

INFORMATION ITEM

REPORT TO CABINET

12 APRIL 2007

**REPORT OF
CORPORATE
MANAGEMENT TEAM**

INFORMATION ITEM

Community Safety and Protection – Lead Cabinet Member – Councillor Kirton

PEER REVIEW OF TRADING STANDARDS

SUMMARY

The Trading Standards Service has recently undergone a peer review as required by the Department of Trade and Industry. This report outlines the findings of the review and is for members information

DETAIL

1. The objective of the peer review process is to identify service improvements in Trading Standards Departments from within and ensure that they are implemented. It has been developed by LACORS and the TSI and is funded and supported by the DTI. The review process consists of two elements:
 - a. A self assessment against a web-based framework developed by the Society of Chief Trading Standards Officers (SoCTSO)
 - b. An external review of the effectiveness of that self assessment by peers
2. The framework is based on the European Foundation for Quality Management (EFQM®) Excellence Model, adapted for Trading Standards use.
3. The peers are a mixture of Trading Standards personnel from other authorities and senior officers or Members on the Peer Clearing House register of the Improvement and Development Agency (IDeA).
4. The self-assessment took place in late 2006 and the peer review took place in February 2007. The conclusion of the Peer Review Team was:

“Overall, the peer review team would like to congratulate the Service for the way in which it has carried out the self assessment process, and we are as confident as they are that it will result in improving further what is already an excellent Service.”
5. Copies of the Peer Review Report and the Improvement Plan are attached as Appendix 1 & 2.

FINANCIAL AND LEGAL IMPLICATIONS

6. The authority is required to monitor service delivery and ensure value for money. The Peer Review process assists in meeting this objective. There are no financial implications in implementing the improvement plan.

COMMUNITY STRATEGY IMPLICATIONS

Community Strategy	Areas of Trading Standards and Licensing work that link to this strategy
Promote the safety and well-being of the community	Promotion of a fair, safe and equitable market place Providing protection for consumers Product safety enforcement Under age sales enforcement Consumer advice provision Consumer Support Network Product sampling and testing Work to prevent people being the victims of commercial crime by doorstep sellers in their own home Road traffic overloading and unroadworthy vehicles Food standards, labelling, composition and sampling Licensing of hackney carriages and private hire vehicles Licensing for skin piercing, explosives and poisons Smoke Free Stockton Initiative Think B4 U Drink Campaign
Further regenerate the Borough and improve the local economy	Active targeting of rogue traders Work to disrupt the informal 'black' economy Tackling product counterfeiting Investigation of trading malpractice Advice, assistance and practical help to local businesses Home authority principle Risk based, comprehensive inspection of businesses Provision of wide-ranging calibration service Operation of a Teesside wide "Good Garage Scheme"
Secure a safe and attractive environment for current and future generations	Product safety enforcement Energy labelling for informed choice Accuracy of 'green' claims Fertilisers & feeding stuffs enforcement and sampling Controls on construction products, hazardous substances and packaging requirements Licensing of entertainment, late night refreshment and alcohol under the new Licensing Act
Improve the health of the local community	Active under age sales enforcement Contribute to the anti-social behaviour agenda, especially re the under age sale of alcohol Product safety enforcement Smoke Free Stockton Initiative Alcohol Harm Reduction Strategy Think B4 U Drink Campaign Food standards, composition, labelling and sampling

Improve opportunity and achievement in education and lifelong learning	Consumer advice provision Consumer education Consumer Support Network initiatives
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RISK ASSESSMENT

7. There are no risks that have been highlighted as a consequence of the peer review process.

Corporate Director of Development & Neighbourhood Services

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Background Papers None
Education Related Item? No
Ward(s) and Ward Councillors: Not Ward Specific

PEER REVIEW OF STOCKTON-ON-TEES BOROUGH COUNCIL'S TRADING STANDARDS SERVICE 2007

1. Introduction

This report provides feedback on the peer review of Stockton-On-Tees Trading Standards Service, carried out on 13th and 14th February 2007. This is part of a DTI funded national programme of reviews of Trading Standards Services. The purpose of this programme is to challenge how well Services are performing and to help them identify improvements.

The peer review process has two key elements. Firstly, a self assessment carried out against nine criteria in a Trading Standards specific framework adapted from the EFQM® Excellence Model. Secondly, a follow-up peer review of that self assessment, which examines its robustness and accuracy, and identifies any further improvements and good practices.

The Service undertook its self assessment over the period October to November 2006. The output from that self assessment was a report that identified the key strengths and areas for improvement for the Service, and a draft improvement plan based on this.

This was followed by a peer review by a team of people from other Trading Standards Services from within the region, and a member of the Improvement and Development Agency's Peer Clearing House.

Utilising a desktop review of the evidence provided by the Service, the peer review team then considered the self assessment carried out and its outputs, and came to conclusions covering the self assessment and its report; the draft improvement plan; good practices that others could learn from; and further areas for improvement.

This report contains details of the peer review process undertaken and the conclusions of the peer review team, as well as a more detailed account of the findings under each of the nine criteria of the framework.

2. Methodology

The peer review team consisted of:

Colin Howey	- Senior Trading Standards Officer - Newcastle City Council
Alison Brydon	- Senior Trading Standards Officer - Gateshead Council
Richard Bealing	- Head of Leisure & Cultural Services at Castle Morpeth Borough Council and Review Member from the Improvement and Development Agency's Clearing House.

A series of meetings, interviews and correspondence took place with the following staff, Member and key stakeholder.

George Garlick	Chief Executive
Neil Schneider	Corporate Director of Development & Neighbourhood Services
Mike Batty	Head of Community Protection
Councillor Kirton	Lead Cabinet Member Community Safety & Protection
Craig Willows	Customer First Manager and "critical friend"

David Kitching	Trading Standards Team Manager
Lorraine Wilford	Self Assessment Team
Jimmy Jones	Self Assessment Team
Paul Chilver	Self Assessment Team
John Morley	Self Assessment Team
Andrea Gledhill	Self Assessment Team
John Wynn	Self Assessment Team
Tanvir Hussain	Self Assessment Team
Staff Focus Group	Consisting of 6 non-management staff
Keith Daley	Police Licensing Officer and “external stakeholder”

The peer review was carried out at the Service headquarters offices in Church Road, Stockton.

3. Summary of peer review team findings

3.1 The self assessment and the report of it

The peer review team consider that the Service allocated sufficient resources to carry out a thorough self assessment process that was challenging, accurate and valid. The evidence gathering phase of self assessment involved a wide cross-section of staff which has helped provide a realistic assessment of the Service. The evidence provided to the peer review team was presented in good time and in a user friendly format.

The self assessment process has identified a number of improvements and the self assessment team has produced a well detailed and structured plan to implement them. Mechanisms for measuring improvement, clear lines of responsibility and relevant time scales were also provided for those improvements identified.

The self assessment process produced sufficient evidence to come to accurate conclusions and, with the beneficial assistance of the “critical friend”, the report from the self assessment team raised valid issues which reflected the evidence that both the self assessment team and the peer review team identified. The peer review team found that in some areas the self assessment was particularly demanding and the Service has not shied away from being critical of themselves.

The self assessment accurately identified that the Service is proactive in determining the needs and priorities of its stakeholders. It has identified who they are; found out what they want from the Service and ensured that the services provided relate to what is considered important to stakeholders. The Service is very focused on meeting these needs.

The Service has clear values and mission and makes good efforts at communicating these with staff and customers. However it must strive to ensure that communication is timely and up to date.

The one area that was not sufficiently robustly challenged was Society Results, which are recommended to be revisited by the self assessment team.

3.2 The draft improvement plan

The draft improvement plan was consistent with the themes raised in the self assessment process and the improvement actions were considered by the peer review team to be correct.

The defined improvements appear achievable and although stringent time scales were given, the Service is confident of achieving them. The improvement plan is also timely for the writing of the latest Service Plan.

Overall, the peer review team feel that the Service has a clear and ambitious strategy for improvement that takes account of local and national priorities, which will help drive the Service to produce sustainable improvements.

3.3 Good practices identified

The peer review team identified the following areas which we consider to be examples of good practice that we could recommend to other Services:

- Stakeholder consultation and involvement that is clear, well focussed, comprehensive and acted upon.
- External partnership working. Staff at all levels work very well with partner organisations external to the Council, regular reviews of effectiveness are undertaken, and these are acted upon. The work with the Good Garage Scheme to bring about a motor trader approval scheme across the Teesside area was a particularly good example of partnership working and response to consultation.
- The Service has a strong commitment to training exemplified by the “grow your own” Trading Standards Officer approach. They receive support and the relevant backup is in place in terms of in-house and external training. The development of newly qualified officers is considered to be important and it was clear that project programs had been planned with a view to their career development.
- Work in the community as demonstrated by e.g. Operation Strongbow (the doorstep callers and rogue builders campaign), Operation SCARAB (relating to underage drinking) in conjunction with Cleveland Police and the Think B4U Drink education programme working with the Safer Stockton Partnership.
- The Council has subscribed to a Language Translation Service, allowing officers in the field to obtain the services of an interpreter on the spot by telephone.
- Work in the community is customer focussed as demonstrated by Community Legal Services (CLS) specialist quality mark.
- The review of complaints and investigations over 3 weeks old.

3.4 Further opportunities for improvement

The peer review team felt that some work needed to be done to further raise the profile of Trading Standards within the Council. Whilst there is already evidence of good informal communication this needs to be improved by a more formal linkage.

The peer review team has identified a further 3 areas for improvement to the draft improvement plan:

1. More effective consultation of non-user groups.
2. Consider incorporating “enforcement” customers into satisfaction Surveys.
3. To quantify and record social and environmental impact.

The LACORS peer review website contains many examples of good practice identified during the peer review process and the Service could consider looking at the website to identify if any other Services have been shown to be particularly effective in this area, and learning from them.

3.5 Detailed strengths and areas for improvement

Leadership

Strengths

- Supportive management team. Demonstrated by positive feedback from the Focus Group. Appraisals valued and professional development opportunities were excellent. “Open door” policy prevalent throughout leadership chain.
- Effective framework for delegation and control via strong line management; reviewing and monitoring mechanisms as demonstrated by “delegate and trust” ethos.
- Leaders demonstrate a clear commitment to continuous improvement by volunteering for initiatives such as peer review and encouraging and supporting staff suggestions.
- The commitment of the portfolio holder for the service is demonstrated by his involvement in accompanying officers on inspections and exercises to further his understanding of the nature of Trading Standards work.

Areas for improvement

- It has been recognised that the Trading Standards Team Manager needs to be more “visible” with the staff.
- The Service needs to increase its profile within the Council by improved communication. The Service is exploring avenues to achieve this.

Policy and strategy

Strengths

- Policy and strategy are based on the expectations of a large number of identified stakeholders. The Service Plan clearly reflects the views of those consulted in the priority surveys.
- The Service echoes the needs of the market and sector in which they operate. There is a strong focus on anti-social behaviour related themes, food safety and the needs of local businesses.
- There are some excellent partnerships with voluntary organisations such as Age Concern and enforcement agencies such as the Police (Operation Strongbow, Operation SCARAB and the Think B4U Drink education campaign).
- A good media profile is maintained by regular reporting of prosecutions, safety warnings, scam alerts and new legislation.

Areas for improvement

- There is only an ad hoc relationship in some partnership working, for example, with other enforcement agencies and business forums. There may be further scope to raise the profile

of the service and the potential to gain external funding through increased partnership working and networking.

People

Strengths

- Excellent staff that are well regarded at all levels. The staff have received good customer, business and management team feedback from the satisfaction surveys and customer compliments which are reported at the monthly meetings.
- The Service builds on individuals strengths. There is a capacity for all staff to develop an interest and expertise. Again, this was demonstrated by staff at all levels, covering topics such as corporate issues; regulatory focus; process management; project management and consumer/trader talks.
- There is evidence of strong teamwork and a sense of “belonging”. Staff are happy to be flexible in helping out colleagues whilst maintaining a balanced competitive edge to performance.
- The Service is committed to the professional development of staff. Generally there are very good training opportunities, specifically evidenced by the recent qualification of 2 Trading Standards Officers from existing staff and the continued “grow your own” approach.
- The annual Service Delivery plan identifies specific officers with responsibility for individual projects. Progress against the plan is monitored at regular team meetings encouraging communication and ownership by members of the team

Areas for improvement

- None identified.

Partnerships and resources

Strengths

- There are some strong relationships with “community issues” via the work with underage sales and other anti-social behaviour related matters.
- The Service is responsive to the changing needs of the business community as demonstrated by the set up of the Good Garage Scheme.
- Demonstrates commitment to regional working e.g. joint food sampling projects, peer review, member of the North East Trading Standards Association (NETSA) and supporting regional training opportunities.
- The Service has a management information system (FLARE) adapted to provide comprehensive statistical and performance information.
- High levels of equipment and information sources are made available to staff to allow efficient service provision.
- A dedicated room and equipment for conducting interviews with potential defendants lend themselves to thorough investigations.

- Excellent partnership with the Police was identified as a particular strength. The Think B4U Drink campaign resulted in Stockton Council being formally recognised by winning the Most Responsible Local Authority in the December 2005 Responsible Drinks Retailing Awards.

Areas for improvement

- Although some good partnerships exist momentum needs to be maintained, e.g. with the Police (other than underage sales).

Processes

Strengths

- The peer review team felt that the self assessment correctly identified the key strengths with regard to the customer focussed management of processes. This includes the effective use of Investors in People (IIP), the CLS specialist quality mark and the intelligence led enforcement approach.
- It is apparent from the self assessment evidence and interviews conducted by the peer review team that process management is a major asset for improving the Service and it is clearly “ahead of the game” in this criterion. Typified by the Trading Standards Team Manager’s involvement with a number of working groups within the Council organisation.

Areas for improvement

- Increased benchmarking of services and identifying best practice with other authorities and organisations. This should become easier with the rolling out of the peer review process to all Trading Standards Authorities.

Results

Strengths

- The peer review team consider that the self assessment process provided a thorough analysis of customer results. The Service enjoys a very high level of satisfaction from consumers and traders alike, augmented by commitment to IIP and the CLS specialist quality mark.
- Staff consultation by the Service and feedback from the Focus Group show a high level of satisfaction for most “people” issues.
- The benchmarking which the service has undertaken confirms that the service compares well with similar authorities in producing good results at low cost.

Areas for improvement

- There is a need to quantify the social and environmental impact of the Service. There are clear opportunities for Trading Standards to demonstrate their value and link to the strategic key service objectives. For example the talks to schools and consumer groups.
- The Service already has systems in place for recycling office waste. By measuring, recording and monitoring those efforts the Service will be making some contribution to protecting the environment. It would also demonstrate foresight for quality marks such as the Eco-Management and Audit Scheme (EMAS) which are likely to be implemented in the near future.

3.6 Conclusions

Overall, the peer review team would like to congratulate the Service for the way in which it has carried out the self assessment process, and we are as confident as they are that it will result in improving further what is already an excellent Service. Some improvements were identified for the Service to carry out. The Service is now asked to:

- Improve the plan as described in paragraph 3.4 above.

The peer review team would ask you to provide a response to these issues, including an amended improvement plan, within four weeks of the date of this report. If possible we would be willing to return to the Service in one year's time in order to discuss progress.

Finally, the peer review team wishes to extend its thanks to everyone involved in the process for their honesty, courtesy and co-operation during the process.

Signed:

Colin Howey

Alison Brydon

Richard Bealing

Date: 7 March 2007

Stockton-on-Tees Borough Council's Trading Standards Service Improvement Plan

1.0	Better methods for circulating information on service provision to stakeholders, including Members
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	Action	When	Who	Measurement	Comments
1.1	Produce leaflet containing executive summary of Service Delivery Plan	May 2007	J Jones	Production of leaflet	
1.2	Identify stakeholders and distribute leaflet - include all Members following elections in May 2007	June 2007	J Jones	Number of leaflets distributed	
1.3	Produce and distribute Annual Report outlining work and performance against previous year's Service Delivery Plan	June 2007	L Wilford	Production and distribution of Annual Report	
1.4	Produce a regular Members bulletin to inform on current issues and stories of interest	Quarterly beginning in Sept 2007	J Jones	Production and distribution of bulletin each quarter	
1.5	Review 'information' policy and decide on work plan for 2008/09	March 2008	J Jones	Carry out review based on above and feedback obtained	

2.0	An improved appraisal system
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	Action	When	Who	Measurement	Comments
2.1	Consult with members of staff as to ways of improving the appraisal system	Feb 2007	L Wilford	Complete consultation	
2.2	Carry out staff appraisals	March 2007	TSLM PTSOs	100% of appraisals completed	
2.3	Holistic training plan to be incorporated within the Service Delivery Plan	April 2007	L Wilford	Develop training plan	
2.4	Training plan monitored and reviewed as part of service planning process	Monthly	L Wilford	Performance against defined plan	
2.5	Full review of process and changes made as necessary	Feb 2008	L Wilford	Complete full review Feedback from staff survey	

3.0	Better system for assessing and evidencing the competency of staff
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	Action	When	Who	Measurement	Comments
3.1	Carry out review of current system taking into account CPD and statutory requirements	April 2007	L Wilford	Complete initial review	
3.2	Identify and draft appropriate system	May 2007	L Wilford	Initial system draft	
3.3	Consult with other members of staff	June 2007	L Wilford	Complete consultation	
3.4	Finalise and introduce new system	July 2007	L Wilford	Implementation of new system	
3.5	Full review of system after reasonable period of operation – amendments made as necessary	March 2008	L Wilford	Complete full review Feedback from staff survey	

4.0	Ensure that risk assessments are effective and cover all key activities
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	Action	When	Who	Measurement	Comments
4.1	Attendance on Health and Safety Unit's Risk Assessment course	Feb 2007	J Allwood	Attend training event	
4.2	Carry out internal cascade training	April 2007	J Allwood	Provide cascade training	
4.3	Carry out review of current risk assessments	May 2007	J Allwood	Complete initial review	
4.4	Identify new processes that require risk assessments	June 2007	J Allwood	Number of new processes identified	
4.5	Draft risk assessments for all identified service activities	Sept 2007	J Allwood	Number of processes documented	
4.6	Consult with other members of staff	Dec 2007	J Allwood	Complete consultation	
4.7	All risk assessments to be finalised and implemented	March 2007	J Allwood	Implementation of all risk assessments	
4.8	Full review of all processes after reasonable period of operation – amendments made as necessary	Sept 2008	J Allwood	Complete full review	

5.0	Better use of internal and external databases and intelligence sources
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	Action	When	Who	Measurement	Comments
5.1	Investigate ways of linking written correspondence, notices and cautions to premise history on FLARE database	April 2007	J Jones	Identification of appropriate system	
5.2	Test system and provide training to staff	May 2007	J Jones	System functional and training carried out	
5.3	Full implementation of system	June 2007	J Jones	System operational	
5.4	Structured and regular interrogation of the Consumer Direct database to identify Stockton's problem traders	Quarterly beginning April 2007	P Chilver	Appropriate system introduced	
5.5	Problem traders identified and where appropriate investigating officer allocated in normal manner	Quarterly beginning April 2007	P Chilver	Reduction in number of complaints against identified traders	
5.6	Examine ways of incorporating use of Tellpat system into normal working procedures. Liaise with RIO/NETSA	Sept 2007	P Chilver	Identification of appropriate system	
5.7	Test system and provide training to staff as appropriate	Dec 2007	P Chilver	System functional and training carried out	

5.8	Full incorporation of Tellpat system	March 2007	P Chilver	System operational	
5.9	Full review of above procedures after reasonable period of operation – amendments made as necessary	Sept 2008	J Jones	Complete full review	

6.0	Improve links with local businesses
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	Action	When	Who	Measurement	Comments
6.1	Initial review of existing links taking into consideration the findings of the major project carried out on business partnerships in 2004	April 2007	L Wilford	Carry out initial review	
6.2	Produce work plan	May 2007	L Wilford	Complete work plan	
6.3	Implement strategy as per devised work plan	As per work plan	L Wilford	Performance against defined work plan	
6.4	Establish closer working relationship with the Business Development Unit	June 2007	L Wilford		
6.5	Produce 'Trading Standards' starter pack to be sent out to all new businesses via the Business Development Unit	Sept 2007	L Wilford	Number of packs distributed	
6.6	Full review of business strategy including work plan for 2008/09	March 2008	L Wilford	Carry out full review Increase business satisfaction	

7.0	Proactive consumer education strategy
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	Action	When	Who	Measurement	Comments
7.1	Identify community and voluntary groups with which consumer education links can be developed	March 2007	B Dix	List produced and contacts made	
7.2	Develop a consumer education programme taking into account the needs of identified groups and to include 2 targeted publicity campaigns based on topical areas of concern	May 2007	B Dix	Produce programme	
7.3	Implement strategy as per devised programme	As per programme	B Dix	Performance against defined programme	
7.4	Tailored information on consumer rights and remedies to be posted on website covering top 4 most complained about goods/services	1 subject area per quarter beginning April 2007	B Dix	Information posted Number of 'hits'	
7.5	Full review of consumer education strategy and decide on work plan for 2008/09	March 2008	B Dix	Carry out full review Increase consumer awareness of service provision	

7.6	Carry out analysis of Flare and Consumer Direct databases to identify any geographical areas of low service usage	March 2008	L Wilford	Carry out analysis	
7.7	Develop and carry out consumer education initiatives in any identified low service usage areas (include in work plan for 2008/09)	As per programme - complete by March 2009	B Dix	Increase consumer awareness of service provision. Increase service usage levels in identified areas	
7.8	Carry out consumer education initiatives aimed at the two main ethnic minority groups in Stockton (include in work plan for 2008/09)	As per programme - complete by March 2009.	B Dix	Increase consumer awareness of service provision	

8.0	Documented procedures in all key areas of enforcement activity including project planning and consultation strategies
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	Action	When	Who	Measurement	Comments
8.1	Review existing procedures and identify those key areas where written procedures are needed	April 2007	J Jones	Complete initial review	
8.2	Devise timetable for production of procedures	May 2007	J Jones	Produce timetable	
8.3	Procedures to be drafted and introduced as per timetable with staff consultation and training at each stage	As per timetable	J Jones	Performance against defined timetable	
8.4	Feedback survey with regard to the handling of enforcement complaints to be included in consultation strategy with the first such survey to be carried out by September 2007	Sept 2007	J Jones	Carry out survey Percentage of satisfied customers	
8.5	Full review of procedures after reasonable period of operation – amendments and work plan for 2009/10 made as necessary	Sept 2008	J Jones	Complete full review	

9.0	Quantify and record the social and environmental impact of the Service
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	Action	When	Who	Measurement	Comments
9.1	Develop and produce internal indicators for 2007/08 in areas such as the amount of paper used, the amount of paper recycled, the amount of printer cartridges used and the amount recycled.	By April 2008	J Farley	Provide baseline figures for 2007/08 against which future performance can be measured	
9.2	Consider the use of approved charitable organisations as a means by which seized counterfeit goods can be debranded and reused.	By April 2008	J Jones	Quantity of seized counterfeit items debranded and reused.	
9.3	Develop working practices with the aim of improving on the 2007/08 baseline figures in 9.1	By April 2009	D Kitching	Improvements on the 2007/08 baseline figures in 9.1	