

NEIGHBOURHOOD SERVICES COMMITTEE

AGENDA



Thursday 22 July 2021

at 10.00 am

in the Council Chamber,
Civic Centre, Hartlepool.

A limited number of members of the public will be able to attend the meeting with spaces being available on a first come, first served basis. Those wishing to attend the meeting should phone (01429) 523568 or (01429) 523019 by midday on Wednesday 21 July 2021 and name and address details will be taken for NHS Test and Trace purposes.

MEMBERS: NEIGHBOURHOOD SERVICES COMMITTEE

Councillors Cook, Creevy, Howson, Jackson, B Loynes, Price and Stokell.

1. **APOLOGIES FOR ABSENCE**

2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

3. **MINUTES**

- 3.1 To receive the Minutes and Decision Record of the meeting held on 19 March 2021 (previously published and circulated).

4. **PRESENTATION**

- 4.1 The Role and Remit of the Neighbourhood Services Committee – *Director of Neighbourhood and Regulatory Services*

5. **KEY DECISIONS**

- 5.1 Home to School Transport Policy Review - *Assistant Director (Place Management)*

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

6. OTHER ITEMS REQUIRING DECISION

- 6.1 Trading Standards Service Plan 2021/22 - *Assistant Director (Regulatory Services)*

6. ITEMS FOR INFORMATION

No items.

7. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION

Dates of forthcoming meetings –

Thursday 23 September, 2021 at 10.00 am
Thursday 14 October, 2021 at 10.00 am
Thursday 18 November, 2021 at 10.00 am
Thursday 9 December, 2021 at 10.00 am
Thursday 27 January, 2022 at 10.00 am
Thursday 3 March, 2022 at 10.00 am
Thursday 24 March, 2022 at 10.00 am



NEIGHBOURHOOD SERVICES COMMITTEE

22nd July 2021



Report of: Assistant Director (Place Management)

Subject: HOME TO SCHOOL TRANSPORT POLICY REVIEW

1. TYPE OF DECISION/APPLICABLE CATEGORY

Key test (ii). Forward plan RN04/20.

2. PURPOSE OF REPORT

- 2.1 To advise Members of a refresh to the Councils Home to School Transport Policy '*the Policy*', in order to meet the Governments statutory guidance – July 2019.
- 2.2 This report looks to refresh the Councils Policy in line with the guidance, to clearly detail the duties of the local authority and ensure that parents and other stakeholders are fully informed.

3. BACKGROUND

- 3.1 In July 2019 the Department for Education carried out a consultation on the statutory guidance for Home to School travel and transport for children of compulsory school age.
- 3.2 The revised guidance replaces the 2014 guidance and aims to ensure that transport policies inform parents effectively of the Local Authorities duties and any assistance that may be provided.
- 3.3 There have been no changes to Home to School Transport Legislation. All details within the Guidance refer to existing legislation for home to school travel and transport for children of compulsory school age.
- 3.3 The Councils revised Policy has considered all elements of the guidance and ensures that it clearly advises parents and stakeholders of the four categories of eligibility. It explains the assessment process

for each eligibility criteria and details the travel assistance options that may be offered.

- 3.4 The Policy also explains arrangements that are in place for children who are not eligible for free home to school travel assistance.
- 3.5 The Policy clearly explains how a parent may appeal the Local Authorities decision in response to their application for home to school travel assistance and the process that will be followed.
- 3.6 There have been no changes to the contents of the policy itself, the changes reflect the Department for Education's requirement for policy documents to be clearer in their offer to parents only.
- 3.7 A copy of the refreshed policy is provided in **Appendix A**.

4. PROPOSALS

- 4.1 It is proposed that Members approve the refreshed Home to School Transport Policy to reflect the Department for Education statutory consultative Guidance.

5. RISK IMPLICATIONS

- 5.1 Failure to adopt the refreshed policy will see the Home to School Transport out of step with the Department for Education Guidance.
- 5.2 The Council may not be providing parents with clear understanding of their duties in providing travel assistance, the processes to follow and their right of appeal, should they disagree with the Council's decision.
- 5.3 The Council may be challenged if the Policy is not in line with Government Guidance.

6. FINANCIAL CONSIDERATIONS

- 6.1 The Legislation governing home to school transport and eligibility to assistance have not changed and therefore there are no additional financial considerations.

7. LEGAL CONSIDERATIONS

- 7.1 Home to School Transport is Governed by the Education Act 1996.
- 7.2 Local Authorities have a duty to publish a Home to School Transport Policy for children of compulsory school age.

- 7.3 The Policy must be published by 19th September each year, although there is no requirement to conduct an annual review if the Policy meets local needs and complies with statutory requirements.

8. CONSULTATION

- 8.1 There are no legislative or procedural changes to the Policy and therefore consultation would not be required.

9. OTHER CONSIDERATIONS

Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues
Child & Family Poverty	No relevant issues
Equality & Diversity	No relevant issues
Section 17 of The Crime and Disorder Act 1998	No relevant issues

10. RECOMMENDATIONS

- 10.1 It is recommended that Members approve the Councils refreshed Home to School Transport Policy.

11. REASONS FOR RECOMMENDATIONS

- 11.1 The refreshed Home to School Transport Policy ensures that the Council are providing parents with a clear understanding of the Council's duties and that the Council's Policy is in line with Government Guidance.

12. BACKGROUND PAPERS

- 12.1 Refreshed Home to School Transport Policy – **Appendix A**

13. CONTACT OFFICERS

Kieran Bostock
 Assistant Director (Place Management)
 Level 3
 Civic Centre
 Hartlepool
 TS24 8AY

E-mail: kieran.bostock@hartlepool.gov.uk
 Phone: 01429 284291

AUTHOR OF REPORT

Jayne Brown
Passenger Transport Services Team Leader
Regeneration and Neighbourhoods
Passenger Transport Services
Hartlepool Borough Council

01429 523526

Jayne.brown@hartlepool.gov.uk

Hartlepool Borough Council Children's Services

Home to School Transport Policy 2008/09

Revised June 2021



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Introduction

Hartlepool Borough Council recognises that it is the responsibility of the parent / carer to ensure that their child attends school and make any necessary travel arrangements. However, in certain circumstances, Hartlepool Borough Council will provide home to school travel assistance if the criteria are met.

This document describes the policy and criteria applied. It will provide a starting point for parents and carers in order for them to be able to establish if they are entitled to the provision and how to access the support available.

This policy has been developed in line with current Government legislation, in particular:

- Section 508A of the Education Act 1996 – Local Authorities duty to promote sustainable modes of travel
- Section 508B and schedule 35B of the Education Act 1996 – travel arrangements for eligible children
- Section 508C of the Education Act 1996 – travel arrangements for other children

Hartlepool's children's services Department will continue to offer school places to children that are within a reasonable distance of their place of residence. In some cases this is not always practical, and therefore the Authority will aim to:

- Promote walking to and from school in order to reduce the number of car journeys as part of the Authority's commitment to protecting the environment in which we live and work
- Strive to ensure that journey times to and from school for pupils are reasonable so no pupil is disadvantaged by the routes in use,
- Provide travel assistance, where necessary, which is safe and meets the requirements of all parties whilst remaining cost effective.

Hartlepool Borough Council expects the service delivered to be of a high standard. Those pupils who qualify under this policy can expect that those standards will be monitored and maintained.

Legislative Framework

The Education Act 1944 as amended by the Education Acts 1986 and 1996 and the Education Reform Act 1988 sets out the minimum provision for home to school transport which local authorities must provide.

The basic provisions are:

- A child under the age of 8 is eligible for free home to school travel assistance to their nearest suitable school, if it is more than 2 miles from their home
- A child who is 8 years or over is eligible for free home to school travel assistance to their nearest suitable school, if it is more than 3 miles from their home
- The Local Authority must make arrangements to enable an eligible child to travel to school for the beginning of the school day, and return home at the end of the school day. They are not required to make arrangements for travel between institutions

during the school day, or to enable children to attend extra-curricular activities and other commitments outside of school hours

- A Local Authority is not required to make home to school travel arrangements for an eligible child where:
 - Suitable home to school travel is provided by someone else e.g. the school
 - A parent chooses to make their own arrangements for the child's travel to and from school

The Education and Inspections Act 2006 extends Local Authority duties and powers relating to home to school transport:

- By extending entitlement to free home to school travel assistance for low income families

The Statutory walking distances are (as detailed earlier):

- 2 miles for a child up to the age of 8 years
- 3 miles for a child over the age of 8 years

In Hartlepool the statutory walking distance is modified by discretionary power to achieve consistency between sectors:

- 2 miles up to the age of 11 years (primary pupils)
- 3 miles from the age of 11 – 16 years (secondary pupils)

Unsafe walking route

A child may be eligible for free travel assistance if they attend their nearest suitable school, the school is within walking distance of their home, but they cannot reasonably be expected to walk to school because the nature of the route would make it unsafe.

The Local Authority assess all routes using Great Britain Road Safety Guidance

The Courts have defined an available route as one “along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as “available” because of dangers which would arise if the child was unaccompanied.”

Travel assistance

The Travel assistance provided would be for the full distance between home and school/unit unless individual assessment allows that pupils may appropriately be expected to walk a short distance to/from the school/unit picking up/setting down point.

The Authority is bound to provide travel assistance only in the case of pupils of school age (5-16) attending their nearest suitable school. **The Authority is not required to provide travel assistance where a child attends, at the parent's wishes, a school which is not the nearest to their home.**

Section 1 - Mainstream and Low Income Transport Provision

1.1 Primary and secondary aged pupil entitlement

Travel assistance will be provided free of charge for those pupils of primary and secondary age who are travelling over the statutory walking distance to/from the main entrance of their nearest suitable school.

Pupils may be required to use public transport and in these cases they will be provided with a free bus pass in order for them to use the service. The bus pass is the responsibility of the child and if lost, replacements will be provided but this will carry an administration charge of £5.00.

1.2 Children entitled to free school meals, or whose parents are in receipt of their maximum level of Working Tax Credit or Universal Credit

Primary School Extended Rights to Free Travel (low income families) - children aged 8 -10 from low income families must have travel arrangements made where they live more than two miles from their nearest qualifying school. Regardless of the level of family income, children of compulsory school age, but under the age of eleven are entitled to free travel arrangements to their nearest qualifying school more than two miles from their home

Secondary School Extended Rights to Free Travel (low income families) - This extends a right to free transport to the most disadvantaged pupils of secondary school age (those entitled to free school meals and those whose parents are in receipt of their maximum level of Working Tax Credit or Universal Credit) to include travel assistance to any one of their:

- Three nearest schools between 2 and 6 miles from their home
- To the nearest suitable school preferred on grounds of Religion or Belief up to a distance of 15 miles from their home, if there is no suitable school closer

Where, during the course of a school year, a child ceases to be eligible for free school meals, or a parent ceases to receive maximum working tax credit, the Local Authority will continue to provide free travel assistance for the remainder of that school year. Please note that applications for Home to School transport under the low income criteria are required each year and will not automatically carry on into the following academic year.

1.3 Distance Measuring for Free Transport for Children of Low Income Families

The 2 mile limit is measured in the same way as the “statutory walking distance”. i.e. along the “nearest available route”. This might include footpaths, bridleways and other tracks which are not passable by motorised transport. However, the 6 mile and 15 mile upper limits are not walking routes. These routes are those which are passable using a suitable motorised vehicle. In short, the two upper limits will be measured along road routes.

1.4 Grounds of Religion or Belief

Since September 2015 students starting a Denominational School have not been entitled to travel assistance with home to school transport, unless they are eligible under low income entitlement.

This means that parents will be responsible for travel arrangements and costs if their child attends a denominational school if it is not their nearest suitable school.

Concessionary travel seats may be available on dedicated home to school transport if there is spare capacity once all eligible students have been accommodated (see section 6.6 for further details)

1.5 Home Address

Travel assistance is based upon the distance from the home address to school and will be verified using the information supplied by the parent / guardian to the school Admissions Team. The Admission policy defines a home address as being the address at which the parent / guardian ordinarily reside and with whom the child normally lives.

In situations of joint parental custody, the home address would be at which the parent / guardian, in receipt of the child benefit for that student, resides.

1.6 Change of address

If during their school life, a pupil changes address and intends to continue at the same school, it is the responsibility of the parent to ensure that the child attends school. The terms of section 444(4 & 5) and section 509 (1 & 2) of the Education Act 1996 places no responsibility on the Local Authority to provide home to school transport.

1.7 Parental preference

If a child is attending a school of parental preference i.e. not the school that the Authority considers being the nearest suitable school, within the terms of sections 444 (4) and 509 (1 & 2) of the Education Act 1996, there is no duty to provide free travel assistance.

1.8 Medical cases

In circumstances where a pupil lives within the statutory walking distance but is unable to make their way to school due to a short-term medical condition (e.g. broken leg), transport may be considered .

Parents are required to make an application in writing to the home to school transport service, and each case will be reviewed on an individual basis and will be granted at the discretion of Passenger Transport Services. Parents may be required to pay a daily cost as a contribution towards the cost attributed to the Authority.

1.9 Transport provision for special circumstances (discretionary assistance)

Each application for discretionary assistance will be dealt with on a case-by-case basis and discretionary assistance may be granted for a set period of time. Discretionary award of home to school transport is subject to review more frequently than other circumstances.

1.10 Expected level of behaviour for all Pupils

The consequences of poor behaviour on school buses can be wide ranging. Other passengers may be deterred from using public transport shared with poorly behaved school pupils; in extreme cases, serious injury and even death have resulted from an accident caused by such behaviour.

The Local Authority will work in partnership with schools to promote appropriate standards of behaviour by pupils on their journey to and from school. The Education and Inspection Act 2006 requires head teachers to determine what measures should be taken to promote self-discipline among pupils; and encourage positive behaviour and respect for others, including the prevention of bullying. The Education and Inspection Act also suggests that head teachers must make and publish rules, and decide on penalties for unacceptable behaviour and empowers head teachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school.

Pupils being transported will be expected to follow the same behaviour codes as they do when in school and are provided with a 'Code of Conduct' explaining what is expected of them whilst travelling on home to school transport. Unacceptable behaviour will be monitored and appropriate action taken. Parents will be responsible for transporting their own children during any period of exclusion from transport.

The Authority reserves the right to withdraw free travel assistance permanently or for a fixed period in the event of misuse or wilful damage of any vehicle or equipment. Hartlepool Council, along with the transport providers may also refer matters to the Police for prosecution. When considering whether to exclude a pupil from transport, Passenger Transport Services will require written statements from the Driver and the Passenger Assistant, where applicable, in support of alleged unacceptable behaviour. Consultation will involve a representative from the school before any exclusion is implemented.

Anyone found trying to defraud the Bus Company or the Local Authority will also be subject to similar penalties. Parents / carers will be informed of any such incidents in writing and an outline of the action to be taken will be included. In cases of wilful damage, parents / carers will be required to pay for any damage caused by their child.

Parents / carers will be offered the opportunity to appeal against any decision

No eating, drinking or smoking will be allowed on any vehicle at any time.

1.11 Inaccurate Applications

The Local Authority reserve the right to reclaim the cost of any transport provided, if it is found that any incorrect information has been provided to the Local Authority in order to gain admission to a school that would otherwise be outside of the admission zone or inaccurate information was used to obtain eligibility to travel assistance.

1. 12 Application process

Application forms for Home to School Transport are available from Passenger Transport Services Team or can be downloaded at

Parents will be notified within 5 working days of receipt of the application form, if their application has been successful. Unsuccessful applicants have the right of appeal

It is important to note that during the Summer Term the majority of all applications are received for processing. This may mean that there may be a delay in being able to notify parents on whether or not their application has been successful. Please be aware that all applications received prior to the end of July will be processed in time for your child to receive notification of their travel assistance before the start of the new academic year.

Any pupil who applies for home to school transport assistance must be resident within Hartlepool.

Section 2 - Special Educational Needs Transport Policy

2.1 General

All pupils, including those with Special Educational Needs and Disabilities (SEND), are subject to general Local Authority Transport criteria as described in section 1 for primary and secondary mainstream pupils.

Children who have Special Educational Needs and Disabilities may require assistance with getting to school that are over and above the provision made for all pupils. The purpose of this Policy is to help parents understand whether their child will be eligible for assistance. All necessary arrangements for eligible children will be made by Passenger Transport Services after consultation with the Authority's Special Educational Needs and Disabilities (SEND) Team

2.2 Criteria for Special Education Needs and Disabilities Home to School Transport

The Policy seeks to develop both inclusion and independence in pupils. It is therefore in the best interests of all pupils that they are encouraged to develop both educationally and socially. This includes working towards independent travel and increased mobility.

Whether or not pupils need assistance with travelling to and from school will be considered at the time of the initial assessment of their Education, Health and Care Plan (EHCP). A child will be eligible for travel assistance if:

- They attend their nearest suitable school and it is further from their home than the statutory walking distances detailed earlier in the legislative framework section of this Policy, or
- They attended their nearest suitable school, and
- It is within the statutory walking distance of their home, and
- They cannot reasonably be expected to walk there because of their special education needs, disability or mobility problems (please see accompaniment for further details)

Every case will be considered individually on its merits and parents /Guardians may be asked to provide information about the child and why they could not reasonably be expected to walk to school.

Parents are advised that where home to school travel assistance is agreed by the Local Authority, their child may be expected to join an existing transport route and share the vehicle with other pupils unless otherwise specified through the assessment process.

Where a pupil is educated outside of Hartlepool, the Local Authority will explore all cost effective means of transportation before reaching a decision on the type of transport. In some cases where it is felt more appropriate, a bus pass may be provided instead of a taxi or mini-bus provision

Accompaniment

When assessing route safety and whether a child with SEND can reasonably be expected to walk to school, consideration will be given as to whether the child would be required to be accompanied. Where a child does need to be accompanied, the general expectation is that they will be accompanied by a parent or carer unless there is good reason why it would not be reasonable to expect a parent or carer to do so. For example, a parent's disability may prevent them from accompanying their child along a route that would be considered unsafe without adult supervision. Please note issues such as parents work commitments would not be considered a 'good reason' for not accompanying your child to school.

Ways in which free home to School travel assistance may be provided

- Independent travel training
- Refund of bus fares or provision of a bus pass for Public Transport
- Mileage allowance payment
- Allocated a personal transport budget
- Seat on a dedicated school bus
- Provision of a taxi – travel independently
- Provision of a taxi with parent acting as passenger assistant
- Provision of a taxi with an allocated passenger assistant

Independent Travel Training

It is very important that all young people are given the chance to develop their skills and make progress with their independence. Nowhere is this more important than in the area of travelling around. In some cases students may be assessed suitable to attend 'Independent Travel Training' giving them the skills and confidence to travel by public transport, rather than on dedicated transport, or by being able to walk to school.

Independent travel training is about supporting the individual to make a journey between two places on their own safely. This journey could be as simple as walking a short distance or as complicated as using two buses combined with walking between the connections and walking to and from the stops. A training programme tailored to the individuals needs is provided, covering road safety, personal safety and transport training as required.

Processes to establish an independent travel training plan will be put in place; working in partnership with the SEND Team, Passenger Transport Services, the student, the School and Parents/Carers.

Refund of bus fares or provision of a bus pass for Public Transport

In some cases, the assessment for travel assistance may determine that a child's travel needs will be met through existing Public Transport Services and they may be provided with a bus pass that will enable them to travel at school times. Or alternatively they may provide evidence of bus fares that they have paid for themselves that can be refunded

Mileage allowance payment

Where a child is deemed eligible for home to school travel assistance but a parent is able to transport their child, they may be eligible for payment to contribute to the mileage and fuel costs of the home to school journey

Allocated a personal transport budget

A voluntary personal transport budget may be offered to parents where this is deemed the most cost-effective option. This will be a payment made on a termly basis to the parent and they will be responsible for arranging and providing the transport required to enable their child to attend school.

Please note the provision of home to school transport is subject to annual review and can therefore be withdrawn if it is no longer deemed appropriate or necessary. This action, however, would not normally come into effect until the term following the decision.

Further information about Special Education Needs and Disabilities can be found on the Hartlepool Borough Council website:

<https://hartlepool.fsd.org.uk/kb5/hartlepool/fsd/send.page>

or to access further details on Hartlepool's local offer, this is part of the Council's website for parents, professionals and any members of the public who want to know about Special Educational Needs in Hartlepool

https://hartlepool.fsd.org.uk/kb5/hartlepool/fsd/local_offer.page

2.3 Passenger Assistants

Passenger Assistants will be provided when specified by the SEND Team. There is no minimum and maximum age that determines whether a passenger assistant is required.

The needs of each individual young person will be assessed to determine whether they will require supervision by a Passenger Assistant. Passenger Transport Services employs Passenger Assistants who have specialist training in order to understand the needs of pupils within their care. All Local Authority Passenger Assistants are subject to an enhanced Disclosure and Barring check (DBS).

Passenger Assistants will be responsible for the care and supervision of pupils to and from school. They will oversee the pupil's conduct and safety in such a way that the driver is unhindered in his/her duties.

Provision of a Passenger Assistant at any one time does not guarantee that this will be an ongoing arrangement and the requirement will be reviewed by the SEND Transport Review Panel on a regular basis

2.4 Review Process

The requirements of pupils with Special Educational Needs will be reviewed annually as part of the annual review process and transport arrangement will be considered by the Special Educational Needs and Disabilities Transport Review Panel.

2.5 Special Educational Needs Transport Review Panel

The SEND transport review panel will have representatives from the following:

- Special Educational Needs Assessment and Review Team
- Passenger Transport Services

The transport review panel will review individual circumstances and make a determination as to whether or not the child receives free home to school travel assistance and what type of travel assistance is the most appropriate.

Where during the course of any school year the SEND Transport review Panel determines that the provision of free home to school travel assistance is no longer required, it will cease at the end of the term in which the Panel's decision was made.

All young people who receive free home to school transport will be subject to review:

- At the end of Year 6
- Y9 review for possible requirements for extended curriculum studies
- During Year 11 for those children transferring to Post 16 in a maintained school
- Following the successful completion of Independent Travel Training

2.6 Confidential Information

Every effort will be made to ensure that the same Passenger Assistant and driver continue to transport a child. However this may not always be possible and changes will often need to be made, for example as a result of staff unavailability / staff turnover / contract renewals. The Local Authority reserves the right to make changes to routes and modes of travel as necessary.

The transport provider and the Passenger Assistant provided (if appropriate), will be given information on a confidential basis outlining any particular difficulties or circumstances which they need to be made aware of, this will be in line with the legislation around Information Governance and is subject to General Data Protection Regulations (GDPR). Information will also be made available to key staff involved in transportation as to whether the child being transported has specific medical conditions which may affect the journey to and from school.

The Local Authority will ensure that this information is provided to key staff only in consultation with parents / carers and the school.

2.7 Residential Schools

Pupils in residential schools for the standard 40 weeks academic year (and who are eligible for transport assistance) will be provided with transport assistance between home and school for the start and end of term period (generally half-terms). This totals 12 single journeys, 4 per term. Transport for pupils in 52-week schools will be determined individually.

Transport assistance for any pupils attending residential schools will not exceed the 12 single journeys. However, if the school is closed on a weekly or fortnightly basis this will be reflected in the fees being paid by the Local Authority for the placement and accordingly, transport will be provided to coincide with school closures.

Transport assistance may be in the form of regional pick-up points for bus services.

2.8 Mobility Aids

Any pupil who uses a mobility aid and requires home to school transport, will be transported in accordance with the Passenger Transport Services code of practice, MiDAS Handbook and guidance from the Medical Devices Agency.

A mobility aid risk assessment will need to be carried out before a mobility aid is transported

2.9 Parental Responsibility

Parents and carers are required to ensure that pupils are ready for collection at the designated times for transport to and from school.

Parents and carers are responsible for escorting their child to and from the vehicle.

Persistent failure to be ready for delivery /collection may result in either temporary or permanent withdrawal of transport. Parents will then be responsible for their child's attendance at school.

Parents / carers must provide the Local Authority with emergency contact numbers which must be amended and updated as necessary.

Home to school only – Transport to alternative addresses, for instance to take into account child care arrangements, after school clubs or respite care will not usually be provided

2.10 Referral process

Staff within the SEND Team will be responsible for making application for transport on behalf of the SEND students. Due to some of the special needs that pupils may have, transport can take up to 5 working days to be arranged. Transport will not be provided if the appropriate referral has not been made.

2.11 Pupils from other Education Authorities

Pupils who live outside the borough are not the responsibility of Hartlepool Borough Council and will not therefore be provided with travel assistance. However, some pupils resident in other Local Authorities may be allowed to travel on Hartlepool transport if it is cost effective

and agreed by their home authority. This will be subject to transport capacity. Hartlepool Council will then make a charge to the appropriate Local Authority responsible for that pupil. Hartlepool Council may need to withdraw such places in the event of an in-borough pupil requiring transport assistance.

2.12 Dual Placements / Inclusion

Where a child is registered at two qualifying schools the Local Authority will provide travel assistance to which ever school the child is attending on any school day. Any travel required between schools during the school day is not part of the home to school transport duty, it is for the two schools to determine who will bear the costs of particular journeys during the school day

Where a pupil is based full-time in a school but visits another for inclusion or as a guest, the school where the pupil is usually based, as they are receiving full funding for this pupil, will be responsible for the cost of transport.

2.13 Parental visits to schools

Transport assistance will not be provided to parents or family who wish to visit the school for any reason. Any arrangements of this nature will need to be agreed directly with the school. However, a maximum of one parent / carer may be provided with travel assistance to school to attend an annual review.

Parents who wish to accompany their child to school on the first day of school will be expected to make their own arrangements. Where a school stipulates that a parent should attend on the first day, transport must be arranged with the school.

2.14 Pre-school Provision for SEN Pupils

Pre-school pupils with a statement or who are undergoing statutory assessment are considered for discretionary free travel assistance in the context of advice from medical, psychological and education professionals involved. Transport would only normally be considered to the pupil's nearest school/nursery setting or to the school/nursery setting considered appropriate by the Local Authority.

Section 3 - Post-16 Transport

3.1 General

This section describes the Post 16 policy which provides a starting point for students in order for them to be able to establish if they are entitled to travel assistance and how and where to access the support if available. For further information please refer the Post 16 Transport Policy Statement at https://www.hartlepool.gov.uk/downloads/file/24/post_16_policy_statement_2015

3.2 Sixth Form / Further Education Pupils

Free transport provided by the council is limited to statutory school age pupils; therefore no assistance is given for pupils attending school sixth forms (years 12 & 13) and Colleges of Further Education

Financial concessions or other support may be available to students attending school sixth forms (years 12 and 13) and Colleges of Further Education from their respective Educational establishments. Please contact your student services team at your Educational establishment to find out what support is available.

3.3 Transport arrangement for Post 16 students with Special Educational needs

The Local Authority may provide travel assistance for students from 16-19 years old that have a statement of special educational needs or EHC (One) Plan if a college course has been identified in order for them to progress their development.

The SEND team will consider all applications and the following criteria will be applied.

- The LA may provide transport assistance for students from 16 - 19 years who have previously had a statement of special educational need or EHC (One plan) and a further education college course has been identified to be undertaken at the nearest appropriate college. If a student prefers to undertake the same course at a college further away, then this would be their preference and as such would not receive any assistance with individual transport.
- Where a student has special educational needs, the LA may provide transport until the end of the academic year when the student becomes 19 years of age. The transport provision allocated will be determined by nature of the pupil's requirements
- The LA in partnership with 6th forms, FE colleges and Catcote Academy, may also consider individual applications from students aged 16-19 years old who have an identified learning or physical disability that prevents them from using public transport. Independent information would be needed to support these applications.
- The LA may consider individual circumstances for those students with learning and physical difficulties who apply for transport over the age of 19 years. It would be likely that in most cases, they will be referred to Learning Disability Social Care Team for an assessment. If assistance is agreed, a contribution towards the transport would be requested.

Some students may benefit from completing the Local Authority's Independent Travel Training Scheme, which is designed to develop students' skills to travel independently to and from education and social activities by providing a personalised travel programme. Independent Travel Training will be discussed, if appropriate, at Annual Reviews. If it is deemed beneficial to the young person, continuation of home to school transport arrangements will be contingent on the Independent Travel Training being completed.

Assessment for inclusion in the **Independent travel training scheme (ITT)** will be carried out by the Passenger Transport Services Team, for further information on the ITT scheme, please contact Passenger Transport Services on 01429 523695

Section 4 - Sustainable Modes of Travel Strategy

The Councils Sustainable Modes of Travel Strategy can be downloaded from the Councils web site using the following link

https://www.hartlepool.gov.uk/downloads/file/1996/hartlepool_sustainable_modes_of_travel_strategy_-_draft_april_2016

Section 5

Looked After Children

The Children Act 1989 refers to looked after children. This means children who are in the care of the Local Authority, or are provided with accommodation, (defined as accommodation for a continuous period of more than 24 hours). Children can be placed in the care of a Local Authority due to a court order or accommodated under section 21 of the 1989 Act; this is where an agreement is reached with the family as to the best arrangement for the child.

In some cases certain pupils will be allocated a period of placement at an appropriate establishment to allow for their parents or carers to have a period of respite. For this group of pupils, transport will be provided as follows.

As a general rule, if a child is accommodated outside the catchment area of his/her present school for what is likely to be a period of time in excess of one term, transport will be organised by the Home to School Transport Service for the settling in period only.

Following the placement, at the first planning meeting convened by Social Services, consideration will then be given to the transfer of the child to the appropriate school for the current location and in most cases it is hoped that this will be achieved.

When a period of time is likely to be short-term (less than one term), transport will be organised by the Home to School Transport Service for a maximum period of one term if, in the view of the Social Services department, it is in the best interest of the child to remain at the present school.

Fair Access

There may be times when children may need to be educated out of school, or may need to move to an alternative school due to exceptional circumstances, such as attendance issues, medical needs, behaviour issues etc.

In most cases the admissions and transport requirements of these children will be assessed through the laid down procedures of this Home to School Transport Policy. However in some cases provision may be determined through the 'In Year Fair Access' process and free travel assistance may be provided in exceptional circumstances to the school, Pupils referral unit or out of school provision to ensure attendance

Section 6 - General Information

6.1 Pre-school provision

Transport assistance for 3 and 4-year-old nursery age children attending nursery education provided by the Authority will only be granted in exceptional circumstances, as this is non-statutory provision. Any assistance granted would relate to the circumstances of the child, not the parent or carer.

Children receive free bus travel on public services up to the age of 5 years old. Parents / carers are expected to accompany the child to nursery. Assistance with travel costs for the parents / carers is not provided.

6.2 Complaints

Any pupil, parent or carer wishing to make a formal complaint relating to Home to School Transport should contact the Passenger Transport Services Team Leader in the first instance. Please see section 7 for contact details

6.3 Appeals process

Local Authorities must have in place a review/appeals process for parents to follow should they disagree with the eligibility of their child for travel support. The Department of Education Guidance on Home to School travel and transport (July 2014)

<https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance> outlines a process that is followed by Hartlepool Borough Council.

Stage one - A parent has 20 working days from receipt of the Local Authorities decision to make a written request for a review of that decision. Providing details of why they believe the decision should be review providing as much detail as possible.

Within 20 working days a senior officer will review the original Decision and send the parent a detailed written outcome.

Stage two - If a parent disagrees with the outcome of the stage one review within 20 working days they must make a written request to escalate the matter to stage two.

Within 40 working days an independent appeal panel will be convened to consider the appeal.

For further information please contact the Passenger Transport Services team for a copy of the appeals process or a guide can be downloaded from https://www.hartlepool.gov.uk/downloads/file/1992/home_to_school_transport_parental_guide_to_appeals_process

6.4 Disclosure and Barring Service checks (DBS) and identity badges

Disclosure and Barring Service checks replace the Criminal Record Checks and are carried out on all drivers and Passenger Assistants prior to them being employed on home to school transport. Following a satisfactory check, an identity badge will be issued to Drivers and Passenger Assistants by the Local Authority which will be worn at all times as proof of approval to undertake the work.

Any concerns regarding the behaviour of Drivers or Passenger Assistants must be reported to the Passenger Transport Services Team Leader.

6.5 Safety of routes

The Local Authority will monitor the routes and vehicles used on the routes to ensure that they are fit for purpose and do not pose a risk to anyone travelling on the vehicle or using the route to travel to school. Any vehicle or route found to be unsafe will be withdrawn and alternative arrangements made until normal service can be resumed.

Anyone with a concern over the safety of a route should report his or her concerns in writing to the Passenger Transport Services Team Leader.

6.6 Fare paying seats / Concessionary travel permits

In some cases, spare places may be available on coaches, buses or taxis that convey eligible pupils to school. These places may be made available to pupils who do not qualify for free travel following the purchase of a concessionary travel permit.

Where spare capacity exists on current vehicles that have been contracted to provide home to school transport for entitled pupils, the Passenger Transport Services will make these seats available for non-entitled pupils, subject to the seat being withdrawn with **FIVE** working days' notice should the seat be required for an entitled pupil.

Dedicated school bus services are established to provide travel assistance to those who are eligible under the content of this policy. If there are no eligible students requiring travel assistance routes may be altered or ceased. Where this may be required those that have accessed services under the concessionary travel permit scheme will be advised and will need to seek alternative travel options – this is not a duty of the Local Authority

Further details can be obtained from the Home to School Transport Service.

6.7 Identification of new routes

The Local Authority reserves the right to review all routes in light of any changes to the admission zones or areas of new housing. If such changes mean that a pupil will no longer be entitled to free transport then the notice of withdrawal will be two months from the date of notification to the parent / carer.

Examples of change could include building of new roads, opening of new footpaths, or changes to the safety of a route as determined by the Road Safety Team.

6.8 Journey times

A general guide for the maximum journey time is 45 minutes for a child of primary school age and 75 minutes for a child of secondary school age, including any time taken to walk to a pick up point. Where a child is attending a school out of the Borough, journey times will vary and be dependent upon the proximity of the school and traffic flow.

Every effort is made to ensure that the waiting time on school premises, before and after school, and at pick up and set down points, does not exceed 20 minutes.

6.9 Transport following the closure of a school

If a school decides it is prudent to close early or not open because of severe weather, every attempt will be made to inform the parents. However, this may not always be possible especially in the case of larger schools. The school will advise parents of their procedures in the event of an emergency closure.

In bad weather conditions, the transport operator is the sole judge of whether to commence or complete a bus journey, giving priority to the safety of the pupils on the vehicle.

Parents must ensure that the pupil is warmly dressed in case the journey to or from school is very slow or even halted in bad weather.

Should the school transport on any route not operate in the morning because of adverse weather conditions, but a parent nevertheless decides to take their child to school, then they will be expected to make their own arrangements to collect the child either at the end of the day or at the time of early closure.

Drivers are required to seek the safest route and may therefore avoid normal routes in order to stay on major roads or to avoid specific hazards. They are instructed that they must only set-down pupils at specific set-down points.

Where a road is too hazardous for school transport in the morning, the transport operator is under no obligation to attempt the afternoon run.

6.10 Parents/ Carers Not at Home

Parents/ carers are required to be at home to receive their child after school. There are rare occasions when a parent /carer may be held up and in those instances the following procedure will be followed:

- If the Parent or Carer is not at home the Driver or Passenger Assistant must notify Passenger Transport Services Team to seek advice.
- Where possible, make a return visit to the family home to check if the Parent or Carer has returned.
- If the Parent/carers has not returned by the end of the route, the Driver or Passenger Assistant must contact the Passenger Transport Services Team to inform them of the situation.
- The Passenger Transport Services Team will then inform the Head Teacher and / or the Child and Adult Services Social Worker (CSSW), as well as the School Attendance Team.
- Drivers and Passenger Assistants will receive further instructions following the advice given by the Head Teacher and the School Attendance Team and may be required to travel back to school to hand over the child to staff at the school or a School Attendance Officer.
- In all cases, a note must be left for the parent containing details of who they should contact and the whereabouts of the child
- If an incident happens after 5pm Monday – Thursday and after 4.30pm Friday, contact will be made with the Emergency Duty Team

All incidents will be recorded and considered by the Transport Review Panel

7 Contact details

If you require any further advice or support on provisions within this Policy useful contacts are:

Passenger Transport Services	01429 523769	passengerts@hartlepool.gov.uk
SEND Team	01429 523123	SEN@hartlepool.gov.uk
School Admissions Team	01429 523768 01429 523765	admissionsteam@hartlepool.gov.uk

NEIGHBOURHOOD SERVICES COMMITTEE

22nd July 2021



Report of: Assistant Director (Regulatory Services)

Subject: TRADING STANDARDS SERVICE PLAN 2021/22

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision.

2. PURPOSE OF REPORT

2.1 To approve the Trading Standards Service Plan for 2021/22.

3. BACKGROUND

3.1 Trading Standards operates within the Public Protection Division and has a wide range of enforcement responsibilities including product safety, underage sales, weights and measures and counterfeiting. It also plays a significant role in, amongst other things, the detection and prevention of doorstep crime, illicit tobacco, cowboy roofers and builders and other scams and cons.

3.2 The Trading Standards Service publishes an annual Service Plan detailing the previous performance of the Service, the main challenges facing it and a plan of work to be undertaken in the forthcoming year.

3.3 The Service Plan details the Trading Standards Service's priorities for 2021/22 and highlights how these priorities will be addressed.

3.4 The Service Plan for 2021/22 is attached as **Appendix 1**.

4. PROPOSALS

4.1 The Service Plan for 2021/22 has been updated to reflect last year's performance and reflect changes in Service demand.

4.2 The Plan covers the following:

- (i) Service Aims and Objectives;
- (ii) The scope and demands on the Trading Standards Service;
- (iii) Service delivery, including intervention programmes, service requests, complaints, advice, liaison and promotion;
- (iv) Resources, including financial allocation, staff allocation and staff development;
- (v) A review of performance for 2020/21.

5. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

5.1 Prioritising Service Delivery - Resources are allocated in accordance with identified priorities. In 2021/22 these will be: -

High Priority

Rogue Traders – Doorstep crime, cowboy builders and other types of scam can cost local residents hundreds or even thousands of pounds. Trading Standards work closely with a number of agencies to help protect the vulnerable from this type of crime.

Scams and Cons – Unscrupulous traders routinely prey on the vulnerable and elderly by taking advantage of their goodwill. Most people regularly receive unsolicited letters or e-mails offering services that are 'too good to be true'. Sadly, on some occasions, consumers are drawn into these scams and pay for goods or services that either never arrive or are not what was initially described. In many cases, making one purchase opens up the consumer to many, many other scams and problems can escalate. Trading Standards aims to identify common scams and notify consumers through press releases and other mass media.

Product Safety – Consumers are entitled to assume that all products they purchase will be safe. Trading Standards is responsible for the monitoring, sampling and testing of consumer products to ensure they do not pose a risk.

Medium Priority

Those subject areas identified as 'medium priority' are still cause for significant concern but are considered to offer a lesser degree of harm (to health and/or wealth) for the general public than those other issues identified as 'high priority'.

Tackling Underage Sales - The illegal sale of alcohol and other age-restricted products to children not only contributes significantly towards anti-social behaviour in Hartlepool but can also represent a serious risk to the health and well-being of the children involved.

Underage sales has moved from being a high priority to a medium priority area following a reduction in complaints from the general public (30 complaints in 2015 and only 7 in 2019/20) and a significant investment of time and resources over recent years to educate retailers about their obligations and the consequences of non-compliance.

This work is reflected in the results from test purchase exercises carried out in 2019/20 where no sales of alcohol were made to underage volunteers compared to six sales of age restricted products in 2016.

Counterfeiting and illicit tobacco – The illegal copying of DVD's, computer software, designer clothing and jewellery continue to be a significant issue in Hartlepool. Counterfeiting is bad for business – it takes money away from local retailers who sell genuine products and puts it into the hands of local and national criminals – with little or no local benefit for the town. Counterfeiting is often carried out by large organised crime units who are also engaged in other types of criminal activity such as drugs and smuggling.

Trading Standards works closely with HMRC, the Police and trade mark holders to identify and prosecute those who sell counterfeit products.

Animal Welfare – The Trading Standards Team is responsible for carrying out animal welfare checks at farms and other similar establishments. This work is important both for the welfare of the animals and also for public health as many of the animals are bred for human consumption.

In addition, there has been a significant local, regional and national increase in complaints about illegal puppy farms. Puppies can now cost more than £2500 each and have become a focus for organised crime groups as well as others who simply see the profit to be made from breeding and selling as many litters as possible.

Dog breeding is a licensable activity, administered by the Council's Licensing Team, but as the element of criminality has increased it is now appropriate for Trading Standards to take an investigative role to identify those illegally profiting from this trade.

As such, animal welfare has become a priority area for the Trading Standards Team in 2021/22.

Low Priority

False Descriptions – Most consumer purchases are made on the basis of the description they are given by either the manufacturer or retailer. In some cases descriptions are deliberately or negligently misleading – causing consumers

to make purchase decisions that they may not have made otherwise. Once money has been handed over it can, on occasion, be very difficult to get back other than to go through the court system. Trading Standards investigates complaints about traders who falsely describe goods and look for the accuracy of descriptions during routine interventions.

Weights and Measures – Many products are still sold by either weight or by length and consumers expect that they will receive the quantity stated. For some products, such as petrol, the value of goods is so high that even a small error in the accuracy of a measuring machine may lead to significant consumer loss.

Trading Standards officers are 'Weights and Measures Inspectors' and routinely carry out checks on weighing and measuring equipment.

Misleading Pricing – Most products are now sold with no price marking on them – bar codes having replaced price stickers. This has made it extremely difficult to check whether the price stated on a shelf is actually the price charged at the checkout. For some purchases, there may be 'hidden extras' that can significantly inflate the final price of goods or services.

5.2 Responding to Change

- 5.3 As the retail environment continues to change, Trading Standards is required to remain vigilant and respond to new threats and challenges. The continued growth of internet sales means that Trading Standards must now monitor the *virtual* High Street and ensure that consumers remain protected.

5.4 Social Media

- 5.5 Whereas counterfeit goods were once only found at car boot sales or from the 'back of a lorry', social media has now become a significant source of illegal goods.
- 5.6 Trading Standards in Hartlepool has adopted a unique approach to this problem and has created its own social media profile whereby sites that are suspected of selling counterfeit goods receive a Trading Standards 'post' informing the account holder, and anyone visiting the site, that Trading Standards are monitoring the site.
- 5.7 Whilst this approach had an immediate positive impact, some social media users have responded by changing the way in which their accounts operate and interact with potential purchasers. Trading Standards has, in turn, had to adapt its approach in order to continue its monitoring of this growing sales platform.
- 5.8 The Trading Standards Service has a 'stand alone' computer that can be used to monitor social media and other websites without giving away their identity. Where problems are identified traders are contacted and, where

appropriate, test purchases can be made to establish whether legal requirements are being complied with. In some cases, this is followed up by the seizure of criminal property and other evidence.

5.9 Protecting the Vulnerable

5.10 Trading Standards has continued to promote No Cold Call Zones as a means of reducing the number of traders that visit people on their doorsteps. Since 2016, the number of zones has increased from 7 to 50 and over 11,000 'Say No to Doorstep Traders' stickers have been issued, free of charge, to local residents.

5.11 The Service has been working closely with other Council departments and external organisations such as banks and post offices, to ensure that they are aware of the risks that rogue traders can pose to their clients and what can be done to help them.

5.12 A significant amount of work has also been undertaken in relation to mail order and telephone scams with free 'call blockers' being supplied to those considered most vulnerable.

5.13 As victims can sometimes become repeat targets, Trading Standards Officers have been installing covert CCTV cameras into some victim's homes in order to provide some reassurance and help identify any rogue traders who return.

5.14 Underage Sales

5.15 Due to the covid-19 pandemic, the team was not able to undertake any underage sales test purchases in 2020/21. This work will recommence as soon as it is safe to do so in 2021/22.

5.16 Covid-19

5.17 The outbreak of Covid 19 in 2020 placed significant additional burdens on the Trading Standards Service – this has included providing advice to businesses to ensure that they trade in accordance with Covid requirements and taking enforcement action against those who chose to ignore it.

5.18 Sadly, as with any national or international emergency, scammers seek out opportunities to make money from the most vulnerable and Trading Standards has been working hard to ensure that residents of Hartlepool are protected as well as possible.

5.19 In 2020 one local gym was taken to Court for persistently refusing to close during the pandemic. The Court agreed to issue a Closure Order against the premises – requiring it to close immediately and until national restrictions on gyms were lifted.

- 5.20 Overall, Public Protection Officers dealt with 2065 covid related complaints/requests for guidance in 2020/21 and carried out 2469 contact tracings.

6. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Financial Considerations	No relevant issues
Child/Family Poverty Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

7. RECOMMENDATIONS

- 7.1 That the Neighbourhood Services Committee approves the Trading Standards Service Plan for 2021/22.

8. REASONS FOR RECOMMENDATIONS

- 8.1 The Trading Standards Service Plan sets out the priorities for, and methods of, service delivery in 2021/22.

9. BACKGROUND PAPERS

- 9.1 There are no background papers for this report.

10. CONTACT OFFICER

Sylvia Pinkney
Assistant Director (Regulatory Services)
Hartlepool Borough Council
TS24 8AY
Tel: (01429) 523315
E-mail: sylvia.pinkney@hartlepool.gov.uk



Hartlepool Borough Council

Trading Standards Service Plan

2021/22

TRADING STANDARDS SERVICE PLAN 2020/21

INTRODUCTION

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- 1.1 Service Aims and Objectives
- 1.2 Links to Corporate Objectives and Plans

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INTRODUCTION

This Service Plan details how the Trading Standards Service will be delivered by Hartlepool Borough Council.

Whilst focussing primarily on the year 2020/21, longer-term objectives are identified where relevant. Additionally, there is a review of performance for 2020/21 and this aims to inform decisions about how best to build on past successes and address performance gaps.

The Plan is reviewed annually and previous plans have been approved by the Neighbourhood Services Committee.

1 SERVICE AIMS AND OBJECTIVES

1.1 Service Aims and Objectives

Hartlepool Borough Council aims:

- To carry out our enforcement duties and deliver high quality services through the efficient and effective use of resources;
- To supplement our enforcement role by providing targeted education and advice;
- To encourage innovation through actively seeking out best practice and working in partnership with other agencies;
- To actively contribute towards achieving nationally agreed strategic aims and objectives; and
- To ensure our actions are consistent, proportionate and targeted and that we are transparent and open about what we do.

In its delivery of the service the Council will have regard to directions and examples of best practice as disseminated by Local Government Regulation, Chartered Trading Standards Institute and Central Government.

1.2 Links to Corporate Objectives and Plans

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Council Plan 2021/22 – 2023/24
- Trading Standards Service Plan - sets out how the Council aims to deliver this statutory service and the Trading Standards Service's contribution to corporate objectives.

Overall Aim / Vision

The Council's vision is that:

Hartlepool will be a place...

- ... where people are enabled to live healthy, independent and prosperous lives.***
- ... where those who are vulnerable will be safe and protected from harm.***
- ... of resilient and resourceful communities with opportunities for all.***
- ... that is sustainable, clean, safe and green.***
- ... that has an inclusive and growing economy.***
- ... with a Council that is ambitious, fit for purpose and reflects the diversity of its community.***

To contribute to the Council's overall vision, through this Trading Standards Service Plan, the team has made a commitment to protecting and improving the quality of life for residents of Hartlepool through effective promotion and enforcement of consumer protection legislation.

This Trading Standards Service Plan contributes towards elements of the Council Plan vision in the following ways:

...that has an inclusive and growing economy.

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to Trading Standards requirements, and avoid potential costly action at a later stage;

By providing advice and guidance to traders so as to ensure awareness and compliance with consumer protection legislation;

...where those who are vulnerable will be safe and protected from harm.

By ensuring that businesses only provide safe products that comply with relevant safety standards and that age restricted products are not supplied to children;

...that is sustainable, clean, safe and green.

By ensuring that businesses only provide safe products that comply with relevant safety standards and that age restricted products are not supplied to children;

By ensuring businesses comply with legislation and standards that are designed to reduce the impact on the environment;

By ensuring that businesses comply with their consumer protection responsibilities so as to ensure that those people visiting Hartlepool have a positive experience.

...with a Council that is ambitious, fit for purpose and reflects the diversity of its community

By developing ways of communicating well with all customers, including business operators whose first language is not English, and ensuring that we deliver our service equitably to all.

To contribute towards the key outcomes of improving the efficiency and effectiveness of the organisation and to deliver effective customer focussed services, meeting the needs of diverse groups and maintaining customer satisfaction.

The Council is committed to the principles of equality and diversity. The Trading Standards Service Plan consequently aims to ensure that the same high standards of service are offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

2 BACKGROUND

2.1 Profile of the Local Authority

Hartlepool is located on the north-east coast of England to the north of the River Tees. The Borough consists of the main town of Hartlepool, the seaside resort of Seaton Carew and a number of small outlying villages. The total area of the Borough is 9,390 hectares. The residential population is 93,663 (Mid Year Estimates 2019, ONS) of which ethnic minorities comprise 3.4% (2011 census).

Hartlepool is a unitary authority, providing a full range of services. To the south of Hartlepool is the wider Teesside conurbation which includes the boroughs of Middlesbrough, Stockton on Tees and Redcar and Cleveland, and which together with Hartlepool and Darlington makes up the Tees Valley sub-region. Bordering Hartlepool to the north is the administrative area of County Durham.

The borough has a long and proud history, with the original settlement of Hartlepool dating back to Saxon times. Originally an important religious settlement the town's early development resulted from the existence of a safe harbour and its role as a port for the city of Durham and subsequent grant of a Royal Charter from King John in 1201.

The main phase of Hartlepool's expansion took place from the mid 19th Century with the building of a new railway and docks to serve the export of coal. The town continued to expand over the next 100 years as port trade increased and the development of heavy industries including steel making, shipbuilding and manufacturing. Like most industrialised towns in the north of England, Hartlepool has suffered over the last half century from structural reform of these industries and the town has had to look for new opportunities to diversify the economy.

Over the past 20 years Hartlepool has experienced some transformational changes through public and private investment. This has included the transformation of the former South Docks area into a fabulous 500-berth marina where the town hosted The Tall Ships Race in 2010.

2.2 Organisational Structure

Under the Council's governance arrangements, most day-to-day decisions are taken by five Policy Committees. These Policy Committees cover the following main service areas: -

- Finance and Policy Committee
- Adult & Community Based Services Committee
- Children's Services Committee
- Neighbourhood Services Committee
- Economic Growth and Regeneration Committee

The Neighbourhood Services Committee provides political oversight for Trading Standards law enforcement.

The Council is made up of five Departments:

- Resources and Development
- Legal
- Children's and Joint Commissioning Services
- Adults and Community Based Services
- Neighbourhoods & Regulatory Services

The Trading Standards Service Plan is delivered through the Public Protection Division contained within the Neighbourhoods & Regulatory Services Department.

2.3 Scope of the Trading Standards Service

Service delivery broadly comprises:

- Investigating complaints relating to consumer protection issues;
- Carrying out programmed test purchase exercises to monitor trader compliance with relevant legislation – including underage sales;
- Taking samples of consumer products for testing and analysis
- Carrying out programmed interventions;
- Providing advice and information to both consumers and traders;
- Taking action (formal and informal) to ensure compliance with legislation;
- Acting as a statutory consultee for applications made under the Licensing Act 2003;
- Enforcing smoke free legislation in public places; and
- Ensuring trader compliance with Covid 19 requirements

To achieve its strategic aims and objectives it is necessary to work in partnership with other organisations and agencies such as local authorities, Cleveland Police, Her Majesties Revenues & Customs (HMRC) and local businesses. The Council aims to ensure that these joint working arrangements are in place and that officers of the Service contribute, and are committed to, the ongoing development of these arrangements.

2.4 Demands on the Trading Standards Service

The Trading Standards Service is the principal enforcing authority for approximately 500 statutory instruments relating to consumer protection.

In 2014, a Viewpoint survey was conducted to establish resident's views on a range of Trading Standards responsibilities. The results are detailed in the table below: -

		Very high priority %	High priority %	Medium priority %	Low priority %	Very low priority %	Overall score (Priority order) %
A	Underage sales (e.g. cigarettes, solvents, alcohol) (N=1362)	59	28	10	2	1	85 (3)
B	Toy and product safety (1338)	38	38	19	5	0.8	77 (5)
C	Weights and measures (e.g. short weights) (N=1307)	21	32	35	9	2	65 (9)
D	Counterfeit goods (e.g. pirate videos, computer games) (N=1347)	29	29	30	9	3	68 (8)
E	Rogue traders (e.g. cowboy builders, bogus charities & persistent problem traders) (N=1352)	72	23	3	0.5	0.6	91 (1)
F	False description on goods and services (e.g. car clocking & holiday brochures) (N=1358)	34	37	23	5	1	75 (6)
G	Misleading prices and bogus sale events (N=1349)	33	36	24	5	1	74 (7)
H	Loan sharks and consumer credit (N=1343)	66	21	9	3	1	87 (2)

I	Phoney prize winning letters and home working scams (N=1359)	54	25	14	6	1	81 (4)
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It can be seen from the above that the majority of Trading Standards functions were considered by the general public to be either high or very high priority.

With limited resources it is necessary to prioritise proactive work and this has been done by the development of a 'Resource Allocation Matrix'. This takes account of a range of factors including public concerns (as identified above), business concerns, degree of risk to the public, complaint trends, government concerns at a national level (as expressed through the National Trading Standards Board) and local councillors concerns – each of which helps establish which enforcement areas should take priority over others.

Due to a significant increase in both the number and seriousness of complaints regarding 'scams and cons', and a reduction in the number of complaints about 'underage sales', scams has now moved from being a medium priority to a high priority issue whilst underage sales has moved from being high to medium priority.

The responsibility for enforcement against loan sharks has moved to the national Illegal Money Lending Team (IMLT) and local Trading Standards no longer have a direct responsibility in this year. As such, 'loan sharks' has been withdrawn from the list of priorities for 2021/22 and it has been replaced by 'animal welfare'.

'Animal welfare' applies to the welfare of animals on places such as farms where Trading Standards Officers have a statutory duty to carry out inspections and also includes other areas such as the illegal breeding and sale of dogs which has become an increasingly serious issue in recent years.

The current priority areas for the Trading Standards Service are: -

High Priority

Rogue Traders – Doorstep crime, cowboy builders and other types of scam can cost local residents hundreds or even thousands of pounds. Trading Standards work closely with a number of agencies to help protect the vulnerable from this type of crime.

Scams and Cons – Unscrupulous traders routinely prey on the vulnerable and elderly by taking advantage of their goodwill. Most people regularly receive unsolicited letters or e-mails offering services that are 'too good to be true'. Sadly, on some occasions, consumers are drawn into these scams and pay for goods or services that either never arrive or are not what was initially described. In many cases, making one purchase opens up the consumer to many other scams and problems can escalate. Trading Standards aims to identify common scams and notify consumers through press releases and other mass media.

Where a company can be identified, formal action would be commenced against them.

Product Safety – Consumers are entitled to assume that all products they purchase will be safe. Trading Standards is responsible for the monitoring, sampling and testing of consumer products to ensure they do not pose a risk.

Medium Priority

Tackling Underage Sales - The illegal sale of alcohol and other age-restricted products to children not only contributes significantly towards anti-social behaviour in Hartlepool but can also represent a serious risk to the health and well-being of the children involved.

Trading Standards and licensing officers work closely with Cleveland Police and other agencies to target premises that are thought to sell to children and uses underage volunteers to identify where offences are being committed.

Counterfeiting and illicit tobacco – The illegal copying of DVD's, computer software, designer clothing and jewellery continue to be a significant issue in Hartlepool. Counterfeiting is bad for business – it takes money away from local retailers who sell genuine products and puts it into the hands of local and national criminals with little or no local benefit for the town. Counterfeiting is often carried out by large organised crime units who are also engaged in other types of criminal activity such as drugs and smuggling.

Trading Standards works closely with HMRC, the Police and trade mark holders to identify and prosecute those who sell counterfeit products.

Animal Welfare – Trading Standards Officers are responsible for carrying out inspections of farm premises to ensure that animals that may end up in the food chain are looked after correctly. There has also been a significant increase in the illegal sale of puppies as a result of the very high prices that are now being charged (commonly £2000 per puppy for many breeds).

Low Priority

Weights and Measures – Many products are still sold by either weight or by length and consumers expect that they will receive the quantity stated. For some products, such as petrol, the value of goods is so high that even a small error in the accuracy of a measuring machine may lead to significant consumer loss.

Trading Standards officers are 'Weights and Measures Inspectors' and routinely carry out checks on weighing and measuring equipment.

Due to the specialist nature of weights and measures compliance, an arrangement has been entered into with Durham County Council for them to undertake inspections at factory sites and other premises in Hartlepool where specialist testing equipment is required.

Misleading Pricing – Most products are now sold with no price marking on them bar codes having replaced price stickers. This has made it extremely difficult to check whether the price stated on a shelf is actually the price charged at the checkout. For some purchases, there may be ‘hidden extras’ that can significantly inflate the final price of goods or services.

Trading Standards staff routinely check the accuracy of price indications in shops and respond to complaints about misleading price indications.

False Descriptions – Most consumer purchases are made on the basis of the description they are given by either the manufacturer or retailer. In some cases descriptions are deliberately or negligently misleading – causing consumers to make purchase decisions that they may not have made otherwise. Once money has been handed over it can, on occasion, be very difficult to get back other than to go through the court system. Trading Standards investigates complaints about traders who falsely describe goods and look for the accuracy of descriptions during routine interventions.

2.5 Intelligence Operating Model

In addition to the identification of local priorities, the Trading Standards Service also contributes towards the development of regional and national priorities through Regional and National Tasking Groups.

The purpose of these groups is to identify those specific areas of concern that have a cross border impact and which, if tackled on a regional or national level, can benefit consumers everywhere.

The Intelligence Operating Model introduces a national intelligence framework to support regional and national enforcement through the collection and utilisation of information and data to inform work planning processes. Hartlepool Trading Standards will continue to both contribute and benefit from this Model.

2.6 Enforcement Policy

The Trading Standards Team complies with the Council’s corporate Enforcement Policy that was adopted in 2020.

3 SERVICE DELIVERY

3.1 Proactive Work

3.2 Trading Standards Interventions

Traditionally Trading Standards Services would routinely inspect premises based on a national risk assessment model.

In 2015 this national model for calculating risk was withdrawn and, as such, it is now for individual Trading Standards Services to determine how often businesses should be inspected.

As pressure on the Service has continued to grow in areas such as doorstep crime, the ability to maintain a high level of routine inspections has been seriously challenged. In future, proactive inspections will be targeted where consumer risk is considered to be high because of intelligence received; a high numbers of complaints etc; or where new businesses have been established that may well not be fully aware of their duties and responsibilities.

As on-line retailing has continued to flourish, it is now also necessary to monitor internet retailers to ensure consumers are receiving a fair deal and that products are safe.

Opening a line of communication with new businesses early will ensure that they can set up their operations as efficiently and effectively as possible without having to 'catch up' with their legal compliance at a later date.

Businesses will continue to be categorised according to the previous national risk framework and those identified as being high or medium high risk will be prioritised for inspection.

Inspections of other premises will continue where resources are available.

Information on premises liable to Trading Standards interventions is held on the APP computer system. An intervention programme is produced from this system at the commencement of each reporting year.

It is anticipated that consistent, high quality programmed interventions by the Service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action.

Revisits will be carried out to check compliance where contraventions have been identified.

3.3 Advice and Guidance

The Trading Standards Service works closely with the national Consumer Advice helpline which is now being operated by the Citizen's Advice Bureau, to provide a comprehensive advice and guidance service. Consumers in need of advice regarding the civil law will be serviced by Citizen's Advice but where issues are raised that may have a broader local impact, or there may be a criminal element to the complaint, the local Trading Standards Service will be alerted and, if appropriate, an investigation commenced.

In most cases the Trading Standards Service will look to work in partnership with local businesses to ensure they are fully aware of their legal obligations and how best to achieve legal compliance. Such advice is offered free of charge and can be made available at a time to suit the trader.

Trading Standards staff also regularly provide advice sessions to local community groups on issues such as doorstep crime, rogue traders and 'the work of Trading Standards'.

Recent surveys carried out by the Government have indicated that businesses and retailers value visits by Trading Standards staff as being an important source of up to date advice and information.

The Council considers that assistance to business, in order to help them to comply with the requirements of legislation, is one of our core activities. For Trading Standards issues the Council has a policy of offering comprehensive advice to any business for which it is, or is likely to become, the enforcing authority.

Advice will be available during the course of routine visits and interventions, through information leaflets and booklets, in response to queries and through the Council's website.

- 3.4 Acting as Statutory Consultee** – Trading Standards is a statutory 'Responsible Authority' under the Licensing Act 2003. This means that every application for a licence to supply alcohol or offer other regulated entertainment must be submitted to the Trading Standards Service who will consider the application in terms of its likely impact on the Act's 'licensing objectives'. For Trading Standards this primarily means the protection of children from harm and officers use their expertise in detecting and preventing underage sales to work with prospective licensees and ensure operating procedures are put in place to prevent the sale of alcohol to children.

3.5 Local programmes/initiatives

Trading Standards will be conducting a range of projects and surveys during 2021/22 in order to improve consumer protection and to raise consumer confidence. These will include: -

Protecting the Most Vulnerable – Complaints continue about rogue roofers, cowboy builders and telephone/postal scams that have targeted the elderly and vulnerable and scammed them out of money for poor quality or, sometimes, non-existent work and non-existent prize money.

Trading Standards officers will continue to work to raise awareness amongst targeted groups and identifying and prosecuting the traders involved.

Due to the significant impact on victims, temporary funding is being used to continue to provide an officer who will develop a series of measures aimed at

helping people to help themselves and to educate and inform agencies and organisations who can provide support.

This officer works closely with agencies and organisations such as the Police, Social Workers, banks, building societies and Post Offices.

In addition, the Team continues to work with the Police and local banks to promote the national 'Banking Protocol'. The protocol involves training bank staff to recognise when their customers may be the victim of an ongoing scam and where appropriate they can dial 999 and the local Police force has committed to treat the incident as an emergency – sending officers/Trading Standards Officers direct to the bank to assist.

The Trading Standards Team will also continue to promote No Cold Call Zones and set them up where there is an identified demand. At the end of 2020/21 Hartlepool had 50 NCCZ's (an increase from just 7 in 2016) and there is a target that five more will be created during 2021/22.

Officers will continue to offer awareness raising presentations to neighbourhood and community groups and will promote the 'No Cold Calling' stickers that are available free of charge.

The Trading Standards Team works closely with the National Scams Team which provides details of Hartlepool consumers who have been found on scammer's databases. Trading Standards Officers will continue to contact and offer support to victims identified this way.

3.6 E-Crime – Using the internet to buy goods and services is now commonplace and rogue traders have used this as an opportunity to sell counterfeit and dangerous goods to the unsuspecting public.

Trading Standards secured national funding to purchase specialist equipment that allows local officers to identify and target rogue e-traders operating in Hartlepool.

Officers will be conducting regular monitoring of internet sites that have a Hartlepool connection and, working with other agencies, specifically the Regional Investigations Team, test purchases will be made to generate evidence for formal legal action where such steps are considered appropriate.

Social media sites have become a popular forum for the sale of counterfeit goods and, in response, the Trading Standards Service has created a Facebook 'profile'. Suspected sellers of counterfeit goods receive a 'post' from Trading Standards advising that their activities are being monitored. This acts as a deterrent for those sellers who had not considered the potential consequences of their activities. For those who ignore the warnings, Trading Standards is able to have sites 'taken down' by Facebook. For those who continue to trade using alternative pages, investigation and prosecution will follow.

3.7 Sampling

In order to protect the public it is essential that potential problems, particularly safety related, can be identified before they cause damage or harm.

One way of achieving this is through the regular sampling of consumer products to ensure they comply with relevant safety standards or with the descriptions being applied to them.

Product Safety – Trading Standards will be purchasing a wide range of consumer products to test for compliance with appropriate safety standards. Products to be tested are usually identified as a consequence of national issues or on products that have a history of problems. Testing during 2020/21 will concentrate on product safety.

3.8 Covid 19

The outbreak of Covid 19 in 2020 placed significant additional burdens on the Trading Standards Service. This included providing advice to businesses to ensure that they traded in accordance with covid requirements and taking enforcement action against those who chose to ignore it.

In total, three Direction to Close Notices, two Prohibition Notices and three Fixed Penalty Notices (totalling £7,000) were served on Hartlepool businesses.

In addition, one local gym was taken to Court for persistently refusing to close during the pandemic. The Court agreed to issue a Closure Order against the premises – requiring it to close immediately and until national restrictions on gyms were lifted.

Further details of the impact of covid 19 on the service are contained in paragraphs 6.10 and 6.11.

3.9 Reactive Work

3.10 Trading Standards Complaints and Service Requests

It is intended that every complaint/request for service is responded to within two working days.

The majority of consumer complaints are forwarded to the Trading Standards Service via the 'Citizen's Advice Consumer Service' (CACS) – a national consumer hotline funded by central government. CACS provide scripted advice that can resolve many of the simplest complaints but the more complex matters, or those requiring a potential criminal investigation, are referred on to the local Trading Standards department.

The initial response is determined after assessment of the information received, and is based on the risk arising from the conditions that are the subject of the complaint.

The potential actions that are available vary from the provision of advice, often after liaison with the business, to full prosecution procedures in line with the Public Protection Enforcement Policy.

The work of the service, and demands from the public, changed significantly during 2020 due to the covid pandemic with many traditional shops closed for many months and the lockdown preventing much of the service industry from operating.

1141 complaints/service requests were received by the Trading Standards Service during 2020/21 (compared to 272 in 2019/20). This significant increase in demand was as a consequence of the outbreak of covid 19.

3.11 Liaison Arrangements

The Council actively participates in local and regional activities and is represented on the following:

- Tees Valley Public Protection Heads of Service Group
- North East Public Protection Partnership (NEPPP)
- North East Trading Standards Association (NETSA)
- Various multi-agency intelligence networks
-

3.12 Regional Enforcement

Hartlepool's Trading Standards manager sits as an executive member of the North Eastern Trading Standards Association (NETSA) and contributes to the regional enforcement activity planned by it.

In addition there is a National Illegal Money Lending Team (IMLT) which is now directly funded by a levy on the Banking industry and a Regional Investigations Team (previously 'Scambusters'), funded via the National Trading Standards Board, that targets criminal activity at a regional and national level.

To assist with the work of these two teams NETSA also manages the work of a Regional Intelligence Analyst whose role is to gather and disseminate intelligence to NETSA members, the IMLT and the regional Investigations Team.

3.13 Primary Authority Scheme

It is the Council's policy to comply with the Local Better Regulation Office's Primary Authority Scheme.

In particular the Council will contact the Primary Authority and liaise over:

- any proposed formal enforcement action

- service of Notices
- shortcomings in the companies policies that have wider implications

In Hartlepool, there are currently no formal Primary Authority arrangements in place with a Hartlepool based trader however the service works closely with some local businesses on an informal basis.

The level of resourcing will have to be reviewed if an opportunity to enter into a formal Primary Authority arrangement arises.

4. RESOURCES

4.1 Financial Resources

The annual budget for the Consumer Services section in the year 2021/22 is:

	£	000
Employees		610
Other Expenditure		61
Grant Funding		(33)
Income		(8)
Net Budget		630

This budget is for all services provided by this section including Food, Health & Safety, Animal Health and Trading Standards with resources being allocated in accordance with service demands.

4.2 Staffing Allocation

The Director of Neighbourhoods & Regulatory Services has overall responsibility for the delivery of the Trading Standards Service in accordance with the Service Plan.

The Assistant Director (Regulatory Services) has responsibility for planning service delivery and management of the Trading Standards Service, Food, Licensing, Public Health, Private Sector Housing, Water Quality, Health & Safety, Animal Health and Welfare, Environmental Protection, Emergency Planning and Community Safety as well as general management responsibilities as a member of the Neighbourhoods & Regulatory Services department.

The Trading Standards & Licensing Manager has responsibility for the day to day supervision of the Trading Standards and Licensing Service and, having the requisite qualifications and experience, is designated as the authority's Chief Inspector of Weights and Measures.

Senior Trading Standards officers are responsible for carrying out the Trading Standards premises intervention programme as well as the delivery of all other aspects of the Trading Standards service and will undertake complex investigations.

The Technical Officer (Trading Standards) post is temporary funded through a non-recurring Public Health grant and their remit is to specifically develop products and systems to protect the elderly and vulnerable from doorstep crime. Due to continued financial pressure, the future of this post is currently only guaranteed until March 2022.

Administrative support is provided by a dedicated Support Services team.

All staff engaged in Trading Standards law enforcement activity will be suitably trained and qualified and appropriately authorised in accordance with guidance and internal policy.

The resources determined necessary to deliver the Trading Standards Service in 2020/21 are as follows:

1 x 0.1 FTE Assistant Director (Regulatory Services)

1 x 0.5 FTE Trading Standards & Licensing Manager (with responsibility also for Licensing)

3 x Senior Trading Standards Officers

1 x FTE Technical Officer

4.3 Staff Development

The Council is committed to the training and personal development of its employees and has in place Personal Development Plans for all members of staff.

The Staff Training Plan allows for the formal identification of the training needs of staff members in terms of personal development linked with the development needs of the service on an annual basis.

The Training Plan clearly prioritises training requirements of individual staff members will be developed and reviewed bi-annually.

Detailed records are maintained by the service relating to all training received by officers.

4.4 Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the Trading Standards Service.

The service has a computerised performance management system, Authority Public Protection (APP). This is capable of maintaining up to date accurate data relating to the activities of the Trading Standards Service. A documented database management procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the intervention programmes, the recording and tracking of

all Trading Standards activities, the production of statutory returns and the effective management of performance.

4.5 Working with Others

A number of Trading Standards weights and measures (metrology) responsibilities require significant investment in specialised equipment and training. In the interest of efficiency, Durham County Council currently carries out the more complex aspects of Hartlepool's metrology work.

5. QUALITY ASSESSMENT

The Council is committed to quality service provision. To support this commitment the Trading Standards Service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the Trading Standards Service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Trading Standards & Licensing Manager will carry out accompanied visits with officers undertaking interventions, investigations and other duties for the purpose of monitoring consistency and quality of the intervention as well as maintaining and giving feedback with regard to associated documentation and reports.

6 PERFORMANCE REVIEW

6.1 Overview - It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan a review has been conducted of performance against those targets established for the year 2020/21.

This service plan will be reviewed at the conclusion of the year 2021/22 and at any point during the year where significant legislative changes or other relevant factors occur during the year.

It is the responsibility of the Assistant Director (Regulatory Services) to carry out that review with the Director of Neighbourhoods & Regulatory Services.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Any relevant amendments to the Council's Corporate Plan will be incorporated into the service plan.

Due to the impact of the Covid pandemic the majority of staff in the Trading Standards Team, and the broader Public Protection division, were given additional duties to undertake as part of the Council's covid response.

This included providing advice and guidance on covid compliance to local businesses, responding to complaints about non-compliance with covid requirements and undertaking contact tracing and other outbreak control work. These duties significantly impacted on the other work the team has been able to undertake.

6.2 Tobacco Control

The sale and supply of counterfeit or smuggled tobacco continues to be a significant issue in Hartlepool and the North East as a whole.

The Trading Standards team will continue to focus on premises suspected of selling counterfeit and illicit tobacco premises and take formal action where needed.

The team also monitors the sale of alternative tobacco products. There are strict rules governing the composition and marketing of 'nicotine delivery devices' such as e-liquids and the team has been working with local retailers, and several manufacturers to ensure legal compliance.

6.3 Underage Sales

During 2020/21 no premises were visited to test their compliance with age restricted sales legislation due to covid restrictions. Work in this area will resume in 2021/22.

6.4 E-Crime

Officers have continued to monitor websites during 2020/21 and social media, such as Facebook, continues to be a significant source of counterfeit goods.

Counterfeit sellers can either sell directly from their own site or advertise their goods through a 'Selling Page' operated by a third party.

The Trading Standards Team continues to have a Facebook presence which allows it to interact with other Facebook users and this is used to identify where social media sites are being used to sell counterfeit, or otherwise illegal, goods.

In addition to social media, the internet is also increasingly being used for the sale of general goods which can create its own difficulties when faulty goods are delivered or goods fail to arrive. Complaining to 'virtual' traders is often not as easy as returning to a shop and, where difficulties arise, consumers are generally referred to the Citizen's Advice Consumer Service for advice and guidance.

On those occasions where criminal offences may have been committed by internet sellers, Trading Standards Officers must undertake investigations that can be far more complicated than when dealing with traditional, fixed site retailers. Internet sellers can be based anywhere in the world and even obtaining the genuine name and address of a trader can be a challenge.

National and regional relationships have been, and continue to be, established with larger internet retailers and service providers to allow for the effective investigation and resolution of criminal and civil matters.

6.5 Sampling

Routine sampling did not take place in 2021/21 due to covid. These will recommence in 2021/22 focussing on issues of public safety.

6.6 Promotional/Campaign Work

No presentations were given to community groups in 2020/21 due to covid. These will begin again as soon as safe to do so.

6.7 Weights & Measures – Trading Standards officers carry out a statutory weights and measures responsibility and are in a unique position to protect consumers who may be receiving short weight or measure without their knowledge.

In 2020/21 officers checked 55 items of weighing equipment that are used by medical practitioners. It is essential that such equipment, that may be used to help in medical diagnosis or treatment, is completely accurate and can be relied on. Results were positive but annual checks will continue to be carried out.

6.8 Doorstep Crime/Scams

2020/21 saw a significant reduction in complaints about doorstep crime – largely due to the covid lockdown that prevented many traders (legitimate and illegitimate) from trading.

Even so, where problems do occur it is often the elderly and vulnerable who bear the brunt and, for scams in particular, perpetrators are often located abroad and are beyond the reach of local Trading Standards Services.

In order to reduce their effect, Trading Standards has continued to supply 'Trucall' call blocking equipment to those who have been receiving large amounts of unsolicited calls.

For those who have been targeted by doorstep callers, officers have installed covert CCTV systems that can record further visits made by cowboy builders and roofers whilst investigations are ongoing.

The Team is also promoting 'No Cold Calling' stickers that can be placed in a front door or window advising prospective callers that they are not welcome. The sticker also provides the homeowner with a valuable 'aide memoire' on

what to do if a cold caller ignores the sticker. A further 300 stickers were distributed during 2020/21 meaning that over 11,000 have been issued to Hartlepool residents since the initiative began in 2015.

As detailed in paragraph 3.5 above, 50 No Cold Call Zones (NCCZ's) have been created with a target to establish a further five more in 2021/22.

The Trading Standards Service also works closely with the National Scams Team which routinely sends details of Hartlepool consumers who have been found to be on scammer's databases.

Officers contact, and subsequently visit, these victims to provide help and support. Where appropriate, other agencies, such as Adult Safeguarding Teams, are brought in to provide ongoing professional support.

In 2020/21 details of 61 Hartlepool residents were provided by the National Scams Team. These victims were then contacted by Trading Standards Officers who, where appropriate, provided free TruCall devices to stop scam phone calls and/or CCTV to monitor any visits the victim may receive from unwanted callers.

6.9 Formal Enforcement Action

On some occasions it is necessary to prosecute for serious or repeat offences. Delays in the Court system due to covid resulted in a number of Trading Standards prosecutions being carried forward into 2021/22.

At the time of writing this plan, a conviction had been obtained against a prolific counterfeiter resulting in a two year suspended prison sentence, 80 hours community service and a requirement to pay £70,000 under the Proceeds of Crime Act.

A cowboy roofer was also convicted to carrying out shoddy work on the property of an elderly couple in the town. The roofer received a £1000 fine and was ordered to pay the victims £5,000 in compensation.

Other cases, carried forward from 2020/21 which will be heard in Court before the end of the year relate to the supply of unsafe sunbeds by a Hartlepool company and another cowboy builder.

6.10 Responding to Complaints

The Trading Standards Service received a total of 1141 complaints/requests for advice in 2020/21 compared to 272 the previous year.

This large increase was entirely due to covid and complaints made to the team (902 in total) regarding various issues such as shops being open when they shouldn't be and a lack of social distancing.

6.11 Covid Response

Covid had a significant impact on the Public Protection Division in 2020/21 with most officers having to spend some, or all, of their time giving advice to the general public/traders, dealing with complaints or contact tracing.

Public Protection Officers dealt with 2065 covid related complaints/requests for guidance in 2020/21 and carried out 2469 contact tracings.

6.12 Complaints against Our Staff

No complaints were made against our staff during 2020/21.

7. KEY AREAS FOR IMPROVEMENT & KEY CHALLENGES FOR 2021/22

1. The outbreak, and continued impact, of Covid 19 has presented a range of new challenges for the Trading Standards Service which has been given shared responsibility for ensuring business compliance with Covid requirements whilst having to continue to monitor, enforce and engage with the trade in a Covid safe manner.
2. The Public Protection Service continues to face significant financial pressures due to ongoing Council savings and, as such, the need to prioritise service delivery and maximise effectiveness remains paramount.
3. There are significant changes taking place at a national level as the Government presses forward with regulatory reform. The National Trading Standards Board has been established which identifies national priorities and increases Regional and Sub-Regional co-ordination including the funding of the North Eastern Regional Investigations Team. The Trading Standards & Licensing Manager sits on the management board of this Team which, due to tightening budgets, remains under pressure to reduce costs and contribute towards national projects as and when required.
4. Following the Grenfell Tower disaster the Government's focus has remained on product safety and the Office for Product Safety & Standards (OPSS) has been given the responsibility to ensure greater public protection. It has already been demonstrated that this will lead to greater demands on local Trading Standards departments who will be expected to undertake local enforcement of identified national priorities.
5. Serious doorstep crime continues to be a major concern and responding to complaints is extremely resource intensive. Due to the significant consumer detriment involved, tackling rogue traders remains the highest of priorities which may mean that responding to other areas of responsibility has to be delayed.

An officer continues to be employed on a temporary basis to raise awareness and set up systems that will allow the public and other

agencies to better protect the vulnerable from the escalating nuisance of doorstep crime.