

Continuing to Protect the Public and Support Businesses in the Cost of Living Crisis



The Impacts and Outcomes of
Local Trading Standards Services
in England and Wales in 2022/23



FOREWORD

The Association of Chief Trading Standards Officers (ACTSO) created the Impacts and Outcomes Framework in 2018/19 to provide national data for England and Wales on work done by local authority Trading Standards Services. This is its fourth report.

During 2022/23, the cost-of-living crisis continued to impact both consumers and businesses. Businesses require easily accessible and reliable advice and support, and a level playing field with competitors. Consumers looking for bargains remain at risk from unsafe, illicit, and fake goods as well as false claims relating to prices and energy costs, in particular. Trading Standards are vital to addressing all those risks whilst also having a key role in local authority net zero programmes.

As well as the usual three themes of Tackling Detriment and Preventing Harm, Supporting the Local Economy, and Promoting Health and Wellbeing, we have devoted specific sections to environmental regulation and work to support consumers and businesses with the cost-of-living crisis.

While Local Trading Standards Services remain stretched in terms of funding and staffing, they continue to have a big impact in protecting consumers and helping businesses. The headlines from this year's report are:

- Almost £1.03 billion of detriment was prevented by Trading Standards' actions. This equates to £9.60 saved for every £1 spent.
- Revenue budgets were £107 million, a 5.6% increase from last year. This increase is most likely a result of the local government pay settlement for 2022/23.
- Overall staff numbers were the same as in 2021/22 at 2,127.
- The demand on the service, measured by the number of referrals from Citizens Advice, decreased by 18% from 2021/22. However, this is now similar to pre-pandemic levels.
- This year 708 people or businesses were convicted of offences. This is similar to last year but still significantly lower than pre-pandemic. This is likely to be caused by resource constraints at local authority level, a focus on more serious cases, and delays and complexity within the justice system.

- Trading Standards obtained almost £12.2 million in non-scams related redress for consumers. This has increased by 3% since 2021/22 and is 8% higher than 2019/20. This is likely to be local authorities looking at alternatives to formal Court actions, and this often results in agreements to pay redress.
- The amount of money saved for scam victims was almost £70 million. This is a significant increase of 49% on last year which shows the prevalence of scams with high financial losses to vulnerable individuals.
- Trading Standards provided over 21,500 hours of advice to businesses through primary authority partnerships. This was a decrease of 18% from last year and 36% lower than pre-pandemic levels. The total number of primary authority partnerships also dropped by 30% from last year. However, advice to businesses outside Primary Authority Partnerships remained similar to pre-pandemic levels. The reasons for the reduction in primary authority support provided to businesses are not clear.
- Over 65,000 compliance checks were carried out to ensure businesses meet their legal responsibilities and to provide them with advice on site. This is returning to pre-pandemic levels.

In summary, most activity levels are recovering to pre-pandemic levels. Trading Standards continued to demonstrate its huge value in protecting consumers, legitimate businesses, public health, and the environment.

The impact of this work, alongside that which is delivered via National Trading Standards, highlights the results that Trading Standard achieves. Trading Standards is unique in having an infrastructure that can operate at local, regional, and national levels in this way and this is key to its success.

We want this report to inform Government's policy development, including funding for services, and to raise the profile of Trading Standards' work within local authorities.

Special thanks go to the 100 services covering 112 local authorities that submitted their data return.



Richard Webb
Chair of the Association of Chief Trading
Standards Officers



BACKGROUND AND METHODOLOGY

Local authorities in England and Wales were asked to submit data for the financial year 2022/23. The indicators measure demand and resourcing alongside key outputs and outcomes from Trading Standards' activity.

One hundred services contributed, covering 112 out of 173 of local authorities in England and Wales. The responses cover an area with a population of 42.9 million, or 72% of the population of England and Wales.

To illustrate the estimated national impact of Trading Standards, figures have been adjusted to account for both population and the response rate for each question. The resultant figures estimate impact and activity levels for the whole of England and Wales.

DEMAND AND RESOURCING

The approximate revenue budget allocated to Trading Standards was almost £107 million. This has increased by 5.6% from 2021/22. ACTSO believes that this is likely to reflect the local government pay award for 2022/23.

Trading Standards received over £18.1 million in income from a variety of sources including metrology, National Trading Standards grants and Primary Authority income.

Approximately 2,127 full time employees are employed on Trading Standards' work. This was similar to last year. Of those, 82% are "operational" staff.

Trading Standards received almost 690,000 referrals and notifications to their services. While this was an 18% decrease from 2021/22, it represents a 4% increase on pre-pandemic levels. Throughout the pandemic, there were a whole range of issues that affected consumers, such as travel refunds, which no longer feature in the statistics. This shows how many members of the public are seeking advice and support from Trading Standards on consumer related problems and issues.

SECTION ONE: TACKLING DETRIMENT AND PREVENTING HARM

The Government's 2022 Consumer Protection Study estimated that there was £54 billion in unaddressed detriment across Great Britain. One of the key functions of Trading Standards is to prevent consumer and business detriment and tackle the criminal behaviour that leads to it and support victims.

Trading Standards' work can include providing advice and support to the public on how to avoid being ripped off, as well as disrupting and taking enforcement action against criminal behaviour, to prevent harm and financial detriment. The former may be limited due to the financial constraints faced by local services and the need to focus on statutory activity.

1.1 Stopping Fraudulent, Illegal and Unfair Trading

Trading Standards Services have to take formal enforcement action sometimes, usually where people deliberately break the law, have caused serious harm, or repeatedly ignore advice from officers. Trading Standards legislation carries a variety of penalties including prison; fines; forfeiture of assets; fixed penalties; and undertakings to stop future non-compliance. Serious investigations are complex, lengthy and can take several years to bring to trial. This is being exacerbated by ongoing serious backlogs in the Court system. Government is now legislating for more use of improvement and compliance notices by Trading Standards, although this currently only applies to limited elements of the regulatory framework enforced.

Last year,

- Approximately **708 defendants** were prosecuted.
- **Prison sentences** of over **326 years** were handed down.
- Defendants were ordered to pay almost **£980,000** in fines and over **£1.9 million** in costs.
- Defendants were ordered to pay almost **£6.8 million** in **Proceeds of Crime**.
- Over **270 penalty notices** were issued for Trading Standards related breaches.

The use of Enterprise Act undertakings, which can only be used for a narrow set of Trading Standards work, remains very low with only 34 being implemented. This was the same level as 2021/22.

1.2 Detriment and Redress

Trading Standards can ask for the Court to issue a compensation order for victims as part of a prosecution process or get redress for victims through a variety of other means. In 2022/23, it is estimated that the actions of Trading Standards Services resulted in:

- Over **£3.7 million** compensation being awarded to victims by the courts.
- Over **£5.4 million** prevented from being handed over to criminals.
- Over **£3 million** was gained for victims through advice and intervention.

The compensation via other processes increased by 17%. Other levels were similar to last year.

Overall Trading Standards actions prevented almost £1.03 billion of detriment to consumers and businesses.

The overall detriment figure has almost doubled. This shows that Trading Standards continues to provide a low cost but very important service for local communities and individuals, and demonstrates the seriousness of the offending being tackled by the service.

1.3 Supporting Scam Victims

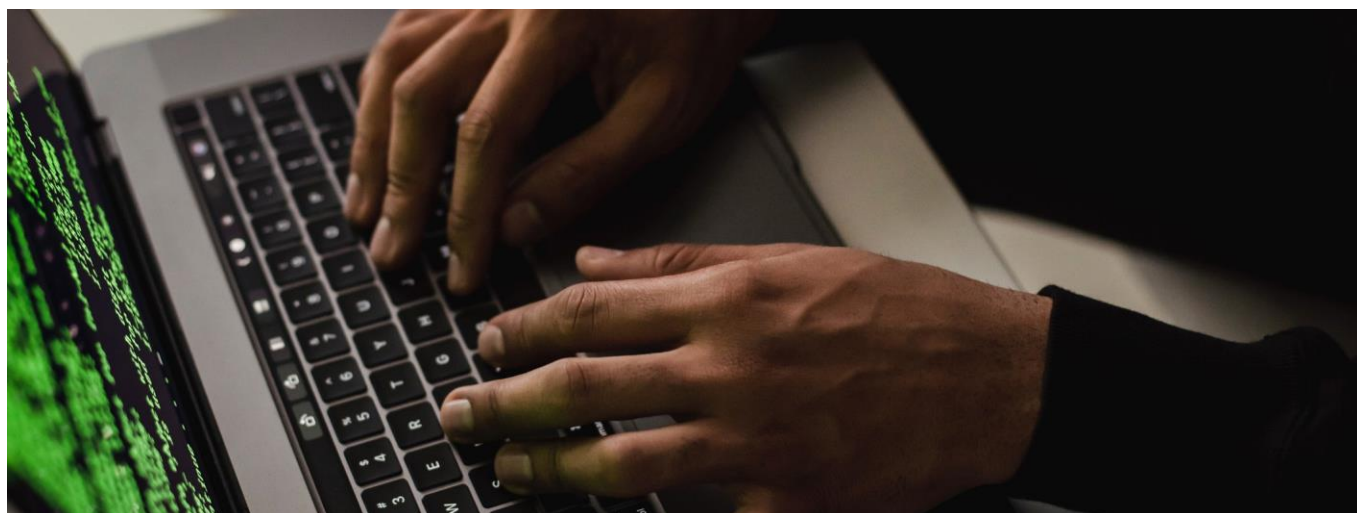
Recent reports show that fraud remains one of the most widespread crimes in the UK. Trading Standards identify and support victims of scams, especially the most vulnerable and often elderly victims of fraud. With so many pressures on household budgets, it has been increasingly vital that hard pressed consumers do not lose any of their money to scammers and fraudsters.

Trading Standards help victims get the support they need to stop them responding to scams. This includes the installation of call blocking devices, work with other safeguarding agencies, and making referrals to the National Trading Standards Scam and E Crime Teams to undertake disruption work such as getting payment systems removed or taking down content from the internet. However, it must be recognised that most scams emanate from overseas and thus, in practice, are out of reach of Trading Standards enforcement

In 2022/23, it is estimated that across England and Wales:

- Local authority Trading Standards provided support to almost **14,500 scam victims**.
- Work to disrupt mass marketing fraud mailings, stop outgoing payments, mail etc saved consumers almost **£70 million**.

While the number of scam victims supported has reduced this year, the savings have increased. This shows that the disruption work to prevent people becoming victims in the first place is crucial.



London Boroughs of Brent & Harrow: Removal of unsafe eBay listings

Brent and Harrow Trading Standards worked in collaboration with eBay's Primary Authority to successfully remove unsafe/non-compliant goods from eBay listings. Examples include mothballs containing Naphthalene, skin lightening cosmetics, unlicensed medicines, unsafe electrical adaptors, cords and heaters, and foodstuffs (tonics) that made a variety of invalid claims. Typically, each listing contained up to 200 products meaning in total over 1,300 unsafe/non-compliant goods were removed.

Staffordshire County Council: Installation of call blockers for vulnerable consumers

As part of an ongoing commitment to protect consumers, Staffordshire Trading Standards installed 84 call blocking devices in homes of vulnerable residents to add to the existing portfolio of devices in place across the county. Vulnerable adults were carefully selected based on their needs and vulnerability, through building links with care organisations throughout the county. Over the course of the year, 8,732 nuisance calls and 2,502 scam calls were blocked. It is estimated these call blockers prevented in excess of £108,000 detriment: including estimated savings of £68,000 for individuals and over £40,000 in social care, NHS, and policing costs.

Stoke on Trent City Council: Home improvement doorstep crime

Stoke on Trent Trading Standards received a doorstep crime complaint from an elderly resident who had contracted with a home improvements company. Initially this was for a new garage, but he subsequently agreed to have a replacement roof at a cost of £12,000. An officer attended the property and examined the roof. The elderly consumer had only recently purchased the property; the presale inspection report stated that the roof required general maintenance rather than replacement. Trading Standards contacted the business and got the contract cancelled. The business was also issued with a notice not to contact the consumer ever again.

Buckinghamshire and Surrey: Prosecutions of home improvement fraud

Three offenders were sentenced for home improvement fraud. The main perpetrator would attend the properties of the consumers (all older adults) and allege that work was required when it was not and then used threatening behaviour to extort the consumers into parting with large sums of money. The known victims' losses were around £200,000. Buckinghamshire and Surrey Trading Standards obtained £198,000 from the company, which was distributed between the consumers as compensation. The main offender was sentenced to a further two years to be added to the 17-year sentence he is currently serving for unrelated offences. Proceeds of Crime proceedings are ongoing.

Heart of the South West: Financial fraud by clone company

A Bridgwater consumer was referred to the Heart of the South West Trading Standards Service regarding a £110,000 finance scam. The individual was defrauded out of his life savings by fraudsters using a clone of a fully regulated investment company. Conmen used fake phone numbers, email addresses and bank accounts to set up a two-year fixed bond account. The consumer's daughter even worked for the investment company that was being cloned and was able to confirm the names of the Account Managers, Risk Managers, and Internal Audit Managers used by the fraudster were those of the real officers of the business. Following an intervention by Trading Standards, the bank issued a full refund.

Pembrokeshire County Council: Prosecution of rogue used car dealer

Pembrokeshire Trading Standards took a successful prosecution against a used car dealer, resulting in a suspended sentence. The dealer advertised vehicles on the roadside and via social media whilst claiming to be a private seller; at times also advertising via friends' Facebook profiles. Over a two-year period 43 adverts were collected as evidence by Trading Standards. Cars were often bought for scrap value and sold soon after without necessary repair work being carried out. One car was bought for £330 and sold the next day in the same condition for £950. Two vehicles were in a dangerous and unsafe condition. Victims included an elderly man and a teenager. Fraudulent claims were made about the condition and length of remaining MOTs.

SECTION TWO: SUPPORTING THE LOCAL ECONOMY

Trading Standards help businesses to comply with the laws that ensure they trade fairly, and their products are safe. This year, as businesses have faced significant inflationary impacts and some sectors are still feeling the aftermath of the pandemic, the ability to access the correct advice and have confidence that they are not being undercut by competitors who break the law, has never been more important.

2.1 Businesses Get the Help and Support they need to Thrive and Grow

Having a thriving local business community is a key priority for all local authorities. Trading Standards role in providing advice and support to businesses has never been more important.

Trading Standards Services provided over 21,500 hours of advice to businesses via Primary Authority Partnerships. Whilst these partnerships enable assured advice to be given to a business with multiple shops or sites via a single local authority, there was a decrease in activity of 18% from 2021/22 and a significant decrease of 36% from pre-pandemic levels. This may be reflective of a more difficult business environment especially for

small and medium sized businesses. Over 146,000 businesses are covered by primary Authority Partnerships.

In 2022/23, it is estimated that across England and Wales:

- **Over 21,500 hours** were provided by Trading Standards advising **Primary Authority businesses**
- Trading Standards responded to **almost 21,000 requests for advice** from businesses that were not part of the Primary Authority scheme. This is similar to pre-pandemic levels.

2.2 Creating and Maintaining a Level Playing Field for Safe and Fair Competition

In any economy, fair competition is crucial for businesses. Being undercut by those who do not meet proper standards and regulations will cause legitimate businesses to fail, putting people out of work and causing risks for workers and consumers.

Trading Standards Services follow an intelligence-led model where action is taken according to risk. This can include providing advice, seizing counterfeit, illicit, and unsafe products, or taking formal enforcement action.

Compliance visits have increased from 2021/22 and are moving back towards pre-pandemic levels.

In 2022/23, it is estimated that across England and Wales:

- **Over 65,000 visits were carried out to businesses to ensure they comply with the law and provide advice to help them fix any non-compliance.**
- **Almost 27,000 businesses were subject to an intervention**, such as advice, investigation, or referral.

- **58% of Trading Standards services operate an assured trader scheme to help increase consumer confidence.** These tend to be targeted at specific trade sectors.
- **Over 10 million counterfeit products with a market value of over £362 million**, which breach the intellectual property of legitimate businesses, were seized.

Seizures of counterfeit goods increased by over 150% from 2021/22 and were four times higher than pre-pandemic levels. We believe that much of the increase in the last year may relate to the seizure of counterfeit vapes. In other areas, the cost-of-living crisis may well have had an impact on the supply of counterfeit goods.

The trade in counterfeit goods damages legitimate businesses who manufacture, distribute, and buy licences to sell legitimate products. Often counterfeiting is run by international organised criminal gangs who use the profits from sales to fund other criminal activity. It should not be regarded as a victimless crime.



Kent County Council: Tackling illicit and unsafe vapes

Kent has been at the forefront of dealing with a range of issues resulting from the emergence of single use disposable vapes, including underage sales, non-compliant products, and the involvement of serious organised crime groups. Kent Trading Standards has employed a three-pronged approach. Between November 2022 and January 2023, the ports team, covering all entry points into the county, seized over 350,000 illegal vapes. The Product Safety team has carried out several operations targeting businesses which has had a significant impact on the illicit market while assisting legitimate vape businesses. The Service works closely with Industry and are in a Primary Authority partnership with the Independent British Vape Trade Association (IBVTA). An example of this partnership working at its best was when it was found that a leading manufacturer's disposable vape was non-compliant with the regulations. Trading Standards worked with IBVTA, the Medicines and Healthcare Products Regulatory Agency and other local authorities and partners to resolve this nationwide non-compliance issue.

Norfolk County Council: Response Avian Influenza outbreaks

For Norfolk Trading Standards, 2022/23 was dominated by the unprecedented number of avian influenza outbreaks in the county. Between August 2022 and March 2023, there were 65 outbreaks. Norfolk became the epicentre of the disease in October 2022, with 46 cases that month. Trading Standards expended 185 officer days on foot patrols, contacting residents within protection zones around affected

premises to carry out checks, provide advice and collate details of other captive birds being kept in the zones. During October, these were completed with support from colleagues from Breckland and Broadland Councils, Cambridgeshire and Lincolnshire Trading Standards, and volunteers from Norfolk County Council.

Over the course of the winter, foot patrols were replaced with mailshots. To date, 29,806 letters have been sent to residents in protection zones. The letters provide website links to capture the required information directly from residents or enables them to contact the customer service centre. In addition, officers have worked with the Animal and Plant Health Agency, the council's corporate communications, customer service centre and web teams to develop and disseminate public information on how to reduce the risk of disease spread.

Mandatory housing of poultry in the county was in place from October 2022 to April 2023. In response to commercial poultry keepers' concerns about poor biosecurity of backyard flocks, Trading Standards followed up 118 reports of unhoused poultry, providing advice or taking enforcement action where necessary.

Durham County Council: Support for local Better Business for All partnership

“Better Business for All” is a voluntary partnership providing help and support to businesses to help them comply with the law and get it right first time. Trading Standards support businesses and link in with a range of North East business support bodies. Partners include UMI, British Business Bank, Sunderland and Newcastle Universities, NE Local Enterprise Partnership, NE Enterprise Agency, and Gateshead Council. Officers have attended, and provided advice at, several business-focussed events, including Durham Ambitious Start Ups (DABS) Festival of Enterprise, and Northeast Start Up Awards launch.

Dorset Council: Support for local farmers and producers

Defra’s current Future Farming Resilience programme has been designed to help farmers and land managers understand and plan for the changes the Agricultural Transition will bring. The programme aims to support 25% of eligible businesses within Dorset and will offer the vital support needed for farmers to build resilience and profitability in their businesses as they navigate through the transition. Dorset Trading Standards is supporting their delivery partner, Business Information Point, with the delivery of local events throughout Dorset. In addition, the service supports local growers by verifying that watercress production is in accordance with the new ‘traditional speciality guaranteed’ protected food name that was registered in late 2021. Seven of the largest watercress growers in the UK have been audited and issued with certificates. As a result of this work, the NFU Watercress Association have now asked to enter into a Primary Authority Partnership with Dorset Council.

North Yorkshire Council: Promoting healthy choices

North Yorkshire Trading Standards works closely with Public Health colleagues on alcohol and tobacco, and healthy eating. Work on healthier eating involves a certification award for those businesses selling healthier choices; 100 businesses are currently on the scheme. The scheme also delivers a host of proactive activities, including working with local schools to improve the nutritional content of the food on offer in the canteen, to improve vending options and to remove single use plastic bottles from the premises.

Derbyshire County Council: Working with APHA to implement national Bovine TB Strategy

Derbyshire Trading Standards has worked closely with the Animal and Plant Health Agency (APHA), the government agency responsible for the operational implementation of the Bovine TB Strategy. In 2022/23, the service dealt with 42 referrals from APHA relating to 18 different premises, holding a total of 600 animals, which were overdue TB tests. This work led to all these farmers implementing the testing of their herds. This work is vital in preventing the potential widespread damage to the rural economy should TB outbreak(s) take hold. The potential value of these herds alone could be up to £1 million.

SECTION THREE: PROMOTING HEALTH AND WELLBEING

Trading Standards undertake a wide range of activities to protect and promote the health and well-being of local communities. This includes ensuring consumer products meet safety standards, food is correctly labelled and animal health and welfare standards are maintained.

Stopping the supply of age restricted products, such as vaping products, tobacco, alcohol, and knives, are a key priority in many local authorities. Trading Standards enforce and advise on a very wide range of age restricted sales legislation to help to keep young people safe.

3.1 Ensuring the Safety of Consumer Products

Legislation and product standards are designed to ensure that products are safe and do not cause injuries or fires. Unsafe toys, electrical goods, make-up, and other products can cause serious problems and even risk lives. Trading Standards use intelligence to detect and seize unsafe products at both ports of entry and on sale within England and Wales.

This year the number of items removed from the market has increased by 16% and, as such, is returning to pre-pandemic levels.

In 2022/23, it is estimated that across England and Wales:

- **Nearly 4.9 million unsafe or non-compliant products were seized or removed from the market place following Trading Standards' interventions.**
- **The savings to society, in terms of product value and injuries and fires prevented, is over £180 million.**

3.2 Protecting the food chain

Food inflation has been at record levels. This can result in adulterated or falsely labelled food where unscrupulous businesses seek to get an unfair competitive advantage. Consumers need to be able to trust what they eat and get good value for money. The substitution of cheap, sub-standard ingredients, undeclared allergens and misdescribed food, all damage health and cause consumer detriment.

In 2022/23, it is estimated that across England and Wales:

- **Over 9000 businesses were identified as supplying food that was misdescribed, did not correctly declare allergens, contained toxic or illegal components, or was involved in food fraud. This was a 31% increase on last year. It is believed that this increase is a reflection of local authorities carrying out more compliance checks post-pandemic and there was additional funding in some areas for allergens related work.**

Ensuring animal health and welfare has a key role in protecting the rural economy and helps protect the quality of the food chain.

In 2022/23, it is estimated that across England and Wales:

- **Over 6,300 businesses were found to be in breach of animal health and welfare legislation.**

This has remained relatively constant in the last four years.

This year saw unprecedented levels of Avian Influenza. While the main spread was via wild birds, Trading Standards had a crucial role in stopping the spread in kept birds, from backyard flocks to industrial poultry farms. There were 196 confirmed avian influenza cases and a further 203 suspect cases which were negated.

Trading Standards also enforce restrictions and controls to deal with other animal disease outbreaks. This year there were seven suspect Foot and Mouth Disease cases and one Swine Fever case, all of which were negated.

This highlights the ongoing threat to the rural economy of animal diseases. It should be remembered that the Foot and Mouth Outbreak of 2001 cost the UK economy £8 billion, and caused longer term problems affecting tourism, farming, rural wages, and food production for many years after.

3.3 Reducing the risk of children accessing age restricted products

Trading Standards Services provide training and advice to businesses and conduct test purchases to ensure businesses do not sell age-restricted goods to children. Rules that prevent children from buying age-restricted products, such as vaping products, alcohol, tobacco, knives, and fireworks are designed to protect them and their local communities from both immediate and long-term harm. This year there has been a significant national focus on the problems caused by the sale of vaping products to children.

In 2022/23, it is estimated that across England and Wales:

- **Over 2,100 premises** were tested for alcohol sales.
- The average failure rate for alcohol test purchases was **22%**.

- **Over 775 premises** were tested for tobacco sales.
- The average failure rate for tobacco test purchases was **18%**.
- **Over 3200 premises** were tested for other products, including vaping products.
- The average failure rate for other products was **27%**.

There has been a significant increase in the test-purchasing of “other” products. It is very likely that this is due to purchasing of vaping products. Initial data suggests there were at least 2 million vaping products seized and over 1,200 underage test purchases, but specific national vaping data will be available in 2023/24 from the NTS Operation Joseph project.

3.4 Reducing the availability of illicit products

Illicit tobacco, vaping products and alcohol can contain undeclared contaminants.

The presence of illicit tobacco in local shops undermines Government’s attempts to help people to cut down and quit smoking altogether as price is a critical factor in pushing people to give up. Illicit tobacco is significantly cheaper to buy, with packs of cigarettes being between half and a third of the price of legitimate products.

The amount of tobacco seized is similar to last year and much of the work is due to the investment HMRC has made into National Trading Standards, who commission local authorities to carry out activities to disrupt the local supply of illicit tobacco. Much of this activity is focussed on using detection dogs and can result in large scale seizures.

In 2022/23, across England and Wales:

- Almost **14.3 million illicit cigarettes** were seized, worth an estimated **£6.3 million**.
- Over **3.2 tonnes of illicit hand-rolling tobacco** were seized, worth almost **£1.3 million**.
- Over **180 kg shisha tobacco products** were seized, worth over **£31,000**.

The Licensing Act 2003 allows for a review, and potential removal of a licence, by a local authority Licensing Committee, where failures to comply with any of the four licensing objectives occur. These objectives are preventing crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. Activities by Trading Standards have resulted in 148 Licence Reviews being carried out.





London Boroughs of Brent and Harrow: Educating consumers on skin lightening product risks

Brent and Harrow Trading Standards participated in a London wide project to promote consumer safety involving skin lightening creams. Officers provided educational content on the dangers of prohibited substances such as steroids, mercury, and hydroquinone. These have been circulated via social media and the London Trading Standards' website and will be used in presentations for schools and consumer workshops during 2023.

Leicestershire County Council: Disrupting the supply of illicit vapes

A high volume of complaints has been received regarding underage sales of vapes; and illicit vapes, which are thought to contain dangerous chemicals such as lead and nickel. Leicestershire Trading Standards seized and destroyed large numbers of vapes: 5,957 from East Midlands Airport and 20,589 from 14 retailers in the county.

West Sussex County Council: Zero tolerance approach to sale of alcohol to children

In January 2022, a "Zero Tolerance Approach" to the sale of alcohol to children was instigated. A licence review is initiated whenever a sale of alcohol is made during an underage test purchase visit; this was exemplified by a case in Littlehampton. West Sussex Trading Standards visited a premises to give advice after receiving reports that disposable e-cigarettes were being sold to children. But, just two days later, a staff member at the shop sold two bottles of cider to a 16-year-old child volunteer during a test purchase exercise. A licence review was held

and consequently the shop owner's alcohol licence was suspended. Feedback on the approach from the Police, licencing officers, and councillors has been positive, and Public Health have supported with additional funds.

East Riding of Yorkshire: Face masks – prosecution of false claims

During 2022/23, East Riding Trading Standards successfully prosecuted an individual for supplying face coverings during the pandemic that claimed to protect from covid but were no better than other face coverings. The defendant, a builder, had attempted to cash-in on consumers' fears during the first lockdown. He sourced the face coverings from an illegitimate source in China, imported them and sold them through flyers. He was visited by officers with the intention of getting a voluntary surrender but became extremely evasive and uncooperative, leaving prosecution as the only option. Magistrates decided they did not have sufficient sentencing powers to fit the crime, so the case was sent to Crown Court where the defendant was sentenced to 9 months imprisonment and fined £5,000 with £5,000 costs.

Nottinghamshire County Council: Unsafe labelling leads to acid ingestion

Nottinghamshire Trading Standards responded to an incident involving a partially sighted consumer, who had purchased and sipped from a bottle of acetic acid believing it to be a soft drink. The consumer suffered internal burns. Following intervention from officers, 797 bottles of the product were swiftly recalled from the market due to labelling failures and, in particular, the appearance of the bottle being potentially mistaken for a small fizzy drink bottle.



Hertfordshire County Council: Animal product allergen testing project

Hertfordshire Trading Standards conducted a sampling project to look for animal product allergens in food that was pre-packed for direct sale and loose foods described as “suitable for vegans.” The premise was that people with animal product allergens are asking for vegan products assuming those ingredients will not be present, rather than advising of their allergy. Of 47 samples taken, 24 were unsatisfactory due to the presence of animal product allergens. Milk was present in 15 samples and egg in five. Fish and crustaceans were also found in some samples.

Levels of allergens varied from relatively low (thought to be cross contamination) to much higher (considered that an incorrect allergen-containing ingredient has been supplied by mistake). Officers worked with the businesses to address these issues and ensure legal requirements were met going forward and that customers would no longer be at risk.

SECTION FOUR: SUPPORT FOR ENVIRONMENT AND NET ZERO

The Net Zero and Climate Change agenda continues to be important to local authorities. Many have this issue as a key corporate priority.

The cost-of-living crisis has also meant that claims associated with energy efficiency and costs are attractive to consumers as they look to save money.

While there is no specific data collected on this issue, figures will be included within the totals for compliance checks, business advice and prosecution figures in previous chapters. For example Trading Standards carry out work in relation to:

- Misleading claims on green energy products such as heat pumps and solar panels.
- Ensuring compliance with Energy Performance Certificates and Minimum Energy Efficient Standards.
- Misleading “greenwashing” claims.
- Enforcement of single use plastics bans.

Hertfordshire County Council: Green claims project

Hertfordshire has corporate objectives of 'a cleaner, greener environment' and 'a safe and just trading environment'. Trading Standards assessed compliance with the Competition and Market Authority's "Green Claims Code" by Hertfordshire based businesses and those where a Primary Authority partnership existed. This work focussed on the prevalence and veracity of claims ('environmentally friendly', 'green', 'eco-friendly', or 'carbon neutral'), and their impact on consumer decision-making. Whether environmentally beneficial qualities of a business's goods and services covered their lifespan was also considered. It was found that claims regarding recycling of clothing, hangers, and textiles; and those claiming 'carbon neutral production plants by 2020' were supported by evidence. However the evidence for claims relating to gas emissions/renewable electricity/food waste claims was found to be lacking and as a result have now been amended. A business found to be making claims that referred to deforestation, regarding palm oil, agreed to reword some claims and rewrite their deforestation and responsible sourcing statement. To make comparisons of running costs of electricals and determine greatest efficiencies, consumers are directed to Youreko.

Bath and North East Somerset Council: Tackling rogue spray foam traders

BANES Trading Standards was made aware of an 82-year-old resident, who over 5-10 years had been targeted by around 10 different spray foam companies from the Bournemouth area. Spray foam insulation is an alternative to traditional building insulation. When installed correctly, insulation helps reduce heat loss from the home, which in turn will reduce carbon emissions and reduce energy bills. The victim had paid these companies over £50,000 in total. In most instances he was cold called and then agreed a surveyor could visit. The surveyor would then either advise that he needed to put spray foam in or (if the spray foam had already been installed) it needed to be removed. Recently one of these rogue traders was found at the victim's property and was arrested and interviewed for trying to charge the consumer a further £4,000 to remove spray foam. Following Trading Standard's intervention, the victim expressed his gratitude to the officers and was very complimentary about the care and reassurance provided by them.



Royal Borough of Kingston Upon Thames: Plastic bag charging

Kingston and Sutton Trading Standards undertook a project on plastic bag charging. An officer visited 100 premises in the Boroughs to provide guidance on the legislation and record observance of the regulations: 90% of the businesses complied with the legal requirements.

Nottinghamshire County Council: Improving air quality with checks on ready to burn fuels.

Many areas within Nottinghamshire are designated as 'smoke control areas.' As part of a project looking at fuel for domestic wood burning fires and open fires, Trading Standards inspected 17 retailers and four suppliers within the county to ensure that they were aware of their obligations under the Clean Air Act 1993.

In addition, officers checked that wood fuel supplied in volumes of up to two cubic metres was "Ready to Burn Certified". This confirms it has a moisture content of 20% or less and so burns with less smoke than wetter wood and thus reduces pollution and improves air quality. Most businesses that were inspected understood and met the legal requirements. In the small number of cases where businesses were not meeting requirements, officers provided advice to the businesses and the minor issues found were rectified. Officers also worked with the authority's communications team to raise awareness of consumer obligations when burning fuel.

SECTION FIVE: COST OF LIVING CRISIS

As referenced throughout this report, the cost of living crisis has been a major influence on the work done by Trading Standards this year. Similarly to net zero, there is no specific data collected on this issue as figures will be included within the totals for compliance checks, business advice and prosecution figures. However, the case studies below give examples of the type of work being done.

Cheshire East Council: Data analysis to identify compliance trends

Cheshire East Trading Standards undertook reviews and statistical analysis of data held on non-compliances with Trading Standards related laws. Since 2019/20, the trend appears to be one of increased risks of non-compliance. Following covid restrictions, those businesses who were able to continue trading are falling below compliance standards. There is no clear pattern on any one specific issue, but the main problems found relate to allergen compliance, labelling, scams, rogue traders, underage sales, tobacco products and metrology, some of which carry great risk. Business have struggled to recruit competent and trained staff who can ensure compliance. The cost-of-living crisis has added pressure, with businesses' expenditure and time being prioritised to activities other than compliance work. Data shows the impact on consumer behaviour, with increases in scam and fraud issues as consumers look for bargains and cheap alternatives. This increases risks relating to counterfeit, illicit and unsafe goods, and the associated criminality involved in these illegal markets.

London Borough of Southwark: Fuel pump accuracy

Southwark Trading Standards undertook work to ensure that consumers were getting the volume of fuel they paid for. With the price of fuel reaching record highs in July 2022, petrol at £191.53 per litre and diesel reaching £1.99 per litre (equivalent to £8.67 and £9.04 per gallon). Checks at 14 out of the 15 fuel stations across the Borough tested 347 petrol and diesel pumps checked for accuracy. Compliance was found to be very good with only six pumps requiring corrective action.

Caerphilly County Borough Council: Facebook 'friend' grant fraud

During a visit to a Sheltered Housing complex, Trading Standards officers were approached by a resident who had been contacted by a 'friend' on Facebook and told she was eligible to apply for a grant. Thinking she could secure some money for her family during a difficult time, she applied and was told she needed to pay about £320. The payment was made using the 'friends and family' option on PayPal, as the individual believed she was sending money to a friend. Realising she had been scammed, the victim complained to her bank and PayPal, but neither would help her. This was an incredibly distressing and upsetting situation for the victim, impacting on her confidence and diminishing her trust. Officers intervened and contacted PayPal, who did not properly respond to the complaint. With the victim's permission, it was escalated to the Financial Ombudsman Service, ultimately obtaining full reimbursement.

Newport City Council: Operation Cost of Living Action

Newport Trading Standards has instigated Operation Cost of Living Action. This involves the scrutiny of Citizens Advice referrals on a weekly basis. Historically, many local authorities had dedicated consumer advice staff that would intervene in circumstances where traders appeared to be unreasonably withholding refunds, trying to change their minds using the art of persuasion in the absence of any legal powers to do so. Local authorities never had a duty to do this, but it was seen as the right thing to do and offered the potential to improve business behaviour. In recent years most Trading Standards services have had to stop interventions in civil matters due to resourcing constraints. In this case, Newport Trading Standards identified suitable civil matters where it was considered that a Service intervention may possibly secure a refund or other suitable outcome. So far, 34 referrals have been identified, with a combined detriment of £339,611.



North Yorkshire Council: Pricing and Value for Money

North Yorkshire Trading Standards secured funding to support consumer education work in relation to value and pricing. Officers staffed and presented a market stall with a variety of products in different sizes/quantities in order to talk to shoppers about using pack weights and measures and unit prices to work out best value products when shopping. The stall has subsequently been repeated at two community events and will be repeated across the county during 2023/24,

Cost-of-living related issues have been given a higher priority. For example, complaints about misleading pricing of food and household products at a corner shop in a deprived area will now be tasked whereas before they may not have been due to the comparative “low value” of the products concerned.