

The Highland Council

Planning, Development and Infrastructure Committee

14th May 2014

Trading Standards 2014-15 Operational Plan

Report by Director of Development & Infrastructure

Agenda Item	17
Report No	PDI 14/14

Summary

This report sets out the factors that have been taken into account in setting the priorities for Trading Standards in the year ahead and places before Members for approval the Trading Standards Operational Plan for 2014/15.

In due course Trading Standards will be assimilated into the Development & Infrastructure Service Plan. However the approval of this Annual Operational Plan will become a Service Plan enabling action supporting Annual Performance Review.

1. Background

- 1.1 The overall objective of Trading Standards is to fulfil the Council's statutory duties under numerous pieces of consumer protection and trading standards legislation to ensure that trade in the Highlands is carried out in accordance with relevant statutory requirements and in so doing to protect the safety and economic interests of consumers and businesses.
- 1.2 In addition to the many specific legal restraints placed on the Council and on Trading Standards personnel on how they exercise these regulatory functions, statutory codes of conduct have been and are being established at UK and Scottish Government respectively (ref. the [Regulator's Code¹](#)).
- 1.3 The impact of the code is discussed more fully in the Operational Plan itself, but one of its primary requirements is for regulators to carry out their function in a way that supports those they regulate to comply and grow. In practice this means that, whilst not losing sight of businesses' need to comply with the law, they are allowed to operate in a fair and level environment, free from unnecessary regulatory burdens.
- 1.4 In fulfilling their regulatory role Trading Standards therefore aim, wherever possible and appropriate, to work with businesses, assisting them to understand and comply with often complex pieces of trading standards law.
- 1.5 This aspect of our work is seen as being central to developing new ways of working with business as part of the new Development and Infrastructure Service and

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf

contributing to the creation of a thriving and sustainable future for the Highlands.

1.6 The Operational Plan, attached to this report as **Appendix 1**, sets out the proactive work programme for the year ahead and identifies the statutory responsibilities, UK and Scottish priorities agreed for Trading Standards which have driven the operational planning process.

1.7 In addition to the programme of work identified in the plan, investigating complaints and referrals from other regulatory and advice agencies, and responding to service requests, makes up a significant proportion of our overall operational activities. A report on both those proactive and reactive activities undertaken during the year is included in the Trading Standards Performance Review reported to Committee each autumn.

2. Factors Impacting on Priority Setting

2.1 The council's statutory responsibilities, agreed UK and Scottish priorities for Trading Standards which drive the planning process are explained in the Operational Plan itself.

Wherever possible however the objectives of the plan have also been aligned with the Scottish Government's [National Outcomes](#)²; Highland Council's [Single Outcome Agreement](#)³; and the Council's "[Working together for the Highlands](#)"⁴ programme, Currently however it is only at National Outcome level that any clear correlation can be identified with anything other than the high level objectives within SOA3 or the Council's programme.

2.2 Those high level outcomes and objectives from the aforementioned sources that align most closely with the regulatory work Trading Standards is involved in delivering are as follows:-

National Outcomes

- Business - We live in a Scotland that is the most attractive place for doing business in Europe.
- Crime - We live our lives safe from crime, disorder and danger.
- A Wealthier and Fairer Scotland - By making Scotland wealthier and fairer, we will: generate more opportunities to work; make Scotland a more attractive place to live, work and invest; and ensure that the benefits of increased national prosperity are shared fairly across Scotland.
- Healthier Lives - We live longer, healthier lives.

Relevant to this outcome is the Scottish Government's published [Tobacco Control Strategy - Creating a Tobacco-Free Generation](#)⁵ which also identifies a specific role for Trading Standards in its delivery.

² <http://www.scotland.gov.uk/About/Performance/scotPerforms/outcome>

³ <http://www.highland.gov.uk/NR/rdonlyres/9B923133-9CF5-4C6F-B11C-6427F95D79EB/0/SOA3.pdf>

⁴ <http://www.highland.gov.uk/NR/rdonlyres/6C4FABC0-37A8-4BDD-9856-CF8C285F1FD0/0/ProgrammeforTheHighlandCouncil.pdf>

⁵ <http://www.scotland.gov.uk/Resource/0041/00417331.pdf>

SOA3

- Economic Recovery and Growth
- Safer and stronger communities and reducing re-offending
- Outcomes for older people
- Health inequalities

Working Together for the Highlands

- the economy
- children and young people
- strong and safe communities

3 Locally agreed Commitments

- 3.1 The final piece of the jigsaw in deciding where best to allocate what is a very limited resource involves an in-house assessment of what specifically local issues not identified within other agreed priorities are considered to present a significant risk to the economic welfare and safety of Highland residents.
- 3.2 Those issues that are selected as local priorities are based on an analysis of complaints, non-compliances found, input from partner organisations, and an assessment of the risk and/or detriment involved. Delivery Charges was one such priority previously identified and remains as such. The need for additional support for remote rural petrol filling stations is another such example.

4 Implications

- 4.1 There are no legal implications arising as a direct result of this report.
There are no equality implications arising as a direct result of this report.
There are no climate change implications arising as a direct result of this report.
There are no risk implications arising as a direct result of this report.
There are no Gaelic implications arising as a direct result of this report.

Recommendation

The Members are asked to:-

Approve the Trading Standards 2014/15 Operational Plan

Designation: Director of Development and Infrastructure

Date: 15 April 2014

Author: Gordon Robb, Trading Standards Manager



TRADING STANDARDS

2014/15 OPERATIONAL PLAN

Trading Standards Operational Plan

Influencing Factors

1. Statutory Duties

- 1.1. The list of Trading Standards and Consumer Protection legislation generated by the Scottish and UK governments and the European Union that place a statutory duty on Local Authorities to enforce is a long one. It is not reproduced here, but is published as an appendix to the current [Trading Standards Enforcement Policy](#)⁶.
- 1.2. The main areas of trade that are subject to these statutory duties are:-
 - 1.2.1. Fair Trading (Including Criminal and Civil breaches with respect to false, misleading aggressive or otherwise undesirable trade practices relating to Prices, Credit, Hallmarking, etc.)
 - 1.2.2. Intellectual Property (Counterfeiting and Trademarks infringements)
 - 1.2.3. Weights & Measures
 - 1.2.4. Product Safety & EU Standard Conformity (Including Age Restricted Sales)
 - 1.2.5. Petroleum & Explosives Storage (Licensing function)
 - 1.2.6. Agriculture (Animal Feed & Fertiliser Quality Standards)
 - 1.2.7. Environmental Protection (Energy Performance Claims)
 - 1.2.8. Tobacco Marketing Controls ([Scottish Government - Tobacco Control Strategy](#))⁷

2. National UK Priorities for Trading Standards

- 2.1. The Consumer Protection Partnership (CPP) was formed in April 2012 as part of the Government's institutional reform of the consumer landscape. The CPP includes the National Trading Standards Board, Trading Standards Scotland, the Department for Enterprise, Trade and Investment Northern Ireland, the Office of Fair Trading (and subsequently the Competition and Markets Authority), Consumer Futures, the Financial Conduct Authority, the Trading Standards Institute, Consumer Council for Northern Ireland, and the Citizens Advice Service.
- 2.2. The CPP's primary purpose is to bring together the key partners within the new consumer landscape to identify and prioritise areas where there is greatest harm caused to consumers, agreeing and coordinating collective action to tackle such detriment, and using all available tools at the disposal of each member.
- 2.3. The [latest report from the CPP](#)⁸ identifies the following agreed UK priorities: -
 - Mobile phones and mobile technology
 - Second hand cars sector
 - Home building sector
 - Unfair terms
 - Scams
 - Doorstep crime
 - The Green Deal

⁶ <http://www.highland.gov.uk/NR/rdonlyres/166AFC55-EA13-4AB6-BB3F-8EEBF7F84EAB/0/Item14TEC5411.pdf>

⁷ <http://www.scotland.gov.uk/Publications/2013/03/3766/0>

⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/252730/bis-13-1267-consumer-protection-partnership-future-priorities.pdf

3. Scottish Trading Standards Priorities

3.1. Trading Standards Scotland, currently based within COSLA, has as part of its remit to assess and identify specific priorities to compliment the work of the CPP and has identified the following two themes as Scottish priorities for 2014/2015 :

- Doorstep Crime
- e-Crime/e-Commerce

Note: Doorstep Crime covers itinerant traders, rogue builders and cold calling and e-Crime/e-Commerce covers offences committed utilising a computer and will include distance selling regulations, online scams, copycat websites, Facebook, Gumtree, eBay etc.

4. Locally Agreed Service Commitments

4.1. Originally established in 2011/12 and revised for the 2013/14 Operational Plan, the agreed service commitments have been retained for 2014/15.

4.2. These commitments have been designed to reflect Highland, Scottish, UK priorities and statutory obligations, and drive not just what we do, but with whom we work and how we can achieve the best outcomes for the community and businesses.

4.3. These commitments (not in any priority order), are to:-

- **Work with business and our partners, in particular the Police, HMRC, The Intellectual Property Office and other UK Trading Standards Services to protect legitimate business interests and consumers by combating Intellectual Property Crime and reduce the availability of counterfeit and illicit products.**
- **Work with the Scottish Government, businesses and communities to reduce the underage sales of tobacco to young people and also working with our partners at HMRC to combat the supply of counterfeit and other illicit tobacco products.**
- **Work with partners, especially the Police, other Local Authorities, the UK and Scottish Governments, to improve community safety by working to reduce: crime and fear of crime; e-commerce and doorstep related crime.**
- **Work with partners, including CitACS and other UK Trading Standards Services, to reduce the economic detriment suffered by consumers as a result of breaches of civil and criminal legislation committed by businesses based in and who do business in Highland**
- **Develop partnership with the Citizens Advice Bureaux network and Citizens Advice Scotland on local consumer empowerment through joint campaigns and close working on consumer advice and assistance.**
- **Work with partners, especially other UK Trading Standards Services, the UK and Scottish Governments, to improve community safety by reducing the number of unsafe products offered for supply.**
- **Work with the tourist industry and our partners Visit Scotland to maintain the reputation of the Highlands as a tourist destination by responding effectively to complaints about visitor accommodation and service standards.**

5. Over and above this the UK government has placed some specific controls on how we operate in the form of a statutory [Regulator's Code](#)⁹.

5.1. The primary objectives of the code are that regulators should: -

- **Carry out their activities in a way that supports those they regulate to comply and grow.**
- **Provide simple and straightforward ways to engage with those they regulate and hear their views.**
- **Base their regulatory activities on risk.**
- **Share information about compliance and risk.**
- **Ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.**

6. The Plan that follows uses a number of main headings, namely **Community Safety; Fair Trading; Quality Standards and Advice & Conciliation** that have been adopted to group various priority and statutory activities together in a way that can hopefully be clearly understood.

⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf

OPERATIONAL PLAN

	Main heading	Sub-heading
1.	Community Safety	<p>Doorstep Selling Crime (<i>Statutory Function; National TS Priority; THC Programme - Working together for strong and safe communities</i>)–</p> <p>To continue working with partner organisations, community representatives and the business community to address the existing levels of doorstep selling crime in Highland and continue to develop operational practices to reduce both the incidence and the fear of such crime</p> <p>Including:-</p> <ul style="list-style-type: none"> • A six month project to identify priority target areas and work with community groups/organisations to promote, evaluate and facilitate the establishment of new Cold Call Control Zones (CCCZ) in Highland; Target: Establishment of one or more new CCCZ by 30 September 2014 • A project to promote the selection and use of reputable business engaged in the home improvement/ construction sector by working with the Scottish Government supported Construction Licensing Executive and local businesses to promote the ‘Licensed to Trade’ scheme. Target: Increase the number of licensed businesses in Highland; Undertake promotional activity to increase consumer awareness of the scheme in Highland. [Note: Target dates to coincide with CLE target agreed with SG] • The continued participation in multi-agency operational activities targeting doorstep crime – Target: Complete 4 joint operations by 31 March 2015.

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	Main heading	Sub-heading
2.	Community Safety	<p>Age Restricted Products (<i>Statutory Function; SG Priority for Tobacco Products; THC Programme - Working together for strong and safe communities & Working together for our children and young people</i>)–</p> <p>To reduce the incidence of age restricted products getting into the hands of young people;</p> <p>Specifically</p> <ul style="list-style-type: none"> In partnership with Police Scotland and other partner organisations to continue to recruit and retain young volunteers to carry out test transactions, improve intelligence gathering and build on the level of proactive test transactions of tobacco and other age restricted products from previous years. Target: Participate in at least 6 test transactions operations. In partnership with NHS Highland and neighbouring LA's to participate in a “proxy sales” retailer awareness poster campaign. Target: – Production and distribution of posters to 400 retailers

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	Main heading	Sub-heading
3.	Community Safety	<p>Product Safety (<i>Statutory Function; National TS Priority; THC Programme - Working together for strong and safe communities</i>)- Increase product safety standards locally by undertaking an effective market surveillance programme and by responding effectively to RAPEX (EU based product safety risk system) and other recognised non-food safety notification mechanisms to ensure the removal of offending products from the market.</p> <p>Including</p> <ul style="list-style-type: none"> • The regular interrogation of all relevant non-food safety notification mechanism portals. Target: Interrogate RAPEX and other portals weekly. • Participation in an agreed programme of proactive EU, UK, Scotland wide market surveillance projects selected from those proposed by the SCOTSS and National Product Safety Group which have been assessed to be relevant and beneficial to Highland consumers and businesses. Target: Complete programme (see Operational Team Plan for details). • Undertaking a programme of locally identified market surveillance projects which have been assessed to be relevant and beneficial to Highland consumers and businesses. Target: Complete programme (see Operational Team Plan for details). • To maintain the effective surveillance of Highland based producers (i.e. Manufacturer, Importer). Target: Maintain an accurate and up to date record of producers and interact with all newly identified producers and 100% of producers classified as high risk.

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	Main heading	Sub-heading
4.	Community Safety	<p>Petroleum & Explosives Licensing (<i>Statutory Function; Local Priority; THC Programme - Working together for the economy & Working together for strong and safe communities</i>)– Maintain and improve where necessary public safety, by ensuring high overall compliance levels of operational filling stations and ensure that redundant Petrol Filling Stations that present a significant safety risk are safely decommissioned in accordance with Council standards.</p> <p>Including</p> <ul style="list-style-type: none"> • The routine inspection of existing licensed petroleum storage premises that are assessed to present a higher risk. Target: Conduct at least one inspection every two years for higher risk sites. • The provision of additional support where necessary for existing and proposed new petrol filling stations serving remote rural communities. Evidence: Number of sites where additional support is provided. Details of any wider initiatives to support remote rural sites. • Greater emphasis during the year is to be placed on decommissioning activity and reducing the number of abandoned/mothballed sites. Evidence: Number of non-operational (i.e. abandoned/mothballed) sites decommissioned.

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	Main heading	Sub-heading
5.	Community Safety/ Fair Trading	<p>Environment (<i>Statutory Function; Local Priority; THC Programme - Working together for the economy & Working together for strong and safe communities</i>)- To examine the extent to which any environmental and economic benefit claims made in relation to consumer products have or are likely to cause consumers to be misled or confused; and to act accordingly.</p> <p>Including</p> <ul style="list-style-type: none"> Evaluate local compliance with recently implemented revised construction products legislation in relation to energy saving products and specifically the identification of relevant Highland based suppliers and the evaluation of a sample of products available. <p>Evidence: Project Report</p>
6.	Community Safety/ Fair Trading (Metrology)	<p>Taxis & Private Hire Car Operation (<i>Implied Statutory Function; Local Priority; THC Programme - Working together for strong and safe communities</i>)- Maintain and where necessary improve existing public safety and fair trading standards of Taxis & PHC via the rigorous application of the Penalty Points System and ensuring the accurate calibration of taximeters.</p> <p>Specifically</p> <ul style="list-style-type: none"> Licensed vehicle standards will continue to be monitored within the scope of the penalty points system and continued reduced 'on rank' monitoring will take place. <p>Target: Conduct 22 'on rank' inspections in the year. Evidence: Monthly analysis of penalty points system and associated enforcement action taken;</p> <ul style="list-style-type: none"> To participate in intelligence led multi-agency enforcement activity. <p>Evidence: Number of multi-agency activities undertaken.</p>

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	Main heading	Sub-heading
7.	Fair Trading (Metrology)	<p>Weighing & Measuring Equipment Accuracy (<i>Statutory Function; Local Priority; THC Programme- Working together for the economy & Working together for strong and safe communities</i>)- To continue to undertake the market surveillance of equipment in use for trade that is assessed to present the greatest risk of economic detriment to consumers and business and to provide an efficient high quality calibration and weighing & measuring equipment requalification service to business.</p> <p>Specifically</p> <ul style="list-style-type: none"> • Metrological inspection will continue in relation to retail petrol filling stations and Bulk Fuel supplies, but will, given the recent history of compliance, take place at a reduced level. Target: Inspection of 100% of retail filling stations where intelligence received indicates a problem; Inspection of 50% of all bulk fuel suppliers. • Inspection of producer's premises will continue with additional market surveillance to identify new premises. Target: Interaction with 100% of nationally classified high risk premises. • Inspection of weighbridge premises will continue. Target: Inspection and certification of 100% of weighbridges required for merchant shipping purposes and inspection of 70% of all others. • We will continue our Notified Body status and respond to requests for verification/re-qualification of applicable weighing and measuring equipment. Target: Verify/re-qualify equipment in 100% of requests made by local business.

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	Main heading	Sub-heading
8.	Fair Trading	<p>General Fair Trading – <i>(Statutory Function; THC Programme - THC Programme- Working together for the economy & Working together for strong and safe communities)-</i> To monitor general fair trading law compliance levels, by targeting available resources on selected areas of business that available intelligence would indicate problems exist and by the provision of advice and enforcement action where necessary to achieve compliance.</p> <p>Including</p> <ul style="list-style-type: none"> • Investigations initiated by complaints and other information obtained indicating breaches of Fair Trading legislation. Compliance advice for traders and enforcement action taken as necessary. Evidence: Number of investigations and outcomes. • Hold a one-day seminar for solicitors and estate agents on the application of Trading Standards laws to house and other property sales. A survey of local businesses in 2013-14 revealed a strong demand for a seminar to explain and discuss recent changes to the law, with the repeal of the Property Misdescriptions Act and its replacement by general fair trading regulations. Target: Hold seminar with at least 50 delegates. Evidence: Attendee assessment • Implement Primary Authority Partnerships. Considerable background work has been carried out on the implementation of “Primary Authority Partnerships” with local companies that trade across Scotland or the UK. Several businesses have been identified as appropriate for Primary Authority Partnerships. A Partnership with one business is expected to “go live” in 2014-15 and others will be considered. Target: Implement one primary authority partnership. • Work with the Development and Infrastructure Service’s Economy and Regeneration Team to develop a “joined up” approach to the provision of advice and assistance to local businesses, in particular in relation to e-Commerce, intellectual property and the tourist trade. Evidence: Annual report. • Further develop existing working relationships with the Development and Infrastructure Service’s Planning Enforcement team and Building Standards officers to tackle rogue builders and problems surrounding property sales and use. Evidence: Annual report

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	Main heading	Sub-heading
9.	Fair Trading	<p>Tourist Accommodation & Services – <i>(Statutory Function; Formal Partnership Agreement; THC Programme - Working together for the economy & Working together for strong and safe communities)</i></p> <p>To ensure that a high level of compliance with fair trading law is achieved across the tourism sector by improving the availability of relevant advice to business; the proactive assessment of online marketing information provided by tourist related businesses and by facilitating in partnership with Visit Scotland, the receipt and effective resolution of complaints, including the taking where necessary of enforcement action.</p> <p>Specifically</p> <ul style="list-style-type: none"> • Carry out a detailed and systematic analysis of complaint information from VisitScotland and Citizens Advice Consumer Service, with a view to detailed enquiries into possible problem traders and enforcement action as appropriate. Compare complaint numbers and types with information from previous years to identify trends. Evidence: Production of analysis report. • Explore options for joint working with the tourism officers within the Development and Infrastructure Service's Economy and Regeneration Team Evidence: Annual report. • Carry out a project on the hotel and bar trade in relation to pricing and spirit substitution. Intelligence suggests that both tourists and local consumers suffer detriment in relation to these issues. Target: Select and interact with a representative sample of at least 50 licensed premises. Evidence: Project Report

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	Main heading	Sub-heading
10.	Fair Trading	<p>E-Commerce – <i>(Statutory Function; Scottish and UK National Priority; THC Programme - Working together for the economy & Working together for strong and safe communities)</i></p> <p>To improve the service’s capacity to investigate and regulate online commercial activity including scams etc. and by the provision of advice and the taking of enforcement action where necessary to improve the compliance levels of online business both based in Highland and those doing business in Highland. To continue to pursue and bring into compliance e-commerce businesses that are failing to comply with the law relating to the delivery of goods and services to remote communities.</p> <p>Specifically</p> <ul style="list-style-type: none"> • SCOTSS Delivery Charges Project. A consortium of North local authorities, led by Highland, will continue to investigate information from the Citizens Advice Scotland survey on unfair delivery charges. Several hundred traders have been identified for investigation. Evidence: Project Report • Promote the Statement of Principles for Parcel Deliveries which lays out best practice for internet delivery. This will be carried out through direct contact with businesses during investigation of complaints and other enforcement activities and through exploring the options for a possible “trusted trader” type scheme which encompasses the Principles. Evidence: Annual Report • Continued engagement with a wide range of interested parties to continue to explore ways to ensure that Highland consumers and businesses get a fair deal on delivery. These stakeholders include: the UK Government, the Scottish Government, British Retail Consortium, Citizens Advice Scotland, Federation of Small Businesses, Trading Standards Institute, carriers. Evidence: Annual Report • Lead a Scotland-wide project on the rapidly expanding marketplace of “s-commerce”, i.e. selling through social media such as Facebook. The project will involve engaging with businesses and selling groups, providing guidance and assistance on compliance with e-Commerce legislation and taking action where necessary against sellers that fail to comply. Evidence: Project Report • Participate in a Scotland-wide project which seeks to tackle the growing problem of websites which charge for services which can be obtained directly from a Government agency at no extra cost, e.g. DVLA, HMRC. Evidence: Project Report

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	Main heading	Sub-heading
11.	Fair Trading	<p>Credit – <i>(Statutory Function; Local TS Priority; THC Programme - Working together for strong and safe communities)</i></p> <p>To continue to target undesirable lending, debt management and debt collection activities and to assimilate recent changes in this complex area of law to ensure the continued competency of officers to provide good quality advice to businesses and to bring them into compliance where necessary by enforcement action.</p> <p>Specifically</p> <ul style="list-style-type: none"> • Further develop joint working with Highland Council Money Advice and the Citizens Advice Bureaux to increase the intelligence gathered regarding problems with high risk high cost lending (such as payday loans and home collected credit) and ancillary credit activities such as debt collection and debt management. Target: implement intelligence-gathering questionnaire with Council Money Advice Service and at least four Citizens Advice Bureaux. • Carry out follow-up actions in relation to the 2013-14 SCOTSS project on the advertising of Payday loans which is due to be completed in March 2014. Evidence: Project Report • Ensure full compliance with the requirements of Pawnbroking laws by exploring the contention that “Buy Back” schemes are non-compliant pawnbroking schemes masquerading as second hand dealing, taking action and publicising the issues as appropriate. Evidence: Project Report

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	Main heading	Sub-heading
12.	Fair Trading	<p>Motor Trade –(Statutory Function; National TS Priority; THC Programme - Working together for strong and safe communities-& Working together for the economy)- To continue to work to identify and deal with those car dealers who chose to work outside the legitimate licensed trade and to reduce the level of consumer complaints in this area of business by continuing to focus resources onto businesses assessed to present a higher risk.</p> <p>Specifically</p> <ul style="list-style-type: none"> • Lead a North of Scotland project which tackles the issue of “misleading omissions” in relation to second-hand car sales. Consumers must be given the full information about a car and any associated guarantees before making an informed decision to purchase and this project will involve widespread compliance advice being given to car dealers and enforcement action being taken where necessary. Evidence: Project Report • Car Trade Business Advice. Periodic “newsletters” will be produced on Trading Standards issues of interest to the car trade. Newsletters distributed over the last three years have been very well received by the trade. Evidence: Number of newsletters produced and businesses distributed to. • Participate in a Scotland-wide project which seeks to tackle unethical car dealers who pose as private sellers in an attempt to reduce their liability to consumers. Evidence: Project Report

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	Main heading	Sub-heading
13.	Fair Trading	<p>Intellectual Property --(<i>Statutory Function; Local Priority; THC Programme - Working together for strong and safe communities-& Working together for the economy</i>)- Together with targeted market surveillance on known problem areas, to work closer with partner agencies to improve intelligence gathering and its effective use in combating the supply of counterfeit and other illicit goods.</p> <p>Including</p> <ul style="list-style-type: none"> • Analysis of local Intellectual Property intelligence, and investigations as appropriate. This will involve detailed and focused analysis of all intelligence and other information received on the topic of IP crime. Consideration will be given to crime prevention work such as the production and distribution of a consumer education video on IP. Evidence: Annual Report • Proactive enquiries will also be undertaken through local sources and online information, including eBay, Facebook and other internet selling platforms. Evidence: Annual Report

Trading Standards Operational Plan 2014/2015

Appendix 1

OPERATIONAL PLAN

	Main heading	Sub-heading
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14.	Fair Trading	<p>Consumer Advice, Conciliation & Consumer Education —(<i>Support of a Statutory Function; Local Priority; THC Programme - Working together for strong and safe communities-& Working together for the economy</i>)-</p> <p>To continue to work with Citizens Advice Consumer Service and other partners in the provision of advice and education to consumers and in cases referred to Trading Standards to provide high quality 2nd Stage consumer advice, where appropriate conciliating between consumers and traders with a view to assisting in the resolution of consumer disputes. To develop a strong local partnership with the Highland Citizens Advice Bureaux and Citizens Advice Scotland to promote consumer advice, assistance and empowerment.</p> <p>Specifically</p> <ul style="list-style-type: none">• Continue to develop the “Highland Consumer Partnership” with the eight Highland Citizens Advice Bureaux and Citizens Advice Scotland. This will involve a wide range of activities, including:<ul style="list-style-type: none">○ Joint campaigning on matters of consumer detriment,○ Further exploring mechanisms for sharing intelligence○ The provision of specialist advice to CAB advisers○ The production of consumer education/crime prevention materials including information videos <p>Evidence: Project Report</p> <ul style="list-style-type: none">• Carry out an ongoing and detailed survey of all consumers who are users of the consumer advice and conciliation services. Target: 80% satisfaction rate on full-year questionnaire returns.• Young Consumers of the Year Competition. The North of Scotland Young Consumers of the Year Competition will be organised and participation in the Scottish Final as appropriate Evidence: Annual Report• National Consumer Week. Publicity work will be organised around TSI’s National Consumer Week in November. Evidence: Annual Report• Scams Awareness Month in May. Publicity in partnership with CAS/CABx Evidence: Annual Report
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	Main heading	Sub-heading
15.	Fair Trading	<p>Civil Enforcement —(<i>Statutory Function; Local Priority; THC Programme - Working together for strong and safe communities-& Working together for the economy</i>)- To monitor the activities of businesses that sell goods and services to Highland consumers in terms of compliance with the requirements of a range of “civil ” consumer legislation, in particular the law relating to: the sale of goods, supply of services, distance selling, unfair contract terms and provision of guarantees. To identify traders that significantly breach these requirements and take appropriate action under the Enterprise Act 2002.</p> <p>Specifically</p> <ul style="list-style-type: none"> Detailed business advice campaign in relation to new Doorstep and Distance Sales. Significant changes to laws relating to online sellers and businesses that form contracts in consumers’ homes come in during June 2014 and local businesses need to be informed of the changes and assisted in their compliance. Evidence: Project Report The Consumer Rights Bill proposes a wide range of changes to civil consumer law in areas such as: sale of goods, supply of services, digital content and unfair contract terms. A variety of responses from Trading Standards are required, including consumer education, business education, inspections and enforcement action where required. The timescale for the passage of the Bill is uncertain but it is hoped it will be passed during 2014-15, enabling Trading Standards to put some of these activities into operation. Evidence: Annual Report Carry out a project taking a concerted look at the private rented housing sector. Some intelligence and much “word of mouth” suggest that this may be an untapped area of consumer detriment that has not been tackled before. Officers will work with CABx, CAS and other partners to find out more about the problems and take action as appropriate. Evidence: Project Report

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	Main heading	Sub-heading
16.	Quality Standards	<p>Animal Feedstuff Standards (<i>Statutory Function/ Code of Practice; THC Programme - Working together for strong and safe communities-& Working together for the economy</i>)- To ensure compliance with feed hygiene and quality standards by the targeted surveillance of producers and feed businesses and the taking, where considered necessary, of product sampling for analysis.</p> <p>Including</p> <ul style="list-style-type: none"> • Conducting an FSA agreed inspection programme. Target: Complete 100% of programme. • Conduct necessary product sampling activity. Target: Respond appropriately to 100% of negative test results.
17.	Quality Standards	<p>Fertiliser Standards/ Safety – Ensure compliance with fertiliser quality standards and compliance of imported High Nitrogen fertiliser (with detonation resistance standards) by targeted market surveillance of higher risk producers/importers and the monitoring and sampling for analysis and test, where necessary, of shipments of product.</p> <p>Specifically</p> <ul style="list-style-type: none"> • Conduct targeted market surveillance to identify producers/importers. Evidence: Number of producers/importers/ports interacted with. • To respond to all importation notifications as and when received. Evidence: Number of notifications received, responded to and action taken.