

**The Highland Council**

**Transport, Environmental and Community Services Committee  
7 November 2013**

Agenda Item	<b>9</b>
Report No	<b>TEC 81/13</b>

**The Highland Consumer Partnership**

**Report by Director of Transport, Environmental & Community Services**

**Summary**

This report invites Members to support the Highland Consumer Partnership, an initiative which brings together the Council's Trading Standards team, all eight Highland Citizens Advice Bureaux and Citizens Advice Scotland.

The partnership aims to bring the knowledge, powers and experience of all the participants together to achieve a better deal for Highland consumers.

**1. Background**

- 1.1 In 2012, the UK Government embarked upon major reform of the "consumer landscape" of bodies responsible for consumer affairs. The previous arrangements were seen as potentially duplicative and confusing for consumers and businesses. The reform aimed at streamlining the landscape by reducing the number of organisations involved in consumer matters. This process is at an advanced stage: for example both the Office of Fair Trading (OFT) and Consumer Focus (currently rebadged as Consumer Futures) have had their responsibilities reduced and will cease operations altogether on 1 April 2014.
- 1.2 The two groupings identified to take consumer matters forward in future are Trading Standards<sup>1</sup> and Citizens Advice<sup>2</sup>. Each has a different focus, reflecting their respective skills and duties: while Trading Standards leads on business advice and education and enforcement of consumer laws, Citizens Advice leads on consumer advice, education and advocacy.
- 1.3 Some of the national elements of the new consumer landscape have been relatively straightforward to implement. For example, the national consumer telephone helpline, previously operated by the OFT as "Consumer Direct", is now run by the Citizens Advice Consumer Service. It has the same telephone number as before and provides information about consumer problems and refers cases to Trading Standards in a similar manner to Consumer Direct. However, no "template" has been produced for operating the new landscape at the local level. Recognising this, the consumer organisations in the Highlands decided to set up their own model.

<sup>1</sup> Mainly local authority Trading Standards Services but also including regional and national operations like the Trading Standards Institute and Scambusters, now delivered through Trading Standards Scotland within COSLA.

<sup>2</sup> Including *local* Citizens Advice Bureaux, Citizens Advice Scotland and Citizens Advice England and Wales

## 2. Preliminary Work

- 2.1 Trading Standards and Citizens Advice had worked well together in the past in Highland, but the contact was ad hoc and occasional. A more systematic and regular partnership was now required in the new landscape. Each Citizens Advice Bureau (CAB) in the Highlands is an independent organisation, grounded in and responding to the needs of its own local community. It was clear from the start, therefore, that “one-size-fits-all” or “top-down” approaches to creating a consumer partnership in the Highlands would not be successful. Instead there was a need to engage with each bureau separately, in a manner which included CAB managers, staff and volunteers.
- 2.2 The first step was to obtain the support of the CAB Managers. The issue was discussed with them and each agreed for a visit to be made to their CAB to discuss the issues with volunteers and staff. These visits were carried out during February, March and April 2013. An officer from Trading Standards and a member of Citizens Advice Scotland’s (CAS) Community Action Team provided a brief presentation introducing some ideas for joint working and then the majority of the time was spent in dialogue with the CAB advisers, allowing them to ask questions, raise concerns and suggest ideas.
- 2.3 These discussions were lively and very informative: the advisers were able to bring their on-the-ground experience of the CAB to inform the development of the partnership. While Trading Standards and CAS had a basic outline of ideas before the visits, this had significantly changed and improved after the visits had been completed. Based on the outcomes from this consultation, a “work in progress” model of how the partnership could operate was produced.
- 2.4 News of the development of what was now called the “Highland Consumer Partnership” (HCP) soon spread to other interested parties in Scotland and presentations were given at a number of events to explain and promote the work being done. These events included: a CAB Conference in Strathpeffer; a meeting of the Consumer Empowerment Alliance (a UK organisation) in Edinburgh; a meeting of the Society of Chief Officers of Trading Standards in Scotland (SCOTSS) in Aberdeen.

## 3. Work Themes Identified

- 3.1 The partnership model identifies four main aspects to the work that is to form the basis of the partnership. These are:
  - Help for consumers with individual disputes
  - Consumer “intelligence” sharing
  - Second-tier support to CAB advisers
  - Campaigning work

These elements are expanded upon below and also illustrated in the diagram in **Appendix 1**.

- 3.2 The national helpline is set up to give most initial consumer advice and to channel referrals to Trading Standards where necessary. The HCP seeks to facilitate and promote effective use of the helpline by consumers. However, it also recognises that vulnerable consumers and others who may prefer face-to-

face local contact or may require extra assistance, and local arrangements are being put in place to complement the use of the helpline.

- 3.3 In the past, although always committed to respond to requests for service and the investigation of complaints from consumers and business; the proactive work of Trading Standards was focussed around “routine inspections”, i.e. cyclical visits to all businesses in the area. In more recent times however the majority of our proactive interventions with business are based on “intelligence” or other available information that allows us to target our resources to where serious non-compliances are most likely to exist and/or the consumer detriment is greatest. Intelligence is received from a range of sources: for example the national consumer helpline, Police Scotland, Crimestoppers and other council services. Local CABx are seen as a potential key ancillary source of information about consumer problems, especially surrounding issues such as consumer credit, debt and housing problems. The HCP facilitates intelligence-sharing between CABx and Trading Standards in two ways, i.e. whilst maintaining client confidentiality, routinely reporting information to Trading Standards where the CAB Adviser recognises that the information may be of interest; and in response to specific requests by Trading Standards, providing information regarding a particular unfair business practice or an identified problem trader.
- 3.4 In return for the co-operation of CAB Advisers in the work of the HCP, it was thought important to offer something tangible in return. Therefore, under the HCP, Advisers can phone or email named Trading Standards Officers to receive “2<sup>nd</sup> Tier” advice on any consumer matter. This is a simple concept but valued by the Advisers to date who have taken the opportunity to utilise it.
- 3.5 Joint campaigning is seen as central to partnership working between CABx and Trading Standards. It brings together the CAB’s consumer education role with the crime prevention strategies that are part of consumer law enforcement. One prominent recent example under the HCP was “Scams Awareness Month” in May 2013. This was a joint campaign to warn consumers about the wide range of scams currently targeting unwary consumers: by phone, email, letter, on the internet and on the doorstep. Successful events were held in Caithness, Inverness, Ross & Cromarty and Skye and there was widespread coverage in the local media. The next such campaign will be on Second Hand Cars during National Consumer Week in November, with several other campaigns planned for 2014.

#### **4 Other elements of the partnership**

- 4.1 In addition to the core ongoing work activities described in 3, the HCP also has several other aspects to it. These include:
- A customer engagement forum pilot in Skye and Lochalsh
  - HCP Website
  - Young Consumers of the Year Competition
  - Oil Clubs
- 4.2 A major theme for the partnership is re-connecting fully with local communities and especially with vulnerable or socially-excluded consumers. A pilot customer engagement forum is currently being considered in Skye, aiming to

bring together a range of agencies and voluntary groups to ensure that the needs of all consumers are considered and dealt with through the HCP. If the pilot is a success, the intention is to roll out the idea across the Highlands.

- 4.3 The partnership has a website<sup>3</sup>, aimed primarily at participants – chiefly CAB volunteers and staff - and other interested parties such as Council Members, CAS officials, etc. It is open to the public to view, but the content concentrates on the work of the partnership. It does not repeat general consumer information which can be accessed from other websites such as the CAB's Adviceguide or the Highland Council's Trading Standards pages.
- 4.4 Young Consumers of the Year is a long-standing quiz for school students operated by the Trading Standards Institute (TSI) designed to raise awareness of consumer rights among young people. Winners of the Highland heat go through to the Scottish Final (held at the Scottish Parliament), with the Scottish winners competing in the UK Final at the annual TSI Conference. Participation has reduced in recent years across the UK, but the HCP is now seeking to reinvigorate the competition in the Highlands, using the CABx's local strength to reconnect with schools and the youth parliament with the aim that renewed interest in the competition.
- 4.5 Oil Clubs involve consumers coming together to bulk-order domestic heating fuel and thereby achieving a better price per unit. This was not a planned feature of the HCP but has developed out of the existing joint working. Both the CABx and Highland Council Trading Standards are committing to alleviating fuel poverty and achieving a fair deal for all energy customers. The HCP is currently working with interested parties in one part of Caithness and it is hoped that the first Oil Club will be in operation soon.

## 5. Outcomes

- 5.1 A number of investigations have already resulted from the joint working arrangements of the HCP. These illustrate the partnership in practice and provide tangible outcomes that the HCP is already at this early stage in its life making a significant contribution to the core operational objectives of Trading Standards to ensure that trade in the Highlands is carried out in accordance with relevant statutory requirements and in so doing to protect the safety and economic interests of consumers.
- 5.2 Examples of such cases are:
- A local builder who was repeatedly providing very poor value for money on home improvement works was brought into line by Trading Standards after information was received from the local CAB
  - A CAB client was ripped off by a bogus loan provider who took upfront fees and then failed to supply a loan. Trading Standards took action and the trader's websites were taken off-line. A joint CAB-Trading Standards news release warned other consumers.
  - Action was taken regarding an online car advert scam: the consumer was saved thousands of pounds by an alert CAB adviser and Trading Standards took action against the operator of the scam.

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<sup>3</sup> <http://hcp.campaignsites.net>

- A variety of information from CABx and CAS has assisted Highland Trading Standards's ongoing campaign to get Highland consumers a fair deal on internet delivery.

## **6. Next Steps**

6.1 There are no other partnerships of this kind in Scotland and the HCP is attracting much interest across the country. The early work of the HCP has been encouraging. However, it is recognised that the early momentum must be maintained through continued engagement between Trading Standards and the CABx and further development of the different features of the HCP. Trading Standards has the key role in driving the partnership forward and ensuring that Highland consumers and reputable Highland businesses get a fair deal.

6.2 A number of specific initiatives are planned, including:

- Further joint working on payday lending and other high cost credit
- A joint campaign looking at private rent issues
- Further CABx visits to gauge advisers' views on the HCP one year on.

## **7 Implications**

7.1 The resources required will be contained within the existing Trading Standards budget.

7.2 There are no legal implications arising directly from this report.

7.3 There are no equality implications arising directly from this report.

7.4 There are no climate change implications / carbon clever implications arising directly from this report

7.5 There are no risk implications arising directly from this report.

## **8. Recommendation**

8.1 Members are invited to support the Highland Consumer Partnership and the continued involvement of Trading Standards in its on-going development.

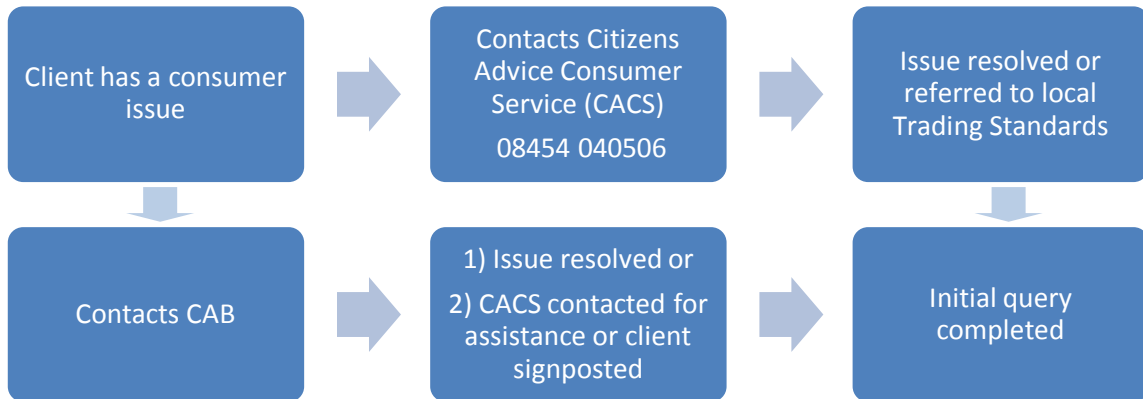
Designation: Director of Transport, Environmental & Community Services

Date: 25 October 2013

Authors: Gordon Robb, Trading Standards Manager;  
David MacKenzie, Trading Standards Team Leader

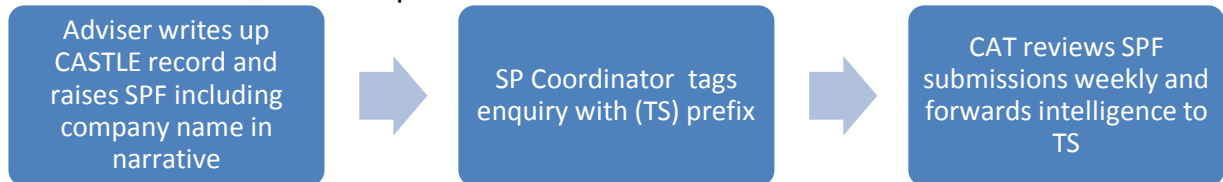
## Appendix 1 – Main Work Themes of the HCP

### 1) Client has a consumer issue

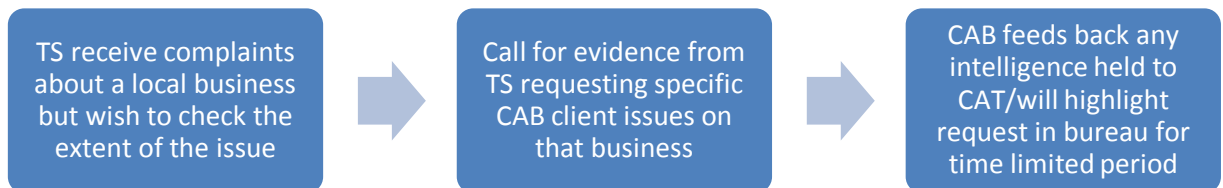


### 2) Consumer intelligence sharing

#### Provide regular "complaint" information



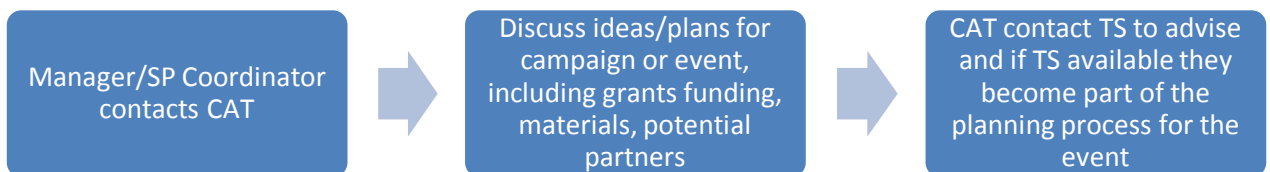
#### Respond to specific evidence request



### 3) 2<sup>nd</sup> tier support available



### 4) CAB wishes support to hold a Consumer event/Scams campaign



**Key:** "CASTLE" is the CAB case recording database  
 "SPF" is "Social Policy Feedback"  
 "CAT" is CAS's Community Action Team