

**REPORT TO: HOUSING, DUNDEE CONTRACT SERVICES AND ENVIRONMENT
SERVICES (26th JANUARY 2009)**

REPORT ON: SCAMBUSTERS UPDATE

REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

REPORT NO: 58-2009

1.0 PURPOSE OF REPORT

- 1.1 To update elected members on the progress of the Scotland wide 'Scambuster' team and recommend authorisation of officers employed within the team.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the committee notes the contents of this report and agrees that the Head of Environmental Health and Trading Standards can use delegated powers to authorise, as appropriate, named officers of the 'Scambuster' project team employed by North Lanarkshire Council to undertake enforcement duties within Dundee.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4.0 MAIN TEXT

- 4.1 In June 2008 following a bid by SCOTSS (The Society of Chief Officers of Trading Standards in Scotland), Dundee City and North Lanarkshire Councils were jointly awarded £811,783 funding from BERR to operate a 'Scambuster' team to cover Scotland. Committee report 287-2008 refers.
- 4.2 Two teams have been set up to operate the project, one is based in Motherwell and covers the south and west of Scotland. This team comprises the Project Manager and 3 investigators. The other is based in Dundee, covering the north and east of Scotland, and is made up of a team leader and 2 investigators. It is expected there will be occasions when staff from both teams will be working together. Staff in both teams are employees of North Lanarkshire Council.
- 4.3 The major remit of the project is to target major scams and trading malpractices within Scotland that are beyond the capability of individual local authorities. The teams will be working across local authority boundaries on operations that are intelligence led and are expected to work closely with other agencies such as the police and HM Revenue and Customs. They will also work with other regional scambuster teams, the Office of Fair Trading scambuster team and all 32 councils in Scotland. Although the team is still in the process of setting up operations, it is already investigating a number of potential cross border scams.
- 4.4 A steering group for the team has been established with officers from North Lanarkshire Council, Dundee City Council, Consumer Direct (Scotland) as well as representatives from SCOTSS. The steering group will meet on a quarterly basis to review the work of the team, and its current priorities. The Project Manager will provide quarterly progress reports to the steering group, and information will be provided to all local authorities and key stakeholders.

- 4.5 Since the work of the 'Scambusters' team could be Scotland wide, an operating protocol has been drawn up and agreed by the Society of Chief Officers of Trading Standards in Scotland covering the following issues:
- Working practices for project team officers when outside of North Lanarkshire and Dundee City Council areas.
 - The mechanisms whereby Scottish authorities are updated on the progress of the project.
 - The exchange of intelligence and information between the project team and other Trading Standards staff throughout Scotland.
- 4.6 It is also recognised that officers in the project team will need authority to initiate or undertake investigations of potential offences falling entirely outwith the boundaries of the employing authority. This could be achieved by authorisation of the officers by the local authority or by the involvement of one of the authorities' own authorised officers. It is recommended that in Dundee, the Head of EHTS uses delegated powers in respect of consumer protection and fair trading legislation to authorise named officers of the team. Where potential offences are discovered, these will be reported to the Procurator Fiscal by the project team.

5.0 POLICY IMPLICATIONS

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.
- 5.2 The operation of a 'Scambuster' team in Dundee will make a positive contribution to the Council's anti-poverty strategy by protecting vulnerable groups who are particularly likely to be at risk from scams and rogue traders, and will target enforcement resources where they can be used for best effect.

6.0 CONSULTATIONS

- 6.1 The Chief Executive
Depute Chief Executive (Support Services)
Depute Chief Executive (Finance)
Head of Finance

7.0 BACKGROUND PAPERS

None.

Albert Oswald
Head of Environmental Health & Trading Standards

7th January 2009