small and large scale projects to target rogue traders.

A partnership has been formed with 7 neighbouring authorities to establish a 3 year project to assist in the implementation of Stop Now Orders. A temporary post has been created to assist each authority as it trials the Orders. The aim is to improve co-ordination and prevent duplication of effort and achieve conformity of enforcement practices.

Where rogue activities are highlighted resultant enforcement activities may include

- Visit to a trader to discuss the volume or type of complaint
- Letter to Trader
- Press Release
- Poster Campaign
- Test Purchasing
- Monitoring of adverts
- Increased rate of routine inspection

Measures to deal with rogue traders

Lack of enforcement powers has resulted in a lack of a coherent policy in this area. The advent of the Stop Now Orders has altered this and a partnership has been formed with 7 neighbouring authorities to assist in their use to the best effect. Preliminary training has taken place and it is anticipated that this will continue on a regular basis until such time as the use of the orders is routine.

Other action against rogue traders is on a case by case basis, using complaint and other intelligence to assess what action would be proportionate.

17.5 Measures to deal with rogue practices that target vulnerable groups.

Most rogue activities result in detriment to those who are already vulnerable. In Dundee the most effective medium of communicating with all groups in the city is the local press, which publishes two newspapers which together have a wide circulation. The press is therefore

used to publicise periodic scams and to refocus attention on existing issues. Where necessary, enforcement action is taken, with a report to the local procurator fiscal the ultimate sanction.

17.6 Working with other agencies.

The Service participates in a range of projects, which change from time to time and currently include

- Shared database with Public Health, Food Safety and Health and Safety Services provided by Dundee City Council. Information as to premises closures, moves and nature and frequency of visits is shared between sections to avoid duplication of visits and work and to share information.
- The Society of Scottish Chief Trading Standards Officers is considering the establishment of a memorandum of understanding with a range of agencies to promote "joined up enforcement"
- The Service has local arrangements with Tayside Police, Tayside Fire Brigade, Inland Revenue and Customs and Excise to ensure clear contact details to facilitate enforcement and intelligence sharing. The Service is currently in negotiations to establish a local group as part of a national network to formalise these arrangements. The network is called GAIN (Government Agencies Intelligence Network).
- Stop Now Group: A group of seven local authorities who are pooling resources to provide support for individual authorities pursuing Stop Now Orders to ensure cross boundary co-operation, avoid duplication of effort and consistent enforcement
- Car Servicing Project: Partnership with 11 other authorities to share resources used to survey car servicing standards.
- Operational liaison meetings - partnership with two neighbouring authorities who together with Dundee City Council form the Wider Tayside Region to exchange intelligence, share best practice and ensure that formal in addition to informal line of communication are maintained.
- Participation in Neighbourhood Service Teams within the city to ensure that community information is fed back, and to keep the service close to the community.

17.7 Home Authority Principle.

The Service has a formal Home Authority arrangement with 5 businesses. In each case a named officer is responsible for dealing with queries from the business and referrals from other authorities. Routine visits are carried out by the same named officer unless otherwise delegated by arrangement.

17.8 Metrological Premises.

These are assessed in the same way as other premises, recognising the importance of metrological controls as the basis of trade and economy. Regular updates from the metrological subgroup keep officers up to date with legislative changes.

Forward Plan

| Goal to be achieved | Target Date | Target | Person Responsible |
|---|---------------|------------------------------------|--------------------|
| Compile register of relevant animal health/agricultural premises | March 2003 | At least one visit to each premise | A Combes |
| Carry out regular consultation with business on their satisfaction with services received | March 2003 | At least 6 surveys | K Daly |
| Assess new legislative developments in light of the need to make business aware of them. Develop a formal plan for dissemination of information as it | December 2002 | Integrate procedure into this plan | K Daly |

| | | | |
|--|---------------|--|------------------|
| becomes available | | | |
| Establish a formal record of take up of trader education | December 2002 | At least two trader education sessions | E Welch |
| Maintain and improve on statutory performance indicator for inspection visits. | March 2003 | 90% high risk 90% medium risk 90% low risk | R Lynch L Law |

18. Efficient, effective and improving trading standards service

18.1 Communicating Service Plan to Staff

Each member of staff is supplied with a personal copy of this plan, and in addition through the Departmental Communications Strategy, it is regularly discussed and developed through regular bi-monthly team briefings. Many of the goals outlined in this plan will conform to current expectations of what would be contained in existing plans for the relevant period and it is not expected that these goals will pose any difficulty. Some of the goals are however new, covering areas that the plan has highlighted as weaknesses. These goals will be discussed by staff, and this may result in amendments being made.

The Plan will also be communicated to the Public Protection Manager and Director of ECPD for both comment and information. The Convenor of the Environmental and Consumer Protection Committee will also be provided with a copy, and it will be available on the Dundee City Council intranet after approval by the full council.

18.2 Communicating Service Plan to Users

It is not proposed to give any particular publicity to the Plan, however it will be approved by committee and will be a publicly available document. Copies will be supplied on request to local traders, citizens or other organisations. An information return of trading standards activities will be reported to the Department of Trade and Industry, and Dundee City Council on an annual basis. Appendix 3 shows the content of this return.

18.3 Allocating Appropriate Resources.

This plan has not been available sufficiently early to be able to feed into the budget process for the service in the next year, however the forward plans have taken into account the impact on staff time which is the major resource. Additional costs will be assessed and implications of the plan costed for future years.

18.4 Arrangements to Develop and Train Staff.

Identification of Training Needs is currently carried out at annual Staff Development Review. During communication of the plan to Staff any additional training needs will be assessed. IT Training is carried out by Dundee City Council and staff requirements are discussed at Staff Development Review. Service specific training needs are met by outside agencies which are attended as appropriate and cascaded. If training is unavailable or not suitable members of staff undertake responsibility to acquire information and carry out training.

18.5 Maximising Service Efficiency through use of IT.

Dundee City Council has an Information and Communication Strategy. This has been developed as a result of factors such as the predicted growth of public access to the internet, public expectations of fast and convenient around the clock service, the potential of technology to provide service improvement and efficiency and Scottish Executive targets

concerning joined up public services. The elements of the strategy relevant to the Service include

- Provide 24hr, 7 day access to interactive information on council services via the internet
- Create a customer focused council by joined up services and creating more efficient processes
- Ensure all ICT developments provide for effective public performance reporting and management information.

The attitude of the Service towards IT is informed by the Councils philosophy. It is currently well equipped with computer facilities each officer and advisor having an individual computer with internet access and a private e-mail address. The Service also maintains portable computers and digital cameras. New developments in the IT field are evaluated by the Principal TSO for possible application.

18.6 Joined up Working and Co-ordinating Activities.

The Trading Standards Service recognises the need for joined up working to improve service effectiveness and are involved in a number of initiatives for example

- Shared computer database with Public Health, Food Safety and Health and Safety Services provided by Dundee City Council. Information as to premises closures, moves and nature and frequency of visits is shared.
- The Scottish Society of Chief Officers (SCOTSS) is considering the establishment of a memorandum of understanding with a range of agencies to promote "joined up enforcement"
- The Service has local arrangements with Tayside Police, Inland Revenue and Customs and Excise to ensure clear contact details to facilitate intelligence gathering and enforcement.
- GAIN. Government Agencies Intelligence Network.
- Car Servicing Partnership
- Communication with the Trading Standards Regional Coordinator for Scotland
- An operational partnership exists with two neighbouring authorities who together with Dundee City Council form the Wider Tayside Region to exchange intelligence, share best practice and ensure that formal in addition to informal line of communication are maintained.

18.7 Plans for Responding to Emergencies.

The Trading Standards Service has responsibilities in various types of emergencies and arrangements to deal with said emergencies involve co-ordination with other agencies

- Under requirements in Part 1 of the Food and Environment Protection Act 1985, Trading Standards officers are designated as investigating and enforcement officers.
- There are joint arrangements in place with the Police and Fire Authorities with respect to petroleum related incidents which occur during working hours.
- Dundee City Council has an Emergency Planning Unit, which operates closely with neighbouring authorities, and has plans to cover various contingencies, which might include Trading Standards, for example Foot and Mouth disease outbreaks, fuel shortage crises.
- Trading Standards Officers have delegated powers to issue suspension notices to prevent the supply of unsafe goods.

For out of hours emergencies, officers may respond if they are contactable and available. The Environmental and Consumer Protection Department does not operate any form of standby emergency cover for out of hours trading standards incidents.

19. Quality Assessment and Review

19.1 Monitoring Progress against Service Delivery Plan.

The Service Delivery Plan will be formally reviewed on a 6 monthly basis by way of a dedicated staff meeting. Progress on individual targets will be noted and action taken if progress is not being made. Action may comprise the re-targeting of existing resources, support, application for new resources, or training, or a reassessment of the goal. The Plan will also form part of the agenda of the fortnightly staff meetings to ensure that it remains at the forefront of all operational decision making.

An annual year end information return will be submitted to the Department of Trade and Industry, and also to Dundee City Council. The items included in this return are detailed in Appendix 3.

19.2 Review of Policies.

The 6 monthly review as above will be used to measure performance and consider a wider review of the plan as a whole.

19.3 External Accreditation.

A tri-partite arrangement exists with two other local authorities to audit quality systems in place to monitor the operation of our Notified Body status for the verification of non-automatic weighing instruments.

There is no other external accreditation although the department has undertaken self-assessment to the EFQM excellence model to identify areas for improvement. This is part of Dundee City Council's approach to Best Value

19.4 Comparisons with other Trading Standards Services.

Benchmarking has taken place as part of the Best Value Reviews of Calibration and Consumer Advice. Use is made on an ongoing basis of all relevant information services such as the Trading Standards Institute to review activities of other authorities and consider their application to the Service.

The Principal TSO participates in a benchmarking group of 10 local authorities to exchange information and ideas.

Use of the 'tailored performance audit' approach prepared by Audit Scotland, also provides a tool for comparing different authorities over a wide range of operational activities.

19.5 User Surveys

Both the consumer and trader survey forms are continually reviewed to consider if more detailed data might be collected that will inform other areas of the plan. The existing areas requesting feedback on satisfaction will be maintained and used to inform the review of the Service.

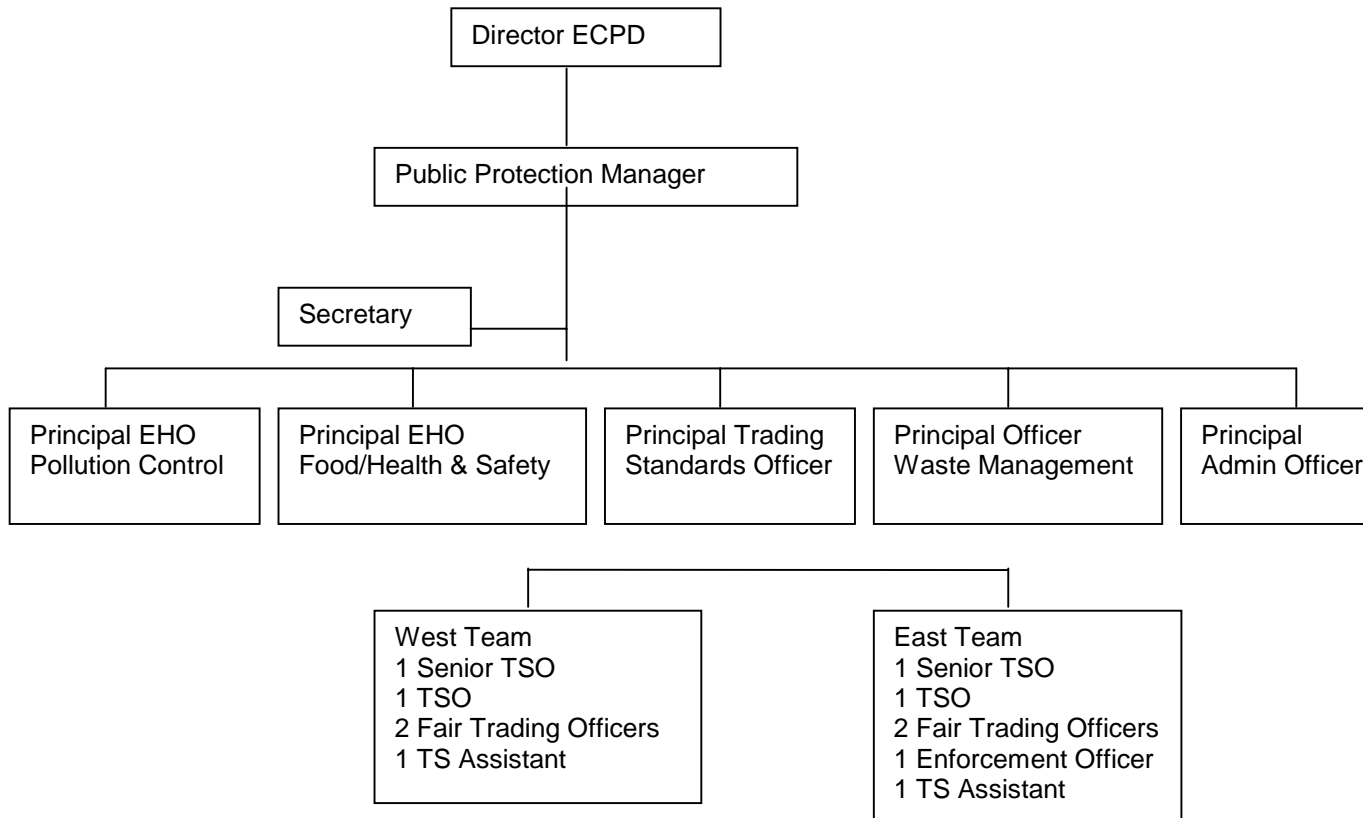
19.6 Consultation of Stakeholders

It is proposed to increase the contacts that the Service has with other agencies both through the CSN and with business groups. When and if a working relationship is created consultation will be established to monitor effectiveness of the input of the Service. As regards consumers, a Needs Assessment is underway under the auspices of the CSN. Part of this will consider views on the operation of the Service and how it might better serve local needs.

Appendix 1 – Primary legislation enforced

Agriculture Act 1970
Agriculture Produce (Grading & Marking) Act 1928 - 1931
Animal Health Act 1981
Civic Government (Scotland) Act 1982, Sections 94 & 99
Children and Young Persons (Protection from Tobacco) Act 1991
Consumer Credit Act 1974
Consumer Protection Act 1987
Control of Pollution Act 1974, Section 75(6)
Customs and Excise Management Act 1979
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

Appendix 2 – Organisational Chart



Appendix 3 – Performance Information

The following performance information will be collated and reported annually, to the Department of Trade & Industry, and to Dundee City Council.

Local information

Accounts Commission Performance Indicators:

- The percentage of consumer enquiries, complaints, and business advice requests completed within four time bands: 'same day', '2-14 days', '15-30 days', and 'over 30 days'.
- Trade premises liable for inspection during the year – the target number and percentage achieved within three risk bands: 'high risk', 'medium risk', and 'low risk'.

Best Value performance indicators:

- Cost per consumer complaint or enquiry completed
- Consumer advice service take up – number of consumer contacts per 1000 population.

These two indicators have resulted from Best Value reviews.

National Performance Framework

Information return in the following areas:

- Consumer advice and education
- Business advice and education
- Fair and safe trading – planned activity table
- Improving service
- Review and assessment
- National Weights and Measures Laboratory Information