

# Protecting the Public and Supporting Business – From Pandemic Recovery to the Cost of Living Crisis

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## FOREWORD

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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 the fourth report and contains the highlights of work done in 2021/22.

Across all areas of work, the risks associated with the cost of living crisis on consumers and businesses is apparent. The need for effective business advice and a level playing field for legitimate businesses is going to be crucial to keep them afloat in difficult times. Risks to consumers around the safety of cheap or illicit goods and false claims relating to prices, costs and energy efficiency are growing. Finally, the impact of losing, even relatively small sums, to scammers and fraudsters, when every penny counts, is bigger than ever. Trading Standards have a vital role to play in addressing all of these risks. All of this will increase demands on already stretched services.

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 the remaining Covid related work being carried out by Trading Standards and a new section focussed on the work that Trading Standards Services are doing in relation to the environmental and net zero agenda.

Local government austerity has hit many Trading Standards Services hard over previous years. However Trading Standards officers across England and Wales continue to have a big impact in protecting consumers, helping businesses and supporting the Covid response. The headlines from this year's report are:-

- Over £548 million of detriment was prevented by Trading Standards' actions. This equates to £5.50 saved for every £1 spent.
- Revenue budgets were £101 million, a 3% decrease from last year. This is most likely due to the fact that less short term funds relating to Covid and EU Exit were provided. They are now at similar levels to 2019-20.
- Overall income increased by 24% following a significant decrease last year due to Covid. There is however still a 7% increase from 19-20.
- Overall staff numbers increased slightly to 2124. It is thought that part of this increase may be due to the recruitment of apprentices in some areas.
- The demand on the service, measured by the number of referrals from Citizens Advice, increased by 2% from 20-21. However overall it is 22% higher than 19-20 putting increasing demands on Trading Standards.
- Whilst some Covid related activity continued, it was at a much lower level than in 20-21. ACTSO has not collected separate data for Covid related activities but case studies are shown in Section 5.
- Some Court hearings have restarted following Covid. This year 714 people or businesses were convicted of offences. This was a 9% increase on 20-21 but it still around half from 19-20 showing Court backlogs are still having a major impact.
- Non-scams related redress returned to 19-20 levels with Trading Standards Services obtaining almost £12 million in redress for consumers.
- The amount of money saved for scam victims was almost £47 million.
- Trading Standards provided over 26000 hours of advice to businesses through primary authority partnerships, an increase of 23%.
- Over 58000 compliance checks were carried out to ensure businesses meet their legal responsibilities and to provide them with advice on site.

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

When we consider the impact of this work, alongside what is delivered via National Trading Standards, it highlights the results that can be achieved using the Trading Standard's system. Being able to operate at local, regional and national levels is key to the success of modern regulatory activity.

We hope this report can help Trading Standards managers to champion services at a local level, as well as showing the national impact of Trading Standards to all partners and stakeholders. It also informs Government's policy development that could impact on Trading Standards. We know that data from this report is being used to inform discussions on new burdens funding and is currently being used to inform DLUHC work on the impact of inflation on various local government services.

Special thanks go to the 102 services covering 114 local authorities that submitted their data return.



**Steve Ruddy**  
Chair of the Association of Chief Trading Standards Officers





## BACKGROUND AND METHODOLOGY

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Local authorities in England and Wales were asked to submit data for the financial year 2021/22. The indicators measure demand and resourcing alongside key outputs and outcomes from Trading Standards' activity.

One hundred and two services contributed, covering 114 out of 172 of local authorities in England and Wales. The responses cover an area with a population of 43.8 million, or 74% 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

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It is estimated that the approximate revenue budget allocated to Trading Standards is £101 million. This has decreased by 3% from 20/21 and returns to 19-20 levels. ACTSO believes that this is likely caused by removal of some short term funding received last year for EU Exit and Covid related work.

Other sources of income were National Trading Standard's grants and Primary Authority income.

It is estimated that approximately 2,124 full time employees are employed on Trading Standards' work. This has increased by 6% from last year. Of those, 87% are "operational" staff.

Trading Standards received almost 827,000 referrals and notifications to their services, an increase of 5% on 20-21. The majority (84%) are from Citizens Advice. This builds on the 20% increase between 2019/20 and 2020/21 and 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

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

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### 1.1 Stopping Fraudulent, Illegal and Unfair Trading

As a last resort, Trading Standards Services do have to take formal enforcement action. This is usually where people deliberately break the law, cause serious harm or repeatedly ignore the advice and support given to comply. 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.

Last year there were very few cases concluded due to the pandemic. These figures have started to slowly increase but are still only at half the level of 2019/20.

- Over **714 defendants** were prosecuted
- **Prison sentences** of over **251 years** were handed down. This includes both immediate and suspended sentences
- Defendants were ordered to pay over **£955,000 in fines and almost £2 million in costs**
- Defendants were ordered to pay over **£7.5 million in Proceeds of Crime**

The use of Enterprise Act undertakings, which can only be used for a narrow set of Trading Standards work, remains low with 34 being implemented.

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### 1.2 Detriment and Redress

Providing advice and support to the public on how to get a fair deal, as well as disrupting and taking enforcement action against criminal behaviour, prevents harm and financial detriment. Trading Standards can also get redress and compensation for victims as part of the prosecution process or through a variety of other means. In 2021/22, it is estimated that the actions of Trading Standards Services resulted in:

- Almost **£3.8 million compensation** being awarded to victims by the courts
- Almost **£5.5 million prevented** from being handed over to criminals
- Almost **£2.6 million** being gained for victims through advice and intervention

All of these are significantly higher than in 20-21, when the Courts system was largely inaccessible due to Covid, but have still not reach the overall pre-Covid levels.

Overall Trading Standards actions prevented over £548 million of detriment to consumers and businesses.

The overall detriment figure dropped from 20-21. However this is almost entirely due to the volume of non-compliant PPE which was specifically targeted in 20-21 to help support the Country's efforts in tackling Covid. Compared to 19-20 the figure has **increased by 36%**.

### 1.3 Supporting Scam Victims

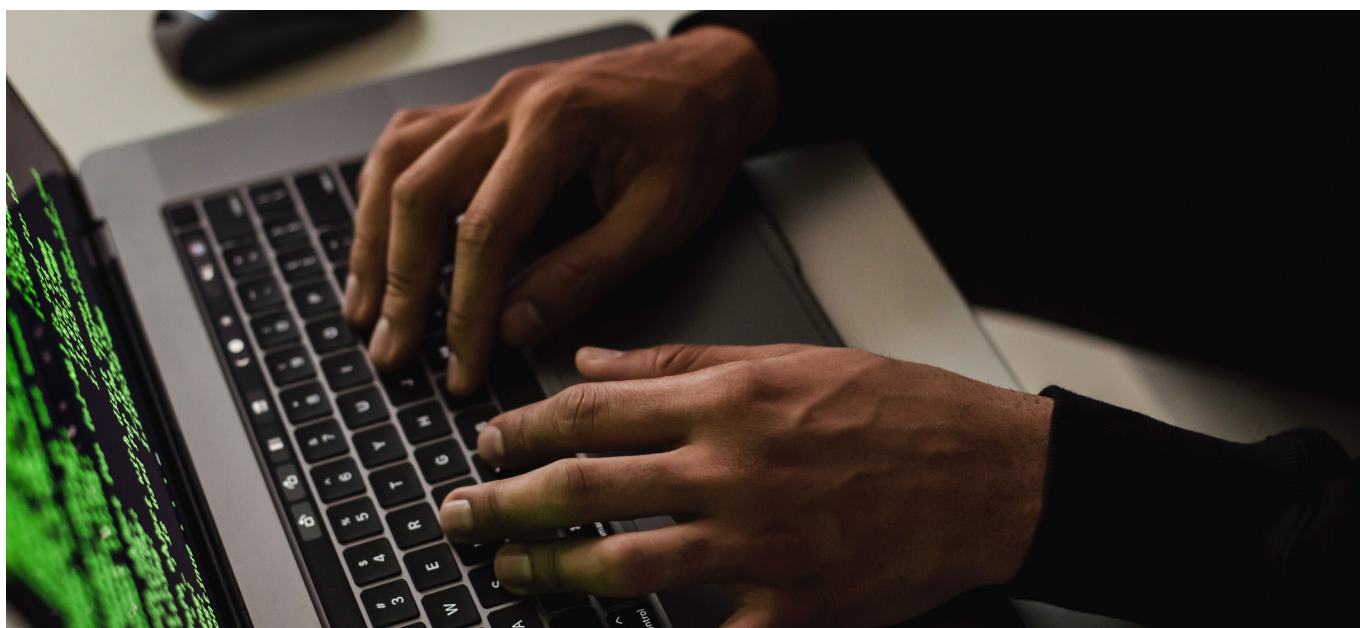
Fraud remains one of the most prevalent and under-reported crimes in the UK. Through investigative and disruptive work, Trading Standards identify and support victims of scams, especially the most vulnerable and often elderly victims of fraud. With the cost of living crisis, it is even more important that consumers do not lose any of their money to scammers and fraudsters.

The aim is to ensure they get the support they need to stop them responding to scams. This includes the installation of call blocking devices and work with safeguarding agencies. The intelligence also assists the National Trading Standards (NTS) Scams Team and other

NTS Teams undertake disruption work such as getting payment systems removed or taking down content from the internet.

In 2021/22 it is estimated that across England and Wales:

- Local authority Trading Standards provided support to over **17,600 scam victims**
- Work to disrupt mass marketing fraud mailings, stop outgoing payments, mail etc **saved consumers over £46.6 million**



#### **Prosecution of a Fraudulent, Unqualified Electrician: Worcestershire County Council Trading Standards**

Worcestershire's Trading Standards Service received complaints about a company which had falsely advertised in local newspapers using the City & Guilds logo and claimed to be a 'certified electrician' despite not having the requisite qualifications. They had carried out 'notifiable' electrical work but failed to advise the householders that they were not properly registered. They were also found to have used false addresses on paperwork and added an additional cost, claiming it was for VAT when the company was not registered to pay VAT. Investigations found that the director had fraudulently obtained payment services from a mobile credit card machine supplier using a forged trade body membership card.

The director was prosecuted and sentenced to an 18-month Community Order, with 30 rehabilitation activity days and 200 hours of unpaid work. He was also ordered to pay compensation and costs and was disqualified as a company director.

#### **Mis-selling of Leaseholds: Derbyshire County Council Trading Standards**

Derbyshire Trading Standards supported the Competition and Markets Authority's investigation into the leasehold housing market which addressed concerns about leasehold mis-selling. Officers spoke to, and sent questionnaires to, over 300 homeowners.

The resulting evidence has assisted in forcing those developers to agree to offer leasehold homeowners the opportunity to buy their freehold at a discounted price, or make repayments to those who had already purchased their freehold. Typically, this will mean a refund of £1,750 each.



### **Rogue Builder Befriends and Exploits Elderly Victim: Manchester City Council Trading Standards**

Manchester Trading Standards responded to information from social services and a bank who expressed concern for a 70-year-old customer who had been invoiced for £75,000 of building work. On investigation, it appeared that the builder had befriended the consumer and was vastly overcharging her.

Expert surveyors valued the work at a maximum of £35,000 and the consumer had already paid £37,000 and he was chasing the consumer for the rest. He was charged and pleaded guilty to offences under the Consumer Protection from Unfair Trading Regulations and received a 10-months suspended prison sentence, 120 hours community service, and signed an undertaking not to pursue the consumer for any more money.

### **Illicit Cigarettes, Organised Crime and Exploitation of the Vulnerable: Swansea Council Trading Standards**

Working closely with local police and social services, Swansea Trading Standards undertook an investigation into the importation and supply of illicit cigarettes. Following an arrest and the search of two properties, links to an Organised Crime Group were identified. The Group was involved in sexual exploitation and running/controlling brothels from Swansea right across the South coast. The Trading Standards investigation into the supply of illicit cigarettes allowed policing teams to step in and assist in safeguarding women who have been brought into this environment through no choice of their own.

### **Judge Berates Traders for “Confidence Trick” on False Claims: Hampshire County Council Trading Standards**

Hampshire Trading Standards secured a successful conviction under the Consumer Protection from Unfair Trading Regulations 2008. A plumbing and heating services trader falsely claimed to be OFTEC and Gas Safe registered; poorly installed a new boiler, failed to register the installation with the appropriate Building Regulations schemes and falsely represented the price.

The trader was sentenced to an 18-month Community Order as part of which he will have to participate in 15 Rehabilitation Activity Requirement days and complete 150 hours of unpaid work and was ordered to pay over £6,000 compensation to the victims.

When sentencing, Recorder Brunner QC said that this was a case of “high culpability”, especially as the defendant had previously been warned by Trading Standards about making false claims; and “high harm”. She noted that he had given “false re-assurance” to customers by mis-using logos and had “conned” people out of money which amounted to a “confidence trick”. She also observed that the victims had been “put at risk” and that the offending undermined the work of honest tradesmen.

### **Investment Scam: Blaenau Gwent Council Trading Standards**

Officers from Blaenau Gwent Trading Standards supported a victim of an investment scam. The consumer had invested savings with whom she believed to be AXA, via two transactions totalling £40,000. The victim made enquiries online and then later received telephone contact. There had been no intervention from the bank despite these being large and unusual transactions. Officers advised the victim and provided her with a call blocker. Money was recovered from the bank after as a result of Trading Standards’ advice and intervention.

### **Call Blockers And Doorbell Cameras Protecting Vulnerable Residents: Buckinghamshire And Surrey Trading Standards**

A referral was received from the local Police service concerning an elderly vulnerable resident who was being repeatedly targeted by scammers both on his doorstep, and also by telephone. Most recently he had been persuaded to hand over a cheque for £8,000 and £1,000 in cash.

Officers visited and offered advice and support and as a matter of urgency a call blocker was fitted to immediately stop the scam and nuisance calls. An appointment was also made to fit a doorbell video camera with to act as a deterrent to cold callers and to capture evidence of any criminal activity. Before the camera could be fitted the fraudsters struck again, taking another £650.

Because the residence had no internet access, Trading Standards installed a router as well as doorbell cameras at the front and side entrances to the property. One camera captured an image of one caller which is now being used as part of an ongoing criminal investigation. Since then no additional incidents have been reported. The daughter of the victim was extremely grateful for the support provided, explaining that her father was extremely trusting of individuals and suffered from memory loss.

## SECTION TWO: SUPPORTING THE LOCAL ECONOMY

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Businesses have always needed advice and support from Trading Standards to help them navigate the range of laws that ensure they trade fairly and their products are safe. This year, as businesses continue to recover from the impacts of Covid, and face supply chain and energy cost issues, 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

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A thriving local economy 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 26000 hours of advice to businesses via Primary Authority Partnerships. This was an increase of 23% from 20-21. These partnerships enable assured advice to be given to a business with multiple shops or sites via a single

local authority. Over 113000 businesses are covered by primary Authority Partnerships.

In 2021/22, it is estimated that across England and Wales:

- **Over 26,000 hours** were provided by Trading Standards advising Primary Authority businesses
- Trading Standards responded to over **28,000 requests** for advice from businesses that were not part of the Primary Authority scheme

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

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At a time when businesses are recovering from the pandemic and facing rising costs and lower consumer confidence, ensuring a level playing field for legitimate businesses is crucial. Trading Standards Services follow an intelligence-led model where action is taken against the highest risk businesses. This can include visits to provide advice and information, seizure of counterfeit or unsafe products, or starting an investigation in the most serious cases.

Last year compliance visits were only about one-third of 19/20 levels. This was due to Covid restrictions, business closures and because Trading Standards Services were prioritising Covid related work. This year compliance checks have more than doubled and are back at about 80% of what was being carried out in 2019/20.

In 2021/22, it is estimated that across England and Wales:

- **Almost 59,000 visits** were carried out to businesses to ensure they comply with the law and provide advice to help them fix any non-compliance
- **Almost 24,000 businesses** were subject to an **intervention**, such as advice, investigation or referral
- **60%** of Trading Standards services operate an **assured trader scheme** to help increase consumer confidence
- **Over 4 million counterfeit products with a market value of £111 million**, which breach the intellectual property of legitimate businesses, were seized

Seizures of counterfeit goods were more than treble that in 20-21, which was Covid impacted, but is still more than 50% higher than in 19-20. We anticipate that the threat from counterfeit goods will increase due to the financial pressures on households and businesses. Supplying 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.



### **Brand Protection at Wembley Stadium: London Boroughs of Brent and Harrow**

Home to Wembley Stadium, Brent and Harrow Trading Standards lead the enforcement operations around illegal sellers and brand protection on event days. Working in partnership with the Metropolitan Police, the FA and brand protection teams, a clear enforcement message is delivered. The team not only acts as a deterrent but also regularly seize goods and carry out prosecutions where needed, ensuring that the integrity of the UK's intellectual property regime is maintained.

### **Ground-breaking Response to Avian influenza (AI): Essex County Council Trading Standards**

In November 2021, Essex's first AI outbreak was confirmed. This was one of the first in an unprecedented year of over 100 outbreaks. Over 19,000 premises were identified that traditionally would have required visits on foot. This was totally impractical. Essex became the first authority to pioneer a hybrid approach to dealing with AI patrols.

A letter containing all necessary advice and guidance was sent to all premises identified via Resilience Direct mapping software. A risk-based approach was used to identify 'higher risk' premises to be visited by foot. Keepers could register their own poultry via an Essex hosted on-line reporting system or dedicated contact number. Information was then shared with the Animal and Plant Health Agency. Officers used poultry keeper groups on social media platforms to post key information.

This novel hybrid approach ensured Essex Trading Standards maximised its contact with poultry keepers in the affected areas and prevented the spread of the disease. This approach was also used in many subsequent outbreaks in other authorities during the year and looks likely to be adopted for future years as anecdotal evidence showed its effectiveness equalled, if not exceeded, that of the traditional approach.

### **Promoting Economic Growth in the East Midlands: Nottinghamshire County Council Trading Standards**

Nottinghamshire Trading Standards is involved in an "East Midlands Accelerator" project. The is led by the East Midlands Chamber of Commerce, funded by the Government Community Renewal Fund, and aims to promote economic growth in the post-Covid economy. Trading Standards are reaching out to businesses in the three eligible North Nottinghamshire districts to provide free regulatory support. An extensive business-focussed media campaign aims to raise the profile of the Service's Commercial Services Unit which provides business support, delivered mainly through Primary Authority partnerships. The aspiration is that Nottinghamshire businesses, supported at an early stage in their growth by the funded project, recognise the value of regulatory support and become the Primary Authority partnerships of the future as they grow and prosper.

### **Growth Hub Partnership in Kent: Kent County Council Trading Standards**

At the beginning of 2021, Kent Trading Standards formed a partnership with the Kent and Medway Growth Hub to provide a standby advice service for their business clients. The partnership was born from Trading Standards' efforts to support businesses through the rapid changes during the early months of the Covid pandemic. Fully funded advice was provided to 74 Kent businesses. This approach was also used in many subsequent outbreaks in other authorities during the year and it is hoped that this will be adopted for future outbreaks as anecdotal evidence showed it is very effective.



### **Working With Trade Sectors Across Boundaries: Buckinghamshire And Surrey Trading Standards**

The Service continues to provide excellent support to businesses through over 150 Primary Authority Partnerships, including several trade organisations with many thousands of members. Their approach, sharing expertise and supporting others across geographic boundaries, was recently recognised by OPSS in the “Service Excellence” category in the Regulatory Excellence Awards. Work with the Association of Convenience Stores has produced a range of simple, accessible guidance material utilised by over 30,000 small businesses. Training has been provided to a wide range of industry bodies on a range of new markets and novel products. This included work with the cannabinoid industry and producing guidance on diamond terminology via joint work with the National Association of Jewellers and the jewellery industry. This is the first guidance of this type worldwide

### **Allergen Training for Businesses: Shared Regulatory Service (Bridgend, Cardiff and the Vale of Glamorgan Councils)**

SRS Trading Standards have worked with businesses, supporting them through recent changes in food allergen labelling requirements. Free on-line workshops provided local food businesses with an overview of legal requirements and an opportunity

to ask business-specific questions. Officers worked with the team at Bro Radio to produce the first of an ongoing series of podcasts entitled ‘Ask the Regulator’. The first edition of the podcast focussed on allergens and provides crucial Information in a clear, user friendly format for businesses and consumers alike. Podcast episodes have since been released and more are planned for 2022-23. A wider audience is being reached as these are now available via Spotify.

### **Improving the Effectiveness of Business Advice: Suffolk County Council Trading Standards**

In 21-22, Suffolk Trading Standards carried out work to monitor the effectiveness of advice given to start-up food businesses over the last two years. Of 74 enquires, over half continued with their plans to start a new food business. Of those who did not proceed, 72% reported that the business advice received was effective, although 6% reported being ‘overwhelmed’ by it. In 22-23 further work will be done looking at the accessibility of Trading Standards to food businesses where English is not the first language. This aims to ensure all ethnic minority run businesses are aware of what Trading Standards can offer in terms of supporting and growing their businesses.



## SECTION THREE: PROMOTING HEALTH AND WELLBEING

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Trading Standards undertake a wide range of activities to protect and promote the health and well-being of local communities.

Trading Standards work includes ensuring that products people buy are safe, that food is correctly labelled to help them to make healthy choices and avoid allergens, and that the health and the welfare of livestock is assured.

Age restricted products, including vaping products, tobacco, alcohol, and knives, are also a significant area of focus for many authorities. Their availability to children is a concern in many communities. Trading Standards enforce and advise on a very wide range of age restricted sales legislation to help to keep young people safe.

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### 3.1 Ensuring the Safety of Consumer Products

Legislation and product standards are designed to ensure that products are safe. There are ongoing issues with the safety of some white goods and cheap imported goods such as lights and phone chargers. There continue to be examples of dangerous toys and unsafe cosmetics being sold in many areas. Officers use intelligence to direct sampling exercises and projects 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 significantly reduced from last year. However this is because 20-21 was completely different to any previous

year because Trading Standards were checking vast numbers of items of PPE to ensure they complied with safety standards. Similar to other data, this has almost returned to 19-20 levels.

In 2021/22, it is estimated that across England and Wales:

- **Nearly 4.2 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 almost £147 million**

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### 3.2 Protecting the food chain

When food becomes more expensive, as we are currently seeing, the temptation for unscrupulous businesses to adulterate or mislabel food to gain an unfair competitive advantage will increase. Consumers need to be able to trust what they eat and be confident that they are getting value for money as household food bills rise. The substitution of sub-standard ingredients, undeclared allergens and misdescribed food all damage health and cause consumer detriment.

In 2021/22, it is estimated that across England and Wales:

- **Over 7000 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 much higher than 20-21 when the Food Standards Agency advised local authorities to suspend all routine food inspections due to Covid

Ensuring animal health and welfare has a key role in protecting the rural economy and stopping the spread of diseases like Foot and Mouth Disease and Avian Influenza. It also helps ensure the quality of the food chain. Trading Standards Services are responsible for the enforcement of animal health and welfare laws.

In 2021/22 it is estimated that across England and Wales:

- **Over 7,000 businesses were found to be in breach of animal health and welfare legislation**

This has remained relatively constant in the last three years.



### 3.3 Reducing the risk of children accessing age restricted products

Trading Standards Services provide training and advice to businesses, both on line and in physical premises. They also conduct test purchases to test whether businesses are selling 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. The levels of test purchasing were around five times higher than in 20-21 but remain at about half that carried out pre Covid.

In 2021/22 it is estimated that across England and Wales:

- Over **1600 premises** were tested for alcohol sales
- The average failure rate for alcohol test purchases was **22%**

- Over **944 premises** were tested for tobacco sales
- The average failure rate for tobacco test purchases was **51%**
- Almost **1300 premises** were tested for other products, including vaping products.
- The average failure rate for other products was **43%**

Failure rates for alcohol remain similar but there were major increases in failure rates for tobacco and other products.

In future years, there will be additional responsibilities on Trading Standards to monitor the age restricted supply of some cosmetic treatments and corrosives.

### 3.4 Reducing the availability of illicit products

Illicit tobacco, vape liquid and alcohol can contain undeclared contaminants.

Also the presence of illicit tobacco in local shops undermines Government attempts to help people to cut down and quit smoking altogether as price is a critical factor in pushing people to give up and illicit tobacco is usually significantly cheaper to buy.

The amount of tobacco seized has increased significantly. This is primarily 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 results in large scale seizures.

In 2021/22, across England and Wales:

- Almost **14.9 million illicit cigarettes** were seized, worth an estimated **£6.1 million**
- Almost **4.8 tonnes of illicit hand-rolling tobacco** were seized, worth almost **£1.7 million**
- Over **338kg shisha tobacco products** were seized, worth over **£53,000**







### **Safety of E Cigarettes: South Gloucestershire Council Trading Standards**

South Gloucestershire Trading Standards ran a successful project focussing on disposable e-cigarettes. Over a six-month period, 4199 disposable e-cigarettes were seized on product safety grounds from 27 premises. Officers identified 39 different brands, including those that adopted designs, names and flavours that would be attractive to children. The market value of those seized was over £32,400.

### **Underage Sales of E Cigarettes: Hertfordshire County Council Trading Standards**

Hertfordshire Trading Standards have responded to intelligence from schools, consumers and businesses regarding the rise in popularity and availability of disposable e-cigarettes. On inspection large quantities are regularly seized due to non-compliance with the Tobacco and Related Products Regulations 2016. This includes oversized product; products not having the requisite MHRA notifications, or those which are child-appealing. These products are not hidden, highlighting that businesses are unknowingly being supplied with non-compliant and potentially unsafe products. Referrals are made to the local authority for the suppliers, and distributors are advised. Hertfordshire Trading Standards now include vapes as a target product for underage sales work. Work in this area has identified an instance of vape sales being linked to child sexual exploitation.

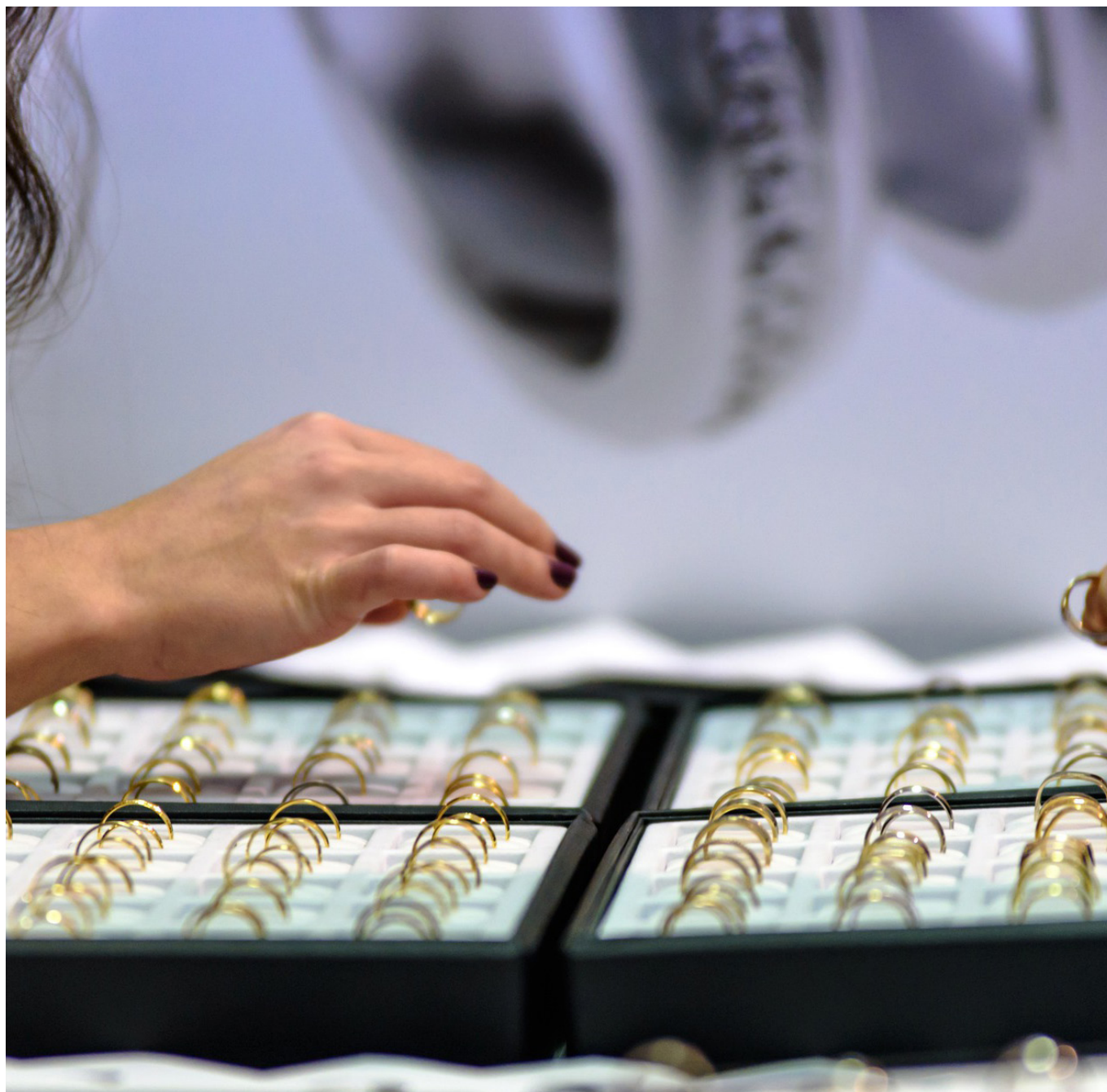
### **Partnership to Tackle Illegal Tobacco: Nottinghamshire County Council Trading Standards**

Nottinghamshire Trading Standards work in partnership with the Police, Environmental Health and the Fire & Rescue Service, with each partner invoking powers to tackle illegal tobacco and problem premises. The intelligence gathered builds an informed picture of the wider supply chain and thus contribute to any actions that may be being targeted by HMRC.

In one case, there were concerns that a flat above a problem shop was being used to store illegal tobacco and illegally house their sales staff. Trading Standards had powers to enter and inspect the shop and other partners had powers to enter the flat. The outcome of this joint working was that illegal tobacco that was being stored in the flat was seized by Trading Standards and Environmental Health and Fire colleagues were able to act against the landlord of the flat with regard to overcrowding and safety issues.

### **Sales of Vapes to Children: Dorset Council Trading Standards**

In response to the use of disposable vapes in schools being identified as an emerging issue, Dorset Trading Standards provided information to schools and retailers; carried out monitoring of products for sale; and age-related test purchases. There was a 27% failure rate where products were sold to children. 1062 products were removed from the market place and three cautions signed. The Service also engaged with local authorities regionally and met with Public Health. Work is on-going to get consistent and effective educational messages out to schools and follow up work is planned for 22-23.



### **Dangerous Heavy Metals in Jewellery: Manchester City Council Trading Standards**

Manchester Trading Standards regularly make seizures of costume jewellery. Analyses of these products for heavy metals have produced high failure rates. In the absence of Trading Standards testing, the presence of these heavy metals would remain undetected. One sample contained 65% lead, where the permitted allowance is 0.05%. Elevated concentrations of cadmium and nickel have also been reported which also present a consumer health risk.

### **Illegal Dog Breeding: Monmouthshire County Council**

Operations have resulted in nearly 250 dogs being either seized or signed over. There have been significant findings linked to illegal and foreign labelled medicine, veterinary involvement and links to fertility clinic activities. Animal Licensing Wales has been established, it is a partnership between Welsh Government and Trading Standards Wales, and is attached to Monmouthshire County Council. Following the implementation of more rigorous checks funded by the Project, a variety of problems were found. In one case, a licensed breeder was found to be in possession of, and breeding from, a stolen dog. Thankfully the dog was able to be re-united with its owners shortly after being identified.



## SECTION FOUR: SUPPORT FOR THE COVID RESPONSE

Trading Standards were a key part of the local authority Covid response, along with other colleagues in regulatory services. Whilst this was primarily carried out in 2020-21 and was reflected in last year's report, there is ongoing work across many local authorities. The case studies below give examples of some of the ongoing work that many Trading Standards services delivered this year.

### **Supporting Covid Testing and Fit to Fly business: Norfolk County Council Trading Standards**

Norfolk Trading Standards continued to work closely with the Police, Environmental Health, Public Health, Communications and nPLaw to provide advice and support to businesses and the public on legislation introduced to control the spread of the Covid. This is exemplified by the cases of a Covid-19 testing business and "fit-to fly" business, which attracted multiple consumer complaints after becoming overwhelmed with orders overnight as a result of changes in travel requirements. Trading Standards advised the businesses on how they could provide redress to impacted customers and introduce processes to prevent any recurrence of the issue.

### **Ensuring the Safety of Covid Testing Kits: Nottinghamshire County Council Trading Standards**

Nottinghamshire Trading Standards conducted two market surveillance projects to check that Covid test kits, and private sector Covid testing services were safe and are provided fairly. The Covid test kits project involved 50 inspections in various retail sectors plus over 20 hours of online market surveillance. Results demonstrated that Covid test kits did not present any threats to Nottinghamshire consumers. Market surveillance of private sector testing facilities involved Trading Standards communicating with 1539 employers to advise on how to find legitimate private sector testing providers, how to report illegal activity and enquire as to whether they have employed the service of a testing provider. The compliance of local private sector testing providers was also checked. There were five complaints received about private sector testing locally, which, following Trading Standards intervention were resolved satisfactorily.

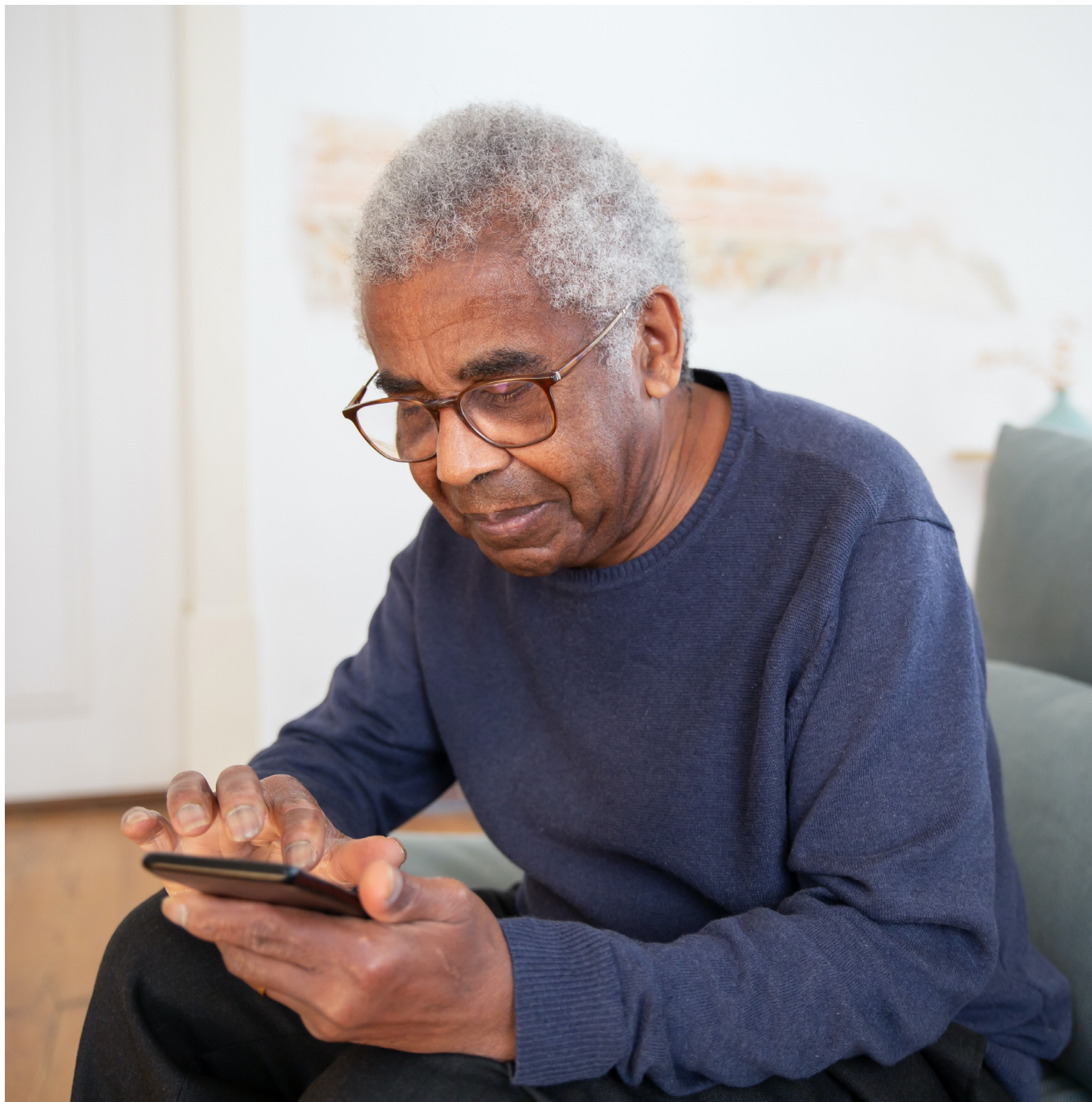
### **Covid Recovery Activities: Bury Council Trading Standards**

Bury Trading Standards have continued to provide significant support to Covid recovery activities throughout 21-22; responding to the changes in regulations and restrictions. Trading Standards wrote to all businesses advising them of the changes and what that meant for the business. Trading Standards Officers also assisted with Track and Trace activities during periods of high Covid intensity. During this period, officers remained in-post, recruiting Covid marshals and SME officers to assist in the provision of advice and reassurance to the general public; and support for businesses, with additional support for small and medium sized business. Bury also employed a dedicated officer, who provides advice and assistance on all matters to Black and Minority Ethnic owned businesses.

### **Ensuring Compliance by Licensed Premises: Flintshire County Council Trading Standards**

Flintshire Trading Standards operated a triage system in partnership with Police and Licensing to ensure licensed premises complied with applicable Covid restrictions. North Wales Police carried out patrols to licensed premises, with officers completing a 'tick sheet' to show compliance or otherwise. Officers met daily to review the sheets using a traffic light system: Red - an immediate response was required, Amber - issue could be dealt with by phone call or letter, and Green - no issues. A decision on which service was best placed to deal with the issue was also taken. The involvement of the police licensing officer meant that police body-worn footage could be obtained quickly if required. The system was successful and ensured that serious non-compliances in the licensed sector could be dealt with efficiently.





### **Protecting Public Health: Staffordshire County Council Trading Standards: Directions served on funfair and bars**

In June 2021, in response to concerns over increasing Covid levels and the risk to public health, Staffordshire Trading Standards served a direction on a funfair preventing it from taking place. A further two directions were served on public houses as a result of behaviour of the public during the European Football competition. These directions either closed or placed restrictions on the operations of the businesses to ensure that Covid security was maintained.

### **Elderly Consumer Victim of Covid Scam: Bath and North East Somerset Council Trading Standards**

Bath and North East Somerset Trading Standards investigated the case of an elderly consumer, who has been the victim of multiple scams over a number of years. Notably, this included the supply of an air purifier with claims it could 'offer protection against Covid-19'. The supply and installation cost was £1200, and the victim was later contacted by another company who 'replaced the filters' for £800. The victim was extremely upset when she realised the product did not fully protect her from Covid-19 as it had made her feel secure in her home. The investigation is ongoing.

## SECTION FIVE: NET ZERO, ENERGY COSTS AND CLIMATE CHANGE

The Net Zero and Climate Change agenda are becoming more important each year. Some local authorities have declared a climate emergency and the majority have this issue as a key corporate priority.

Claims associated with energy usage and energy efficiency are going to be a real marketing point as energy costs rise so quickly and households will be looking to save money. More broadly “greenwashing” and green claims have become a concern and the Competition and Markets Authority issued a report on this.

There is no separate data collected on Trading Standards work to support this agenda, they will be included within the compliance checks, business advice and prosecution figures in previous chapters. However the case studies below give examples of the type of work being done.

### **Government Grant Fraud: Leicestershire County Council Trading Standards**

In 21-22, Leicestershire Trading Standards saw an increased number of consumer complaints and enquiries made regarding ‘green claims’ e.g., consumers wanting to confirm legitimacy of company/grant offer; and companies falsifying documents and carrying out work potentially not required. There is one ongoing investigation into the falsification of documentation and potential fraud of Government grants.

This issue has been highlighted and sources of further information have been flagged via social media posts and newsletters. Officers suspect that such issues are under-reported due to consumers’ concerns they may be liable for further payments. Work is ongoing with the relevant areas within the council to assist with those companies detailed on the Council lists.

### **Enforcing Minimum Energy Efficiency Standards: Durham County Council Trading Standards**

Durham Trading Standards have undertaken work on a range of Environment themed activities. 600 landlords have been contacted to date with regards the Minimum Energy Efficiency Standard Regulations (domestic and private rental sector). Where issues were found, officers sought to bring businesses into compliance, serving compliance notices and penalty notices as appropriate. Officers have provided businesses with advice on single use plastic regulations; undertaken work on domestic solid fuels; and investigated complaints and suspected fraud within the green energy sector.

### **Solar Panel Fraud : Heart of South West Trading Standards**

Heart of the South West Trading Standards concluded a long running investigation into the mis-selling of solar panels. In March 22, one defendant pleaded guilty to charges relating to false claims about accreditations and for giving financial advice when not approved to do so, as well as managing a company while bankrupt. This defendant was sentenced 2 ½ years in prison and disqualification from being a Company Director for 6 years 3 months.

A second defendant in the case, also pleaded guilty to being a party to the company trading fraudulently under the Companies Act, not returning deposits when consumers exercised their right to cancel. This was one of the largest cases ever taken by the Service and involved multiple search warrants and arrests, a significant amount of computer and mobile phone evidence, supporting a number of vulnerable witnesses, and restraining assets.

### **Misleading Claims on Heat Pumps: East Riding of Yorkshire Council Trading Standards**

East Riding Trading Standards service noticed an increase in complaints concerning air source heat pumps. There appears to be a serious lack of competent installers for these in the UK. The complaints were that the installations did not work and consumed an excessive amount of electricity. There were issues in identifying appropriate experts who could give a definitive opinion suitable for use in Court actions. However intelligence was logged on the Trading Standards system for future reference and consumers were provided with advice. The issue has also been noted in other authorities with linked problems such as excessive noise when they are installed incorrectly.





### **Energy Efficiency in Rented Properties: Bath and North East Somerset Council Trading Standards**

Between September 2021 and March 2022, Bath and North East Somerset Trading Standards delivered the PRS Enforcement and Compliance Project, which was overseen by the Midlands Energy Hub and BEIS. Enforcement of the Minimum Energy Efficiency Regulations has contributed directly to tenants living in safer, warmer and far more energy efficient homes, increasing both physical and emotional wellbeing. Landlords were served with 156 compliance notices and there was a publicity campaign. As a result, standards of properties have increased and the wider environmental impact of properties in disrepair has been markedly reduced. Six properties are subject to further investigation.

### **Preventing Damage by HGVs: Suffolk County Council Trading Standards**

Suffolk Trading Standards operates a 'Lorrywatch' scheme. Residents, in volunteer groups, are able to report the registration details of Heavy Goods Vehicles that are travelling through their villages in apparent breach of vehicle environmental weight restrictions. Using DVLA information, a written request for driver details is made to the vehicle owners. In the first instance, advice is provided. If identified, the haulage company is also provided with advice. Follow ups indicate there is a low rate of reoffending. 'Lorrywatch' helps protect the environment of local villages in many ways, including reducing noise and air pollution and damage to the natural and historic built environment. As such it is welcomed by communities and politicians within the scheme area.

### **Newport City Council Trading Standards – Energy Efficiency**

The 2019 Welsh Index of Multiple Deprivation states the local authority with the highest proportion of small areas in the most deprived 10% in Wales was Newport.

Newport Trading Standards identified non-compliant F or G rated properties (low energy efficiency) and provided advice or undertook enforcement to get landlords to comply.

362 landlords were initially identified as not having required Energy Performance Certification. It was found that 117 were compliant, 11 were brought into compliance following Trading Standards intervention, advice is being provided to 12 and 229 are ongoing. The service delivered a landlord advice event in conjunction with the National Rented Landlord Association. The event was a success and was attended by 40 landlords. Publicity will be carried out via the website and printed leaflets and will be distributed to via letting agents and colleagues. The impact of the work shows a reduction in annual carbon emissions of 198.5 tonnes, a reduction in annual energy of 178,329 kWh and a reduction in fuel bills of £58,217 based on April 22 prices. The work was made possible with a government grant