

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Regeneration and Sustainable Development Cabinet Board

23 July 2018

Report of the Head of Planning and Public Protection

N. Pearce

Matter for Information

Wards Affected: All Wards

“Buy With Confidence” Trader Approval Scheme administered by Trading Standards

Purpose of Report

1. To advise Members of the Trading Standards led “Buy With Confidence” trader approval scheme.

Executive Summary

2. This report outlines the purpose and the method by which the “Buy With Confidence” trader approval scheme will be implemented within Neath Port Talbot.

Background

3. Trading Standards have the statutory duty to enforce a wide range of legislation, from weights and measures and product safety, fair trading, consumer fraud, underage sales and food standards. Previously Trading Standards provided a consumer advice service, but Trading Standards work is now focussed on criminal enforcement.
4. Consumer advice (civil/contract law) is now provided by the Citizens Advice Consumer Service, managed by the Citizens Advice Bureau. Consumers call the Citizens Advice Consumer Service with their complaint and are advised on their consumer/civil rights. The relevant Trading Standards department is notified of the complaint and they will take action on any investigate-able criminal element dependent on priority and retain the information to identifying problem traders on the department’s database.

5. A trader approval scheme is a means of offering to promote responsible and thoroughly vetted businesses and encouraging good trade and consumer practices. It affords the consumer confidence in the trader, with the added effect of raising the profile of the Trading Standards Service.
6. Neath Port Talbot Trading Standards have previously been involved with the “Trustmark” trader approval scheme. However, under the agreement the service would promote the scheme but had no input into the auditing/assessment process.
7. The “Buy With Confidence” scheme differs in that it is owned and run by a trading standards service and they therefore actively engage in its administration and the assessment of businesses that apply to join. There are now over 50 authorities participating.

Scheme Objectives	
To protect and empower consumers, particularly vulnerable consumers	To reduce the impact of rogue trading activities
To provide consumers with accurate, up to date information on approved businesses they can trust	To ensure high standards of customer service in all member businesses
To educate members on standards and legal compliance	To grow member businesses through the strength of the BWC brand and so support the local economy.

Benefits of the scheme to business	Benefits to consumers	Benefits to Local Authorities and their Trading Standards Services
Growing publicity of the scheme nationally	Freely available online national directory of Trading Standards Approved businesses	Raises standards locally and nationally of trading and compliance
Enhanced reputation and profile	Independent not for profit scheme founded on the professional integrity of Trading Standards and fully controlled by Local Authorities	Increases local and national profile of Trading Standards with local communities and business representatives
Better relationship with regulators	Increase in consumer confidence and in turn improve the local economy	Target areas of particular consumer detriment either by trade sector (e.g. home maintenance or second hand cars) or geographically
Mediation to resolve consumer concerns	Offers the opportunity to create a single consistent Trading Standards controlled approved trader scheme minimising consumer confusion	Isolates rogue traders and reduces complaints
	Public sector raises confidence in the scheme amongst those working vulnerable people, with many of them promoting it to those who most need it.	To educate members on standards and legal compliance

8. **Vetting:**

- Stringent checks are made on businesses to ensure they meet the requirements for the scheme
- **Pre-admission checks:** These may include (but are not limited to);
 - Background: Credit, bankruptcy, trade association memberships, Advertising Standards Authority rulings, Companies House checks.
 - Complaints history: Citizens Advice Consumer Service, and other sources
 - DBS checks: if a business is likely to go around the homes of customers they will be asked to provide Disclosure and Barring Service (DBS) certificates which reveal unspent convictions
- **On site audit:** A trained Trading Standards professional visits the business' main premises and likely any satellite offices. A full check is made of whether the business complies with relevant legislation. Copies are also taken of insurance, licences and other relevant documentation
- **Customer references:** at least 5 random customer references are taken to check that real people have been happy with the business' services

9. **Monitoring:**

The business continues to be monitored after they join the scheme via feedback, database checks, re-audits and complaints checks. Any businesses found not to be meeting the strict terms and conditions are removed from the scheme.

10. **Membership:**

As long as they continue to meet the Terms and Conditions, Members are provided with various benefits including listing the business on the buywithconfidence.gov.uk website.

11. **Use of logo:**

Being part of the scheme allows a business to use the BWC logo on their marketing, vehicles, business cars and websites. They can also refer to themselves as “Trading Standards Approved”

12. **Trading Standards Support:**

Member businesses receive ongoing support from Trading Standards Professionals to answer any queries they may have.

13. **Feedback:**

Feedback on businesses can be left via the website, and some areas also provide forms for businesses to give out. The feedback received is then placed on the website, and also helps BWC to monitor members.

14. **Complaints handling:**

If a business or consumer has a problem with a BWC member that they cannot resolve themselves, the scheme can help both sides and provide mediation to find a mutually agreed outcome.

15. **Proposal**

There are two main methods by which the scheme can be implemented:

Option 1

Local Management: A trading standards service provides the scheme to businesses from end to end, including all vetting, advice and ongoing management of members. It involves substantial resource commitment but also income generation as well as genuine local control over Trading Standards Approval

Option 2

The Local Authority signs up to support “Buy With Confidence”, but with no direct resources commitment from them. The scheme is

administered in that area either centrally or by one of the regional hubs (but always under full local authority control).

All other aspects of the scheme remain the same and the same member and consumer benefits apply. At a minimum this will involve the local TS offering feedback on new applicants in their area and low level promotion but with no resource or financial commitment.

With the restricted resources available to the Trading Standards service, option 2 is to be progressed.

Initially, the department will offer the scheme to the two areas of greatest consumer complaint within Neath Port Talbot – second hand cars and building services. Suitable local businesses will be identified and contacted, and promotion of the service via NPTs media platforms will begin.

Devon & Somerset Trading Standards are the regional administrators of the scheme. They will consult with Neath Port Talbot in assessing applications for the scheme and the ongoing auditing process of existing members.

Consumers and businesses will benefit and there will be little impact on the rest of the service.

Membership is renewed annually and there is a fee of £250 per year which is payable by the applicant annually to Devon & Somerset Trading Standards. Neath Port Talbot Trading Standards will be expected to promote the scheme via its website, social media, at promotional events and in the local press.

Financial Impact

16. No significant adverse financial impact.

Equality Impact Assessment

17. There are no equality impacts associated with this report.

Workforce Impact

18. No significant impact on current workforce- existing officers will incorporate these duties into their current work activities, in accordance with existing Job Evaluation responsibilities.

Legal Impact

19. No significant legal impacts.

Risk Management

20. None

Consultation

21. There is no requirement under the Constitution for external consultation on this item.

Officer Contact

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