

Agenda



AGENDA for a meeting of the COMMUNITY SAFETY AND WASTE MANAGEMENT CABINET PANEL in COMMITTEE ROOM B at County Hall, Hertford on WEDNESDAY 10 FEBRUARY at 10.00AM

MEMBERS OF THE PANEL (11) (Quorum 3)

M Bright, M J Cook, R J Henry, N A Hollinghurst, T Hunter (Vice- Chairman), T R Hutchings, P F J Knell, A Lee, A M R Searing, R A C Thake (Chairman), C B Woodward

Meetings of the Cabinet Panel are open to the public (this includes the press) and attendance is welcomed. However, there may be occasions when the public are excluded from the meeting for particular items of business. Any such items are taken at the end of the public part of the meeting and are listed under "Part II ('closed') agenda".

Committee Room B is fitted with an audio system to assist those with hearing impairment. Anyone who wishes to use this should contact main (front) reception.

Members are reminded that all equalities implications and equalities impact assessments undertaken in relation to any matter on this agenda must be rigorously considered prior to any decision being reached on that matter.

PART I (PUBLIC) AGENDA

1. MINUTES

To note the Minutes of the Community Safety and Waste Management Cabinet Panel meeting held on 3 December 2015 (attached).

2. PUBLIC PETITIONS

The opportunity for any member of the public, being resident in or a registered local government elector of Hertfordshire to present a petition relating to a matter with which the Council is concerned, and is relevant to the remit of this Cabinet Panel, containing 100 or more signatures of residents or business ratepayers of Hertfordshire.

Notification of intent to present a petition must have been given to the Chief Legal Officer at least 20 clear days before the meeting where an item relating to the subject matter of the petition does not appear in the agenda, or at least 5 clear days where the item is the subject of a report already on the agenda.

No notification of intent to present a petition has been received.

[Members of the public who are considering raising an issue of concern via a petition are advised to contact their local member of the Council. The Council's arrangements for the receipt of petitions are set out in Annex 22 - Petitions Scheme of the Constitution.]

If you have any queries about the procedure please contact Nicola Cahill, by telephone on (01992) 555554 or by e-mail to Nicola.cahill@hertfordshire.gov.uk.

3. POLICE AND CRIME COMMISSIONER

Members may ask questions of the Police and Crime Commissioner for such period of time as the Panel Chairman may reasonably decide.

4. POLICE AND CRIME PANEL

a) The Council's representative on the Police and Crime Panel (PCP) (P A Ruffles) to report on the business of the PCP

b) Members of the Panel may ask questions to the PCP Representative thereon for such period of time as the Panel Chairman may reasonably decide.

5. INTEGRATED PLAN PROPOSALS 2016/17 – 2019/20

Report of the Assistant Director, Finance, Resources & Performance

The following reports have been circulated under separate cover to all Members of the Council.

'Public Engagement and Consultation on the 2016/17– 2019/20 Integrated Plan Proposals' (circulated as Item 4(i) for the Cabinet meeting of 18 January 2016); and

'INTEGRATED PLAN 2016/17 – 2019/20 (incorporating Strategic Direction and Financial Consequences and the Treasury Management Strategy)' (circulated as Item 4 (ii) for the Cabinet meeting of 18 January 2016).

Please bring the reports with you

6. COUNTER TERRORISM AND SECURITY ACT – FORMATION OF PREVENT BOARD

Report of the Director Community Protection (Chief Fire Officer)

7. PROPOSALS TO INTRODUCE A NEW TRADING STANDARDS' APPROVED-TRADER SCHEME

Report of the Director of Community Protection (Chief Fire Officer)

8. OTHER PART I BUSINESS

Such Part I (public) business which, if the Chairman agrees, is of sufficient urgency to warrant consideration.

PART II ('CLOSED') AGENDA

EXCLUSION OF PRESS AND PUBLIC

There are no items of Part II business on this agenda. If Part II business is notified the Chairman will move:-

“That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item/s of business on the grounds that it/they involve/s the likely disclosure of exempt information as defined in paragraph/s of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

If you require further information about this agenda please contact Nicola Cahill, Democratic Services, on telephone no (01992) 555554 or email Nicola.cahill@hertfordshire.gov.uk

Agenda documents are also available on the internet at:

<https://cmis.hertsdirect.org/hertfordshire/Calendarofcouncilmeetings.aspx>.

**COMMUNITY SAFETY AND WASTE MANAGEMENT
CABINET PANEL**

WEDNESDAY 10 FEBRUARY AT 10.00 AM

**UPDATE REPORT FROM DAVID LLOYD POLICE AND CRIME COMMISSIONER
FOR HERTFORDSHIRE**

AUTHOR Roy Wilsher

1. Purpose of Report

To provide a brief update on work to progress the Police and Crime Plan Everybody's Business (2015-2020).

2. Budget announcement

2.1.1 The government's spending review confirmed that the policing budget would be protected in real terms until 2019/20. The Commissioner issued an Open Letter ahead of setting the police precept for Council Tax to set out his principles and thoughts on the level of the precept and gather feedback.

2.1.2 The Commissioner set out in his Open Letter the Constabulary's sound financial position, the high level of reserves (£48.3 million) and well-developed savings plan, and his proposal to only take from the public what is required to provide the level of service needed to meet on-going policing demands and invest in new and emerging areas of crime. The Commissioner is keen to only take what is required from the public to continue to deliver the efficiencies that they have committed to and the situation has changed given the government's announcement.

2.1.3 The consultation showed that there was not an appetite for the precept to be reduced by a large amount. Therefore the Commissioner has decided to only make a modest cut in the precept, reducing the Band D Council Tax precept for policing by 0.55 per cent, to a figure of £147.00. This amounts to a reduction of 82p for a Band D household for the year 2016/17.

2.1.4 The overall budget for policing in Hertfordshire will go up from £190.4 million in 2015/16 to £195.7 million in 2016/17; this represents a 2.8 per cent increase. Budgets across all areas of the Constabulary will be increasing and investment will focus on building capacity and capability in key areas of demand including safeguarding, cyber-crime and child sexual exploitation. From 2016/17 funding will also be made available for new investments into those stubborn and persistent issues of concern to the public, as outlined in the Police and Crime Plan, Everybody's Business (2015-2020) which include anti-social behaviour, speeding and fly-tipping.

Launch of a new Road Safety Fund

- 2.2.1** The Police and Crime Plan Everybody's Business (2015- 2020) outlines a commitment to supporting a range of projects and initiatives based around the principle of offenders paying for the harm they have caused. This includes undertaking a concerted attack on criminal assets to recover the proceeds of crime, and to utilise the income generated by offenders to pay for initiatives to help victims and communities. The Police and Crime Plan makes a specific reference to ensuring that the public is able to see how income generated from offenders is being spent.
- 2.2.2** Issues relating to anti-social driving including speeding, driving without a seat belt, the use of mobile phones, and drug and alcohol related driving are frequently raised as concerns by the residents. Using the surplus generated from speeding tickets, speed awareness courses, accident reports and court income through the Cameras Tickets and Collisions Unit (CTC) will be used to support a range of educational, enforcement and engineering activities to improve road safety. For Hertfordshire, the surplus generated amounts to £1.3m for the period 2014-2016. Subsequent amounts will be announced annually.
- 2.2.3** In partnership with Hertfordshire County Council, the Office of the Police and Crime Commissioner (OPCC) will use the Strategic Road Safety Partnership to manage and administer the Road Safety Fund. Applications will be invited from the community; voluntary organisations and partners agencies from early February 2016 and grants awarded to organisations will be awarded on 1st April 2016. A new Road Safety Programme Manager is being appointed to help manage the fund and the partnership's work programme around road safety in Hertfordshire County Council.

Launch of Employee Supported Policing

- 2.3.1** The OPCC is launching a revamped Employee Supported Policing Programme which will seek to work with local businesses to give their employees time off to volunteer as a Special Constable. This has significant benefits for the Constabulary in helping to bring in vital skills into the policing and crime arena, and in turn, bring back transferable skills back into businesses. The Police and Crime Commissioner will be hosting an event on 2 March to formally launch Phase 1 of the scheme.

Countywide Community Stop and Search Scrutiny Panel

- 2.4.1** The Countywide Stop and Search Scrutiny Panel will be producing an Annual Report and reporting back on their findings over the past year to the Commissioner's Community Safety Board in March. A review of around 100 Stop and Search forms contained very short descriptions for the grounds of the search, and in particular, lacked evidence on why the initial stop had taken place. Some forms were very vague regarding what they suspected they might find on the individual. Often officers recorded the narrative from the start of the search and what they believed they might find on that individual, rather

than the behaviour of the individual prior to the search, and an explanation regarding what contributed to their suspicion.

2.4.2 Findings from their meetings over the past year have shown that there is significant variation in the number of stop searches across Community Safety Partnerships (CSPs). Recent data from 1st April to 31st December 2015 show variation both in the volume of stop and searches carried out, and also the arrest rate and number of positive disposals. This ranges from a 22 per cent (arrest rate) in Welwyn Hatfield and 36 per cent (positive disposal and arrest rate) in St Albans to 8 per cent arrest rate and 25 per cent positive disposal rate in Three Rivers.

2.4.3 Moving forward, the panel intend to undertake a 'deep dive' of stop and search forms from identified CSPs that have considerably lower arrest rates and positive disposals than the Hertfordshire average. This will help the panel to examine in more depth what compliance looks like in specific areas, and where improvements to the training of officers can be made.

A full report will be circulated in March 2016.

Victims Commissioning

2.5.1 Beacon update

A significant programme of work continues to support victims. Beacon provides a comprehensive service to victims, whether they chose to report their crime or not, including:

- Updates on Crime
- Practical Support
- Home security
- Contact friends/family
- Completing claim forms
- Victim Personal Statements
- Transportation
- Advocacy
- Emotional Support

Between 4th June – 31st December 2015 Beacon data showed:

- 48,022 crimes recorded in Hertfordshire
- 42,740 victims
- 11,269 priority group victims
- 1,153 receiving enhanced service
- 263 Victims have been referred over to HHSS
- 609 Phone calls made to the 0300 Beacon Hotline
- 4,139* website visits. Traffic at around 20 visits per day

2.5.2 As part of the Ministry of Justice requirements, Beacon has been promoted using a range of communication outlets including advertisements in local

district magazines (Dacorum Digest, Link, Hertsmere News, Outlook, Three Rivers Times, Horizons, Welwyn and Hatfield Life); Radio advertisement-Heart FM – audience of 150,000; leaflets and posters and distributed to all the district council offices and information available within GP surgeries including waiting room screens.

2.5.3 The OPCC hosted a Beacon Partnership Champions Event in January 2016 with partners to discuss and share best practice, engage in educational events and to support the Beacon centre by offering third party referral pathways and/or offering services to victims of crime. Herts Valleys CCG Community Navigator scheme has also engaged as a service delivery partner.

2.5.4 Restorative Justice (RJ) Week took place in November and work continues to roll out the pilot schemes to allow victims access to RJ should they choose this as an option.

- Community Remedy. Develops where a victim would like an apology in person from the offender. The pilot went live on 25th November 2015 in Welwyn Hatfield.
- Pre-sentence (early guilty plea). A detailed process is being developed through the Criminal Justice Department and Courts.

New Hate Crime Research

2.6.1 The Centre for Hate Studies at the University of Leicester were commissioned in December 2015 in Partnership with Herts Police and Herts County Council to deliver research on the views and expectations of hate crime support services in Hertfordshire.

2.6.2 It is the first of its kind focussed only on victims and victims' services. There has been a high response rate - thanks to all who have provided support. The findings will be used to inform the commissioning intentions for specialist services for victims of hate crime to help them cope and recover and feed into the new County Hate Crime Strategy. The Research comprises a survey and interviews and started in January 2016 and will finish in April 2016 with a report being published in May 2016, post-election.

Moving forward

2.7.1 The MOJ has confirmed funding for victims services for one year. The local settlement for Hertfordshire will be announced over the coming weeks. Officers will press ahead with the programme of work to develop and enhance Beacon's services including:

- Working with Action Fraud regarding victims' needs
- Working with the CCSU around repeat and targeted victims.
- Ensuring compliance and monitoring of the Victims Code of Practice
- Setting up a sub-group to undertake dip sample of completed cases

- 'Out of hours' burglary vulnerable victim support service including remedial clear up and emotional support.

2.7.2 In addition, the revised Victims Code of Practice now covers victims of all crimes (not just notifiable crimes) and introduces new responsibilities on responsible authorities. The OPCC is considering these additional requirements and developing plans to ensure compliancy.

2.7.3 We are also keen to resolve a long-standing issue in relation to the coordination of the victim/witness beginning to end journey through the CJS and look to enable a step change in the way that victims are able to access a range of coordinated services in Hertfordshire to help them cope and recover from their ordeal. The OPCC will be looking to develop Beacon so that it coordinates the victim/witness journey throughout the Criminal Justice System therefore ensuring that the entire experience is seamless as possible.

HERTFORDSHIRE COUNTY COUNCIL
COMMUNITY SAFETY & WASTE CABINET PANEL
WEDNESDAY 10 FEBRUARY 2016 AT 10 AM
INTEGRATED PLAN 2016/17 - 2019/20

Joint Report of Assistant Director – Finance
 The Chief Executive & Director of Environment and
 The Director of Community Protection

Author(s): Lindsey McLeod Head of Accountancy Services
 Mike Collier Assistant Director (Environment)
 Darryl Keen Deputy Chief Fire Officer

Executive Members: Richard Thake (Executive Member for Community
 Safety & Waste)
 Chris Hayward (Executive Member for Resources and
 Performance)

1. Purpose of the Report

- 1.1 To highlight the areas of the Integrated Plan which relate to Community Safety & Waste in order for Panel to consider these and provide comment.
- 1.2 Members are asked to bring the following reports to the meeting, which have been circulated separately to all Members of the County Council:

‘Public Engagement and Consultation on the 2016/17 – 2019/20 Integrated Plan’ (circulated as Item 4(i) for the Cabinet meeting of 18 January 2016); and

‘DRAFT INTEGRATED PLAN 2016/17 – 2019/20 (incorporating the Strategic Direction and Financial Consequences and the Treasury Management Strategy)’ (circulated as Item 4(ii) for the Cabinet meeting of 18 January 2016).

2. Summary

- 2.1 The Integrated Plan brings together the financial impact of service plans and the available funding to resource these, over the next four years. Strategic Direction summaries have been produced for each Portfolio, which set out the future direction of services in the context of achieving substantial further savings. These have been informed by comparative benchmarking, both through published data and informal networks with other comparable authorities, to identify areas of potential efficiency

gains. Services have identified savings, in the context of the continuing budgetary pressures and reduction in available funding.

- 2.2 Savings requiring a policy change have been taken through Panels for Cabinet decisions throughout 2015/16, and substantial efficiency savings have been identified. However, the Provisional Settlement announced on 17 December included a significant reduction and redistribution of central government funding, and Revenue Support Grant and other core funding is £24m lower than had been anticipated. Further savings options have been identified and increases in council tax and the new Social Care Precept are proposed in order to achieve a balanced budget. The IP Pack and Strategic Direction documents have been updated for the proposed savings.
- 2.3 Savings include reducing the allocation of general non-pay inflation to zero, in line with current CPI. Whilst this is mitigated to some extent by excluding exceptional inflation areas it will require services to manage the impact during 2016/17.
- 2.4 The final position will not be confirmed until the Final Settlement (expected early February) and other late grant announcements, and until figures are received from Districts for council tax base and collection fund balances, due to be provided by end January. Some proposed savings identified following the provisional settlement are also subject to final agreement with partners. Should any late changes result in an unbalanced budget, specific reserves will be used to provide one off funding in 2016/17.
- 2.5 The future position remains challenging: even with the identified savings and continued year on year increases in council tax and the social care precept, current projections of pressures and funding require a further £37.9 million saving to be identified in 2017/18, rising to £70.8 million by 2019/20.
- 2.6 To help meet these challenging targets, work is in hand to progress further savings during 2016, for implementation for 2017/18 or sooner where achievable. It is recognised that savings require significant lead in times, especially where there is service redesign or consultation.

3. Recommendations

- 3.1 The Panel is invited to comment to Cabinet on the proposals relating to the Integrated Plan in respect of Community Safety & Waste.
- 3.2 The Panel is also asked to identify any issues that it feels that the Cabinet should consider in finalising the Integrated Plan proposals.

4. Background

- 4.1 The integrated plan comprises:

- an overview of the proposed revenue budget and capital programme (Part A);
- Strategic Direction and Financial Consequences (Part B);
- an Equalities Impact Assessment (Part C);
- other technical information (Part D) incorporating details of inflation calculations; a review of the budget estimates and adequacy of reserves; and summarising the budget information outlined in Part B;
- the Treasury Management Strategy (Part E);
- the Insurance Strategy (Part F); and
- the Invest to Transform programme (Part G).

4.2 Part B of the Integrated Plan has separate sections for each Portfolio. These contain the strategic direction summary (for the Community Safety & Waste portfolio this can be found on pages 47 to 57); the key issues for the portfolio (pages 58 to 64); revenue budget information including a schedule of Key Budget Movements that sets out details of financial pressures and savings (pages 65 and 66); an analysis of the revenue budget by objective area on pages 67 and 68; and a summary of the proposed Capital Programme on pages 69 to 73.

5. Equality Implications

5.1 Part C of the Integrated Plan (which starts on page 168) provides an equality impact assessment of the savings included within the plan and how these are intended to be mitigated by the service.

HERTFORDSHIRE COUNTY COUNCIL

**COMMUNITY SAFETY AND WASTE MANAGEMENT
CABINET PANEL**

WEDNESDAY 10 FEBRUARY 2016 AT 10:00



**COUNTER TERRORISM AND SECURITY ACT – FORMATION OF
PREVENT BOARD**

Report of the Director Community Protection (Chief Fire Officer)

Author:- Darryl Keen, Deputy Chief Fire Officer (Tel: 01992
507502)

Executive Member/s:- Richard Thake, Community Safety and Waste
Management

1. Purpose of report

1.1 To consider the gaps identified as part of a review following the enactment of various aspects of the Counter Terrorism and Security Act 2015 (hereafter referred to as “the Act”), in particular, but not exclusively, items relating to the Prevent Strategy. The Paper is also intended to confirm that a Hertfordshire County Council Prevent Board will be formed which will comprise a representative from each Directorate to guide and monitor Prevent obligations for the County Council.

2. Summary

2.1 The Act places a number of duties and requirements on the County Council which have resulted in some initial steps to support compliance, for example Members will recall that on 13 July 2015 Cabinet formally established a Channel Panel for Hertfordshire as required by Section 36 of the Act.

2.2 A significant amount of guidance has been published in order to support organisations in the implementation of Prevent related duties but four key themes recur in the guidance; the use of appropriate risk assessment, the importance of partnership working, the need to ensure that staff are suitably trained and the need for robust policies particularly in relation to Information Technology.

2.3 In January 2016 the Hertfordshire County Council Strategic Management Board further considered the overarching control in relation to the requirements of the Act and has chosen to form a

Hertfordshire County Council Prevent Board. Terms of Reference are now being developed and the Board will meet shortly.

3. Recommendation/s

- 3.1 Cabinet Panel Members are asked to note the work underway across the Council to meet obligations in relation to the Act and in particular the formation of the Hertfordshire County Council Prevent Board.

4. Background

- 4.1 On 13 July 2015 Cabinet formally established a Channel Panel for Hertfordshire as required by Section 36 of the Act, this was the first, and most pressing, requirement of the Act. However the Act also places a number of other duties and requirements on Hertfordshire County Council.
- 4.2 One of the key points made throughout the guidance and legislation is that of proportionality. The available guidance also notes that much of the action required by the Act can be achieved through existing mechanisms and as such the formation of significant additional Prevent structures would be disproportionate with the specific exception of the now formally established Channel Panel and the soon to be established Prevent Board.
- 4.3 The duties identified within the Act include:
- establish or use existing mechanisms for understanding the risk of extremism
 - ensure staff understand the risk and build capabilities to deal with it
 - communicate and promote the importance of the duty
 - ensure staff implement the duty effectively
 - effective partnership working with other local agencies, eg. Police, health, etc.
 - information sharing
 - maintaining appropriate records
 - assessing local risk of extremism (including Far Right extremism)
 - demonstrating they are protecting children
 - developing clear protocols for visiting speakers
 - safeguarding policies that take account of policies and procedures
 - training staff to give them knowledge and confidence
 - ensuring there are robust ICT protocols that filter out extremist materials
 - school buildings must not be used to give a platform to extremists
- 4.4 It must be recognised that Prevent guidance and legislation does not place a significant number of new duties on Local Authorities, they

simply reinforce aspects of Prevent that are largely already covered by existing systems, policies or approach. The legislation simply places an expectation that in carrying out existing Hertfordshire County Council duties the Prevent aspect receives 'due regard'.

- 4.5 In mid-2015 a high level gap analysis was undertaken in conjunction with Hertfordshire County Council Legal in which the impact upon Hertfordshire County Council departments was considered in relation to the duties imposed by the Act. The gap analysis did not identify specific actions other than to suggest subject areas where some relevance to Hertfordshire County Council was likely along with the most obvious subject lead.
- 4.6 This paper therefore seeks to build on that initial analysis and proposes the formation of a lead officer group to ensure coordination and consistency of approach across Hertfordshire County Council.
- 4.7 **Prevent in Hertfordshire County Council so far**
- 4.8 A number of departments have already undertaken some form of Prevent awareness training. Whilst much of this has been delivered in line with nationally provided resources such as WRAP (Workshop to Raise Awareness of Prevent) it has been delivered based upon a department/directorate assessment of risk/benefit rather than a corporate assessment or as a result of strategic direction.
- 4.9 The Prevent Board will therefore bring together representatives from Hertfordshire County Council directorates who have already had some involvement in Prevent activities in their areas. This group will be able to confirm the current situation within Hertfordshire County Council such that an analysis of any specific gaps can be confirmed and proposals developed around awareness for staff. Within Health and Community Services (HCS) for example, a small number of trainers have already received WRAP train the trainer input and will shortly be rolling this out to frontline staff. HCS has also developed a short Prevent iLearn package which may well be suitable to form the basic awareness for all staff. Some training for Elected Members will be provided as previously discussed at the Community Safety and Waste Management Panel.
- 4.10 In considering the requirements of Prevent it is essential to consider links/responsibilities in areas not directly under the control of Hertfordshire County Council. Links with key partners already exist which may well provide suitable routes to coordinate Prevent activities. It is proposed that one of these routes is through the County Community Safety Managers Group to ensure coordination with district partners and regular reporting to the County Chief Executives Coordinating Group will be undertaken along with internal reports to Hertfordshire County Council Strategic Management Board supported by an annual report to Members via this Cabinet Panel.

5. Financial Implications

- 5.1 There are no financial implications as a result of this proposal as the Board will be formed of existing service leads. Any organisational changes proposed by the Board will be the subject of separate financial analysis.

6. Equalities Implications

- 6.1 There are no equalities implications as a result of this proposal. Any projects proposed by the Board in the future will be the subject of individual equalities impact assessments and it is recognised that Prevent activities may be sensitive in nature of which the Board will have due regard.

HERTFORDSHIRE COUNTY COUNCIL**COMMUNITY SAFETY AND WASTE MANAGEMENT
CABINET PANEL****WEDNESDAY 10 FEBRUARY 2016 AT 10:00****PROPOSALS TO INTRODUCE A NEW TRADING STANDARDS'
APPROVED-TRADER SCHEME***Report of the Director of Community Protection (Chief Fire Officer)*

Author: - John Boulter, Head of Protection (Business)
(Tel: 25951)

Executive Member: - Richard Thake, Community Safety & Waste
Management Portfolio

1. Purpose of report

- 1.1 To inform the Cabinet Panel of plans to withdraw from the current 'Buy With Confidence' approved-trader scheme and, instead, enter into a new partnership with Which? Trusted Traders, in order to run a broadly similar scheme in Hertfordshire, publically endorsed by Hertfordshire Trading Standards and administered by Which? Trusted Traders.

2. Summary

- 2.1 Buy with Confidence (BWC) was launched as an approved trader scheme in Hertfordshire during early 2013, replacing the previous Trustmark scheme. It was felt, at that time, that BWC offered a greater opportunity to influence consumers than the previous Trustmark scheme which was limited to traders in the home maintenance category. However, despite a wide range of marketing activity over a prolonged period, only 50 businesses have joined the scheme. The relatively small number of businesses signing up for BWC means that in some trade sectors there is little choice for consumers and therefore the current scheme has a limited impact on consumer behaviour.
- 2.2 Which? Trusted Traders (W?TT) has recently approached Trading Standards, offering to enter into a partnership with Hertfordshire County Council, to operate an approved trader scheme, on Hertfordshire County Council's behalf. The proposed scheme would mirror the existing BWC scheme, supplemented by some additional Trading Standards' checks, including criminal records check and also carry with it the endorsement: 'Trading Standards approved'.

- 2.3 This proposition provides an opportunity to significantly reduce the amount of resource put into running a scheme whilst still retaining a high degree of confidence in the integrity of those arrangements. In addition to the efficiency savings for officer time the W?TT scheme is likely to achieve far greater brand recognition. It offers consumers a much greater range of businesses to choose from and, in turn, potentially offers greater business opportunities for those companies who become members of the scheme. Hertfordshire County Council also has the opportunity to influence the design of the new scheme and the market sectors to which it might expand over time.

3. Recommendation

- 3.1 The Community Safety and Waste Management Cabinet Panel is invited to:
- a) Support the proposal to withdraw the Buy with Confidence (BWC) scheme in Hertfordshire.
 - b) Endorse a new 'Trading Standards approved' scheme which will be delivered, in partnership, with Which? Trusted Traders.

4. Background

- 4.1 An approved trader scheme aims to help consumers choose a reputable business. This preventative approach supports a priority area of work for Trading Standards in reducing the opportunities for rogue traders to target Hertfordshire consumers and to promote a fair and equitable trading environment for Hertfordshire businesses.

Buy with Confidence (BWC)

- 4.2 The BWC scheme was initially launched by Hampshire Trading Standards in 1999 and has steadily grown with over 50 local authorities (mainly in the South of England) now taking part. Trading Standards South East (TSSE) provide the coordination for the scheme nationwide.
- 4.3 Businesses who successfully join the scheme can rightfully claim that they are 'Trading Standards approved' and display the BWC logo. The scheme aims to support consumers choosing a reputable business.
- 4.4 In order to become a BWC member, a business must first apply or be recommended to join the scheme and then pass a set of tailored background checks. Amongst other checks, each applicant will have their complaint history reviewed and will receive an audit visit from a Trading Standards Officer. Good references are required from previous customers and applicants must agree to abide by the scheme's code of conduct, which requires them to follow the letter and spirit of the law. DBS / criminal records disclosure is also required for employees of any members who carry out work in consumers' homes.

- 4.5 Other local authorities who have been running the BWC scheme for a significantly longer period of time are reporting a slowdown in applications in recent years, with member numbers now remaining static. It is thought that this is due to the large number of heavily promoted commercial providers now in the market.

Which? Trusted Traders (W?TT)

- 4.6 The difficulties encouraging Hertfordshire businesses to join BWC and, consequently, the failure to establish a 'critical mass' that provides sufficient choice for consumers coincides with a renewed emphasis to ensure that limited staff resources are used as effectively and efficiently as possible. Consequently, discussions have taken place with Which? Trusted Traders (W?TT) about the possibility of entering into a partnership to run a scheme in Hertfordshire which would see Trading Standards continued involvement in, and support for, an approved trader scheme but which would free up valuable staff resource to concentrate on other areas of risk reduction and consumer detriment.
- 4.7 The intention would be to run a scheme on a broadly similar basis to BWC. Similar pre-application checks would be carried out by W?TT with audits carried on applicants by qualified Trading Standards professionals (employed by W?TT). Unlike the current W?TT scheme a Hertfordshire variation with the additional wording, 'Hertfordshire Trading Standards Approved' would also include;
- Pre-application intelligence checks carried out by Hertfordshire Trading Standards Officers to ensure applicant businesses are suitable to join the scheme.
 - DBS / criminal record checks will be undertaken for the business's 'controlling mind'; as well as the business requiring self declaration for all employees which will also be subject to sample checks (this will be monitored as part of the W?TT audit).
 - Promotion of the W?TT scheme by Hertfordshire County Council.
 - Joint W?TT and Trading Standards Approved branding for members.

With these additional areas, the levels of consumer protection will be very similar for both BWC and W?TT schemes (see appendix 1 for the main characteristics of the two schemes).

- 4.8 Both Hertfordshire County Council and WTT have shared goals of reducing rogue trader activity and increasing consumer confidence. Which? operates as an independent group social enterprise working for

all consumers and receives no government money, public donations, or other fundraising income. All the money from their commercial ventures is ploughed back into campaigns and free advice for all.

Costs and transitional arrangements

- 4.9 Previous discussions with current BWC members have highlighted a preference for Hertfordshire County Council to continue with the existing BWC scheme rather than move to a partnership with another provider. Three main reasons were given;
- 1) a strong desire to maintain the 'Trading Standards Approved' branding,
 - 2) a preference for an independently operated scheme focused on consumer protection rather than providing leads for businesses or profit for the scheme operator,
 - 3) the cost of other schemes which are generally significantly more expensive than BWC.
- 4.10 As well as having to meet the new BWC criteria some members have incurred costs in changing stationary, websites and logos on vehicles. Should current members not want to move to the W?TT scheme they will be able to transfer to a neighbouring authority's BWC scheme (e.g. Essex or Cambridgeshire County Council) who can accept members from other areas that do not offer BWC. This would give existing members a choice to either move over to W?TT or remain with BWC (or both).
- 4.11 It is recognised that a major consideration is likely to be the annual cost for businesses (WTT is more expensive for businesses). To mitigate this W?TT will offer current BWC members the opportunity to move over to W?TT at the same cost for the first year and maintain this flexibility with a subsidised rate in year 2.
- 4.12 Unlike BWC, W?TT is not available across all business sectors. The W?TT scheme is currently targeted at home improvement and vehicle repair businesses (two of the highest areas of consumer detriment). It has however been agreed that all of the current BWC companies would be eligible to join the new scheme.

Business and consumer benefit

- 4.13 As well as providing an opportunity to reduce the amount of resource put into running a scheme, a partnership with W?TT would give Hertfordshire consumers a much greater choice of local endorsed W?TT businesses to select from.
- 4.14 As well as greater brand recognition, W?TT have much greater resources to promote the scheme to both consumers and businesses which in turn has the potential to deliver a much bigger and more recognised scheme than BWC. Unlike BWC, W?TT also provide an

independent Alternative Dispute Resolution (ADR) scheme to provide a simple and free route to resolving complaints about W?TT businesses.

- 4.15 Initial feedback from other local authorities running BWC within the Eastern region indicates that they wish to continue with BWC rather than form a commercial partnership with another trader scheme. Unlike Hertfordshire, most of these have a significant number of members and so would lose a large amount of income if they ceased to operate BWC. Most of these members were signed up when there was significantly less competition from commercial providers and whilst they are maintaining existing numbers most are not seeing increases in recent years.

5. Financial Implications



- 5.1 This proposed change in provider will entail no additional cost to the Authority. We will continue to promote the scheme matching the existing budget used to support that activity.

6. Equalities

- 6.1 There are no equalities issues arising from this work.

Appendix 1

Comparison of the two schemes

	 buywithconfidence.gov.uk	
Annual Cost	<p>One off application fee of £100 plus VAT.</p> <p>Annual membership fee of between £100 and £200 (depending on no. of employees)</p>	<p>One off application fee of between £60 and £240 plus VAT (this fee is for new applicants only, and would not apply to existing BWC members)</p> <p>Annual membership fee of between £480 and £1,580 (depending on no. of employees)</p>
Marketing	Focused on community events and free / low cost advertising	<p>Sponsorship of national TV and radio programmes (e.g. 'Afternoons' on ITV3)</p> <p>Printed directory (at additional cost to business)</p>
Vetting	<p>Personal Interview and check of Qualifications</p> <p>Insurance</p> <p>Referees</p> <p>Credit Score</p> <p>Code of Conduct</p> <p>DBS / criminal records check</p> <p>Review of Terms & Conditions, website and printed material</p> <p>Check on TS, CITA and Intel databases</p> <p>TSO Audit / Inspection visit</p> <p>Annual renewal</p>	As BWC (Check on TS, CITA and Intel databases and DBS / criminal records check not part of current offer but to be incorporated into W?TT / HCC partnership)
Feedback	<p>Feedback forms given to all customers (can also leave feedback online).</p> <p>All negative feedback reviewed.</p>	Online feedback form
Website ranking / popularity (UK)	32,518	167 (main Which? site)
Dealing with complaints	Intervention service offered by TSO.	Independent Alternative Dispute Resolution Service.
Other support / benefits	Free advice & regular updates on Consumer Protection legislation.	As BWC