

DERBYSHIRE COUNTY COUNCIL**MEETING WITH CABINET MEMBER, HEALTH AND COMMUNITIES****14 April 2015****Report of the Strategic Director Health and Communities****SUPPORTING VULNERABLE PEOPLE – TRADING STANDARDS SUPPORT****1. Purpose of the report:**

To seek the Cabinet Member, Health and Communities approval to appoint a Trading Standards Enforcement Officer on a fixed term contract to support the Division's work supporting vulnerable older people living in Derbyshire.

2. Information and analysis

2.1 Much of the work of the Trading Standards division is to support vulnerable older people. This derives from a combination of statutory duty – enforcing the provisions of the Consumer Protection from Unfair Competition Regulations and to support local, regional and national strategic objectives¹. The Trading Standards Service nationally has adopted the principles of the National Intelligence Model and the Division is engaged in a number of activities: to gather information about rogue traders (Intelligence); to raise awareness of the potential harm (Prevention); and to tackle the perpetrators of criminal activities (enforcement).

2.2 The main areas of activity can be summarised as follows:

Tackling Doorstep Crime – enforcement and awareness raising initiatives including:

- Responding to all reported incidents of doorstep crime
- Gathering intelligence about Organised Crime Groups and sharing with other local, regional and national enforcement agencies – and in particular Operational Liberal
- Using intelligence to pro-actively identify locations where vulnerable consumers are at risk.
- Participating in local, regional and national Police led 'Rogue Trader' Days
- Issuing 'No Cold Calling' Stickers
- Instigating 'No Cold Calling' Zones in locations where doorstep crime is a particular problem

¹ *Protecting people, especially the most vulnerable, from the potentially harmful effects of rogue traders is an important priority for the Council. Our continued efforts to enforce trading standards and provide protection for consumers will ensure that we achieve this goal. We will invest in our Trusted Trader scheme to help residents find local companies which provide good services at a fair price. We will also continue to prevent harmful products reaching local communities.* - **Resilient and Safe Communities – page 18 Council Plan**

- Distributing leaflets to local communities where itinerant traders are known to be operating
- Improving liaison with Derbyshire Police and training police staff on the role and powers of Trading Standards
- Facilitating “target hardening” measures in appropriate cases.
- Operating the Derbyshire Trusted Trader Scheme
- Reporting activity to the Cabinet Member²

Tackling Scam mail communications – including mail, telephone and internet scams. Initiatives have included:

- Identifying local victims in partnership with the National Scams Hub, Police and Adult Care and providing targeted advice to support vulnerable people
- Referring victims on to further sources of assistance.
- Offering ‘call blockers’ to prevent scam telephone calls
- Participation in national ‘Scamnesties’ to raise awareness
- Supporting Police and Community Safety initiatives to raise awareness
- Issuing alerts via the Derbyshire Police Alerts and Community Safety Bulletins

Targeting rogue traders – ie those that deliberately set out to deceive and those that are ‘opportunistic’:

- Taking enforcement action including prosecuting offenders
- Seeking media coverage following conviction to raise awareness

2.3 A senior trading standards officer has confirmed his intentions to retire in May. Whilst the trading standards division has identified its required savings targets for 2015-16, it would be prudent not to seek to recruit a permanent replacement, however, much of his current role involves supporting vulnerable people. To assist in meeting this need in the short term the Division is proposing to recruit an additional Grade 8 Trading Standards Enforcement Officer on a fixed term basis, to engage in a project to help raise awareness about scams impacting on older people. There are a number of voluntary sector providers already supporting older people and part of the project would be to explore how the Division could work more closely with volunteers.

2.4 By using some resource to train and support volunteers already engaged with older people, we should be able to ensure that more Derbyshire residents are supported and less likely to fall victim. We can then use our own resources to prevent victimisation, support those that have become victims and target the perpetrators. The Officer would also be asked to engage with other agencies that have similar objectives in supporting older people and in particular Derbyshire Police and Operation Liberal as well as Adult Care. The project would also include establishing processes and procedures to ensure that the Trading Standards Division fulfils its obligations under the Care Act 2014.

² http://www.derbyshire.gov.uk/images/Doorstep%20Crime%20Enforcement%202013-14%20150714_tcm44-248224.pdf

- 2.5 Funding for this post can be provided by Proceeds of Crime Act (POCA) funding. As an enforcing authority, the Trading Standards division can apply to the Courts for POCA on successful conviction of defendants for certain trading standards offences and can then receive Asset Recovery Incentivisation Scheme (ARIS) funding. In March 2009 Cabinet agreed the setting up of a reserve to 'be re-invested into trading standards work and to fund further community safety initiatives within the authority'³. The Division has accumulated some £32,000 ARIS funding which, subject to the Cabinet Member's approval, could be used to fund this post.

3. Financial considerations:

It is anticipated that the funding for this post (£21321 – £23042 per annum plus on-costs), which would be on a fixed term basis to the end of March 2016, can be met from Proceeds of Crime Asset Recovery Incentivisation Scheme funding that has been awarded to the Division following the successful conviction of a number of offenders that have breached trading standards legislation over the years.

4. Human Resources considerations:

The post of Trading Standards Enforcement Officer (Grade 8) already exists within the Trading Standards organisational structure. Recruitment to the proposed, additional fixed term post will be undertaken in accordance with existing DCC policies.

5. Other considerations:

In preparing this report the relevance of the following factors has been considered; legal, prevention of crime and disorder, equality of opportunity; and environmental, health, property and transport considerations.

6. Background papers:

Cabinet Report 20 March 2009: Proceeds of Crime

http://www.derbyshire.gov.uk/images/Proceeds%20of%20Crime%20-%2010%20Mar%2009_tcm44-104953.pdf

CabCo Report, 14 July 2014 Doorstep Crime Enforcement

http://www.derbyshire.gov.uk/images/Doorstep%20Crime%20Enforcement%202013-14%20150714_tcm44-248224.pdf

7. Key Decision:

No

³ http://www.derbyshire.gov.uk/images/Proceeds%20of%20Crime%20-%2010%20Mar%2009_tcm44-104953.pdf

8. Call-in:

Is it required that call-in be waived for any decision on this report?

No

8. Officer's Recommendation:

That the Cabinet Member, Health and Communities agrees to the recruitment of a fixed term Trading Standards Enforcement Officer to support vulnerable people

David Lowe
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Health and Communities