

COMMUNITIES DIRECTORATE
KENT TRADING STANDARDS SERVICE
ANNUAL OPERATING PLAN 2008/09

Director & Head of Service : Clive Bainbridge

SECTION 1 : SERVICE PROFILE

1.1 PURPOSE OF THE SERVICE

Our purpose is to make Kent a better place in which to live, work and do business by supporting legitimate business enterprises, suppressing unlawful or unfair trading and providing information and assistance to empower consumers.

1.2 OPERATING CONTEXT

1.2.1 Legislation & Delegation

The Trading Standards Service acts on behalf of the County Council under a wide range of legislation, nearly all of which is mandatory. The Schedule of Legislation at Appendix 1 details the legislation under which Trading Standards has formal delegated authority from the County Council. Delegated authority is from the County Council to the Managing Director - Communities, to the Director & Head of Trading Standards.

1.2.2 Key Drivers in 2008/09 – External Influences

This year's business plan embraces a number of key drivers, including new legislation :

▪ “Reducing administrative burdens”

The Hampton Review continues to impact on Trading Standards Services and this year becomes further embedded with the Statutory Regulators' Compliance Code (see below).

▪ Intellectual property

Following the Gower Review funding has been agreed for Trading Standards Services to carry out work surrounding intellectual property. This will include improving activity already carried out at boot fairs, etc and involvement in a regional campaign.

▪ Unfair Commercial Practices Directive

In May 2007 BERR (see below) published draft proposals to implement in UK law the Unfair Commercial Practices Directive. From April 2008, the new law (the Consumer Protection from Unfair Trading Regulations 2007 and the Business Protection from Misleading Marketing Regulations 2007) will replace key elements of the Trade Descriptions Act 1968, the Consumer Protection Act 1987 and various other mainstream consumer protection laws which have been enforced by Trading Standards Services using criminal sanctions. The Consumer Protection Regulations will also be enforceable using civil injunctions under the Enterprise Act. This will be a new area of work for everyone and will require training.

- Statutory Regulators' Compliance Code

On 6 April 2008 this comes into force by virtue of the Legislative & Regulatory Reform Code of Practice Order 2007 and means regulators must take notice of the Code when exercising their functions and powers. The new Compliance Code will take over from the voluntary Enforcement Concordat and reinforces messages about risk-based assessment and intelligence-led enforcement which are already well embedded into Kent Trading Standards' activity. To ensure we are fully compliant with the new Code we have updated our Enforcement Policy.

In 1997 Kent Trading Standards adopted an 'intelligence-led' approach to enforcement which was considered radical at the time. Now, it is considered to be the most effective and efficient way of delivering a trading standards service and elements are contained in the new Compliance Code. It is a total process to ensure resources are targeted at traders whose products and services require attention or advice from Trading Standards Officers, rather than at responsible traders.

In addition, new or reorganised government departments will impact on service priorities and delivery:

Department for Business, Enterprise & Regulatory Reform (BERR)

- The Consumers, Estate Agents and Redress Act

Changes to the legislation will come into force in April 2008, subject to a commencement order being made, and will require agents to belong to redress schemes for all estate agency disputes. Trading Standards Services should get new powers to investigate breaches of the legislation at the same time.

- The Better Regulation Executive (BRE)

This is now part of BERR and its role is to work across government departments to reduce and remove unnecessary regulation for the public, private and voluntary sectors.

Local Better Regulation Office (LBRO)

- Set up in May 2007, the LBRO's role is to improve local authority enforcement of environmental health, trading standards and licensing to reduce burdens on businesses that comply with the law while targeting those who flout it. The Government is legislating to give the LBRO powers to deliver this aim.

Office of Fair Trading (OFT)

In 2008/09 the OFT's mission is 'to make markets work well for consumers' and to achieve this it will use both civil and criminal enforcement working in partnership with a number of regulatory bodies, including Trading Standards Services. Specific areas of work already identified are:

- Consumer Credit Act

In April 2008 the Consumer Credit Act 2006 will come into force amending the Consumer Credit Act 1974. The new licensing regime will include fitness checks, and involve new powers for the OFT, including one to impose civil penalties on licensees up to £50,000. The final part of the 2006 Act will come into force in October 2008 and involves new information requirements which should benefit consumers, e.g. notices which explain in a more user friendly way what the

effects are of being in arrears, defaulting etc. The Unfair Commercial Practices Directive will also make a few changes to credit legislation from April 2008.

From April 2008 Trading Standards Services will carry out credit licensing fitness checks on a fee-paying basis subject to a contract being signed between Trading Standards South East and the OFT.

- Money Laundering Regulations

These came into force in December 2007 and whilst there is no duty on Trading Standards Services to enforce them, they will be able to contract with the OFT and carry out visits on its behalf. Further details are awaited.

Department of Communities & Local Government

- Home Information Packs (HIP)

These now cover all properties being put on the market for the first time, although there is still a transition period which allows an agent to market a property without the full contents of a HIP being immediately available. The transition period lasts until June 2008.. Trading Standards Authorities are the enforcement body for HIP's.

- Energy Performance of Building Regulations

The timetable for the extension of the regulations to cover rented and commercial property will come into force in April, July and October 2008. Trading Standards Services are the main enforcement body and as funding has been made available (albeit not ring fenced) this will involve some additional work.

- Housing and Regeneration Bill

This is currently going through the Commons and, if passed, will make Trading Standards Services the enforcement body for "sustainability" provisions, i.e. it will extend Home Information Packs and Energy Performance Certificates to cover things such as waste, water and pollution ratings for properties.

Food Standards Agency (FSA)

- Food Service Plan

Details of what our officers will be doing during 2008/09 are included in the attached plan.

- The Food Hygiene (England) Regulations 2006

For the most part these regulations relate to Environmental Health Officer's work with the hygiene of premises, but they also cover hygiene at primary production premises, e.g. farmers growing crops, and with food producing animals. Trading Standards Officers have been given this responsibility on the basis they were already present on farms in relation to animal welfare and feed legislation.

Department for Environment Food & Rural Affairs (DEFRA)

Kent Trading Standards carry out animal health activity on behalf of DEFRA under a Service Level Agreement. In 2007/08 despite outbreaks of various diseases, DEFRA made substantial funding cuts to local authorities and whilst budgets have not been finalised it is anticipated the same will happen in 2008/09.

We will also carry out work under:

- The (Feed Hygiene and Enforcement) (England) Regulations 2005

These regulations extend arrangements to all feed businesses, including farms, involved in producing, holding or marketing animal feeds. The purpose of the regulations is to protect the food chain. The regulations have come into force in stages but full implementation will include farms from January 2008.

New national indicators

In 2008/09 BVPI 166b and the National Performance Framework targets will be replaced by two new performance indicators. See KPI section for more details.

1.2.3 Internal Influences

Legal Implications

Officers will be carrying out more complex work using civil and criminal injunctions under the Enterprise Act and Unfair Commercial Practices Directive to act against businesses which are acting unfairly, with particular emphasis on rogue traders. The use of civil injunctions is a cultural shift for officers and the legal team who are used to dealing with criminal measures.

At the same time the number of cases we are dealing with is increasing as a result of our intelligence-led approach which means work is more focused on rogue trader activity. Cases are becoming more complex due to the changing nature of litigation and this often results in challenges to the legal process.

Safer & Stronger Communities

As part of KCC's concentrated activity to reduce the sale of alcohol to young people, Trading Standards Officers will use a number of powers, including:

- Penalty Notice for Disorder (PND's)

The Police & Justice Act 2001 allows Trading Standards Officers to issue PND's in respect of the sale of alcohol to young people under the age of 18 years. Kent TS has been given approval by Kent Police to authorise its officers to issue these notices. The PND is a ticketed £80 fine which, after issue, is administered and collected by the Government funded Central Ticket Office (which retains the fine).

- Licensing Reviews

Under the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, Kent County Council is a "responsible authority" and is able to apply for the review of a licence. The grounds for seeking a review must be relevant to one or more of the four licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

1.2.4 Partnership Working

The Service works with a range of external partners in the international and regional arenas, in addition to internal partners across KCC, both within and external to the Communities Directorate.

1.2.5 **KCC: Directorate Working**

As part of the Communities Directorate we share its Vision “together we’re better” and our services are aimed at improving, involving and impacting on the people of Kent. The Service has particularly strong links with Community Wardens and the Community Safety Unit. In addition, we have identified some opportunities for working with colleagues in the Directorate and in 2008/09 we will develop these further:

- Kent Drug & Alcohol Action Team
- Youth Offending Service
- Youth Services
- Libraries – mobile units

1.3 **USERS**

Survey information is collected on a monthly basis and collated after the year end, therefore 2007/08 figures will not be available until April/May 2008.

Business Advice Survey: 2006/07

- 96% overall satisfaction
- 94% found staff informative
- 96% Advice or information was easy to understand
- 99% said officers were courteous and polite at all times
- 93% were aware of TS before this contact

Consumer Advice Survey: 2006/07

- 82% overall satisfaction
- 96% found advice easy to understand
- 94% thought staff informative
- 99% found officers courteous and polite
- 87% were aware of TS before this contact

This survey included people who have contacted Consumer Direct

Compliments / Complaints

Following the outbreaks of Foot & Mouth Disease, Avian Flu and Blue Tongue we received many expressions of gratitude from Members and farmers for the updates and information we provided.

There were 11 complaints recorded against the Service in 2006/07:

- 7 complaints were received from businesses, 3 of which were from traders unhappy about inspections or enforcement activity.
- 4 complaints from consumers who were unhappy because they considered their complaint or enquiry had not been investigated or dealt with. All were given an explanation of our intelligence-led approach to enforcement and campaign work.

Peer Review

In July 2007 a Peer Review was carried out which involved Kent Trading Standards carrying out a self-assessment and then producing a performance improvement plan. This was followed by an external review by two senior Trading Standards Officers from Brighton & Hove and West Sussex and the Leader of Kettering Borough Council.

The external review team agreed with the findings of the self-assessment and resulting performance improvement plan which will be monitored during 2008/09.

Their report also highlighted a number of areas of good practice, including:

- Attitude survey conducted in secondary schools across the county to assess views in relation to age-restricted products and their availability. The reviewers felt this was an innovative way of gathering knowledge on where problems may exist and thus to focus resources.
- Home authority service level agreements.
- Kent career guide has been developed to quickly develop operational competence amongst staff and in doing so increased the capacity of the service.

1.4 REVIEW OF PERFORMANCE 2007/08

Key Performance Indicators

Indicator	Actual performance 2006/2007	Estimated performance 2007/08	Target 2008/09
National Indicators			
BVPI 166b	100%	100%	Discontinued
NI 182 – Percentage of customers satisfied with Regulatory Services	New Indicator	New Indicator	Baseline established in 2008/9
NI 183 -	New Indicator	New Indicator	Baseline established in 2008/9
National Performance Framework			
▪ PM 1 : Consumer Satisfaction	85%	85%	
▪ PM 2 : Business Satisfaction	88%	85%	
▪ PM 3 : Levels of compliance			
▪ High risk businesses	80%		
▪ Medium risk businesses	86%		
▪ Low risk businesses	94%		
▪ PM 4 : Levels of training for all staff		100%	
Corporate Indicator			
Towards 2010 : Target 61			
▪ Percentage increase in number of community organisations in Kent receiving alerts about the activities of rogue traders	New Indicator	15%	20%
Business Plan 2007/08			
▪ Responses by Rapid Action Team	100%	100%	100%
▪ Activity of rogue traders significantly disrupted, including door step criminals	20	20	20
▪ Businesses given advice about under-age	400	400	400

sales			
▪ Under-age sales operations	24	24	24
▪ Second-hand goods dealers given advice	100	100	No longer priority in strategic assessment
▪ Test purchases attempted	0	0*	
▪ Market place campaigns to monitor product safety carried out	4	10	12
▪ Response to requests for assistance	100%	100%	100%
▪ Businesses registered with good trader scheme	Scheme launched April 2007	35	100
▪ Initiatives to educate consumers carried out	75	90	90
▪ Deliver Food Service Plan	100%	100%	100%
▪ Attend animal health critical points	100%	100%	100%

* 0 test purchases were undertaken as where officers had given advice, traders had acted on it and became compliant so there was no need to carry out a test purchase

Key Achievements/Outcomes in 2007/08

Animal Health

Trading Standards have had a busy year on the disease control front with the unprecedented occurrence of three major animal diseases - Foot & Mouth, Avian Flu and Blue Tongue. Whilst Foot & Mouth and Avian Flu did not spread into the County, they did have an impact on livestock keepers. Kent Trading Standards provided support to Surrey County Council in the early stages of FMD by sending officers experienced in animal health to help visit and advise livestock keepers in the control zones. At the same time we dealt with many enquiries about the implications of the disease and prepared information bulletins for KCC staff, Members, partner agencies and farmers. We reacted quickly to the suspect case of FMD in Kent and were able to contact and advise all the farmers within the temporary control zone within 2 hours of receiving the alert.

Healthy Eating

Working Towards Less Salt was funded by the Food Standards Agency as part of its National Salt Reduction campaign. It was aimed at changing consumer behaviour, ie: choosing lower salt options, reducing salt in cooking and at the table. The project included working with six companies, including the Kent Messenger Group, to reduce the level of salt in foods supplied in their restaurants and to raise awareness of salt in food among their employees.

Rapid Act Team Interventions

Our officers, working with Kent Police, have intervened on a number of occasions to stop rogue and doorstep criminals pressurising vulnerable people into agreeing to house repairs or paying extortionate amounts of money for inferior work.

TS Alerts

The Trading Standards 'early warning' messaging system quickly alerts local communities to the presence of rogue traders, doorstep criminals and scams.

Following a warning about bogus prize draw scams we received the following ‘thank you’ from a care agency -

“Thank you for all you do to help our service users with dementia and other such problems, they who are so vulnerable. I think you do an excellent job – Bravo !”

Buy with Confidence

Approved traders have told us they have noticed a 'significant increase' in business, thanks to being listed on the Buy with Confidence website; the Kent site has received over 115,000 hits in the past year. Here is the view of a Buy with Confidence approved trader:

"Customers recognise the logo and they trust it. I have received about 30 job offers since May, and that is noticeably more than last year."

Consumers who access the Buy with Confidence website (www.buywithconfidence.gov.uk) can have peace of mind that they are being directed to a responsible trader.

Prosecution Results

Our cases have become more complex and more likely to be contested as we tackle more rogue traders. Nevertheless, the Service, in conjunction with its partners, has achieved a range of successes against traders involved in counterfeiting, breaches of the Trade Descriptions Act and under-age alcohol sales.

1.5 SERVICE COMPARISON

Cost per head of Trading Standards Service	Actual 2005 - 2006	Actual 2006 – 2007
	£	£
Kent	3.26	3.45
Essex	2.03	2.19
Hertfordshire	2.35	2.45
Bedfordshire	3.04	3.65
Buckinghamshire	3.14	2.57
Oxfordshire	2.92	2.94
Hampshire	2.64	2.65
Surrey	3.22	3.64
East Sussex	2.58	2.42
West Sussex	3.40	2.97

BVPI 166 : score against a checklist of enforcement best practice for trading standards	Actual 2005 - 2006	Actual 2006 – 2007
	%	%
Kent	100	100
Essex	100	100
Hertfordshire	80	90
Bedfordshire	90	100
Buckinghamshire	100	100
Oxfordshire	100	100

Hampshire	100	100
Surrey	100	100
East Sussex	100	100
West Sussex	100	100

Senior officers from Kent Trading Standards Service are members of national and regional groups which present networking opportunities and allow the sharing of best practice. In addition, whilst contributing to the national and regional agenda for Trading Standards these groups allow informal comparison and the sharing of ideas. Groups include:

Local Authorities Coordinators of Regulatory Services (Lacors)

Animal Health Regional Panel

Credit

Metrology

Trading Standards South East (TSSE)

Executive Board

Focus Groups

- Environment
- Food
- Law
- Product Safety
- Quality
- Underage Sales

Defra

Animal Health & Welfare Management & Enforcement System User Group, a regional group of local authority representatives, rural payments agency, etc.

DGCCRF

Enforcement powers were compared at a meeting between Kent Trading Standards and its French counterpart, DGCCRF.

SECTION 2 : PRIORITIES AND OBJECTIVES

2.1 KEY RESPONSIBILITIES OF THE SERVICE

	Key Corporate / Directorate Targets	
PLAN	TARGET	LEAD OFFICER
T2010	<u>Target 61</u> – responsible for this target Extend our public awareness campaign to alert people to the activities of rogue traders, particularly those involved in door-to-door sales, and increase the number of offenders prosecuted	Sue Edmunds Ian Treacher
T2010	<u>Target 58</u> – contribute towards this target. Help maintain Kent's low levels of burglary and car theft and work with off licence, pub and club owners to reduce alcohol fuelled crime and disorder, anti-social behaviour and domestic abuse.	Lead Professional Fair Trade
T2010	<u>Target 42</u> – contribute towards this target : see Directorate Priority below. Reduce the impact of KCC's buildings and vehicles on the environment, including trialling the use of bio fuels and other new techniques.	John Bloor
T2010	<u>Target 50</u> – contribute towards this target Introduce a hard-hitting public health campaign targeted at young people to increase their awareness and so reduce the damaging effects of smoking, alcohol , drugs and early or unprotected sex.	Clive Bainbridge
LAA2 Still under discussion	<u>Improved health, care and wellbeing</u> Healthy Eating – see Food Service Plan <ul style="list-style-type: none"> ▪ Targeted enforcement campaigns ▪ Sampling ▪ Advice 	Sue Harvey
LAA2 Still under discussion	<u>Environmental excellence</u> <ul style="list-style-type: none"> ▪ In co-operation with other services in Division we aim to achieve ISO 14001 by October 2008. 	John Bloor
LAA2 Still under discussion	<u>Stronger & safer communities</u> See Target 61 <ul style="list-style-type: none"> ▪ Target Rogue traders and doorstep sellers ▪ TS Alerts ▪ Increased partnership working with Kent Police, Community Safety Wardens and CDRP's 	Sue Edmunds Ian Treacher
Directorate Priority	Develop recruitment and retention practices which improve the % of disabled people who are employed	TSMT
Directorate Priority	Achieve ISO 14001 EMS roll-out by 31 December 2008	John Bloor
Directorate Priority	Develop and demonstrate cross-unit and partnership working	TSMT

Towards 2010 detailed action plans can be found at

<http://www.kent.gov.uk/publications/council-and-democracy/towards-2010-action-plans.htm>

2.2 OPERATIONAL OBJECTIVES

- Take effective action against businesses that deliberately or persistently break the law, particularly those engaged in door-to-door sales.
- Restrict access for children and young people to harmful age-restricted goods.
- Educate and advise Kent businesses and consumers to support a fair and safe trading environment.
- Prevent the spread of animal disease and take action in relation to instances of unnecessary suffering in livestock at critical control points including points of export.
- Take effective enforcement action in relation to the storage and supply of dangerous goods.
- Maintain food standards and assist people to make informed, healthy choices.

Risk

These business objectives are monitored to ensure they will be delivered. Risks associated with potential non-delivery, and the controls in place to mitigate those risks, have been assessed and documented as part of the annual operating plan process. Separate risk management plans, including separate business continuity plans, have been developed as necessary.

2.3 CORE SERVICES AND FORECAST ACTIVITY LEVELS

Core Services

The Trading Standards Service acts on behalf of the County Council under a wide range of legislation, nearly all of which is mandatory. The Schedule of Legislation (Appendix 1) shows the legislation under which Trading Standards has formal delegated authority from the County Council.

In addition to this defined legislative base, the Trading Standards Service has a wider role:

- Promoting fair trade
- Acting to stop or disrupt any kind of trading which is to the detriment of consumers or legitimate businesses
- Providing advice and education to consumers and businesses

The following indicates the scope of our activity in 2008/09 :

- Target rogue traders who persistently and deliberately operate unfairly and curtail their activities
- Reduce, by strict enforcement, the supply to young people of age-restricted goods
- Target fraudulent doorstep selling and associated distraction burglary
- Carry out a programme of planned enforcement activity to provide effective surveillance and regulation of trading activity
- Conduct campaigns focused on specific traders, trade practices, goods or services which have been identified by our intelligence-led approach to enforcement

- Operate the Local Authorities Coordinators of Regulatory Services (LACORS) 'home authority' principle, by working in agreed partnerships with Kent-based businesses which sell outside the County
- Respond to all reasonable requests for assistance from businesses
- Carry out inspections and register the movement of farm animals in accordance with disease prevention controls and legislation
- Support Consumer Direct and respond to referrals by providing advice to consumers on their rights and obligations under civil law

Advice & Education

Not all activity carried out by Kent Trading Standards focuses on enforcement as we also have a dedicated Advice & Education team which:

- Provides second tier advice for all referrals from CDSE
- Delivers consumer education projects : see below
- Promotes our good trader scheme

Cold Calling Control Zones / No Cold Calling Zones

Ongoing discussions are taking place between OFT, Doorstep Selling Association, Trading Standards Institute and others about the legality of CCCZ's/NCCZ's. The picture is now clearer and providing there is intelligence indicating a problem, Kent Trading Standards will be able to support where possible.

Good Trader Scheme

Buy with Confidence was launched on 19 April 2007 and provides consumers with details of reliable local businesses and traders who are checked by Trading Standards Officers for trustworthiness and compliance with consumer protection laws.

Warning local communities

TS Alert Messages heighten consumer awareness of potential rogue traders and scams. This is an early warning email messaging system to provide alerts about bogus trading practices.

Forecast key activity levels

See 1.4 - Key Performance Indicators.

Over recent years there has been an increased time commitment to dealing with Freedom of Information requests. In 2006/07 the Service handled 26 and in 2007/08 there will be a similar number. In addition is a similar number of Environmental Information Requests which we are required to answer, mainly relating to property or land used, or previously used, for the storage of petroleum products.

2.4 PROJECTS, DEVELOPMENTS AND KEY ACTIONS

Where necessary, the Managing Director is authorised to negotiate, settle the terms of and enter the following agreements/projects:

Project/Development/key action	a/c manager	Links to Corporate/ Directorate targets	Deliverables or outcomes planned for 2008/09	Target dates
1. Taking effective action against businesses that deliberately or persistently break the law, particularly those engaged in door-to-door sales.				
<ul style="list-style-type: none"> ▪ Vigorously target and disrupt rogue traders 	M Rolfe R Strawson M Ward	T2010 Target 61	<ul style="list-style-type: none"> ▪ 20 rogue traders of which 5 are doorstep criminals 	March 2009
<ul style="list-style-type: none"> ▪ Provide a rapid response to doorstep crime in progress 	M Rolfe R Strawson M Ward	T2010 Target 61	<ul style="list-style-type: none"> ▪ 100% to appropriate calls for assistance 	March 2009
<ul style="list-style-type: none"> ▪ Use full range of enforcement tools available to us 	S Edmunds M Rolfe R Strawson		<ul style="list-style-type: none"> ▪ Tried, tested & effective civil enforcement process ▪ Effective criminal enforcement process ▪ Alternative enforcement techniques identified & employed where appropriate 	March 2009
2. Restricting access for children and young people to harmful age-restricted goods.				
<ul style="list-style-type: none"> ▪ Inform and advise businesses of their legal obligations, good practice and the potential consequences of non-compliance 	M Rolfe R Strawson		<ul style="list-style-type: none"> ▪ 24 intelligence assessments carried out ▪ 100% of those businesses identified as high risk visited ▪ advice, support and guidance to businesses identified provided 	March 2009
<ul style="list-style-type: none"> ▪ Carry out a programme of test-purchasing and take action in relation to those not complying 	M Rolfe R Strawson		<ul style="list-style-type: none"> ▪ 24 test-purchase operations carried out 	March 2009
3. Educating and advising Kent businesses and consumers to support a fair and safe trading environment.				
<ul style="list-style-type: none"> ▪ Extend public awareness and alert people to the activities of 	M Ward	T2010 Target 61	<ul style="list-style-type: none"> ▪ 15% increase in number of community organisations in Kent receiving alerts about the 	March 2009

rogue traders			activities of rogue traders	
▪ Educate key consumer groups to enable them to act confidently in the market place	M Ward		▪ 90 initiatives carried out to educate consumers so they can act confidently in the market place	March 2009
▪ Work in partnership with Consumer Direct to provide a comprehensive consumer advice service	M Ward		▪ Respond to 100% of referrals for second tier advice from Consumer Direct South East	March 2009
▪ Operate Lacors Home Authority Principle	M Rolfe R Strawson		▪ every signed up company contacted, including 1 visit by responsible officer	March 2009
▪ Respond to reasonable requests for advice	M Rolfe R Strawson M Ward		▪ 100% reasonable requests for advice responded to	March 2009
▪ Provide targeted business advice	M Rolfe R Strawson		▪ new businesses in high risk areas identified ▪ support and advice offered and provided	March 2009
▪ Operate and promote the use of our good trader scheme	M Ward		▪ 100 businesses signed up to good trader scheme	March 2009
4. Preventing the spread of animal disease and taking action in relation to instances of unnecessary suffering in livestock at critical control points including points of export.				
▪ Deliver the Animal Health Framework Agreement	M Rolfe R Strawson		▪ SLA delivered	March 2009
5. Taking effective enforcement action in relation to the storage and supply of dangerous goods.				
▪ Carry out market place monitoring	M Rolfe R Strawson		▪ 12 market place campaigns to monitor produce safety undertaken	March 2009
▪ Administer petroleum and explosives licensing regime	M Rolfe R Strawson		▪ 100% licences and registrations issued and renewed within 10 days of application	March 2009
6. Maintaining food standards and assisting people to make informed, healthy choices.				
▪ Market place monitoring	M Rolfe R Strawson		▪ 24 market place campaigns to monitor food standards carried out	March 2009
▪ Helping people to understand	M Rolfe		▪ 12 initiatives to provide information to enable Kent	March 2009

and adopt healthier lifestyles	R Strawson		consumers to make informed choices about healthier living undertaken	
Peer Review Performance Improvement Plan	C Bainbridge		<ul style="list-style-type: none"> Performance Improvement Plan acted upon and monitored on quarterly basis 	March 2009
Business Continuity Plan & Risk Assessment	C Bainbridge		<ul style="list-style-type: none"> Plan tested and updated every six months Risk assessments checked and updated every six months 	Sept 2008 March 2009 Sept 2008 March 2009
Equality Impact Screening and Assessing	C Bainbridge		<ul style="list-style-type: none"> All new policies, practices and procedures screened and impact assessed as necessary 	March 2009
Investors in People	C Catt		<ul style="list-style-type: none"> IIP action plan reviewed and updated every six months 	Sept 2008 March 2009

In line with financial regulations, capital projects will be subject to a review by the Project Advisory Group prior to approval to spend by the Leader.

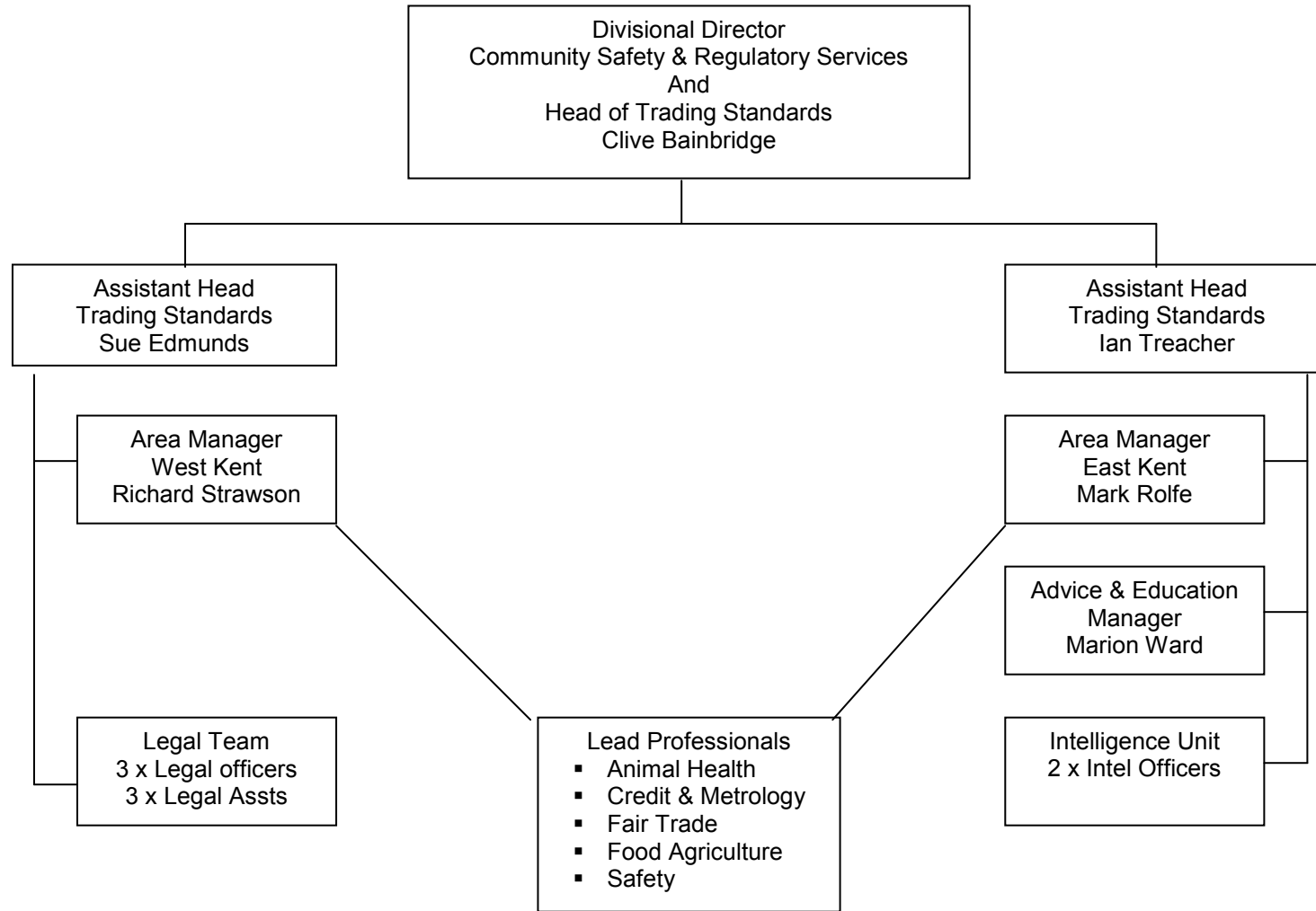
SECTION 3 : USER / RESIDENT INVOLVEMENT PLANNED FOR 2008/09

Name	Start date/ end date	Consultation type	Target Group	Target area (Kent, Town, district, ward etc)	Brief summary	What we want to find out and how we will use the information,(approx 25 – 50 words)	Statutory Yes/No	Feedback to public date	Contact name, e-mail & phone No.
Kent Consumers	1.4.08 31.3.09	Business	Random sample of consumers who have contacted KTS	Kent	Consultation with service users	Part of statistical return to CIPFA for National Performance Framework. Identify areas of weakness and address as part of planning process.	Yes		Yvonne Cummins 01622 221651 Yvonne.cummins@kent.go.uk
Kent Businesses	1.4.08 31.3.09	Business	Random sample of businesses who have	Kent	Consultation with service users	Part of statistical return to CIPFA for National Performance Framework.	Yes		Yvonne Cummins

			contacted KTS			Identify areas of weakness and address as part of planning process.			
Staff Survey		Business	All members of KTS	KTS	Consultation with members of service	Annual staff survey. Identify any areas of dissatisfaction which then addressed as part of planning process	No		Yvonne Cummins
School Survey		Business	Random sample of schools	Kent	Consultation to measure 'how easy it is to buy age-restricted goods	Annual survey. To establish the difficulty young people have in buying age-restricted products.	No		Yvonne Cummins
KTS Good Trader Scheme - Buy with Confidence	1.4.08 31.3.09	Business	Consumers who have used BwC	Kent	Consultation to measure satisfaction and feedback to traders	Ongoing To establish the effectiveness of the scheme and identify any improvements	No		Yvonne Cummins
KTS Good Trader Scheme – Buy with Confidence	1.4.08 31.3.09	Business	Consumers who have used BwC	Kent		Ongoing To allow consumers to recommend traders for BwC scheme	No		Yvonne Cummins
TS Alerts	July 08	Business	Organisations which receive TS Alerts	Kent	Consultation to measure effectiveness of messaging	Annual survey To inform improvements to the system	No		Yvonne Cummins

SECTION 4 : RESOURCES

4.1 STRUCTURE CHART



4.2 STAFFING

	2007/08	2008/09
KS 13 and above or equivalent (FTEs)	4.0	4.0
KS 12 and below (FTEs)	98.0	106.1
TOTAL	102.0	110.1
FTE which are externally funded	7.0	6.0

4.3 CAPACITY, SKILLS AND DEVELOPMENT PLANNING

	Gender		Age		
	Male	Female	<24	25 – 50	50+
People employed full-time	38	48			
People employed part-time	2	7		7	2
Total	40	55			

Approximately five years ago exit interviews and the staff survey identified a retention issue, especially amongst younger, part-qualified officers. In response to this and following discussions with officers, a new career grade was developed and introduced which recognises an officer's growing contribution to trading standards activity as they become competent, rather than waiting until they are fully qualified. Since the implementation of the career grade in 2004 there has been a marked improvement in the retention of younger officers. Ten unqualified officers were employed in 2005 and none have left.

The issue of losing younger officers had to be addressed as the Service had a high proportion of officers reaching ages when they would be eligible to retire. In addition, nationally there was a lack of qualified and experienced Trading Standard Officers. This is being addressed by a new, modular qualification, Diploma in Consumer Advice & Trading Standards (DCATS). All officers undertaking DCATS training in 2007/08 passed the modules for which they were studying and in 2008/09 sixteen officers will be undertaking further professional training.

Throughout the Service training requirements are identified during appraisals, these are collated into a service-level learning and development plan which, in turn forms part of a division-wide plan. Training embraces a wide range of methods from shadowing to formal training courses.

The Directorate has identified 3 development priorities which will be addressed in 2008/09:

- Management audit (competence)
- Up skilling business support people
- Equalities (corporate)

SECTION 5: REVENUE BUDGET

2007-08 Controllable Expenditure	FTE	Activity/Budget Line	2008-09								
£'000			FTE	Employee Costs £'000	Running Costs £'000	Contracts & Projects £'000	Gross Expenditure £'000	External Income £'000	Internal Income £'000	Controllable Expenditure £'000	Cabinet Member
1483.4	30.5	Service Management Operational	31.5	1175.8	593.8	74.0	1843.6	294.4	1.3	1547.9	MH
2042.9	65.3	Enforcement	62.9	1952.0	152.4	14.0	2118.4	56.0		2062.4	MH
436.0	15.6	Advice & Education	15.7	486.3	40.8	0.8	527.9	25.0		502.9	MH
60.7		Training		56.0	4.7		60.7			60.7	MH
4023.0	111.4	Controllable Totals	110.1	3670.1	791.7	88.8	4550.6	375.4	1.3	4173.9	
		<u>Memoranda Items:</u>									
		Central Overheads Directorate					0.0			0.0	
		Overheads					0.0			0.0	
		Capital Charges					0.0			0.0	
4023.0	111.4	Total Cost of Unit	110.1	3670.1	791.7	88.8	4550.6	375.4	1.3	4173.9	

SECTION 6 : CORPORATE THEMES

6.1 Equality & Diversity

The Directorate Equality Strategy is being updated but will include the following objectives for individual services:

- Build on current intelligence to develop a more complete picture of current service users, and non-users, in terms of the national equalities strands and use this to inform service planning.
- Ensure that consultation for planning and decision making processes involves all sections of the community.
- Develop a better understanding of the groups of people whose views are seldom heard and find ways of engaging with them.
- Continue with the process of ensuring that all new policies, procedures, decisions and practices are screened for their impact.
- Complete the review of contracts and SLAs with external providers in order to ensure that equalities requirements are embedded and a monitoring system in place.
- Where possible ensure the service contributes to the Directorate's targets for disability employment.
- Introduce a pragmatic approach to monitoring equalities issues relating to complaints, building on the pilot that is being introduced for 3 months in February 2008.
- Respond to any equalities issues arising from the corporate inspection.
- Continue to provide Equality & Diversity training for staff and managers.

The Community Safety & Regulatory Services Division has an Equalities Group with representatives from each of the six service units and its purpose is to ensure information from the Directorate Equalities Group is disseminated throughout the Division. Members of the group lead on equality issues for each service unit and screening for Equality Impact Assessments has been led by them. In addition, some members of the Division Equalities Group are also Directorate Equality Champions – Age, Gender and Faith.

Trading Standards activity embraces all the equality strands. Examples of work we have carried out include :

Educating young people to be good consumers

- Young Consumer of the Year
- Consumer Challenge (young people with learning disabilities)
- Talking Shop

Warning older people about the dangers of rogue traders

- Trickster (50+)
- Scambusters (60+)

6.2 Section 17 Crime & Disorder Act (Community Safety)

Trading Standards Officers work closely with the Kent Police, Community Wardens and CDRP's on a range of activities aimed at making our communities safer :

- TS Alerts warning local communities about the activity of rogue traders
- Trickster & Scambuster
- Rapid Action Team interventions
- Underage sales campaigns

6.3 Corporate Environmental Performance and Climate Change Adaptation

The Communities Directorate recently published an Environment Policy which commits it to achieving ISO 14001 compliance – implementing, maintaining and improving an environmental management system across the organisation.

The Community Safety & Regulatory Services Division has an Environment Group with representatives from each of the 6 service units. The purpose of this group is to support the Directorate's commitment to achieving ISO 14001 compliance by sharing experience and best practice. They have already identified some initiatives:

- Car sharing
- Working from home
- Venues for meetings

6.4 Investors in People

All service units in the Community Safety & Regulatory Services Division support Investors in People and have action plans which are updated on a regular basis.

IIP principles are taken into account in business planning and management, eg :

- Objectives in the business plan are translated into individual work plans
- Strong commitment to appraisal and development
- Strong commitment to equal opportunities in training, etc
- Recognition of good work
- Evaluation of training
- Celebration of success

APPENDIX 1 : SCHEDULE OF LEGISLATION

Administration of Justice Acts 1970 and 1985
Agriculture Act 1970 Part IV
Agriculture (Misc. Provisions) Act 1968
Animal Health Act 1981
Anti-Social Behaviour Act 2003
Business Names Act 1985
Cancer Act 1939
Celluloid and Cinematograph Film Act 1922
Charities Act 1992
Children & Young Persons Act 1933
Children & Young Persons (Protection from Tobacco) Act 1991
Clean Air Act 1993
Consumer Credit Act 1974
Consumer Protection Act 1987
Copyright, Designs and Patents Act 1988
Courts and Legal Services Act 1990
Criminal Justice & Police Act/Licensing Act 1964
Customs and Excise Management Act 1979
Development of Tourism Act 1969
Education Reform Act 1988
Energy Act 1976
Energy Conservation Act 1981
Enterprise Act 2002
Environmental Protection Act 1990
Estate Agents Act 1979
European Communities Act 1972
Explosives Acts 1875 and 1923
Fair Trading Act 1973
Farm and Garden Chemicals Act 1967

Fireworks Act 1951 & 2003
Food and Environment Protection Act 1985
Food Act 1984
Food Safety Act 1990
Forgery and Counterfeiting Act 1981
Fraud Act 2006
Hallmarking Act 1973
Health & Safety at Work etc. Act 1974 Pt I
Kent County Council Act 2001
Licensing Act 2003 (ss 51, 146, 147 & 154)
Medicines Act 1968
Merchant Shipping Act 1979
Mock Auctions Act 1961
Motor Cycle Noise Act 1987
Performing Animals (Regulation) Act 1925
Petroleum (Regulation) Acts 1928 and 1936
Poisons Act 1972
Prices Acts 1974 and 1975
Proceeds of Crime Act 2002 (parts 2 and 8)
Property Misdescriptions Act 1991
Protection of Animals Act 1911
Public Health Acts 1936, 1961 and 1976
Road Traffic Act 1988
Solicitors Act 1974
Telecommunications Act 1984
Theft Acts 1968 and 1978
Timeshare Act 1992
Tobacco Advertising and Promotion Act 2002
Trade Descriptions Act 1968
Trade Marks Act 1994
Trading Representations (Disabled Persons) Acts 1958 and 1972

Trading Stamps Act 1964

Unsolicited Goods and Services Act 1971 and 1975

Video Recordings Act 1984

Vehicles (Crime) Act 2001

Weights & Measures Acts 1976 and 1985

And any Orders, Regulations and other subordinate legislation made under, or having effect by virtue of the above Acts, including:-

The Bovines and Bovine Products (Trade) Regulations 1999

The Common Agricultural Policy (Wine) Regulations 1996

The Eggs (Marketing Standards) Regulations 1985

The Feedingstuffs (Zootechnical Products) Regulations 1999

The Feedingstuffs (Establishments and Intermediaries) Regulations 1999

The Fertilisers (Mammalian Meat and Bone Meal)(Conditions of Manufacture) Regulations 1998

The TSE (England) Regulations 2002 (SI 2002 No. 843)

The Measuring Container Bottles (EEC Requirements) Regulations 1977

The Measuring Instruments (EEC Requirements) Regulations 1988

The Non-automatic Weighing Instruments Regulations 2000

The Tourism (Sleeping and Accommodation Price Display) Order 1977

The Electromagnetic Compatibility Regulations 1992