

Adults and Safer City Scrutiny Panel

11 July 2016

Time 6.00 pm **Public Meeting?** YES **Type of meeting** Scrutiny

Venue Committee Room 3 - 3rd Floor - Civic Centre

Membership

Chair Cllr Paula Brookfield (Lab)

Vice-chair Cllr Patricia Patten (Con)

Labour

Cllr Ian Claymore
Cllr Dr Michael Hardacre
Cllr Rupinderjit Kaur
Cllr Linda Leach
Cllr Elias Mattu
Cllr Lynne Moran
Cllr Anwen Muston
Cllr Rita Potter

Conservative

Cllr Barry Findlay

UKIP

Cllr Malcolm Gwinnett

Quorum for this meeting is three Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

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Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|---|
| 1 | Apologies |
| 2 | Declarations of Interest |
| 3 | Minutes of previous meetings (Pages 3 - 8) |
| 4 | Matters arising |
| 5 | Better Care Technology - Update (Pages 9 - 12)
To provide an update to Adults and Safer City Scrutiny Panel on the progress of the recommendations made at Cabinet on November 2015. |
| 6 | Crime reduction and community safety and drugs strategy - Update
Presentation to update the panel on the progress made relating to the 2014-17 Crime Reduction, Community Safety and drugs Strategy. |
| 7 | Neighbourhood Engagement Review
Review of neighbourhood engagement – joint presentation K Samuels and Lindsay Kelly. |
| 8 | Fatal contraband and alcohol (Pages 13 - 18)
This report is in response to a request by the panel for an update into the work of Trading Standards Officers in dealing with contraband items and illicit alcohol enforcement in the City. |
| 9 | Safeguarding from Scams and Rogue Traders (Pages 19 - 24)
To highlight the current legislation and work taking place within Trading Standards to safeguard Wolverhampton residents from scams and rogue trading activity. |

Adults and Safer City Scrutiny Panel

Agenda Item No: 3

Minutes - 22 March 2016

Attendance

Members of the Adults and Safer City Scrutiny Panel

Cllr Paula Brookfield (Chair)
Cllr Ian Claymore
Cllr Jasbinder Dehar
Cllr Barry Findlay
Cllr Rupinderjit Kaur
Cllr Lynne Moran
Cllr Rita Potter
Cllr Daniel Warren

Employees

Sandra Ashton-Jones	Safeguarding manager adults
Deborah Breedon	Scrutiny Officer
Sally Nash	Head of Youth Offending

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies**
Apologies for non-attendance were submitted on behalf of Ros Jervis, Anthony Ivco, Cllr Bishan Dass, Cllr Linda Leach and Cllr Patricia Patten.

- 2 **Declarations of Interest**
There were no declarations of interest.

- 3 **Minutes of Previous Meetings**
Resolved

 That the minutes of the previous meeting be approved and signed as a correct record.

- 4 **Matters Arising**
Cllr Paula Brookfield, Chair, highlighted several issues from the minutes to include in the Adult and Safer City work programme for 2016-17 as follows:
 1. Update on Universal Credit - early in the new municipal year.
 2. Update on Assistive Technologies and Telecare. To include the take up of technology and how well it is progressing and the capacity to deliver.

3. Progress report relating to Aids and Adaptations. To include capacity and waiting times for assessment.
4. A report relating to inspections, implementing change and the need for continued compliance post inspection.
5. The annual report relating to Crime Reduction and Crime Strategy to the first meeting of the municipal year.

Resolved

1. That the items listed be considered for inclusion in the work programme for 2016-17.
2. A briefing note to be circulated to update panel members relating to working arrangements with the West Midlands Fire Service.

5 **YOT Inspection Update**

Sally Nash, Head of Service Youth Offending Team (YOT) provided a report to advise the panel of the outcome of a full Joint Inspection (FJI) of the Wolverhampton Youth Offending Team in November 2015. She advised that the Wolverhampton YOT demonstrated a high performing organisation with extremely high scores, setting an example across the Country.

The Head of Service advised that the inspection had been intensive with 12 inspectors and over 40 people involved, including police, health, connexions, staff and partners. An improvement plan has been approved by YOT and the senior board (SEB).

Cllr Paula Brookfield, Chair, welcomed the report as an excellent good news story and recognised that the reduction in resource had meant shrinkage but the service had reacted and excelled in what it does, she indicated that this was due to the hard work of the team and asked that the team be congratulated.

Cllr Lynne Moran also congratulated the team for their work, she indicated that she was interested in engagement in jobs and training and asked if the YOT team carry out work to match up jobs and skills with opportunity and if they are pitched at the right level of skills and trainers. The Head of Service clarified that the question related to the post 16 offer and advised that YOT work closely with Talent Match at post 16 level to deliver literacy and numeracy; she advised that the operations manager leads on training and connecting with opportunities and that the relationship with the college is much improved. The team are currently working towards getting accreditation with the college for schemes including woodwork on a Tuesday night.

In relation to paragraph 3.7 of the report Cllr Lynne Moran asked for more information about the bespoke piece of commissioned work to evaluate YOT interventions which will inform future planning and resource allocation. The Head of Service advised that the intention was to utilise people in a voluntary capacity from university as part of their degree. She clarified that this is not an agreement yet, but had been looked on positively and locally to give a student opportunity.

Cllr Lynne Moran asked for further information about transition to adulthood. The Head of Service advised that there is process, assessment document and software package available to ensure the transition is carried out slowly and securely. She advised that there was a nominated probation officer in the YOT to ensure they understand the type of work young people are pursuing but that there are challenges due to the probation officer allowance being reduced.

Cllr Ian Claymore echoed the comments made about the reduction in resource and congratulated the team for achieving highly in face of the cutbacks. He referred to the influences on young people and Panel heard that often issues arise for primary aged children from the home environment; they considered that secondary school pupils are more influenced by their peer group. The Head of Service advised that evaluation of the post 16 offer will help to see how things were working and where the successes are.

Cllr Barry Findlay welcomed the good news and asked that congratulations are passed to the YOT team.

The Head of Service advised that reduction in capacity and resource had left less time for evaluation and a real opportunity for a skilled university student to get experience. She advised that many employees had put many extra hours into getting the data up to date for the inspection. She confirmed that a standing item would be considered at YOT Board meetings relating to gangs and child sexual exploitation (CSE) and advised that child and adolescent mental health (CAMHS) was a standing item on agendas; she also confirmed that in the past there had been a psychologist attached to the YOT team.

Cllr Daniel Warren welcomed the team's hard work and requested sight of the findings of the post 16 work when it was completed. He indicated that education can be very inflexible and agreed that there was a need to look at what is on offer.

Panel considered the need to protect and safeguard young people; they highlighted issues such as CSE, vulnerability with homeless and young people being placed in inadequate accommodation. They considered the challenges in Wolverhampton for vulnerable young people.

Cllr Jasbinder Dehar welcomed the report; she informed the meeting that her work in a school had highlighted the need for versatility in job training such as car mechanic or carpentry and the need for simple life skills. The Head of Service recognised the issue of engaging with schools but indicated that the change in structure and management of schools means that the training can only be addressed using influence.

Cllr Ian Claymore advised that the review of volunteering in the City, to be presented to Cabinet 23 March 2016, highlighted the various volunteering roles in the Council and suggested that the analytical work referred to as university student volunteering should be taken into account. The Head of Service informed the Panel that, although not mentioned in the report, volunteers were utilised in the Magistrates Court Processes and as members of the YOT Management Board. The Head of Service advised that for CAMHS good progress was being made to move away from the 'tier of need'. She advised that a report would be submitted to Health Scrutiny Panel to provide an update of the CAMHS transformation.

Resolved:

1. That Panel welcome the strong level of performance identified in the Inspection Process.
2. That Panel support the continuing work to address the inspection recommendations and further improve practice.
3. That a progress report on the implementation plan be submitted to a future meeting.

6

Wolverhampton Safeguarding Adults Board Annual Report 2014/15

Sandra Ashton Jones, Safeguarding Manager- Adults provided a copy of the Wolverhampton Safeguarding Adult Board's (WSAB) Annual Report and Executive Summary. She informed the Panel of the safeguarding activity 2014-15, presented the progress made against the priorities for 2013-16 and provided an overview of how partners have discharged their safeguarding responsibilities over the preceding year.

The Safeguarding Manager outlined the implications to policy and practice contained within the Care Act 2014 and gave an update on progress against the priorities. She highlighted that the work had been undertaken to prevent neglect and abuse over the past 12 months and work that will be prioritised over the next 12 months.

The Panel were advised that the numbers of GP safeguarding referrals had increased particularly regarding the number of repeat falls for residents living in care homes, the move to provide awareness training to GP's through the CCG may have helped to address the issue. When inspected by the CQC they were assessed on safeguarding matters, and it was suggested by panel that non-reporting of falls needs to be mapped.

Cllr Rita Potter voiced concerns about older people being the target group of recent scams and rogue traders in Bilston and Wednesfield areas; she wanted to ensure the elderly do not get involved with scams. The Panel was advised that there was a lot of proactive work happening with trading standards and involvement in a National scheme would raise awareness of the issues.

The Safeguarding Manager advised that this Council is one of the first in the Country to go for a joint Adult and Children Board Safeguarding Website.

Cllr Ian Claymore welcomed the number of partner organisations listed in the report as Board Partners. Panel considered that workforce development really has to move away from children in isolation as there is so much overlap in what we do.

Cllr Paula Brookfield, Chair, indicated that the demographics are changing quickly in the City and that some cultures and norms in daily life are not acceptable in this Country, which may be acceptable in other Countries.

Cllr Rupinderjit Kaur recognised the link with faith groups and asked what kind of response had been received. Panel were advised that several new faith organisations and places of worship are being established, the Joint Board Communication and Community Engagement committee is taking a very proactive approach to engaging with faith groups in the City.

There followed a discussion relating to targeting resources and mapping, panel identified the need to map out the strategic level to see how they fit and a need to invite trading standards.

There were some individual issues raised for further discussion as follows:

- Private landlords – Safeguarding messages
- Migrant Community - Care Act Modern Slavery
- WASP (Linda Boyle) - Wolverhampton Anti-Slavery
- Landlords – Sensitive housing taking culture and nationality into account.

The Chair thanked everyone for their contributions and she welcomed the progress that Safeguarding Board was making in the City.

In summary the Panel identified a need to map where referrals were coming from and a need to target resources in the right place

Resolved:

1. To welcome the report and highlight the need for resources to be mapped out.
2. To request Trading Standards to present a report to a future meeting.

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Adults and Safer City Scrutiny Panel

11 July 2016

Report title	Better Care Technology – Update	
Cabinet member with lead responsibility	Councillor Sandra Samuels Cabinet Member for Adults	
Wards affected	All	
Accountable director	Linda Sanders , Strategic Director, People	
Originating service	Commissioning , Older People	
Accountable employee(s)	Paul Smith	Head Of Commissioning - Older People
	Tel	01902 555318
	Email	Paul.Smith@wolverhampton.gov.uk

**Report has been
considered by**

Recommendation(s) for action

The Panel is recommended to:

Receive this report as an update.

1.0 Purpose

- 1.1 To provide an update to Adults and Safer City Scrutiny Panel on the progress of the recommendations made at Cabinet on November 2015.

2.0 Background

- 2.1 The expansion of the Better Care Technology offer across Wolverhampton is an integral part of the city's 'Promoting Independence policy' and the 'Home First Approach' to support people to remain independent within their own home and community, with an objective to increase those benefitting from the service by 3000 new users by end of 2018.

- 2.2 In November 2015 Cabinet approved the following recommendations:

"In principle subject to final confirmation of the financial implications, the progression of the Better Care Technology Offer and to partner with Wolverhampton Homes (WH) to drive and deliver the significant service developments that will be required.

Delegate authority to the Cabinet Member for Adults, Cabinet Member for Resources, in consultation with the Strategic Director for People and the Director of Finance to agree the partnership arrangements with Wolverhampton Homes.

The progression of discussions with the West Midlands Fire Service (WMFS) to explore a collaborative approach for the delivery of the Better Care Technology Offer."

- 2.3 On 5 April 2016 Cabinet (Resources) Panel agreed to delegate authority to the Cabinet Member for People, in consultation with the Strategic Director for People, to approve the award of a contract for Telecare Call Handling Platform when the evaluation process is complete.

3.0 Progress, options, discussion, etc.

- 3.1 The provision of the Telecare Mobile Responder Service commenced on 4 April 2016 with WMFS; by end of May 2016 the mobile responder had been called out on 386 occasions, with 49% relating to a fall in the home.
- 3.2 Early discussions with Wolverhampton Homes have taken place regarding the provision of additional resources to supplement the Council's installation capacity, with WH resources receiving installation training and supporting installations relating to hospital discharge packages since mid-December 2015.
- 3.3 The increased profile of Telecare is resulting in increased referrals and higher rates of resulting installations. There have been 379 Telecare and Carelink referrals resulting in 279 installations since 17 March 2016.
- 3.4 Following the approval at CRP on 5 April 2016, specification, Invitation to Tender (ITT) evaluation questions and contractual requirements have been collaboratively developed

in conjunction with colleagues in Information and Communication Technology (ICT) and Procurement.

- 3.5 A requirements document for the future delivery of the call monitoring function with proactive outbound calling has been circulated and submissions returned by Wolverhampton Homes and the Customer Service Centre; initial evaluation and recommendations have been undertaken and is under consideration.
- 3.6 The restructure with the aim of combining the existing Telecare and Carelink into one service is currently in progress. The new model will provide one single offer to the wider public.
- 3.7 The procurement of the call handling software platform in line with current procurement timelines will result in an anticipated go-live date of the outward bound calling solution in February 2017.
- 3.8 Proactive outbound calling can still commence earlier within 2016 using a manual process to ensure service users benefit from proactive calling focussing on preparing for winter.

4.0 Financial implications

- 4.1 The combined budget for Telecare, Carelink and the responder service is £1.1 million funded from a contribution from the General Fund and Housing Revenue Account. An element of this budget relates to a contribution towards the 24 hours control centre. The new model will be delivered within existing budgets.
- 4.2 Enhanced Better Care Technology is a crucial part of the Adult Social Care offer which will embrace early targeted intervention, preventing escalation into more expensive intensive support packages. The Better Care Technology offer will require additional investment and further work is being undertaken to identify the required investment and how any shortfall will be funded.

[AS/23062016/P]

5.0 Legal implications

- 5.1 There are no legal implications associated with this report at this stage.

[TS/23062016/C]

6.0 Equalities implications

- 6.1 This will continue to be monitored.

7.0 Environmental implications

- 7.1 There are no environmental implications associated with this report.

8.0 Human resources implications

8.1 There are human resource implications associated with this report. The recommendations will be implemented in line with the Council's Human Resources Policies and Procedures and negotiations with Trade Unions

9.0 Corporate landlord implications

9.1 There are no corporate landlord implications with this report.

10.0 Schedule of background papers

10.1 NA

Adults and Safer City Scrutiny Panel

11 July 2016

Report title	Fatal contraband and alcohol		
Cabinet member with lead responsibility	Councillor Steve Evans City Environment		
Wards affected	All		
Accountable director	Ross Cook -Service Director City Environment		
Originating service	Public Protection		
Accountable employee(s)	Andy Jervis	Head of Public Protection	
	Tel	01902 551261	
	Email	Andy. Jervis@Wolverhampton.gov.uk	
Report to be/has been considered by	Adults and Safer City Scrutiny Panel	11 th July 2016	

Recommendations for noting:

The Panel is asked to note the contents of this report as it arises from a request by the panel for more information on this area of work at its meeting on 22nd March 2016.

1.0 Purpose

- 1.1 This report is in response to a request by the panel for an update into the work of Trading Standards Officers in dealing with contraband items and illicit alcohol enforcement in the City.

2.0 Background

- 2.1 Trading Standards Officers are responsible for enforcing the provisions in relation to the supply of illicit cigarettes and alcohol. Work in this area is intelligence driven, with that information coming from local residents and businesses as well as partners such as the police, the Wolverhampton Tobacco, Alcohol and Substance Misuse Alliance and the local substance misuse service (NACRO:- Recovery near You).
- 2.2 So as to gain a fuller understanding of the problem the City Council also uses its partnership with the Central England Trading Standards Authorities (Centsa) to gather information and intelligence from 14 midlands local authorities. This process enables identification of emerging threats and challenges. Illicit tobacco is one of the major identified threats. A recently identified problem has been with new psychoactive substances which, prior to 26/05/16 were known as “legal highs”
- 2.3 It is worth establishing some key terms that are used throughout this report.

Illicit tobacco-this is either counterfeit or illegally imported tobacco or cigarettes from abroad. Both forms of this product evade duty and provide a cheaper alternative to the taxed and legally produced versions.

Counterfeit product- this is product which is intentionally copied in order to pass itself off as the original branded product. Duty is never paid on counterfeit product.

New Psychoactive Substances- (NPS) are drugs that are designed to replicate the effects of illegal substances. Although these products have been outlawed since 26th May 2016 there is still a legal problem with the use of what were called “legal highs”.

Because:

- they are still relatively easily accessible.
- they are constantly being adapted to avoid legislative control.
- they may not necessarily hold the same perceived threat to health and well-being as illegal drugs.
- some young people are unaware that just because they were advertised as legal, doesn't mean they are safe

- 2.4 As far as illicit cigarettes and tobacco are concerned the best figures are from Her Majesty's Revenue and Customs (HMRC). In 2000, 1 in 5 cigarettes and 60% of hand rolled tobacco were illicit. By 2010/11 the figures had fallen to 1 in 10 for cigarettes and the figures for hand rolling tobacco to 38%. Whilst no specific data is available for

Wolverhampton there is no reason to suggest that the situation in the City is different from the national picture.

- 2.5 As far as alcohol is concerned HMRC seized 2.7m litres of illicit beer and 100,000 litres of illicit spirits in the final six months of 2015 and those figures are broadly in line with the corresponding half year in 2014.
- 2.6 The experience of officers in Wolverhampton is that the problem of illicit tobacco is concentrated in pockets in Wolverhampton rather than being widespread throughout the City. The picture with alcohol is more difficult to determine but the regional intelligence picture suggests that whilst there is a moderate threat for non-duty paid alcohol the incidence of counterfeit alcohol is relatively low.
- 2.7 Availability of cheaper illicit products undermines the City's public health initiatives. A cheaper supply of product undermines the price disincentive designed to stop people smoking and drinking. More worryingly, cheaper alcohol and tobacco undermine the City's attempts to stop young people from taking up smoking and drinking in some cases by offering these products at "pocket money" prices. Additionally there is a loss to the real economy as sellers are indulging in unfair trading whilst also avoiding paying tax on these products.
- 2.8 Whilst in doing this work officers have asked tobacco industry representatives to assist in identifying counterfeit items the council has stuck rigidly to its obligations as a signatory of the Local Government Declaration of Tobacco Control. Namely to "...protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships, payments, gifts and services, monetary or in kind or research funding offered by the tobacco industry to officials or employees.."
- 2.9 A problem particular with some illicit cigarettes is that they do not meet the European reduced standards for reduced ignition propensity (RIP). RIP cigarettes, also known as "fire-safer" cigarettes, are designed to self-extinguish when left un-puffed. As recently as November 2015 a women in Bournemouth died in a house fire which was as a direct result of an illicit cigarette which continued to burn after being thrown away. RIP cigarettes have modifications to the cigarette paper to inhibit burning at points along its length. These modifications are absent in many of the cheaper, illicit versions.
- 2.10 Some of the seized products have been made available to West Midlands Fire Service to enable them to carry out checks on the rate at which RIP cigarettes burn. The results of that testing indicate that a non-compliant cigarette, if left, will burn for twenty minutes more than a compliant one.
- 2.11 New psychoactive substances pose a different challenge to enforcers. NPS are often not made in the UK and are regularly smuggled in but until recently could in theory be legally sold. The key problem with NPS is that the composition can vary from packet to packet and so it is not possible to arrive at a safe dose or upper consumption limit for users.

2.12 Until 26th May 2016 NPS were legal to supply and Trading Standards Officers had to use general product safety legislation to deal with them. Since 26th of May the New Psychoactive Substances Act 2016 now creates offences for possession and supply of these products. The powers of investigation lie principally with the Police although there are potentially some powers for the local authority in respect of issuing prohibition notices for premises where NPS related activity takes place.

3.0 Enforcement action

3.1 Trading Standards Officers in Wolverhampton have been very active in dealing with illicit tobacco and alcohol. Three years ago this consisted of unannounced visits to premises and inspections which were uncovering smallish numbers of cigarettes, some hand rolling tobacco and a little alcohol. Nationally this activity became more organised which was a reflection of the involvement of more serious criminals being involved in the smuggling and supply chains.

3.2 Officers became aware that some shops were going to great lengths carry on this trade. To avoid being caught traders were having concealed hiding places with electrically operated magnetic catches built into walls and shop counters to. It was clear that a simple inspection was an inadequate means of detection.

3.3 Two years ago and using funding from the Black Country Tobacco Alliance a tobacco detection dog was used. These dogs are specially trained to detect tobacco and have helped find cigarettes hidden in the lining of coats; the underside of sofas and in false walls. As a result these dogs became more and more used in operations of this type and there was increase in the amounts of cigarette seized. Officers also found themselves able to conduct more thorough searches of premises and as a consequence more illicit alcohol was discovered.

3.4 In 2014/2015 52,000 illicit cigarettes and 6.25kg of hand rolling tobacco were seized. In the following year 2015/2016 working with better intelligence using more dog based operations officers seized 415,000 cigarettes, 69 kg of hand rolling tobacco and 249 bottles of illicit alcohol. Our follow up work tends to suggest that we have disrupted the activities of two main local suppliers of illicit products.

3.5 Also last year we launched "Operation Riposte" which was a City wide drive to tackle the problem of illicit tobacco at retail premises. Riposte used the full range of legislation to take action against this involved in this business. In particular the Council instituted reviews on the alcohol licenses of those businesses involved in the sale of illicit tobacco and alcohol.

3.6 In September 2015 two City shops had their licences revoked at a meeting of the Licensing committee for their involvement in the sale and storage of illegal alcohol and tobacco. The revocations are, in effect, a huge financial penalty for engaging in this trade and the subsequent publicity has empowered City residents to provide information about this trade which had promoted further enforcement activity. It is important to remember that as no licence is needed to sell tobacco products the loss of an alcohol licence is an

indirect sanction on this activity. Both shop owners are currently being prosecuted by the Council and Crown Court trials are imminent.

- 3.7 In February 2016 Trading Standards and colleagues from Public Health and the NHS manned a display trailer at three locations for a day each in the City. The main purpose was to publicise our work; introduce residents to all the various forms of help to stop smoking and to gather intelligence about where these products are being sold. In total we spoke to over a hundred people. Officers obtained eighty pieces of intelligence, one of which was acted immediately on leading to a seizure of 16,000 cigarettes.
- 3.8 The problems with NPS usage in the city were brought to our attention by Wolverhampton Police. The information was that young people with no other drug history were taking the so called "legal highs" under the mistaken impression that they are safe because they were legal. Apart from the harm at they were causing to themselves the Police had a concern that when under the influence they could be making themselves vulnerable.
- 3.9 In June last year Trading Standards Officers together with Police support, identified and visited retailers in the City and advised them of the risks of selling NPS and the possible enforcement action that was open to us under existing product safety law. Wolverhampton was the first authority in the West Midlands to use this approach.
- 3.10 In April 2015 Wolverhampton took part in a West Midlands Day of Action in which all identified potential sellers were visited and those who had been previously advised but who still had these products on sale had them seized. All the retailers were advised that after May 2016 these products would be illegal and that the Police, supported by the Council, would take robust enforcement.

4.0 Next Steps

- 4.1 The City Council's stance on illicit product and NPS is based on providing consumer protection and ensuring fair trade. Undoubtedly our existing work has worked to deter some traders from entering this market whilst also disrupting those currently in it. Whilst we will need a period of reflection to decide on the next steps, enforcement will be a key component of the future.
- 4.2 In relation to illegal cigarettes and alcohol officers are now looking at confiscation legislation in order to take the criminal proceeds off any individual convicted for this activity. Conversely officers are also working to support reputable traders to prevent them being attracted into selling illicit product in response to unfair competition from neighbouring retailers
- 4.3 The Council's leader has previously written to the government to ask them to consider some tobacco licensing system along the lines of alcohol licensing. This would allow local authorities to add conditions to those premises where there were problems in relation to illicit tobacco. Such a measure would also offer some degree of control to be exercised on premises which sell tobacco but not alcohol and so have no alcohol licence. The

removal of a tobacco licence would also be a powerful sanction against those dealing in illicit tobacco.

- 4.4 Dealing with NPS is now firmly a police matter as those selling them are effectively drug dealers. Trading Standards Officers will continue to gather and act on intelligence in relation to retail sales. Initial impressions are that the retail supply of these products has dried up. The bigger fear is that the supply of these products will go underground but even that will be a reflection that we have been effective a

5.0 Financial implications

- 5.1 This report has no financial implications.
[TT/29062016/G]

6.0 Legal implications

- 6.1 There are no legal implications arising from this report.
[AS/01072016/H]

7.0 Equalities implications

- 7.1 There is no equalities implication arising from this report as the conduct of enforcement activities is covered in assessments elsewhere. However our intelligence suggests that sales of illicit goods are more prevalent in deprived parts of the City. Our enforcement activity benefits communities in those areas.

8.0 Environmental implications

- 8.1 The actions detailed in this report seek to improve the levels of consumer protection in the City

9.0 Human resources implications

- 9.1 There are no human resources implications arising from this report

10.0 Corporate landlord implications

- 10.1 This report does not have any implication for the Council's property portfolio.

11.0 Schedule of background papers

- 11.1 None.

Adults and Safer Scrutiny Panel

11 July 2016

Report title	Safeguarding from scams and rogue traders	
Cabinet member with lead responsibility	Councillor Steve Evans City Environment	
Wards affected	All	
Accountable director	Ross Cook, City Environment	
Originating service	Public Protection	
Accountable employee(s)	Susan White	Service Lead – Public Protection
	Tel	01902 556064
	Email	Susan.white@wolverhampton.gov.uk
Report to be/has been considered by		

Recommendations for noting:

1. The Panel is asked to consider the programme of action currently undertaken by Trading Standards to protect Wolverhampton residents by pursuing offenders and increasing awareness of scams and rogue trading.

1.0 Purpose

- 1.1 This report was requested by Scrutiny Panel on 22 March 2016, as a result the panel is recommended to note the work of Trading Standards in relation to scams and rogue traders.
- 1.2 To highlight the current legislation and work taking place within Trading Standards to safeguard Wolverhampton residents from scams and rogue trading activity.

2.0 Background

- 2.1 Work undertaken by Trading Standards was mentioned by Sandra Ashton Jones, Safeguarding Manager- Adults, during a report to Adults and Safer City Scrutiny Panel on Tuesday, 22nd March 2016.
- 2.2 The Multi-agency policy and procedures for the protection of adults with care and support needs in the West Midlands refers to the work that should be undertaken in consultation with Trading Standards.
- 2.3 Scam activity falls into four distinct categories, based on the method of contact, namely: telephone, online, mail and doorstep (often referred to as rogue trading). There is no national definition of doorstep crime, but it has been described as:

‘offenders cold-calling at the homes of consumers, most commonly older adults and/or vulnerable consumers, offering to carry out property repairs such as roofing, tarmac work, gardening, block paving and jet washing, fascia and soffit installation, or to sell products such as fish, furniture, mobility aids, security systems and energy saving products. It often involves charging extortionate prices for the goods or services, deliberately damaging property in order to obtain work, leaving work unfinished, substandard and poor quality work, claiming to have done work which is not completed, and false statements being made about the goods and services required..... It may also involve intimidating and /or aggressive behaviour on the part of the offenders or an element of befriending or grooming of victims, to facilitate the offending and repeat victimisation.’

- 2.4 The long term effects of scams and doorstep crime on victim’s health and well-being has been shown to deteriorate within 12-24 months of an event occurring often resulting in loss of independence or even death. Increasing awareness and actively pursuing the perpetrators of scams and rogue trader activity will reduce loss to Wolverhampton residents. Nationally the average amount of financial detriment per consumer is now estimated at £1,280 with a total amount of financial detriment per year to consumers of £2.21bn.
- 2.5 Trading Standards have knowledge and experience of dealing with rogue traders and have been actively pursuing offenders within Wolverhampton for many years. Rogue trading is often linked to distraction burglary, which is carried out by an offender who gains access to a property by distracting or deceiving the householder in order to steal

valuables and cash. Joint operations and days of action have been taking place with the Police since 2006 and continue.

- 2.6 In 2008, The Consumer Protection from Unfair Trading Regulations were introduced, these provided a general ban on unfair business to consumer commercial practices. The prohibitions included commercial practices that contravene the requirements of professional diligence, misleading actions, misleading omissions, aggressive commercial practices and banned commercial practices. Many of these activities are also covered by the Fraud Act 2006, in particular section 2 Fraud by false representation.
- 2.7 In 2010, Wolverhampton trading standards recognised scams and doorstep crime as a priority area, where vulnerable residents were being targeted. A rapid response system was introduced to attend the homes of those targeted at the time of the offence and/or when traders visit to obtain funds. These crimes were and still are massively under reported, with less than 5% -10% of all crimes being recorded. They are often overlooked by Police Officers in the false belief that the matters are civil in nature.
- 2.8 In 2013 a bid to City Tasking provided funding to purchase ten call blocker units. These units are used to block unwanted phone calls and are loaned to vulnerable victims of scam telephone calls within Wolverhampton.

3.0 Progress, options, discussion, etc.

- 3.1 In order to pursue rogue traders it is important to capture evidence from vulnerable victims for use in proceedings. An officer has been specifically trained to undertake interviews in order to utilise special measures for vulnerable or intimidated witnesses. Victims and witnesses play a central role in the prosecution process. Trading Standards rely on the evidence of victims and witnesses to deliver successful prosecutions and ensure justice is done.
- 3.2 A national restructure of the consumer landscape, led to the introduction of the National Trading Standards (NTS) Scams Team. The team help tackle mass marketing scams and disrupt the operations of perpetrators behind mail scams. It works in partnership with agencies across the country to identify and support victims of mass marketing fraud and provides guidance, best practice and established a center of excellence to assist local authorities in identifying and supporting local victims and taking local enforcement action.
- 3.3 In 2014 Wolverhampton Trading Standards signed up to work in partnership with NTS Scams Team and visit Wolverhampton residents identified as potential victims. This led to joint initiatives with Royal Mail and working locally with Adult Safeguarding, West Midlands Police Partnerships office and West Midlands Fire Service vulnerability officers and this work is on-going.
- 3.4 Following a restructure of Regulatory Services in October 2014, the scam and rogue trader lead role is delivered by Trading Standards officers within the residential team of what is now Public Protection.

- 3.5 Wolverhampton Trading Standards are actively working with local groups and initiatives across the City to increase the awareness of scams and rogue trading, including:
- Dementia Action Alliance, where officers have had an active role in becoming Dementia Friends and contributing to Dementia Awareness Week, providing advice and preventative guidance at all of the Wolverhampton Alzheimer Café's. Officers have visited the Dementia ward at New Cross Hospital working with relatives and carers.
 - Carer Support Team contributing to Carers Week and the City Carer magazine.
 - Adult safeguarding week
 - West Midlands Fire Service vulnerability officers
 - Reputable traders by assisting a number of schemes providing reliable contacts, including but not limited to 'No Rogue Traders here' and Age UK 'Word of Mouth Scheme'.
- 3.6 Trading Standards have adopted an Intelligence Operating Model, which provides an intelligence framework for effective and efficient sharing of intelligence in order to identify and tackle emerging threats. Wolverhampton operates within the Central England Trading Standards Authorities area to share that intelligence.
- 3.7 Work continues to engage with banks, building societies, post offices and other agencies and key partners to ensure the best support network is established for victims and appropriate skills are shared.
- 3.8 Doorstep crime and mass marketing scams remain key priority areas for Trading Standards in 2016/17 and work will continue to highlight current scams and activities to all residents.
- 3.9 Public Protection has recently increased their safeguarding remit and is now actively involved with the Place Partnership Safeguarding Forum and Wolverhampton Anti-Slavery Partnership which deals with modern day slavery, an area often linked to rogue trading.
- 3.10 Public Protection have a huge role to play in safeguarding vulnerable Wolverhampton residents, while specific scam and doorstep crime related activity is covered in detail in this report, there are often many links into the wider issues covered by traditional environmental health activities.
- 4.0 Financial implications**
- 4.1 There are no direct financial implications as a result of this report.
- 4.2 All work referred to in this report is accommodated from within existing approved revenue budgets for Public Protection.
[TT/28062016/Q]

5.0 Legal implications

- 5.1 Current policy is to consider legal proceedings in all cases of rogue trading where it meets the evidential and public interest tests, in line with the Black Country Authorities Enforcement Policy.
[TS/28062016/D]

6.0 Equalities implications

- 6.1 This report has minimal equalities implications in that all formal enforcement action and decisions will be based on the application of pre-existing Cabinet approved policy which bases decisions on risk, evidence and public interest.
- 6.2 The contents of the report detail measures aimed at preventing the occurrence of scams and rogue trading offences which will be of benefit to all groups of persons within Wolverhampton.

7.0 Environmental implications

- 7.1 None

8.0 Human resources implications

- 8.1 None

9.0 Corporate landlord implications

- 9.1 None

10.0 Schedule of background papers

- 10.1 None

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