

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
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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