

Argyll and Bute Council – 2001/02

Report on the Performance Audit of Trading Standards

Asif A Haseeb, MBA ACMA, Senior Audit Manager, Audit Scotland
7th Floor, Plaza Tower, East Kilbride, G74 1LW
T 01355 619200 F 01355 619201

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EXECUTIVE SUMMARY

Introduction

- 1.1 Audit Scotland piloted a tailored performance audit approach with trading standards services across all Scottish councils as part of the 2001/2002 programme of centrally directed studies. This involved developing a performance audit model to enable trading services to self-assess their performance.
- 1.2 At a national level the study is being undertaken in close collaboration with SCOTSS, DTI, LACORS, TSI, COSLA (see Glossary at Appendix 3) and other key stakeholders. A central multidisciplinary team, comprising staff from Audit Scotland and two seconded officers from councils, led the work on the study. The national report 'Made to Measure? An overview of trading standards services in Scotland' was published on 3 October 2002.
- 1.3 This report sets out the findings from our local audit work at Argyll and Bute Council (A&B C) and makes reference to the national report and good practice, as appropriate.

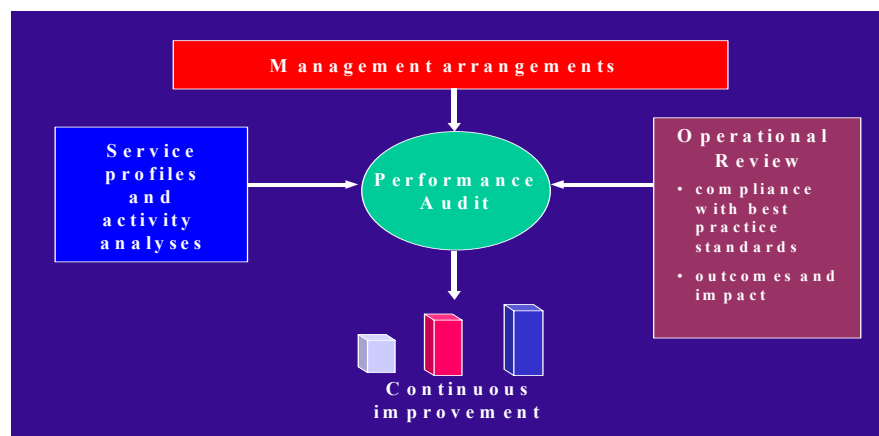
Trading Standards Service

- 1.4 Trading standards services are key to protecting the interests of consumers. The services they provide originate from a duty to inspect weights and measures, but now encompass responsibilities for ensuring that businesses comply with trade and consumer legislation. Responsibility for regulatory enforcement lies with councils, who should be aiming to provide uniformity in the standards of inspection and regulatory services. Other discretionary services also provided by trading standards include consumer advice and debt counselling.

Audit objectives, scope and methodology

- 1.5 The study has two complementary objectives:
 - to pilot the development of a new performance model, tailored to trading standards (see exhibit 1 below)
 - to use that model to assess the performance of trading standards services and identify areas where there is scope for improvement in current practices

Exhibit 1 : The performance audit model being piloted



1.6 A self-assessment guide was issued to both auditors and council staff involved in the trading standards study. It explained that the study involved a review of both statutory and discretionary trading standards services. The guide emphasised that the study methodology was based on a self-assessment process involving:

- **service profiles and activity analyses** – using data already gathered nationally for trading standards services
- **management arrangements** – covering performance management and planning issues (e.g. understanding stakeholders' needs, managing staffing and other resources, performance monitoring and control, and public performance reporting)
- **service performance** – including a series of good practice self-assessment guides covering elements of trading standards work (e.g. programmed inspections, consumer advice, animal health and debt counselling).

Audit Scotland also held joint workshops at several locations throughout Scotland, which were attended by external auditors and the lead contact trading standards officers from their councils. The scope of the trading standards study and the methodology to be used were explained in detail while demonstrations of the benchmarking information and software for analysing it ('COMPARE') were also provided.

Peer review process

1.7 The self-assessment carried out by Argyll and Bute Council trading standards officers was subject to an independent peer review by a trading standards officer from Falkirk Council with external audit taking a lead role.

Overall conclusion

1.8 In general, our conclusion is that Argyll and Bute Council's Trading Standards Service can demonstrate that it has sound performance management framework in place and is committed to continuous improvement. Moreover, the service scores perform above the Scottish average in implementing minimum service standards, good practice and better practices in relation to mandatory services and also has a good standard of service in relation to discretionary services.

Summary of Main Findings

1.9 There are a number of good practices within the Council and these include the following:

Resourcing the trading standards service

- The service uses a generic approach to staffing. This means that inspection visits do not require to be made by a qualified TSO unless metrology is involved. Also, the service uses staff other than TSOs for other enforcement activities if qualified staff are not required.

Management arrangements

- The trading standards service has a sound Performance Management and Planning (PMP) framework in place and is well developed in relation to Best Value reviews, service planning, and performance monitoring and reporting.
- Argyll and Bute Council's trading standard service scores above the Scottish average in all of the PMP criteria while, in comparison to other similar councils it is either the top or second top performer in eight of the ten PMP criteria.

Service performance

- Argyll and Bute Council performs above the Scottish average in implementing minimum service standards, good practice and better practices in the following five areas: (business services and advice; investigation of offences; programmed inspections; consumer advice and consumer education and information) and above the minimum service standard and good practice in relation to debt counselling.
- Monthly and quarterly reports on a range of performance indicators are provided to management while elected members receive an annual report on performance.

1.10 Areas where we consider the Council's procedures have scope for improvement include:

- **Resourcing Trading Standard Service:** The risk profile of businesses liable to inspection requires to be updated to bring it into line with LACORS guidance. Work should also be undertaken to ensure that consumer complaints and enquiries are being recorded in line with the OFT (1998) definitions.
- **PMP:** There is scope for improvement in relation to clear leadership, aspects of human resource management and in obtaining continuous improvement. Management are committed to continuous improvement and have agreed to address to take action to address these issues in the improvement agenda at Section 2.
- **Service standards:** Argyll and Bute have identified that it needs to further develop its enforcement policy and this is included in their improvement agenda.

IMPROVEMENT AGENDA

1.11 An Improvement Agenda containing recommendations to address the areas where improvements could be achieved is outlined at Section 2 of this report. These have been discussed and provisionally agreed with the appropriate officials. The Improvement Action Plan should be read in conjunction with the relevant reference from the main findings from the audit. We will follow up progress in implementing the improvement action plan at a later date.

ACKNOWLEDGEMENTS

1.12 The co-operation and assistance given by all officers contacted during the course of this review is gratefully acknowledged with particular thanks to Sandy Taylor (Head of Protective Services) and Kate Connelly (Chief Trading Standards Officer) who were the main contacts during the audit.

1. IMPROVEMENT AGENDA

Col.1 Description of the planned improvement action.	Col.2 What problem is this action addressing?	Col.3 What is this improvement intended to achieve? This should be both specific and measurable.	Col.4 What are the key project milestones for this improvement?	Col.5 What information will you use to assess that intended benefits have been achieved?	Col.6 Which of the headings in PF 11 does the improvement action relate to?
1. Review the risk rating of premises.	Rationale for previous rating regime requires updating.	Better use of resources. Better targeted enforcement. Increased scope for high level enforcement.	Await new LACORS guidance. Provide training to officers. Review premises database and apply new scheme. Implement new risk rating for programmed visits.	Feedback from traders. Feedback from officers. Increase in higher level enforcement activities.	Internal management processes. Learning and development. Resource use.
2. Review recording of complaints and enquiries.	Department has not fully converted to OFT (1998) definitions for consumer complaints and enquiries.	More reliable data.	Issue of direction in use of OFT Definitions. Audit of enquiry recording arrangements.	Number of complaints and enquiries received relative to peer authorities using COMPARE software.	Internal management processes.
3. Staff should be reminded of the need to record all business advice requests in accordance with the definition.	Drop in number of business advice requests could be due to under recording.	More reliable data.	Issue of direction in recording of business advice requests. Audit of advice request recording arrangements.	Number of complaints and enquiries received relative to peer authorities using COMPARE software.	Internal management processes.

<p>4. Update policies for core activities.</p>	<p>Existing policies are dated and relate to previous structure.</p>	<p>Will provide current, clear guidance for officers. Will provide information for service users.</p>	<p>Compile list of updates required. Identify priorities. Redraft key policies. Issue new policies to officers.</p>	<p>Comparison of A&B policies v 'model' TS service Feedback from officers Feedback from service users.</p>	<p>Internal management processes. Policy impact on stakeholders.</p>
<p>5. Issue of equality to be dealt with within the Service Plan.</p>	<p>This issue is currently dealt with on a corporate basis.</p>	<p>Clear accountability within the Public Protection service.</p>	<p>Inclusion of specific reference within the Public Protection and Trading Standards Service Plans.</p>	<p>Customer feedback. Officer feedback.</p>	<p>Internal management processes. Learning and development.</p>
<p>6. Improve effectiveness of service to traders.</p>	<p>No formal links with trader groups.</p>	<p>More effective trader education. Improves consultation with traders.</p>	<p>Identify key sectors. Establish formal links. Identify core needs for these sectors. Deliver appropriate support via leaflets, seminars etc.</p>	<p>Feedback from relevant trade sector. Feedback from trade associations. Increased take up of business support services.</p>	<p>Customer service External relationships Resource use.</p>
<p>7. Training to be formally evaluated after the event.</p>	<p>At present, evaluation of training is undertaken on an informal basis. It is formally evaluated as part of the annual PDR process.</p>	<p>Ability to assess whether training is achieving desired effect.</p>	<p>Undertake post training evaluation, utilising the corporate model. Evaluation to be undertaken by Officers after each training event.</p>	<p>Officers feedback. Improved staff satisfaction (training).</p>	<p>Resource use. Internal management processes. Learning and Development.</p>

<p>8. In order to ensure continuous improvement the authority should formalise the process for undertaking benchmarking.</p>	<p>Currently undertaken on an informal basis.</p>	<p>This would lead to continuous improvement within the Council and the results should be reported to management.</p>	<p>Establish a benchmarking group with peer authorities. Undertake benchmarking process in peer authorities in those areas identified from earlier exercise.</p>	<p>Continuing service development.</p>	<p>Resource use. Learning and development.</p>
<p>9. Charges for business service users should be publicised.</p>	<p>Charges are available on request but are not publicised.</p>	<p>More effective communication with traders and consumers.</p>	<p>Publish a leaflet describing charges made by the service. Issue the leaflet in appropriate mailings, during site visits and in public information displays/buildings.</p>	<p>Customer feedback.</p>	<p>Customer service.</p>
<p>10. Details of targets for performance and results to be included within Public Annual Report.</p>	<p>Results of performance against target is not always made public in a systematic way.</p>	<p>Results available to consumers and traders in readily accessible form.</p>	<p>Publish a Public Protection Report, detailing amongst other things targets and performance outcomes annually.</p>	<p>Customer feedback.</p>	<p>Customer service. External Relationships.</p>
<p>11. Develop enforcement policy.</p>	<p>No clear guidance for staff re prioritisation of investigations etc.</p>	<p>Better guidance for enforcement officers. Clearer information for traders and consumers.</p>	<p>Review existing procedures. Draft new procedure. Provide training and guidance to officers. Publicise new policy.</p>	<p>Feedback from officers. Feedback from traders. Improved systems re enforcement action.</p>	<p>Internal management processes. Learning and development. External relationships. Policy impact on stakeholders.</p>

